



Historic England

**PLANNING ACT 2008 (AS AMENDED) – SECTION 89 AND THE INFRASTRUCTURE
PLANNING (EXAMINATION PROCEDURE) RULES 2010 (AS AMENDED) - RULE 8**

**APPLICATION BY LUTONRISING FOR AN ORDER GRANTING DEVELOPMENT
CONSENT FOR THE PROPOSED EXPANSION OF THE EXISTING AIRPORT**

APPLICATION REF: TR020001

**REPRESENTATIONS OF THE HISTORIC BUILDINGS AND MONUMENTS
COMMISSION FOR ENGLAND (HISTORIC ENGLAND)**



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Summary

Historic England's written representation considers in more detail the main concern we have already raised in relation to the impact of the proposed airport expansion upon the significance of Luton Hoo Estate (Grade I listed building & grade II* listed Park & Garden) through development within its setting. We will also discuss the impact upon Someries Castle (Scheduled Monument)

In coming to this view we have taken into consideration specific historic environment visualisations chapter and the Historic Environment Chapter of the Environmental Statement. We have also put this position in relation to Planning Policy, and we recommend that in determining the application the examining authority should take into consideration the significance of the heritage assets and weigh the harm which would be caused to their significance against the public benefits of the proposed development. Consideration should be given as to whether the applicant has taken all possible steps to avoid the harm, or if this is not deemed possible by the examining authority, to minimise the harm the development would cause.

1. Introduction

- 1.1. The Historic Buildings and Monuments Commission for England (HBMCE), known as Historic England, are the Government's adviser on all aspects of the historic environment in England - including historic buildings and areas, archaeology and historic landscape – and have a duty to promote public understanding and enjoyment. HBMCE are an executive Non-Departmental Public body sponsored by the Department for Digital Culture, Media and Sport (DCMS) and we answer to Parliament through the Secretary of State for Digital Culture, Media and Sport. Our remit in conservation matters intersects with the policy responsibilities of a number of other government departments – particularly the Ministry of Housing, Communities and Local Government, with their responsibilities for land use planning matters.
- 1.2 In previous correspondence in relation to this project and in our Section 56 Representation we noted that the applicants had provided a thorough and comprehensive Environmental Statement, the contents of which we are in broad agreement. However, we identified that this development had the potential to impact upon the historic environment to some degree. We also stated that specific points would be addressed in our full Written Representation in relation to Historic Environment sections of the Environmental Statement. This letter will therefore provide that additional detail in relation to the impact of the proposed development.



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- 1.3 We have previously highlighted that whilst there are no designated heritage assets within the actual site, there are various heritage assets in relative proximity whose settings may be affected. Our records indicate that within 2km there are : 8 conservation areas; 4 registered park and garden; 217 listed buildings and 2 scheduled monuments.
- 1.4 We note that an initial study area of 2km radius has been used to identify core baseline conditions for heritage assets, along with a supplementary wider study area based upon ZTV information. This identifies heritage assets beyond the core 2km study area that may be impacted as a result of the physical presence of the proposed development and/ or by an increase in their existing noise environment that affects their appreciation and heritage significance. We are satisfied that this is an appropriate assessment methodology.
- 1.4 We do not wish to comment on grade II listed buildings or individual non-designated heritage assets as these are outside the remit of Historic England. We are content to defer to the Local Planning Authorities and their conservation and archaeological advisors on those matters and we refer the examining authority to their submissions as relevant.

2 Comments in relation to Volume 5.01 Chapter 10 – Cultural Heritage; Environmental Statement Chapter 14 -Landscape and Visual Impact; Environmental Statement Chapter 16 – Noise and Vibration

2.

- 2.1. As discussed above, Historic England's concerns relate to the impact of the proposed airport expansion upon the setting of Luton Hoo Estate and Someries Castle.

Significance of Heritage Assets affected

Luton Hoo

- 2.2. Luton Hoo is an exceptionally fine historic country estate. The grand classical mansion stands on a plateau of high ground at the heart of the expansive historic designed landscape which retains many of its historic ancillary buildings and features. The estate lies immediately to the south-west of the application site
- 2.3. The house has an impressive and finely detailed exterior and interior, the product of several phases of design involving leading architects. The well-known 18th century architect Robert Adam was responsible for the initial design (as well as that of the stable block). This was subsequently remodelled by Robert Smirke in the early 19th century. A further extensive and grand remodelling took place for



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the diamond merchant Julius Wernher in 1903. He employed the architect Charles Mewes, of Mewes Davies the architects of the Ritz.

- 2.4 The house commands a prominent position within its associated landscape park. This encompasses an extensive area, including the surrounding plateau and gently sloping encircling hillsides and dry side valleys, as well as part of the River Lea valley bottom to the north and north-east. It was designed by the pre-eminent landscape designer of the 18th century, Lancelot 'Capability' Brown for the 3rd Earl of Bute and illustrates his distinctive style.
- 2.5 Much of the parkland is encircled by a tree belt with denser woodland planting to the north and south and numerous parkland trees in the central area. In addition to the woodland, the principal features and focal point within the landscape are the two large sinuous lakes in the valley bottom to the east of the house. These were created by damming the River Lea. There are sweeping views from the house eastwards to the lakes and wider 'borrowed' landscape beyond. The historic drives from each of the four compass points bisect the landscape, affording myriad views over parts of the parkland on the route to and from the house.
- 2.6 Large parts of Brown's pleasure grounds survive to the south and south east. This includes Flower Garden Wood, designed by Brown to provide a shelter belt to the north and east of his octagonal walled garden. This contained some of the Earl's extensive collection of exotic plants (second only to the Royal Botanic Gardens, Kew which he helped to found).
- 2.7 The gardens close to the house were partly remodelled at the same time as the house in the early 20th century to Mewes's designs. The terraces and pavilions responding to the classical formality of the house.
- 2.8 The significance of the site is reflected in the designations. The mansion and formal garden structures to the south elevation are listed grade I. The landscape park is registered at grade II*. Many of the other buildings and structures within the site are also individually designated as listed buildings including the grade II* stables by Robert Adam. The historic core is also a conservation area.
- Somerles Castle
- 2.9 Somerles Castle is the ruined remains of a mid to late 15th century fortified manor house built by Sir John Wenlock, which lies approximately 250 metres south of the application site. It is thought to be one of the earliest brick buildings in England. The name "Somerles Castle" is derived from William de Somerles who had a residence on this site. The mansion was partly demolished in the 18th century. The brickwork can still be seen in the remains of the gatehouse, incorporating the chapel and lodge, which still stands. Other features also survive including a spiral stair and various arches.
- 2.10 The significance of the site is recognised in its designation as a Scheduled Monument.



Impacts of the development

2.11 The proposal is for expansion of the existing airport in order to increase overall passenger capacity from 18 million passengers per annum (mppa) to 32 mppa. We note the detail of the development that is described in Chapter 4 of the ES, and in summary the works include:

- * Extension to and remodelling of the existing passenger terminal
- * Construction of new terminal and associated facilities
- * Construction of additional airside and landside facilities
- * Additional/enhanced transport (road and rail) infrastructure

We understand that the structures would vary in height ranging from 9.4 metres up to a maximum height to 27.5 m (hangar building).

- 2.12 The proposed development would introduce additional bulky and tall structures within the wider setting of both Someries Castle and Luton Hoo estate which are likely to be apparent in some long views from parts of these assets, as demonstrated in the visualisation provided (Viewpoints 18, 19 and 25 (vol 5.02 Appendix 14.7)).
- 2.13 Viewpoint 18 illustrates how the existing horizon has a thick tree-belt and no discernible built form or development other than the 'fin' of the dart bridge. The subsequent images show the visual effect of the proposed building and suggest that it would be somewhat prominent in this view above the skyline. Whilst we appreciate that this may not necessarily be considered to be a key or designed view that is intrinsic to the significance and understanding of the heritage assets, we believe that the presence of the new structure would have a somewhat negative effect upon the way this part of the parkland is experienced and enjoyed.
- 2.14 Viewpoint 19 indicates that additional building would effectively infill the existing gap between the existing airport buildings – already prominent in this view by virtue of their brightly coloured cladding, thereby further consolidating the built form to some extent.
- 2.15 Similarly viewpoint 25 suggest that the horizon would be interrupted by new building(s), which would be prominent in easterly views of Someries Castle.
- 2.16 We accept that the wider settings of both Someries Castle and Luton Hoo have been substantially compromised by the presence of the airport and the expansion of Luton around the north and north-west, so much so that the contribution that setting contributes to their significance has been severely diminished not only in visual/landscape terms, but also by way of other environmental effects - in particular noise and vibration. Notwithstanding this we believe that it is somewhat regrettable that the existing negative effect on the visual experience would be further compounded.



Mitigation of visual impact

- 2.17 We understand that no mitigation measures are proposed in this regard. Therefore we suggest that the visual effects of the proposed new buildings and structures and the impact that they have in terms of setting might be mitigated to some extent through the choice of materials, colour palette and finishes used on the elevations and roofs.

Operational impacts

- 2.18 With regard to other environmental effects, we note the assessments and observations within Chapter 16 of the ES of Noise and Vibration which is cross-referenced in the Cultural Heritage chapter. We appreciate that the settings of these heritage assets are already affected by the activity associated with the operation of the airport to some extent. However, the assessment suggests that the increase in aircraft movements would result in increased noise levels which would impact upon the experience of heritage assets. This would be most apparent throughout the Registered Park and Garden (RPaG) but would be particularly apparent at the northern edge and would have a somewhat negative effect upon the sensory experience of the RPaG. We note that the assessment judges that the impact would be moderate adverse.

Mitigation measures

- 2.19 We note that no mitigation is proposed in terms of noise impact that would be experienced within the RPaG. Whilst noise mitigation measure may be possible in certain situations, we appreciate that in this particular instance it would be very challenging. In light of this we suggest that the harm might be reconciled in the planning balance, by way of seeking financial contributions through S106 agreement towards the conservation management of Luton Hoo Estate –the asset that would be most affected in this regard.

Impacts from construction

- 2.19 We note the assessment of the construction effects and the likely impact in terms of setting that would result from the development phases 1, 2a and 2b. This includes things such as the visual impact of tower cranes/construction equipment and noise and disturbance associated with additional construction traffic and activity. We accept the conclusions of the assessment and are satisfied that the impacts would be minor and temporary.
- 2.20 We note the reference in the Cultural Heritage Chapter (paragraph 10.8.4) to the Code of Construction Practice (CoCP) which sets out best practice measure in avoidance or minimisation of construction side effects such as noise, dust, vibration and light spill. We welcome the commitment of the developer to adhere to this guidance as detailed in the Cultural Heritage Management Plan (CHMP) in order to mitigate against any negative effects that would impact upon settings of heritage assets.



3. Policy context

3.1 In relation to Historic Environment Policy the National Planning Policy Framework (NPPF) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance, paragraph 199. It continues that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification, paragraph 200. The significance should be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal, paragraph 195. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, paragraph 202.

4. Conclusion

- 4.1. We have provided detailed advice in our written representation about the scheme, the assessment and comments on the documents that have been submitted for examination.
- 4.2 We have some concerns in terms of the impact of the proposed airport expansion on the significance the designated heritage assets as described above.
- 4.3 In relation to these heritage assets, we have concluded that the development would result in harm to these designated heritage assets. We have, however, concluded this would be less than substantial in NPPF terms.
- 4.4 Therefore, in accordance with planning policy the harm would need to be weighed against the public benefits of the proposal. As stated in the NPPF any harm requires clear and convincing justification and we would want to be reassured that should the DCO be granted the balancing exercise has been undertaken and that the public benefit can clearly be demonstrated to outweigh this harm.

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