

APP/W3520/W/25/3364061
Land at School Road
Elmswell

HERITAGE PROOF OF EVIDENCE

Thomas Copp

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Quality Management

Version	Status	Authored by	Review by	Review date
01	Draft issue	Thomas Copp	TC	25.07.2025
02	Final	TC	TC	05.08.2025
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1. Introduction

- 1.1. My name is Thomas Copp and I am a Director and founding partner of TCMS Heritage Ltd. Prior to establishing TCMS, I was a Senior Director and Head of the London Built Heritage Team at RPS, where I worked for a total of ten years. I have also previously worked in local government.
- 1.2. I hold an undergraduate degree (Bachelor of Arts with Honours) in History and a postgraduate degree (Master of Arts with Distinction) in Urban Conservation, both from the University of Leicester.
- 1.3. I have acted as an expert witness in the Magistrates Courts, at numerous Public Inquiries, Appeal Hearings and Examinations in Public. My current role includes advising various housebuilders, developers and other clients on heritage matters at all stages of the planning process. This includes pre-purchase advice, heritage-related design advice, the provision of reports for applications, and expert witness advice at site promotion and appeal stages.
- 1.4. I have been engaged with this Appeal since the submission of the Appeal in April 2025. Prior to that, I assisted with pre-application discussions and the submission of the planning application (ref. DC/23/05651). This work included the preparation of advice related to the development potential of the Site, design review and pre-application discussions with the Council, including attendance at a pre-application meeting held on site. I also prepared the Heritage Statement (RPS; 2023) submitted as part of the planning application.
- 1.5. I have visited the Site on numerous occasions, most recently on 13 June 2025. The weather was dry and sunny, allowing for long-distance views of the relevant heritage assets. All photographs included within my evidence (see Appendix B) are taken from this visit.
- 1.6. My evidence for this Appeal relates to reason for refusal 3 which states:

Development of the site would result in the loss of an area of open countryside and the change in character of the land from agriculture this is considered to erode the historic setting of the Church of St. John which is listed at Grade II as well as the associated Grade II listed almshouses and Grade II listed Elmswell Hall. This harm extends to both the built form proposed within the site as well as the open space. Harm would also accrue as a result of the coalescence of the historic buildings with the built-up core of the village of Elmswell. A level of less than substantial harm to the heritage assets has been identified and the required balancing exercise has not been successful. As a result the development is contrary to policy LP19 of the Babergh and Mid Suffolk Joint Local Plan together with paragraphs 205, 206 and 208 of the National Planning Policy Framework.*

- 1.7. This Proof of Evidence describes the significance of the three designated heritage assets named in the reason for refusal and which are agreed in the Statement of Common Ground to be relevant to this Appeal. They are:
 - The Grade II* listed Church of St John (NHLE 1032468)
 - The Grade II listed Almshouses to the east of the Church of St John (NHLE 1181926)
 - The Grade II listed Elmswell Hall (NHLE 1032472)

- 1.8. My evidence relates to the impacts to the setting and significance of the heritage assets set out in Reason for Refusal 3. This includes consideration of the historic development of the relevant heritage assets and their settings, including changes to the historic landscape over time. Impacts to landscape character, as set out in reason for refusal 4, are considered in Ms Ellinsfield's evidence.
- 1.9. This Proof of Evidence is structured to:
- Set out the main heritage issues and matters in dispute
 - Set out the methodology I use within this Proof of Evidence and summarise the relevant legislation, policy and guidance
 - Describe the historic development of the heritage assets and their settings, including any relevant changes to the use and character of the Site
 - Provide a settings assessment, based on Historic England guidance
 - Summarise the findings of this Proof of Evidence (a Summary Proof is provided separately)
- 1.10. The evidence I have prepared and provide for this Appeal and all opinions expressed are my true and honest professional opinions.
- 1.11. My evidence relates to the impact to the heritage significance of the listed buildings and any potential enhancements that would constitute public benefits that may arise from the proposals. The heritage balance required under paragraph 215 of the NPPF and wider planning balance are set out in the Appellant's planning evidence.
- 1.12. A Summary Proof is provided separately, with all Appendices also bound separately.

2. Main Heritage Matters

- 2.1. At the Case Management Conference held on 5th August 2025, it was confirmed that one of the main matters relates to:

Whether the development would preserve the setting of the Church of St John which is Grade II, the associated Grade II listed almshouses, and the Grade II listed Elmswell Hall*

- 2.2. Reason for refusal 3 identifies “less than substantial harm” to the significance of these three designated heritage assets. The reason states that this will arise for the following reasons:

- “loss of open countryside”
- “change in character of the land from agriculture”
- “coalescence of the historic buildings with the built-up core of the village”

- 2.3. Further discussion of the impacts is provided within the Principal Heritage Officer’s consultation response, dated 15 January 2024. This Notes that the Church of St John

occupies a prominent position within the landscape, on a raised escarpment within a relatively flat region. It is not entirely isolated from Elmswell village, but is still fairly separated from the village core, which is reflective of a number of villages in this part of Suffolk. Historically, this separation was more evident

- 2.4. It goes on to state that:

Late C20 and early C21 development has considerably filled this gap, particularly to the east, but the church still retains a considerably rural, undeveloped, agricultural setting, as it did historically, particularly to the north and west

- 2.5. With respect to Elmswell Hall, the response states:

Elmswell Hall is located further to the north, but was historically also located within undeveloped rural, agricultural surroundings, likely reflective both of its status as a manor house, and its later use as a farmhouse. It is also understood to have had a historic relationship with the Church of St John

- 2.6. The response then goes on to assess that the proposals will cause harm due to the loss of open countryside, the change in character, the coalescence and the impact of views of the listed buildings.

- 2.7. With respect to views, the response does note that the new, public views provided from within the Site could provide a benefit, but that this would:

add relatively little to the significance of the Church and Almshouses, as it is the longer-range views across open fields that add more to understanding the historic setting of these buildings and thus make more of a contribution to their significance, rather than close up views

- 2.8. The response clarifies that the proposals will result in the following impacts to the significance of the heritage assets:

- Church of St John: Medium level of less than substantial harm
- Almshouses: Low-medium level of less than substantial harm
- Elmswell Hall: Low-medium level of less than substantial harm

- 2.9. A consultation response was also provided by Historic England, dated 19 December 2023. Relevant sections are included below:

The open landscape setting of the church to the north contributes to the significance of the building. Historic churches are often well sited, reflecting the importance of these buildings to the community. The siting of the Church of St. John enables it to be seen in long views across the surrounding landscape. The open landscape setting enhances the prominence of the church. This is notable in views across the landscape to the north of the church which include the application site and the long distance views to the church from the south. The rural landscape setting also forms an attractive setting when seen in combination with the church in these views and in views out from the churchyard. The character of this land might also be said to complement the value of the building as one which for centuries served as the spiritual centre of a predominantly agricultural community.

- 2.10. With regards to impacts, Historic England note that:

The open space is designed as a buffer around the churchyard and while this would retain the open space in the immediate vicinity of the churchyard, the open character and rising character of the ground to the north would mean the built development could be visible in views from the churchyard, from the landscape to the north and in longer views towards the churchyard. This change in the use of the site from agricultural to a residential development would fundamentally change the character of the land. The loss of the open landscape would erode the historic and aesthetic appreciation of the church. It would also erode the way in which the rural landscape complements the heritage values of the church.

- 2.11. In Historic England’s view, the proposals would consequently result in a “high level” of less than substantial harm to the significance of the listed building.

- 2.12. Section 4 of this Proof provides an analysis of the Site, its historic development and relationship with the heritage assets, to understand the character of their settings and relevant changes over time. Section 5 subsequently assesses the significance of the heritage assets and the potential impacts in accordance with Historic England guidance (as described more fully at paragraph 3.19).

3. Methodology and Approach

3.1. In providing my assessment, I have given due regard to the relevant legislation, policy and planning guidance, which is set out below.

3.2. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (as amended) states that:

In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

3.3. The Act is supported by the **National Planning Policy Framework (NPPF)**, which states at paragraph 212 that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3.4. Conservation is defined in the NPPF as:

The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

3.5. Paragraph 213 states that:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

3.6. The NPPF is clear that protection should be afforded to designated heritage assets and their settings.

3.7. Significance is defined in the NPPF as:

The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

3.8. The **Planning Practice Guidance (PPG)** provides further information regarding those interests and defines them 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.

- 3.9. The PPG also provides additional information related to the meaning of harm and the scale of harm that may be caused to the significance of a designated heritage asset. This is set out at paragraph 018 which states:

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated

- 3.10. In respect of substantial harm, the PPG goes on to state that:

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework.

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

- 3.11. The issue of substantial harm has been considered in the courts, including within the Bedford judgment (Bedford BC v SSCLG [2013] EWHC 2847 (Admin)). At paragraph 25, Mr Justice Jay stated that when assessing whether there is substantial harm:

One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced.

- 3.12. This was preceded by paragraph 24 where he stated that:

for harm to be substantial, the impact on significance was required to be serious such that very much, if not all, of the significance was drained away.

- 3.13. Although the text provided in the PPG was published after the judgment was handed down, the Secretary of State has recently confirmed that the approach taken by the Inspector at Bedford and the language of the PPG are consistent. When determining the Call-in decision related to the Holocaust Memorial (APP/XF990/V/19/3240661) the Secretary of State endorsed

- 3.14. Inspector David Morgan's opinion at paragraphs 15.12 and 15.13 that:

My interpretation of this point, also bearing in mind paragraph 018 of the PPG has been formulated in light of the Bedford judgement, is that there is in fact little to call between both interpretations. Bedford turns on the requirement for the harm to be assessed as 'serious' (with significance needing to be very much, if not all, 'drained away') in order that it be deemed substantial. Alternatively, paragraph 018 indicates that an important consideration would be whether the adverse impact 'seriously' affects a key element of special interest. In both interpretations, it is the serious

degree of harm to the asset's significance which is the key test. Moreover, in accordance with the logic of the Bedford argument, paragraph 018 explicitly acknowledges that substantial harm is a 'high test'.

It is a high test indeed

- 3.15. The extent and broad spectrum of harm is also supported by the Hall judgment (R.(oao James Hall and Company Limited) v City of Bradford Metropolitan District Council and Co-Operative Group Limited [2019] EWHC 2899 (Admin)) in which Her Honour Judge Belcher stated that:

In my judgment the three categories of harm recognised in the NPPF are clear. There is substantial harm, less than substantial harm and no harm. There are no other grades or categories of harm, and it is inevitable that each of the categories of substantial harm, and less than substantial harm will cover a broad range of harm. It will be a matter of planning judgement as to the point at which a particular degree of harm moves from substantial to less than substantial

- 3.16. It is therefore possible to establish the following key principles for assessing harm:

- The spectrum of harm is a broad one
- Harm, and substantial harm, can arise both from changes to a heritage asset and changes within its setting
- When assessing harm, it is the impact to the significance of the heritage asset that is relevant
- The extent or magnitude of change is not necessarily a determining factor
- Substantial harm is a high test, which may not arise in many cases
- It is important to consider whether the impact seriously affects a key element of significance
- Serious impacts that affect principal elements of significance are most likely to give rise to substantial harm
- The spectrum of less than substantial harm can encompass impacts from very limited changes to significance, to highly damaging impacts

- 3.17. Policy LP19 of the ***Babergh and Mid Suffolk Joint Local Plan (part one)*** is cited in reason for refusal 3. This policy echoes the language of the NPPF and 1990 Act. It requires all applications that affect a heritage asset to include a proportionate assessment of significance. It also encourages development that respond to local distinctiveness and enhances heritage assets.

- 3.18. Where harm is identified, the policy states that:

When considering applications where a level of harm is identified to heritage assets (including historic landscapes) the Councils will consider the extent of harm and significance of the asset in accordance with the relevant national policies. Harm to designated heritage assets (regardless of the level of harm) will require clear and convincing justification in line with the tests in the National Planning Policy Framework.

- 3.19. Policy ELM2 of the Elmswell Neighbourhood Plan 2022-2037 is also relevant to my Evidence, insofar as it relates to potential impacts on the “*built development features*” within the important views identified in the Plan. The important views are shown on the

inset plans at pages 13-15 of the Plan and include Viewpoint 4 from School Road, adjacent to the Site, looking towards the Church of St John.

- 3.20. Historic England provide guidance related to assessing change within the setting of heritage assets within **GPA3: The Setting of Heritage Assets**. The methodology requires the following:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on 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

- 3.21. The settings assessment provided at Section 5 follows the 5-step process set out above. Further explanation of each of these steps is provided in GPA3.
- 3.22. For Steps 2 and 3, the document also provides a list of certain characteristics, or matters that should be considered when undertaking the assessment. This includes, for example, consideration of land-uses, historic associations, views, the orientation and aspect of the asset, noise, odours and other non-visual effects.
- 3.23. The guidance document is clear (see paragraph 9) that:

Setting is not itself a heritage asset, nor a heritage designation [...] Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.

- 3.24. To understand the contribution that an asset's setting makes to its significance, it is first therefore important to understand what significance the asset holds.
- 3.25. Paragraph 9 also notes that:

Settings of heritage assets change over time. Understanding this history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset.

- 3.26. Paragraph 10 notes that setting is often expressed in terms of views, but that setting also incorporates additional non-visual elements of setting.

- 3.27. With regards to church towers and spires, the guidance notes that:

Being tall structures, church towers and spires are often widely visible across land- and townscapes but, where development does not impact on the significance of heritage assets visible in a wider setting or where not allowing significance to be appreciated, they are unlikely to be affected by small-scale development, unless that development competes with them, as tower blocks and wind turbines may. Even then, such an impact is more likely to be on the landscape values of the tower or spire rather than the heritage values, unless the development impacts on its significance, for instance by impacting on a designed or associative view.

4. Site Description and Identification of Heritage Assets

Site Description and Historic Development

- 4.1. The Site is located to the west of School Road and south-west of Parnell Lane. It comprises a single, large field in arable use.
- 4.2. The medieval development of Elmswell was closely tied to the Benedictine Abbey at Bury St Edmunds (founded in 1020) with significant lands, including the Manor of Elmswell granted to the Abbot¹. The church was founded prior to the Norman Conquest, with the original Elmswell Hall constructed in the 11th century as a country house for the Abbot. Both buildings have, however, been rebuilt.
- 4.3. The Abbey remained as a key influence within Elmswell until its suppression as part of the Dissolution of the Monasteries in 1539, at which point the Manor passed into secular hands. Elmswell Hall was subsequently redeveloped, with the current building constructed in the late 16th century, before it was remodelled in the 19th century.
- 4.4. Historic mapping charting the development of the Site is included at Appendix A. The 1841 Elmswell Tithe map (Figure A.1) shows the Site sub-divided into seven separate field parcels, including one small field at the junction of School Road and Parnell Lane. The accompanying apportionment is included below as Table 4.1:

Plot	Owner	Occupier	Use
171	Sir George Seymour	John Stedman	Pasture
172	Sir George Seymour	John Stedman	Pasture
173	Sir George Seymour	John Stedman	Plantation
174	Sir George Seymour	John Stedman	Pasture
176	Sir George Seymour	John Stedman	Pasture
177	Sir George Seymour	John Stedman	Allotment
178	Sir George Seymour	John Stedman	Arable

Table 4.1: Transcription of 1841 Elmswell Tithe apportionment

- 4.5. This demonstrates that the entirety of the Site was owned by Sir George Seymour and occupied by John Stedman. The same owner and occupancy relationship is also recorded for Elmswell Hall and the land to the north of the Site, including land north of Parnell Lane.
- 4.6. The majority of the Site was pasture, although the eastern field parcel was in arable use, with a small area of plantation and a small area of allotment also included. At this time, it was subdivided by various boundaries and primarily used for grazing.

¹ Page, W. (ed) *The Victoria history of the county of Suffolk: Volume Two* (1907), p.58

- 4.7. The 1883-88 OS (Figure A.2) shows the Site in more detail. It is similar to that shown in 1841, although the construction of the railway line and its embankment now define the northern edge. All field boundaries within the Site are the same as those shown on the 1841 Tithe, with the exception of a small field (210) and planting shown in the eastern part of the Site, where the current mature tree is located. The OS shows various trees along the boundaries, indicating that they were well established by this time. A gravel pit is shown in the south-east extent of the Site (this is more clearly shown on the large-scale map included as Figure A.3). Although this appears to be a small-scale operation, it may have been associated with the large brick works at Woolpit to the south, which was connected to Elmswell by a tramway. This indicates some quarrying and non-agricultural activity within the Site.
- 4.8. Subsequent historic mapping shows little change within the Site until the 1970s. The gravel pit appears to have been disused by the 1924 large-scale OS map (Figure A.5) but the field boundaries remain in place until the 1973 OS map (Figure A.7). They were then removed by the time of the 1978-81 map (Figure A.8). This map also shows notable changes in the wider area, with the cul-de-sac development of Gardeners Walk shown for the first time. Following this, planning permission was granted for the redevelopment of the Site and surrounding land to form a golf course (as noted in the Planning Historic Section of the Committee Report) but this was never implemented.
- 4.9. The removal of the hedgerows undertaken in the 1970s has changed the character and appearance of the Site, resulting in the current “open” appearance of the Site, which is now completely devoid of trees and hedgerows to suit modern, industrial-scale agriculture. This is also confirmed by the Historic Landscape Characterisation (produced at Figure A.D based on the Suffolk Historic Environment Record) which records the entirety of the Site and much of the land to the west as “*Post-1950 agricultural landscape*”. The character of the Site and its immediate surroundings is therefore one of a modern, agricultural environment and does not relate to the smaller field patterns historically found within the Site and its surroundings.
- 4.10. The wider area has also seen change during the course of the 20th century, as acknowledged in the Principal Conservation Officer’s representation on the planning application. This has included linear, ribbon development of individual houses south along School Road, the development of additional houses along Church Road and the significant development of new dwellings between Church Road and School Road along Little Green, New Road and Gardeners Walk. More recently, the development of the land north of Parnell Lane has expanded Elmswell further to the west. This new development is visible from within the Site and from the churchyard to the Church of St John. It also lies approximately 140m south of Elmswell Hall.

Relevant Heritage Assets

- 4.11. The relevant heritage assets are set out in reason for refusal No. 3 and agreed in the Statement of Common Ground. They are also shown on Appendix C to this Proof of Evidence. They comprise:
- The Grade II* listed Church of St John (NHLE 1032468)
 - The Grade II listed Almshouses to the east of the Church of St John (NHLE 1181926)
 - The Grade II listed Elmswell Hall (NHLE 1032472)

5. Setting Assessment

Church of St John

Step 1: Identify which heritage assets and their settings are affected

- 5.1. The Church of St John is a multi-phased, medieval parish church with origins in the 14th century. The west tower was added in the late 15th century (after 1476), with the building subject to restoration and enlargement in 1862 and 1872, in common with numerous parish churches across the country. As noted at paragraph 4.2, a church was founded in the 11th century as part of the Benedictine Abbey at Bury St Edmunds, with the current building substantially rebuilt from the 14th century.
- 5.2. The association with the Benedictine Abbey and the relative wealth of the local area due to the importance of the wool trade have likely influenced the size and relative grandeur of the church. The church was constructed to serve the inhabitants of Elmswell, the visiting Abbot and the rural population beyond.
- 5.3. The significance of the church is primarily bound in the historic form and fabric of the building. It is drawn from its historic interest as a medieval parish church, with connections to the Benedictine Abbey at Bury St Edmunds. In addition to this association, the building also illustrates religious architecture and practices over time, with the medieval building providing strong evidence of this, while the later restorations also illustrate the changing practices and the Victorian emphasis on a distinctly Anglican form of ecclesiastical architecture.
- 5.4. The listed building is located in a prominent and relatively isolated location, set away from the main settlement of Elmswell. The relative isolation, which was historically more apparent, may illustrate the role of the church in serving both the parishioners of Elmswell and the surrounding rural population. It is also located in an elevated position (sitting at the edge of a slight ridge approximately 65m Above Ordnance Datum) which provides visual prominence and means that the church has long acted as a focal point and landmark feature, particularly following the construction of the west tower in the 15th century. It is highly visible both in close views and longer distance views.
- 5.5. The setting of the listed building includes agricultural land (primarily to the north, north-east, south-west and west) neighbouring development to the east and north-east, playing fields, and the built edge of Elmswell. Various views are provided of the church from the surrounding land, with these illustrated at Appendix B and discussed in more detail under Step 2 below.
- 5.6. The setting of the Church of St John also includes various buildings, including the Grade II listed Almshouses and Elmswell Hall (both of which are also discussed separately below), the former rectory and more recent 20th and 21st century development. The following section assesses the contribution that these buildings make to the significance of the church, before assessing the contribution of the surrounding landscape, with reference to relevant views.

Step 2: Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow that significance to be appreciated

- 5.7. The Almshouses were founded by Sir Robert Gardener who became Lord of the Manor after the Dissolution and resided at Elmswell Hall. Although founded as secular Almshouses for those local residents in need, the proximity to the neighbouring church illustrates the continued importance of faith and charity in the period (as discussed

further at paragraph 5.46 below) and the proximity of the Almshouses contributes to the historic interest of the church.

- 5.8. The site of Elmswell Hall was also first developed as a country residence of the Abbot of Bury St Edmunds Abbey. Although the original medieval building was completely rebuilt with its successor also having been substantially remodelled, the site of the Hall and its former use provides some evidence of the historic development of the manor and contributes to the historic interest of the church.
- 5.9. Knight Manor, located to the south-east of the church, was also constructed as the Rectory to the Church of St John in the 19th century (see Figure A.2). Although it has served as a secular residence since the 1970s it provides some historic interest and, together with the church and Almshouses, forms part of a cluster of historic buildings related to the church.
- 5.10. Much of the remainder of the built form within the setting of the listed building dates from the 20th and 21st century expansion of Elmswell. This includes the recent development east of Parnell Lane which is visible from the churchyard and Church Lane (see Figures B.10 and 12). This development illustrates the ongoing, more rapid expansion of Elmswell from the latter part of the 20th century, but makes no contribution to the significance of the listed building.
- 5.11. This development has, to a degree, eroded the historic isolation of the listed building. However, as noted as paragraphs 5.4-5, it retains a prominent and relatively isolated location which includes adjoining agricultural land. The relative isolation of the listed building, set apart from the main development within Elmswell, illustrates its historic use as a parish church, associated with an important religious house, serving a modest settlement and associated rural parish. The surrounding undeveloped land which aids in this appreciation therefore makes an important contribution to the historic interest of the listed building.
- 5.12. The prominence of the building, which is deliberately sited in an elevated location relative to much of the surrounding landscape, is also an important component of the church's setting which strongly contributes to its significance. It illustrates the social and religious importance of the building historically and allows for its architectural interest to be appreciated. When coupled with the dominant west tower, this elevated location means that the building functions as a landmark in the local area.
- 5.13. In contrast, the prominence of the building is typical for parish churches and its location on the edge of a raised plateau was likely chosen to ensure that the building is a dominant feature within the landscape, visible from a broad area. This includes views from Elmswell but, equally as notable, views from the surrounding countryside, including the land to the west, indicating the importance of the church to the wider parish beyond. The construction of the west tower in the 15th century has accentuated this prominence, with the bell tower designed to be seen and heard from the surrounding landscape.
- 5.14. The surrounding rural landscape contributes to the significance of the listed building by reinforcing the relative isolation of the building and by illustrating its historic development as a medieval parish church, serving a primarily rural community. The Site forms part of this undeveloped setting and has a relatively open character. As discussed at paragraphs 4.4-9 of this Proof, the use and nature of the Site has changed over time, moving from a series of small field parcels, divided by hedgerows and trees and used predominantly for grazing in the 19th century, to a single large arable field, devoid of hedgerows, in the late 20th century. The current, more open setting is therefore a recent

development and does not respond to the historic setting of the listed building which would have comprised smaller field parcels. This change from a primarily pastoral landscape to a modern agrarian one has changed the nature of the Site and views from and to the church.

- 5.15. Public views of the church are provided from School Road, Parnell Lane, Church Lane and from the local footpath network, including the footpath to the north of the Site. The changing nature of these views is illustrated in Appendix B. Private views are also provided from within the Site and the land to the west.
- 5.16. In views from Parnell Lane (see Figures B.3-6) the church can be seen as a prominent landmark feature, with the west tower particularly notable. The north aisle and nave are also partly visible. Although the distance of these views means that it is difficult to appreciate the artistic interest of the listed building, its landmark status is clearly appreciated, which contribute both to its architectural and historic interests. The Site forms the foreground to these views and reinforces the separation between the core of Elmswell and the church. However, the linear development along School Road and the Almshouses is also visible in these views, particularly from further west along Parnell Lane (Figure B.6), with additional development visible from further west (Figure B.7). The railway line and recent development north-east of Parnell Lane are also appreciable when proceeding along the Lane and adjoining footpath and form part of this experience of the church.
- 5.17. The church is also experienced in views along School Road (Figures B.8 and 9, which includes Important View 4 identified in the Neighbourhood Plan) with the tower visible rising above the intervening planting that bounds its churchyard. The nave is also partly visible beyond the planting and the Almshouses are appreciable within these views. The Site sits to the right (west) of these views and provides the rural foreground.
- 5.18. From Church Lane (Figures B.10 and 11) the relative prominence and isolation of the church can be appreciated, with the listed building set above much of the Lane on rising ground. The Site forms part of the surrounding arable landscape, with the development north-east of Parnell Lane visible.
- 5.19. Finally, from within the Site the church is visible as a prominent landmark. From closer to the listed building, there is more appreciation of its architectural interest, although much of the building remains obscured by vegetation.
- 5.20. The Site therefore allows views of the listed building and provides the foreground, or a part of the view, of numerous views from the surrounding area. It provides rural context and assists in reinforcing the relative isolation of the building. It contributes to the historic interest of the listed building and makes some contribution to its architectural interest.
- 5.21. Overall, the setting of the Church of St John relates to the relative isolation and prominence of the listed building, both of which contribute to the historic interest of the listed building. The mixture of agricultural land and built development, notably historic buildings such as the Almshouses and Knight Manor (the former rectory) also contributes to its historic interest, illustrating the development of the building as a parish church serving a predominantly rural parish, while being closely aligned to the settlement and the seat of power at Elmswell Hall.

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it

- 5.22. The proposals will alter the setting of the listed building in three primary ways:

- Change to the character of the northern part of the Site due to the residential development and associated infrastructure
 - Change to the character of the southern part of the Site by the introduction of public open space
 - Changes in views from and to the listed building from the local area, including changes to both public and private views
- 5.23. These changes, and their impact to the significance of the listed building, are discussed in turn below. The Photomontages included as Appendices to the Appellant's Landscape Proof of Evidence assist in illustrating the visual impact of the development and are referred to below. It should be noted that the way in which the relevant heritage assets are experienced is dynamic and will change as the viewer moves through the local landscape, with these Viewpoints providing only a "snapshot" of the experience of the relevant heritage assets. However, the Photomontages do provide an understanding of the visual impact of the development and are a useful tool in understanding how the experience and appreciation of the relevant listed buildings will change. Consideration is given both to these static viewpoints and to how the appreciation of the heritage assets will be affected in kinetic views.
- 5.24. The change in character of the northern part of the Site will alter the current, undeveloped character of this part of the listed building's setting and affect views of the listed building and, to a lesser extent, views from the listed building. The development will remove an element of the listed building's rural setting, continuing the trend established in the latter part of the 20th century of the gradual expansion of Elmswell to the south and west, which has been continued in recent years by the development to the north and east of Parnell Lane. The removal and alteration of part of the listed building's rural setting will introduce additional activity and noise, with a resultant impact on the historic interest of the listed building as a parish church serving a primarily rural parish.
- 5.25. The visual impact will also remove certain views of the listed building, reducing the ability to appreciate its architectural interest. This will most notably affect those views from Parnell Lane, although the illustrative layout does allow for the retention of linear views through the development, while views from further east and west will also be retained.
- 5.26. The retention of the substantial buffer area and the location of the proposed development on lower land, adjacent to the existing built edge of Elmswell, means that the relative isolation of the listed building will be maintained. This is illustrated by Viewpoints 4 and 5 included as Photomontages within the Appellant's Landscape Evidence.
- 5.27. Viewpoint 4, which is taken from the footpath to the west of Parnell Lane, allows for the church to be appreciated within a rural context, set away from the core of the settlement. The proposed development will be located in the foreground to this view, with views of the built form softened by planting over time. A large area of open space will be retained within the southern part of the Site, retaining the relative isolation and prominence of the church in this view. Its relationship with the neighbouring Almshouses will also still be appreciated.
- 5.28. Viewpoint 5 (which equates to Neighbourhood Plan Important View 4) shows the proposed development from School Road. At present, the Site forms part of the rural setting within which the church is appreciated. During the determination of the application, the Council's Conservation Officer noted that this view is "*important not*

just for seeing the church, but for seeing the church in its unaltered historic setting". While I disagree that the setting is "unaltered" it is apparent that this view is important both for the appreciation of the church, as a landmark, and for the ability to appreciate it within a rural setting.

- 5.29. The photomontage demonstrates that this view will remain relatively open, with the southern part of the Site retained as informal open space, allowing for the ongoing appreciation of the church. The built form will be present to the right (west) of this view and will be a notable feature, but will not compete with the church as a prominent, landmark feature and will not diminish the ability to appreciate the church's significance. Over time, the proposed planting will slightly enclose the view by reinstating a hedgerow. This planting will also assist in softening return views from the church towards the proposed development.
- 5.30. The scale of proposals and focus of development on lower lying land will also assist in retaining its prominence, with the listed building still appreciated as the primary landmark in the local area, an important element of its historic interest and significance.
- 5.31. The open space and landscaping provided will also change the character of the western part of the Site. As noted at paragraphs 4.4-9 and 5.14 above, the current open and arable character is a relatively recent change and responds to the modern agricultural use of the Site and not the historic landscape character, or historic setting of the listed building. The removal of this arable use will not affect the significance of the listed building.
- 5.32. The provision of hedgerow planting will better relate to the historic setting of the listed building, providing an element of enhancement, while the introduction of public access will also allow for greater opportunities to appreciate the significance of the church from within this space.
- 5.33. At application stage, the Council stated that this retained open space would be "*cut through*" by access roads and other paths. However, the Section 106 agreement related to the development of land north of the Site includes an area of land within this Appeal Site which is safeguarded to provide a new pedestrian and cycle path, running to the north of the Church of St John. Both the County and District Councils considered this to be desirable and the current proposals allow for the delivery of this link, while also providing other informal mown paths within the Site for people to use and view the church.
- 5.34. The introduction of informal open space, coupled with hedgerow planting and informal paths will provide a simple, semi-rural use within the setting of the listed building, which better relates to its historic setting. This open space will also provide greater opportunities for the public to appreciate the significance of the listed building, as described below.
- 5.35. Historic England guidance is clear that (see p.2; inset box):
- 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.*
- 5.36. However, when considering enhancements to the significance of a heritage asset (under Step Four; see p. 14) enhancement may be provided by:
- improving public access to, or interpretation of, the asset including its setting*
- 5.37. Providing new, public views of a heritage asset and increasing public appreciation of a heritage asset can, therefore, assist in better revealing its significance. In this case, the

provision of additional public views and appreciation is particularly important given the use of the building, which has functioned as a community asset and focal point for Elmswell and the surrounding parish since the medieval period.

Step 4: Explore Ways to maximise enhancement and avoid or minimise harm

- 5.38. The proposals have been developed to respond to the setting and significance of the Church of St John, retaining and, where possible, enhancing those elements that make the strongest contributing and responding to its key characteristics. The proposals will be focused on lower lying land to the north of the listed building and set beyond native hedgerow and sporadic planting. The hedgerow and planting will assist in screening some activity, including vehicle movements, while also reinstating a lost landscape feature and providing a more enclosed, intimate landscape pattern that better relates to the church's historic setting.
- 5.39. The substantial area of retained open space will also provide a buffer between the church and the proposed built form, retaining its relative isolation and separation from Elmswell (to the extent that it does still exist). The location and height of the proposed development will also assist in maintaining the prominence of the church, and its west tower in particular, in local views. The church will still be experienced as a key landmark feature in views from School Road.
- 5.40. The provision of public views will also allow for greater ability to appreciate the significance of the listed building, with new, publicly accessible views provided within the western part of the Site. These measures have all been developed through the design process to minimise harm to the significance of the listed building and provide elements of enhancement.

Step 5: Make and document decision and monitor outcomes

- 5.41. The proposals will alter the setting of the listed building to the north, introducing additional development and changing the character of the Site. The development within the northern part of the Site, due to its use and visual impact, will result in harm to the significance of the listed building by affecting its historic interest. The changes within the southern part of the Site will not diminish the significance of the listed building and provides the opportunity for increased public appreciation of the church.
- 5.42. Overall, the proposals will result in a low level of less than substantial harm to the significance of the Church of St John, contrary to the harm identified by the Council. It should also be noted that the harm assessed by the Council is lower than that ascribed by Historic England (Medium compared to a High level of less than substantial harm) but, for the reasons set out above, in my view the harm remains limited and represents a low degree of less than substantial harm. Whatever level of less than substantial harm is identified by the Inspector, the planning balance required by paragraph 215 of the NPPF must be undertaken.

The Almshouses

Step 1: Identify which heritage assets and their settings are affected

- 5.43. The Almshouses were founded by Sir Robert Gardener in 1614 and comprise a single-storey range, located to the east of the church. Gardener granted the building to the parish, along with an endowment to maintain the Almshouses and pay for six female residents.
- 5.44. The listed building is a symmetrical, single storey range, with a central doorway set within a gabled bay with a sundial and inscription above. The inscription reads:

SIR ROBERT GARDENER KT. SOMETIME LORD OF THESE MANORS OF ELMSWELL AND WOLPIT FOUNDED THIS ALMSHOUSE IN YE TIME OF HIS LIFE AN^o 1614 AND GAVE UNTO IT SUFFICIENT MAINTENANCE FOR SIX POORE WOMEN WIDOWS TO CONTINUE FOR EVER

- 5.45. There are pairs of doorways set at either end and mullioned windows. The building is constructed from red brick with stone dressing and has four prominent brick chimneys.
- 5.46. The significance of the listed building is primarily bound in its historic form and fabric. It is particularly derived from the historic interest as Almshouses granted by the Lord of the Manor to house poor parishioners, with the Dissolution marking a shift from alms and care for the poor being primarily undertaken by the Church, to being cared for by secular organisations or individuals. The listed building also possesses historic interest in providing evidence of historic construction methods and architectural interest from the simple symmetrical design, which provides an attractive frontage to Church Road.
- 5.47. The setting of the listed building includes the church to the west and residential development on the opposite side of Church Road to the south and south-east. The setting to the north and north-west is rural and primarily comprises the Site.
- 5.48. Views of the listed building are provided from within the Site. As with the Church of St John, the nature of these views varies with the topography with the fullest views permitted from the west and from School Road. The Almshouses can be seen in Figure B.2 and in longer-distance views from Parnell Lane, School Road and Church Lane.

Step 2: Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow that significance to be appreciated

- 5.49. The Almshouses were founded by a grant from Gardener and illustrate the shift from the Church as the primary carer for the poor prior to the Dissolution, to a rise in charities and individual benefactors providing for the poor. However, their proximity to the Church of St John is illustrative of the continued importance of religion and piety following the Dissolution. Charity was a central component of faith and Gardener likely chose the location adjacent to the church to demonstrate the importance of this, with the Almshouses an expression of both his generosity and faith. The proximity of these two buildings therefore contributes to the significance of the Almshouses.
- 5.50. The rural character of the Site also illustrates the historic use of the buildings as Almshouses serving a settlement within a rural parish. The undeveloped nature of the Site provides rural context and some separation between the church and Almshouses, with the wider settlement to the east.
- 5.51. Views of the Almshouses from within the Site are restricted to the roofscape and chimneys and provide some appreciation of their form. However, it is not possible to understand the historic use or architectural interest of the buildings from within the Site.

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it

- 5.52. The proposed development will alter an element of the listed building's rural setting, with the proposed development becoming apparent to the east. This will reduce, or prevent views of the listed building which may arise both from the construction of new built development and proposed planting.
- 5.53. Although the proposals will change the setting of the listed building, this will not diminish the ability to appreciate the architectural interest of the Almshouses, or the key element of their setting, which remains their proximity to the Church of St John. The appreciation of the two buildings alongside one another will be retained in views from

School Road and the southern part of the Site. The impact to the significance of the listed building will remain limited.

Step 4: Explore Ways to maximise enhancement and avoid or minimise harm

- 5.54. The proposals include a significant area of open space to the north of the listed building, which will retain the relative separation of the Almshouses from the built edge of Elmswell. This will assist in retaining the immediate rural context of the building and its close association with the neighbouring Church of St John.

Step 5: Make and document decision and monitor outcomes

- 5.55. The proposed development will result in a limited impact to the significance of the listed building, resulting in a very low level of less than substantial harm when undertaking the planning balance required under paragraph 215.

Elmswell Hall

Step 1: Identify which heritage assets and their settings are affected

- 5.56. Elmswell Hall is a multi-phased building that historically served as the manor house for the Manor of Elmswell. The site of the current hall was developed as a moated manor house in the 11th century as a country residence for the Abbot, to which he could retire in breaks from the Abbey at Bury St Edmunds. It developed as a grand complex, entertaining Henry VI in 1433 and remained in the hands of the Abbey until the Dissolution².
- 5.57. The Manor was subsequently held by the Darcy family before being purchased by Sir Robert Gardener in 1590. Gardener was likely responsible for the demolition of the original medieval house and the construction of the current building. In the 17th century, the Hall and its associated Estate was separated from the wider manor, although the Hall retained a significant associated landholding, as demonstrated by the 1841 tithe apportionments. This marked the shift from its use as a manor house, to a gentry farmhouse.
- 5.58. The existing building was originally constructed as a timber framed dwelling, but was substantially remodelled in the 19th century, which included the complete refacing of the building to provide the current appearance. As noted in the Heritage Statement related to recent alterations to the building, by the late 19th century the “*overall appearance was that of a nineteenth century farmhouse, which is what Elmswell Hall had become*”³.
- 5.59. The significance of the listed building is strongly drawn from its historic and architectural interests as a late medieval, timber-framed manor house with the construction techniques and fabric used providing evidence of former construction methods. However, this is not evident externally. The building also possesses historic interest due to its historic association with the wider Elmswell Manor, although the substantial alterations to the building undertaken after the separation of the Hall and Manor in the 17th century have weakened this association and the ability to appreciate it.
- 5.60. The building lies in an agricultural setting to the west of Elmswell, slightly set apart from the development within the settlement. This setting has seen change from the 19th century, notably including the construction of the railway line to the south and the

² Article in E Suffolk Miscellany quoted on <https://www.elmswell-history.org.uk/buildings/elmswell-hall/>

³ Selby, J. Heritage Statement related to application DC/23/01732.

redevelopment of the grounds to provide large-scale modern agricultural buildings. The westward expansion of Elmswell in the late 20th century, coupled with the development south of the railway line have reduced the historic isolation of the building.

Step 2: Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow that significance to be appreciated

- 5.61. The building is now approached from Parnell Lane which sweeps west from School Road, before passing under the railway line and leading to the listed building and wider farmstead. Historic mapping (see Figure A.2) depicts the road following the construction of the railway line, at which point it seems to have been diverted, with a route continuing to the west (on the line of the current footpath) and the main drive proceeding under the railway line in much the same way as it does today. The land immediately to the south of the listed building appears to have been retained as a formal garden, while the land to the north and west, within the historic moat, includes various outbuildings.
- 5.62. The original Elmswell Hall was developed as part of the estate held by the Abbey of Bury St Edmunds, with the church also developed by the Benedictine Abbey. However, the current Hall dates entirely to the secular rebuilding of the Hall after the Dissolution. The construction and subsequent rebuilding of the existing Hall as a secular residence means that the connection with the church is now limited and does not strongly contribute to the significance of Elmswell Hall.
- 5.63. Although the Site formed part of the historic landholding associated with the listed building, it formed one part of a large estate with the 1841 tithe map demonstrating that Seymour was the largest landowner in the parish and owned significant land to the north and west of the Hall, as well as the land to the south (including the Site).
- 5.64. The construction of the railway line, the gradual reduction in the size of the estate and the redevelopment of the Hall and its immediate surrounds, mean that it is now difficult to appreciate the historic grandeur of the building and its association with the wider manor. The Site continues to make some contribution to the historic interest of the Hall as a remnant part of its historic landholding, but this is now limited.
- 5.65. The Hall is visible from within the Site and there are long-distance views from the Hall and its near surrounds towards the Church of St John. The Hall was constructed with its principal elevation facing south-east with the church lying to the south-west. There do not appear to be any planned views towards the church. However, the two buildings do assist in illustrating the historic development of Elmswell, with the Church of St John and Elmswell Hall (including its medieval predecessor) developing as the two key buildings within the parish. They remain distinct from Elmswell, despite the expansion of the settlement in the 20th and 21st centuries.
- 5.66. The Site forms part of the rural surroundings to the listed building and shares a historic association with it. However, the subsequent changes seen to the Hall and its surrounds, notably including the rebuilding of much of the Hall in the 19th century, the selling of much of the estate and the construction of the railway line, have all weakened this association and the Site now makes a limited contribution to the historic interest and overall significance of the listed building. The intervening railway line, surrounding development and orientation of the building mean that it is not possible to appreciate the architectural interest of the listed building from within the Site.

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it

- 5.67. The proposed development will lead to a further change within the setting of Elmswell Hall, continuing the trend established in the late 19th century. Due to the presence of the railway line, which is on an embankment adjacent to the Site, the visual impact of the proposed development will be limited and, where it is visible, it will be experienced alongside the adjacent development. The photomontage provided at Viewpoint 3 demonstrates that the topography and restricted build heights of the development will ensure that the listed building remains visible above the intervening proposed development and planting.
- 5.68. The proposals will also affect the approach to the listed building, with Parnell Lane altered to see development on both its north and south sides. This will further reduce the rural setting and approach to the building, although the railway line will continue to provide a degree of separation.
- 5.69. The limited nature of the views currently provided from within the Site and their focus on secondary elevations of the building mean that the change to, or removal of, these will not diminish the architectural interest of the listed building, or the ability to appreciate its architectural interest.

Step 4: Explore Ways to maximise enhancement and avoid or minimise harm

- 5.70. The development is focused on the lower slopes of the Site and will be reduced in height to minimise any potential visual impact. The application is also made in outline and future reserved matters applications can ensure that the materials used are appropriate to the local area, reinforce local distinctiveness and further reduce any impacts to the significance of the Hall.

Step 5: Make and document decision and monitor outcomes

- 5.71. As with the Almshouses the proposed development will result in a very limited impact to the significance of the listed building, resulting in a very low level of less than substantial harm.

6. Conclusions

- 6.1. The Site forms part of the setting of three listed buildings, each of which are identified in reason for refusal 3. These are:
 - The Grade II* listed Church of St John (NHLE 1032468)
 - The Grade II listed Almshouses to the east of the Church of St John (NHLE 1181926)
 - The Grade II listed Elmswell Hall (NHLE 1032472)
- 6.2. The Site and local area have seen various changes during the latter part of the 20th century and into the 21st century. Notably, this has included the removal of all field boundaries within the Site to facilitate its arable use. The changes have also included the development of the surrounding area, including ribbon development along School Road, 1980s development to the east of School Road and recent development to the north-east of the Site. The Site is now in arable use and is experienced within the context of this neighbouring 20th and 21st century development, as well as the railway line to the north.
- 6.3. The contribution the Site makes to the significance of each of these heritage assets varies and is dependent on its proximity, visual relationship and historic relationship. It makes the strongest contribution to the significance of the Church of St John, as a surviving, though altered, element of its rural setting. The undeveloped nature of the Site assists in reinforcing the relative separation of the building from the core of Elmswell and the prominence and landmark status of the building. It contributes to the historic interest and architectural interest of the church.
- 6.4. The undeveloped nature of the Site also contributes to the historic interest of the Almshouses, reinforcing their use as Almshouses serving a settlement within a rural parish, and allowing them to be experienced alongside the church as an important grouping.
- 6.5. The Site also shares a historic association with Elmswell Hall, although successive changes to the Hall and local area have diminished this link. The Site now makes a very limited contribution to its historic interest and overall significance.
- 6.6. The proposed development will change the setting of the heritage assets by the alteration of the northern part of the Site to provide new development, by the alteration of the southern part of the Site to provide informal open space and by the change in views to and from the listed buildings. The development also provides opportunities to reinstate hedgerow planting that will create a landscape that better relates to the historic form of the Site and the setting of the heritage assets, removing the current more open, arable field suited to modern farming practices.
- 6.7. Public access and appreciation of these buildings for pedestrians and cyclists will be enhanced. Indeed, the District and County Councils have actively sought to increase pedestrian and cycle use in the area with new shared footways and cycleways, including the safeguarding of land within the Site and directly north of the church and Almshouses to provide a new pedestrian and cycle link in relation to the approval of the application for 86 dwellings on land to the north of the Site.
- 6.8. The proposals have been designed to respond to the setting and significance of the identified heritage assets, with key design principles and mitigation measures identified prior to the design process beginning. These seek to retain a significant part of the rural setting to the Church of St John and the Almshouses, retaining their relative isolation,

while also retaining the prominence of the church and its landmark status. New public views of the church will also be created, increasing the ability to appreciate its architectural interest and significance.

- 6.9. As a consequence, harm to the significance of the heritage assets has been minimised, with any harm remaining less than substantial (as agreed with the Council) and, in my view, limited. Specifically, the harm to the significance of the Church of St John will remain low, while the harm to the significance of the Almshouses and Elmswell Hall will remain very low.
- 6.10. Paragraph 215 of the NPPF requires this harm to be weighed against the public benefits of the development, recognising the considerable importance and weight given to the conservation of heritage assets.

APP/W3520/W/25/3364061

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