

## **LAND AT WATERWORKS LANE, WINWICK**

### **HERITAGE ASSESSMENT TECHNICAL NOTE**

#### **1. Introduction**

- 1.1 Rowland Homes has instructed Barton Willmore, now Stantec to prepare a Heritage Assessment to support local plan representations in relation to the emerging Draft Warrington Local Plan, produced by Warrington Borough Council (WBC).
- 1.2 This assessment seeks to establish the baseline heritage significance of those assets potentially affected by development of two sites:
- Land at Waterworks Lane – SHLAA Ref: 3334 ('Site 3334' or 'the Rowland Homes site')
  - Land at Highfields Farm – SHLAA Ref: 2670 ('Site 2670' or 'the proposed allocation site')
- 1.3 Both sites were put forward for consideration as part of the Regulation 18 Consultation. The Rowland Homes site was not selected for allocation and instead Site 2670 is now a draft allocation in the emerging Local Plan.
- 1.4 The note will then go on to assess the potential heritage impact of future residential development on each site and concludes that the Rowland Homes site represents, in heritage terms, a more sustainable location for development when considered against the relevant heritage constraints than the currently proposed allocation site.

#### **2. Heritage Designations**

##### ***Designated Heritage Assets***

- 2.1 A desk-top review of the National Heritage List for England (NHLE) identified several designated heritage assets within 500m of the boundary of both sites. However, only one asset is considered to have the potential to be affected by any future development:
- Battle of Winwick (also known as Battle of Red Bank) 1648 – Registered Battlefield.
- 2.2 Whilst Registered Battlefields are not statutorily protected, they are protected through national and local planning policy. Chapter 16 of the National Planning Policy Framework (NPPF, 2021) sets out the government's policy guidance for conserving and enhancing the historic environment. The guidance recognises the importance of preserving heritage assets<sup>1</sup> in a manner appropriate to their significance<sup>2</sup> and advises that any harm or loss to their significance should require clear and convincing justification.

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<sup>1</sup> Annex 2 of the NPPF defines Heritage Assets as "A building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."

<sup>2</sup> Annex 2 of the NPPF defines significance as "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."

- 2.3 In the most part, both sites are both visually and physically separated from the remaining assets by the existing built form within the settlement and the Winwick Link Road. Given the intervening distances, topography, and existing landscape features, it is not considered that development of the sites would result in any impact on the setting, or by extension the heritage significance, of the remaining assets and they have not been taken forward for assessment.

### ***Non-designated Heritage Assets***

- 2.4 WBC has an adopted list of Locally Listed Buildings found in the Appendices of the adopted Local Plan Core Strategy (2014). There are three assets within proximity to the sites. However, due to the existing intervening built form and topography, the development of the sites would have no impact on these assets, and so they have not been assessed within this statement.
- 2.5 An online search of the Cheshire Historic Environment Record identified four entries within 500m of the sites. These largely relate to archaeological find spots and previous excavations pre-dating the Civil War period and as such they have not been considered within this assessment. The Church and former Grammar School are also recorded but not assessed here as they are set within the built-up surroundings of the village.

## **3. Methodology**

- 3.1 This document will set out an assessment of significance of the site of the Battle of Winwick which through a desk-top review of the area has been identified as having potential to be impacted by potential future development at both sites, 3334 and 2670. It will then go on to provide a high-level assessment of both sites in relation to heritage, considering the methodology and rationale behind the inclusion of one site within the draft Local Plan and the exclusion of the other site.
- 3.2 The assessment of significance follows the heritage interest-led approach set out in the NPPF, comprising archaeological, architectural, artistic, and historic interest. This has been guided by the definitions provided in the updated Planning Practice Guidance (PPG)<sup>3</sup>. Historic England's website also provides further guidance on what makes battlefields significant. It states:

*Battles must have been of clear historical significance, their sites securely established, and these sites to be still recognisable today, if they are to be added to the Register. We call this latter factor topographical integrity.*

*Other factors may add to the likelihood that a battlefield merits registration, or give particular parts of a battlefield enhanced significance, including:*

- *Archaeological potential*
- *Documentation*
- *Military innovations*
- *Biographic associations*
- *Commemoration*

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<sup>3</sup> PPG, Paragraph: 006 Reference ID: 18a-006-20190723

- *Topographic integrity*

3.3 The assessment of the contribution made by the setting of the heritage asset follows the staged assessment approach set out in Historic England's guidance document GPA3<sup>4</sup>.

#### **4. Policy Framework**

##### ***National Planning Policy Framework***

4.1 The NPPF sets out the government's planning policy with Chapter 16 providing policy guidance for conserving and enhancing the historic environment. The guidance recognises the importance of preserving assets in a manner appropriate to their significance and advises that any harm or loss to significance should require clear and convincing justification.

4.2 Paragraph 190 of the National Planning Policy Framework, 2021 (NPPF) advises that plan-making should set out a positive strategy for the conservation of the historic environment recognising 'the wider social, cultural, economic and environmental benefits' conservation can bring as well as the 'opportunities the contribution the historic environment can make to the character of a place'.

4.3 Paragraph 194 of the NPPF requires applicants to describe the significance of those assets potentially affected by a proposed development. This assessment should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposed development on that significance.

4.4 Paragraph 200 states 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. Substantial harm to or loss of assets of the highest significance, notably Registered Battlefields, should be wholly exceptional. Implementation of the NPPF is supported by the relevant parts of the PPG.

##### ***WBC Draft Local Plan***

4.5 WBC is currently preparing a new Local Plan which was submitted to the Secretary of State on 22 April 2022 for independent examination (Regulation 19). Whilst the plan has yet to be adopted, there are heritage policies within the document which can be used in considering the sites; Policy DC2 Historic Environment is relevant policy in the emerging plan and it states:

*2. Particular consideration will be given to ensure that the significance of those elements of the historic environment which contribute most to the Borough's distinctive identity and sense of place are not harmed. These include, but not exclusively:*

*c. The site of the Battle of Winwick, also known as the Battle of Red Bank, now a Registered Battlefield.*

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<sup>4</sup> Historic England (2017) Good Practice Advice Note 3: The Setting of Heritage Assets

### ***Good Practice Guidance***

4.6 Historic England has also prepared a series of guidance documents which have informed this assessment:

- Good Practice Advice in Planning (GPA) Note 1: The Historic Environment in Local Plans (2015)
- Good Practice Advice in Planning (GPA) Note 3: The Setting of Heritage Assets (2017)
- Conservation Principles for the Sustainable Management of the Historic Environment (Consultation Draft) (2017)
- Advice Note 3: Site Allocations in Local Plans (2015)
- Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets (2019)

## **5. Heritage Significance**

5.1 Heritage significance is defined in Annex 2 of the NPPF, and the definition of the heritage interests is provided in the PPG<sup>5</sup>. The setting of a heritage asset is described in Annex 2 of the NPPF<sup>6</sup>. The heritage significance of the site of the Battle of Winwick is set out below.

### ***The Battle of Winwick (also known as Battle of Red Bank) 1648***

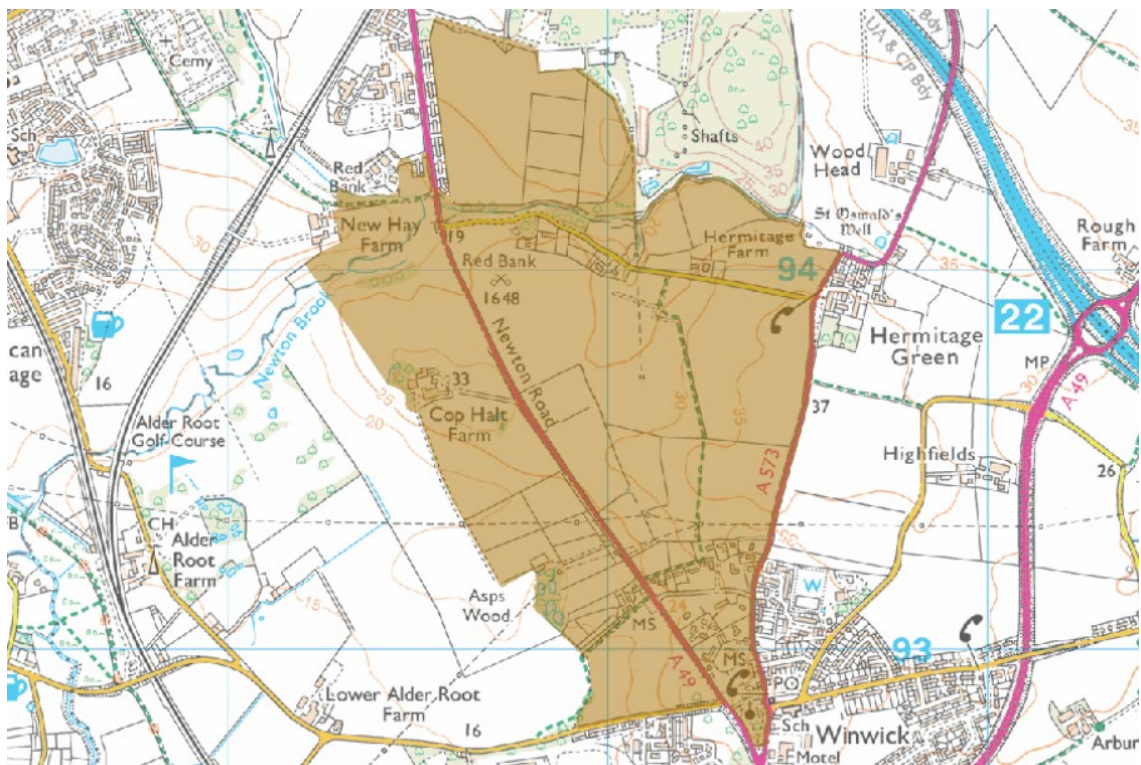


Figure 1: Designation Boundary of The Battle of Winwick, Registered Battlefield (Historic England)

<sup>5</sup> PPG, Paragraph: 006 Reference ID: 18a-006-20190723

<sup>6</sup> Annex 2 of the NPPF defines Setting as: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

- 5.2 The Battle of Winwick site was designated as a Registered Battlefield in 2018; the designation boundary is shown in **Figure 1** above for context. The battlefield is located three miles north of Warrington on the A49 between Winwick and Newton-le-Willows. Today, most of the battlefield is in agricultural use with sloping fields; elements to the south have been developed prior to its designation.
- 5.3 The Battle of Winwick took place during the Civil Wars of the mid-17<sup>th</sup> century which reflected the political, constitutional, religious, and social conflict, which was expressed in a struggle for control between the King and Parliament. The battle was fought during the Second Civil War, in which royalist forces had been recruited in the north of England, and they, along with a substantial Scottish force commanded by the Duke of Hamilton, marched south with the ultimate aim of restoring Charles I to the throne. The battle was a significant turning point, establishing the military supremacy of the parliamentary cause, and increasing the power of the army over Parliament itself. The battle was one of a series of events which increased the power of the army and eventually led to Pride's purge, which tipped the balance of power in favour of those who supported putting the King on trial.
- 5.4 The list description for the battlefield notes the reasons for its inclusion on the Register of Historic Battlefields, as follows:
- ***Historic importance:** for its national historical significance as the last battle of the Second English Civil War, securing the advantages gained at Preston two days previously and resulting in the complete disbanding of the royalist infantry.*
  - ***Topographical integrity:** retaining substantial integrity despite some later development, with the defensive and attacking positions of the opposing armies and the majority of the topographical character pertinent to the course of the battle still clearly legible in the landscape.*
  - ***Archaeological potential:** possessing substantial overall archaeological potential as the only English battlefield of the Second Civil War which remains in a good state of preservation.*
- 5.5 Whilst the battle of Winwick is well recorded within documentary sources, the battlefield is considered to have high levels of historic and archaeological interest because of its importance within 17<sup>th</sup> century English history and the potential for significant archaeological remains within the site due to the lack of disturbance.
- 5.6 The designation area largely follows modern boundaries, excluding where possible, areas of modern development. The northern element includes the location of engagement between the two forces. The eastern boundary is formed of the western edge of the A573 which is considered to be the route of the parliamentary cavalry during its flanking manoeuvre. The southern end is defined by the churchyard and includes the reputed royalist headquarters. The western boundary follows the field boundaries.

### ***Setting***

- 5.7 The battlefield site is located to the north of Winwick, and some of the development relating to the village is included within the boundary. The A49 and the A573 form the eastern and western boundaries to the battlefield respectively, beyond which are a series of open agricultural fields with scattered farm buildings. To the north of the battlefield is

the former Parkside Colliery, which now separates the asset from Newton Park Farm, which is thought to have served as Cromwell's headquarters.

- 5.8 The battlefield has largely retained its rural setting aside from the areas of residential development to the north at Newton-le-Willows and to the south at Winwick. The surviving openness of the surrounding landscape helps aid in the understanding of the battlefield, particularly the topography and the rural context in which it is located. The open views across the battlefield and its immediate setting, contributes to the appreciation of how the battlefield would have appeared in the landscape historically.
- 5.9 As well as this the topography of the battlefield and its immediate setting is important in understanding of how the battle was fought and ultimately won. There are elements of manmade earthworks surviving within the battlefield, particularly along the Red Bank. Whilst there is no known evidence of earthworks relating to the battle within the designation, its topography assists in understanding the importance of the remaining features within the landscape and how these would have influenced the military tactics.

### ***Contribution of the sites to the significance of the battlefield***

#### *The Rowland Homes Site (Ref: 3334)*

- 5.10 Site 3334 is located c.340m from the eastern boundary of the battlefield at its closest point and is physically and visually separated from the asset by existing built form and landscape features. Whilst the site may have historically formed part of the wider landscape setting of the battlefield, the expansion of Winwick has resulted in any such relationship no longer being discernible within the landscape. Site 3334, by virtue of its separation distance and intervening features is not considered to make any meaningful contribution to the heritage significance of the Battle of Winwick Registered Battlefield.

#### *The Proposed Allocation Site (Ref: 2670)*

- 5.11 Site 2670 is located c.9m to the east of the battlefield and forms part of its immediate landscape setting. The A573 provides a physical barrier between the site and asset; however there remains a high level of intervisibility between the two. Due to the proximity of the site to the asset and the fact that the boundary of the designation is drawn to follow modern boundaries wherever possible, the site would be considered to make a moderate to high contribution to the heritage significance of the asset. This is due to it forming part of its immediate landscape setting, in which an appreciation of the historic landscape in which the battle occurred is possible. Given the proximity of the site to the asset, the site would be considered to have high archaeological potential.

## **6. Draft Allocation Evidence Base**

- 6.1 In preparing the draft Local Plan, the Council has produced several documents which form part of the evidence base for examination; the following documents are relevant to this assessment:
- GB3 Green Belt Site Assessment- Implications of Green Belt Release, Aug 2021
  - HIA7 Heritage Impact Assessment for the Outlying Settlements, Aug 2021
  - SAP1 Site Assessment Proformas
  - SP3 Sustainability Appraisal SA Report, Aug 2021
  - CD03 Site Profiles for Local Plan Omission Site, Jun 2022

- Land at Waterworks Lane, Winwick (SHLAA Ref: 3334, Site Ref: R18/P2/061, R18/P2/092)
- CD03 Site Profiles for Local Plan Site Allocations, Jun 2022
  - Site OS6 - Highfield Farm, Waterworks Lane, Winwick (SHLAA Ref: 2670 / Site Ref: R18/040)).

### Council's Methodology

#### Site Appraisal Framework

6.2 The Sustainability Appraisal (SA) (SP3) sets out the Site Appraisal Framework in Appendix A. In relation to heritage, the relative criteria include:

- BNH1: Proximity to designated heritage assets
- BNH2: Effects upon the significance and setting of heritage assets / the historic environment.

6.3 The rationale behind BNH1 states that '*Proximity to heritage assets does not necessarily mean that impacts will occur, but it is assumed that they may be more likely as this provides an objective mechanism for identifying potential issues. Will seek to supplement this with a qualitative assessment as outlined below.*' This is furthered by the justification behind BNH2 which notes that '*A qualitative assessment of sites will be undertaken if possible. This would involve a more holistic assessment of the potential effects of development on the historic environment, which cannot be achieved through a proximity based criteria alone.*'

6.4 The potential effects of the development are divided by type of asset. The table below sets out the types of designated assets and how they correlate to likely effects. It is noted that Registered Battlefields are not present on the table.

SA objectives	Criteria	Use	Significant positive effects likely	Positive effects likely	Negative effects likely	Significant negative effects likely	Rationale, assumptions and limitations
<b>Built and natural heritage</b>							
Protect and enhance places and buildings of historic cultural and archaeological value.	BNH1: Proximity to designated heritage assets <ul style="list-style-type: none"> <li>● Conservation Area</li> <li>● Nationally listed buildings</li> <li>● Scheduled Ancient Monuments</li> <li>● Registered Park or Garden.</li> </ul>	Housing and jobs	Opportunity to protect and / or enhance heritage assets	No heritage assets within or adjacent (50m) to the sites	Site contains or is within 50m from: Grade II heritage features Conservation area Registered park or garden	Site contains or is within 50m from:  Grade 1 and II* heritage assets,  Registered park or garden	The criteria combine a consideration of various heritage features to avoid potential duplication. E.g. an asset could be listed, in a conservation area and also a SAM.  Proximity to heritage assets does not necessarily mean that impacts will occur, but it is assumed that they may be more likely as this provides an objective mechanism for identifying potential issues. Will seek to supplement this with a qualitative assessment as outlined below.
	BNH2: Effects upon the significance and setting of heritage assets / the historic environment.		Opportunity to enhance heritage the historic environment	The historic environment is unlikely to change from its baseline position	Development could have negative effects on the historic environment but mitigation ought to be possible	Development likely to have significant effects upon the historic environment that cannot be mitigated	A qualitative assessment of sites will be undertaken if possible. This would involve a more holistic assessment of the potential effects of development on the historic environment, which cannot be achieved through a proximity based criteria alone.
Protect and improve the quality and character of places, landscapes, townscapes and wider countryside whilst maintaining and strengthening local distinctiveness and sense of place.	BNH3: Capacity of the landscape to accommodate development, while respecting its character.	Housing and jobs	High	Medium-high Medium.	Medium-low	Low	Relies upon the findings of Landscape Character Assessments and capacity studies.
Ensure high quality and sustainable design for buildings, spaces and the public realm that is appropriate to the locality.	Not applicable	n/a	n/a	n/a	n/a	n/a	n/a

Figure 2 Extract from Site Appraisal Framework

- 6.5 Registered Battlefields fall within the highest grades of designated heritage assets, and this is set out at Paragraph 200 of the NPPF, which states:

*'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. Substantial harm to or loss of:*

- (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional.*
- (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, **registered battlefields**, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional <sup>68</sup>.'* [Use of bold, author's own]

- 6.6 If this section of the NPPF is applied to the Council's methodology in the Site Appraisal Framework, then where the assessment states 'Site contains or is within 50m of', Registered Battlefields should be categorised alongside those assets of the highest significance such as Grade I or II\* listed buildings and Registered Parks and Gardens. This is a notable omission within the Council's SA criteria and methodology.

#### *Heritage Impact Assessment for the Outlying Settlements*

- 6.7 The Heritage Impact Assessment (HIA7) provides an appraisal of the potential impacts of future development within the draft allocations for each settlement, upon the significance of any relevant heritage asset. The methodology for this assessment is based on Historic England's guidance contained in 'Historic England's Advice Note 3: The Historic Environment and Site Allocations in Local Plans' (2015). It follows the five steps identified below:

1. Identify which heritage assets are affected by the potential site allocation.
2. Understand what contribution the site (in its current form) makes to the significance of the heritage asset(s).
3. Identify what impact the allocation of the site might have on that significance.
4. Consider maximising enhancements and avoiding harm.
5. Determine whether the proposed site allocation is appropriate in light of the NPPF's tests of soundness.

- 6.8 HIA7 guides that the assessment of the sites using the five steps will be undertaken utilising the guidance contained within the following documents published by Historic England:

- 'Conservation Principles Policies and Guidance for the sustainable management for the historic environment'<sup>2</sup> (2008); and
- 'The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning'<sup>3</sup> Second Edition (2017).

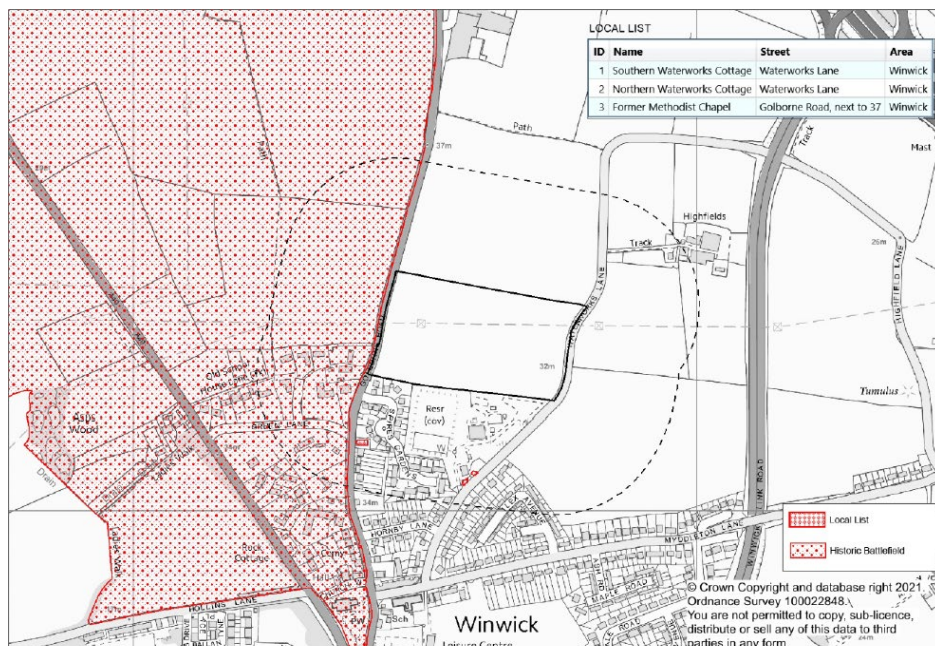
- 6.9 A detailed methodology for undertaking these assessments is set out within the document itself.



## 7.0 Heritage Impact Assessment

### *Land at Highfield Farm, Waterworks Lane (draft allocation)*

- 7.1 This site is currently in use as agricultural fields and is located to the north of Winwick, positioned with Golborne Road to the west and Waterworks Lane to the east. To the south is the development of Winwick and to the north is agricultural fields. The site location is shown on **Figure 3** below.



*Figure 3: Map of the site and surrounding heritage assets as detailed within the Heritage Impact Assessment supporting document.*

- 7.2 This site is located directly to the east of the battlefield and whilst the A573 provides a physical buffer between the two, there are direct views between the site and the asset. The site forms part of the immediate rural setting of the battlefield which helps us to understand the topography and context of the battlefield within the landscape. This in turn helps assists in the appreciation of how the battle was fought, particularly in relation to military tactics and manoeuvres.

#### *Council's Assessment*

- 7.3 The site has been taken forward as a draft allocation within the emerging Local Plan and in terms of heritage impacts, the Sustainability Appraisal concluded that the site was *'Unlikely to have a major impact on trends.'* Within the supporting Heritage Impact Assessment prepared by the Council, further justification is given in relation to the potential impact of development on the site on the Registered Battlefield. The Council's assessment states:

*'The Winwick battlefield is sited west directly opposite the site, separated by the A573 Golborne Road. The site is an agricultural field with field boundaries. The site provides a rural and open setting to the Battlefield and therefore makes a moderate contribution to the heritage asset...'*

*Allocation of the site for development may result in the loss of the historic rural setting of the site/asset and therefore would result in a moderate impact on the significance of the Battlefield and its rural setting...*

*If the site is allocated for development, harm to the Battlefield can be mitigated by ensuring surrounding development is designed sympathetically to its rural setting, buffers and adequate separation distances are implemented and existing planting remains in situ/is enhanced where possible.'*

- 7.4 The assessment concludes that any harm can be mitigated through design, layout, and landscaping, stating:

*'The site allocation has the potential to have a moderate impact on the heritage asset. It is therefore recommended that mitigation measures outlined above are considered to mitigate this harm.'*

- 7.5 No further heritage assessment of the site is given in any of the other evidence base documents. There is no clear guidance provided as to what design, layout and landscaping measures would satisfactorily mitigate the identified harm.

#### ***Heritage Impact Assessment***

- 7.6 The site is located approximately 9m to the east of the boundary of the Registered Battlefield. As set out previously, the setting of the battlefield to the east is that of rural agricultural fields and the open nature of the landscape to the east and west of the battlefield contributes positively to the asset's significance. The immediate setting of the battlefield, including the site, allow for an appreciation of the historic landscape as well as aiding in the interpretation of how the topography influenced the tactics of both sides. The setting of the battlefield is therefore intricately linked to its heritage significance.
- 7.7 Should the draft allocation come forward, the introduction of residential development in this location would result in a change in character to the site, which is currently open agricultural land. It is considered that the addition of built form in this location would result in the perceived encroachment of development on the landscape setting of the battlefield, particularly when viewed from the north travelling south along A537.
- 7.8 Whilst landscaping may assist in minimising any potential impact on the setting of the battlefield, the current setting of the asset is open agricultural fields with hedgerows forming field boundaries. Planting to the boundaries and wider setting of the battlefield is low in scale and does not block views to, from or across the asset. The introduction of landscaping as a way of screening development would introduce new planting which was out of character with the surrounding landscape character and would potentially diminish the sense of openness and would introduce a change in character to the immediate setting of the asset.
- 7.9 For the reasons set out above and taking account of the fact that Registered Battlefields fall within the highest grade of designation, it is considered that residential development on the site is likely to have a significant impact on the immediate landscape setting of the asset through the change in character and encroachment of built form along the eastern boundary. As such, the adjacent battlefield is considered to present a significant constraint to future development of the site and will likely affect the deliverability.

### Summary

- 7.10 The Council's own methodology set out in the Sustainability Appraisal notes that 'Significant negative effects are likely' where a "Site contains or is within 50m from: Grade I and II\* heritage assets, or Registered Parks or Gardens". Given that the NPPF lists Registered Battlefields alongside these other highly protected designated assets, it is considered that they should be included within this part of the Council's appraisal.
- 7.11 It is unclear as to what level of information the Council had in relation to the site at the time of preparing the Impact Assessment. However, the Council's Heritage Impact Assessment for the site does not appear to correctly acknowledge the heritage significance of the Registered Battlefield. The impact assessment notes that the site makes a 'moderate' contribution to the significance of the battlefield and that any potential impact can be fully mitigated through the use of 'sympathetic design, buffers, and adequate separation distance.'
- 7.12 It is acknowledged that development within the proximity of heritage assets does not automatically equate to harm and the Council notes this in its Sustainability Appraisal. However, as set out above, the landscape setting of the battlefield is a key component of its heritage significance. Development of the site would result in a change in character to this landscape setting and it is unlikely that the measures noted by the Council would fully mitigate any impact. As such any scheme would likely have a negative effect on the significance of the battlefield and should have been graded either red or, at best, amber in the Council's Sustainability Appraisal.

### Land at Waterworks Lane, Winwick (SHLAA Ref: 3334)

- 7.13 The site is located beyond existing built form to the southeast of the battlefield, to the east of Waterworks Lane and north of Myddleton Lane, as shown on **Figure 4** below.

Site Location: Land at Waterworks Lane, Winwick

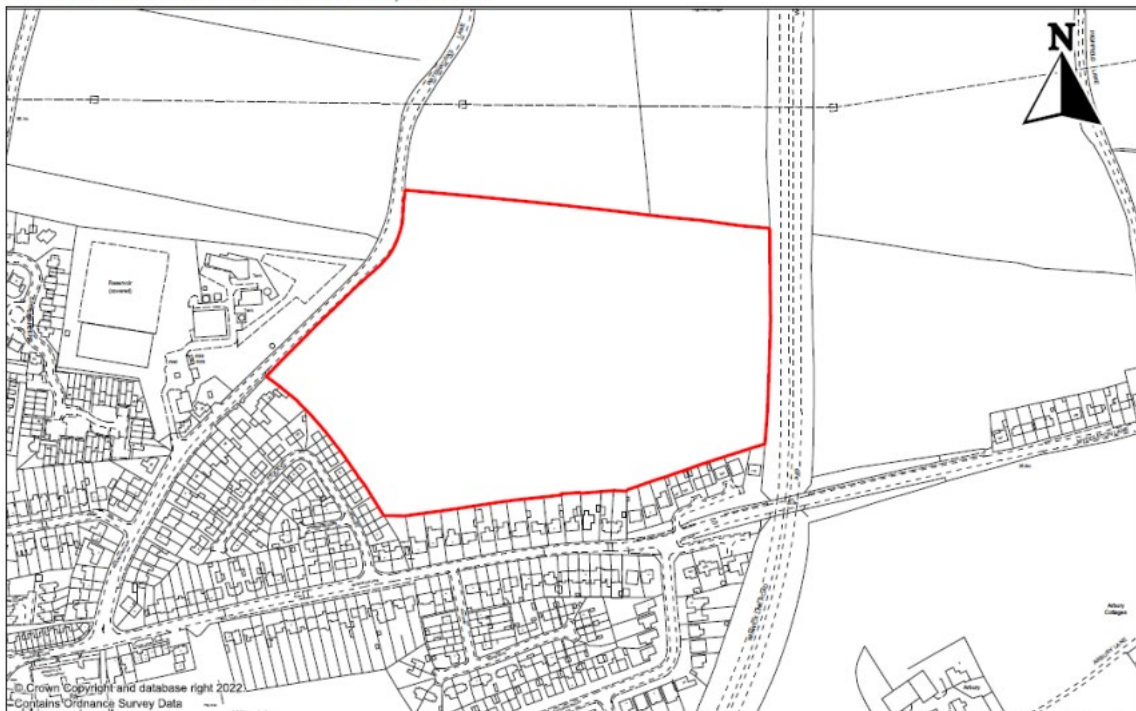


Figure 4: Site Location (WBC Site Profiles for Omitted Sites)

- 7.14 To the north and east of the of the site are open agricultural fields. Whilst historically it would have formed part of the wider landscape setting of the asset, any associative relationship has been lost through the expansion of Winwick to the north of St Oswald's Church. As noted in the assessment of significance, the modern development provides a degree of visual and physical separation between the site and the battlefield, such that the site makes a limited contribution to the asset's heritage significance.

### ***Council's Assessment***

- 7.15 In the Sustainability Appraisal the site was assessed against criteria BNH1 and BNH2 and was assessed as being *"Unlikely to have a major impact on trends"*. As the site was not taken forward for inclusion in the draft Local Plan, no Heritage Impact Assessment was undertaken by the Council.

### ***Heritage Impact Assessment***

- 7.16 As set out above, the site is separated from the battlefield by intervening built form. Whilst the site historically formed part of the wider landscape setting of the asset, its contribution to how the battlefield is experienced is diminished through its separation distance and the more contemporary residential development. As a result of the surrounding modern development, the site no longer makes any contribution to our appreciation of how the wider landscape setting of the battlefield influenced the military events that took place here.
- 7.17 Retention of the existing field boundaries along with the strengthening of planting to the northern and western boundaries of the site would soften the edge of any development when viewed from the north. Given the separation distances, any proposals would appear entirely separate from the battlefield and would not detract from the open character of its immediate setting. The site would appear as a natural extension of the existing residential development. For these reasons, it is considered that development could come forward on the site without a significant impact on the setting of the Registered Battlefield.
- 7.18 When considering the site against the Council's Site Appraisal Framework, in relation to heritage, under category BNH1: Proximity to designated heritage asset, the site would fall within the category *"No assets within or adjacent (50m) to the sites"* and in relation to BNH2: Effect upon Heritage Assets *"The historic environment is unlikely to change from its baseline position"*. Both categories are categorised as 'Positive effects likely' in the Sustainability Assessment.

## **8. Conclusions**

- 8.1 As set out in this note, the development of the proposed allocation site has the potential to result in significant impacts on the setting of the Battle of Winwick Registered Battlefield, causing harm to its heritage significance.
- 8.2 The Council's own assessment of significance within the HIA and the Sustainability Appraisal does not appear to account for Registered Battlefields being categorised alongside assets of the highest significance, such as Grade I and II\* listed buildings and Registered Parks and Gardens. As a result, the Council's assessment of Site 2760 does not fully consider the potential impacts arising from any future development on the setting and heritage significance of the adjacent battlefield which is a fundamental shortcoming.

- 8.3 It is therefore unclear how the assessment of "*Unlikely to have a major impact on trends*" (Yellow) has been derived, which based on the evidence provided should have at best been assessed as "*Mitigation may be required / unavoidable impacts*" (Amber). The allocation of Site 2760 would inevitably lead to the perceived encroachment of development within the immediate setting of the asset, in an area which is currently open fields allowing for an appreciation of the topography and landscape features of the battlefield.
- 8.4 The conclusion within the Heritage Impact Assessment stated that "*The site allocation has the potential to have a moderate impact on the heritage asset. It is therefore recommended that mitigation measures outlined above are considered to mitigate this harm.*" However, the impact assessment undertaken in this note is clear that it is unlikely that within such proximity to the asset, sensitive design, landscape buffers and setting back of built form would sufficiently minimise any perceived harm to such a degree that it would be successfully mitigated.
- 8.5 In relation to the Rowland Homes site, it is considered that it could be delivered, subject to detailed design, layout, density, and landscaping, with no harm being caused to the significance of the Battle of Winwick Registered Battlefield. As such, it is deemed possible for the site to be developed in a manner which would meet the legislative tests set out in the 1990 Act, the emerging Local Plan Policy DC2, and the principles set out within the NPPF. It is therefore considered that in heritage terms the Rowland Homes site is preferable to the proposed allocation site and is capable of allocation within the emerging Local Plan with no detriment to the setting and significance of the Registered Battlefield.