



Historic England

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Dear Mr Mapletoft

Historic England Consultation – Rushcliffe Local Plan

Thank you for consulting Historic England. We have incorporated into our consultation response comments on both the Local Plan Part 2, including the Issues and Options LAPP and Site Allocations (addressed in the second half of this letter) and our response to the separate Draft Sustainability Appraisal Scoping Report, which is addressed first.

The comments of Historic England are related primarily to identifying within the main body of the Local Plan compliance with government policy and Historic England's own broad principles and policies related to the historic environment, identifying any areas where there may be potential confusion or contradiction. If appropriate, we have raised concerns if there is any doubt about the evidence base, and in terms of 'soundness' and paragraph 182 of the NPPF. The site allocations review is based on a desk-based assessment, looking at potential impact, and there will be further comments on undesignated sites within the Historic Environment Record, of which we are unaware and in which respect we refer you to the advice of the County Archaeologist.

Notwithstanding the advice given in this letter, we reserve the right at a later stage to comment or object to any proposals that come forward as part of the Local Plan.

Rushcliffe Draft Sustainability Appraisal Scoping Report

At all four stages of developing the Sustainability Appraisal, the primary consideration for Historic England is to ensure that the impact of a plan on the historic environment is adequately addressed prior to examination. We consider that some amendments are required to the SA framework to ensure that it meets the requirements of the Directive and Legislation in relation to cultural heritage.

We have reviewed the Scoping Report and have a number of detailed comments. Please note that Historic England have produced revised guidance in 2013 entitled '*Strategic Environmental Assessment, Sustainability Appraisal and The Historic Environment.*' This can be adapted to your particular circumstances.

<http://historicengland.org.uk/images-books/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>



1. Plans, policies and programmes – Question 1a. Have all plans, policies and programmes that affect the Local Planning Document been included in Section 3 and Appendix 1 of the Scoping Report?

Although not government guidance, Historic England's Conservation Principles for the Sustainable Management of the Historic Environment should be referenced in the 'Plans, Policies and Programmes' considered in Appendix 1.

We also recommend the following Directive should be referenced: The Convention for the Protection of the Architectural Heritage of Europe (Granada Convention)

And the following national legislation: Ancient Monuments and Archaeological Areas Act (1979) and Planning (Listed Buildings and Conservation Areas) Act 1990

Local policy (SPD): Conservation Area Appraisals and Management Plans
Archaeological Strategy - 2012 East Midlands Research Strategy
http://tparchaeology.co.uk/east-midlands-research-strategy/East_Midlands_Heritage.pdf

2. Baseline data – Question 2a. Does Appendix 2 of the Scoping Report identify an appropriate and accurate range of relevant baseline data?

SA Objective 3 – Heritage & page 119 of Appendix 2.

We consider that with regard to the Historic Environment this is not sufficiently detailed. Non-designated heritage assets are not included in the baseline data and some reference to these would be helpful, neither are conservation areas (designated heritage assets) or conservation area appraisals and / or management plans. Parks and gardens should be classified as 'Registered Parks and Gardens', not 'listed gardens'. Listed buildings could be usefully broken down into different grades. This section doesn't make reference to any sources of data on archaeological assets. Ideally it should include reference to the Historic Environment Record, as this is the primary source for non-designated heritage assets.

Collating numbers of heritage assets does not provide any means of measuring trends or assessing whether targets are being met over the life of the plan. A list of potential indicators that would be meaningful is included in the Historic England advice notes, referenced in the second paragraph above. The indicators are missing with regard to the historic environment and are not included within the Sustainability Framework (pages 3-9).

Baseline information is usually collated using indicators but these are not adequately developed and should be fleshed out to lead to a more fully developed and robust framework. Baseline data under 4.9 needs updating.

The following list of possible indicators are examples, which could be adapted for the Borough:

Conservation Areas - a list of the 29 conservation areas in the baseline data, conservation area appraisals and management plans – or programme of review. This will be important when assessing potential indicators and developing the monitoring framework, e.g. percentage of local authority area covered by designation, percentage of conservation areas at risk, and numbers of conservation areas considered for review or potential designation, or numbers of Article 4 Directions implemented.

Historic Parks and Gardens - levels of public resources, levels of increased access and number and % of registered parks and gardens 'at risk'

Local Lists or Local Heritage Assets - Number and % at Risk. A number of local authorities are producing Local Lists or a Local Heritage List to identify undesignated heritage assets. There is no mention of these here although Local Lists are identified in the Core Strategy. This should be referenced, even if incomplete or not implemented.

Heritage at Risk – It is now recognised best practice to assess the Heritage at Risk. This is already included in the Core Strategy. This should be included in the baseline data



available from both Historic England's Heritage at Risk Register and Nottinghamshire County Council Building at Risk Register. Indicators could include numbers of historic buildings repaired and brought back into use and heritage assets removed from the registers. Within the Borough there are 4 Grade I listed buildings on the 'at risk' register, and 2 scheduled monuments in 2015, as well as 30 grade II listed buildings at risk.

Archaeology - % of planning applications where archaeological investigations were required prior to approval

Historic Environment - number and extent of street / **public realm** audits

Listed buildings - number of actions taken in response to breaches of listed building control

Page 69-70 Implications for the Sustainability Appraisal related to the historic environment are underplayed. As a summary of the NPPF, number 12conservation of historic features' is not really an objective or particularly meaningful. A fundamental SA objective is to 'conserve and enhance Rushcliffe's historic environment, heritage assets and their settings." Another particularly useful objective would be to: "improve access to the cultural heritage of the district (including architectural, archaeological and artistic heritage) for enjoyment and educational purposes." This is paraphrased in the Appraisal Framework (page 4) but not elsewhere. We consider that these are two distinct objectives and if this is a true aspiration or objective, as clearly set out in the Adopted Core Strategy, it should be reflected throughout the report.

3. Key Sustainability Issues.

Question 3a. Are the key sustainability issues identified in Section 5 of the Scoping Report correct for Rushcliffe?

Under Environmental, we consider Heritage at Risk is a key issue, whether it be heritage assets at risk from neglect, decay or development pressures, but this would need to be seen in the context of the issue Borough-wide. It is addressed within the Core Strategy. In terms of the LAPP, it is considered this would have a moderate influence.

Other sustainability issues which are already identified in the Core Strategy which can impact on the historic environment are: traffic congestion, air quality, and noise pollution.

SA Objectives

Question 4a. Do the SA objectives in Section 6 of the Scoping Report adequately cover the key sustainability issues facing Rushcliffe Borough?

SA Objective 3 Heritage: The 'Historic Environment' is considered to be the best term to use as a topic heading as it encompasses all aspects of heritage, for example the tangible heritage assets and the less tangible cultural heritage.

Objective 3 'Heritage' currently makes no reference to conserving and enhancing the Borough's historic environment. We recommend that Objective 3 Heritage is split into two distinct statements. Conserving the Borough's heritage and promoting access to culture or heritage are different issues.

4b. Please identify how the objectives should be amended, bearing in mind that the number of objectives should be manageable.

See comments above:

- to conserve and enhance Rushcliffe's historic environment, heritage assets and their settings
- to improve access to the cultural heritage of the district (including architectural, archaeological, landscape and artistic heritage) for enjoyment and educational purposes

SA Objective 7. Landscape: the final phrase “including Rushcliffe’s heritage and its setting” is slightly odd stuck underneath “Landscape’ and is confusing here. We suggest that it is better if this is addressed under Section 3 and that this phrase within the objective is omitted. The remainder of the objective, which incorporates reference to cultural and built environment can be retained provided that the decision making criteria reflect these elements.

SA Objectives - General

We can find no mention of the desire or need to enhance the vitality or viability of town and village centres. This is a key consideration for the historic environment, particularly when considering regeneration initiatives, such as Townscape Heritage Initiatives, a principal outlet for the HLF. Although perhaps seen largely as an urban issue, this also affects the smaller settlements with their local facilities. It is already contained within the Core Strategy. Building for Life provides potential indicators (i.e. nos. of assessments).

The viability of historic buildings and conservation areas, and redundancy or under-use of upper floors can threaten many historic buildings and place heritage at risk. We consider that important objectives should be:

- To encourage the vitality of town and village centres and reduce risks that may threaten heritage
- To improve the quality of new development and the existing built environment

5. Decision making criteria in SA Framework.

Question 5a. Are the Decision Making Criteria in the SA Framework in Section 6 of the Scoping Report appropriate?

5b. Please identify how the Decision Making Criteria should be amended.

Section 3. Heritage: We consider that the Decision Making Criteria which are included within your scoping report are not sufficiently robust. This is notwithstanding any of the site allocations and our comments on those, later in this letter. We consider that the Decision Making Criteria do not address the fundamental requirement / presumption that development should conserve or enhance the historic environment. Simply referring to the protection of ‘historic sites’ does not reflect the range of heritage assets or the breadth or the decision making process and balanced judgments required. For example, in order to find a viable and creative re-use of an historic building at risk, it may require a decision to be made where there is some degree of harm. This harm could be off-set by increased public access and by providing long-term viability. These balanced judgments, which are at the heart of the NPPF, needs to be reflected in the Decision Making Criteria. ‘Heritage assets’ should be the term used throughout the document to reflect the NPPF.

Appendix 3 of our guidance sets out decision making criteria. Impact assessments should be based on an understanding of significance of heritage assets and a degree of professional judgment is needed.

We recommend that within a summary section, there should be a statement recognising that this process of assessment relies on professional judgment (as recognised in the NPPF). To comply with para. 129 of the NPPF, we recommend the following:

“Professional judgment will be required in preparing assessments or evaluations to determine the nature and significance of the heritage asset and its setting, the potential effects of development on the setting of an individual or multiple heritage assets, and what mitigation can be achieved to avoid adverse effects or achieve positive effects”.

Detailed decision making criteria under Section 3. Heritage, should be expanded to reflect the scope of the NPPF and we suggest the following amendments:

- Will it conserve and/ or enhance, designated heritage assets and/ or the historic environment?



- Will it respect, maintain and strengthen local character and distinctiveness?
- Will it lead to the adaptive re-use of a heritage asset?
- Will it increase social benefit (e.g. education, participation, citizenship, health and wellbeing) derived from the historic environment?
- Will it improve access to historic sites and /or enhance understanding of the Borough's cultural assets?
- Will it increase the economic benefit from the historic environment?
- Will it ensure that repair or maintenance is sympathetic and preserves significance?

Section 7. Landscape: The Decision Making Criteria does not relate sufficiently well to the SA Objective, as 'cultural, built environmental and archaeological assets' are distinct from 'landscape character'.

Decision Making Criteria could be enhanced with the following:

- Does it respect identified landscape character?
- Will it maintain and / or enhance the local distinctiveness of the townscape or settlement character?
- Will it preserve an historic landscape?
- Will it conserve or enhance the interrelationship between the landscape and the historic environment?
- Will it protect and enhance open spaces of amenity and recreational value, identified within Characterisation Studies?

Section 10. Energy: We consider a useful additional criteria is:

- Will it involve the re-use of a redundant building or Heritage at Risk?

6. Site Specific Questions in SA Framework

6a. Are the Site Specific Questions in the SA Framework in Section 6 of the Scoping Report appropriate?

Section 3 Heritage: As it stands, we consider that the simple question – “Will the development result in a loss of historic site or damage to the building or setting?” does not go far enough. The list of heritage assets is also not inclusive enough. For example, non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments (para. 139 of the NPPF) would be excluded from this assessment process, but the NPPF requires these to be treated as designated heritage assets. Rather than provide a list of examples, it is far better to simply have an inclusive statement with both designated and non-designated heritage assets. We recommend that the Site Specific Questions be written as follows:

The NPPF identifies that significance derives not only from a heritage asset's physical presence, but also from its setting. Development has the potential to affect individual or multiple heritage assets, both designated and non-designated, and their setting may be shared or overlapping.

- Will the development harm the significance of an individual or multiple heritage assets (including their setting)?
- Is there a cumulative effect on multiple heritage assets?
- Will the development enhance or better reveal the significance of the heritage asset?
- Where the development will cause harm, are there any methods of mitigation that can avoid adverse effects or overcome the negative effects, or even achieve positive effects?
- Does the site accord with Neighbourhood Plan policies (if applicable)?

Section 7. Landscape: It would be helpful to identify that the main tools for assessing impact on landscape character are Landscape and Visual Appraisal or Landscape Visual Impact Assessment, as appropriate, in accordance with the most up to date guidance. Where landscape character affects historic places, such as archaeological sites, Conservation Areas or Registered Parks and Gardens, a more detailed site assessment may be required, which would need to be informed by the specific contribution that heritage and the setting of heritage assets makes to landscape character. This could be informed by, for example, field patterns, historic uses, cultural associations (e.g. artists, writers or events in history), the relationship of topography to landmarks and treasured or lost historic views.

The provisions within the Site Specific Questions then flow as set out in your list. However, we would also recommend another two bullet points:

- Will the development affect an historic landscape, a designated or non-designated heritage asset?
- Are there any appropriate methods of landscape mitigation which can be incorporated into the development to overcome or reduce harm to Landscape Character?

7. SEA Directive requirements

Question 7a. Do the Scoping Report and the SA Framework meet the requirements of the SEA Directive?

No. We consider that there are a number of areas requiring amendment as set out in our detailed comments, to fulfil the requirements for soundness.

The amalgamation of the 'historic environment' into the baseline data for landscape (as set out on page 30), as used as the basis for objectives, has meant that the topics are too broad when the policies are fleshed out and the effects combined. This means that under Section 3 and 7 of the SA Framework, there are some areas of confusion and limited Decision Making Criteria and Site Specific Questions. We have carefully set out in this response how this can be addressed. We can see why you have combined Landscape and Heritage, but this needs refinement. Mitigation is also specifically relevant to the historic environment, not just 'landscape'.

8. Equality Impact Assessment

Please see our earlier comments on Question 2a.



Rushcliffe Local Plan – Part 2: Issues and Options

2. Housing Development

Please note in relation to site allocations, Historic England have recently published an advice note entitled 'The Historic Environment and Site Allocations in Local Plans' which may be of use. This can be accessed at:

<https://content.historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans.pdf/>

The site allocation process is best informed by an up-to-date and robust historic environment evidence base. In several instances we consider the production of a more detailed study on the significance of heritage assets, including assessment of their setting, is required, as well as archaeological desk based assessment and fieldwork, to provide adequate information. Once this has been carried out, then it is appropriate to determine whether the site allocation is appropriate, in light of the NPPF's tests of soundness.

Core Strategy Housing Site Allocations adjacent to the main Urban Areas

Question 2: Which sites within West Bridgford should be allocated for housing development in the LAPP?

Site WB3 - South of Wilford Lane (potential capacity around 200 homes)

WB3 – is a large site on playing fields, which appears to have never been developed and, as a marshland area (historically), is relatively undisturbed. Whilst there are no designated heritage assets, the archaeology of the Trent Valley flood plain is recognised as a valuable resource. Archaeological potential is very high on undisturbed sites close to the River and there are a number of studies which have drawn together a number of site evaluations to gain a better understanding of the archaeological resource along the Trent valley, where there are high concentrations and very well preserved remains from the Mesolithic period onwards and some highly significant sites.

A thorough archaeological evaluation should be undertaken prior to adding this to the Preferred Options.

East Leake (page 13)

No comments on any of the sites with planning permission

Keyworth (page 14-15)

No comments on any of the proposed allocation sites – KEY Sites A-D

Radcliffe on Trent (pages 17-19)

Question 7: With respect to general directions around the village, do you support housing development:

To the west of the village?

RAD1 Land north of Nottingham Road

This site has a number of potential issues. Firstly, we consider that this site has the potential to affect the setting of Holme Pierrepont Hall (Grade I), the Grade I listed church of St. Edmund and the Registered Park and Garden, as it is an area of open ground at high visibility. Despite the proximity of the railway embankment and lack of intervisibility from the immediate road network, there may be places where the allocation site is seen in conjunction with the heritage assets, from the by-pass or from high points further afield, e.g. Hoe Hill, Blackberry Hill. A focus on distance or visibility alone as a gauge of impact is not appropriate. The assessment of setting is not solely related to a visual relationship and there is an important public right of way network, from where there may be shared public views. In



selecting the site, it is assumed that no kind of professional assessment has been undertaken to address whether this is sustainable. The current Decision Making Criteria within the Sustainability Appraisal Framework are not sufficiently robust to address these points (please refer to the earlier comments on the Draft SA Scoping Report).

A detailed assessment of potential impact on the setting of the Registered Park and Garden (Holme Pierrepont Hall) Grade I listed Hall and Grade I listed Church of St. Edmund should be undertaken by a suitably qualified expert prior to adding this site to the Preferred Options. The significance of each designated asset needs to be considered and how setting contributes to significance prior to assessing impacts. In particular, the relationship between the buildings and outward views should be considered from high points, any historic vistas, the historic parked area, the relationship between the buildings and any 'borrowed' landscape, and the relationship between the buildings and the settlement of Radcliffe-on-Trent and the interrelationship between landscape character and the setting of the designated heritage assets.

The site is also a low-lying area within the floodplain which is close to the River and has high archaeological potential. It has extensive 'ridge and furrow' earthworks and appears to have been part of a former open field. As we have identified at West Bridgford (site WB3), sites which have been historically undeveloped and which lie close to the river are within the Trent valley are often of very high archaeological potential, often related to activity prior to the current fossilized field pattern, from the Mesolithic period onwards. In conjunction with the assessment of the setting of the designated heritage assets, we consider a full evaluation should be carried out prior to adding this to the Preferred Options, and that until this is carried out the allocation is premature.

To the east of the village?

RAD 3, 4, 5 and 7

These sites are also within the floodplain, close to the River and may have high archaeological potential.

Without any kind of evaluation, it is not possible to say with certainty what the archaeological potential is, but given the scale of the proposed allocations (900 at RAD4 and 400 at RAD3) a detailed evaluation should be carried out prior to adding these sites to the Preferred Options.

Ruddington (pages 21-23)

Question 9: With respect to general directions around the village, do you support housing development:

To the east of the village?

Sites RUD4 and RUD6 – Please refer to your Conservation Area Appraisal for Ruddington which highlights RUD6 as an important open space. RUD4 falls within the setting of several listed buildings (i.e. Easthorpe House and its former parkland setting) and should be assessed accordingly.

7. Design and Landscape Character

Question 40: Should the LAPP include more detailed policy in relations to the design of new development?

Yes – there is nothing specifically to address the need to promote shopfront design and preserve high quality traditional shopfronts.

Question 41: Please make any comments you have about what should be included in the LAPP in respect of the landscape character, including whether there are any areas of locally valued landscape requiring additional protection.



The LAPP needs to be flexible enough to allow for valued landscapes to be identified during the process of site assessment, or during the Local Plan site allocations assessment. In our experience, areas of valued landscapes can on occasion be classified as ‘non-designated heritage assets’ (paras 135 and 137 of the NPPF), particularly if they are important to the setting of designated heritage assets or there are a combination of factors such as deliberate design intentions from planting or landscape treatment, high survival of field patterns and veteran or mature trees, and perhaps historic views of landmarks. Some of these may have been ‘lost’ or unrecognised and it is not reasonable for all of these to be picked up during the Local Plan process.

Whilst the Core Strategy states “Criteria for the assessment of proposals and any areas of locally valued landscape requiring additional protection will be included the Local Plan Part 2 (Land and Planning Policies)”, we think that this should not become an exclusive list.

We, therefore, recommend that the Plan does allow for local landscapes to be recognised, but that this should not be limited to a list, to allow for non-designated heritage assets to be included, such as those identified on the HER, those encountered during the process of considering a planning application or during the development of a local plan, all of which are covered by NPPG Paragraph: 041 Reference ID: 18a-041-20140306.

8. Historic Environment

Question 43: Please identify any elements of the historic environment of Rushcliffe Borough that should be specifically identified in the LAPP?

The archaeological resource of the Trent Valley and its confluence with the Soar and Derwent are of particular sensitivity and complexity requiring specialist archaeological experience and expertise to assess the impacts of development proposals.

Question 44: Should we identify a local list of heritage assets within Rushcliffe Borough?

Yes – to ensure consistency with other districts and boroughs and to form an important part of a positive strategy for the conservation and enjoyment of the historic environment (NPPF).

Our Good Practice Guide can be used as a basis for developing criteria:

<https://content.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/local-listing-guide.pdf/>

A number of local authorities have already developed their own criteria in conjunction with widespread public consultation, an iterative process, which we strongly recommend.

Question 45: Please make any comments you have about what a local heritage assets policy should include or any other comments you have about the issue of locally listed heritage assets.

It is essential that there is a robust set of criteria, as a simple list without a set of criteria have less transparency and authority in the planning process and can carry little weight. Each local list asset should also be accompanied by a description.

Your conservation officer will be able to develop a set of criteria.

Policy should identify that this is an iterative process, subject to development and review. The NPPF contains policies that in generic terms offer protection to heritage assets on a local list. These policies do not need to be repeated in development plans and it is advised that SPD would be appropriate.

However, as a minimum, we recommend that any policies concerning the Local List are proportionate, with a presumption against demolition, rather than repeat the policy for designated heritage assets. Policies within Core Strategy 10 and 11 at present to conserve



local distinctiveness relate directly to new development, rather than the re-use of heritage assets. A policy which addresses Heritage at Risk, both designated and non-designated heritage assets, including those “at risk” on the local list, is advisable (see response to Question 46 below).

The following are possible types of non-designated heritage asset, which it would be beneficial to identify, rather than simply refer to a ‘Local List’, which could be a confusing term to many people:

- sites of archaeological importance
- historic landscapes, historic parks or gardens
- local list heritage assets (which could encompass buildings, structures, artistic works such as sculpture or memorials, and street furniture, or landscapes and archaeology, as identified above)

Question 46: Should we include within the LAPP policies on development affecting designated assets?

Yes – the purpose of the Local Plan is to expand on the NPPF at a local level, rather than simply reiterate the NPPF.

Clearer wording and express requirements for assessments of significance and recognition of setting will be important. Minimum standards can be helpful and we suggest policies to reflect the emphasis on identifying significance, such as:

“Where proposals have the potential to impact upon heritage assets, a statement of significance and an impact assessment must be submitted to ensure that the importance of the asset and the extent of any impact are fully understood. As a minimum an Appraisal should:”

- describe and assess the significance of the asset and/or its setting; and
- identify the impact of works on the significance / special character of the asset; and
- provide a clear justification for the works, especially if these would harm the asset or its setting, so that the harm can be weighed against public benefits.

We would be keen to see stronger policy with regard to Heritage at Risk, which is not expressly identified in the Replacement Local Plan. This should be part of the positive strategy for the historic environment and is not addressed in the Core Strategy (10 or 11), although it is mentioned in para. 2.2.7 and has a ‘detached’ target on page 78 of the Core Strategy. Our suggested policy wording is:

We will:

- support the sensitive adaptation and re-use of under-utilised or redundant heritage assets consistent with their conservation, whilst also recognising that managed change may sometimes be necessary to ensure long term viability
- record and monitor heritage assets that are at risk and take action where necessary, including the use of statutory powers
- work proactively with the County Council and Historic England to secure the future of heritage assets, identified in the Nottinghamshire County Council Buildings at Risk Register and the Historic England Heritage At Risk Register, to seek long-term solutions to unlock the optimum viable use.
- Encourage owners to maintain heritage assets and protect their significance in considering any proposals for development



Question 47: Please identify any matters related to the Historic Environment which are not covered here or elsewhere.

Archaeology should be addressed within the policies and whilst it is already addressed under the Replacement Local Plan (2006), we consider that some points of clarification would be helpful to inform the process of Site Allocation and to ensure that this is sound. Whilst reference has been made solely to designated heritage assets, we consider that a policy related to archaeology should supplement Policies 10 and 11 of the Core Strategy, as follows:

- where proposals for new development are located within areas of archaeological potential, they must be accompanied by an assessment of available evidence and, where appropriate, an archaeological evaluation. This should be submitted before the planning application is determined in order to enable an informed and reasonable planning decision.

Please do not hesitate to contact me if you wish to discuss any of these comments.

Yours sincerely



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