

GATEWAY 14, STOWMARKET

NOTE ON HERITAGE IMPACT

1. Application of NPPF 'tests'

1.1 In considering proposals that affect heritage assets, paragraph 194 of the NPPF (2021) states that:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance..."

1.2 In accordance with the NPPF, a Heritage Impact Assessment (HIA) was prepared by Squire Heritage Consulting in November/December 2020 to support the hybrid planning application, and to comply with paragraph 194 of the NPPF.

1.3 Heritage Impact Assessments should assess the nature, extent and importance of the significance of the heritage asset and its setting. The NPPF advises (also paragraph 194) that the level of detail of any assessment should be proportionate to the assets' in question and their importance. It also explains that assessments must be sufficiently detailed in order to enable an understanding of the potential impact of a development proposal on the significance of a heritage asset.

1.4 Paragraph 195 of the NPPF places specific policy requirements on any local planning authority making a decision on proposals which might affect a heritage asset or affect the setting of a heritage asset. To make a planning decision, the local planning authority must identify and assess the significance of any heritage asset and the role that its setting may make to that significance.

1.5 Setting is an integral element of the significance of a heritage asset and the impact of development proposals on the 'setting' of heritage assets must be considered. 'Setting' is defined in the glossary to the NPPF as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral."

1.6 When considering the impact of any proposal on the significance of a designated heritage asset, paragraph 199 advises that '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.

- 1.7 Paragraph 200 is explicit 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. Substantial harm to, or loss of, grade II listed buildings, or grade II registered parks or gardens should be exceptional. Substantial harm to, or loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 1.8 Where a proposed development will lead to substantial harm to (or total loss of significance of), a designated heritage asset, paragraph 201 of the NPPF advises that local planning authorities should refuse consent – unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, *or* all of the following apply:
 - a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and,
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 1.9 Paragraph 202 of the NPPF provides guidance for assessing development proposals that will lead to ‘less than substantial harm’ to the significance of a designated heritage asset, explaining that in such circumstances, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 1.10 Paragraph 203 of the NPPF considers the effect of an application on the significance of a non-designated heritage asset, stating that: *“in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss of significance of the heritage asset.”*

2. HIA Methodology and Development Assumptions

- 2.1 As set out above, the NPPF (2021) requires an applicant to describe the significance of any heritage assets that might be affected by a proposed development, including any contribution made their setting. Since the proposals would have no direct physical impacts on the nearest heritage assets to the application site, the assessment was carried out in accordance with the

Historic England Good Practice Advice in Planning Note 3 (Second Edition) “The Setting of Heritage Assets”.

2.2 The Historic England Guidance sets out a stepped approach to assessment, as follows:

Step 1: Identify which heritage assets and their settings might be affected

Step 2: Assess the degree to which these settings and views 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 the significance or on the ability to appreciate that significance

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

Step 5: Make and document the decision and monitor outcomes

2.3 The methodology for the HIA prepared by Squire Heritage Consulting followed the above approach and was based on research and detailed information collected from a variety of primary and secondary sources, including: historical mapping sources; local HER, Suffolk Archives and photographs; Historic England database of Listed Buildings; Heritage Gateway website; and various published assessments of the history of Stowmarket, Creeting St Peter and Badley Green.

2.4 In addition, a site review was undertaken, photographs were taken of the identified heritage assets and their wider context and settings, and an assessment was made of the extent of inter-visibility between various parts of the application site and the heritage assets. This work also provided a detailed understanding of the local topography of the wider area, existing man-made and natural features, current uses and views of the site within the context of the surrounding landscape and townscape.

2.5 The heritage assets that were to be considered in the HIA were originally ‘scoped’ with the heritage and design officer from BMSDC in August 2020, and it was agreed that the following heritage assets should be assessed in terms of both their significance (including their settings), and the potential impact of the proposals on their significance and settings:

1. The Clamp (Clamp Farmhouse) – GII listed building
2. Clamp Cottages (Howe Farm) – GII listed building
3. Willow Green Farmhouse, Pound Road, Creeting St Peter - GII listed building
4. Glebe House, The Lane, Creeting St Peter - GII listed building
5. St Peter’s Church, Creeting St Peter – Grade I listed building
6. Creeting Hall, Mill Lane – GII* listed building
7. Badley Mill House, Stowmarket Road - GII listed building
8. The Woodlands (Woodlands Farm), Stowmarket Road - GII listed building
9. Sheepcote Hall, Creeting Road East – GII listed building
10. Badley Church Green Conservation Area

- 2.6 The first half of the Heritage Impact Assessment demonstrates a detailed understanding of the context of the application site and its historic background, followed by a visual analysis. The second half focuses on the assessment of potential impacts, with a summary of the significance of the heritage assets and the contribution made by their setting to that significance, followed by assessments against local and national policy.
- 2.7 The documents and plans used in the HIA to assess potential impact on the significance and setting of the designated heritage assets within the vicinity of the Site were as follows:

Primary Control Documents:

- **Red line site boundary plan** – identifying the extent of the Application Site;
- **Detailed plans, sections and elevations** – setting out how in full how the detailed components would be developed, including full details on framework landscaping and access arrangements;
- **Parameters plan** – defining the extent of the proposed spaces and heights of the proposed buildings against allowable deviations/tolerances;
- **Application summary plan** – defining the extent of the outline and detailed applications;
- **Outline development schedule** – setting out the type (uses) and quantity of development that could be provided on the Site; and,
- **Design Code document** – providing overarching guidance for the detailed design of buildings and the landscape/public realm for future detailed applications.

Secondary Control Documents (providing background, illustrative and supporting information):

- **Illustrative masterplan** – providing an indication of what the overall proposed development could look like. It is not submitted for approval, but shows one way in which a development of the type and scale proposed might fit within the Specified Parameters for the outline components, for which Planning Permission is being sought;
- **Planning Statement** – explaining how the proposed development responds to relevant planning policies, why the development is being promoted, and the benefits that could be expected to flow from it;
- **Design and Access Statement** – a statutory document explaining the design evolution of the proposals and how the scheme has been developed, including a landscape strategy, details of the access, design and information on the illustrative masterplan components;
- **The Environmental Statement** – a statutory document containing the technical environmental assessments undertaken to understand the likely environmental effects of the proposed development.

- 2.8 It is noted that although the detailed design and scale/massing of the proposed buildings would be matters reserved for subsequent approval, the parameters plan, which will be an approved document, sets out, and seeks agreement to, the following aspects of the proposals:

- The location and layout of the access road into the Site, its connection through to Mill Lane, and the layout of access roads to each of the four development plots;
- The scale, extent and location of each of the four proposed development plots, and the maximum building height within each plot – based on the proposed ‘cut and fill’ drawing and proposed ground remodelling;
- The infrastructure and detailed landscaping between and around the proposed development plots, including the proposed 4.5 metre high bund topped with infrastructure buffer planting, which would be located 70 metres to the west of Clamp Cottages;
- The location of the ‘Innovation Hub’ to the north of Clamp Farmhouse and Clamp Cottages, which would comprise smaller office/R&D buildings in terms of both scale/footprint and size/height;
- The location of the amenity and biodiversity zone, which would contain the surface water attenuation features and open space, and be located immediately to the south of Clamps Cottages; and,
- The location and extent of the ‘restricted building height zone’, on the west side of the proposed landscaped buffer and mounding, which would ensure that the height of any new buildings in this area would not exceed 10 metres.

2.9 The potential impact of the proposals on the closest heritage assets was assessed using the Primary Control Documents and the illustrative masterplan, which represented a likely scenario in terms of the location, scale, size, massing and overall height of the proposed new buildings, based on the parameters plan. The HIA used all this information to assess potential impacts on the setting and significance of the designated heritage assets in the vicinity of the application site.

2.10 It was also noted that the proposed landscaped buffer and mounding to the eastern boundary of the site (i.e. immediately to the west of Clamp Farm Cottages and Clamp Farmhouse), was shown in detail as part of the landscaping proposals for which approval was being sought, and that the parameters plan secured the location of the proposed development plots, including those closest to these designated heritage assets – i.e. the location of the ‘Innovation Hub’ to the north of Clamp Farm, where smaller office/innovation buildings with a lower overall building height would be located; and the inclusion of a designated area within Plot 4000 where the height of any building would be restricted to 10 metres.

2.11 It is also noted that it is common practice to assess the potential impacts of a proposed development on nearby heritage assets when the planning application is only in outline form, or is a hybrid with some detailed elements. In such scenarios, the illustrative layout plan or masterplan is often used to make an assessment of impacts on significance caused by changes to the wider setting of heritage assets (see Section 4).

3. HIA Conclusions on Potential Impact (para.202 – harm v public benefits)

- 3.1 As a result of the assessments made for the HIA, the report concluded that the proposed development would result in impacts ranging from ‘no impact’ to ‘negligible impact’ and ‘moderate/medium’ impact to the wider settings of certain designated heritage assets, on the basis that the change to those settings would not be overly intrusive or overly diminish their context.
- 3.2 These conclusions were reached on the basis of experience, site inspection and assessment of the wider settings of each individual heritage asset, including inter-visibility between various parts of the Site and the heritage assets. The wider landscape setting of each of the heritage assets was also assessed in the context of the scale and massing of the overall development.
- 3.3 The report noted that there would be **negligible impact** from the proposed development on the contribution that the wider settings make to the significance of Creeting Hall, Badley Green Conservation Area and St Peters Church, and that there would be a **minor/low adverse impact** from the proposed development on the contribution that the wider settings make to the significance of Badley Mill House, Cedars Hotel, Woodland Farmhouse, Badley Hall, Willow Green Farmhouse, The Old Rectory (listed incorrectly as Glebe House), and Sheepcote Hall.
- 3.4 In respect of the nearest designated heritage assets to the application site, the report concluded that there would be a **moderate/medium impact** from the proposed development on the wider settings of Clamp Farmhouse and Clamp Cottages, and it considered that this level of impact would result in a **low-medium range of harm** to their significance, since their setting forms only a part of their overall significance.
- 3.5 These aspects of ‘moderate/medium’ impact on the wider setting of these designated heritage assets were considered, in this case, to represent “less than substantial” harm in the context of Paragraph 202 of the NPPF, a term which (according to Bedford Borough Council v SSCLG & Nuon UK Ltd [2013] EWHC 2847) can refer to a range of impacts from an impact that is “negligible” in effect, to one which is “something approaching demolition or destruction.”
- 3.6 In these instances, the HIA concluded that the “less than substantial” harm levels are at the **low to medium** end of this scale and would not incur impacts of such an effect as to infer any great loss of significance. At this level of “less than substantial harm”, the impacts arising from the proposed development were considered in the context of the public benefits arising from the proposals, in accordance with Paragraph 202 of the NPPF (2021).
- 3.7 The public benefits of the completed development were considered to be:
- The delivery of an allocated major employment site by bringing together two sites and creating a comprehensive scheme that makes the best use of the site to deliver a development that responds positively to market demand;

- The creation of between 1,403 and 4,826 net direct full-time jobs;
- The creation of between 407 and 1,400 indirect and induced full-time jobs at the district level, associated with the completed development due to spending in the local economy by employees and contracts placed with suppliers and contractors;
- The creation of between 617 and 2,123 indirect and induced full-time jobs at the sub-regional level;
- Significant improvements to pedestrian accessibility, including the provision of a toucan crossing on the A1120, closure of Mill Lane and the A1120 overbridge to vehicular traffic and diversions/improvements to the PRoW network within the site, including a landscaped connection to the Gipping Valley Way.

3.8 For all the reasons set out in the HIA, the report concluded that the public benefits of the proposals would far outweigh the low to medium levels of 'less than substantial harm' to the wider settings of the designated heritage assets known as Clamp Farmhouse and Clamp Cottages. In addition, the report concluded that:

- The proposed development responds to the potential high sensitivity of Clamp Farmhouse and Clamp Cottages to change, by utilising a landscape framework and boundary features that would minimise potential adverse impacts and by locating lower buildings and a 'no build zone' adjacent to the Clamp farmstead group;
- The proposed development is considered to be likely to result in a low to medium level of 'less than substantial harm' to the significance of designated heritage assets because it could detract from the relatively isolated rural setting of Clamp Farmhouse and Clamp Farm Cottages. However, the wider setting of these assets forms only one aspect of their overall significance, which would remain largely unchanged. While the detailed design, scale and layout of the buildings is not being sought at this stage, this level of harm is clearly and convincingly outweighed by the overall public benefits of the proposed development; and,
- The proposed development would see change managed so that the impact of development upon the setting of the designated heritage assets was mitigated to the point whereby there would be only a moderate or medium impact. In respect of the NPPF, the report has shown that the public benefits would outweigh this low to medium level of 'less than substantial harm' and that therefore impact on the setting of heritage assets, and the degree to which that setting contributes to their significance, could not be used as a reason to refuse outline planning permission.

3.9 Further illustrative sections have been prepared of the 'Illustrative Masterplan' to show the potential impact of the proposed development on the wider settings of the two designated heritage assets closest to the site – Clamp Farmhouse and Clamp Cottages. These sections have been drawn on an east-west axis from the two listed buildings towards Plot 4000, which is intended to be able to accommodate the largest B8 building on the site, and on a north-south

axis from Plot 1, through the Innovation Hub (Plot 3), through Clamps Cottages and across the amenity and biodiversity zone.

- 3.10 These sections help to illustrate the detailed landscaping works proposed around the perimeter of the site within the wider settings of the two listed buildings, as well as the potential proximity and scale of the nearest buildings, and their relationship to the illustrative revised ground levels.
- 3.11 These sections justify and support the conclusions set out in the HIA in respect of the likely impacts on setting and significance of the heritage assets closest to the application site, and the level of likely harm to their setting and significance.

4. Appeal Inspectors Consideration of Heritage Impacts

- 4.1 Appeal Inspectors often have to consider the nature and extent of harm to the setting and significance of heritage assets caused by outline or hybrid proposals, which clearly illustrates that such assessment is both possible and acceptable.
- 4.2 The recovered appeal APP/P1133/W/18/3205558 (see attached), was for a hybrid application comprising: outline proposal for mixed use development of c. 1,210 dwellings, a primary school, up to 12,650 m2 of employment floorspace, two care homes, community facilities, a local centre, open space and associate infrastructure (means of access to be determined only); and full proposal for change of use and conversion of existing agricultural buildings to hotel, restaurant and bar, involving erection of new build structures, construction of access road and parking. One of the main issues was impact on designated heritage assets and the Inspector (and the Secretary of State) had to consider potential impacts on the settings of a Grade I listed parish church, Grade II listed Priory and adjacent Conservation Area.
- 4.3 The Inspector noted that the appeal proposal would erode the setting of the church, and to a lesser degree it's significance, by reason of diminishing the association of the pastoral land upon which the appeal development would be built (para.385). The identified impact on heritage was centred on the harm to the setting and significance of the Grade I listed church and the Inspector noted that:

"I am satisfied that the submitted evidence within the Heritage Appraisal, along with the evidence to the Inquiry, as well as my professional judgement, are sufficient information for the decision-maker to make the required assessment on impact of this outline proposal in accordance with the statutory duty¹ and the Framework."

- 4.4 The Inspector further concluded that taking all the heritage evidence into account there would not be a total loss of significance and so the appeal proposal, as a totality, would lead to less than substantial harm to the significance of a designated heritage asset. He went on to state that the degree of less than substantial harm in this case would be at the upper level of a sliding

¹ Section 66(1) of the Planning (listed Buildings and Conservation Areas) Act 1990

scale of less than substantial harm, and that having reached this view, the less than substantial harm to the significance of the designated heritage assets should be weighed against the public benefits of the proposals, in accordance with the NPPF. The appeal was allowed with the Secretary of State in full agreement with the Inspector's conclusions on heritage impact.

4.5 In another appeal decision, APP/Y3425/W/20/3260637 (also attached), which was made in connection with an outline application for a development of up to 37 dwellings with means of site access, earthworks to facilitate surface water drainage, and other ancillary and enabling works, impact on the setting of heritage assets was also one of the two main issues. In this case, the effect of the development on the settings of the adjoining Eccleshall Conservation Area and the Grade II* listed Eccleshall Castle, which is also a Scheduled Monument.

4.6 In his decision, the Inspector noted (para.13) that:

“Layout is a reserved matter and so the way in which buildings, routes and open spaces within the development are provided does not fall to be considered at this stage. I further note that the site is relatively generous in size and that significant areas of open space are indicated in the illustrative masterplan. There are some examples of higher density housing types in the vicinity, including semi-detached and terraced properties. Accordingly, I am satisfied that a development of 37 dwellings could be achieved without significantly encroaching to the north of the existing properties fronting Castle Street. Instead this area could be used to accommodate landscaping or open space alongside the proposed access road.”

4.7 The Inspector concluded that while the development would have some effect on the rural setting to the Conservation Area and the undeveloped gap between the castle and the town, this harm would be relatively minor and towards the lower end of ‘less than substantial harm’ in the context of the NPPF. He went on to conclude that this level of harm would be outweighed by the public benefits of the scheme in this case, which included the provision of up to 37 dwellings, 40% of which would be affordable, associated economic benefits and contributions towards primary and secondary education, open space provision and sports facilities.

4.8 From all the above, it can be seen that considering the nature and extent of harm to the setting and significance of heritage assets caused by outline or hybrid proposals, where the layout, scale and detailed design of buildings are reserved matters, is usual practice as demonstrated by these previous Inspectors decisions.

Appendix 1: Proposed Sections



Anticipated size of landscaping at 15 years post planting.



An example of the proposed landscaping at implementation stage on the proposed bund on the eastern boundary close to Clamp Farm.



Anticipated size of landscaping at 15 years post planting on the bund to the eastern boundary close to Clamp Farm.

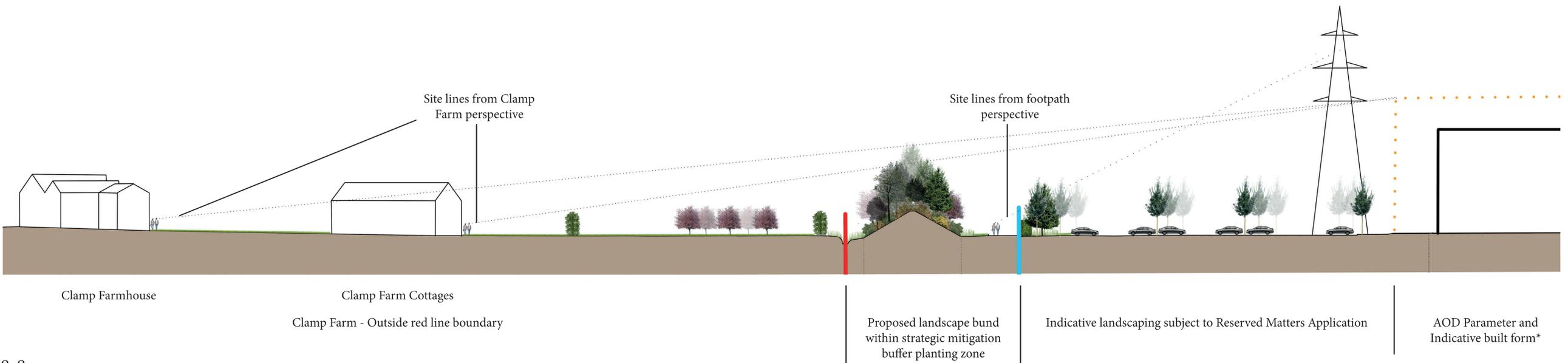


Strategic Landscape Cross Section locations - Not to scale -
Refer to drawings JBA 20 104 SK01 Illustrative Masterplan and 01-19 for Detailed Landscape Proposals

Cross Section 8-8 at Circa 15 years on the eastern boundary of the site including the proposed landscape bund and through an indicative Unit.

From east to west:
Clamp Farm, existing hedge, orchard, existing hedge, wildflower meadow and drainage ditch, Red line application boundary (Red), section through the proposed landscape bund, wildflower meadow, grass verge, maintenance access, grass verge, wildflower meadow, native trees on strategic landscape boundary, native hedge, reserved matters application boundary, (blue), security fencing, illustrative proposed planting of native trees, wildflower grass, amenity grass verge, indicative location of proposed car parking trees within car parking areas to reduce elevational visual impact of building and provide shade in parking areas,, indicative location of building maintenance access around unit built form and building.

* Indicative built form - To illustrate a potential location and size of a building within the parameters for the site to be confirmed and subject to a reserved matters application



Section 8-8

Rev	Initials	Date	Comments
A	AJW	10.08.21	TO SUIT CLIENT COMMENTS

JBA 20-104 CS05			
Landscape Cross Sections 8			
Site			
GATEWAY 14, STOWMARKET			
Drawn by	Date	Scale	Rev
AJW	AUG 2021	1:250@A0	- A
James Blake Associates Ltd. LANDSCAPE ARCHITECTURE • LANDSCAPE PLANNING • ECOLOGY • ARBORICULTURE 34-52 Out Westgate, Bury St Edmunds, Suffolk, IP33 3PA Tel 01223 653951 E-mail jamesblake@jba-landmarc.com			
JAMES BLAKE ASSOCIATES			



An example of the proposed landscaping at implementation stage on the proposed bund on the eastern boundary close to Clamp Farm.



Anticipated size of landscaping at 15 years post planting on the bund to the eastern boundary close to Clamp Farm.



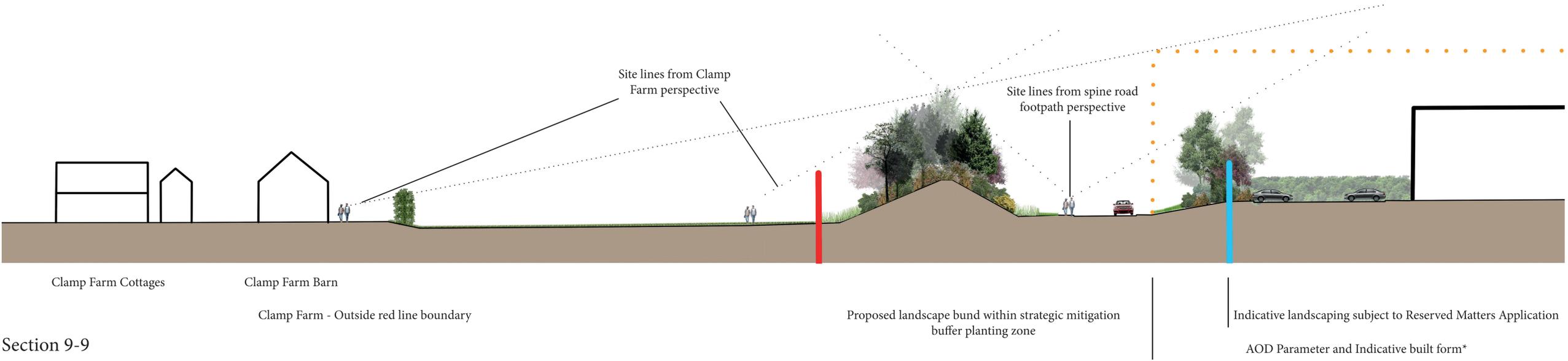
Example of street avenue trees with a single species native hedge at 15 years post planting on the spine road.



Strategic Landscape Cross Section locations - Not to scale -
Refer to drawings JBA 20 104 SK01 Illustrative Masterplan and 01-19 for Detailed Landscape Proposals

Cross Section 5-5 at Circa 15 years on the eastern boundary of the site including the proposed landscape bund, proposed spine road and through an indicative Unit.

From south to north:
Clamp Farm, existing hedge, open field, red line application boundary (Red), wildflower meadow and maintenance access, section through the proposed landscape bund, wildflower meadow, grass verge, footpath, main spine road, footpath, grass verge, native trees with sub canopy planting, native hedge, reserved matters application boundary, (blue), security fencing, illustrative proposed planting of native trees, sub canopy shrub planting amenity grass verge, indicative location of proposed car parking, indicative location of building maintenance access around unit built form and building.



Section 9-9

* Indicative built form - To illustrate a potential location and size of a building within the parameters for the site to be confirmed and subject to a reserved matters application

Rev A	Initials AJW	Date 10.08.21	Comments TO SUIT CLIENT COMMENTS
JBA 20-104 CS06 Landscape Cross Section 9 Site GATEWAY 14, STOWMARKET			
Drawn by AJW	Date AUG 2021	Scale 1:250 @A0	Rev - A
James Blake Associates Ltd. LANDSCAPE ARCHITECTURE • LANDSCAPE PLANNING • ECOLOGY • ARBORICULTURE 34-52 Out Westgate, Bury St Edmunds, Suffolk, IP33 3PA Tel 01223 653951 • E-mail: jamesblake@jba-landmarc.com			
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