

**Review of Baseline Heritage
Report**

Park Lane, Castle Donington



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This report has been prepared by ELG. ELG Heritage have significant experience working in the historic built environment, both as a Heritage Consultants and local authority Conservation Officers.

We are competent in the assessment of significance and heritage impact and advise on a wide range of schemes including Conservation Areas, Scheduled Monuments, Listed Buildings, historic Parks and Gardens and Non-Designated Heritage Assets.

Revision Record

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1. Introduction

1.1 This statement has been prepared by ELG Heritage on behalf of North West Leicestershire District Council. The Council are currently preparing a new local plan to cover the period to 2040. The site reviewed as part of this assessment is a potential strategic housing and employment site known as Land North and South of Park Lane Castle Donington (SHELAA reference CD10).

1.2 ELG Heritage have been commissioned by the district council to consider a submitted site promotion masterplan and baseline heritage report prepared by Locus Consulting, produced for Mather Jamie Ltd (April 2022).

1.3 The baseline heritage report considers the heritage implications of a potential mixed used allocation for residential, employment, open space, education with associated infrastructure and landscaping at Park Lane, Castle Donington.

1.4 The Council wish to understand in particular.:

- are the conclusions of the baseline heritage report regarding the impact of potential development on the setting of both designated and non-designated heritage assets appropriate and if not, what additional impacts are there likely to be;
- are the proposed mitigation measures outlined in the baseline heritage report appropriate and if not, what additional mitigation is likely to be required;

- having regard to the indicative masterplan are any changes required in order to protect any heritage assets both designated and non-designated.

1.5 This statement should be read in conjunction with Park Lane, Castle Donington Baseline Heritage Report (2022) produced by Locus Consulting and the indicative masterplan prepared by Barton Wilmore.

1.6 Three publications are relevant to this assessment exercise namely:

- The Historic Environment and Site Allocations in Local Plans - Historic England Advice Note 3 (HAN 3)
- The Historic Environment in Local Plans – Historic Environment Good Practice Advice in Planning:1 (GPA 1)
- The Setting of Heritage Assets - Historic Environment Good Practice Advice in Planning:3 (GPA 3)

1.7 In addition, this report acknowledges a fourth publication namely Managing Significance in Decision-Taking in the Historic Environment; Historic Environment Good Practice Advice in Planning:2 (GPA 2). However, GPA 2 is directed more at the process of making and deciding planning applications and has less relevance at the stage of identifying sites in the local plan making process.

1.8 In considering the conclusions of the baseline heritage report the following documents have also been reviewed as evidence-based reference material;

- The Councils Landscape Sensitivity Study prepared by Gillespie's 2019.
- Castle Donington Conservation Area appraisal and Management Plan.
- Aston on Trent Conservation Area Character Statement 2011.
- Shardlow Conservation Area Character Statement 2013.
- North West Leicestershire District Council draft local plan documents.
- The Leicester and Leicestershire Strategic Growth Plan 2050.
- Historic England's National Farmstead Assessment Framework 2015
- Historic England's Adapting Traditional Farm Buildings 2017.
- Indicative comments provided by the Councils Senior Conservation Officer and response by the site promoter.

1.9 This statement does not repeat the research, analysis or background work undertaken already by Locus Consulting but is intended to supplement it and allow the authority to consider the analysis in the context of paragraph 1.4 above.

2. Site description

- 2.1 The site is a large green field site comprising numerous agricultural fields both to the north and south of Park Lane, approximately 94 hectares in area to the west of Castle Donington. Lying to the east of the site is the Castle Donington relief road with the East Midlands Distribution Centre to the north, with large commercial blocks of development.
- 2.2 The site area is defined by the River Trent to the north, Home Farm to the west, and residential development currently underway to the east.
- 2.3 Donington Park Motor Racing Circuit is located beyond the south west boundary. East Midlands Airport is located directly east of Donington Park Motor Racing Circuit. The site has distinctively undulating topography and is overlain by regular patterned fields that have variations in scale and are predominantly of arable use.
- 2.4 The new residential development beyond the roundabout to the north east and to the south east has expanded the settlement edge of Castle Donington to the west (SHELAA site CD4). The new developments are a mix of largely standard house types although there are more bespoke dwellings orientated along Park Lane to the east.
- 2.5 Lying to the east side of the southern part of the site is a substantial grouping of trees and a compound for new housing development being constructed along the roadside to the east. The relief road running north to

south is a strong landscape feature severing the rural character from the west, to the more urban development at the east.

- 2.6 To the southwest is Donington Hall and parkland, the Hall is undergoing redevelopment as a hotel. A collection of farm buildings lie due west at Home Farm and further west a grouping around the Priest House with a collection of historic mill buildings.
- 2.7 The current site appearance is largely one of an undulating rural character with a strong emphasis along Park Lane with commercial development visible to the northern parcel from Park Lane with longer views available, transversed by pylons.
- 2.8 The heritage assets in the vicinity have been mapped as part of the Councils Landscape Sensitivity Study, these include:
- Donington Hall (Grade II* listed) along with associated listed features associated with the hall to the south west.
 - Home Farmhouse (Grade II listed) to the west.
 - Several listed buildings at Kings Mill to the west.
 - Donington Park, a medieval deer park associated with the hall is considered to be a non -designated heritage asset.

3. Planning Context

- 3.1 This section of the statement summarises the legislative background, government policy as set out in the National Planning Policy Framework and advice published by Historic England in connection with the allocation of development sites in local plans and when considering the impacts of development on heritage assets.
- 3.2 Listed buildings are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 and are recognised to be of special architectural or historic interest. Under the Act, planning authorities are instructed to have special regard to the desirability of preserving a Listed Building, its setting, or any features of special architectural or historic interest which it possesses (Planning (Listed Buildings and Conservation Areas) Act s.66(1)).
- 3.3 Section 72 of this act requires that "... with respect to any buildings or other land in a conservation area ... special attention shall be paid to preserving or enhancing the character or appearance of that area".
- 3.4 The National Planning Policy Framework requires that 'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting' (para 194).
- 3.5 The NPPF states that 'when considering impact upon significance, great weight should be given to the asset's conservation, relative to its significance. This is irrespective of whether any potential harm amounts to

substantial harm, total loss or less than substantial harm to its significance' (para 199).

- 3.6 In the NPPF, heritage significance is defined as: 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic, or historic.

Significance of Heritage Assets

- 3.7 Significance derives not only from a heritage asset's physical presence, but also from its setting.' Assets of very high significance include Scheduled Monuments, Grade I and Grade II* listed buildings and Grade I and Grade II* Registered Parks and Gardens.
- 3.8 Assets of high significance include Grade II listed buildings, Grade II Registered Parks and Gardens and non-designated assets of national or regional significance.
- 3.9 Assets of medium or low significance include non-designated heritage assets which are not of national or regional significance, or where their significance is unknown.
- 3.10 The NPPF sets out that 'Any harm to the, 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'. (Para 200).

- 3.11 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (para. 202)
- 3.12 Historic England Conservation Principles (2008) recognises that each generation should shape and sustain the historic environment in ways that allow people to use, enjoy and benefit from it, without compromising the ability of future generations to do the same. To understand the significance of place, Conservation Principles requires an understanding of the archaeological, historical, architectural and aesthetic interests of the heritage assets affected by such a proposal.

Assessing Significance

- 3.13 The assessment of significance of a heritage asset comprises three stages, as set out in Note 2 of the Historic Environment Good Practice Advice in Planning (Historic England 2015):
- Understanding the nature of the significance through identification of what values or interests contribute;
 - Understanding the extent of the significance, and;
 - Understanding the level of significance, perhaps the most important step in terms of planning-led assessment as it can dictate what level of test is applied when determining the potential effects of a proposed development.

- 3.14 It should be noted that the varied nature of heritage assets means that, in the majority of cases, they are unsuitable for assessment via a nominally 'objective' scoring of significance, and there will always be an element of interpretation and professional judgement within a balanced assessment.
- 3.15 When defining the contribution of setting to an asset, the assessment begins with identifying the significance of a heritage asset as described above.
- 3.16 As outlined in Historic Environment Good Practice Advice in Planning: Note 3 The Setting of Heritage Assets (Historic England 2017), setting is defined as 'the surroundings in which an 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'. A recommended staged approach to the assessment of potential effects on the setting of heritage assets is also set out in the guidance.

Legal interpretation of harm

- 3.17 The courts have held that preserving means doing no harm. They have further established that where a proposal will cause a degree of harm the desirability of preserving a listed building or its setting, or character of a conservation area should not simply be given careful consideration, 'but should be given 'considerable importance and weight' in the planning balance.
- 3.18 *Palmer v Herefordshire Council & Anor* (Court of Appeal – Civil Division, November 04, 2016,[2016] EWCA Civ 1061 (Case No: C1/2015/3383)

found 'that where proposed development would affect a Listed Building or its settings in different ways some positive and some negative, the decision maker may legitimately conclude that although each of the effects has an impact, taken together there is no overall adverse effect on the Listed Building or its setting.'

Soundness of Local Plans

3.19 In respect of local plan preparation Paragraph 35 of the National Planning Policy Framework (NPPF) (MHCLG 2023) outlines a series of tests to determine whether local plans are sound.

3.20 Plans are regarded to meet these tests of soundness if they are:

- 'Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;

- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.' (MHCLG 2023, Para 35)

3.21 In terms of considering the Historic Environment in Local Plans, Historic England's Historic Environment Good Practice Advice in Planning 1 (July 2015) sets out a staged approach to this.

3.22 When assessing allocation sites for soundness from a perspective of heritage, the two most important aspects of these tests are whether such sites have been considered on the merits of proportionate evidence and whether the delivery of development on such sites would be consistent with national policy.

3.23 In reviewing the baseline heritage report, conclusions and mitigation proposed, due consideration is given to the legislative framework for decision making set out above.

4. Baseline Heritage Report

- 4.1 The site promoted for allocation are two parcels of land to the north and south of Park Lane Castle Donington, referenced in the Councils SHELAA as CD10.
- 4.2 In promoting the site, an indicative site masterplan document has been prepared which is accompanied by a detailed baseline heritage report prepared by Locus Consulting (project reference 21-022), dated April 2022 prepared on behalf of Mather Jamie Limited, the site promoter.
- 4.3 The masterplan indicates that the site may comprise up to 1,200 homes, a local centre, primary school and areas of open space. An area to the north of Park Lane is identified as being suitable for either residential or employment land including a local centre.
- 4.4 The baseline heritage report presented by Locus Consulting sets out that it:

"aims to evaluate the significance of known and heritage assets within the site and environs and their sensitivity to the proposed development of the site in principle. The results are intended to identify constraints and opportunities that can be used to inform the creation of a development masterplan for the site".



Approach and Methodology

- 4.5 This assessment considers the results of the baseline assessment in the context of the five-step methodology as set out in Historic England's Advice Note 3: The Historic Environment Good Practice Advice in Planning (2017) and The Historic Environment in Local Plans (2015) which sets out the following steps:
- STEP 1: Identify which heritage assets are affected by the potential site allocation;
 - STEP 2: Understand what contribution the site (in its current form) makes to the significance of the heritage asset(s);
 - STEP 3: Identify what impact the allocation might have on that significance;
 - STEP 4: Consider maximising enhancements and avoiding harm;
 - STEP 5: Determine whether the proposed site allocation is appropriate in light of the NPPF's tests of soundness.
- 4.6 In addition, Step 3 of the Historic England GPA Note 3 suggests an approach to assessing heritage impact using four attributes of proposed development as a framework for assessment. The attributes are not self-contained and the impacts will overlap to a degree, but they are intended to be a helpful framework. The attributes all relate to the physical impact of a proposal and primarily, how it will be seen in relation to an asset.
- 4.7 The factors listed under each attribute are not intended to be exhaustive but are to be used as prompts for consideration to ensure a comprehensive assessment.
- Location and siting including proximity to asset; position in relation to key views to from and across; degree to which location will physically or visually isolate asset; Proximity alone does not necessarily cause impact upon the contribution made by setting to the significance of a heritage asset or the ability to appreciate that significance. However, if there is an adverse impact on views of the asset which are important to appreciate architectural or historic significance, form and function, then it causes harm.
 - Form and appearance including prominence, dominance, or conspicuousness, competition with or distraction from the asset; dimensions scale and massing; visual permeability or reflectivity; materials; introduction of movement or activity; diurnal or seasonal change.
 - Wider effects including change to skyline; Light effects and "light spill".
 - Permanence including anticipated lifetime and reversibility.
- 4.8 The scoping report identifies an inner study area of 1km and an outer area of 3 km. Including a detailed search of relevant HER records at a study area of 1000m and the National Heritage List. (Figure 1 page 4 of the baseline heritage report).
- 4.9 Due to the nature of the development, indicative at this stage, the baseline report employs as a 'worst case' scenario of development of up to 3 storeys in height including a mix of residential, warehousing and employment sites. This is a reasonable assumption based on the nature of the allocation proposed, the existing nature and form of development in the immediate

area and the landform and overall landscape sensitivity identified in the landscape sensitivity study.

- 4.10 At the core of this process is to establish an understanding of significance to enable the assessment of potential impacts of site allocation on heritage assets, to be duly considered in accordance with established planning policy. The widely accepted methodology for understanding significance is set out in Conservation Principles (Historic England 2008) and sets out how heritage assets and places are valued by this and future generations because of their heritage interest. Significance can be described as the sum of the special interest of a historic place, building or area and is derived from an asset's evidential, historical, aesthetic, and communal values.

Identification of Heritage Assets- Step 1 (GPA Note 3)

- 4.11 The baseline heritage report identifies those assets that are designated within section 2 (Pages 6-46 of the baseline heritage report) and their degree of sensitivity. Additionally, it identifies in section 4.3 those non-designated heritage assets, taken from the council's local lists. It also includes a review of buildings predating 1905 in the study area and potential unrecognised non-designated heritage assets within the inner study area (1km).
- 4.12 This study area therefore also considers heritage assets that may fall within the boundary of neighbouring settlements including those at Aston Upon Trent and Shardlow as well as those within the more immediate context.

- 4.13 The baseline report has been informed by appropriate HER searches, cartographic evidence and secondary research sources and it is regarded that the requirements of the NPPF in respect of considering proposals affecting heritage assets (Para 194) the assessment is an appropriate response to the identification of assets and applies suitable buffers based on the advice set out in GPA 3 to identify those assets that may be affected.

- 4.14 In this respect it is concluded that the baseline heritage report accurately identifies those heritage assets both the designated and non-designated assets, with the potential to be affected by the allocation of the site for development.

Archaeology

- 4.15 The National Planning Policy Framework identifies two categories of non-designated heritage assets of archaeological interest:

(1) Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (National Planning Policy Framework footnote 63). They are of 3 types:

- those that have yet to be formally assessed for designation.
- those that have been assessed as being nationally important and therefore, capable of designation, but which the Secretary of State for Culture, Media and Sport has exercised his/her discretion not to designate.

- those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 because of their physical nature.

(2) Other non-designated heritage assets of archaeological interest. By comparison this is a much larger category of lesser heritage significance, although still subject to the conservation objective. On occasion the understanding of a site may change following assessment and evaluation prior to a planning decision and move it from this category to the first.

- 4.16 Where an asset is thought to have archaeological interest, the potential knowledge which may be unlocked by investigation may be harmed even by minor disturbance, because the context in which archaeological evidence is found is crucial to furthering understanding.
- 4.17 Decision-making regarding such assets requires a proportionate response by local planning authorities. Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, it is estimated that following the initial assessment of archaeological interest only a small proportion – around 3% – of all planning applications justify a requirement for detailed assessment.
- 4.18 In respect of archaeological assessment, the baseline report identifies at Chapter 4 the potential impacts on archaeology as a result of proposed development, through consultation with the HER, Lidar data and historic

resources such as mapping and aerial imagery. Sites with potential for archaeology have been identified.

- 4.19 In the summary on page 6 of the baseline report, it notes that the site has a high potential for archaeological remains of Prehistoric, Roman and medieval date. Those with a prehistoric and roman date are likely to be of regional importance and could hold national importance equal to Scheduled Monument in accordance with footnote 68 of the NPPF.
- 4.20 The methodology of identification and the extent of works at this stage is sufficient and appropriate based on the guidance of the NPPF and PPG for the decision maker to understand the potential impacts.
- 4.21 ELG are not archaeologists and whilst the steps set out appear appropriate, further work is needed to identify how archaeological impacts could be mitigated, we would suggest that further advice is sought from the Councils archaeological service.

Findings

- 4.22 There are no heritage assets within the identified site boundary itself. However, there are a significant number of both designated and non-designated assets within the immediate vicinity of the site and the buffer zones identified.
- 4.23 Therefore, allocation of the site has the potential to impact on the setting of a number of designated and non-designated heritage assets.

- 4.24 In identifying both standing heritage assets and those of potential archaeological interest, the baseline heritage report has therefore been carried out in accordance with Step 1 of Good Practice Advice Note 3.

Setting and Significance -Step 2

- 4.25 Having identified the heritage assets with the potential to be affected by a proposed site allocation and future development, the baseline heritage report then proceeds in accordance with step 2 of Historic England Good Practice Advice Note 3, to consider the significance of the heritage assets identified, including any contribution to this made by their setting.
- 4.26 Defining the contribution of setting to an asset begins with identifying the significance of a heritage asset as described above.
- 4.27 The National Planning Policy Framework (NPPF) defines significance of heritage assets 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.
- 4.28 As outlined in Historic Environment Good Practice Advice in Planning: Note 3 The Setting of Heritage Assets (Historic England 2017), setting is defined as 'the surroundings in which an 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'.
- 4.29 A recommended staged approach to the assessment of potential effects on the setting of heritage assets is also set out in the guidance.
- 4.30 In considering the implications for the setting of heritage assets, the baseline heritage report carries out an analysis of significance and setting which was undertaken through desk-based analysis and site visits.
- 4.31 Assignment of significance is a value judgement based on research, knowledge and professional expertise of the author of the Heritage Impact Assessment. The varied nature of heritage assets means that, in the majority of cases, they are unsuitable for assessment via a nominally 'objective' scoring of significance, and there will always be an element of interpretation and professional judgement within a balanced assessment.
- 4.32 The baseline heritage report awards a degree of sensitivity to each asset ranging from neutral to very high for each group identified.
- 4.33 Ranking significance provides assistance in understanding the relative importance of different elements and assessing the likely impact of allocation. The identification of 'Lesser Significance' does not mean assets are of no importance or that individual elements could be removed or damaged without affecting the heritage asset or site as a whole.
- 4.34 Those assets with the potential to be affected were shortlisted by Locus Consulting for further investigation and analysis and where appropriate grouped together.

4.35 The baseline heritage report therefore identifies key groupings at:

Group A Home Farm

Group B Donington Hall

Group C Castle Donington

Group D Kings Mill

Group E Ashton upon Trent

Group F River Corridor Archaeology

Group G Shardlow Wharf and Trent Mersey Canal

4.36 We would concur that these are the key grouping of assets with the greatest potential to be affected by development due to their location, nature of the assets, level of significance and relationship to the proposed allocation site.

Assessment of the effects -Step 3

4.37 In considering the significance and setting of each of the designated and non-designated assets affected and the contribution that a site or element of a development makes to the asset's significance, the baseline heritage report then awards each asset identified by Locus Consulting for further investigation, with a level of potential sensitivity which is then expressed in a scale of low, neutral, moderate to very high.

4.38 The baseline heritage report then considers the resultant level of harm and degree of sensitivity on a scale of less than substantial harm, from low;

moderate; high to a category of substantial harm, very high. The test of substantial harm is impact to such a degree that the significance of a heritage asset is entirely lost or a fundamental part of it is vitiated.

4.39 Whilst substantial harm is not specifically defined in the NPPF, the planning practice guidance note for the Historic Environment (Department for Levelling Up, Housing and Communities 23rd July 2019) advises that:

"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all."

4.40 The baseline heritage report concludes no instances of substantial harm (page 7 Summary Findings). Following the methodology set out, the nature of proposals and the principle of built form (of 2-3 storeys), this is a reasonable conclusion based on the nature of the proposal (site allocation). The conclusions of the baseline heritage report set out in section 2 Summary Findings, in respect of significance/sensitivity and resultant harm and general observations of mitigation are generally accepted.

- 4.41 The baseline heritage report identifies those assets that following mitigation would result in moderate harm as Donington Hall and associated parkland and structures (Page 27 and 41), and moderate/low harm to Park Lane (Page 41).
- 4.42 The Council's Senior Conservation Officer comments that the resulting harm attributed to Home Farm underestimates the resulting impact, with the baseline heritage report identifying the impacts to this grade II listed building following mitigation as low (page 25).
- 4.43 As a result of the impacts identified in the heritage baseline report and the comments of the Council's senior conservation officer. These specific sites and the resulting impacts are regarded to warrant further analysis by ELG Heritage and are detailed in turn for completeness.

Impacts of development -Mitigation

- 4.44 The potential impacts of allocation on the significance of heritage assets may be regarded as adverse, beneficial, or neutral. Significance may be affected by direct physical impact, including destruction, demolition, and alteration or by changes to setting, including changes to historic character of an area, alterations to views to and from sites and loss of amenity (increased traffic, noise and air pollution etc).
- 4.45 The National Planning Policy Framework (paragraphs 201 and 202) require any harm to designated heritage assets to be weighed against the public benefits of the proposal.

- 4.46 The planning practice guidance note (DLUHC 2019) sets out that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.
- 4.47 Paragraph 203 of the NPPF states that the impact on non-designated heritage assets needs to be weighed in the planning balance.
- 4.48 Following the steps undertaken in Step 2 (identification of significance and setting) the baseline heritage report then considers the resulting impacts including mitigation and design.
- 4.49 Where adverse impacts are identified, and subject to the nature of the asset and the potential impact, consideration has been given to mitigation with a view to removing or reducing potential harm to the heritage asset. The effectiveness of any proposed mitigation has been evaluated with regard to the site's (and the asset's) situation, topography, key views, wider landscape characteristics etc. and is also a value judgement based on observations and expertise of the author.
- 4.50 We would concur that those assets and groupings identified on pages 27 and 41 of the report are the assets with the potential to experience most notable change to their settings and relative significance as a result of site allocation, based on desk-based analysis and a site visit to the assets identified in accordance with Step 1 of Good Practice Advice Note 3.

4.51 These assets are:

- Donington Hall and attached Chapel, Stables and Game Room
- Home Farm
- Donington Park
- Park Lane

4.52 The resulting impacts, potential mitigation and overall impacts of potential allocation on these assets are considered in the section below. Where assets are excluded from further analysis it is because we consider the resulting impacts and identified mitigation to result in a low or neutral impact, which is consistent with the conclusions of the baseline heritage report.

Donington Hall, associated structures and grounds

4.53 In respect of high degree of sensitivity of change Donington Hall (grade II* listed) is noted as the asset showing the highest degree of sensitivity to the potential site development.

4.54 In addition to the above the Councils senior conservation officer has commented on the baseline heritage report highlighting that there may also be the potential to consider in future, designation of the grounds and former park land around Donington Hall as a conservation area. Designation, however, has not progressed due to resources, rather than lack of special interest.

4.55 Whilst this is not specifically referenced in the baseline heritage report, the potential for the landscaped setting as a non-designated heritage asset is considered (paragraph 4.3.8). While there is no formal designation currently, in the interim this would be considered a non-designated heritage asset and the resulting impacts on Donington Park are set out in the baseline heritage report at page 41. Noting that the sensitivity of this asset to change is high and that with mitigation the resulting impacts are moderate. It is therefore deemed that the impacts on the parkland as a recognised heritage asset have been duly considered through the baseline heritage report.

4.56 An indicative boundary for a potential conservation area designation, provided by the Councils Senior Conservation Officer shows the extent of the land to the east extending to Captains Gorse, where there is a clear visual and historic functional relationship between this and the parkland of Donington Hall. This would incorporate an area in the proposed site masterplan which is shown to be open space.

4.57 The impacts on the site and setting of the allocation on these heritage assets are identified at paragraphs 4.2.24 to 4.2.27 of the baseline heritage report.

4.58 The baseline heritage report acknowledges that there would be harm to the setting of these assets, and that the hall and associated listed buildings have a moderate to high sensitivity to change. With mitigation the baseline heritage report concludes that the overall impacts would be moderate to low.

- 4.59 In this regard the baseline heritage report acknowledges that harm to the assets would result. The balance of harm against public benefit is ultimately for the decision maker to weigh in the planning balance. Presently the parkland area would be appraised as a non-designated heritage asset which requires a 'balanced judgement' in decision making.
- 4.60 As Donington Hall is a grade II* listed building, the NPPF requires any harm resulting from development to require clear and convincing justification. Substantial harm to a grade II* listed building should be wholly exceptional. When less than substantial harm is identified to the significance of a grade II* designated heritage asset this should be weighed against the public benefits of the proposal (NPPF paragraph 202).
- 4.61 Donington Hall itself lies in a rather enclosed and private setting. The proposed site allocation to the southern boundary rises in height with tree planting in place providing a visual screen and there is distinct lack of intervisibility from the hall and site itself as a result. It would be possible to further introduce additional shelter belt planting (see figure 1) to reinforce these historic boundaries and create additional screening and buffering. Whilst it is considered that there would be a change to the wider parkland setting of the Hall there would be no direct impact on the Hall itself or a general appreciative change to its setting subject to appropriate design and mitigation towards the southwest of the site. It is considered that any resultant harm to the Hall itself would be considered less than substantial for the purposes of the NPPF (paragraph 202).



Figure 1 Areas of suggested additional planting (shown in red) discussed in paragraph 4.61

- 4.62 The southern parcel of the site rises to a higher land level at the edge of the development and setting development heights here at a level of no more than two storeys in height would be appropriate in mitigating views from Donington Hall and its grounds. Views from within the parkland will be important to consider in any future development and the perception of development from within key viewpoints of the parkland would need to be understood further through detailed design work.

4.63 It would be possible to include the intended open space to the west of the allocation as shown in the indicative masterplan (identified in red in figure 2 opposite) within a proposed allocation boundary. This would not result in harm to the wider setting of the Hall and parkland providing that the intention for this parcel of land is for it to be retained as a naturalistic landscape area reflective of its existing character. It would not be appropriate for this area to be developed or become an area of manicured or more formal landscaping, perhaps an appropriate area for biodiversity net gain to be achieved.



Figure 2 Area of open space discussed in paragraph 4.63

4.64 The swathes of tree belts across the site and shelter belts associated with the parkland are visual way markers and historic landscape features that should be retained and reinforced as part of the allocation. Following established field patterns would allow for a sufficient buffer and also a degree of enhanced parkland to Home Farm to the north. Where possible existing established trees belts and hedgerows throughout the site should be retained and reinforced to reflect the rural character of the existing site and historic field boundaries.

4.65 If the Council is minded to allocate the full site, due consideration should be given to appropriate scale and form of development. It would not be appropriate to have development of suburban forms or large blocks on the boundaries of the parkland to Donington Hall or Home Farm where a more gradual transition of built form would better respect the setting and historic context of those assets. The indicative masterplan is consistent with this approach siting commercial blocks to the north east of the site.

4.66 It is considered that subject to appropriate mitigation such as that outlined above and identified in the baseline heritage report, along with appropriate site layout and design, which would come through detailed applications that less than substantial would result to the setting of the assets. Furthermore, that resulting harm could be mitigated and minimised and would be less than substantial in line with the guidance of and the public benefits tests set out in paragraph 202 of the NPPF achieved.

4.67 Paragraph 202 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public

benefits of the proposal including, where appropriate, securing its optimum viable use. This balance of harm will ultimately be a matter for the decision maker. We have taken into account the potential scale and socio-economic benefits of the proposed allocation. The precise nature of the public benefits would not be known until the planning application stage once the specific details of the scheme have been finalised, but in principle, it is accepted that the allocation could deliver needed market and affordable homes subject to the proposed mitigation and careful design suggested.

- 4.68 Any resulting allocation could reflect a logical potential conservation area boundary, such as that referenced at paragraph 4.54 to resolve any conflicts between site allocation and future conservation area boundary designation. The indicative conservation area boundary relative to the site is shown in figure 3 below.

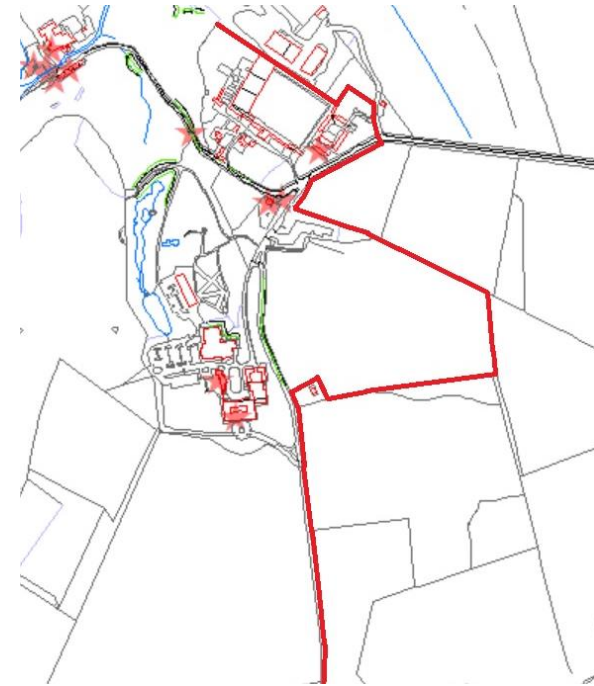


Figure 3 potential eastern boundary of suggested conservation area

Donington Hall and Parkland Key Conclusions

- Development should be set back to the southern boundary as a result of rising land levels and a substantial buffer comprised of a native planting as shown on figure 1 introduced to screen development.
- Development should peter out to the southern and western edges of the site to ensure development of an appropriate density, scale and form that reflects the rural transition.
- Development should be no more than two storeys in height and commercial blocks of development avoided.
- Use of design code to ensure suitable design quality that is carried across the scheme and suitable materiality which responds positively to neighbouring vernacular.
- Retention of existing field boundaries and hedgerows where possible.
- Use of suitable rural boundary treatments, hedgerows, margins and tree belts.
- Area of open space to the west of the allocation (figure 2) should remain as a natural landscape transition and not be a manicured formal landscape feature.

Home Farm

- 4.69 In respect of the resulting impacts on the grouping of farm buildings at Home Farm and courtyard, the baseline heritage report identifies the sensitivity of the site as moderate and following mitigation the overall resulting impacts low (page 25).
- 4.70 The baseline heritage report states that it would not be possible to mitigate the development of the farmland historically associated with this grade II listed farm due to the uptake of land that would result. There would be a marked and appreciable change to the setting of the grade II listed farmhouse as result of the development. However, appropriate separation distances, scale and quantum of development would help to mitigate this impact at the most sensitive heritage receptors.
- 4.71 The site is relatively contained and screened from Park Lane by laurel hedging with roof tops visible. The buildings come into view on approach to the farm from the track leading from Park Lane. There are views of the farm complex from the higher ridge at the south of the site. Due to the general low-lying nature of the buildings, there is an appreciation of a rural building grouping rather than appreciation of architectural interest of individual buildings.



Figure 4 view of Home Farm from southern parcel of the site

- 4.72 There is a garden area located to the east of the farm. The indicative masterplan shows a separation distance of approximately 170m between the existing farm complex and the nearest proposed development parcel to the east.
- 4.73 The rural landscape here is important to understand the historic context of the area and to the significance of the designated heritage assets. There would undoubtedly be a change to the setting of this farm grouping as a result of the take up of the surrounding associated agricultural land. This as a result would cause a degree of harm to the setting of this historic grouping.
- 4.74 The general layout shown in the indicative site masterplan would result in less than substantial harm as the ability of the building group to be understood as a rural farmstead would remain. It is however suggested that pulling the allocation and development back eastwards in line with the route of Captains Gorse running directly north to the existing field boundary would result in a more comfortable relationship with this grouping. In looking to conserve the wider setting of this as a traditional farm grouping in a rural landscape setting, it is suggested that a further physical

development set off and landscape buffer is implemented which would result in the indicative allocation boundary being pushed back eastwards.

- 4.75 This would create a meaningful and noticeable intervening buffer of retained land of agricultural character that could be supplemented by screen planting along the eastern edge to screen development. Furthermore this would allow the allocation to follow an established field boundary. This would create a separation distance of approximately 260m between Home Farm and the allocation site. The suggestion for this boundary is shown in figure 5.
- 4.76 Due consideration would still need to be given here to development form of an appropriate scale and density. Allowing the density and scale of development to peter out towards the more rural transition to the south and west boundaries would appear logical and ensure the wider setting of these heritage assets and the historic connection with neighbouring rural land use remains and is evident to the casual observer.
- 4.77 Subject to the appropriate mitigation identified above being implemented then any resulting harm to heritage assets as a result of allocation could be minimised and would be less than substantial in line with the guidance of paragraph 202 of the NPPF. Furthermore, that the public benefits tests set out in paragraph 202 of the NPPF could be achieved.



Figure 5 Suggested western extent of allocation, land to the west of blue line included within the masterplan but retained as open space/landscaping.

Home Farm Key Conclusions

- Proposed allocation boundary pulled eastwards (suggested western boundary of built development shown in figure 5).
- Screen planting/landscape buffer to the western boundary.
- Appropriate density, scale and form of development that reflects the rural character and tapers out into the rural transition.
- Phasing of development to ensure development starts in the east and graduates to the west of the site to avoid isolated parcels of development.
- Development no more than two storeys in height and commercial blocks of development avoided towards the west.
- Use of design codes to ensure suitable design quality that is carried through the scheme and suitable materiality and responds positively to the neighbouring buildings.
- Retention of existing field boundaries and hedgerows where possible.
- Use of suitable rural boundary treatments, hedgerows, margins and tree belts.

Park Lane

- 4.78 The tree lined approach along Park Lane is a strong historic feature in the landscape providing a direct and logical link to the existing housing to the east. Recent development to the edge of the town along Park Lane has an attractive landscaping and stand off from pavements including hedging and estate railings. Continuing such treatments to the Park Lane allocation with a substantial stand-off/landscaped buffer along the roadside to any development retaining substantial areas of hedging and established planting hedgerow trees, would allow a softened transition and the historic approach to Donington Park from Castle Donington and vice versa, to be retained and reinforced.
- 4.79 The character of Park Lane could be identified as a non-designated heritage asset (paragraph 4.3.8 of the baseline heritage report) and could form a defined green spine for any future development with design codes reflecting the layout and form and clear axis of this historic route.
- 4.80 It would also be important to ensure that any development was suitably phased and progressed from east to west to avoid isolated sporadic development which does not reflect more natural development along key routes, particularly Park Lane.

Park Lane Key Conclusions

- Retention of existing field boundaries, trees and hedgerows where possible.
- Careful consideration to any potential new entrances from Park Lane and resulting impacts on the visual strength of this as a unifying feature.
- Existing alignment and roadside boundary treatment retained and reinforced with native species.
- Development set back to ensure suitable margins of development, the layout and design should ensure this remains as a strong landscape feature in the approach to designated assets beyond.



Figure 6 View of Park Lane across the southern parcel of the site

5. Recommendations – Step 4

- 5.1 Following on from the above the baseline heritage report makes a number of recommendations to mitigate and minimise harm on the setting and significance of heritage assets, we agree that these recommendations form an appropriate basis for further management and mitigation (in accordance with step 3 of the GPA 3).
- 5.2 We particularly agree that in respect of the optimal way to mitigate and avoid the greatest impact in heritage terms would be through locating commercial development to the northeast and avoiding it in the south and west of the site as set out in paragraph 4.2.43 of the baseline heritage report.
- 5.3 Further details will also need to be assessed at the planning application stage. Not all impacts will require mitigation. In order to ensure that the development of allocated sites takes place in a manner consistent with the conservation of the heritage assets in their vicinity, it is recommended that the mitigation measures set out in the baseline heritage report are incorporated into the Local Plan through appropriate policy wording (suggestions are provided at Appendix 1).
- 5.4 The general layout and masterplan shown is generally acceptable when considering the site as separate parcels. The general layout of the site has undulating levels and it should be noted that the assumption has been made that there will not be significant level changes as a result of future development. Levels details will be required with the submission of any future development proposals. If significant land movements are proposed particularly to the southwest of the site then further consideration to direct impacts would need to be given, particularly to key view from out with the parkland setting of Donington Hall.
- 5.5 Our additional recommendations based on the conclusions and content of the baseline heritage report and understanding of the site are set out in turn.
- 5.6 Should development beyond the scope of that outlined in the original baseline heritage report be proposed or a significant deviation from the masterplan then additional analysis may be required. Each subsequent phase of development of application should be accompanied by its own HIA to consider the impacts of development.
- 5.7 Those assets with the greatest potential to be affected by the development are those at Donington Hall and its wider parkland. It would appear prudent that to both conserve the setting of the Hall and Home Farm and potential for future conservation area designation, that the boundary of any site designation reflects that historically associated with the Hall and associated buildings. The Councils senior conservation officer suggests that the site allocation to the southern parcel of the site is restricted to the extent of Captains Gorse. This is considered to be a logical boundary for allocation as Captains Gorse is an extremely visual connective feature in the landscape, is a historic shelter belt of trees and an obvious end point of transition between the parkland and more rural landscape character beyond.

- 5.8 Consideration should also be given to bespoke high quality design at those edges most visually connected to the wider site.
- 5.9 The eastern parcels of the site are less sensitive to development. It is considered that the indicative allocation layout to the east, shown as a mix of commercial and housing development would create a natural transition of built development from the more historic settlement of Castle Donington to the east. Currently the hard edge created by the western edge of the settlement of Castle Donington and the relief road is a rather harsh transition, additional development here would allow a softer transition to the existing settlement to be introduced.
- 5.10 There is greater scope for commercial development to the northeast of the site with resulting impacts on the significance of heritage assets regarded to be low overall. We would suggest that this area of the site is therefore best suited to any commercial development proposed.
- 5.11 The use of a comprehensive masterplan which would include design guidance would be encouraged to ensure that the general approach to development, design quality and layout would not be diminished following allocation.
- 5.12 The Council may wish to give consideration to the development of a design code to guide development of the site as a whole. Alternatively, the use of design codes for each phase of development would ensure that those areas with particular sensitivities to historic receptors would respond positively in respect of design and ensure a suitable level of quality of development that reflects the transition between more suburban settlement to the east

and more rural historic landscape beyond. This would also be consistent with emerging government planning policy in these respects.

- 5.13 We would suggest that development to the western edge of the site should be of a lower density to ensure an appropriate response to the rural setting of the heritage assets towards the west of the site.

Archaeological Recommendations

- 5.14 Mitigation is proposed and the suggestion of fieldwork and further information in support of detailed proposals for development is a sensible approach to understand how the impacts on any unknown archaeological deposits could be suitably understood and mitigated.
- 5.15 It would be possible to stipulate that any development coming forward is supported by appropriate further geophysical survey, desk-based assessment and trial trenching (as required) prior to submission of any formal application.
- 5.16 The layout of the masterplan as proposed along with the recommendations above would also ensure that those areas identified with the particular areas of sensitivity (surviving ridge and furrow) are excluded from development.
- 5.17 Consultation with the county archaeologist on the draft allocation would therefore be required to understand further any implications for archaeological remains.

Overall Site Key Conclusions

- Proposed development boundary pulled eastwards (suggested boundary shown in figure 5).
- Commercial development restricted to those areas shown on the masterplan, but additional consideration given to stand offs of development and margins to respect Park Lane and at the southern and western transitions to respect the settings of Home Farm and the Parkland of Donington Hall.
- Retention of existing hedgerows and mature trees where possible.
- Ground levels of development to be controlled and a restriction on overall height of development to the west and southern parcels of land to no more than two storeys in height.
- Appropriate density, scale and form of development that reflects the rural character and peters out into the rural transitions.
- Phasing of development to ensure development starts in the east and graduates to the west to avoid isolated parcels of development.
- Use of design codes to ensure suitable design quality that is carried across the scheme and suitable materiality and responds positively to the neighbouring vernacular.
- Additional archaeological work required to understand impacts.

6. Conclusions

6.1 STEP 5: of Historic England's Advice Note 3: The Historic Environment is to determine whether the proposed site allocation is appropriate in light of the NPPF's tests of soundness.

6.2 The baseline heritage report has identified the assets in accordance with the stages approach to Good Practice Advice Note 3. Additionally, it has considered the relative setting and significance of these as set out in accordance with the November 2017 consultation draft of Historic England's best practice guidance document Conservation Principles.

6.3 Overall given the nature of the development proposed and the indicative masterplan shown, it is concluded that allocation of the site with the mitigation outlined would result in less than substantial harm to heritage assets and would not preclude the site from allocation. However, detailed site layouts and development proposals would have to be set out in accordance with the identified mitigation set out in the baseline assessment and suggested recommendations above to minimise that harm.

6.4 With regard to the assessment set out in the preceding 4 steps of development, the resulting impacts on heritage assets with care in respect of design would not preclude the site from allocation.

6.5 Subject to a policy in the plan that reflects national policy as well as site specific heritage issues, including:

- gives special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest;
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- the desirability of new development making a positive contribution to local character and distinctiveness.

6.6 The council may wish to give consideration to a Historic Environment topic paper to consider relative cross boundary issues to consider the setting of neighbouring conservation areas suitably protected but can also be better revealed introducing key views points from proposed areas of open space and any opportunities for better revealing the significance of heritage assets such as interpretation, walks and trails.

6.7 This report along with the baseline heritage report by Locus Consulting, comments of the Council's senior conservation officer and other heritage consultees would inform the basis of proportionate evidence as to the heritage implications of site allocation.

Appendix 1

Potential Heritage policy wording

The development of Park Lane (SHELAA CD10) should meet the following requirements:

1. The proposed development of the site shall be in general accordance with the submitted development masterplan.
2. Development will be expected to incorporate a design that maximises the enhancement of the heritage assets through measures including, but not limited to; layout, density, building heights, ground levels, form and materials and to ensure that any key views are maintained.
3. Within each phase of development the development proposals shall be expected to be in accordance with the established design code with a design code compliance statement submitted with each application; or within each phase of development, the development should be accompanied by a design code setting out the approach to local distinctiveness and built form.
4. A heritage impact assessment will be required with each development phase to assist careful consideration development should where possible, seek to enhance the significance of these designated heritage assets and their settings.
5. Built development on the upper slopes adjacent to Donington Park should be low density housing only and no higher than two storeys.
6. The design and layout of development should avoid harm to the Grade 2* listed Donington Hall, its parkland and setting particularly to the southwest of the site and seek where possible to enhance the significance of this important designated heritage asset.
7. Built development should respect the context of the site, contribute positively to local distinctiveness, and enhance and retain the key arterial route of Park Lane.
8. Development should look to positively reinforce existing landscaping along Park Lane to contain and soften the edge of the development within the wider landscape and reinforce this historic circulation route.
9. Development should look to enhance and create key views of the spire of the Church of St Edward Kind and Martyr.
10. Development to the western edge adjacent to Home Farm should be of an appropriate, height scale and density to minimise visual impact and integrate the site successfully with the intervening rural landscape.
11. Development should look to retain existing boundary planting and enhance with new planting of native trees and hedgerow species. Enhancement is particularly important along the roadside and southern boundary to reduce impact on the Grade 2* listed Donington Park.
12. Retain internal field boundary hedgerows, hedgerow trees and field trees where possible. Any unavoidable loss should be compensated for by new planting of native species elsewhere within the development.
13. The site is considered to have archaeological potential, particularly for later prehistoric and Romano-British settlement, and appropriate archaeological assessment will be required with each phase of development.

