



Historic England

Examination of the Babergh and Mid Suffolk Joint Local Plan

Matter 9 – Allocation Sites for Housing and Other Development and Settlement Boundaries

Historic England, Hearing Statement

August 2021

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Matter 9 – Allocation Sites for Housing and Other Development and Settlement Boundaries

(Part 3 of plan – Place and Allocations Policies)

Q 9.1 Are the sites allocated for housing and other development in policies LS01(1-90) and LA001 – LA119 soundly-based; are the criteria and requirements set out in the relevant policies justified and effective; and is there evidence that the development of the allocations is viable and deliverable in the timescales indicated in the Housing Trajectory set out at Appendix 01 of the plan?

Historic England broadly welcome the findings of the Councils' Heritage Impact Assessment (HIA) which concludes that while many of the proposed allocations have the potential to impact on the historic environment, that most can be made acceptable via the provision of suitable mitigation. In addition to the existing HIA, LUC (on behalf of the Councils) have produced a more detailed setting study of the Church of St Michaels and All Angels at Brantham (in relation to site allocation LA053), as well as further detailed concept statements/illustrations of the following sites: LA001 & LA002 – Barham/Claydon; LA013 – Sproughton; LA053 – Brantham; LA055 – Capel St Mary; LA075 – Shotley; LA078 – Stowupland; LA095 – Woolpit and LA116 – Sproughton. We welcome this additional work and commend the Councils' for their open-minded and proactive response to our concerns. However, we consider that further work is still required to ensure that the findings of the Councils' evidence base are adequately reflected within the allocations policies. As part of our Regulation 19 response we identified several sites, listed below, which require further consideration. We have broken down our site-specific comments into three distinct categories:

- Sites which are acceptable in principle, but which require additional/strengthened policy wording to make them sound;
- Sites which could be acceptable, but that require additional criterion specifying the need for further assessment to inform mitigation prior to the determination of any planning application for the site; and
- Sites which we object to in principle because the harm to the historic environment cannot be adequately mitigated.

These sites are discussed below.

SITES WHICH ARE ACCEPTABLE IN PRINCIPLE, BUT THAT REQUIRE ADDITIONAL/STRENGTHENED POLICY WORDING

LA003 Claydon, LA008 Copdock and Washbrook, and LA089 Thurston

We broadly welcome the Council's HIAs findings in relation these sites, including the identification of specific measures to avoid and / or mitigate harm to the historic environment. While we welcome the Council's amended heritage criteria which references the need to conserve and enhance the relevant heritage assets and their settings, we consider that this does not go far enough, as it is not clear how developers and decision makers should respond to the heritage issues identified, meaning that

the allocation policies for these site are not effective. The Councils' should amend Policies LA003, LA008, and LA089 to make explicit that future development should be informed by the results and recommendations of the Councils' Heritage Impact Assessment (including any specific mitigation measures identified).

SITES WHICH COULD BE ACCEPTABLE, BUT THAT REQUIRE ADDITIONAL CRITERION SPECIFYING THE NEED FOR FURTHER ASSESSMENT TO INFORM MITIGATION PRIOR TO THE DETERMINATION OF ANY PLANNING APPLICATION FOR THE SITE

LA001, LA002, and LA003 Barnham/Claydon

We have concerns regarding the impact of these allocations on the nearby Grade I listed Church of St Mary. The significance of the church lies partly with its relationship to the surrounding agricultural land - it was designed to act as a landmark across open fields to draw together dispersed communities in worship. The proposed scheme would see the church relegated to a designed view in a designed landscaped setting seen only from specific viewpoints. This would be entirely at odds with the church's reason for being and would therefore cause less than substantial harm, on the upper end of the scale to the significance of the Grade I listed building.

While we accept that some form of mitigation may be possible here, we consider that the three sites should be brought into a single allocation, and a single masterplan prepared to ensure that the area is developed in a consistent and cohesive manner which allows for the most effective mitigation to be delivered across the site. Our concern is that although the HIA outlines options for "sustainable development" on a site by site basis, that these may not be feasible or viable for individual allocations. For example, for site LA002 the HIA recommends concentrating development to the western edge of the site - which we support. This would help avoid or reduce setting change to the listed church, as well minimising the chances of harming archaeological evidence relating to the historic settlement. However, this would result in the loss of half of the developable area of LA002 which may not be feasible if the site were developed in isolation. The risk to the historic environment is clear - there may be pressure for development to encroach further into the setting of the listed church in order to achieve the desired quantum of development. However, if these three allocations were developed more holistically, then it may be possible to deliver the required mitigation measures, and to achieve the desired quantum of develop across the site.

On this basis we have advised the Councils' to consider whether LA001, LA002, and LA003 can be brought together as a single allocation, and recommend that the policy wording for the site should be amended to clearly reflect the specific mitigation measures outlined within the existing HIA, as well as the requirement for further detailed assessment prior to the determination of any planning application for the site.

LA013 Sproughton

The site is within the immediate setting of the Grade II listed Springvale, the Grade II listed Red House, and Barn circa 20 metres south east of Red House, and immediately abuts the Grade II Registered Park and Garden known as Chantry Park along the

north eastern boundary of the site.

As before and in common with the Council's HIA we have suggested that built development is restricted to the land immediately to the south-west of Grade II Red House and Barn, with the land being used for public open space to retain a sense of openness and connection between the house and the wider agricultural landscape beyond. In addition, we recommended that the boundary with Chantry Park is sensitively designed with appropriate landscaping, and that further assessment is undertaken prior to the determination of any application for the site to determine the specific mitigation measures required to ensure the significance of the listed buildings is not harmed.

On this basis we have advised the Councils' that the policy wording for the site should be amended to clearly reflect the specific mitigation measures outlined within the existing HIA, as well as the requirement for further detailed assessment prior to the determination of any planning application for the site. This will ensure that the policy is effective in conserving and enhancing the historic environment, and therefore sound.

Finally, a new requirement should be added to the Policy that a masterplan (which incorporates the recommendations of the HIA) will be required prior to the determination of any planning applications for the site. This will guide the provision for the historic environment within the policy and therefore aid the effective implantation of mitigation measures required to make this allocation sound.

A055 Capel St Mary

Development of LA055 would result in a substantial extension to the south of the existing town and would surround two Grade II listed buildings, Capel Grove and its associated stable/granary listed for its group value. These heritage assets are rural structures and how they relate with their surroundings in an important aspect of their setting and significance. The A12 to the south of the site already severs the surrounding landscape but a substantial area of open, undeveloped land has been retained around these listed buildings. Any development of the site has the potential to impact upon these heritage assets.

It is important that any development of this site preserves these heritage assets and their settings. This could be through the use of buffer zones, landscaping/planting, or carefully planned open space. We would suggest that the existing hedge that surrounds these assets should be retained, with open space between this and the assets so that an element of the agricultural setting is retained.

On this basis we have advised the Councils' that the policy wording for the site should be amended to clearly reflect the specific mitigation measures outlined within the existing HIA, as well as the requirement for further detailed assessment prior to the determination of any planning application for the site. This will ensure that the policy is effective in conserving and enhancing the historic environment, and therefore sound.

Finally, a new requirement should be added to the Policy that a masterplan (which

incorporates the recommendations of the HIA) will be required prior to the determination of any planning applications for the site. This will guide the provision for the historic environment within the policy and therefore aid the effective implantation of mitigation measures required to make this allocation sound.

LA078 Stowupland

The proposed site is near many Grade II listed buildings which run along Mill Street. These include Elm Farmhouse, Orchard House, Old Farmhouse, the Thatched Cottage, and Mill Green Farmhouse. Development of LA078 will impact on the agricultural character and landscape setting of these buildings which may affect the significance of these assets and result in a degree of harm.

We echo the HIAs conclusion that some development here may be acceptable subject to the provision of appropriate mitigation. In particular we support the provision of open space to the north east of the site to provide a buffer to Elm House and help retain those aspects of its setting that contribute to its setting, and consider that specific mitigation measures should be identified through the preparation of a further detailed HIA which will inform and be submitted prior to the determination of with any application at the site, and this requirement should be explicitly identified in the Policy.

As currently drafted the site policy is not effective as the requirement for further detailed assessment is not stipulated. On this basis we have advised the Council's that the Policy should be redrafted to reference the mitigation measures outlined within the HIA, and to make explicit that further detailed assessment of the contribution of setting to the Grade II listed Elm House (which will inform specific mitigation measures) should be prepared prior to the determination of any application at the site.

LA095 Woolpit

LA095 provides historic context and forms an important element within the setting of the Grade I listed Church of St Mary. There is also intervisibility between St Mary's and the tower of the Grade II* listed Church of St John in Elmswell when seen from fields to the north of Woolpit, further emphasising the historic status of these buildings and illustrating the networks of community and faith in Medieval England.

The site also contributes to the character of the conservation area. The density of buildings decreases on the northern side of the settlement and although some scattered development lies between the historic core and LA095 the site is still recognisable as the outer edge of the village where it joins open countryside. This junction with the edge of the conservation area is important in establishing the character of the conservation area at this historic interface with surrounding countryside.

On this basis we have advised the Councils' that the policy wording for the site should be amended to clearly reflect the specific mitigation measures outlined within the existing HIA. This will ensure that the policy is effective in conserving and enhancing the historic environment, and therefore sound.

Finally, a new requirement should be added to the Policy that a masterplan (which incorporates the recommendations of the HIA) will be required prior to the

determination of any planning applications for the site. This will guide the provision for the historic environment within the policy and therefore aid the effective implementation of mitigation measures required to make this allocation sound.

SITES WHICH WE OBJECT TO IN PRINCIPLE BECAUSE THE HARM TO THE HISTORIC ENVIRONMENT CANNOT BE ADEQUATELY MITIGATED.

LA051 Botesdate and Rickinghall

Having reviewed the Councils' HIA for LA051, we consider that effective mitigation is not possible, and therefore that this site is not justified, and is not sound.

The site lies behind and overlaps at its north-west boundary the Botesdale Conservation Area which contains several Grade II listed buildings. The HIA confirms that the open nature of the land to the rear of these properties is important not only to the significance of the individual buildings but to the wider setting and character of the conservation area.

The site represents a gap in the development between the village core and the former outlying farms to the north that forms an important part of the rural character of the conservation area at this point. The infilling of the gap and the loss of the open space does not therefore accord with paragraph 193 or 200 of the NPPF (2019).

We strongly support the conclusions of the HIA at paragraph 8.17 which concludes that there is little that can be done to avoid all harm if the site is developed because it is the principle of changing the use of the land from agricultural to developed that will cause harm, and that this cannot be overcome by design - any development here would fundamentally alter the character of the Conservation area.

In addition, there is a requirement in the 1990 Act that "*special regard*" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable. As a relatively small site it is difficult to see how LA051 could adapt to the necessary mitigation measures, and this would seriously affect the suitability and achievability of this sites in terms of the Councils' supply.

Given that appropriate mitigation is not possible then we consider that this site is not effective, not justified, and therefore not sound.

LA053 Brantham

The Grade II* listed Church of St Michael and All Angels and its Grade II listed lychgate lies to the immediate south of proposed site allocation LA053 which would suffer unjustified harm if this site was developed.

In addition to the existing HIA, LUC (on behalf of the Councils) have produced a more detailed setting study of the Church of St Michaels and All Angels, which concludes

that the site itself makes only a minor contribution to the overall significance of the Church, and therefore the harm which would arise from development here would be proportionately minor. While we consider this to be a well-researched, well-articulated, and thorough assessment, we disagree with this conclusion – an important part of the significance of the Church of St Michaels and All Angels is its relationship to the surrounding agricultural land (including LA053) - it was designed to act as a landmark across open fields to draw together dispersed communities in worship. The site represents an important part of this setting.

While we note that the evidence base suggests that harm may be ameliorated to some extent by concentrating development to the northern half of the site, and via the provision of sight lines towards the church within the developed area, we consider that this would see the church relegated to a designed view in a designed landscaped setting seen only from specific viewpoints. This would be entirely at odds with the church's reason for being and would therefore cause less than substantial harm, on the upper end of the scale to the significance of the grade II* listed building.

In addition, there is a requirement in the 1990 Act that “*special regard*” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that either, the site cannot be developed, or the anticipated quantum of development is undeliverable.

On this basis we conclude that site LA053 is not sound because mitigation would not be effective, and the resultant harm to the historic environment is not justified.

LA075 Shotley

We fundamentally object to the principle of allocating site LA075 for development.

The site is immediately adjacent to the Grade II listed Rose Farmhouse. The Councils' HIA has identified that the house has important historical and functional relationships with its garden, the historic outbuildings, its agricultural setting, and the main road and trackway (which were important for the management and movement of livestock and in providing access to surrounding fields and local markets). All these features have an important spatial relationship with the house that can be appreciated visually, and this greatly enhances heritage significance of the listed building. Given the small size of the site, and the in-principle issue in relation change of use we do not consider that any mitigation could be offered which would be acceptable or feasible here.

In addition, there is a requirement in the 1990 Act that “*special regard*” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that either, the site cannot be developed, or the anticipated quantum of development is undeliverable. As a relatively small site it is difficult to see how LA075 could adapt to the necessary mitigation measures, and this would seriously affect the suitability and achievability of these sites in terms of the Councils' supply.

The development of LA075 does not therefore accord with paragraph 193 of the NPPF (2019) and is not sound because mitigation would not be effective, and the resultant harm to the historic environment is not justified.

LA116 Sproughton

We fundamentally object to the principle of allocating site LA116 for development. The site is located within the settings of a number listed buildings including the Grade II listed Tithe Barn, the Grade II listed Barn about 50 metres south west of Sproughton Hall, the Grade II listed Sproughton Hall, the Grade II listed Mill, and the Grade II listed Mill House, the Grade II listed 2 and 4 Lower Street, the Grade II listed Walnut Cottage, the Grade II* listed Church of All Saints, and the Grade II listed 1 - 4 Church Close, Church Lane.

As noted within the Councils' HIA the agricultural character of the wider setting of Sproughton, including LA116, add considerably to the significance of these listed buildings by illustrating their historical dependence on agriculture and allowing a continuity of experience with the past - removal or erosion of this agricultural character will therefore impact on their collective significance.

Similar to other allocations discussed above, given the size and location of LA116 we consider that there is little that can be done to avoid harm if the site is developed because it is the principle of changing the use of the land from agricultural to developed that will cause harm, and that this cannot be overcome by design.

In addition, there is a requirement in the 1990 Act that "*special regard*" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that either, the site cannot be developed, or the anticipated quantum of development is undeliverable. As a relatively small site it is difficult to see how LA116 could adapt to the necessary mitigation measures, and this would seriously affect the suitability and achievability of these sites in terms of the Councils' supply.

The development of LA116 does not therefore accord with paragraph 193 of the NPPF (2019) and is not sound because mitigation would not be effective, and the resultant harm to the historic environment is not justified.

POLICY LS01 - HINTERLAND AND HAMLET SITES

We remain concerned that the current Policy does not reflect the substantial work undertaken by the Councils' in their district-wide HIA for Local Plan Site Allocations - Part 1 HIA Strategic Appraisal.

We have been unable to check all these sites in detail, but the report has flagged potential heritage issues for several the LS01 sites, which require further consideration. The HIA flagged that some of these sites (e.g. Wenham Magna) would require further assessment to determine potential visible setting changes, for others it flagged the potential for significant negative effects on the significance of nearby heritage assets (e.g. Great Walmingfield, Woolverstone etc). As drafted, it is not clear

how these considerations have informed the Councils' identification of preferred hinterland and hamlet sites (not justified), or how the findings of the HIA will guide future development at these sites (not effective). This leaves the historic environment potentially vulnerable to inappropriate development, and on this basis, we consider that Policy LS01 as drafted is not sound.

We have advised the Councils' that they need to review the HIA Strategic Appraisal for its hinterland and hamlet sites so that it can satisfy itself that these can be developed in a way that conserves and enhances the historic environment. If following this review, it is considered that development would harm elements which contribute to the significance of designated heritage assets, then measures would need to be incorporated into Policy LS01 to ensure that that harm was removed or reduced. It is worth stressing that it may be more difficult for small sites to adapt to these measures, which *could* affect their suitability and achievability in terms of the Councils' supply.