

Rebuttal – Heritage.

Land South of Park House Farm, Meriden Road, Fillongley.

Appeal by Enviromena Project Management UK Ltd.

Date: 25/03/2025 | Pegasus Ref: P24-1827

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Introduction

- 1.1. My name is Hannah Armstrong. My qualifications and experience are set out in my Proof of Evidence.
- 1.2. The evidence which I have prepared and provided for this Appeal has been prepared and given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true professional opinions, irrespective of by whom I am instructed.
- 1.3. This Rebuttal on heritage matters addresses a number of points raised in the Proof of Evidence of Catherine Tuck (prepared on behalf of the Rule 6 Party) with regards to the consideration of heritage assets within the decision-making process.
- 1.4. This Rebuttal naturally does not cover every point raised by Ms Tuck's Proof of Evidence, and my not referencing each point should not be taken to necessarily indicate my agreement with Ms Tuck 's approach, analysis or findings.

Consideration of Cumulative Impacts

- 1.5. At §7.4 Ms Tuck concludes that:

“The harmful impact resulting from the proposed development is generally evaluated as being ‘less than substantial’ in NPPF terms, with harm to assets ranging from the lower to the very upper end of that scale. However, to take each asset individually and view the harm to them as separate is to underestimate the cumulative overall effect from development. These assets form part of a cohesive landscape – a surviving part of the Ancient Arden landscape. They are chronologically inter-connected and many form intervisible elements of the countryside.”
- 1.6. This approach to ‘cumulative harm’ is echoed within the Executive Summary of Ms Tuck’s evidence and at the discussions presented at §6.31 where Ms Tuck states that *“For the most part, the impact on individual assets will be less than substantial harm caused by development obscuring or detracting from the appreciation and understanding of the assets. Cumulatively, however, the overall impact on the Ancient Arden landscape south of Fillongley will be considerable”*
- 1.7. In summary, it is my understanding that the approach being taken by Ms Tuck is that small degrees of harm to a number of heritage assets should cumulatively be considered to resulting a greater level of harm to the historic environment for consideration in the decision-making process.
- 1.8. This approach does not fit align with how Historic England’s guidance approaches the matter of cumulative harm.

1.9. GPA3: *The Setting of Heritage Assets* states:

“Cumulative change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting; positive change could include the restoration of a building’s original designed landscape or the removal of structures impairing key views of it (see also paragraph 40 for screening of intrusive developments).”¹

1.10. This wording is echoed in *GPA: Managing Significance in Decision-Taking in the Historic Environment*:

“The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies. Negative change could include severing the last link to part of the history of an asset or between the asset and its original setting. Conversely, positive change could include the restoration of a building’s plan form or an original designed landscape.”²

1.11. Historic England guidance thus advocates that in regard to ‘cumulative impacts’ the consideration is whether the proposed development, when considered in the context of an extant development, would result in a cumulative impact that may detract from or enhance a heritage asset. This is similar to the approach taken to ‘cumulative impact’ in Environmental Impact Assessment where the change resulting from a proposed scheme on a heritage asset is considered in-conjunction with emerging developments.

1.12. The utilisation of ‘heritage asset’ singular is also highlighted, with the consideration being whether the accumulation of change would impact upon a single heritage asset, as opposed to a higher level of harm resulting from impacts to multiple assets.

1.13. Historic England guidance does not advocate the concept of the amplification of, or aggregation of, harm to a number of individual heritage assets (and / or the historic environment as a whole) simply because harm might be caused to more than one asset.

1.14. There is no National Policy or Guidance (such as the *PPG*) which provides any guidance to the contrary.

¹ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 4 – Core Document 6.7.

² Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015), §28 – Core Document 6.35.

1.15. At §3.6 Ms Tuck states that:

“The Decision Notice concludes that ‘The cumulative harms caused are considered to be substantial because of the development’s proposed size, its siting on higher land, there being no surrounding higher land and its public visibility over a wide area. It is not considered that this substantial harm is clearly outweighed by any benefits that the proposal might give rise to.’ Importantly, the cumulative effect of harm in landscape and visual terms also applies to impact on the historic environment.”

1.16. In regard to this statement, the following points are made:

- NWBC have confirmed via the Statement of Common Ground that the reason for refusal pertains to landscape matters only. Ms Tuck provides an interpretation of the Reason for Refusal which is not reflective of the intentions of NWBC as the author of the Reason for Refusal.
- The statement does not take into account the differences in industry standard methodologies for the assessment of heritage assets and landscape matters, nor that ‘receptors’ and how they may be sensitive to change differs between the two disciplines.

The Landscape as a ‘Heritage Asset’

1.17. In the quotes provided above, and in discussing perceived ‘cumulative impacts’, Ms Tuck makes reference to impacts on the ‘Ancient Arden landscape’. Ms Tuck also includes the sub-heading ‘The Ancient Arden landscape’ in Section 6 of her Evidence which sets out Ms Tuck’s case on ‘Impact on Heritage Assets’, under which she discusses a number of ‘remnant features of the medieval and post-medieval landscape’.

1.18. At §6.32 of her evidence Ms Tuck refers to the ‘Ancient Arden landscape’ as a ‘undesigned landscape’, and it is unclear whether via utilising this terminology Ms Tuck is seeking to identify the landscape as a non-designated heritage asset in the terms of the NPPF.

1.19. Ms Tuck confirmed via the SoCG process that *“It was not the intention to ascribe entire periods of landscape as NDHAs – rather that individual elements within those relic landscapes are identifiable as NDHAs and these contribute to the whole.”*³

1.20. The ‘Ancient Arden landscape’ as cited by Ms Tuck has not been identified by NWBC as a ‘non-designated heritage asset’ during the determination of the application, nor has it been identified by NWBC as part of this Appeal to date.

1.21. The surrounds of an asset, including the surrounding landscape, should, of course, be considered where it contributes to the heritage significance of assets through ‘setting’.

³ Commentary provided by Catherine Tuck of Keystone Heritage on 22nd January 2025 on the draft Heritage Rule 6 SoCG.



However, guidance is clear that being part of the 'setting' of an asset does not make any such area a heritage asset in its own right.⁴

- 1.22. The above should be taken into account when considering the 'impact' identified within the Rule 6 Party Evidence.

Summary

- 1.23. In summary, the evidence provided by Ms Tuck does not change my professional opinion on the heritage significance of the relevant heritage assets or the manner to which they may be sensitive to the proposed development via a change in 'setting', as detailed within my Proof of Evidence.
- 1.24. For the reasons set out above, the evidence provided by Ms Tuck provides a misrepresentation as how to consider the potential impacts to heritage assets, both with regards to articulation of harm and how this should be considered in the decision-making process.

⁴ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 4 – Core Document 6.7.

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