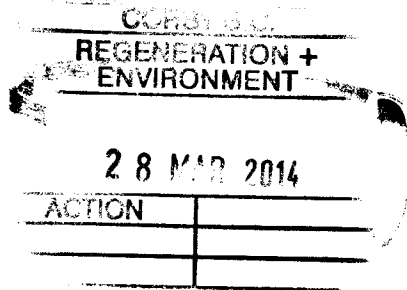




ENGLISH HERITAGE

EAST MIDLANDS OFFICE

Mr Gavin Ferries
Corby Borough Council
Deene House
New Post Office Square
Corby
NN17 1GD



Direct Dial: 01223 323452

Direct Fax: -

Our ref: P00382670

26 March 2014

Dear Mr Ferries

**Notifications under Circular 01/2001, Circular 08/2009 &
T&CP (Development Management Procedure) Order 2010
LAND OFF BURY CLOSE, COTTINGHAM, NORTHAMPTONSHIRE
Application No 14/00094/OUT**

Thank you for your letter of 4 March 2014 notifying us of the application for planning permission relating to the above site. We do not wish to comment in detail, but offer the following general observations.

English Heritage Advice

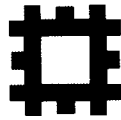
As the proposal affects the setting of listed building (including Cottingham Hall Grade II* and The Church of St Mary Magdalene, Grade I), and a conservation area, the statutory requirements to have special regard to the desirability of preserving the building and its setting (s.16, Planning (Listed Building and Conservation Areas) Act 1990) and to pay special attention to the desirability of preserving and enhancing the character and appearance of the conservation area (s.72, Planning (Listed Building and Conservation Areas) Act 1990) must be taken into account by your authority when making its decision.

We note however that while there is passing reference to Cottingham Hall at paragraph 2.2.3, there is no proper heritage impact assessment, which identifies nearby heritage assets and establishes their significance, and in turn assesses the impact of the development upon the assets and their settings, in particular Cottingham Hall. The setting of the hall to the south has historically included open fields, as indicated on historic maps, and any Heritage Assessment should consider how the loss/erosion of this openness will impact upon the setting and significance of Cottingham Hall. In the absence of this important information it is difficult to make an accurate judgement as to the level of harm that might result to heritage assets from the proposal.

Your authority should therefore seek further detailed information with which to



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understand and assess the impact of the proposal upon the significance of the nearby heritage assets, pursuant to paragraph 128 of the National Planning Policy Framework (NPPF). This might include photomontages or other graphical representations showing views to and or from the hall.

In determining this application your authority should take account of the need to sustain and enhance the significance of heritage assets [NPPF 131] and that when considering the impact of a proposed development on the significance of a designated heritage asset (which includes the significance it derives from its setting), great weight should be given to the asset's conservation. The NPPF is clear that any level of harm to significance requires clear and convincing justification - in the case of harm which is less than substantial the harm must be weighed against the public benefits of the proposal [NPPF 132 & 134]. For further technical advice on setting issues, we would refer you to our published guidance, 'The Setting of Heritage Assets' (English Heritage 2011) which can be downloaded from our website <http://www.english-heritage.org.uk/publications/setting-heritage-assets/>

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Yours sincerely

Neville Doe

Assistant Inspector of Historic Buildings and Areas
E-mail: neville.doe@english-heritage.org.uk



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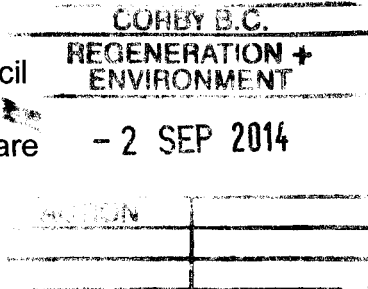


14/00094/047

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28 August 2014

Dear Mr Ferries

LAND OFF BURY CLOSE, COTTINGHAM, NORTHAMPTONSHIRE

Thank you for reconsulting English Heritage on the additional information. We have read and considered the Archaeological Desk Based Assessment, which discusses in some detail, nearby heritage assets and their settings, and this is useful in providing a context within which to assess the impact that the proposed residential development may or may not have upon the historic environment. In particular, we are most concerned at the potential for the development to impact upon the setting of the Grade II* Cottingham Hall which lies in close proximity - approximately 70 metres to the north of the site.

We agree in broad terms with some of the analysis contained in the report and acknowledge that there will be no direct impact upon any designated heritage assets. While in our view the proposed development would have a negative impact upon the setting of Cottingham Hall, we consider this to constitute harm that is less than substantial harm.

As the application affects the setting of listed buildings and the conservation area, the statutory requirement to have special regard to the desirability of preserving the setting of a listed building (s.16, 1990 Act) and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72, Listed Buildings and Conservation Areas Act, 1990) must be taken into account by the decision maker.

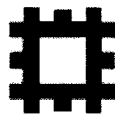
Our advice reflects legislation, and the government's policy guidance provided in the National Planning Policy Framework (NPPF), the Planning Practice Guidance, the PPS5 Practice Guide, and English Heritage guidance including The Setting of Heritage Assets (2011).

At the heart of Government's National Planning Policy Framework is a presumption in favour of sustainable development. The determining authority should aim to achieve



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the objective of sustainable development which in this context means guiding development towards a solution that achieves economic, social and environmental gains jointly and simultaneously [paragraph 8]. Specifically, the environmental dimension of sustainable development gives rise to the need for the planning system to contribute to protecting and enhancing our historic environment as part of achieving this objective [paragraph 7].

The NPPF indicates that in decision making, applications should not be granted where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or where specific policies (including those relating to the conservation of cultural heritage) indicate that development should be restricted [paragraph 14].

One of the twelve core planning objectives set out in the NPPF is the conservation of heritage assets in a manner appropriate to their significance, recognising their value to the community and quality of life [paragraph 17]. The significance of a heritage asset derives not only from its physical presence, but also from its setting. Therefore significance can be harmed or lost through development within a heritage asset's setting and since heritage assets are irreplaceable any harm or loss to significance requires clear and convincing justification.

In determining the planning application, the determining body should take account of the desirability of sustaining and enhancing the significance of heritage assets [paragraph 131]. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation and the more important the asset, the greater the weight should be [paragraph 132]. No higher sense of importance is described in the NPPF. Where the harm is judged to be less than substantial, harm should be weighed against the public benefit of the proposal [paragraph 134].

On the basis of the information submitted we conclude that this outline planning application is harmful to the significance of designated heritage assets. This harm is assessed as less than substantial. In identifying less than substantial harm the NPPF remains clear on the need for a 'clear and convincing justification' for any level of harm and the need to weigh up public benefits associated with the proposal against the level of harm. It does not follow that if the harm is less than substantial that little weight should be given to the heritage asset. Considerable weight should be given to the desirability of preserving the setting of all heritage assets pursuant to the aim of sustainable development.

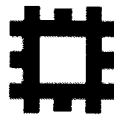
Recommendation

We would urge you to address the above issues, and recommend that the application



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should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Yours sincerely

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