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2025

Land at Grove Farm and Land East of the Railway Line, Bentley, Suffolk

Proof of Evidence of Laurie Handcock

PINS Reference: APP/D3505/W/25/3370515

Iceni Projects Limited on behalf of
Babergh District Council.

December 2025

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ON BEHALF OF BABERGH
DISTRICT COUNCIL.

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the Railway Line, Bentley, Suffolk
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1. INTRODUCTION

Overview

1.1 This Built Heritage Proof of Evidence has been produced by Laurie Handcock, in relation to the appeal at Land at Grove Farm and Land East of the Railway Line, Bentley, Suffolk ("the Site") (PINS Reference: APP/D3505/W/25/3370515).

1.2 This Appeal relates to the refusal of a Full Planning Application (LPA Reference: DC/23/05656) ("the Application"), which has the following description of development:

'Full Planning Application - Construction of a solar farm (up to 40MW export capacity) with ancillary infrastructure and cabling, DNO substation, customer substation and construction of new and altered vehicular accesses.'

Qualifications

1.3 My name is Laurie James Handcock and I am the Director of the Built Heritage and Townscape team at Icen Projects. Icen Projects is a significant real estate consultancy, with a central planning focus, and teams specialising in areas besides Heritage and Townscape, including transport planning, sustainability, design, and project delivery and viability. The firm is based in London, with separate offices in Glasgow and Manchester. The Heritage and Townscape team act for a wide range of private and public-sector organisations and advises on all aspects of townscape and historic environment planning policy and practice.

1.4 I hold a first degree (Master of Arts) in History from the University of Cambridge, and a postgraduate degree (Master of Science) in Historic Building Conservation from Oxford Brookes University. I have extensive professional experience in the field of planning and conservation gained in the private sector, and have appeared as an expert witness, or as part of the consultant team, at a number of appeals.

1.5 I have worked with Icen Projects since February 2016, having previously spent five years working for RPS CgMs, ultimately as a Senior Associate Director. During my career I have advised clients on a wide range of planning, townscape and heritage matters including the preparation and submission of planning and Listed Building Consent applications in relation to a range of designated heritage assets including Hampton Court Palace, Kensington Palace and Doddington Hall, Cheshire (all Grade I). I have also provided heritage advice on a number of large strategic housing and infrastructure projects, including at Alconbury Weald, Huntingdonshire, and the

redevelopment of London Bridge Station. Icen Projects have experience of solar projects and their potential impacts accrued from assessing the heritage impacts of such schemes (including both DCO and TCPA schemes) for promoters, local authorities, and third parties.

Statement of Truth

- 1.6 The evidence which I have prepared and provide for the above appeal in this Proof of Evidence is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions, irrespective of by whom I am instructed.

Involvement in the Case

- 1.7 My first involvement in Bentley Parish was in September 2024, when I was appointed by Babergh District Council to undertake a review of a draft Conservation Area Appraisal (and proposed Conservation Area Adoption) for what was then termed the prospective 'Bentley Historic Core' Conservation Area. The nature of my instruction was to review the Conservation Area as proposed, and its Appraisal, and to advise the Council as to its adoptability. The Scope which I agreed with the Council at that time was: to, following a site visit, and review of the draft Conservation Area Appraisal:
- consider its robustness as a potential designation;
 - assess its proposed boundaries, and whether any amendments appear to be appropriate;
 - assess its appropriateness against case law and judgements where designations have been challenged; and to,
 - assess whether the Appraisal itself is sufficiently robust for adoption in its current form, or whether any amendments might be appropriate.
- 1.8 At that point in time, I was made aware by the Council that there was a Solar proposal in the vicinity of the Conservation Area, but no information on that project was given to me. I took the view that the most appropriate and robust approach to take to my instruction was to have no knowledge of the detail of the solar proposal, its location, or scope, and to review the proposed Conservation Area and Appraisal solely on their merits. My view was that the key concern in heritage terms was whether the potential Conservation Area was worthy of designation, independent of wider development

management considerations arising in live applications. I consider the Council were correct to approach the proposed designation in that way. Further, I took the view that if the Council chose to *ignore* the proposed designation because a local application was in train, they might fall short of their statutory duty under paragraph 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to, “*determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*”.

- 1.9 I produced a review of the proposed conservation area and associated appraisal in a letter dated 7 October 2024. The advice provided by Icen Projects at this stage was my own, but for optimum robustness in the course of my analysis I obtained a second opinion from my colleague Rebecca Mason. Ms. Mason is an Associate Director within my team who provided valuable insight given her previous experience as a Conservation Officer. Having undertaken the above review, I was approached again in late March 2025 to review a revised draft of the CAAMP, and provide further advice, and a view on the Consultation Responses which the Council had received. I made recommendations at both stages as to work which could be undertaken to increase the robustness of the CAAMP. As in my letter of 7 October 2024, I was confident that the Conservation Area as proposed possessed sufficient ‘special interest’ to warrant designation.
- 1.10 Subsequently, I was approached in August 2025 and asked whether I would be able to provide evidence concerning the Council’s heritage Reason for Refusal in this appeal. Given I had already visited the area and reviewed it in detail and had a well-developed knowledge of its heritage assets and sensitivities, I considered I was well placed to assess the proposed development against the first reason for refusal. After reviewing the application/appeal documentation I considered that the harms identified within the Reason for Refusal were consistent with my own initial views on the scheme’s potential effects on heritage assets. I was also aware at that stage that the Bentley Conservation Area had been designated after the refusal of the application, and that in the Appellant’s Statement of Case (CD C8, paragraph 8.2), it was identified as a likely ‘Main Issue’ for the Inspector. I have since provided input into the Statement of Case, overarching Statement of Common Ground, and the redrafted Reason for Refusal. Further, I visited the Site in October and December 2025, following my original site visit in September 2024.

Background

- 1.11 The Appellant, and previously the applicant, is Green Switch Capital Limited. The application was submitted on 5th December 2023. The development comprises a solar array with panels up to a maximum of 3m in height, generating capacity of 40MW, and

associated substation, transformer stations, spare container, control building house, underground cabling and access tracks, surrounded by 3.5m high security fencing with CCTV cameras on 3m high poles.

- 1.12 The application was supported by a Heritage Impact Assessment (“HIA”) by AOC Archaeology Group (July 2023) and a ‘Supplementary Heritage Assessment’ (June 2024). THE HIA identified no heritage assets within the Site boundary, but assessed a 2km Study Area for designated heritage assets and a 1km Study Area for Non-Designated Heritage Assets (NDHAs). This resulted in the study area containing x1 Schedule Monument, x1 Grade asset, x6 Grade II* assets, and x37 Grade II assets – a total of 45 designated heritage assets; and a further 9 NDHAs.
- 1.13 From the 45 scoped-in designated heritage assets, the scheme was considered to have no potential impact to 41 of the assets. This resulted in 4 designated heritage assets being assessed against the development in detail, and included:
- Church of St Mary (Grade II*, NHLE:)
 - Bentley Hall (Grade II*, NHLE: 1351964)
 - Bentley Hall Barn (Grade I, NHLE: 1351965)
 - Meeting Hall Stables, Bentley Hall, Approximately 30 Metres South of Bentley Hall (Grade II*, NHLE: 1033423)
- 1.14 From the 9 NDHAs, the scheme was to have no potential impact to 5 assets, resulting in 4 NDHAs being assessment against the development in detail. These included:
- Little Cottage
 - Bentley House
 - Glebe Cottage
 - Uplands Farmhouse
 - Falstaff Manor
- 1.15 As noted within paragraph 2.6.3 of the Applicant’s HIA, the scope of assessment was based on data obtained from the Suffolk Historic Environmental Record in August 2022. Therefore, the applicant’s submission scope or analysis does not take into account the Bentley Conservation Area which was only designated in April 2025.

1.16 Relevant consultation comments on the application were received from Babergh and Mid Suffolk Conservation Team (hereafter “BMS”), Historic England (hereafter “HE”) and Suffolk Preservation Society (hereafter “SPS”), across the life of the application. I observe again that such comments were provided prior to the designation of the Conservation Area. These responses are included within CD section B, and can be summarised as follows:

Consultee	Summary of Response
HE David Eve 20 th December 2023 (CD B12 A)	<p><i>Our main concern is the potential visual impact on nearby high-grade listed buildings, particularly the parish church of St Mary, Bentley, located near the northern edge of the development site.</i></p> <p><i>While the Heritage Impact Assessment states the church is not visible from the Site due to intervening vegetation, the supporting images were taken during summer months when foliage is dense. Additionally, no views from the churchyard toward the Site are provided.</i></p> <p><i>We have not had the opportunity to visit the Site but would welcome any further photographs—either from your office or the applicant’s agent—that might help clarify the potential impact.</i></p>
BMS Lucy Birch 8 th January 2024 (CD B18 A)	<p><i>The proposal is likely to result in harm to the significance and setting of the Church of St Mary, the highly graded manorial group associated with Bentley Hall, and various nearby non-designated heritage assets. While the harm is likely to be less than substantial, the transformation of the area’s character from rural to industrial through the proposed infrastructure would negatively affect how these assets are experienced, thereby diminishing their significance.</i></p> <p><i>A more precise understanding of the relationship between the development site and Bentley Hall is needed for a fuller assessment of the impact. However, based on current information, I am not convinced that this location is appropriate for the proposed solar farm due to the likely harm to the setting and significance of multiple heritage assets.</i></p> <p><i>In conclusion, the application in its current form would cause a low to medium level of less than substantial harm, and therefore does not meet the requirements of the NPPF or comply with Joint Local Plan Policy LP19.</i></p> <p><i>As per paragraph 202 of the NPPF, less than substantial harm to a designated heritage asset must be weighed against the public benefits of the proposal. Additionally, under paragraph 203, the impact on non-designated heritage assets must also be considered in decision-making, alongside relevant Local Plan policies.</i></p>
SPS Fiona Cairns 23 rd January 2024 (CD B21 A)	<p><i>St Mary’s Church (Grade II*) is located at the northern end of Church Road, in a notably isolated rural setting. A site visit confirms that, even in mid-winter, there is no intervisibility from within the churchyard. However, the church tower is clearly visible from Potash Lane and from within the proposed development site.</i></p> <p><i>Access to the church from the main settlement of Bentley is via Church Road, which passes directly through the proposed development area. The proposal would introduce a significant industrial character to this deeply rural approach, resulting in harm to the church’s wider setting.</i></p> <p><i>Although the Landscape and Visual Impact Assessment (LVIA) suggests that vegetation will screen much of the development by year 10, the residual</i></p>

	<p><i>harm to the church's setting—especially in the first decade—remains significant. While this harm is categorised as "less than substantial," the NPPF requires clear and convincing justification for any level of harm to heritage assets and mandates that this harm be weighed against the public benefits of the scheme.</i></p> <p><i>SPS considers that the public benefit of this 40MW commercial solar scheme does not materially contribute to the climate change emergency at a level sufficient to outweigh the identified heritage harm. Accordingly, limited weight should be given to public benefit in the overall planning balance.</i></p> <p><i>Additionally, the Bentley Neighbourhood Plan identifies several nearby non-designated heritage assets—such as Red Cottage, Potash Cottages, Falstaff Manor, and others—whose settings would also be adversely affected. In line with paragraph 209 of the NPPF, these impacts must also be taken into account in the planning balance.</i></p>
<p>HE David Eve 31st January 2024 (CD B12 B)</p>	<p><i>Although not referenced in the application documents, the tower of St Mary's Church is visible from both the application site and Potash Lane to the south. While trees partially screen the churchyard from the adjacent paddock, the open character of the surrounding fields remains appreciable and contributes to the church's historic rural setting.</i></p> <p><i>The application site, as an undeveloped field, plays a role in this significance. Its development would fundamentally alter that character, thereby diminishing its contribution to the church's setting.</i></p> <p><i>Although direct intervisibility between the application site and Bentley Hall and barn appears unlikely—due to distance, vegetation, and later development—the potential historical association between the land and the Hall is of interest. This relationship is something the Council might explore further and give due weight to in terms of the proposed change of land use.</i></p> <p><i>Development of the application site could result in less than substantial harm to the parish church of St Mary by developing part of its setting which contributes to its historic significance and so not preserve those elements of setting that make a positive contribution to the heritage assets and better reveal their significance in terms of the NPPF, paragraphs 199 and 206.</i></p> <p><i>We would accept that the proposed solar farm could deliver such benefits and leave this balancing process to the Council when determining the application, but would express concern at the potential impact and consider that there may be other sites in the immediate vicinity which could be developed without this impact.</i></p>
<p>HE David Eve 17th July 2024 (CD B12 C)</p>	<p><i>Thank you for consulting Historic on the additional information for this site, including Appendix A to the applicant's response dated 9th July 2024. This contains a great deal of helpful information on the heritage assets within our remit. Section 5.1 assesses the setting of the parish church, the closest highly-graded asset to the application site and the one about which we raised most concern. The findings of this are summarised in paragraph 1.4 which confirms our view that 'the proposed development [would] result in 'less than substantial harm' to the setting of the Grade II* Listed Church of St Mary'.</i></p> <p><i>We consider that due to distance and mature planting on the churchyard and field boundaries between the development and the listed building this harm would be in the middle or lower region of 'less than substantial' harm and would reiterate our concerns about that, but also agree with the reference to the NPPF in paragraph 1.5 that the Council should weigh the public benefit of the development against this harm when determining the application.</i></p>

<p>SPS Fiona Cairns 30th July 2024 (CD B21 B)</p>	<p><i>Thank you for your email. I can confirm that having read the addendum to the heritage impact assessment, responding to the comments of the heritage officer and the local campaign group, the SPS does not wish to make any further comments at this time. Instead we refer you to our original letter of objection dated 24 January 2024.</i></p>
<p>Bentley Parish Council 06th September 2024 (CD B26 B)</p>	<p><i>The Supplementary Heritage Assessment submitted is considered to be a gross under-estimate of the harmful heritage impacts of the proposed development... Overall, the analysis simply fails to absorb the network of historic relationships which persist around and across the application site, which, by virtue of its open and agricultural nature, contribute in a highly material way to the significance of the group of assets in question, ranging from ancient Engry Wood to the Hall/Church Group and to Falstaff Manor itself (now receiving some belated attention). It is considered that the placing of a “solar panel and substation landscape” across these open agricultural fields, all experienced at present with highly attractive wooded backdrops, would be very harmful in heritage terms.</i></p>
<p>BMS Lucy Birch 9th August 2024 (CD B18 B)</p>	<p><i>As was previously commented, the proposed development has the potential to affect a number of designated and non-designated heritage assets. This includes the Grade II* Listed Church of St Mary, the Grade II* Listed Bentley Hall and associated stables, the Grade I Listed Bentley Hall Barn, and the Grade II Listed Maltings House to the north. For non-designated assets there is “Red Cottages and Potash Cottages”, Grove Farm, and Falstaff Manor to the south of the Site, and Uplands, Little House, Glebe Cottage, Bentley House, and Church Farm to the north. Engry Wood, an ancient woodland, neighbours the Site to the north-west.</i></p> <p><i>Overall, I consider that my previous comments stand, despite the additional information submitted by the applicants: the undeveloped nature of the existing field, and its rural character, provide a key positive contribution to the historic significance of the surrounding assets, and the development of the Site (from rural to industrial) through the addition of the proposed infrastructure would fundamentally alter this character, removing its contribution to the detriment of the heritage assets’ significance.</i></p> <p><i>I am concerned that the proposal would have a negative impact on the setting of the surrounding designated and non-designated heritage assets. While there is not current intervisibility between the Site and the majority of the assets, no information on the winter/autumn visibility (when greenery screening will be reduced) has been provided. Additionally, the proposed development would be unavoidably visible on approach to any of the surrounding assets, and would make up a key element of the context in which they are experienced when moving through the landscape.</i></p> <p><i>I consider that the application in its present form would cause medium level of less than substantial harm to the significance and setting of designated and non-designated heritage assets. It therefore does not meet the requirements of the NPPF and does not accord with Joint Local Plan policy LP19.</i></p>

- 1.17 Subsequently, the application was refused by Babergh District Council's Planning Committee on 5th February 2025. The Decision Notice (dated 6th February 2024 (CD A42)) identified two Reasons for Refusal (hereafter "RfR"), of which Reason for Refusal 1 related to 'Heritage Harm':

The proposal would conflict with policies SP09, LP19, LP25 and consequently SP03 of the Babergh and Mid Suffolk Joint Local Plan (2023), policies BEN 11 and BEN 12 of the Bentley Neighbourhood Plan (2022) and paragraphs 212, 213, 215 and 216 of the NPPF (2024). The proposal would result in a low to medium level of less than substantial harm to a number of designated and non-designated heritage assets; the most notable and highly graded of which include the Grade I listed Bentley Hall Barn and Grade II listed Bentley Hall, Bentley Hall Stables and Church of St Mary. Whilst significant weight is afforded to the public benefits of renewable clean energy, this benefit is not considered sufficient to outweigh the harm to a range of heritage assets, which are matters of considerable importance and great weight. The setting of these assets and thus their significance would be eroded and undermined by the proposed development as it would introduce an industrial incongruous character to the current traditional agricultural character and historical landscape of the area.*

- 1.18 Following this decision, the Bentley Conservation Area was adopted on 23 April 2025. The Conservation Area Appraisal and Management Plan (CAAMP) was adopted on 25 November 2025, following on from a draft Appraisal that was consulted upon between from Friday 13 December 2024 and Friday 21 February 2025.

- 1.19 There has additionally been a revision to the Reason for Refusal, to take account, in particular, of the adoption of the Conservation Area since the application's determination. The parties are agreed that "they will respond to those matters raised in this expanded reason for refusal in their evidence" (SoCG (CD C12), paragraph 5.4). The revised Reason for Refusal is as follows:

The proposal would conflict with policies SP09, LP19, LP24, LP25 and consequently SP03 of the Babergh and Mid Suffolk Joint Local Plan (2023), policies BEN 11 and BEN 12 of the Bentley Neighbourhood Plan (2022) and paragraphs 212, 213, 215 and 216 of the NPPF (2024). The proposal would result in less than substantial harm (at the upper end of the scale) to the character and appearance of the recently designated Bentley Historic Core Conservation Area; less than substantial harm to the following listed buildings: Church of St Mary (Grade II) (middle range LTSH), Bentley Hall (Grade II*) (lower end LTSH), Meeting Hall Stables (Grade II*) (lower end LTSH), Bentley Hall Barn (Grade I) and Maltings House (Grade II) (lower/bottom end LTSH); and, harm to the following Non-Designated Heritage Assets: Falstaff Manor, Grove Farm, Red*

Cottages, Potash Cottages, and Church Farm House and Barn. Whilst significant weight is afforded to the public benefits of renewable clean energy, the public benefits of the development are not considered sufficient to outweigh the harm to a range of heritage assets, which are matters of considerable importance and great weight (where they relate to designated heritage assets). The setting of these assets and thus their significance would be eroded and undermined by the proposed development as it would introduce an incongruous industrial character to the current traditional agricultural character and historical landscape of the area. The Appellant has further failed to provide evidence to convincingly demonstrate that there are no reasonable alternatives available for the proposal in light of the designation of the Site within a Conservation Area.

Scope

- 1.20 This Proof of Evidence relates to heritage matters, with reference also to matters of design and character. I will provide my professional view as to which heritage assets might be affected by the Proposed Development, and having assessed in detail their significance, including the contribution of their setting, will reach a clear view as to the scheme's effect on the significance of each asset individually. In each instance, the effect will be quantified, for example, in relation to the less than substantial harm 'spectrum', where identified. The relationship of heritage matters to the wider planning balance will be considered by Steven Stroud.
- 1.21 As part of the Appeal submission, amendments to the scheme were proposed by the applicant. These focused on the inclusion of additional buffering along Church Road, a small pull-back of panels east of Church Road, and other small changes to the extent of panelling, for example to take account of a veteran tree to the north. At the time of writing, there has not been confirmation as to whether these Amendments are accepted as part of the Appeal process. For the purposes of this Proof of Evidence, I have assumed that the Amendments are acceptable but have needed to refer to the original Landscape and Visual Impact visualisations. In principle, as will be set out, I take the view that heavy screening along Church Road, and the enclosure of this route, would be harmful to the significance of some heritage assets, just as visible panels would be. My conclusion, and the analysis below, can therefore be read, broadly, for both the submitted and amended schemes.
- 1.22 Additionally, this Proof of Evidence will provide some commentary on the Alternative Sites Assessment, in relation to its findings on heritage impacts. These should be read

with Mr Stroud's general analysis of the Alternative Sites Assessment in his Proof of Evidence.

Document Structure

1.23 In light of the above, this Proof of Evidence will:

- Outline the relevant heritage legislative and policy context [*Appendix 1*];
- Summarise the historic development of the Site and surroundings;
- Describe the Site and identify relevant heritage assets;
- Assess the significance of the identified heritage assets, including the contribution made by their setting and the role of the Site within this; and
- Assess the effect of the scheme upon this significance; Address other matters, such as the Alternative Sites Assessment's approach to heritage assets.

2. LEGISLATIVE AND POLICY CONTEXT

Legislation

- 2.1 Given that the proposed development is agreed to affect the setting of listed buildings, s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“P(LBCA)A”) applies. Section 72(1) of the P(LBCA)A also applies, in respect of Conservation Areas. These sections set out that in the determination of Planning Applications, decision makers shall have special regard to:
- “the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses” (in respect of listed buildings, s.66(1);
 - “the desirability of preserving or enhancing the character or appearance of that area (in respect of Conservation Areas, s.72(1)).

Relevant Case Law

- 2.2 There is a considerable body of case law which exists in relation to designated heritage assets, and the process of weighting effects upon their significance within the planning balance. I would draw particular attention to the following:
- 2.3 *Barnwell Manor Wind Energy v East Northamptonshire DC* [2014] EWCA Civ 137 sets out the basic principle that any harm to the significance of a designated heritage asset will be afforded ‘considerable importance and weight’. As per *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin), per Lindblom J (as he then was) at [45], this equates to a ‘strong presumption’ against development where harm arises.
- 2.4 In *Jones and Mordue and Secretary of State for Communities and Local Government v South Northamptonshire Council* [2015] EWCA Civ 1243, the Court held that generally speaking, a decision maker who applies the ‘fasciculus’ (bundle) of policies now within NPPF paragraphs 212 to 215 will comply with the duty under s.66 of the P(LBCA)A (and accordingly the duty under s.72 of the same). Of course, that approach will need to be supplemented by recognition of the presumption against development which is contained within s.66 and s.72, and indeed the guidance that the application of those duties requires harm to designated assets to be afforded considerable importance and weight.

2.5 In *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061 at [34] the Court provided further guidance on the application of s.66 as follows: *"the duty to accord 'considerable weight' to the desirability of avoiding harm does not mean that any harm, however slight, must outweigh any benefit, however great, or that all harms must be treated as having equal weight. The desirability of avoiding a great harm must be greater than that of avoiding a small one. The desirability of avoiding harm to a high category heritage asset must be greater than that of avoiding a similar harm to a less important asset"*. As such, whilst a decision maker is required to give harm to heritage assets considerable importance and weight, that does not mean that the weight to be given to the identified harm within the planning balance is uniform. The weight is a matter of planning judgment which will be informed by the significance of the heritage asset in question, and the scale of the harm

2.6 Further to this, my understanding is that the judgement in *City & Country Bramshill Ltd v Secretary of State for Housing, Communities And Local Government & Ors* [2021] EWCA Civ 320 is of assistance to decision-makers insofar as it provides the Court's definitive statement on the correct approach to heritage harms and benefits in making a decision that relates to a listed building or its setting (or, by extension, the character and appearance of Conservation Areas). Much of the judgement relates to the proper approach to balancing heritage harms and benefits; I do not refer to these points below as I do not understand that it being alleged that the scheme generates any heritage benefits directly. The following aspects of the judgement are of assistance here, however:

- Section 66 does not state how the decision-maker must go about discharging the duty; there is no single prescribed 'correct' approach to balancing harms and benefits: [§72];
- The questions of whether and at what scale substantial or less than substantial harm arises is a matter of judgement for the decision maker, as is the assessment of what planning benefits arise, and the weight to be afforded to these: [§74, §76].
- These public benefits may be heritage-related, or they may not, and there might, for example, be benefits to the heritage asset itself which exceed adverse effects to it, so that in policy, no harm would arise, and no conflict with policy accordingly: [§77];

- Alternatively, there might be planning benefits unrelated to built heritage which are sufficient to outweigh harm to the heritage asset in question, and a 'sensible approach' is required to all of the above: [§78, §80].

2.7 In *Catesby Estates Ltd v Peter Steer* [2019] 1 P&CR 5, [2015] EWCA Civ 1243 the Court provided guidance on assessing the impact on setting of heritage assets and resultant impact on significance. Paragraphs 26 to 30 are of particular relevance,

[It is not the case] that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building's setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations... But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognises the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, "the historic relationship between places"...

It has also been accepted in this court that the effect of development on the setting of a listed building is not necessarily confined to visual or physical impact....

Three general points emerge. First, the section 66(1) duty, where it relates to the effect of a proposed development on the setting of a listed building, makes it necessary for the decision-maker to understand what that setting is – even if its extent is difficult or impossible to delineate exactly – and whether the site of the proposed development will be within it or in some way related to it...

Secondly, though this is never a purely subjective exercise, none of the relevant policy, guidance and advice prescribes for all cases a single approach to identifying the extent of a listed building's setting. Nor could it. In every case where that has to be done, the decisionmaker must apply planning judgment to the particular facts and circumstances, having regard to relevant policy, guidance and advice. The facts and circumstances will differ from one case to the next. It may be that the site of the proposed development, though physically close to a listed building, has no real relationship with it and falls outside its setting, while another site, much further away, nevertheless has an important relationship with the listed building and is within its setting... Under current national planning policy and guidance in England, in the NPPF and the PPG, the decision-maker has to concentrate on the "surroundings in which [the heritage] asset is experienced", keeping in mind that those "surroundings" may change over time, and also that the way in which a heritage asset can be "experienced" is not limited only to the sense of sight.

The “surroundings” of the heritage asset are its physical surroundings, and the relevant “experience”, whatever it is, will be of the heritage asset itself in that physical place...

Thirdly, the effect of a particular development on the setting of a listed building – where, when and how that effect is likely to be perceived, whether or not it will preserve the setting of the listed building, whether, under government policy in the NPPF, it will harm the “significance” of the listed building as a heritage asset, and how it bears on the planning balance – are all matters for the planning decision-maker...

- 2.8 Accordingly, how the heritage significance of heritage assets is made up, including the contribution of their settings to that significance, is a matter of judgement, requiring a careful reflection on spatial, visual, experiential, and evidential factors that might guide one’s understanding of the nature and strength of the contribution of an asset’s setting. Where harm is identified, ‘considerable importance and weight’ needs to be applied to all identified harms, but it is necessary to carefully consider this weight within the context of the significance of the heritage asset (applying greater weight to more significant heritage assets and in cases where greater harm arises), and the scale and nature of the effect.

Statutory Development Plan

- 2.9 The Statutory Development Plan is made up of:
- Babergh and Mid-Suffolk Joint Local Plan (2023);
 - Bentley Neighbourhood Plan (2022).
- 2.10 The most relevant policies within these documents related to this Proof of Evidence are:
- LP19 (Historic Environment):
 - BEN7: Protecting Bentley’s Landscape Character
 - BEN11: Heritage Assets
 - BEN12: Buildings of Local Significance
- 2.11 I also make reference within the below to LP25 (Energy Source, Storage and Distribution) insofar as I comment on the historic environment aspects of the Alternative Sites Assessment.

National Guidance

National Planning Policy Framework (NPPF) (Last Amended 7 February 2025)

- 2.12 The Section of the NPPF most relevant to this Proof of Evidence is Section 16 (Conserving and Enhancing the Historic Environment).
- 2.13 Paragraph 207 states that local planning authorities should require applicants to describe the significance of heritage assets affected and any contribution made by their setting. The level of detail provided should be proportionate to the significance of the asset.
- 2.14 Paragraph 210 emphasises that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 2.15 Paragraphs 212 - 216 address the balancing of harm against public benefits in the context of harm to designated and non-designated heritage assets. If a balancing exercise is necessary (i.e. if there is any harm to the asset), great weight should be applied to the conservation of the heritage asset's conservation, and any harm to the significance of a heritage asset should require a clear and convincing justification. Where substantial or less than substantial harm will arise as a result of a proposed development, this harm should be weighed against the public benefits of a proposal, including for less than substantial harm, securing its optimum viable use (para. 215). In the case of non-designated heritage assets, the assessment is contained within paragraph 216: a balanced judgment is required having regard to the scale of the harm or loss and the significance of the heritage asset.
- 2.16 Paragraph 220 identifies that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

Planning Practice Guidance ("PPG") (Department for Communities and Local Government, Historic Environment last updated July 2019)

- 2.17 Further guidance is provided to support the NPPF through the PPG. In particular, it provides further helpful guidance as follows:

2.18 Paragraph 006 sets out how heritage significance can be understood in the planning context as archaeological, architectural, artistic or historic, defined as follows:

- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
- historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

2.19 The PPG at paragraphs 07, 018, and 020 provides further guidance on the assessment process, emphasising the importance of careful assessment of significance and setting, and provides further guidance on the divide between harm and less than substantial harm.

Historic Environment Good Practice Advice in Planning

2.20 To support the national policies, three separate Good Practice Advice in Planning Notes (GPA's) have been published by Historic England. The most relevant are :

GPA 2: Managing Significance in Decision-Taking in the Historic Environment [March 2015]

2.21 This document provides advice on numerous ways in which decision-taking in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured, staged and proportionate approach to the assembly and analysis of relevant information and is as follows:

- Understand the significance of the affected assets;
- Understand the impact of the proposal on that significance;
- Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
- Look for opportunities to better reveal or enhance significance;
- Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change;
- Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

2.22 The advice reiterates that heritage assets may be affected by direct physical change or by change in their setting. Assessment of the nature, extent and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process in informed decision-taking.

GPA 3: The Setting of Heritage Assets (2nd Edition) [December 2017]

2.23 This advice note focuses on the management of change within the setting of heritage assets. It replaces *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 – 1st edition*, (2015) and *Seeing the History in the View: A Method for assessing Heritage Significance within Views* (English Heritage, 2011).

2.24 The advice in this document, in accordance with the NPPF, emphasises that the information required in support of applications for planning permission and listed building consent should be no more than is necessary to reach an informed decision, and that activities to conserve or invest need to be proportionate to the significance of the heritage assets affected and the impact on the significance of those heritage assets.

2.25 This note gives general advice on understanding setting and how it may contribute to the significance of heritage assets including tabulated examples of elements of setting that might affect one's appreciation of the asset, and elements of a development that might affect significance. It also provides a staged approach to taking decisions on the level of the contribution which setting and related views make to the significance of heritage assets. This builds on the advice within GPA1, and forms the stepped approach

that I will follow in assessment here. The stepped approach requires analysis on the following basis:

- Step 1: Identify which heritage assets and their settings would be affected;
- Step 2: Assess the degree to which these settings and views make a contribution to the significance of these assets, or allow significance to be appreciated;
- Step 3: Assess the effect of the proposed development, whether beneficial or harmful, on the significance or the ability to appreciate it;
- Step 4: Explore ways to maximise enhancement and avoid or minimise harm;
- Step 5: Make and document the decision and monitor outcomes.

2.26 At the proposal stage, ways to maximise enhancement and avoid or minimise harm should be considered. Enhancement (see NPPF, paragraph 137) may be achieved by actions including:

- removing or re-modelling an intrusive building or feature
- replacement of a detrimental feature by a new and more harmonious one
- restoring or revealing a lost historic feature or view
- introducing a wholly new feature that adds to the public appreciation of the asset
- introducing new views (including glimpses or better framed views) that add to the public experience of the asset, or
- improving public access to, or interpretation of, the asset including its setting.

3. HISTORIC DEVELOPMENT OF THE SITE AND SURROUNDINGS

- 3.1 Bentley's history, in terms of its ever-changing manorial possessions, is a complex one, but is central to an understanding of the significance of the significance of its heritage assets. The below attempts to synthesise, as far as possible, the evolution of its various manors and their associated landownerships over time. The CAAMP (CD F1), at Section 4, also provides detail on the various landowners within the Parish.

Medieval to Early Modern History of Bentley: Domesday to 1662

- 3.2 The etymology of 'Bentley' derives from the area's Norman history as a "woodland clearing where bent-grass grows". It is recorded in 1086, within the Domesday Book, as a settlement with a population of 18 households and at least four manors.
- 3.3 The settlement's early medieval character was also defined by Dodnash Priory (established c.1188) which stood as a small Augustinian priory close to the Dodnash Brook until its dissolution as a lesser monastery in 1525.¹
- 3.4 During the medieval period, the Parish's division into four manors, apparently established in some form by the 11th century, persisted. Four manorial possessions can be traced: the Tollemaches (of which more below) to the north, Fastolfs² to the east, and the Priory of the Holy Trinity which occupied land to the west and south, as well as Dodnash Priory.
- 3.5 By the mid-13th century, the prominent **Tollemache** family are recorded within manorial records and likely to have been seated at Bentley Old Hall (Grade II*). It is recorded that, at the death of the fourth Hugh Tollemache, in the 1296, the Manor of Bentley amounted to,

*'two hundred acres of arable, worth yearly 3 5s. 4d~ at 2d. an acre; four acres of meadow, worth yearly 2s. 8d. an acre; 30 acres of heath, worth yearly 2s. 6d. at 1d. an acre ... 10 score acres of wood, of which the pastures of 15 acres is worth yearly 22s.'*³

¹ Dodnash Priory's remains are listed as a Schedule Monument (NHLE: 1005979).

² Later also, and more commonly, Falstaff.

³ *The Tollemaches of Helmingham and Ham*, Major-Gen. E. D. H. Tollemache, (Ipswich, 1949), page 20 (accessed at <https://www.seekingmyroots.com/members/files/G006695.pdf>, 10 November 2025)

- 3.6 The Tollemache family then constructed Bentley Hall towards the end of the medieval period, moving their principal seat within the Parish south to the cluster close to St Mary's Church in the fourteenth or fifteenth centuries. Having constructed Helmingham Hall in the late fifteenth century, Bentley became a secondary property, apparently held by the principal heir. As will be seen below, the manorial lands increased in scale in 1531, with the Manor of Dodnash passing into the family's ownership. Lionel 'Tallmach' is shown to have been in possession of Bentley Hall upon his death in 1553, whereby the Manor was conveyed to his son, also called Lionel. Upon the death of Lionel Tallemache 1st Bart., in 1571, the Manor was inherited by Sir Lionel Tollemache, 3rd Bart. (d.1669).
- 3.7 The **Fastolf** manor was conveyed to Sir John Fastolf in 1418 upon the death of his father, Sir John De Holbroke, and there after passing through the hereditarian line in 1488, and 1508. In 1509, the Lordship was conveyed to a set of trustees, and then shortly after, vested in the Brokes as documented in the will of Sir Richard Brokes (d. 1529).⁴ The Manor, alongside Bentley Old Hall, is included within a fine of 1586 levied by Leonard Craston against Sir William Sprynge and others.
- 3.8 **Dodnash Manor** was held by Sir Edward Charles in 1315 and thereafter passed to the possession of the Dodnash Priory until the Dissolution of the Lesser Monasteries in 1525.
- 3.9 After the dissolution and downfall of Cardinal Wosley, the priory lands were assigned to Lionel Tollemache on the 1st April 1531.⁵
- 3.10 Meadows was an ambassador to Oliver Cromwell and the 5th son to hold the family seat at Chattisham in Suffolk (located c.5km north of the Site). Alongside Bentley Hall, Fastolf Manor, and Old Hall (Dodnash Manor) were gained by Meadows in 1662.

Combined Estate from 1662

- 3.11 Bentley Manor is shown within a deed for the 2nd November 1662 as having been sold by Sir Lionel Tollemache to a Sir Philip Meadows (d.1718). At the same time, he came into the ownership of Falstof/Falstaff Manor and Dodnash Manor. It may be that the transfer had taken place early in 1662, as a grant of Augmentation dated to the 20th

⁴ PROB 11/23/136

⁵ L. and P. Hen. VIII, iv, pt. i, 1137, 1832

February 1662 confirms Meadows being located within Bentley as 'Sir Philip Meadowe of Bentley'.⁶

- 3.12 Philip Meadows, of a family line based at Chattisham, a village around 3 miles northwest of Bentley, was a gentleman, apparently of some means, who had risen, during the Commonwealth, to become a highly ranked Administrator and sometime Diplomat, travelling to Portugal and Scandinavia to act on Cromwell's behalf. Following the Restoration of Charles II to the throne in 1660, he disappeared from Public Life, having apparently been 'turned out of his lodgings at Whitehall'⁷, but in his retirement he married in 1661, and the proceeds of his public life clearly permitted him to acquire the significant properties at Bentley.
- 3.13 The combined manors were held within the Meadows family for about a century before, in the late 1700s, it would appear that the Meadows family had begun to divest themselves of their lands in the Parish. By 1789, Bentley Hall had passed into the hands of the Deane family⁸, with the remainder then sold to Benjamin Keene in 1798. It is unknown why the Meadows sold their land in Bentley but given that Sir Philip Meadows returned from retirement to the political front line in the 1690s, the estate as a whole may have been purchased assuming a lifestyle that changed quite quickly. In point of fact, despite Meadows' being thrown out of Whitehall in 1660, all of his children were born and baptised in London between 1662 and 1679. It would appear, therefore, that Bentley became part of a wider network of land within his ownership that funded a household that predominantly resided elsewhere.
- 3.14 The Ruck-Keene estate encompassed almost all of the land within Bentley excluding the woodland⁹ and the Bentley Hall and Old Hall estates and included the Site. It was

⁶ Coll Arm Mss Walker's Grants 1/13 and 2/49

⁷ https://en.wikisource.org/wiki/Dictionary_of_National_Biography,_1885-1900/Meadows,_Philip (accessed 18 December 2025)

⁸ <https://www.suffolkarchives.co.uk/wp-content/uploads/2023/02/HB42-18-19th-century-copies-of-Court-Roll-relating-to-manors-in-East-Bergholt-Monk-Soham-and-Stratford-St-Mary-title-deeds-other-records-relating-to-Deane-Family.pdf>, page 11 (accessed 18 December 2025).

⁹ Which remained held by the Tollemache family ('The Countess of Dysart' is identified as holding the woodlands in the Tithe Map of 1841; this is Maria Elizabeth Toone, husband of Lionel Tollemache, 8th Earl of Dysart). The *Tollemaches of Helmingham and Ham* (see footnote 3) (page 35) records that, "The woods at Bentley are all that remain of the original estate. A spendthrift descendant is reported to have attempted to recoup his fortune by a big bet, in which he staked all that part of

held by the family three subsequent sons (all named Benjamin) until it was bequeathed to the second son of Benjamin Keene, Rev. Charles Edmund Keene of Swyncombe, Oxford, in 1841.

- 3.15 Rev. Charles Edmund Keene was 49 years of age when he inherited the Bentley estate and held an established life as the Reverend of Swyncombe Parish. He is accounted, through marriage, as being the beneficiary George Ruck's estate and a newly built "splendid house" in c.1814.¹⁰ It is unlikely that Keene held direct interest in the manorial buildings within the estate due to his role at Swyncombe (in Oxfordshire). Tithe Apportionments from just before his inheritance of the Estate suggest that by and large, the Estate was leased rather than occupied and directly farmed, and it was ultimately sold off in 1897.
- 3.16 Meanwhile, the Bentley Hall and Bentley Old Hall Estate further north was held by the Deane Family until 1795, when it was reportedly bought back by the Tollemache family¹¹; in the map accompanying the 1897 sale of the Ruck-Keene Estate (figure 5), the land of Bentley Hall and Old Bentley Hall is recorded, in line with this, as being in the ownership of the Rt Honourable Stanhope Tollemache.

Historic Ownership of the Site

- 3.17 The land within the Site fell within the Dodnash lands transferred into the ownership of the Tollemache family in 1531. This is supported by historic manorial maps which shows the Site as a parcel of land to the southwest of the Church and the historical progression, which can clearly be tracked from the Tollemache family, through to the Meadows, and on to the Keenes until the sale of wider estate in 1897¹².
- 3.18 The records show that Bentley was the principal seat of the Tollemache family in the medieval period, and despite the move to Helmingham Hall, the status of these lands within the family clearly persisted, as is clear from the numerous burials of the Tollemache family within St Mary's Church from the 16th century, Bentley Hall plainly continued to be the centre of manorial power within the village, initially centred on Lionel Tollemache's mother, Susanna, adopting Bentley as her dower house in 1581.

the Bentley property over which the plough could go. He lost, and the unploughable woods, which still belong to the family, are the only territorial relic handed down from its early days."

¹⁰ Lords Lieutenant and High Sheriffs of Oxfordshire, 1086 – 1868. 1868. John Marriott Davenport.

¹¹ *The Tollemaches of Helmingham and Ham*, Major-Gen. E. D. H. Tollemache, (Ipswich, 1949), page 35, footnote 1 (accessed at <https://www.seekingmyroots.com/members/files/G006695.pdf>, 10 November 2025)

¹² Suffolk Record Office. HE402/1/1897/69

Following that date, as will be seen, significant work took place within the estate around 1582.

- 3.19 Further to this, in 1610, Anne Tollemach married Robert Gosnold V of Otley¹³ and this resulted in Bentley coming increasingly occupied by the extended Gosnold family. This is also found through the various members of the Gosnolds who are buried in the north of the church chancel.

Cartographic Evidence: Changes in the form of the Parish from 1805 to the 21st Century

Bentley Parish

- 3.20 By the turn of the 19th century, a more detailed insight can be gained into the physical form of Bentley through Verron's map (1786) and the Mudge map (1805). These maps illustrate the early form of the current road layout and numerous structures along Church Road towards the Old Hall. The map records that at this point in time, a number of built and landscape features now identified within the Parish, and which form the framework of the area as it is now experienced, were in place. The Church and Church House can be identified on both, in a cluster with Bentley Hall and Bentley Cottage (Bentley Park/Park Cottage), with Old Hall to their north. The cluster of listed buildings including Maltings House and Maltings Farmhouse can also be seen, as can Pond Hall, Grove Farm, built form at Falstaff Manor, and 'Potash Farm', now Potash Cottages.
- 3.21 The woodland arrangement, roads, paths and interstitial open land is in much the same form as is experienced today. Potash Lane appears between the Verron Map and Mudge Map, implying that this route appeared between 1796 and 1805, at the same time as Grove Farm and Potash Cottages emerged. As the CAAMP records, much of the woodland arrangement appears to reflect the medieval or early modern form of the Parish.

¹³ Robert Gosnold was the elder brother of Anthony Gosnold who sailed alongside Captain Bartholomew Gosnold and Captain John Smith to become the founding fathers of Virginia, and thereafter, the United States of America.



Figure 1: Verron's Map of 1796; the Site's location is broadly indicated in red.

- 3.22 The CAAMP also provides evidence to suggest that field arrangements within the Parish may in part have pre-dated enclosure, and may date to the 1800; on page 14 of the document, an overview of the fields around Bentley Hall appears to suggest that the field arrangement in that part of the Parish at least can be traced to a 1613 written schedule. At least one of the fields traced in this case study, 'Sandy Hill' appears to be have subdivided between 1613 and 1838, suggesting that it is not solely the case that fields have been amalgamated to produce larger layouts (CD F1, page 14).



Figure 3: Tithe Map, 1838. The Site's broad location is indicated in red.

The Site

- 3.24 The land within the Site was recorded as being made up of eleven parcels in the 1838 Tithe apportionments; this comprised of eight parcels to the area west of Church Road, and three parcels within area to the east. As noted above, Potash Lane appears on maps from 1805, and the southern part of its modern boundaries appears to have been formed, therefore at the end of the eighteenth, or beginning of the nineteenth, centuries.
- 3.25 The 1838 Tithe Map shows the Site under the ownership of Benjamin Keene and split between the proportions of 'Church Field' (plot 239), Wadmellwent (plot 240), and Great Elms Acre (plot 241).
- 3.26 By the date of first Ordnance Survey in 1881, the land within the Site is shown to have been altered with a minor change to the previous field boundaries and now comprising nine fields within the western aspect of the Site and to fields within the eastern side of Church Road.
- 3.27 The 1881 Ordnance Survey also illustrates that a former footpath ran diagonally across the Site in a southwest-to-northwest orientation. It connected to the main paths from the nucleated area of the Bentley settlement and provided access to the Church of St Mary

from the village. The Bentley-to-Hadleigh Great Eastern Railway line is also shown on the 1881 OS map to the north of the church and south of Bentley Hall.



Figure 4: Extract from the 1881 Ordnance Survey map, focused on the site. Reproduced with the permission of the National Library of Scotland

3.28 At the close of the 19th century, an Estate sale, named as that of the 'Ruck-Keene Bentley Estates' was accompanied by an annotated plan which is shown within Figure 1. The map from the sales particulars indicates that the land within the Site to either side of Church Road had passed through the ownership succession from the Tollemaches, to the Meadow family, and sold as part of the Ruck-Keene Estate.



Figure 5: 1897 Sales Map of the Ruck-Keene Bentley Estates with the Site Outlined (Suffolk Archives)

- 3.29 The former Ruck-Keene Bentley Estate went through further sales and proportioned sales during the early 20th century. Notably, the map from the 1924 sale shows land within the Site being sold by the London & North Eastern Railway Company (figure 6).

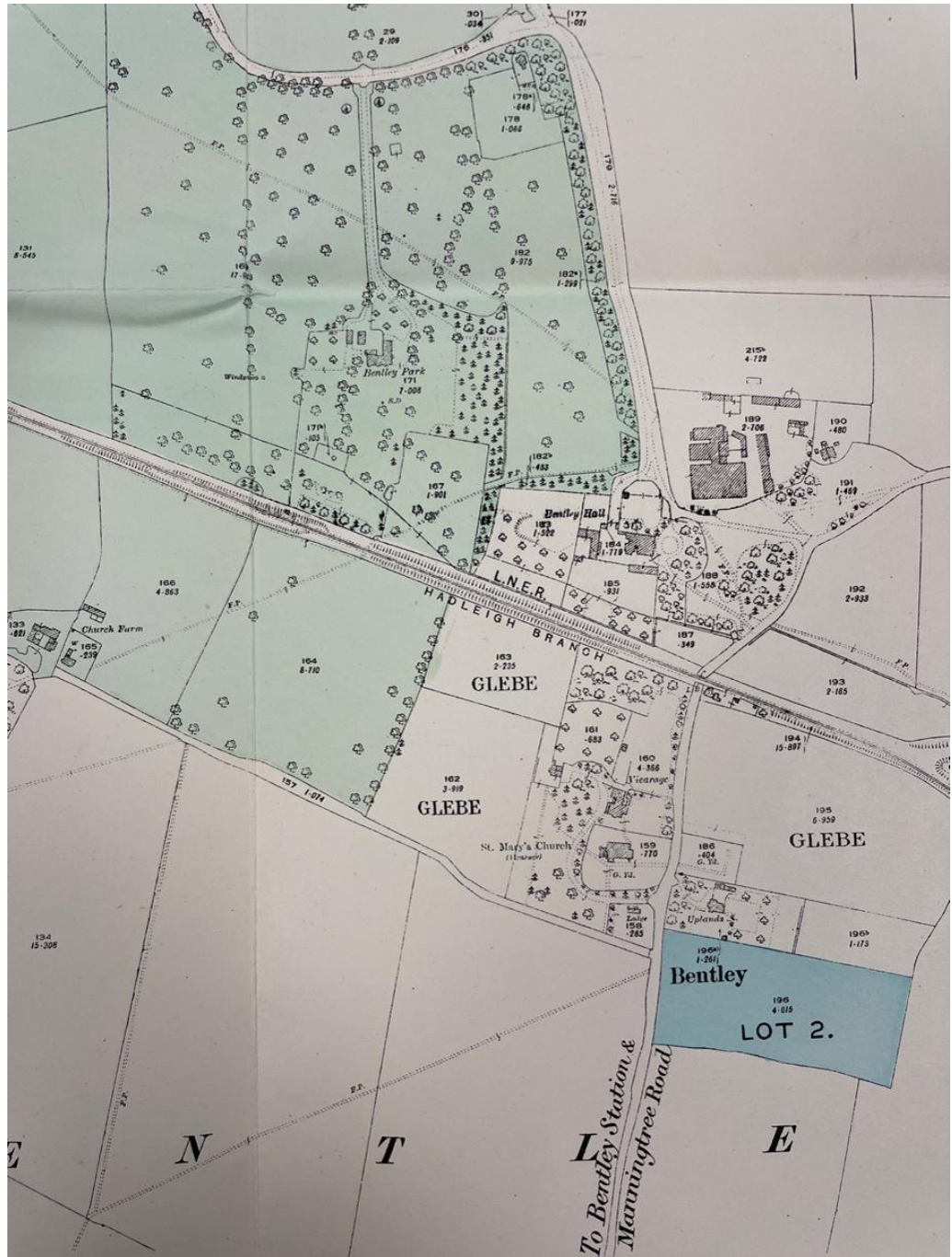


Figure 6: 1924 Land Sale document.

- 3.30 The 1924 OS map illustrates that the land within the Site remained unaltered during the early 20th century and the field boundaries continued to relate the 1902 survey. A minor change to the north of the Site is captured through the development of 'Uplands' which stood opposite the Church of St Mary on the eastern side of Church Road.

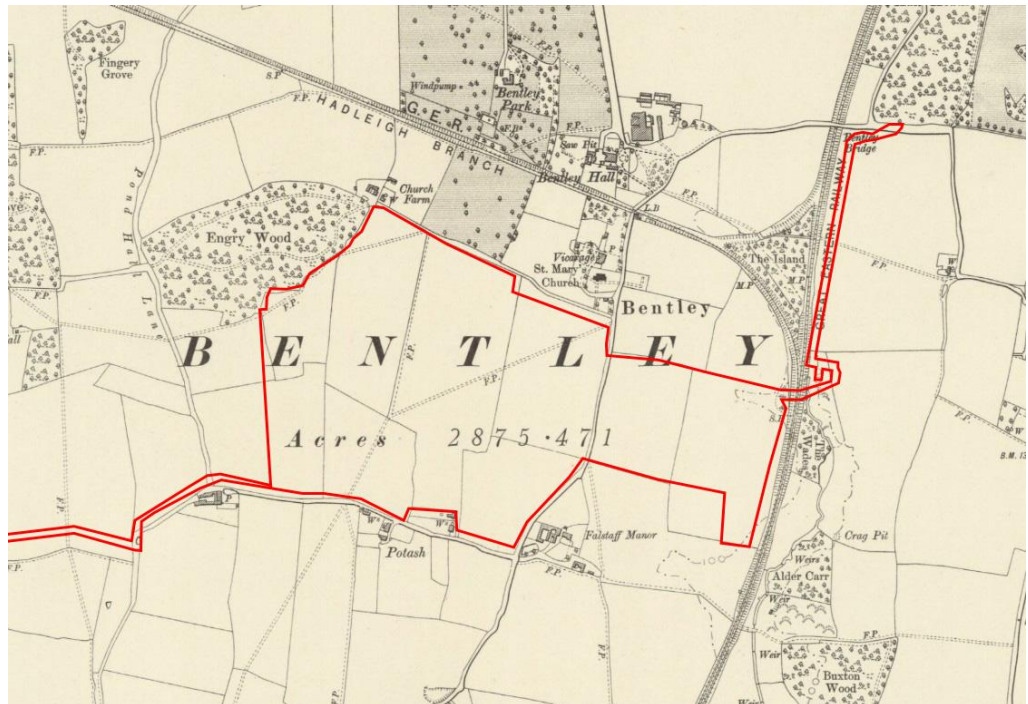


Figure 7: 1902 Ordnance Survey Map, with the site outlined in red. Reproduced with the permission of the National Library of Scotland

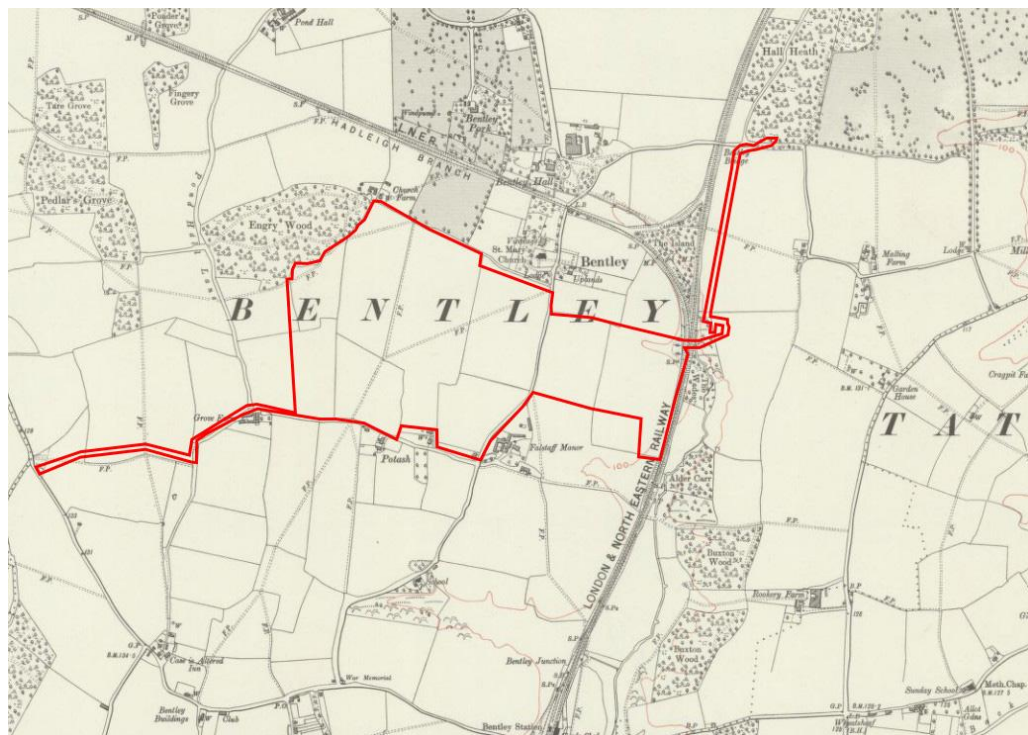


Figure 8: 1924 Ordnance Survey Map with the site outlined in red. Reproduced with the permission of the National Library of Scotland

3.31

By the middle of the 20th century, the former field boundaries within the western aspect of the Site had been removed resulting in a single parcel with the footpaths towards the church retained. However, no later than 1968, the footpath within the Site had been removed and minor development (e.g. Hope Lodge) had been constructed south of the church. Further field boundaries were removed in the latter part of the 20th century.

4. IDENTIFICATION OF HERITAGE ASSETS

Identification of Assets

- 4.1 The scope of this assessment is limited to those heritage assets which are identified within the updated and refined Reason for Refusal 1 as being affected by the appeal scheme. The identification of assets follows the agreed scope as set out in the Statement of Common Ground and Heritage Statement of Common Ground [CDs C12 and CD C16 C3]. Notably, this includes the newly adopted Bentley Conservation Area which is agreed to be a material consideration for this Appeal. The heritage assets considered within this Proof of Evidence are therefore as follows:

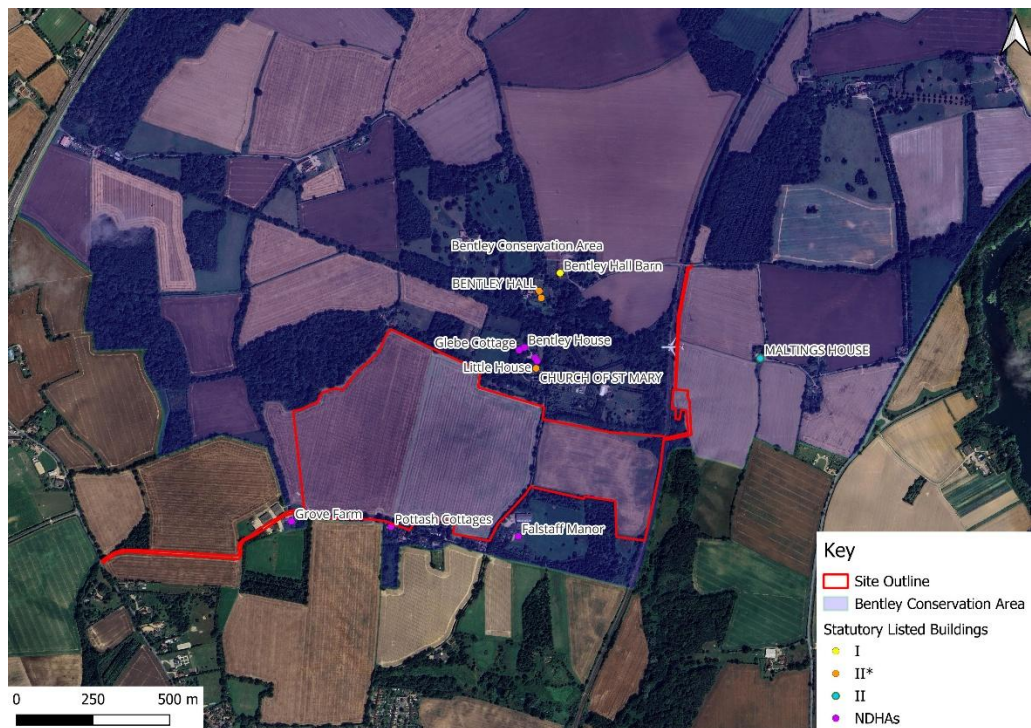


Figure 9: Map showing the assets discussed below, in relation to the Site.

Designated Assets

- Church of St Mary (Grade II*, NHLE: 1193823)
- Bentley Hall (Grade II*, NHLE: 1351964)
- Meeting Hall Stables, Bentley Hall, Approximately 30 Metres South of Bentley Hall (Grade II*, NHLE: 1033423)
- Bentley Hall Barn (Grade I, NHLE: 1351965)
- Maltings House (Grade II, NHLE: 1351929)

- Bentley Conservation Area

NDHA

- Grove Farm
- Church Farm
- Red Cottages and Potash Cottages
- Falstaff Manor

5. ASSESSMENT

Methodology

- 5.1 This report provides an assessment of the significance of identified heritage assets and the potential effects of the proposed development. It has been informed by:
- Relevant legislation, and national and local planning policy (*see Appendix 1*);
 - Conservation Principles, Policies and Guidance (Historic England, 2008);
 - Good Practice Advice in Planning Notes (Historic England), in particular Historic England's Good Practice Guide in Planning Note 3 ("GPA3"), *The Setting of Heritage Assets* (December 2017);
 - Planning Practice Guidance: Historic Environment ("PPG", last updated in April 2019).
- 5.2 Heritage Assets are defined in Annex 2 of the National Planning Policy Framework (NPPF) as:
- 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).'*
- 5.3 The methodology used here for understanding the significance of the identified heritage assets draws from the approach set out in Historic England's Conservation Principles and NPPF Annex 2 by identifying significance based on heritage value or interest (Archaeological, Architectural and Artistic and Historic).
- 5.4 The setting of a heritage asset is defined as:
- 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'* (NPPF, Annex 2)
- 5.5 Key factors to be taken into account when assessing setting are identified in PPG para.013 and include the following:

“The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset’s significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.”

- 5.6 GPA3 provides guidance on understanding setting and how it may contribute to the significance of heritage assets. This assessment follows the staged approach set out in this guidance. I have followed the stepped approach thus far by identifying the heritage assets for assessment in Section 3 (Step 1), and the next section now undertakes Steps 2 and 3, by assessing the significance of the assets, including the contribution made by their settings (including the Site), and thereafter assessing the effects arising on their significance as a result of the proposed development. For Step 2, I have sought to undertake a holistic assessment of setting, considering a range of potential attributes which may characterise an asset’s setting, and influence the contribution of this setting to significance (as per figure 10).

Assessment Step 2 Checklist

The starting point for this stage of the assessment is to consider the significance of the heritage asset itself and then establish the contribution made by its setting. The following is a (non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance. It may be the case that only a limited selection of the attributes listed is likely to be particularly important in terms of any single asset.

The asset's physical surroundings

- Topography
- Aspect
- Other heritage assets (including buildings, structures, landscapes, areas or archaeological remains)
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces
- Formal design eg hierarchy, layout
- Orientation and aspect
- Historic materials and surfaces
- Green space, trees and vegetation
- Openness, enclosure and boundaries
- Functional relationships and communications
- History and degree of change over time

Experience of the asset

- Surrounding landscape or townscape character
- Views from, towards, through, across and including the asset
- Intentional intervisibility with other historic and natural features
- Visual dominance, prominence or role as focal point
- Noise, vibration and other nuisances
- Tranquillity, remoteness, 'wildness'
- Busyness, bustle, movement and activity
- Scents and smells
- Diurnal changes
- Sense of enclosure, seclusion, intimacy or privacy
- Land use
- Accessibility, permeability and patterns of movement
- Degree of interpretation or promotion to the public
- Rarity of comparable survivals of setting
- Cultural associations
- Celebrated artistic representations
- Traditions

Figure 10: Extract from GPA3 p.13, listing potential attributes of setting that might contribute to significance.

5.7 In assessing the effects arising from the development, where harm is identified, I will seek to make clear where this harm sits within the less than substantial harm spectrum.

<div style="text-align: center;"> <p>More harm</p> <p>↑</p> <p>↓</p> <p>Less harm</p> </div>	Just shy of substantial harm (near vitiation of significance)
	Upper end
	Middle range
	Lower end
	Very lower/bottom end

- 5.8 The 'upper end' to 'very lower'/bottom end' wording will also be used to categorise harm to non-designated heritage assets.

Assessment of Significance, including the contribution of Setting

Church of St Mary's (Grade II*, NHLE: 1193823)

Significance

- 5.9 St Mary's Church (seen in Appendix A1.1) is a Parish Church with fabric predominantly dating from the 12th to 14th centuries, but also showing the impact of nineteenth century restoration works. There is a suggestion that the nineteenth century work dates to 1858, and is the work of the architect Benjamin Ferrey, a prolific church architect who studied alongside AWN Pugin under Pugin's father¹⁴. The Nave is predominantly 12th century in origin, while the Chancel, west tower and south porch are recorded as being 14th century. The Church as a whole is predominantly of flint rubble and dressed ashlar and incorporates dressed flint and stone flushwork panels to the parapet of the tower. Broadly rectangular in form, the church has a single nave and aisle plan, with the western tower set at the termination of the nave, and the northern aisle terminating, at its eastern end, short of the nave.
- 5.10 Internally, it is sizeable and open, with the northern aisle (apparently a 19th century addition) forming an integral part of the worship space, and there being no chancel arch, which creates openness and continuity right up to the alter end. This also creates high levels of visibility to the fine timber roofs, hammerbeamed to the nave. The Church contains a number of commemorations and memorials, including members of the Tollemache family. There are also Tollemache devices woven into the font.
- 5.11 St Mary's is a simple, robust and calmly detailed building, a Church which reflects its development across the medieval period, and more recent, Victorian interventions.
- 5.12 The Church's **architectural** significance is high and arises from the age and quality of its fabric, internally and externally. The building contains some fragmentary 12th century details (including a section of the largely restored southern doorway to the nave), as well as 14th century tracery and other details, and a largely 15th century font. The 19th century work is of some quality, and includes a window with star tracery,

¹⁴ This attribution is based on drawings held by the Incorporated Church Building Society, digitised at <https://images.lambethpalacelibrary.org.uk/luna/servlet/LPLIBLPL~34~34>. A drawing which can be found at <https://images.lambethpalacelibrary.org.uk/luna/servlet/detail/LPLIBLPL~34~34~101408~115377?sort=identifier%2Cdate%2Ctitle%2Crights&qvq=q:bentley;sort=identifier%2Cdate%2Ctitle%2Crights;lc:LPLIBLPL~34~34&mi=13&trs=15> of the 19th century works at Bentley is attributed to Ferrey.

- 5.13 It also has a considerable degree of **historic** and **archaeological** significance, due to its great age, its long history within the Parish of Bentley as the spiritual heart of the community, and the evidence that its architecture provides of its development over time as a Church serving a reasonably sized rural community, with a strong manorial presence. The memorials and other internal decorative features also record the interrelationship between the Church and the various manors within the Parish.

Contribution of Setting to Significance

- 5.14 St Mary's Church's significance is clearly bound up to a significant extent within its historic fabric, the building's physical form. This does not imply, however, that its setting contributes little to significance; instead, setting and built fabric are, in an asset of this nature, closely interrelated, and my view is that the setting of the Church makes a strong contribution to its significance overall.
- 5.15 The Church sits within a relatively contained immediate setting, in a compact churchyard on the western side of Church Road. Away from the roadside, this is ringed by largely deciduous trees, framing views of the Church, and providing an immediate sense of its identity within the village. To the north of this ring of trees is Bentley House, which historically operated as the rectory; some occupiers of the property had sizeable land interests locally, with the Church of Bentley House therefore having a degree of status within the community that went beyond the purely spiritual function of the Church. There are also various records historically within Bentley to 'Church Lands'; the parish historically saw land owned by the Priory of the Holy Trinity, Ipswich, and St Dodnash's Priory (to the south, near the larger modern part of Bentley). The presence of the church, and by extension, St Mary's as its physical manifestation in the parish, was clearly a considerable one across Bentley's history, and accordingly, there is a legible historic prominence to the Church experientially.
- 5.16 Static and kinetic views of, and from, the Church vary seasonally, as a result of the predominantly deciduous trees in the vicinity. In summer, views are relatively confined, limited predominantly to Church Road, the churchyard around the church, and the properties adjacent. The Church tower does, however, appear in views from the south in summer, particularly along Potash Lane, and in some views from the verge of Church Road (see Appendices A1.7 and A1.10 (summer), and A1.16, A1.17 and A1.21 (winter); the visibility is somewhat more appreciable 'in person', but these views are nonetheless of assistance). The top of the Church's tower, with its flushwork tower, was clearly intended to be visible, within the historically mosaic landscape of woodland and open agriculture. Today the views are not necessarily dominant, but the Church is clearly legible, and these views give an indication of its position and architectural quality, and allow a clear appreciation of its development within the context of this scattered parish.

- 5.17 In winter, the enclosed nature of the Churchyard persists in general terms, but to the south, in the direction of the Site, the hedgerows open up, allowing a perception of the landscape in this direction in views from the path to the south door, and the south porch itself (see Appendices A1.23 and A1.24). These views exist as part of a broader kinetic experience that places the Church within its rural setting but ensure that having passed into the enclosed immediate churchyard setting, one remains cognisant of, and in contact with, the notion of a wider agricultural landscape. More broadly, looking back towards the Site, one is aware of the Church amongst trees, as is the case during the winter. It continues to act as a visual feature along Potash Lane and Church Road, with some more openness to these views, although it continues to be appreciated amongst trees. It would appear that from Potash Lane, the tree screening that exists is relatively thin in its overall extent; a single large oak tree provides much of the summer screening. This may well be a healthy tree with a long potential lifespan, but on the face of it, it would appear that there is some prospect that views from Potash Lane might open up further in the future.
- 5.18 The Parish of Bentley always appeared to be scattered, and large in scale, and therefore the Church, which is of a good size compared to the immediate historic core surrounding it, had a broader historic relationship with the wider built form and walking routes within the Parish. As the Church for a Parish where parishioners would have travelled reasonable distances to worship, it has a legible connection with the wider landscape which is mapped out through historic walking routes and footpaths, which parishioners would have used regularly and instinctively. There are key roads that lead from across the Parish to the core, including Church Road itself and the route towards Bentley Grove (and its associated cluster), and the routes to the north, northwest and northeast towards the Old Hall and Bentley Manor. There are footpaths and bridleways too, many of which are historic, and reflect movement patterns within the Parish where travelling by foot may have been quicker and more direct than travelling on the roads. These include a historic footpath, which remains south of Potash Lane, but which historically then ran north, towards the lane leading to Church Farm, with a split to Church Road, near the Church. This appears to have been a direct route toward the Church from the housing in the south of the parish, around Bentley Grove.
- 5.19 One's experience of the Church, in its place, is strongly influenced by kinetic experiences of these routes towards the Church within the Parish, and what is very legibly a network of connections that lead inexorably towards it and the principal manorial core. The Church's visibility today is limited to the southern views from Potash and Church Roads, but moving through the Parish, one experiences the clear transition from the surrounding scattered farmsteads and residences into the core, and the sense of arrival at the Church. These experiences, within a landscape which, as the CAAMP

records, has changed very little over the last few centuries, provides an appreciable sense of time depth, an ability to read the Church's function, its community role, and its interaction with the wider built and agricultural landscape.

- 5.20 The setting thus provides a context in which the Church can be viewed, appreciated, and read as an administrative and spiritual focal point within the community. It can be read and understood as a relatively large, well-mannered Church of the 12th to 14th centuries, its phasing and form being a product of the changing fortunes and aspirations of the Parish and its major landowners

Role of Site within Setting

- 5.21 The Site occupies a large area of open land to the southwest, south and southeast of the Church, framing the southern entrance into the cluster of built form that forms the central core of Bentley. It stands in contrast, in its open form, to the clustered form of that historic core, and provides long views of the Church from Potash Lane and Church Road. These views vary seasonally, being more open in the winter than the summer (see Appendices A1.7 and A1.10 (summer), and A1.16, A1.17 and A1.21 (winter)), but remain year-round, with the flushwork top of the tower being visible from parts of Church Road and Potash Lane throughout the year. Indeed, these views from the south of the Church are, as a result of its location at the southern edge of the cluster of buildings that forms the historic core of Bentley are the only ones that exist today that show the Church within its broader rural setting. They are also views that are taken in respect of land which, at some points in the past, have fallen within the same overall ownership as the Church's glebe lands and Rectory.
- 5.22 While the Site is not currently accessible, views from within the Site remain relevant. In this case, the existence of a historic footpath across the Site, leading from properties in the south of the Parish including Bentley Grove towards the Church indicates that views from within the Site do contribute materially to significance (see figures 7 and 8). It is recognised that a careful approach is required in relation to views of Churches in order to understand whether these are 'heritage views' (as per the 'pop out box' at paragraph 15 of GPA3 (CD F3)). It is my view that the views that exist of the Church in this vicinity, and which are facilitated by the openness of the Site, do contribute directly to the significance of the asset, allowing a reading of a key part of its architectural form; its interrelationship with built form and landscape within the Borough; and, because these views are taken from routes that historically would have provided routes of access to the Church. The Church was plainly intended to be seen within the vicinity of the Site, and in relation to the routes and paths to the south.

- 5.23 Additionally, within winter, the Site forms a part of views from the Church south, providing a sense of the wider landscape beyond the Churchyard, from the south door and the route to it from Church Road. The openness, as part of a larger view, provides an appreciable connection between the Church and the wider landscape; the experience is not, as in summer, one of total enclosure and intimacy, but an immediate intimacy contrasted with an appreciation of the wider landscape beyond. This experience contributes to significance by allowing an immediate appreciation, from the Church itself, of its interaction with the open landscape and scattered built form surrounding it.
- 5.24 For this reason, it is my view that the Site makes a good contribution to the significance of the Church. As a component of the Church's wider setting, it is not just an 'ordinary' part of the wider countryside that contributes little to significance beyond an understanding of it as a rural Church. Instead, it possesses evidence of direct historic ownership and interrelationship, and forms a key part of its more immediate setting, the most direct location for views of the Church in relation to open, rural land, and a feature in winter views from the Church; as such, it also facilitates important views of the asset. The Site also allows a clear appreciation of how the Church has been viewed and experienced through time. While some changes have emerged to the south of the Church including planting patterns in the Churchyard and some field boundaries, one is able to gain a sense of how the Church has been experienced by parishioners, as a focal point of its scattered community, for a long period of time.

Bentley Hall (Grade II*, NHLE: 1351964); Bentley Hall Barn (Grade I, NHLE: 1351965); and Meeting Hall Stables, Bentley Hall, Approximately 30 Metres South of Bentley Hall (Grade II*, NHLE: 1033423)

Significance

- 5.25 These three assets (See Appendices A1.2 and A1.3) are closely interrelated in terms of their location, history, development and, to a certain extent, significance, and for conciseness, I will therefore group them together in this assessment. The three assets focus on the Hall, a 15th or 16th century house, which was the Parish of Bentley's principal manor, and that held locally by the Tollemache family. Tollemache ownership in the vicinity predated the present building, and the 'Old Hall' of the thirteenth and fourteenth centuries remains to the North. This was the principal seat of the Tollemache family until they moved to the present Hall. The Tollemache family moved their principal seat to Helmingham Hall in 1510, and therefore Bentley Hall was the main residence of the family for a likely period of around a century, before becoming an important secondary familial residence. It shows, as will be seen, considerable evidence of later updating and redevelopment, from the sixteenth century onwards, which captures the

second phase in the Hall's life as a 'secondary' seat, and residence for other members of the family, beyond the principal Baronets. The 'new' Hall's original phase of construction and redevelopment, and relationship with the contemporary Meeting House and slightly later Barn, record a particularly important phase in the evolving status of the Hall, and Tollemache landownership and status, within Bentley.

- 5.26 The *Hall* has a U-shaped plan, expressed in its roof as a 'half-H', the building incorporated brick and timber-framing (with herringbone nogging; the use of the herringbone pattern is consistent across the three buildings), below a plain tiled roof. The majority of the central and western portion of the building appears to be of the 15th or 16th century, with the eastern wing being a late eighteenth or early nineteenth-century reconstruction or addition, its Georgian architecture standing in contrast to the remainder of the structure. The northern frontage of the central wing is jettied and contains timber work recorded as showing the date 1582; this is also the presumed construction date of the Barn, suggesting a comprehensive refurbishment programme during this period. The list description records the interior as retaining a number of features from the sixteenth to the eighteenth centuries, including fireplaces, Screens passage, timber panelling and flooring.
- 5.27 The *Meeting Hall Stables*, which seem to have held a number of uses over time (now expressed in its layered name), is a two-storeyed building to the south of Bentley Hall, predominantly brick at ground floor level, with a timber-framed first floor and large hipped, plain tiled roof above. Internally the building is largely open to the roof, with some floors inserted at either end, apparently reasonably recently in the building's history.
- 5.28 The *Barn*, directly associated with the manor and its agricultural function, has been dated to the 1580s, and is regarded to be one of the finest remaining Tudor barns in the country. It is almost certainly the longest and gives a sense of the relative importance and wealth of the Tollemache family, and of Bentley as a possession within their wider landholdings, at this time. The barn is not dissimilar in scale (92% of the length and 65% of the width) of Harmondsworth Great Barn, the largest barn ever recorded as having been built in the British Isles. Most of the surviving barns of this scale in the United Kingdom are medieval, and associated with monastic or high-status manorial possessions, so the Barn is certainly a striking relic of the Tollemache estate and its status in the Elizabethan period. The building is predominantly timber-framed with surviving brick nogging, and internally the frame is expressed and can be viewed (I have not been in the building but have seen photographs). It incorporates a first floor chamber with mullioned windows, which may have been used as a court room or other functional space for the manor.

Contribution of Setting to Significance

- 5.29 The three buildings are closely interlinked and can be read and understood as a group despite the sense of separation that exists between the Hall and Meeting House cluster and the Barn, as a result of the road that runs between them. The Hall and Meeting House sit within a sizeable, landscaped garden, which also includes a fishpond, woodland, and some more recent ancillary buildings. The immediate interrelationship of these three buildings, and their interaction with the designed landscape that surrounds them, plays a particularly strong role in expressing their significance and allowing it to be legible.
- 5.30 There is a relationship too between the Hall cluster and the nearby Church, a classic interaction between principal landowner and church, and representative of local governance, and the spiritual and administrative functionality of the Church. Manorial clusters such as this are a common feature of English villages, particularly retaining legibility in East Anglia, and the age and proximity of these features, and their place within the Parish, adds to an appreciation of their significance.
- 5.31 Their wider setting though, remains legible, and the connection between the wider landscape and this cluster, an important residence manor of a major Suffolk family, is expressed through the scale of the Barn. This is an agricultural building that provides clear evidence of the scale of the agricultural landholdings that the family held, directly or through vassals, at the time; it is not just a building of status, but a practical storage and processing building, which would have been carefully placed and constructed so as to respond to the needs of the estate. This cluster also has a relationship with other built and landscape features within the Parish, as identified within the Bentley Conservation Area Appraisal. These include the Old Hall, the Tollemache seat from approximately 1250 to possibly 1510 and the construction of Helmingham Hall, and the agricultural land and ancient woodland throughout the Parish which has gradually passed out of Tollemache ownership (while remaining, for a long period of time, under the same ownership as the Hall), but which record the scale and functionality of the estate from the 16th to the 19th centuries. Today, the Bentley Hall Farm estate is shown as owning 141.7 hectares of land to the north and east of the Hall.

Role of Site within Setting

- 5.32 As noted above in relation to the Church, the Site sits flanking an important route into the core of Bentley and plays a significant role in one's experience of the approach to the Bentley Hall cluster from the south. It sits around 300m to the south of these assets, and there is no direct intervisibility between the two. The Appeal Scheme will not be visible from these assets, nor will the Scheme appear in views towards the cluster of assets.

- 5.33 As noted within Section 2, the Site formed part of lands which are understood to have been held by Dodnash Priory in the medieval period, and which passed into the ownership of the Tollemache Family at Bentley Hall in the 1530s following the Dissolution. There is a discernible pattern of the Hall and the Site falling within the same ownership, passing from the Tollemaches to the Meadows in 1662, and then on the Deane family, when the conjoined ownership became severed, in, most likely, the 1780s.
- 5.34 The Site therefore forms part of the estate associated with the Bentley Hall cluster, set 300m from the cluster itself. The evidence suggests that it therefore forms part of a core agricultural estate associated with the Hall during the Early Modern period through to the nineteenth century. It contributes to the significance of these highly graded buildings by providing a significant chunk of the functional setting of the manor, providing an appreciation, legible through the interaction of archival evidence with the physical form of the environment, of how the estate functioned and evolved during this period. There are clear historic social and economic connections between the Site and these assets, and while there may not be any direct visual interrelationship, the Site still plainly contributes to an understanding of the Hall and its associated assets through its role within the wider historic estate; the relationship between the two can also be experienced kinetically, these lands remaining in the memory as one moves up Church Road towards the cluster.
- 5.35 I conclude therefore that there is a legible historic functional relationship, but no direct visual connection between the Site and these assets, and I conclude that the Site does make a contribution towards the significance of the Bentley Hall cluster's listed buildings, but that this is, on balance, relatively low. This contribution, to summarise, is primarily related to two factors; the wider historic relationship between the Bentley Hall cluster and the land within the Site, as a close part of the agricultural landholdings associated with the Hall; and, because of the role it plays, in my view, in one's experience of the cluster, as part of the open, agricultural manorial lands passed through as one moves north to the Hall.

Maltings House (Grade II, NHLE: 1351929)

Significance

- 5.36 Maltings House (see Appendix A1.4) is a sixteenth century house, timber framed and plastered under a plain-tiled roof, and with a T-shaped plan, with a significant centrally placed chimney stack and a significant external chimney stack on its northern end. It is a house of a reasonable size and status, reflecting its likely role as a yeoman farmhouse associated with reasonable landholdings. The building's significance is derived in part

from its historic and archaeological interest, capturing as it does a form of house that developed during the early-modern period as a farmhouse for a relatively well-off agricultural family. It provides a sense of how this area developed during this period through scattered, but sizeable farmsteads and isolated farmhouses. It also derives significance from its architectural interest, from the quality and aesthetically pleasing nature of its built form.

Contribution of Setting to Significance

- 5.37 Maltings House sits within an open setting to the west of the railway line, with the land falling away to its west, but in an area where otherwise, the landscape is more open, and less enclosed by hedgerows and tree planting, than is often the case elsewhere within Bentley. It becomes visible from the road from beyond the railway bridge to the northwest in winter (and indeed, is visible in longer views from the northwest, towards Old Hall Lane) and remains highly visible in summer. It is appreciated and read as a rendered and painted building of some age and status across a considerable distance. Its functional relationship with this wider landscape is more tightly defined, however, and in its current form, it has a particularly clear immediate relationship with its residential curtilage. It is nonetheless read with the surrounding agricultural landscape and had a historic functional relationship with the land between it and the railway line to the west at the time of the Tithe Map (1840) (figure 4).
- 5.38 As a building with a purpose and function linked to agriculture, which has sat within this landscape for some time, its broader agricultural setting contributes towards significance by allowing long views of the asset which permit a reading of its architecture and age, and by allowing it to be understood as a relatively isolated feature, reflective of a parish made up historically of scattered farmsteads. The land to the west towards the railway line, as previously part of its ownership at the time of the Tithe Map, forms a particularly important part of its wider agricultural setting.
- 5.39 I would note that there is some appreciation of electricity infrastructure within the vicinity, in the form of a single power line running alongside the railway line from north to south, and a further, smaller-scale wireline, which sits to the south. There are other structures and features associated with the railway visible along the railway line itself.

Role of Site within Setting

- 5.40 The Site largely sits to the west of the railway line and has a limited visual relationship with the asset. It is also not historically or functionally connected to the Site through a legible relationship of ownership. Nonetheless, there is a visual relationship with the railway corridor and the wooded and agricultural landscape that flanks it, with this land forming part of the backdrop to views of the asset from Church Road, and with a large

part of it having been the functional setting of the house in the 19th century. Accordingly, this area does contribute towards the significance of the heritage asset, forming part of the wider landscape in which the asset is read, and appearing as a backdrop to views of its principal façade.

Bentley Conservation Area

Character, Appearance and Significance

5.41 The Bentley Conservation Area was designated in April 2025. The Conservation Area Appraisal and Management Plan (CAAMP) was adopted in November 2025, following on from a draft that was consulted upon between Friday 13 December 2024 and Friday 21 February 2025. The CAAMP provides a detailed summary of the significance, character and appearance of the Conservation Area. Within Babergh, Conservation Area Appraisals and Management Plans are identified as being non-statutory Supplementary Planning Documents. As above, it was subject to a lengthy period of consultation, and in its final adopted form, appears, in my view, to be a robust and well-considered response to comments, having evolved and emerged since the Consultation period. The Consultation process that was undertaken, a single consultation period (extended to provide sufficient time for responses, and ultimately covering a 9 week period) followed by an updated CAAMP, reflects my experience of standard consultation practice, and appears consistent, in my view, with the approach set out in Historic England's *Conservation Area Appraisal, Designation and Management* (HEA1, 2nd Edition, 2019), and Section 71 (1) and (2) of the 1990 Planning (Listed Buildings and Conservation Areas) Act. Accordingly, I am of the view that the CAAMP should be afforded considerable weight as a material planning consideration.

5.42 The CAAMP states that *"the special interest of the Bentley Conservation Area is predominantly derived from its ancient manorial structure and its associated connection with the Tollemache family who consolidated four manors at Bentley in the 16th century, enlarging an estate which they had held since 1200."* The CAAMP identifies the following key features of interest:

- the historic core, centred around the grade II* listed church;
- open fields and manorial land dispersed farmsteads;
- ancient woodland;
- high quantum of highly graded manor houses and high-status houses, largely set in their historic settings;

- modest railway interventions that have resulted in attractive publicly accessible routes, bridges and cottages that speak of a lost link to the age of steam;
- the ancient tracery of footpaths that criss-cross the conservation area as once vital rural movement corridors in an age before mass mobility;
- the ability to experience the sights and sounds of an ancient historic environment, where modernity has had the gentlest of touches.

5.43 I would concur with this general approach to the special interest and significance of the Conservation Area. It is a large area, focused on a central cluster of listed and unlisted buildings, and focused on the Church, but extending to include a number of additional manorial and agricultural buildings (such as Old Hall to the north; Bentley Manor and Hubbard's Hall Farm to the east; the Maltings cluster to the south-east; and Falstaff Manor to the south). It ties together a well-defined area around the historic core, largely framed by ancient woodlands which fell within the ownership of the Tollemache family for a number of centuries. Its history and development, as outlined above, is closely tied to the Tollemache family, but is of particular interest for the interweaving of the different manorial interests, with remnant historic buildings and landscape features that reflect this deep history.

Contribution of the Site to Character, Appearance and Significance

5.44 The Site forms around 7.9% of the total area of the Conservation Area, constituting the balance of the open agricultural land south of the Church and lane to Church Farm. The Site consists of open farmland, identified within the CAAMP as being 'Manorial Farmland' typical of the sort of open agricultural land, framed (particularly in the case of the larger western parcel) by ancient woodland, which frames long views across it. As has been outlined above, the Site passed through various ownerships, connected to Bentley Hall for around 250 years, and remaining continually connected to the Church until 1897, as the glebe lands and tithe responsibilities appear to have remained with the Ruck-Keene family until his date. There have been changes to its internal form, through loss of hedgerows, but it retains enough of its form and character, as a piece of open agricultural land backed by views of surrounding estate woodland, to make a strong contribution to the character and appearance of the Conservation Area as a core piece of manorial land.

5.45 The Site is fringed by publicly accessible routes, and appears in views, as follows: from the Pond Hall Lane bridleway to the west (see Appendices A1.13 and A1.14 in terms of the form in winter; open views within gaps remain in summer), Potash Lane to the south (see A1.5-A1.8 (Summer), and A1.15 and A1.16 (Winter), and Church Road to the east

(Western Parcel) (A1.9-A1.10, A1.12 and A1.17-A1.18, A1.20-A1.22) and ; and Church Road to the west (Eastern Parcel) (A1.11 and A1.19). While not currently publicly accessible, the private lane to Church Farm also fringes the northern part of the western parcel. Of the views identified within the CAAMP, views 1-3 and 5-8 look over the Western Parcel. I would add that there are also occasional glimpsed views over the Eastern Parcel from Church Road, and that both of these parcels contribute towards experiences of moving along Church Road from the southern boundary of the Conservation Area into the historic core around the Church. They allow a reading of an open, agricultural parcel, typical of the manorial farmland within the Conservation Area, and contributory towards the Area's character accordingly in its appearance, openness and relative quietude.

- 5.46 As noted above, the western parcel in particular also provides seasonal views of the Church of St Mary, from Potash Lane, and as part of the journey along Church Road, from the verge. It also, as has been mentioned above, provides views of a handful of Non-Designated Heritage Assets, and provides visibility of these within the Conservation Area. These include Grove Farm and Church Farm, Red Cottages and Potash Cottages.
- 5.47 The Site is also bounded to the east by the railway line, which provides a strong boundary, and conceals it to a large extent from views from the eastern part of the Conservation Area.

Non-Designated Heritage Assets: Significance and Setting

Falstaff Manor

- 5.48 Falstaff Manor is understood to contain a medieval core within its primarily nineteenth century exterior. It is a manorial property with a relationship with the wider landscape, its existence and function being tied closely to the agricultural landscape that surrounds it. There are records of a Falstaff Manor within Domesday, it is understood, and it is clear that the manorial possession (if not the precise location) has existed for a very long period of time. The existence of a medieval core to the building implies that the building has been in this location for at least 600 years, and it is unusual for manorial locations to move (albeit that clearly, this is what appeared to happen to the Manor of Bentley) so this location may well have a consistent history in terms of possession and occupation running back to at least the 1080s.
- 5.49 As noted above, there are various records of the Manor throughout the medieval and early modern period, before it was acquired by Sir Philip Meadow in 1662 as part of their wider landownership across Bentley which included Bentley Hall and Dodnash

Manor. The Site is then shown to be in the continued shared ownership with Falstaff Manor until the 20th century, passing through the Meadows lineage until 1897. In later years, it is understood that the building and surrounding farm produced milk for the Co-Operative Dairy, and a large milking shed and cattle barn sits to the north of the Manor, along other, largely twentieth-century farm buildings. It was certainly the centre of a large agricultural estate at this time; Appendix 12 of the CAAMP records that in 1910 it was associated with 291 acres (117 hectares) of land. The Land Registry records an area of just under 95 hectares associated with Falstaff Manor, incorporating the Site, and further land south of Potash Lane and north of the southern, modern portion of Bentley.

- 5.50 The building's current appearance, as noted above, is predominantly related to its eighteenth and nineteenth century phases. It is a T-shaped plan, with a taller north-south oriented wing at its eastern end, and a lower, longer cross-wing running east to west. Of red brick, under a plain tiled roof, it has stone dressed window and door architraves, reflective of a 'Victorianised' Georgian form.
- 5.51 The Manor's **setting** consists of a relatively confined immediate setting and cannot easily be perceived from the public realm, and a wider rural setting. It is associated with a surrounding farmstead, including some ancillary brick agricultural buildings and the aforementioned functional accommodation for cattle and milking shed. The building is legible from Church Road and from the public footpath to the south (which appears to have migrated south away from its definitive routing) in winter, but always in a glimpsed form. It is read with its farm buildings, and clearly has a relationship with the surrounding landscape, some of which formed the Manor's productive landscape.
- 5.52 Falstaff Manor has historic and architectural significance as a building with an apparently medieval core, and its important role as a manorial property with a deep history running back possibly as far back as Domesday. The building as it stands today also has some architectural interest, as a Georgian and Victorian farmhouse of some architectural pretensions, and some Georgian and Neo-Elizabethan proportions and detailing. Its immediate setting is well-defined and characterised by the presence of some large and somewhat intrusive farm buildings, which nonetheless reinforce the agricultural nature of the assets' history. As a manorial entity in its own right, later subsumed by the Tollamache and then Meadows' family land assemblages, it has a broad connection to the surrounding landscape. In my view, Falstaff Manor is a Non-Designated Heritage Asset with a significance towards the upper end of the range.

Grove Farm

- 5.53 Grove Farm is shown on the 1838 Tithe Map and also appears (as the location for a farmstead) on the 1805 'Mudge' map (figure 2), but not on the 1796 Verron Map (figure 1), and therefore appears to be the built form that remains from a farmstead that stood in this location since the turn of the nineteenth century. Its architectural form appears to suggest that much of its built form dates to the early nineteenth century; this in turn is reflected on the Tithe Map, which records a layout that implies that the farmhouse, and its north and west-running ranges likely pre-date the Tithe Map. It incorporates a brick farmhouse (part painted), barn and outbuildings, arranged around a courtyard to the south of Potash Lane. The farmstead is well-defined, as while the courtyard arrangement is generally 'loose' in form, it nonetheless is very legible as a well-defined, functional farmstead.
- 5.54 In terms of Grove Farm's **setting**, there are large modern sheds to the west and northwest, which while connected to the historic use of the farmstead, are nonetheless visually intrusive into the setting of the asset. Nonetheless, the farm still sits within an agricultural landscape, possessing a well-defined group form that is read within the context of an open agricultural landscape. This includes the Site, which sits to the north and northeast. There are open views across this land to and from the asset, as well as to the south, although views here appear to be more contained.
- 5.55 As a late eighteenth century farmstead, with an appreciable historic form, the building has is of some significance as a non-designated heritage asset, in the upper half of the range.

Church Farm

- 5.56 Church Farm is a post-1838 farmstead, consisting of a largely 19th century, L-shaped house and further outbuildings, apparently also of the nineteenth century. The farmhouse appears to have experienced a good deal of modernisation but remains legible as a historic farmhouse of some age, and sits within a legible wider setting with its outbuildings and wider landscape. It possesses significance of a farmstead of the mid-nineteenth century, recording the gradual introduction of smaller farms into the manorial lands during this period, as the larger estates being increasingly tenanted, rather than directly farmed by larger manorial estates.
- 5.57 In setting terms, the building is appreciated within an agricultural landscape, incorporating, close to, some agricultural land which was directly farmed. It is experienced within an open agricultural landscape, visible from the north (particularly from the railway line) and south, from Potash Lane and Church Road. It has a private access, which runs along the southern boundary of the churchyard, and is experienced

in the context of this access, too. This setting provides legibility of the asset within its primarily agricultural setting.

Red Cottages and Potash Cottages

5.58 These buildings comprise two runs of brick-built terraced cottages of the 19th century, the former apparently named for the strident colour of its bricks upon construction. There is a suggestion in the Historic Environment Record (HER) that they may have been associated with Falstaff Manor, presumably as accommodation for agricultural labourers or estate workers. Potash Cottages are said to contain a dated brick of 1818 in a fireplace, suggesting it may date to at least the 1810s, and the Mudge Map of 1805 records a 'Potash Farm' which appears to be consistent with the location the building, possibly pushing its construction back to around 1800. Both properties are clearly marked on the 1838 Tithe Map and were therefore in place by this date.

5.59 As with Church Farm, they record a later phase in the development of the Parish, as visible evidence of occupation increased, land became more subdivided after enclosure, and smaller properties, for labourers and tenant farmers, began to appear across the Parish. While altered over time, both properties are legibly early nineteenth century, and, viewed within the agricultural landscape they served, are appreciated for their historic and architectural significance. In **setting** terms, they are appreciated in the context of Potash Lane's scattered nineteenth century development, and the surrounding agricultural landscape, which provides an open setting, and views towards these assets from the north and south.

Bentley House and Glebe House

5.60 These assets stand close together with Little House and form a cluster arrangement around St Mary's Church. Bentley House, formerly Bentley Church House, was a historic manor associated directly with Church lands historically, and is alleged to have a medieval core, within its broadly 18th and 19th century exterior. It has acted, in the past, as the rectory for St Mary's Church. It can be clearly read on the Tithe Map, and is marked on the 1805 Mudge Map (although its form is not readily discernible). It would appear that some changes have taken place to its form since the 1838 Tithe Map (Figures 3 and 4).

5.61 Glebe House may pre-date the Tithe Map, but appears to be largely of the nineteenth century, and possibly relates to Bentley House or the associated estate of the Ruck-Keenes, being a small worker's cottage which has nonetheless been built with a formality to the design of its southern façade that it resembles an 'estate' building.

- 5.62 Both buildings hold a degree of significance as historic dwellings situated in proximity to the church and associated with wider manorial landholdings, or their operation. A degree of architectural interest is found in the buildings, in the case of Bentley House, through its legible palimpsest, showing its development over time; and in the case of Glebe Cottage, as a pleasing example of modest but well-designed nineteenth century rural housing.
- 5.63 In setting terms, the asset is appreciated as part of the cluster of historic houses experienced with and to the north of St Marys' Church and the associated churchyard, with vegetation providing a more defined immediate setting amongst the NDHAs. The wider setting is informed by the surrounding agricultural landscape with views towards the churchyard and associated Tower of St Mary's Church.

Assessment of Effects on Heritage Significance

Church of St Mary's (Grade II*, NHLE: 1193823)

- 5.64 The proposed development would result in the land to the south of St Mary's Church, from the southeast to the southwest, being changed from an open agricultural land to a solar development, with a character which would stand in strong contrast to the current character, with regimented, modern, manufactured elements of up to three metres in height. The scheme would incorporate areas left open, so some portions of the land, including some land south of the Church, would not change. Some additional hedgerows (not on the route of historic hedgerows) would provide additional levels of screening, potentially, in some directions. The change would persist for the lifespan of the development. The panels would cover much of the open agricultural land to either side of Church Road, with panels of up to 3m in height. Year-round views of the development from the eastern part of Potash Lane, and Church Road's verge, as well as from within the Site, would be possible (with screening not serving to create a situation where the development was 'invisible').
- 5.65 As such, there would be a significant change in how the land close to the Church appears and would be appreciated, and effects on the kinetic experience of moving to and from the Church along Church Road. The change in character would result in a feature of an modern, regimented and manufactured character being read with and alongside the Church in kinetic experiences along Church Road, reducing one's experience of the quiet, relatively secluded character of the Church's setting.
- 5.66 The existing winter views from the Church looking south over the site would see their character changed. The scheme proposes to leave an area of open space at the northern part of the field open, and to introduce a hedgerow at the northern extent of

the solar installation. My view, looking at the photographs, and the scheme is that there will be a clear appreciation of the enclosure of the landscape, and an ability to see and appreciate solar panels. The entirety of the site is visible, with houses along Potash Lane appearing within these glimpsed views. The land also appears to gently but appreciably rise across the visible part of the site. Additionally, the part of the field closest to the Church remains screened in the current view, as a result of the hedging that runs along the lane to Church Farm. The development would therefore appear, filtered by hedgerow (in winter leaf, given that this is a winter view), with panels visible beyond.

- 5.67 This is a filtered view below the trees, as noted above, but it is also one which is eye-catching in its current form because of the way in which it opens views to the wider landscape, in contrast to the otherwise well-enclosed context. The Appeal scheme would result in this appreciation of the wider landscape being reduced, and the solar installation would be immediately appreciable in views to and from the Church and from the principal south door. It would have the effect of causing some erosion of the quiet, rural experience of the immediate setting of the Church, and introducing visible infrastructure of an modern and manufactured character into the setting. This would, in turn, erode the experience of the Church as a rural church set within a scattered, open, landscape.
- 5.68 Given the height of these panels, and their relative proximity to viewpoints, views of the Church would also be lost, in particular from Potash Lane and Church Road. As identified above, these are the only locations where the Church's tower (which, with its decorative flushwork, was clearly intended to be seen) is visible within its wider landscape, and this interrelationship, this experience of the Church within the context of agricultural manorial land, would be lost. The existence of footpaths to the south, towards Bentley Grove, and the likelihood that the footpath across the Site was a route that carried parishioners, within this scattered parish, to the Church, underlines the importance of the Potash Lane views in particular to the significance of the asset. These views do vary in their openness, due to tree planting around the Church, but remain present, if varied, throughout the year.
- 5.69 The change in character which would emerge to the land south of the Church, on land which was sufficiently associated with this asset to be partially named as 'Church Field' in the Tithe Map would have a notable effect on its significance. Static and kinetic visual experiences of the Church would be harmed, as would appreciations of the Church within its wider landscape and immediate setting (seasonally), and in relation to historic movement patterns within the Parish. I accordingly reach the view that these effects,

considered together, would result in less than substantial harm in the middle of the spectrum to the Church's significance.

Bentley Hall (Grade II*, NHLE: 1351964); Bentley Hall Barn (Grade I, NHLE: 1351965); and Meeting Hall Stables, Bentley Hall, Approximately 30 Metres South of Bentley Hall (Grade II*, NHLE: 1033423)

5.70 There would not be any direct intervisibility between these assets and the proposed development, and their immediate settings would not change. It would remain the case that the three buildings could be read together and understood as part of an important and highly graded cluster of manorial buildings. They would also be read with open landscape to the north, running up towards Old Hall, and the ancient woodland beyond.

5.71 The effect of the development would be primarily on one's kinetic experience of these assets, moving through the wider manorial lands historically associated with the Hall. The Site is, as set out above, a piece of land with a long-running connection to these listed buildings through ownership, a social and economic connection of some consequence as part of the wider manorial estate. It is sufficiently close that one is able to experience it in conjunction with these assets, when moving through the parish. The regimented and modernised form of the Site as proposed, and the greater sense of enclosure to Church Road, would change one's experience of the asset's wider setting, and would reduce appreciations of the well-preserved structure and character of its historic landholdings by removing the open, agricultural character of the Site. Given that there is a demonstrable connection in ownership and function between the cluster and this land (and given also that the scale and importance of the Barn records the connection between the Tollemache's lands and the Hall complex), this harm would be material in my view.

5.72 Accordingly, I take the view that the effect of the proposed development on heritage significance would, for all of the assets within this cluster, be in the lower reaches of the less than substantial harm spectrum. Because of Bentley Hall's role as the 'HQ' of the manor, its relationship with the wider landscape is stronger than the Barn as an ancillary building (the Meeting Hall Stables are read with the Hall as a close-coupled complex, so share an effect with the Hall). I am therefore of the view that 'lower end' less than substantial harm arises to Bentley Hall and Meeting House Stables, and that 'bottom end' less than substantial harm arises to Bentley Hall Barn.

Maltings House (Grade II, NHLE: 1351929)

5.73 It would not appear, from my experience of this asset within its setting, that the Appeal Scheme would be visible from this asset. The ZTV contained within the Landscape and Visual Impact Assessment submitted with the application (Appendix B, Part 1 (CD A5),

Figure 2), implies that this may be the case, but I view this as unlikely in real terms. More directly, the proposed development would result in the introduction of a transformer and associated compound on the eastern side of the development, close to the railway line, as well as the creation of a new road running south from Church Road, to the east of the railway bridge, to provide access to the transformer compound. The transformer compound would consist of transformer which would 3.9m tall and 6.2m wide, with a 3m tall palisade fence, and screened by a woodland belt which links in with the woodland to the south. I note also that the access track running down from Church Road to the Transformer Compound (shown on drawing number 3223-01-11) incorporates 2m tall fencing flanking the route, along with occasional CCTV structure. This would appear to have the potential to be visible from the vicinity of Maltings House; I note that this would run along a line beyond the existing power line which sits to the west of Maltings House.

- 5.74 It isn't straightforward from the submitted application to get a full understanding of the likely nature of the scheme's effect on Maltings House. This is not a criticism of the application, I should note, but it is difficult to appreciate the likely appearance of the Transformer and associated infrastructure, as well as the proposed screening. I acknowledge too that Maltings House is experienced in the context of existing electricity infrastructure, with a high-voltage power line running to the west, close to the proposed service road, but closer to the asset.
- 5.75 I have reached the view, based on my reading of the information available, that there would be some effect on Maltings House, arising through the introduction of further modern electricity infrastructure into the landscape to its west, and thus appearing in views of the asset's principal façade. The appearance of additional modern development of a utilitarian character within views of the façade will detract from appreciation of the asset as a rural, vernacular building, further detracting from the overall sense of a farmhouse set within an associated agricultural landscape, and intruding into appreciations of its historic and architectural interest. A cumulative effect arises, distracting from appreciations of the asset's relationship with the agricultural land to the west, and its generally quiet, rural setting. The effect would be low, overall, and I conclude that the Appeal scheme would result in less than substantial harm at the bottom end of the spectrum to its significance.

Bentley Conservation Area

- 5.76 The Appeal Scheme, as noted above, would cover 7.9% of the Conservation Area, and would result in a sizeable portion of the Conservation Area, currently identified as Manorial Farmland in the CAAMP, being turned over from open agricultural land, undeveloped for its entire history, to a use with a modern, manufactured character

distinctly at odds with the existing character of the site and its surroundings. Given that the land is *within* the Conservation Area, this change would result in a direct change to the character of a significant section of the Conservation Area directly. In terms of wider experiences, mitigations are included within the scheme, but this change in character would, in my view, be appreciable from Pond Hall Lane, Potash Lane and Church Road. The entirety of the land within the Site would experience a change in its character and form, and this would accordingly change the experienced character of a significant part of the Conservation Area. The scale and nature of the development would, in relation of a Conservation Area of a rural character, result in a significant harmful change.

5.77 The visual impact would be significant. The scheme would result in the loss or significant curtailment of Views 2, 7 and 8 identified within the CAAMP (given the proximity of 3m tall panels to viewers from Potash Lane and Pond Hall Lane), View 1 would be wholly lost to additional screening, while the nature of views 3, 5 and 6 (which would incorporate foreground open land, but would heavily foreshortened, and have the potential to include, seasonally, some visibility of panels) would change significantly. The openness, and the sense of the manorial landscape appreciated in relation to historic woodland and built form, would be lost. Views west from Church Road would also be significantly affected, with appreciations of the openness of the space being lost.

5.78 I appreciate that the Appellants are seeking to use screening to reduce views of the solar panels, and I have reviewed the Photomontages within the submitted Landscape and Visual Impact Assessment (CD A6). The extent of screening would clearly vary over time, becoming denser by Year 10. The obscuration of panels would reduce appreciations of the significant change in character within the Site, but it would not entirely remove the panels from view; Figures 11c(v) and 11c(vi), for example, demonstrate that panels would be visible at Year 10 from Church Road (CD A6). Kinetically, they may also be perceptible through hedges on routes adjacent to the site. In addition, this screening would be, in view, harmful in and of itself, through its enclosure of Church Road, as an important route within the Conservation Area. I note that paragraph 40 of The Setting Heritage Assets (CD F3) states that,

Where attributes of a development affecting setting may cause some harm to significance and cannot be adjusted, screening may have a part to play in reducing harm. As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design.

- 5.79 That 'screening may have as intrusive an effect on the setting as the development it seeks to mitigate' is true because while planted screening may appear to be softer than, for example, a solar development, if the significant feature of a view is its *openness*, that loss of openness, however it is achieved, can be harmful. Such is the case here. While the proposed planting along Church Road would help to screen the solar panels from view (and highly visible solar infrastructure either side of the road would undoubtedly be harmful), the tightly set trees and additional planting would create an enclosed feel to the Lane. This would result in the loss of views of open countryside, and a loss of the kinetic sense of moving from open manorial farmland into the more enclosed historic core of Bentley. Given the importance of this route, and the extent to which it captures one of the key interlinking experiences of the Conservation Area (open agricultural land, woodland, and clusters of built form), the change that would be rendered to Church Road would undoubtedly be harmful to the character and appearance of the Conservation Area.
- 5.80 These physical and visual effects would inevitably result in harm to appreciations of the significance of the Conservation Area, removing a significant area of manorial farmland that was associated with heritage assets in the vicinity. The sense of the functional interaction between the land within the Site and the Estate headquarter buildings it has been associated with historically would be eroded. Accordingly, the effect of the scheme would arise to a large section of the Conservation Area and would encompass effects to 'key features of interest' identified within the adopted CAAMP (CD F1, page 6). In particular, the following identified key features would be impacted:
- *"The Historic core, centred around the Grade II* listed Church"*: I have identified effects on the significance of the Church, and experiences of this significance. The site sits immediately south of the Church and core, and incorporates wider views of, and routes to the core and the Church.
 - *"Open fields and manorial lands dispersed (sic)"*: The site would see the development of manorial lands, which have been shown to relate to the Tollemache family's holdings from the 16th century, obscuring their 'open' form.
 - *"Farmsteads"*: The scheme would result in a loss of views to farmsteads set in the southern part of the area, and a reduction in the ability of visitors to appreciate these as historic features which form part of the structure and character of the Conservation Area.
 - *"The ability to experience the sights and sounds of an ancient historic environment, where modernity has had the gentlest of touches"*: There are, of

course, elements of modernity within the Conservation Area, but I share the view of the CAAMP that this is a landscape with a readily apparent time-depth, and where historic features can be appreciated in the context of a mosaic of built and landscape forms that does not feel intrusively modernised. Inevitably, the introduction of a large-scale piece of infrastructure (noting screening and mitigation) would cause harm to this aspect of the Conservation Area's character.

- It would also result in harmful effects to a '*highly graded manor house*' as set out above, and on experiences of the '*ancient tracery of footpaths*' and '*ancient woodland*' (particularly views of Engry Wood).

5.81 There are mitigations built into the scheme, which I have regard to, noting the screening that is integrated, and the areas of open space to the edge of the development, particularly to the north and south, bounded by hedging. These are definably *mitigations*, however, and the scheme does not contain any features that generate heritage benefits. It is additionally my view that some of the mitigatory measures, most notably the additional tree planting along Church Road, do not serve in principle to reduce the harm caused by the development. While in aesthetic terms the presence of soft green planting might be more contextual than visible solar panels, the enclosure of the Lane, and loss of views over open agricultural countryside, remains harmful.

5.82 Overall, I am of the view that the Appeal Scheme would result in less than substantial harm to the Conservation Area, at the upper end of the scale. I reach this view, in terms of the scale of the effect, because of the following key factors:

- The extent of the development spatially, and therefore the extent of the Conservation Area which would experience direct, harmful change, would be significant, creating in principle a degree of harm which is clearly considerable;
- The Appeal Scheme would also be appreciable from a number of key routes, and would accordingly have a pervasive effect on public experiences of the Conservation Area, impacting kinetic experiences on Church Road, Pond Hall Lane and Potash Lane. This results in significant effects on views, including 8 of the 36 key views identified within the CAAMP.
- Because of the proximity of the scheme to key kinetic routes moving through the Area, the memory of the project would be carried with the viewer, and the influence of the scheme would accordingly spread beyond its immediate viewshed;

- Finally, the scheme would have a direct and notable effect on a number of elements identified as ‘key features of historic interest’ identified within the CAAMP, including a large area of ‘open fields and manorial land [with] dispersed farmsteads’; views of, and land adjacent to, the ‘historic core’ and ‘ancient woodland’; experience of, as identified above, ‘highly graded houses and high-status houses’ (Bentley Hall and its associated Cluster); and on the character and feel of the Conservation Area, the identified ‘ability to experience the sights and sounds of an ancient historic environment, where modernity has had the gentlest of touches’.

Non-Designated Heritage Assets

5.83 The Non-Designated Heritage Assets identified at paragraphs 4.46-4.55 of this Proof of Evidence all sit immediately adjacent to the Site and possess a direct visual relationship with it. All of the buildings are connected to the historic presence of agriculture, with four of them (Falstaff Manor, Grove Farm, Church Farm and Potash Cottages (previously Potash Farm) being directly connected to the management and farming of surrounding land. The development would result in land within their immediate vicinity being changed in its character from being open and agricultural, to being occupied by a solar installation, which would be appreciable in views, particularly in winter.

5.84 With the exception of the more secluded Falstaff Manor, all of these assets would have direct, close intervisibility with the development. Views to and from Grove Farm, Church Farm, Red and Potash Cottages would be impeded, with some being lost, and others being fundamentally changed in character. Falstaff Manor’s relationship of land ownership with the Site (now and historically) would result in an effect on one’s appreciation of its setting within a wider agricultural setting, and while there would be no direct intervisibility, would undoubtedly impact upon experiences of its significance.

5.85 I am accordingly of the view that the effect on these assets would be stark, changing the immediate nature of their settings, and impacting experiences of them as agricultural buildings set within a relatively unchanged productive landscape. Paragraph 216 requires consideration of the ‘scale of any harm’ arising to non-designated heritage assets. I would summarise my conclusions on effect to these non-designated heritage assets as follows:

- *Grove Farm:* The development would be visible in views to the north and northeast, particularly in winter, although with a well-sized buffer, and would occlude views that exist from Church Road in particular, and would include views from Potash Lane. Experiences of the asset would be impacted by the presence

of solar development. Having regard to mitigations, my view is that the effect would be in the middle to upper part of the range.

- *Church Farm*: The Farm would be obscured in views from Potash Lane and Church Road. It would also experience a considerable change in views south from the farm; while there is a buffer provided in the northeast corner of the western parcel, the proximity of the development would be readily apparent. While its setting further north would be unchanged, along with views from the railway line, I am of the view that the effect would be in the middle of the range.
- *Red Cottages and Potash Cottages*: Experiences of these assets from Potash Lane would be impacted by the presence of solar development north of Potash Lane. Seasonally, the development would be visible from the assets themselves and their curtilages. Given their connection to the wider rural landscape, I am of the view that the effect would be in the middle of the range, having regard to the mitigation proposed.
- *Falstaff Manor*: The immediate setting of this asset is enclosed and associated with modern agricultural buildings. Views to and from the asset would not be immediately impacted, it would appear, by the proposed development. Nonetheless, the asset would be closely associated with solar development on two sides of its immediate curtilage, and where the building is appreciated from the public realm, from the south and west, there would be considerable sense of the presence of solar development. I accordingly reach the view that the effect would be in the middle of the range.
- *Bentley House and Glebe Cottage*: These assets sit adjacent to one another in a largely shared setting, and I consider them here together. The immediate setting of this asset is enclosed and informed by the proximity of further NDHA and St Mary's Church. It is well defined, and wider views are filtered by the vegetation which stands in the churchyard, and to the south by the Church itself. The Proposed Development would stand within proximity to the assets and in an area of the wider rural setting of the asset. The presence of solar development within the wider setting would alter the appreciation of the asset's historical rurality, and would change experiences approaching the asset alongside Church Road. However, given the limited visual and historic connection between the site and the asset, I reach the view that the Development would result in a harmful effect to significance at the bottom end of the range.

5.86 I am therefore of the view that the scale of the harm to all of these assets would be broadly in the middle of the scale (with the exception of Bentley House and Glebe Cottage). I have set out above in my methodology at paragraphs 4.7 to 4.8; while there

would be not be any physical effect on their fabric, the effect of the scheme would be to diminish immediate appreciation of their form and historic significance, resulting in a notable reduction in their significance.

Is the development ‘temporary’ or reversible?

5.87 I am conscious that decision-makers have taken a range of different views, in heritage terms, as to the duration of solar developments, given their typical lifespan of 40 years. In my view, 40 years is a considerable period of time, and is certainly in excess of the 20-30 years that is generally accepted to represent a generation in temporal terms. A resident of Bentley at the relatively young age of 35, living in the settlement at the time of an installation (were consent to be granted), may well not outlive the development. Looked at another way, a forty-year development, in 2025, would have been in place since 1985, and would have a feeling of permanence to it. In that sense, while in terms of the entirety of human experience, 40 years might be a blink of the eye, for the population who would appreciate the scheme, the effect would not be temporary. I do not consider that there is any ‘discount’ that should be applied to the harm caused by the scheme, and identified in my evidence above, as a result of its operational life being limited to 40 years.

5.88 To be clear, however, I am in agreement with the appellant that the development is reversible. As noted above, therefore, my professional view on the scheme’s effect on heritage assets is related to the period of the team’s operation. Following the decommissioning of the project, the effects identified would no longer be experienced.

Summary of Findings, and Comparison to Appellant’s Case

5.89 To further clarify where our assessment differs from the Appellant’s in relation to designated heritage assets, and to set out my position, I have summarised as follows. This reflects the table in paragraph 3.1 of the Heritage Specific Statement of Common Ground (CD C16 C3):

Heritage Asset	Appellant’s Case	My Professional Opinion
Church of St Mary’s	Lower less than substantial harm	Middle Range Less than Substantial Harm
Bentley Hall	No Harm	Lower End of Less than Substantial Harm
Meeting Hall Stables	No Harm	Lower End of Less than Substantial Harm
Bentley Hall Barn	No Harm	Bottom End of Less than Substantial Harm
Maltings House	No Harm	Bottom End of Less than Substantial Harm

Bentley Conservation Area	Low less than substantial harm	Upper End of Less than Substantial Harm
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- 5.90 In terms of non-designated heritage assets, the position is more nuanced, but as I understand it at this stage, there is agreement that harm would arise to Grove Farm, Falstaff Manor, Red Cottages and Potash Cottages; I have also identified harm to Church Farm. In all cases, in my view, the harm would be medium to high in nature.

Legislative and Policy Implications

- 5.91 I have identified less than substantial harm to five listed buildings, 1x listed at Grade I, 3x Grade II* listed, and 1x Grade II Listed, and less than substantial harm to the character and appearance of the Bentley Conservation Area. The harms I have identified fall at a variety of levels within the less than substantial harm spectrum. In terms of the listed buildings identified above, were the Inspector to concur with my findings, considerable importance and weight would need to be applied to each of these conclusions, because of the fact that this harm would need to be set against the statutory duty in Section 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act (which requires 'special regard' to be had to the desirability of preserving the relevant heritage asset or its setting). This 'considerable importance and weight', consistent with a strong presumption against development, should be given careful consideration in relation to the relative significance of each of the assets, and the level of effect identified. Accordingly, those effects related to Grade II* and Grade I assets should be given greater weight than to Grade II listed buildings, but regard should also be had to where on the spectrum the harm is identified as falling. Clear and convincing justification is required for all identified harms.
- 5.92 Were the inspector to concur with my findings in respect of the Bentley Conservation Area and impact on listed buildings, this would engage both distinct statutory presumptions against development under s.66 and s.72 P(LBCA)A. Accordingly, considerable importance and weight should be given to the harm identified, thereby contributing to the (rebuttable) presumption against the development.
- 5.93 This harm, appropriately weighted, and considered carefully with regard to the approach set out within Bramshill (and summarised at paragraph 2.6 of this Proof of Evidence) should be weighed against the public benefits arising from the proposal, having regard to the relevant 'fasciculus' of paragraphs within the NPPF (mainly paragraphs 212 to 216) and recognising the presumption against such development arising by application of the s.66 and s.72 duties. Mr Stroud undertakes this balance within his Proof of Evidence, particularly focusing on the 'balancing exercises' within paragraphs 215 and

216 of the NPPF. The harms identified above should be given ‘great weight’, and “the more important the asset, the greater the weight should be... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.” (paragraph 212).

- 5.94 LP19 of the Joint Babergh and Mid-Suffolk Local Plan is consistent in its approach with the NPPF, requiring ‘clear and convincing justification’ for any harm identified (as per the wording in paragraph 212 of the NPPF). I view this as being an approach consistent with the judgment in *Pugh* (2015); if the public benefits are considered to outweigh the identified harms, the harms would be ‘clearly and convincingly justified’.

Alternative Sites Assessment

- 5.95 In light of the above conclusions, I would like to briefly comment on the Alternative Sites Assessment (“ASA”) produced by the appellant, as revised in support of this Appeal (CD C24). There has been a good deal of correspondence between the appellant and the local authority relating to the process of producing and amending the ASA; my colleague Mr Stroud undertakes within his Proof of Evidence a fuller assessment of the ASA, and its production. My comments below are focused on the approach taken within the ASA and Updated ASA to the shortlisted alternative sites, within Step 3, considering their relative sensitivity in relation to the Appeal Site.
- 5.96 At Step 3 of the ASA, an analysis of the Site is undertaken in relation to the alternative sites that are identified through the exercise in Steps 1 and 2. These sites are identified as C1, C2, F2, and H3. The conclusions of the original and revised ASA (which now takes account of the designation of the Bentley Conservation Area), on the comparative heritage sensitivity of each of these four shortlisted sites, compared to the Appeal Site, is summarised below:

Alternative Site Ref.	Original ASA Position	Updated ASA Position
C1	Does not appear to have notable advantage(s) or disadvantage(s) compared to the Application Site	Some advantages compared to the Application Site
C2	Some disadvantages compared to the application site	Does not appear to have notable advantage(s) or disadvantage(s) compared to the Application Site
F2	Notable disadvantages compared to the application site	Notable disadvantages compared to the application site

H3	Some disadvantages compared to the application site	Does not appear to have notable advantage(s) or disadvantage(s) compared to the Application Site
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5.97 Accordingly, while the original ASA took the view that none of these sites were ‘better’ or less sensitive in heritage terms than the Appeal Site, the updated position views C1 as having some advantages, and C2 and H3 as being neutral, when compared against the Appeal Site. This change in position is generated, quite fairly, by the fact that the Bentley Conservation Area has now been adopted, and this has added a sensitivity to the Appeal Site which inevitably impacts each of these balanced considerations. As has been identified above and is set out in the Heritage-specific Statement of Common Ground at paragraph 3.1, the Appellant’s heritage witness and I have differing views as to the Appeal Site’s sensitivity. This inevitably leads to different comparative conclusions. The inspector’s view on the Appeal Site will, in turn, affect their own reading of this comparison. Having reviewed the other sites in relation to the Appeal Site and its current sensitivity and designations, I have reached the following view on their relative merits, in Cultural Heritage terms (with a brief explanation as to why I reach a different view to the Appellant’s Updated ASA):

- **Site C1:** Falls within the wider setting of three Grade II listed buildings at Thorington Hall, in tucked away location, apparently well-defined by immediate surroundings. It is not immediately clear how well-connected Site C1 and these assets are, in terms of their historic ownership and functionality. Buffering within Site C1 would be possible to manage the distance of the any solar development from Thorington Hall, and do not concur that it would be inevitable that less than substantial harm would arise to the Hall cluster’s significance. I have found harm would arise, in the case of the Appeal Site, to 1no. Grade I listed building, 3no. Grade II* listed buildings, and 1no. Grade II listed building. Even were some harm to arise to the Thorington Hall cluster, this would appear to be mitigable, and would, in terms of listed buildings alone, and while also being ‘less than substantial’, would quite probably be lower in scale than the harms identified, as a whole, for the Appeal Site. Accordingly, Site C1 preferable is preferable, in my view, in Cultural Heritage terms in terms of its effect on listed buildings alone. The weight in favour of C1 has increased, in my view, with the adoption of the Bentley Conservation Area, given that the Appeal Scheme results in harm to its significance, character and appearance. I conclude that Site C1 has ‘notable advantages’ to the Appeal site in terms of Cultural Heritage.

- **Site C2:** This site has a more open aspect to the listed buildings nearby; there are a total of 5 no. Grade II listed buildings in the vicinity, divided into two groups: Blacksmith's Corner (3 no. assets), and Cope Hall and Charity Farmhouse. There are further assets beyond, but these are the group meriting most serious consideration. It would appear from an initial review that buffering may be difficult to these assets on Site C2 given the scale of the site, and the way it 'wraps' Blacksmith's Corner. I would conclude that development at Site C2 may result in some less than substantial harm to most, if not all, of the assets in the vicinity of this site (therefore less than substantial harm to 4 or 5 Grade II listed buildings). Set against my conclusions in relation to the Appeal Site, including direct harm to the Conservation Area and harm to the significance of 1x Grade I, 3x Grade II* and 1x Grade II listed building), I conclude that the Appeal Site overall possesses more sensitivity than Site C2, and a development on this alternative would be likely to generate less overall harm to the historic environment; accordingly, Site C2 has some advantages compared to the Appeal Site in my view.
- **Site F2:** This site is now entirely within the Bentley Conservation Area, like the Appeal Site, and sits close to the highly graded cluster of assets at Bentley Manor, and close to Old Hall (Grade II*); it would also be visible from Maltings House and Maltings Farmhouse (both Grade II) and potentially other listed buildings. Overall, the potential effects would relate to a larger number of highly graded buildings, and given that more serious harm would inevitably arise to the Bentley Hall Cluster (2x Grade II* and 1x Grade I), Bentley Old Hall (Grade II*) and the Conservation Area, as well as other listed buildings, I conclude that this site has some disadvantages compared to the Appeal Site.
- **Site H3:** I note this site is 72 hectares (compared to the 51 hectares of the appeal site), and therefore has considerable scope for buffering (although given its proximity to the AONB, at the southern edge of the site, some buffering space would be required here). The site sits close to the village of Tattingstone, wherein there are a number of listed buildings, with the most relevant and sensitive being the Church of St Mary and the 'Tattingstone Wonder', a folly on the eastern boundary (both Grade II*). The former is well set into village, probably visible from the site, but not connected to views for pedestrians, it wouldn't appear, and capable of buffering. Affected views of this asset would not necessarily be directly connected to the *significance* of the asset. Similarly, the Tattingstone Wonder is a well-defined structure, capable of buffering, and designed to be seen from the north and east, away from the site. As a folly, it appears as if it were a Church from these directions, whereas from the west and south, within the site, it reads as cottages, showing that these facades were not intended to be viewed publicly. Given the

'Church' appearance was designed to address a view from Tattingstone Place (Grade II), to the north, this is the key consideration; views south from this house in general would need to be considered as part of a mitigation strategy for this Site. I would conclude that while there are sensitivities here, including some more highly graded assets, these assets would appear capable of mitigation. I do not therefore concur with the ASA that it is inevitable that residual effects on the Church and Tattingstone Wonder are likely; if there were to be residual effects, these have the potential to be small, in my view (comparable to those I have identified to Bentley Hall and Meeting Hall, both Grade II*, for example). Therefore, the conclusions that I have reached in relation to the Appeal Site (harm at varying levels to 3x Grade II* listed buildings, 1x Grade I listed, and 1x Grade II listed, and the Conservation Area) exceed those that would be likely to arise for a similar development at Site H3. I conclude that Site H3 has some advantages compared to the Appeal Site.

5.98 Accordingly, my views, summarised for comparison with the Appellant, are as follows:

Alternative Site Ref.	Appellant's view, updated ASA	My view
C1	Some advantages compared to the Application Site	Notable advantages compared to the application site
C2	Does not appear to have notable advantage(s) or disadvantage(s) compared to the Application Site	Some advantages compared to the Application Site
F2	Notable disadvantages compared to the application site	Some disadvantages compared to the application site
H3	Does not appear to have notable advantage(s) or disadvantage(s) compared to the Application Site	Some advantages compared to the Application Site

5.99 For the reasons above, I conclude that of the Alternative Sites, in historic environment terms, three of the four sites have advantages to the Appeal Site, being likely to cause less harm to designated heritage assets.

6. SUMMARY AND CONCLUSIONS, INCLUDING AN ASSESSMENT AGAINST POLICY

- 6.1 This Proof of Evidence has undertaken a careful assessment of the effects of the Application on the following heritage assets:

Designated Assets

- Church of St Mary (Grade II*, NHLE: 1193823)
- Bentley Hall (Grade II*, NHLE: 1351964)
- Meeting Hall Stables, Bentley Hall, Approximately 30 Metres South of Bentley Hall (Grade II*, NHLE: 1033423)
- Bentley Hall Barn (Grade I, NHLE: 1351965)
- Maltings House (Grade II, NHLE: 1351929)
- Bentley Conservation Area

NDHA

- Grove Farm
- Church Farm
- Red Cottages and Potash Cottages
- Falstaff Manor

- 6.2 It has provided an assessment, in each case, of their significance, including the contribution of their setting to this significance, and the role of the site, as part of their settings. It has set out the history and development of the Parish of Bentley, and its development around a historic core that incorporated a collection of manorial possessions that ebbed and flowed over the centuries. The traceable history of the Tollemache family, from the Domesday book to the seventeenth century and beyond, has been set out alongside the landholdings of Falstaff Manor, and, before the

reformation, Holy Trinity Priory, Ipswich, and Dodnash Priory. The legible appreciation, within the landscape, of these possessions, and the retention of core manorial buildings, has been demonstrated, particularly in relation to the continued presence of Bentley Hall, its Meeting Hall Stables and Barn, close to the 12th century Church, and Falstaff Manor. With reference to the CAAMP (CD F1), it has been shown that the landscape and built form of Bentley closely reflects the changing fortunes, land ownerships and development of the Parish from the medieval period to the present day, and manorial agricultural land and ancient woodland has a traceable relationship with the manors themselves.

6.3 It is within this context that the heritage assets, the listed buildings, non-designated heritage assets and Conservation Area, are appreciated. The settings of all of the buildings assessed contribute strongly to significance, because of the way in which the overall ensemble is capable of being read within a landscape that reflects their history and development. The Conservation Area, being an amalgamation of the whole, is sensitive to change within its open landscape, and in particular those lands that can be legibly and evidentially linked back to medieval and early modern manorial holdings.

6.4 This Proof has assessed the introduction of a large solar installation within this context. It has had regard to how the scheme has been designed, and the mitigations integrated, noting that buffering has been introduced to parts of the western, northern and southern parts of the western parcel, and that hedgerows and tree bands are proposed in some locations. It has shown, having regard to the effect of the scheme in this context, with references to views and other experiences of the significance of each of these assets, that the following effects would arise:

- Harm in the middle of the range to the Church of St Mary (Grade II*) arising from effects principally on views of the asset from Potash Lane and Church Road, from the Church itself in winter, and from the removal of existing views and/or the intrusion of an appreciably modern form of development into the close setting of an asset experienced at the heart of a scattered, rural community;
- Harm at the lower to bottom end of the range to Bentley Hall, Meeting House Stables, and Barn (Grade II*, Grade II* and Grade I respectively) arising from the introduction of an appreciably modern form of development into land with a definable relationship with Bentley Hall as a manorial headquarters building, and which forms part of kinetic experiences of the Hall cluster;
- Harm at the bottom end of the range to Maltings House (Grade II) from the cumulative introduction of modern, manufactured features, associated with the

access road and substation, to a part of the setting which constitutes part of its historic landholdings.

- Harm at the upper end of the less than substantial harm spectrum to Bentley Conservation Area, arising from the introduction of a modern form of development into a large section of the Conservation Area, impacting on a number of kinetic and static views and experiences of the Area's character and appearance, and effecting key features of interest identified in the adopted CAAMP (CD F1).
- Harm broadly in the middle range of that which could arise to non-designated heritage assets, largely from the introduction of a solar installation into the rural setting of these largely agricultural assets, effecting views to and from the assets, and approaches to them.

6.5 The assessment has, in line with best practice guidance produced by Historic England, not been a purely visual one, but has explored experiential factors of the development including associative relationships. The assessment has had careful and detailed regard in each case to what makes up the significance of each asset and assessed the scheme's impact upon this significance accordingly.

6.6 Accordingly, it has been demonstrated that without a consideration of the public benefits of the scheme, the statutory duties in Sections 66(1) and 72(1) of the 1990 P(LBCA)A cannot be discharged, resulting in a 'strong presumption' against development. Accordingly, the 'fasciculus' of policies from 212 to 216 of the NPPF needs to be carefully considered, with these harms, having been given the appropriate 'considerable importance and weight' (NPPF 'great weight'), considering the relative significance of the assets, and the scale of the effect, being weighed against the scheme's public benefits.