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**Cotes Deserted Medieval Village:
Cultural Heritage Assessment Review
Report No. 3137**

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1. Introduction

- 1.1 This report concerns the effect of a Proposed Development on the setting of Cotes Deserted Medieval Village (Scheduled Monument No. 1005066; Cotes DMV). At the northern end of the scheduled monument are the boundary walls of the now vanished Cotes Hall, which burnt down in *c.* 1700. The upstanding remains form a large square enclosure, and are designated as a Grade II Listed Building (Remains of Walls to Old Hall Grounds; List No. 1074598). These upstanding remains are referred to in the text as Cotes Hall.
- 1.2 The applicant's cultural heritage consultant, CgMs conducted an assessment of the predicted effects of the Proposed Development on the cultural heritage resource within and in the vicinity of the proposed development area, and concluded that the development would cause *less than substantial harm* to Cotes DMV.
- 1.3 English Heritage stated in their letter of 29 November 2013 that the proposal '*would cause substantial harm to the historic environment and in particular to the significance of a scheduled monument [Cotes DMV] through both dissection of that monument from its setting and through fundamental alteration to the character of that landscape setting*'.
- 1.4 English Heritage provided further comment in a letter dated 24 January 2014, where they reiterated their opinion that the proposals would constitute '*substantial harm*' to Cotes DMV, as well as providing further detail of their views on how the setting of Cotes DMV would be affected by the proposed development.
- 1.5 This report examines the two arguments in the light of Planning Policy and Guidance and other planning decisions in order to reach a conclusion as to the level of harm which would be caused to the setting of Cotes DMV by the proposed development. The examination was prepared by CFA Archaeology Ltd, informed by additional desk-based assessment and a site visit.
- 1.6 The report first sets out the relevant planning policy background concerning impacts on setting, and the definition of *less than substantial harm* and *substantial harm*. The arguments made by CgMs and English Heritage are then summarised in Sections 3 and 4, with comments made by CFA at key points in the text presented as highlighted paragraphs. The effects of the Proposed Development on the setting of the DMV are then discussed by CFA (Section 5) and a Conclusion is reached as to the level of harm that would be caused to its significance (Section 6).

2. Planning Policy Guidance Relating to Setting of Cultural Heritage Assets

2.1 Relevant Policy and Guidance

2.1.1 The National Planning Policy Framework (NPPF) 2012, and ‘PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide’ (March 2010) require that consideration should be given to the impact of new developments on the wider landscape setting of heritage assets. Other relevant English Heritage Guidance includes: ‘Conservation Principles’ (2008); ‘Seeing History in the View: A Method for Assessing Heritage Significance within Views’ (May 2011); and ‘The Setting of Heritage Assets’ (October 2011).

2.2 Defining *Substantial Harm* and *Less Than Substantial Harm*

2.2.1 English Heritage and CgMs’ assessments disagree as to whether the proposed development would have an effect of *substantial harm* or *less than substantial harm* on the setting of Cotes DMV. If it is considered that *substantial harm* would be caused, paragraph 133 in NPPF would apply, which requires that ‘*local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss*’, whereas, if it is considered that *less than substantial harm* would be caused, paragraph 134 of NPPF should be invoked, which states that ‘*[w]here 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 securing its optimum viable use.*’

2.2.3 In drawing a distinction between *substantial harm* and *less than substantial harm*, at Warren Farm, Old Frome Road, Masbury, Wells (Appeal Ref: APP/Q3305/A/12/2181741, 12 March 2013), the Inspector, Paul Griffiths, noted that the crux of the advice in NPPF regarding the potential of a development to cause harm to the significance of a scheduled ancient monument is ‘*whether that harm to that significance is substantial...or less than substantial. The Framework [NPPF] is silent on the difference and does not indicate where, on a sliding scale between harm and complete destruction, substantial harm falls.*’ He found guidance in paragraphs 91 to 95 of the still extant PPS5 Practice Guide, which provide clarification of the notion of substantial harm. He concluded that:

‘Those paragraphs deal almost exclusively with demolition and if substantial harm is something very far removed from that, as...EH suggest, it seems reasonable to expect that there would have been some explanation. Otherwise I see no good reason why these matters should have been dealt with together. The only sensible conclusion, in the light of the PPS5 Practice Guide, is that substantial harm, while not equating to demolition or destruction, is a harm that falls not very far short of it.’

3. Review of CgMs' Assessment of the Setting of Cotes DMV

3.1 CgMs consider the significance of Cotes DMV in terms of five key aspects, which correspond with the types of attributes of setting which are highlighted in the English Heritage guidance¹:

- Historic significance;
- Evidential significance;
- Aesthetic significance;
- Communal significance; and
- Baseline (current) setting.

3.2 CgMs state that the historic significance of Cotes DMV derives from:

- Its documented history – the village is mentioned in the Domesday Book (1086).
- The remains of a moated site on Moat Hill (MLE553) (to the north-west of Cotes DMV), which are suggested to represent a possible earlier defended site.
- The river crossing known to have existed at Cotes, on the route between Nottingham and Loughborough from the 12th century onwards (Shaw 2002).
- The historic importance of Cotes Hall and gardens, which probably date from the 1590s when the land was acquired by Sir William Skipwith.

3.3 CgMs state that the evidential significance of Cotes DMV derives from its potential to yield evidence of early to late Saxon and medieval occupation.

CFA note that Cotes DMV, as one of a cluster of deserted medieval villages within the East Midlands, offers the potential to gain further evidence and insight into when and why this village was deserted, and how this corresponds or contradicts with the other deserted medieval villages in the area. More broadly, this understanding of village desertion offers an insight into the development of settlement patterns, and the structure of the society at this time.

3.4 CgMs state that the aesthetic significance of Cotes DMV is limited, and note that it is difficult to decipher the remains without prior knowledge. They state that the upstanding walls of Cotes Hall are almost indistinguishable from hedgerows and trees which follow the lines of the walls. CgMs state that the relationship between the extant wall of Cotes Hall and the remains of Cotes DMV are not readily appreciated, unless examining the site along with a surveyed plan.

CFA note that the walls of Cotes Hall are prominent when approaching the site from the west (along Stanford Lane), and when approached from the public footpath which crosses the fields. The walls are also easily identified from the road, and from the bridge over the River Soar. Although there are more recent

¹ English Heritage (October 2011) *The Setting of Heritage Assets*.

hedges close to the walls, they only minimally obscure the walls. We disagree that the walls are almost indistinguishable from the hedgerows and trees.

Whilst CgMs suggest that the relationship between Cotes DMV and Cotes Hall is not readily evident, unless examining the site along with a surveyed plan, English Heritage guidance on setting states that it is the existence of such a relationship, rather than whether or not a relationship is readily evident to members of the general public, which is the key factor in understanding the importance of relationships between features to the setting of a particular heritage asset.

- 3.5 The communal significance of Cotes DMV is said by CgMs to derive from:
- Cotes DMV's location as a part of a well-known group of medieval monuments
 - The lack of interpretation available on site, to which there is currently no public access, or plans for public access (although a footpath does cross the site).
 - The fact that some sense of a former village is evident from the character of the scheduled monument.
 - The fact that no detail about Cotes Hall and its associated gardens are evident from the surviving wall.

CFA note that English Heritage guidance (2011, p5) states that “*the contribution that setting makes to the significance [of a heritage asset] does not depend upon their being public rights or an ability to access or experience that setting*”. Nonetheless, we agree that the current value of the site to the community is reduced due to the lack of readily available on-site interpretation. It is clear that it would not be difficult to provide public access and on site interpretation.

- 3.6 The current (baseline) setting is noted by CgMs to include the following features:

Original setting of Cotes DMV

- A flood-free location within an area of open farmland, from which the river crossing and the summer pasture of the flood plain could be exploited.
- The location of Cotes DMV and specifically Cotes Hall is likely to have been a prominent location when approached from west and north (taken from Cantor and Squires 1997).

Current baseline setting of Cotes DMV

- Cotes DMV is located on a wide terrace within the valley of the River Soar, overlooking the river (to the west)
- A60 trunk road to south (and resulting noise)
- Halls Farmhouse and Manor Farmhouse (both designated as Listed Buildings)
- Arable fields between the site and the village of Stanford on Soar (to the north)

- The intermediate setting is suggested to extend only as far as it is possible to appreciate that the fields signify the location of the DMV. Thus the setting does not extend to the east, where views of the village are blocked by the intervening buildings of Manor Farm.

3.7 Overall CgMs conclude that there are four key aspects of Cotes DMV's setting:

1. Location of Cotes DMV in a visually prominent position in the Soar Valley
2. Visual and spatial relationship between Cotes DMV and the river crossing, and with the modern village, notably Manor Farm and Hall Farm.
3. Nature of approaches to [the modern settlement of] Cotes – where observer first sees surviving walls and village earthworks when approaching across or along the valley.
4. Implied spatial relationship with agricultural hinterland.

4. Review of English Heritage's Position

4.1 English Heritage describe the area around Cotes DMV as an '*exceptional and rare survival of a tract of land in which the remains of medieval settlement and later manor residence can be seen in their landscape context without the intrusion of modern development*'. They state that the proposed development would '*isolate the nationally important deserted village monument, excising the scheduled area from the landscape setting which is integral to its significance*'.

4.2 English Heritage characterise the historic setting of Cotes DMV with relation to the following features:

- Its location on a river terrace, on a low but steep escarpment above a meander in the River Soar. The location of the village in relation to the sinuous river and valley are stated to have been a major influence in the site's development through the medieval period.
- A tributary of the River Soar, located to the north of Cotes DMV, which is considered an important natural feature which forms the northern limit of the nucleus of Cotes DMV.
- The location of Cotes DMV has views out to the west, north and south.
- Water meadows to the north and south of Cotes DMV, which would have provided a fertile source of seasonal grazing
- The interrelationship between Cotes DMV and Cotes Hall is considered an important part of their settings. Cotes Hall was designed to be a dominant and impressive feature. English Heritage suggest that its location between two hills (Moat Hill to the north and Mere Hill to the east) and in relation to the tributary of the river Soar, was intended to amplify the significance of Cotes Hall within the landscape. A relationship between Prestwold Hall (c. 2.5km to the east) and an area of land including Cotes DMV would have existed from the early 18th century onwards; once Cotes Hall had burnt down, this land was subsumed within the ownership of Prestwold Hall. English Heritage express concern that this relationship is not acknowledged within CgMs' assessment.
- An area of fishponds (MLE554) (of uncertain, but potentially medieval or later date) is located to the north-east of Cotes DMV and Cotes Hall. English Heritage state that these remains may either be related to Cotes Hall, or if they are of later than medieval date, may form part of the 18th century designed landscape associated with Prestwold Hall.

CFA note that river valley location, whilst undoubtedly an important element in the setting of Cotes DMV, would not be substantially affected by the proposed development. The relationship between Cotes DMV, the River Soar, and the causeway and crossing point at Cotes Bridge would not be obscured by the development, and this element of the baseline setting of Cotes DMV would be unchanged as a result of the proposed development.

Our field visit found that the tributary of the River Soar, to the north of Cotes DMV is not a prominent feature within the landscape. Moat Hill and Mere Hill are more prominent in views from Cotes DMV. From locations further away

from Cotes DMV, such as from Cotes Bridge, the hills appear as part of a larger area of higher ground which lies beyond the village to the north-east.

Good views to the north, west and south are currently possible from Cotes DMV. Views to the west and south would remain unchanged as a result of the Proposed Development. Whilst the Proposed Development would be visible in views to the north, it would remain possible to appreciate the landform surrounding Cotes DMV.

4.3 English Heritage characterise the current (baseline) setting of Cotes DMV with relation to the following features:

- The open agricultural landscape setting is considered to be key to the significance of Cotes DMV. The proposed development would isolate the DMV and excise it from its setting.
- The River Soar is considered to be important, as it helps Cotes retain its rural character (and not become incorporated within the urban and industrial sprawl from Loughborough).
- The tower of the Church of St John the Baptist, Stanford-on-Soar (Grade I Listed Building 1242187) is a prominent landmark in views to the north, particularly from Cotes Bridge. The visual relationship between, and separation between, these two associated villages [as a result of the intervening agricultural land] is stated to be an important component of the setting of each.
- More extensive undesigned archaeological remains of the underlying medieval settlement are said to have been identified, particularly beyond the northern boundary of the scheduled monument. These features are said to make a positive contribution to the significance and setting of Cotes DMV.
- The upstanding remains of Cotes Hall, are considered to form an impressive ruined landmark, particularly in views from:
 - The lower river terrace on the western side of the River Soar
 - The causeway (MLE20589) leading to the river crossing (the modern A60 trunk road follows this alignment)
 - Within Cotes village (both Cotes DMV and the modern village).

CFA note that, whilst Cotes DMV is located in a relatively rural location, which could be argued to be broadly in keeping with its original medieval setting within surrounding agricultural lands, there are a number of more recent features in the immediate vicinity which are not in keeping with the notion of the original rural medieval setting of the village. These more recent features include the buildings within the modern village of Cotes; an overhead grid connection which runs in a north-west to south-east direction to the west of the village; a substation building located to the north of the remains of Cotes Hall; and the modern A60 trunk road and associated street furniture.

During our site visit we could find no location within Cotes DMV or the modern village of Cotes from which the Church of St John the Baptist could be described as forming a prominent landmark. The separation between Cotes DMV and Stanford-on-Soar would be maintained; with the exception of road infrastructure, there is no development proposed within a c.850m buffer

extending from the southern extent of Stanford-on-Soar. Similarly, the separation between Cotes DMV and Loughborough would be maintained, as no development is proposed in the area to the east of Loughborough and the west of Cotes DMV.

The Council Historic Environment Record (HER) contains few entries for sites to the north of Cotes DMV that are broadly contemporary. Features in the wider landscape of medieval date which may be said to form part of the setting of the Cotes DMV include: the possible medieval moated enclosure of Moat Hill (MLE553) to the north; fishponds (MLE554) to the north-east, which appear either to be of modern origins, or to be extensively remodelled ponds of medieval origins; a causeway (MLE20589), which corresponds to the line of the modern A60 trunk road, and which is of medieval, or potentially earlier date; Cotes Bridge (Grade II Listed Building No. 1307344) and Cotes Mill (Grade II Listed Building No. 1361167), which is known to date from the 16th/17th century, but is thought might have an earlier origin, and may correspond with a mill mentioned in the Domesday Book (1086). We consider that the majority of these features do not have a visual relationship with Cotes DMV, and as such the contribution of these features to the setting of the DMV is associative, and will not be substantially affected by the addition of the proposed development.

5. Discussion

- 5.1 Since the original establishment of Cotes DMV the surrounding landscape has undergone numerous changes, not least due to changes in agricultural practices. English Heritage refer to water meadows to the north and south of Cotes DMV. Certainly, some features in the land to the south of the village, suggest the land was formerly managed water meadows², but further investigation would be required to determine this, and it is not a readily identifiable element within the current baseline setting of Cotes DMV. Hartley's plan of ridge and furrow cultivation (Hartley 1989) indicates that much of the area around the DMV would originally have been characterised by an open strip field system of ridge and furrow cultivation, rather than the current larger modern fields. However, the agricultural land-use of much of the land currently surrounding Cotes DMV is not entirely dissimilar to the village's original setting, and the relatively undeveloped character of the land means that it is still possible to appreciate that Cotes DMV sat within a wider landscape which was exploited for agricultural purposes. The baseline setting of undeveloped agricultural land is, therefore, of value to the setting of Cotes DMV, as it allows appreciation of the visual relationships between the DMV and other related features in the wider landscape.
- 5.2 From the early 18th century onwards Cotes DMV and the land surrounding was within the landholding of Prestwold Hall (which is located c. 2.5km to the east). English Heritage suggest that some of the landscape enhancement which is visible within the area, including small spinneys and the creation of the fishponds (MLE554) may have been related to the development of the Prestwold Hall grounds, and is suggestive of a closer relationship between Cotes DMV and Prestwold Hall. The grounds of Prestwold Hall are designated as a Grade II Registered Park and Garden, and the inventory description makes no specific mention of a link between the designed of the grounds and the village of Cotes or Cotes DMV. The primary view from Prestwold Hall is to the south, over its formal gardens, and views to the west (towards Cotes DMV) are restricted due to policy woodland. The relationship, therefore, between Cotes DMV and Prestwold Hall is associative, due to land ownership, and an understanding of this associative link does not rely on a visual link. Thus, while this associative relationship may form part of the intellectual baseline setting of Cotes DMV, it is not something that is an appreciable aspect of the baseline setting of Cotes DMV, which can be significantly affected by changes to the landscape surrounding Cotes DMV.
- 5.3 The fishponds (MLE554) located to the north-east of the development would be preserved in situ by the proposed development. Currently, the ponds survive in a heavily overgrown condition. The apparent edge of the surviving ponds forms a regular curve and their current state as observed during the site visit suggests that either the ponds are not of medieval date, or that they have been extensively remodelled, most likely during the modern period. There is

² Managed water meadows were a system of irrigation which aimed to keep the ground continuously damp in order to increase agricultural productivity. Irrigation in spring limited the effects of frost and allowed the grass to grow several weeks earlier than would otherwise be the case, and irrigation in summer allowed the grass to continue growing even if the weather was dry.

no firm evidence currently available to determine whether the ponds were associated with Cotes Hall and the Cotes DMV or whether they were a later feature associated with Prestwold Hall. If the ponds are associated with Cotes Hall, there is no visual relationship between the two, the visual link having been broken by Stanford Road and intervening woodland. Furthermore, the overgrown state of the ponds means that they are not readily identifiable until one is in close proximity to them. Any link which may, therefore, have existed between Cotes Hall and the fishponds is associative rather than visual, and as such would not be adversely affected by the Proposed Development.

- 5.4 The current baseline setting of Cotes DMV contains a number of more recent (19th and 20th century) features, including the buildings which form the modern village of Cotes; an overhead grid connection which runs in a north-west to south-east direction to the west of the village; a substation building located to the north of the remains of Cotes Hall; and the modern A60 trunk road and associated street furniture. Further afield, the industrial buildings forming the edge of the urban centre of Loughborough, and the course of the railway are visible. Traffic noise from the A60 trunk road and occasional noise from trains on the railway are both noticeable elements of the baseline setting of Cotes DMV. The Proposed Development would primarily be visible in views from Cotes DMV to the north, east, and beyond the buildings of the existing modern village of Cotes. As such, while the Proposed Development would undoubtedly substantially change the surroundings of Cotes DMV, it would not lead to a substantial impact on the immediate setting of the DMV.

6. Conclusions

- 6.1 Cotes DMV is currently located to the east of the more recent buildings forming the modern village of Cotes within an area of otherwise undeveloped land which is currently used for agricultural purposes. The sense of contrast between the deserted remains of Cotes DMV and Cotes Hall, and the small number of occupied buildings of the modern village forms part of the setting of the scheduled monument of Cotes DMV. The Proposed Development would change the wider setting of Cotes DMV, but would not change its immediate surroundings. The ability to appreciate the contrast between Cotes DMV and the adjacent modern village, which is a key aspect of its setting, would remain unaltered.
- 6.2 The presence of the Proposed Development in the vicinity of Cotes Hall would detract to some extent from its prominence in the landscape, particularly when viewed from Cotes Bridge; however, intervening woodland would partially screen views of the Proposed Development, reducing the impact of its presence in the background of this view, and helping to maintain a sense of the prominence of the upstanding remains of Cotes Hall.
- 6.3 The key visual relationships between Cotes DMV and other elements which form its setting would remain unaffected. The visual link to Cotes Bridge and the causeway (corresponding to the modern A60 trunk road) would be unaffected, as would visual relationships between Cotes DMV and Cotes Hall. The ability to comprehend the location of the village in relation to the River Soar would remain largely unaffected. Agricultural and undeveloped land would remain to the south, east and west of Cotes DMV.
- 6.4 Overall, therefore, it is considered that the key visual relationships which can be understood when visiting the site would be unaffected by the Proposed Development and, thus, the change to the baseline setting of Cotes DMV would not, on our view, be sufficient to be considered to cause substantial harm to the significance of Cotes DMV.

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