

From: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



The Mount, Stebbing Park and PROW 21 – March 2025

To: Planning Inspectorate - Section 62A Applications Team

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10 April 2025

Dear Sirs

Section 62A Planning Application: S62A/2025/0077

Land West of High Street, Stebbing ("Application")

[REDACTED]
[REDACTED]

I **object** to the Application and **request that it be refused**.

I also request the opportunity to speak at any Hearing held.

A. STEBBING PARK

Stebbing Park comprises the following features and buildings of individual and heritage significance:

Identified Asset	Designation	Heritage Significance
Motte castle, moat and earthworks known as <i>The Mount</i>	Scheduled Monument ¹	Exceptional
Stebbing Park house - principal residence	Listed Grade II* ¹	Exceptional
Barn (Granary)	Listed Grade II ²	Considerable
Stebbing Conservation Area	Conservation Area ³	Considerable
Former farm outbuildings - group	Non-designated heritage asset	Local
Gardens, paddocks orchard	Non-designated heritage asset	Local
300m length of Stebbing Brook (supplying water downstream to the mill at Town Mill, listed Grade II *)	Non-designated heritage asset	Local
Lake formerly a mediaeval fish pond (fed by the water course, sinks and drains in the south field)	Non-designated heritage asset	Local
Manorial deer park, including sections of pale	Non-designated heritage asset	Local
The Lord's Warren (Mill Lane Recreation Ground)	Non-designated heritage asset	Local
Wall of the (manorial) Pound adjacent to its entrance, provided by a cattle grid	Non-designated heritage asset	Local

¹ https://assets.publishing.service.gov.uk/media/67bc96a0d157fd4b79adddb3/Ancient_Monument_-_Stebbing_Park_Redacted.pdf

² https://assets.publishing.service.gov.uk/media/67bc96a098ea2db44faddac/Affected_Listed_Building_Details_checked.pdf

³ https://www.uttlesford.gov.uk/media/1893/Stebbing/pdf/Stebbing_Conervation_Area.pdf?m=1680178669637

PROWs Stebbing10,12 & 21 (historic farmstead paths)	Non-designated heritage assets	Local
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The Mount, a Norman motte castle surrounded by a water filled moat, is a Scheduled Monument. It has the appearance of a truncated cone surmounted by a level platform which is accessed via a footbridge, adjacent to the listed barn, which crosses the moat and leads to a winding footpath on its western flank.

In spring, it is covered in daffodils, narcissi and bluebells which were planted by the Lanyon family (see below) in the mid 1920's, using specialist bulbs imported from Haarlem, Netherlands ⁴. The displays are regarded by residents locally as a welcome harbinger of Spring and frequently remarked on as well as being the subject of *en plein air* painting made by pupils from Stebbing Primary School.

It is representative of the *seigneurial* stronghold which was established to control the land making up part of the Upper Chelmer valley form and surrounding plateaux. The principal residence at Stebbing Park is listed Grade II* and The Barn (a Granary) adjacent to it is listed Grade II. Several of the outbuildings and barns may be considered "non-designated heritage assets" as well as the other features marked # above. Stebbing Park and *The Mount* are within the Stebbing Conservation Area, as is part of the South Field .

For the purposes of heritage considerations arising in this Application, the setting of each of *The Mount* and Stebbing Park house, in addition to their "component features and qualities" and those set out above need to be considered both individually and I suggest collectively. A fine grain appreciation as well as the broader canvas will, I suggest, need to be considered.

B. HERITAGE MATTERS

██████████ I do sense a strong personal connection with the structure and especially marvel at the toil and accomplishment of its builders since, once annually, I ██████████ ██████████ scramble over its surfaces to cut the grass and control any undergrowth. I do at that time experience some of the difficulties which undoubtedly would have been encountered by those attacking its noble occupiers while striving to ascend its steep aspects in an assault upon the summit.

Its condition, shape and mass are not only appreciated by the occupiers of Stebbing Park but are specifically valued by walkers, visitors and Stebbing residents alike who are able to enjoy its aspect and historical interest when seen from a great number of public vantage points. References to *The Mount* and its history are commonly found

⁴ Accounts Journal of James Lanyon Jnr: ERO: A13925

in guides to the village, including its lovely walking described as passing by and taking in vistas of Stebbing Park and *The Mount*. Naturally, the settings of the heritage assets, as experienced from the Fields and other public vantage points on the High Street and the three PROWs passing through the Fields, are material in all respects.

There is intervisibility of the North and South Field with Stebbing Park house and group buildings and of the South Field with the northern and eastern flanks and summit of *The Mount*. An appreciation of setting from the perspective of occupiers of and visitors to the house and from *The Mount* would, it seems to me, to be necessary.

Accordingly I would be pleased to make available to the Inspector a visit to Stebbing Park and *The Mount*, as desired so that a full appreciation of all relevant settings might be made.

I have undertaken extensive researches into the history of Stebbing Park, that of its former owners, farming tenants and of Stebbing Parish. [REDACTED]
[REDACTED]

In connection with my research, I have over a period of years examined a considerable number of documents and records pertaining to Stebbing Park and the Parish and which are deposited and/or accessible at:

- National Archives
- British Library
- London Metropolitan Museum
- Essex Record Office
- Hertfordshire Archives Service
- National Heritage List for England
- Historic maps on line via National Library of Scotland
- Historic England's Aerial Archaeology Mapping Explorer
- Stebbing Local History Society

I have also familiarised myself with the publications, transactions and journals of the following bodies in so far as I have been able to identify that they might pertain to Stebbing generally, motte castles and to *The Mount* and Stebbing Park in particular:

- Castle Studies Group
- Essex Society for Archaeology and History
- The Friends of Historic Essex
- Colchester Archaeology Trust
- Clavering Landscape History Group
- Current Archaeology

I have attended several conferences whose topic matters concerned the archaeology and history of Norman Castles whose speakers and other participants prominent archaeologists, historians and leading academics in the field of mediaeval castles and landscape included:

- [REDACTED]
- [REDACTED]
- [REDACTED]

I am also familiar with the series of Advice Notes published by Historic England (“HE”) which have informed my appreciation of the heritage considerations arising in respect of this Application:

- Conservation Area Appraisal, Designation and Management (HEAN 1)
- Historic Environment Good Practice Advice in Planning 2 – *Managing Significance in Decision Taking in the Historic Environment* (GPA 2)
- Historic Environment Good Practice Advice in Planning 3 (second ed.) – The Setting of Heritage Assets, the key guidance of assessing setting (GPA 3)

Stebbing Park represents the former manorial *caput* known as Stebbing Hall, whose large demesne (exceeding 2,000 acres) in Stebbing Parish was let to tenants until its sale in 1901 by then manorial [REDACTED] [REDACTED] The Fields were included within the manorial demesne.

As connoted by its name, the land immediately surrounding Stebbing Park to its north and west, including the Fields, constituted a mediaeval deer park, extending to over 160 acres. Its eastern perimeter was the eastern boundary of the Fields and a length of its southern perimeter provides the southern boundary of Stebbing Park.

I am familiar with prevailing Planning Policy in Uttlesford District Council for reasons unrelated to these representations and, being a Practising Solicitor, also with Planning Law.

I have read the documents in support of this Application, including the Heritage Impact Assessment dated September 2023 (“HIA”) prepared by Cotswold Archaeology (“CA”) to which I refer further below. The HIA contains several factual errors and fundamental omissions which I consider are material to the conclusions and opinions expressed by them, and are the subject of challenge by me.

While therefore, I am not a professional heritage “expert”, I consider myself sufficiently informed and qualified by reason of my professional background and acquired knowledge and interests, to express an opinion as to the heritage aspects of this Application.

C. MATTERS OF SETTING

The Application relates to the development of two fields of permanent grazing land lying on high ground to the west side of The High Street and The Downs, Stebbing (the “Fields”). The Fields are owned by Newfields Agricultural Holdings Ltd, who acquired all the farm land lying to the west and north of Stebbing village, stretching

⁵ His special interests include: “..... mediaeval and landscape history, particularly the history and archaeology of high status landscapes (secular and ecclesiastical), the vernacular landscape, parks and hunting as well as aspects of tenurial geography.”

west to Dunmow Farm, north to Lashley Hall and beyond to Lindsell. Previously, it had been farmed [REDACTED]

The estate was then acquired by [REDACTED], [REDACTED]. During the period of his ownership, a great number of his clients (too many to list but they included Sir David Frost, Dame Esther Rantzen, the Two Ronnies and a later generation being Rowan Atkinson, Kenneth Branagh, Emma Thompson, Hugh Laurie and Stephen Fry) were regular visitors. Fry in his autobiography, *the Fry Chronicles* (2010), describes Stebbing Park as “..... a fine old mansion set in many acres of rolling countryside....” and it was here on one of his visits that the musical *Me and My Girl* was conceived. [REDACTED] influence over light entertainment at the BBC was described as “enormous”.

Reference to his development of the careers of household names in entertainment is referenced so as to add to the “settings context” by way of describing some aspects of the non-farming (artistic) connections that Stebbing Park has enjoyed, extending to cricket matches played between these “stars” and Stebbing Cricket Club and their entertainment enjoyed on its lawns in the shadow of *The Mount* !

Since its acquisition in 2016, the arable farm land described has been managed and farmed by contractors. The Fields, the meadows and pasture land lying in the valley of Stebbing Brook have remained uncultivated. They have never been ploughed nor, to my own knowledge, fertilised or sprayed with chemical pesticides or insecticides. I consider that is likely to have been the case also for most if not all of the past two centuries, having regard to the practice of the [REDACTED] to use the fields for livestock grazing. Indeed, the use of the Fields was recorded as being in pastoral use in descriptions of the Fields given in 1798 and 1901 ⁶.

It is a matter of considerable regret that I have to take issue with the HIA in the terms that I now do, but the inaccuracies and omissions that it contains are so fundamental to the full and proper appreciation of the heritage assets, that I consider it is necessary for me to do so.

Of equal regret, I also have to criticise the Heritage and Conservation Advice Notes of the UDC Principal Conservation Officer since while they acknowledge the highly sensitive nature of the sites in terms of its open agrarian and rural quality, they do not touch upon their historic settings ⁷.

So, it is hoped that the corrections and amplifications set out below may be of assistance to PINS in assessing, in a more complete historic context, the relevant historic settings which would be affected by the proposals.

⁶ Auction Sale Particulars - Freehold Estates (Rayne, Stebbing & Great Saling) 1901- ERO A1058; and Survey for Earl of Essex – Essex Estates 1798 (Private Collection).

⁷ https://assets.publishing.service.gov.uk/media/67d3f633b1e34f07631b5ba7/Built_Heritage_and_Conservation_checked.pdf

The HIA (1.2 & 1.3) states that it is prepared subject to desk-based principles and:

“.....does not include a full and detailed impact assessment as the development within the Site has yet to be determined.”

This is surprising since the HIA (2.4) is said to have been the product of as many as six field visits in the period 2021 – 2023 and one personal visit made to Essex Record Office. Given that this is a Full Application, however, I suggest that the limitations described are unwarranted and inappropriate.

Consequently, I feel able to submit that it is not safe to place reliance upon the HIA since it does not provide, contrary to good practice laid down in HE guidance, a proportionate level of information sufficient to identify the characteristics and significance (in historic, evidential and aesthetic terms) of the heritage assets to enable the reader fully to understand that significance.

The NPPF definition of significance states that “heritage interest” may be archaeological, architectural, artistic or historic, and that significance derives not only from a heritage asset’s physical presence, but also from its setting. Heritage interests may be defined as follows:

- Archaeological interest in a heritage asset is if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point
- Architectural and artistic interest derive from the way in which people draw sensory or intellectual stimulation from a place, which can be the result of conscious design or by the fortuitous outcome of the way a place has developed over time
- Historic interest derives from the way past people, events, and aspects of life can be connected through a place to the present, often by the meanings of the place for these people who relate to it, or for whom it figures in collective memory or experience.

The HIA (7.3) acknowledges that the Fields lie within the setting of *The Mount* (SM), Stebbing Park (listed buildings) and Stebbing Conservation Area but states that:

“..... the Site (North Field and South Field) does not possess a physical character or experiential qualities that contributes (*sic*) to their heritage significance. Aside from historic ownership links which can only be understood in documentary sources, there is no meaningful historical association between the two land parcels and the proximate designated heritage assets, including the Listed Buildings at Stebbing Park or within the Conservation Area. No experience of the significance of the heritage assets is available from any part of the site”

It is to be noted that it is accepted in the HIA that **all three** settings are relevant.

The Glossary to the NPPF explains that:

“Setting of a heritage asset: 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, it may affect the ability to appreciate that significance or maybe neutral” (emphasis supplied)

I note that the Glossary definition includes the expression “*elements of a setting*”, which clarifies the extent and quality of the features to be sensed, observed or appreciated in and about the assets that the decision maker will be expected to take into account.

I venture to suggest that it is not often that an Application has to be considered where the settings (and their elements) of as many, and different type, high status heritage assets are affected by a development proposal. So, it is against this background, in common sense terms, that it will be easily understood why HE advised in such robust terms as they did, namely that the application should be withdrawn or refused ⁸.

Notwithstanding, the HIA then (7.4) concludes:

“..... the proposed scheme for 28 residential dwellings is not harmful to heritage significance and that the scheme complies with local policy (ENV1 and ENV2), the duties under section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF 2023”

These views and conclusions are, without justification, expressed in unqualified terms and I ask that they be rejected.

Instead, I believe that you will be able to agree, based on your own impressions after a personal visit, that the Fields do possess obvious and sufficient linkages to the heritage assets (designated and non-designated and whose elements to differing degrees) and further that their significance including as to their settings would be sufficiently harmed by the proposal that it will be found to be contrary to statutory requirements and also contrary to local and neighbourhood plan policies.

It must be noted, in conclusion, that the HIA does not contain the necessary endorsement concerning its completeness and independence which is required from the author in respect of expert and technical evidence, as a matter of good practice and professional accountability

D. HIA OMISSIONS AND DEFICIENCIES

It might be appropriate to set the historical scene by recording that the earliest document relating to Stebbing that I have discovered (deposited at ERO) is dated 1 May 1259, whereunder [REDACTED], son and heir of [REDACTED] transferred to [REDACTED] “All his right in his tenement at Stebbing”.

This demise in all probability therefore, will have included the Fields. So, it might be said that the recorded documentary history specifically related to land promoted by this Application commences nearly 1,000 years ago!

There is a valuable compendium ⁹ regarding the interests of the Norman interests in Stebbing to which reference should have been made by CA in their overview of the history of Stebbing, but disappointingly, it received none.

⁸ HE Advice to UDC 15 November 2023

⁹

[REDACTED]

I suggest that the field visits referred to by CA will have been undertaken largely in order to identify the means whereby the proposed development could be physically “squeezed” into the master plan so the suggestion might be made, as it then is, that it would not prejudice the setting of *The Mount* or other heritage assets at Stebbing Park.

With respect, I suggest that this approach is flawed since neither a full nor sufficient assessment of the significance of the setting of the heritage assets has been undertaken by CA, or if it has, then it has not been included in the HIA.

As an example, the appreciations of *The Mount* given by CA do not take into account sufficiently its significance in several respects, namely:

- its location on a natural spur overlooking the valley
- its elevation on rising ground but close to the natural obstacle to assault provided by Stebbing Brook, thereby improving its capacity for defence
- the imaginative means of construction whereby half of the spur was required to excavated and thrown up to build its mass, saving considerable time and labour
- its ownership by the [REDACTED] as the *seigneurial caput* within the Manor of Stebbing
- of the power and importance of the [REDACTED]
- that Stebbing Park included a manorial mediaeval deer park of some scale; and
- that the Fields were part of that deer park and located at its eastern entrance.

Using the evidence of the Stebbing Hall manorial rolls and GIS, it has been established by [REDACTED]

[REDACTED]) that the Fields lay within the area of the deer park. I see from representations made to PINS by a member of [REDACTED], that further illustrated details of this have been provided by him. His representations attach a copy of the 1798 Survey to which I referred above.

The three manorial connections with the [REDACTED] and the [REDACTED] are well known to all in the Parish of Stebbing, since their arms are borne on the Parish signage and even on the branded labels of produce sold in the Community Shop as well as publicity from parish societies and other bodies.

I submit, on account of it being contained within the manorial deer park, that Stebbing Park in its entirety and the individual Fields should properly be considered and treated as non-designated heritage assets.

The heritage consultants have disregarded the Neighbourhood Plan evidence base which supported the designation of the Fields as LGS, but it contains a number of

references of historiographic significance concerning the mediaeval deer park.¹⁰ Such an elementary omission continues to cast doubt upon the thoroughness of their work.

As far as I am aware, no consultation regarding this Application was undertaken by them with HE, which would, I suggest, have been entirely appropriate, given the high status of the heritage assets potentially affected by the Application.

The Applicants by contrast seem to have clothed themselves with other opportunities to consult by entering into a fee paying PPA with UDC and yet seemingly, chose not to seek any advice from HE, despite being the principal Statutory Consultee in terms of heritage. I suggest adverse inferences might reasonably be drawn from this stratagem.

As is well known, Uttlesford enjoys a considerable heritage in way of the built form, with in excess of 3,700 listed buildings located within the District. Stebbing itself has 155 heritage assets located within the Parish, three alone being situate within Stebbing Park and with three others, namely its immediate southerly neighbours of Town Mill (Grade II*), Mill House (Grade II) and Tan Farm (Grade II*) in Mill Lane, lying with whom boundaries are shared.

Furthermore, there are several listed buildings in The High Street whose setting will also be prejudicially affected by this proposal. For the HIA to suggest otherwise does not, in my opinion, serve its author well.

I wish to make reference to the rarity of motte castles such as *The Mount* and moat, not least being those which are in as good a condition and located so close to and visible to members of the public . There are two other mottes located within 7 km of *The Mount*, namely in Great Canfield and Great Easton. The former is larger in scale while the latter is considerable smaller. Both, like it, are located in prominent positions overlooking valley forms which make up the River Roding and River Chelmer respectively. The former may be seen from a footpath while the latter cannot.

The Mount is in very good condition, its scale is massive, being considerably larger and in better condition, in my estimation, than the mottes at Hertford and Bishop's Stortford. Their appearance, by comparison, in terms of topographical location are not, in my opinion, as "magnificent" either as that of *The Mount*. The motte and bailey at Pleshey, about 6 miles distant, is however of a significantly larger scale and complexity than *The Mount* and is very much to be admired.

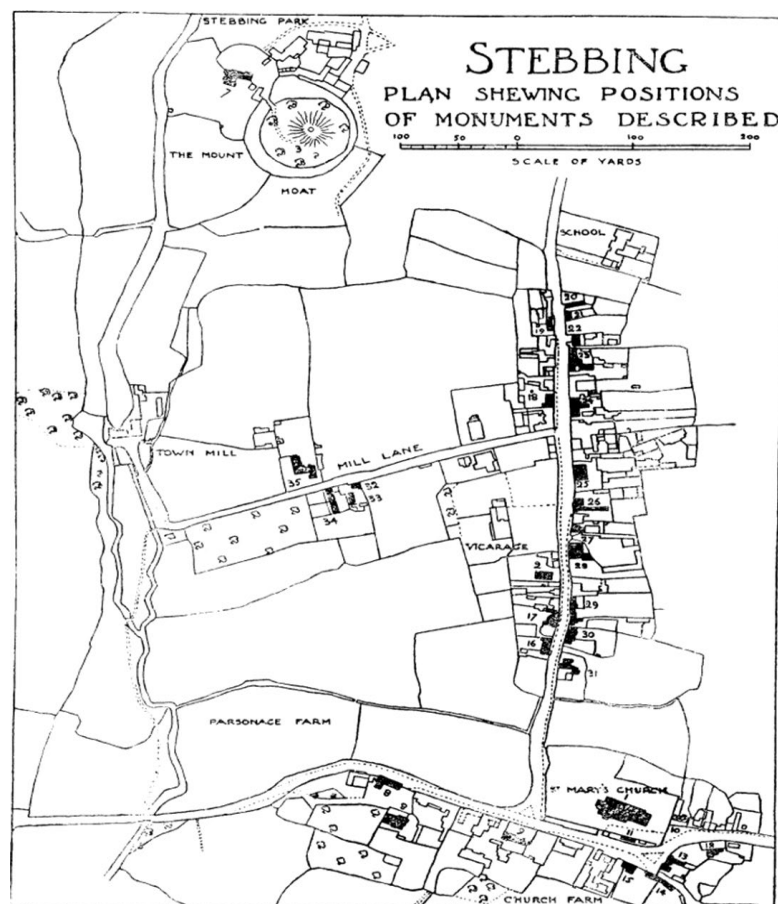
The HIA does not identify nor refer to any of these further examples of mottes for comparison purposes nor examines their relevance within the larger Anglo-Norman context of this North West part of Essex at the time of their likely construction during *The Anarchy*, as they well might for a proper historiographical understanding. Appreciation of this type should I consider have been undertaken in accordance with HE guidance.

The CA (3.5), on the contrary, seeks to imply that *The Mount* has less significance than is the case or justified. The HIA states that motte castles were relatively cheap and easy to construct and plentiful in number across England. This implies that *The Mount* is of lesser historic value or significance for those reasons. That is not a proper interpretation, given its massive scale and prominent location, combined with the importance politically and militarily of its probable Norman builders, the De Ferrers Family.

The first inventory, survey and description of *The Mount* was undertaken by RCHME in the very first survey work undertaken by it in 1916.¹¹

"Stebbing Park, house, now two tenements, 820 yards N.W. of the church, is of two storeys with attics and cellar; the walls are timber-framed and plastered; the roofs are tiled. It was built c. 1600 on an L-shaped plan, with the wings extending towards the S.E. and N.E. At the end of the N.E. wing is a modern addition. On part of the N.E. side of the S.E. wing the upper storey projects, and under it is a late 17th-century bay-window of seven lights with a transom, lead glazing, iron casements, and ornamental furniture. The chimney-stacks are old, but modern at the top. Interior—In the S.E. wing the middle room has two very heavy chamfered ceiling-beams, and a late 17th-century panelled dado. The cellars under the S.E. wing are built of old red bricks, and in the W. wall are two small recesses with four-centred heads. On the upper floors some of the beams and posts of the timber-framing are exposed. Condition—Good.

"Stebbing Mount and moat, 750 yards N.W. of the church. The mount is circular, 225 feet in diameter at the base, 51 feet at the summit, and 44 feet high. The wet ditch surrounding it varies in width and is crossed by a narrow causeway on the W. side. Condition—Good."



Extract - RCHME 1916

¹¹

It was among the first Scheduled (*Ancient*) Monuments nationally, having been scheduled on 10 August 1923.

Further documentary sources surprisingly have not been referenced by CA. For example, they do not refer to other works which give further understanding of motte castles and moats :

- a manuscript folio, *Notes on, and plans of, ancient earthworks in Essex 1901 - 1909* (London Metropolitan Archives, Reference CLC/445/MS02580) by Rev E. A. Downman, which surveys and details all earthworks and mottes in Essex. Naturally, *The Mount* is described in the work, which I have inspected, and it includes an attractive and informed line-drawn plan of *The Mount*, with dimensions
- Homestead Moats of Essex by I Chalkley Gould, 1905 (ERO: A12773)
- Early Defensive Earthworks by I Chalkley Gould, 1901 (ERO:A12773)
- Report of the Committee on Ancient Earthworks & Fortified Enclosures, July 1908

CA further identify (2.16 – 2.17) the limitations of the HIA where they set out the secondary information and sources relied on by them. Particular reference to the specific material which they consider relevant to Stebbing and *The Mount* is scant. The exception to this relates to the examples supplied of regressive mapping.

Moreover, the bibliography at Section 8 - References - of the HIA further reveals, I suggest, the limitations of the research undertaken and illuminates the insufficiency of source materials used by CA for the purposes of the HIA. For example, only two publications are referenced with regard to “castles”, namely:

Hislop 2013: *How to Read Castles. A crash course in understanding fortifications*

Pettifer 1995: *English Castles, a guide by counties*

These are, with respect, elementary works and hardly deserving of inclusion as reference works in an HIA submitted in support of an application for full planning permission affecting the setting of assets of such high status as those in question.

Curiously, there is no reference to the large body of work, commencing with that of [REDACTED] contributing at the beginning of the twentieth century, which seek to understand better the relevance and purpose of mediaeval castles in their social and landscape contexts. It is suggested that an informed appreciation of this type should have been undertaken so as to describe the full historic setting of *The Mount*.

Of particular assistance and highly accessible to the researcher is the work of the Castle Studies Group, a body to which regrettably, no reference is made by CA as a source or repository of relevant information and advice regarding inter alia motte castles.

One paper of particular relevance in identifying the factors which properly should be taken into account when evaluating heritage assets such as *The Mount* and its setting, and thus of Stebbing Park and the Fields, is that published in *Landscape History* (2008) [REDACTED] entitled *Castle Studies and the "landscape agenda"* ¹².

The Bibliography to that paper contains no less than 79 references. [REDACTED] [REDACTED] are specialists in mediaeval archaeology and castle studies and the views expressed by them in their paper as to the preferred means of study of Norman castles should be given full appreciation

The paper reviews the interrelationship between castle studies *per se* and landscape, including the wider settings of castles and their impact on the development of the historic landscape, including:

“.... as to sites of rural lordship frequently associated with deer parks ...”.

They observe:

“Castles were, however, rooted within mediaeval landscapes at a number of levels as manorial centres and often the hubs of estate networks, as centres of consumption drawing on the resources of town and country, as constituents of the total settlement pattern and sometimes catalysts for urban and rural settlement change; and also, less tangibly, in cognitive sense as visual emblems of status and lordship.” (p 5 rhc).

.....

“Rather different types of setting were nested one inside the other: the seigneurial site within its lordship, manor and parish ... ; its setting in relation to secular settlements and networks of ecclesiastical patronage; the physical topographical character of its immediate environs; its juxtaposition with nearby features of status such as parks, fishponds, gardens, dovecotes and mills, and perhaps the ‘intra-site landscape of inner and outer enclosures or wards.” (p 6 lhc).

Surprisingly, the manorial status of Stebbing Park and the context of *The Mount* has not been considered in the HIA. That is yet more surprising given the considerable extent of manorial records available in MSS at the British Library (Cassiobury/Capell Papers), which is in the public domain. They have been described by [REDACTED]

[REDACTED] ¹³.

¹² [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Examination of these ¹⁴ would give rise to a full appreciation of the “life and times” of *The Mount* and Stebbing Park and which would serve to illuminate and complete the necessary level of evidential detail properly required for a HIA which conformed to the guidance set by HE.

Among the references I would also have expected to see listed in the HIA as a secondary source, is the cardinal work by Morant, *The History and Antiquities of the County of Essex* (1768). The entry relating to Stebbing is at pp 413 *et seq* and gives particulars of the descents of the three manorial holdings in Stebbing, namely of Stebbing Hall, Porter’s Hall and Prior’s (Friar’s) Hall. The former two were secular and the latter was held by the Knights of St John Hospitaller, having been created out of their manor of Stebbing Hall be the [REDACTED].

As to Stebbing Hall (Stebbing Park), Morant begins by describing the [REDACTED] and [REDACTED] interests and how they came to be intertwined in the context of Stebbing through marriage and states:

“The [REDACTED] were one of the most noted families in England [REDACTED] was one of the Commissioners appointed by the Conqueror to take the Survey of Worcestershire. He held at that time 210 Lordships, of which 5, namely *Tilty, Stebbing, ...* lay in Essex.”

It is not necessary however, in these representations to expand upon the further descents, important and of great interest as they are. Suffice it to say, a full appreciation is given by [REDACTED]

However, given that the manor of Stebbing Hall passed through the hands of prominent and powerful Norman interests during the mediaeval period, I suggest that it would be proportionate, in order properly to understand the significance of the manorial estate within which the Fields and Stebbing Park sit, for the author of the HIA to have undertaken the necessary research in respect thereof and for it to be fully referenced.

The Heritage Consultant should, I suggest, properly include these materials in order fully to understand the purpose for which *The Mount* was constructed, its subsequent use and role in the social and landscape terms which are described by [REDACTED] and [REDACTED] in their work.

Furthermore, it appears that there was once a great house at Stebbing Park, considerably larger in scale and importance than that apparent today in Stebbing Park house in its present form. It is possible to infer that this is the case from the contents of the 1281 will of [REDACTED], who held Stebbing Hall in dower. The will describes extensive premises, including a chapel and large gardens, and to whom they were devised. It is reasonable to infer that this large structure sat upon the bailey area of the motte, perhaps on the platform immediately to the south of the present house. The scale of this manorial building would be important in tracing the evolution of the manor house of Stebbing Park.

¹⁴ [STEBBING HALL MANOR | The National Archives](#)

That there was a larger structure once in situ is consistent with the use and remodelling of old timbers which is described in a 1674 Account of Stebbing Park, held among the Capel papers at Hertfordshire Records Service ¹⁵.

Why was the existence of a deer park at Stebbing Park not included in the HIA? Its obvious omission is a mystery. I consider it is essential to provide some particulars so as to understand matters of setting further.

The deer park was first recorded as existing in 1204, when it was held by the Norman [REDACTED], although it is likely to have been created earlier by the [REDACTED] Family. The [REDACTED] acquired it when [REDACTED] lost their English lands. In 1237, [REDACTED] was granted 5 oaks from Bardfield Park to make a pale to enclose the park at Stebbing. This emparkment was a considerable time before the creation of other deer parks nearby at Little Walden and Easton Park and so its early creation is of some relative significance.

The deer park continued in existence until about 1580 when it was disparked by the then owner, [REDACTED]). There are references to the existence of the deer park to be found not only in the Manorial Records but also, more accessibly in Essex Record Office (ERO D/DV x/6). For example, an indenture dated 12 October 1553 records the grant by [REDACTED] to [REDACTED] of a life interest permitting [REDACTED] to graze two beasts in the Park.

In addition to the existence of a deer park, there was a rabbit warren established on the land now known as Mill Lane Recreation Ground, and whose purpose was recognised by the name recorded for it in manorial court documents in 1412 as *le Conynerhegge*, again in 1423 as "The Lord's Rabbit Warren" and in 1549 as *le Conyvere*. In the Tithe Award 1840, the name of the field was *Coney Fare*. The southern extent of the deer park is delimited by the pale passing through this field.

Given the archaeological findings reported upon by CA and the nature of the soil/geological strata of the Fields, it is suggested that further research and interpretation of the findings would be justified to establish the extent to which the manorial warren extended over the Fields.

It is noteworthy that the manorial supply of rabbits from Stebbing continued for the appreciation of the [REDACTED] and its Household who had removed by then to Hadham Hall. Specifically, 141 rabbits were supplied there over a period of some 24 days in October 1629 (Transactions of the Essex Archaeological Society Vol XV 1921 at p 144).

CA in their descriptions of Stebbing Park fail to record its post mediaeval history which is regrettable given its materiality. As [REDACTED] describes, Stebbing Hall was acquired

¹⁵ Essex Accounts prepared by Mr Sydenham & Mr Nash for Sir Henry Capell ... for the letting of the farms in Essex D/Ex 736/C1

from Henry VIII by the [REDACTED] Family who remained owners of the farms and demesne land within Stebbing Parish until sold in 1901.

It is especially significant in the context of public awareness to appreciate the extent to which such mottes are located close to public rights of way. *The Mount* can and is appreciated on a regular basis since Stebbing residents, walkers and ramblers use the public footpath 21 running adjacent to it on a daily basis.

It is noteworthy in this regard that a number of the representations made by Stebbing residents, when commenting on the Application, contain personal expressions of apparent “fondness for and pride in” the historic aspects and relevance of *The Mount*. It shows, it is suggested, that there is considerable community pride in having such an unusual, c. 1,000 year old and important, example of history on the doorstep which can be and is already so easily understood and visually enjoyed by all.

I wish to refer to the setting of *The Mount* as regards the proposal affecting the southern portion of the Field opposite the School. I consider that the two images reproduced below, taken by me while standing on PROW 21 half way along its length, clearly demonstrate its prominence and visibility as well as the risk and damage to its setting if built form were permitted, as proposed.

I submit that the proposed development will adversely affect the significance of those heritage assets described through irreconcilable and irreversible changes to their settings.

The proposals introduce a visually intrusive development within a historic landscape setting. The scale and nature of the development will adversely impact on the identified heritage assets visually and by virtue of the increased level of movement, lighting and suburban aspects. The tranquil rural setting will be changed by the proposals and the enjoyment of walking along the PROWS will be compromised by the introduction of this development.

The understanding and appreciation of the various heritage assets is plain to be seen and is derived in several ways, including from their very names. Their existence is well known to local residents.

The historic importance of Stebbing Park as the secular Manor sitting in the core of the village, and thus its relationship and interconnection with both the village and the surrounding farmland which was part of its *demesne* is in my opinion, plain to see.

The understanding and appreciation of the Fields in these ways will clearly be harmed by the proposals. The NPPF states that great weight should be given to the heritage asset’s conservation and the more important the asset, the greater the weight should be.

The potential impact of the proposals on *The Mount* and the Grade II* Stebbing Park should therefore be given the highest weight, with the impact on the Grade II listed barn and the other non-designated heritage group assets following on from this.

While the overall level of harm will fall into the “less than substantial harm” category, the harm will in my opinion, be at the high end of this spectrum, for the harm resulting is to assets of the highest significance, and therefore, the weight afforded to that harm should be very high indeed. I have prepared a Table as an Appendix as to various attributes affecting setting which I hope will be of assistance.

There are no heritage benefits resulting from the development; the suggestion of placing information boards to inform the community about the history of *The Mount* and Stebbing Park is risible. The residents of and visitors to Stebbing are aware of their relevant history. Further, residents’ sentimental connection with *The Mount*, being seen as “their scheduled monument”, seems not to be dissimilar to my own and their sensibilities clearly come through in their representations in respect of this Application.



From PROW 21, looking east into Plot D



From PROW 21, looking west towards *The Mount*

APPENDIX

Tables of potential attributes of the development affecting setting ¹⁶

POTENTIAL ATTRIBUTES/EXPERIENCE	THE LOCATION
Proximity of the development to the heritage assets	Approximately 25 - 100 m to the east and north with <i>The Mount</i> in close proximity. The group of farmyard buildings are next closest and then Stebbing Park – house. The setting of all the identified assets needs to be considered, including both visual and others such as noise, movement and lighting
Proximity of the development in relation to topography and watercourses	The development sits on the valley slopes of Stebbing Brook. <i>The Mount</i> is situated on the prow and extension of a ridge form. The moat is excavated ground and its spoil provides the mass of the motte whose summit is considerably elevated above the South Field. <i>The Mount</i> dominates the area. Its eastern flank faces the High Street and looks south-east onto the Conservation Area. <i>The Mount</i> is surrounded by a man made water-filled moat, supplied by ground water some of which emanates from the South Field, its watercourse and springs. It is adjacent to the lake at Stebbing Park, a mediaeval fish pond and is now a nesting ground for swans, ducks and wild geese and is fed from a watercourse passing through the development. SUDS and drainage will be introduced into the sites
Position of development in relation to key views	Entirely visible.
Prominence, dominance and conspicuousness of the development	The new development will be a major intervention in the countryside and introduce development in close proximity to the heritage assets, which have historically and currently enjoy a rural setting and outlook.

¹⁶ Following the HE Assessment Checklist

Competition of the development with or distraction from the asset	Development of new buildings in the “enclave” of Stebbing Park has not taken place for centuries. Development on the West side of the Downs has occurred on a brownfield site (Marshall’s Piece) or 100 years ago (Downs Villas/Homes for Heroes). In this regard, the western aspect of the High Street and The Downs, as surrounding Stebbing Park has historically remained undeveloped. Development will compete with and distract from <i>The Mount’s</i> very special/unusual visual and historic interest. Its large man-made mass, stand-out conical shape with summit platform is unique in Stebbing.
Dimensions, scale, massing, proportions of the development	The nature of the development is alien to the area and incongruous, especially in its use of elevated form, earthworks and undercroft parking for the range of buildings adjacent to the High Street. The development will “stick out like a sore thumb” in comparison with the High Street and Conservation Area.
Visual permeability and intervisibility	Visual permeability from/towards Plot D between trees towards Plots A, B & C will be restricted. The heritage assets have strong intervisibility currently with the Fields which will be interrupted.
Materials and design	Unsuitable shed like appearances and external decking supported by pillars
Diurnal or seasonal change	The leaf fall from deciduous trees, especially the Lime Trees (subject to TPO), will in winter reveal development in the Fields
Change to built surroundings and spaces	The setting and context of all the heritage assets identified will change from one where the historic landscape has predominance to a situation where the presence of the new developments located on 4 plots with 4 individual access points will be dominant. The overall sense when walking through the fields currently is one of an open farmland area where the historic assets provide the key structures

	and buildings in the landscape. There are currently views to and from the Fields over the surrounding countryside and into the conservation area. All these features will change permanently by the development.
Change to skyline, silhouette	The skyline views westwards are largely derived from the landscape features and standing trees/hedges. Important and valued open views from the Downs and High Street into and beyond the Fields would be permanently interrupted by the introduction of 1/1.5 - 2.5 storey dwellings.
Change to general character	Yes, as a result of new dwellings and open space being introduced to parcels of previously undeveloped land which will change its historic and well-established rural character. The alien proposal will fill the last remaining undeveloped land to the west of Stebbing village.
Introduction of movement, noise and activity	The character of the Fields will change from quiet and tranquil pastoral locations to places where there will be introduced noise, activity and movement in each of the four sites and in particular in the open spaces.
Impact of lighting	The locality has very low levels of lighting mainly focused on the residential properties to the east of the Fields. Street lighting is deliberately limited as a matter of policy of the Parish Council. This is intended to be rural in nature and is popular with residents. The introduction of lighting into the fields or from car headlights will introduce a new and intrusive element to the historic landscape.
Change to public amenity	PROWS 10,12 and 21 are considered to be historic routeways, associated with agricultural activity at Stebbing Park Farm which are denoted on the maps set out in the regression. These will be crowded upon by the development. Walkers will

	not experience “walking in the countryside” as they do now.
Changes to the historic landscape	The proposal will introduce four visually intrusive modern elements into what survives as a historic landscape setting containing a large number of heritage assets including those of the highest status and also non heritage assets of local interest and value.