

03 JUL 2013

Application 3/2013/0357

Land to the north of Huntroyde Home Farm

'Huntroyde Hall' and 'Feeding Shed in gap between Pan Wood and Height Side Wood' are both Grade II listed (denoting their national interest). The Feeding Shed list description is typically brief but nonetheless states 'built as eye catcher', 'gap between Pan Wood and Height Side Wood' and 'south gable has rock-faced voussoirs to the arch and scrolled dressings to the gable, north gable is more simply treated'. This not only identifies the significance and purpose of the Feeding Shed in the historic designed landscape but also the importance of views from Huntroyde to Black Hill and the application site.

Site inspection reveals the reciprocal view from Black Hill to Huntroyde and beyond (historically the estate covered the whole of the area in view) to also be of interest. The tree belts (pines, beech with rhododendrons and stone walling) focus views down to the Feeding Shed before they open up again to the landscape beyond (the 1845 OS map shows that this wider landscape of tree belts and clumps had been established by this time).

The 1845 OS map shows that the distinct openness and unobstructed nature of the pastureland to the north (siting of proposed development) and immediately south of the Feeding Shed, so important to the raison d'être and setting of the eye-catcher, has been retained.

The Huntroyde Demesne appears on the 'Local List of Lancashire's Unregistered Historic Designed Landscapes' (June 2013; Local significance). See NPPF paragraph 135.

NPPF paragraph 137 implies that proposals that do not preserve those elements of a setting that make a positive contribution to the significance should be treated unfavourably.

NPPF paragraph 132 states that when considering proposed development, great weight should be given to the asset's conservation (see conservation definition at Annex 2). Also, significance can be harmed or lost through development within an asset's setting.

NPPF paragraph 132 states that substantial harm to a Grade II listed building should be exceptional. NPPF paragraph 133 requires the refusal of consent for proposals having substantial harm unless listed criteria apply.

There is no definition of 'substantial' in the NPPF or HEPPG. However, English Heritage's response to the Taylor Review at Annex A: 28 is of help:

In assessing impact on a heritage asset or its setting what matters is the impact on the significance of the asset. The impact of total destruction is obvious. Partial destruction is likely to have a significant impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, any works to an asset and works affecting its setting have the potential to cause substantial harm. A key factor in determining

whether the works constitute substantial harm is if the adverse impact goes to the heart of why the place is worthy of designation – why it is important enough to justify special protection. This has to be assessed at the time of the decision in all cases.

Paragraph 1.2 of the submitted Heritage Impact Assessment Addendum confirms that the significance of the above heritage assets have not been considered in proposal development. Paragraph 1.3 (impact opinion) confirms that significance has still not been considered (see requirement at NPPF paragraph 128 and guidance at HEPPG paragraph 119; how is the LPA to give **special regard** [s.66 P(LBs&CAs)Act 1990] to the setting of the listed buildings in the planning balance without this information - see Mrs Justice Lang's judgement in **East Northamptonshire** 'Lyveden New Bield').

Paragraph 1.3 does not consider the detrimental implications of providing a second and non-static 'eye-catcher' (see '*conflict of visual priority*' in GHS paragraph 5.5 below) in this landscape as well as a new and incongruous roadway.

The justification at paragraph 1.3 is not convincing. Fig 02 and Fig 03 are static views – public perceptions/understanding of significance will be formed by transient views e.g. along the road to the south and along public footpaths FP7, FP19 and FP22. Notwithstanding these important public views, I note from HEPPG paragraph 117 that '*the contribution that setting makes to the significance does not depend on there being public rights or an ability to access or experience that setting*'.

The HEPPG states that the formal parkland around a country house can enhance the significance of this heritage asset (paragraph 116). Paragraph 114 is relevant in respect to the relationship with Huntroyde Hall '*the way in which we experience an asset is also influenced by ... spatial associations; and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. They would be considered to be within one another's setting*'.

'The Setting of Heritage Assets' (EH, October 2011) is relevant: '*setting embraces all of the surroundings (land, sea, structures, features and skyline) from which the heritage asset can be experienced or that can be experienced from or with the asset*';

Views and Setting (page 6) discusses the importance of views from '*an historic house through its surrounding designed landscape to the countryside beyond*' and the '*intervisibility with natural or topographic features*';

Change over Time (page 10) states '*the setting of some heritage assets may have remained relatively unaltered over a long period and closely resemble the setting in which the asset was constructed or first used. The likelihood of this original setting surviving unchanged tends to decline with age and, where this is the case, it is likely to make an important contribution to the heritage asset's significance*';

Appreciating Setting (page 7) states '*arguments about the sensitivity of a setting to change should not be based on the numbers of people visiting it. This will not adequately take account of qualitative issues, such as the importance of quiet and tranquillity as an attribute of setting*'.

**The Garden History Society's Planning Conservation Advice Note 8:
'Telecommunications Masts' is of relevance:**

The desirability of views of particular areas and elements will usually be related to what was fashionable in the period of design inception or design change (1.3);

Desirable views outside the defined boundary of a designed landscape were often 'borrowed' by a landscape designer to create additional effects within the overall composition. Thus a high point within the designed landscape might be swept clear of planting to enable a wide panorama of the adjacent countryside or coast to be appreciated, or new planting could focus views of a distant structure (such as a church spire), or natural features (such as a crag, gorge or winding river). 'Borrowed landscape views' might also be used to increase the apparent extent of a designed landscape or estate (1.4);

The way in which an ornamental landscape was perceived from outside was an important consideration. For maximum effect, the eye had to be drawn towards the designed landscape and designers were careful to avoid potential visual conflict.

A boundary could be planted to give staged views into the interior (e.g. vistas cut through boundary woodland to focus in sequence on a mansion and landscape, being approached along a public road) (1.5);

A landscape designer would also have regard to function and purpose, and the essential ambience of a designed landscape invariably reflects this aspect ... a country house landscape to exhibit status and exclusivity (1.6);

Imposition of an alien structure, or parts of it, on the periphery of a focussed view (e.g. along an avenue or between ornamental buildings or block planting) can immediately draw the eye away from that designed view (conflict of visual priority).

Similarly, a telecommunications mast sited within a vista, a viewpoint, landscape composition or panorama is likely to present as an 'exclamation point'; drawing the eye and conflicting with design intention (Watchpoints, 5.5);

The potential impact of overtly modern structures is likely to be greater on areas and views of historic landscape where no such imposition has occurred to date (Watchpoints, 5.7).

The Garden History Society's Planning Conservation Advice Note 6: 'Vehicle Parking and Access' is of relevance:

The advent of the landscape park demanded alteration to these arrangements. Straight lines and regular features had no place in this new 'natural' style and any movement had to be carefully tailored to the composition. Owners of even small estates went to great lengths to remove all public, domestic and service traffic from across the new scenes. Public roads were closed and rerouted, dense tree belts might be planted along new park boundaries to shut out even a distant glimpse of such traffic and roads that could not be closed might be run in new cuttings to avoid visual intrusion (1.4);

New or upgraded traffic routes may require considerable subsidiary development in the form of new surfacing (particularly if heavy vehicles are to be accommodated), lighting, signage, speed restriction measures, CCTV etc. All have potential for adverse visual impact and for erosion of the character and appearance of historic landscape. The possible cumulative effect of such subsidiary development should also be taken into account (Watchpoints, 5.1);

Specialist advice (e.g. from a tree or landscape officer) should be sought on potential impact of vehicle parking and access proposed in areas of mature trees (Watchpoints, 5.6).

Recommendation: Refuse planning permission:

The proposal has an unduly harmful impact upon the setting of the Grade II listed Feeding Shed and Huntroyde Hall and the significance of the Huntroyde Demesne designed landscape (non-designated heritage asset) because of the wind turbine and access road's visual intrusion and conspicuousness and its compromise to the Feeding Shed as a designed eye-catcher. This is contrary to Policies ENV19 and G1(a) of the Ribble Valley Districtwide Local, National Planning Policy Framework paragraph 131 (the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness) and paragraph 132 (great weight to the conservation of the significance of a designated heritage asset) and Policies DME4 and DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

**A Dowd
3 July 2013**

Who is the 'conservation officer' with whom agreement has been reached (paragraph 2.1 of the HIAA; I note that a 7km radius of the site would include a number of LPAs)?

Eye catcher – a feature placed on a distant eminence (but not necessarily on the owner's property). New High Riley, Accrington is a tower built over a farm to be seen from a house on the edge of town (Local List of Lancashire's Unregistered Historic Designed Landscapes).

Eye-catcher – decorative building (often a sham ruin) usually on an eminence to terminate a park or garden layout (Pevsner N. 'The Buildings of England: North Lancashire).

Eye catcher – folly, ruin, temple, or other structure in a landscape, such as a gloriollette, drawing the eye to a desired point (Oxford Dictionary of Architecture).

Eye catcher – some of the castles had no backs, no rooms at all, they are eyecatchers only, built flat like scenery simply to take their place in the view. Sometimes, therefore, they are vista-closers as well [there is a vocabulary for the picturesque]

... landscaping age, which surprisingly gave us a wealth of garden houses of a different kind, the 'eye-catchers' or embellishments of the landscapes usually set in remote parts of the estate

... the landscape garden ... all nature was now a garden – including cultivated nature in the form of farms with their flocks of sheep(though the farm houses must be ornamental!). The introduction of the ha-ha, a sunk ditch, invisible till one was upon it and impassable to animals, made this possible. The distant landscape, now artistically dotted with buildings such as temples, sham ruins, or statuary recalling ancient times (to serve as focal points or 'eye-catchers'), was carefully planted with clumps or belts of trees to bring out the genius of the place (The Shell Gardens Book).

Setting of a heritage asset – the surroundings in which a heritage asset is experienced (NPPF Annex 2).

See also 'Rural Landscapes: Designation: Register of Parks and Gardens Selection Guide' (English Heritage, 2013).