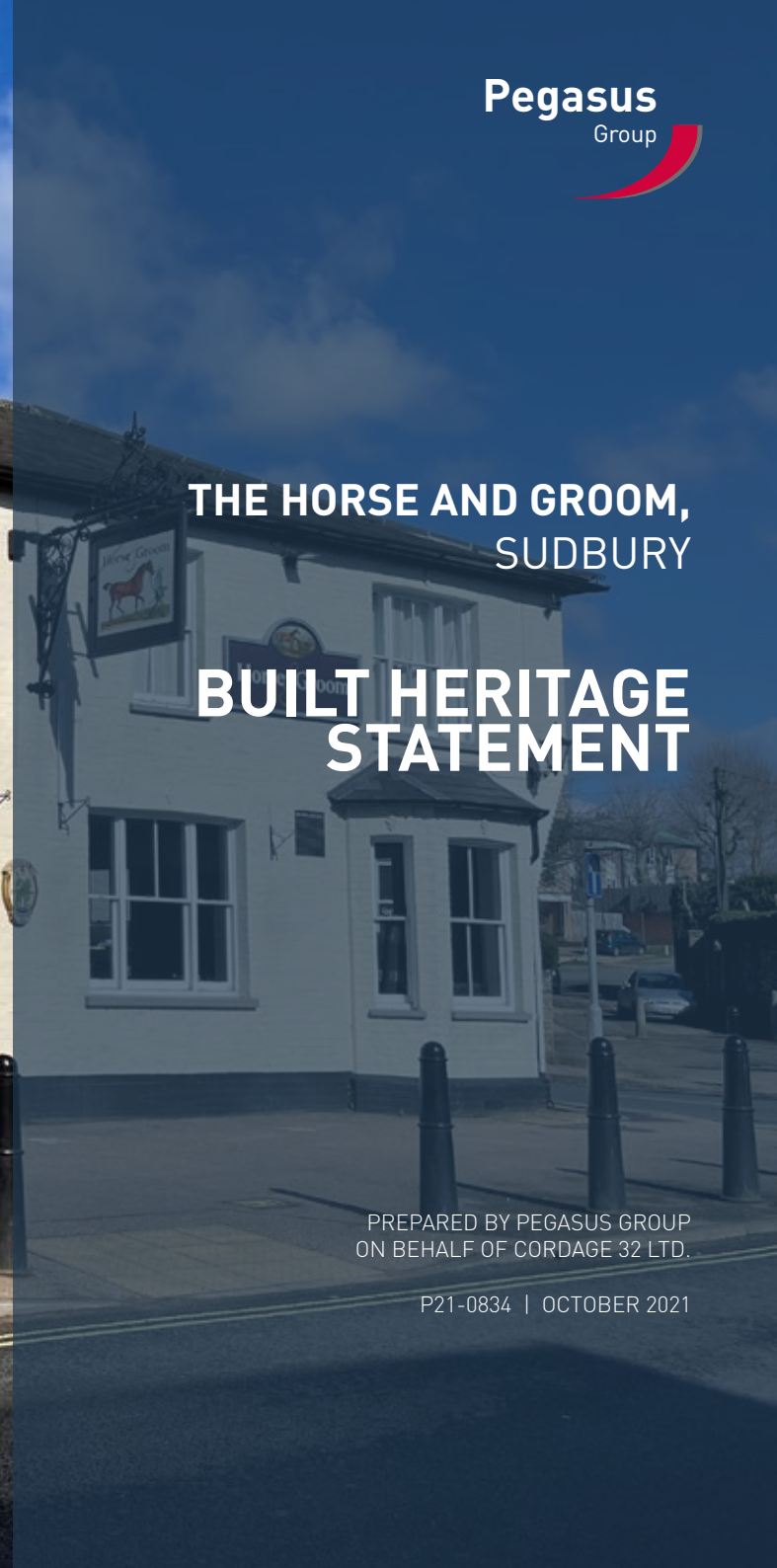




**THE HORSE AND GROOM,
SUDBURY**

**BUILT HERITAGE
STATEMENT**



PREPARED BY PEGASUS GROUP
ON BEHALF OF CORDAGE 32 LTD.

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Pegasus Group

Suite 4 | Pioneer House | Vision Park | Histon | Cambridge | CB24 9NL
T 01223 202 100 | E Cambridge@pegasusgroup.co.uk | W www.pegasusgroup.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

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Suite 4 | Pioneer House | Vision Park | Histon | Cambridge | CB24 9NL
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1. Introduction

1.1 Pegasus Group have been commissioned by Cordage 32 Ltd. to prepare a Built Heritage Statement to consider the proposed conversion of an outbuilding to form a residence at the Horse and Groom Public House (PH), Sudbury, Suffolk as shown on the Site Location Plan provided at Plate 1.



Plate 1: Site Location Plan

1.2 The site is located within the Sudbury Conservation Area and contains the Horse and Groom Public House, a non-designated

heritage asset which has been included on the Sudbury Local List, and associated outbuildings which are also included within the Local List description for the building. Together these buildings form one non designated heritage asset.

1.3 This Built Heritage Statement provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 194 of the Government's National Planning Policy Framework (the NPPF¹) which requires:

*"an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."*²

1.5 As required by paragraph 194 of the NPPF, the detail and assessment in this Report is considered to be "*proportionate to the asset's importance*"³.

¹ Ministry of Housing, Communities and Local Government (MHCLG), *National Planning Policy Framework (NPPF)* (London, July 2021).

² MHCLG, *NPPF*, paragraph 194.

³ MHCLG, *NPPF*, paragraph 194.

2. Site Description and Planning History

2.1 The eastern extent of the site is occupied by the Horse and Groom PH with associated outbuildings located along the north-western site boundary. The PH is of late Victorian date and retains all of its original sash windows (Plate 2).



Plate 2: View west from East Street towards the main frontage of the Horse and Groom PH

2.2 A 'cutaway' on the north-eastern corner of the PH was both a decorative and a practical feature as it allowed some protection from collision with turning wagons (Plate 3).



Plate 3: View south-west from the junction of East Street and Upper East Street towards the Horse and Groom, with the outbuildings visible

- 2.3 The outbuilding which lies along the north-western site boundary is separated from the PH by an associated tarmac car park (Plates 4-5).



Plate 4: View north-west from within the associated car park of the PH towards the outbuildings



Plate 5: Panoramic view across the site from the south-western boundary

Site Development

- 2.4 The land within the site is depicted on the Tithe Map of St George and St Peter in Sudbury of 1840 (Plate 6). No built form is depicted within the site. At this time, the site comprised two arable land parcels which were under the ownership of John Crisp Gooday Esquire and the occupancy of Henry Baldwyn. Land parcel 81 was known as *Lilliespiece* and land parcel 82 was known as *Dobs Piece*.



Plate 6: Extract from the Tithe Map of St George and St Peter in Sudbury of 1840

- 2.5 The built form within the site is first depicted on the Ordnance Survey Map of 1886 which shows that the wider area has been developed (Plate 7). The main public house building was L-shaped and positioned at the north-eastern extent of the site, at the junction of East Street and Upper East Street with the outbuildings stretching along the entire north-western site boundary to the rear.

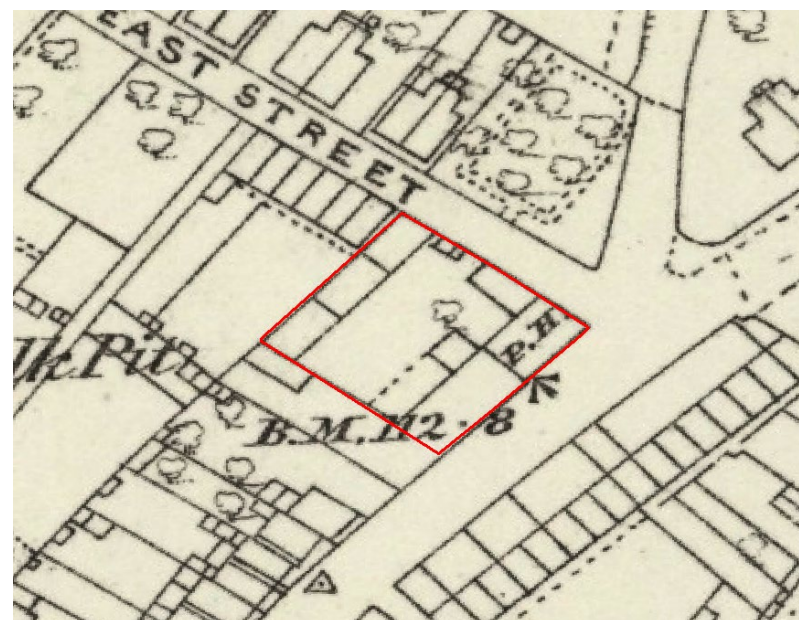


Plate 7: Extract from the Ordnance Survey Map of 1886

2.6 The site is depicted on the Ordnance Survey Map of 1904 (Plate 8). The public house appeared to have been extended to the south-west and a number of ancillary buildings were associated as part of the complex, creating a U-shape to the rear.

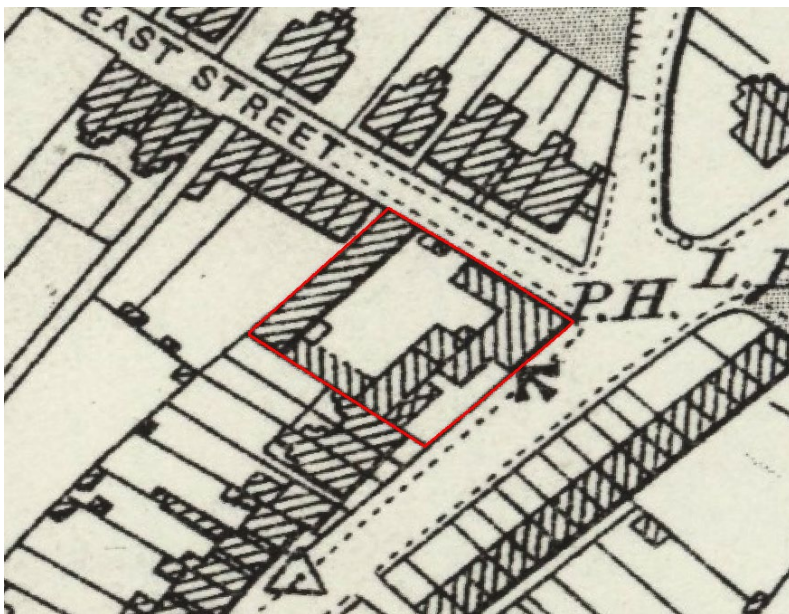


Plate 8: Extract from the Ordnance Survey Map of 1904

2.7 No major changes are depicted on the Ordnance Survey Map of 1926 (Plate 9) or the Ordnance Survey Map of 1948 (Plate 10).

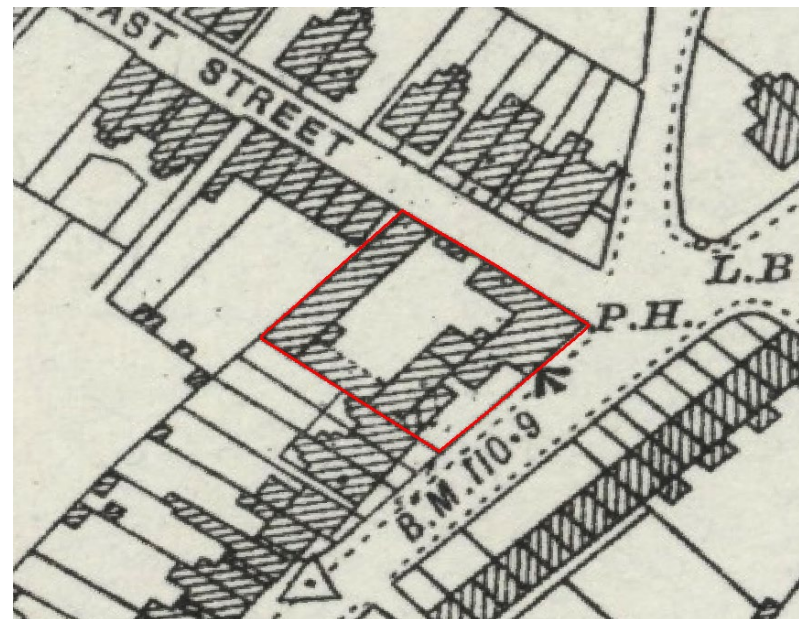


Plate 9: Extract from the Ordnance Survey Map of 1926



Plate 10: Extract from the Ordnance Survey Map of 1948

- 2.8 By the time of the Ordnance Survey Map of 1968 (not reproduced) the structures to the south-west of the PH, along the south-eastern site boundary, had been removed. Some of the outbuildings along the south-western site boundary had also been removed by this point, and the entire range had been completely removed by the time the Ordnance Survey Map of 1973 (not reproduced) was drawn.
- 2.9 Modern aerial imagery of the site shows that the outbuilding along the north-western site boundary stretched across the entire boundary until the south-western extent was removed at some point between March 2012 when it was last apparent on

aerial imagery (Plate 11), and April 2015 when it is shown to have been demolished (Plate 12).



Plate 11: Extract from an aerial image of the site from 2012 (Google Earth)



Plate 12: Extract from an aerial image of the site from 2015 (Google Earth)

Planning History

2.10 Whilst the historic mapping described above indicates the development of the local area, a review of the recent planning history records held online by Babergh and Mid Suffolk District Councils has also indicated a number of applications which are relevant to the site, as follows:

- **B/08/00131** – Erection of a timber framed shelter and decking (existing shelter to be removed). As amended by agent's fax dated 21/02/08. **Application Granted 12th March 2008.**
- **B/07/00487** – Erection of a timber framed shelter, as amended by drawing no. 4178/01A received on 04/06/2007. **Application Granted 21st June 2007.**
- **B/95/00069** – Retention of two lanterns to the front elevation. **Application Granted 28th March 1995.**

3. Proposed Development

- 3.1 The application seeks Planning Permission for the conversion of an outbuilding associated with the Horse and Groom PH into a residential dwelling.
- 3.2 The proposals seek to preserve the building’s ancillary appearance and surviving original external features (i.e. the brickwork, window apertures and timber cladding on the gable end), with the addition of new rooflights and additional windows, including on the Upper East Street frontage.
- 3.3 The proposals have been revised since the original submission to have no principal rooms facing the car park.
- 3.4 The proposals are detailed on the following plans which form the application package and which this assessment considers:

- **00.01 A – Site Location Plan;**
- **00.02 A – Existing Topo Survey;**
- **00.03 A – Existing Survey Elevations and Plan;**
- **10.00 I – Proposed Site Plan;**
- **10.01 C – Proposed Floor Plans;**
- **10.02 F – Proposed Elevations;**

- **10.03 A – Proposed Street Scene; and**
- **10.04 A – Proposed Landscape Plan.**

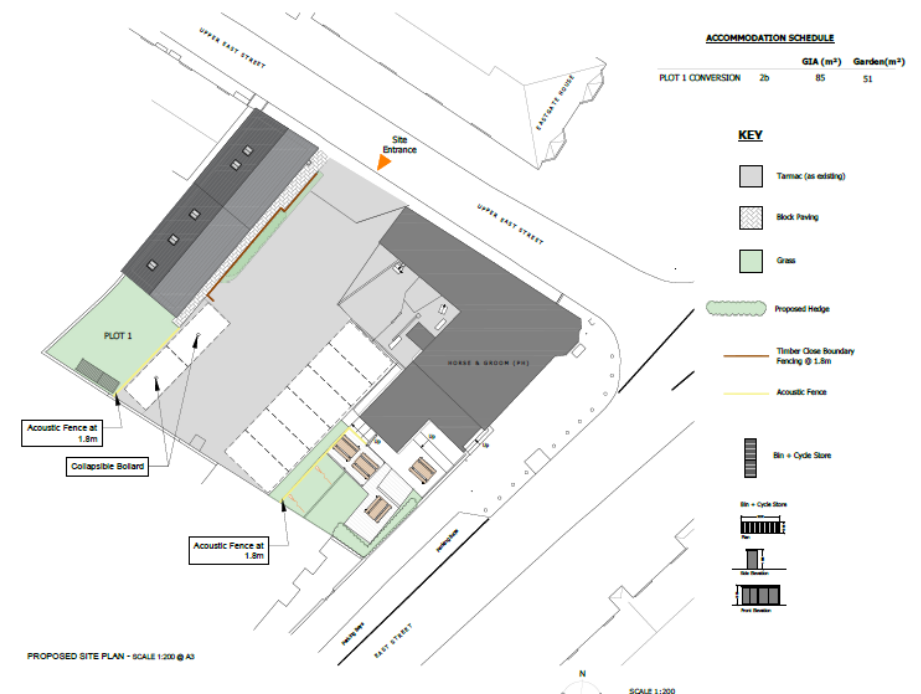


Plate 13: Proposed Site Plan

4. Methodology

4.1 The aims of this Built Heritage Statement are to assess the significance of the heritage resource within the site, to assess any contribution that the site makes to the heritage significance of the surrounding heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant. This assessment considers the built heritage.

Sources

4.2 The following key sources have been consulted as part of this assessment:

- The National Heritage List for England for information on designated heritage assets;
- The Sudbury Conservation Area Appraisal as prepared by Babergh District Council;
- Sudbury's Local List prepared by the Sudbury Society and endorsed by the District Council;
- Archival sources, including historic maps, held online due to the current closure of the Suffolk Record Office; and
- Aerial photographs, satellite imagery and online documentary sources.

4.3 Heritage assets in the wider area were assessed as deemed appropriate (see Section 7).

Site Visit

4.4 A site visit was undertaken by a Senior Heritage Consultant from Pegasus Group on Friday 19th March 2021, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas. The visibility on this day was clear.

Assessment of significance

4.5 In the NPPF, heritage significance is defined as:

*"The value of a heritage asset to this and future generations because of its heritage interest. That 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."*⁴

4.6 Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice*

⁴ MHCLG, *NPPF*, p. 71-72.

Advice in Planning: 2⁵ (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

4.7 In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.⁶ These essentially cover the heritage 'interests' given in the glossary of the NPPF⁷ and the online Planning Practice Guidance on the Historic Environment⁸ (hereafter 'PPG') which are **archaeological**, **architectural and artistic** and **historic**.

4.8 The PPG provides further information on the interests it identifies:

- **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

⁵ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

⁶ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see idem pp. 28–32.

⁷ MHCLG, *NPPF*, p. 71.

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 skills, 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."⁹

4.9 Significance results from a combination of any, some or all of the interests described above.

4.10 The most-recently issued guidance on assessing heritage significance, Historic England's *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12*,¹⁰ advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

⁸ Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

⁹ MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

¹⁰ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

4.11 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

4.12 As defined in the NPPF:

"Significance derives not only from a heritage asset's physical presence, but also from its setting."¹¹

4.13 Setting is defined as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."¹²

4.14 Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

4.15 How setting might contribute to these values has been assessed within this Report with reference to *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*¹³ (henceforth referred to as 'GPA 3'), particularly the

checklist given on page 11. This advocates the clear articulation of "what matters and why".¹⁴

4.16 In GPA 3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

4.17 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

4.18 A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and also that

¹¹ MHCLG, *NPPF*, p. 72.

¹² MHCLG, *NPPF*, p. 71.

¹³ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

¹⁴ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 8.

factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement)¹⁵:

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”

¹⁵ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

Levels of significance

- 4.19 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.
- 4.20 In accordance with the levels of significance articulated in the NPPF and the PPG, three levels of significance are identified:
- **Designated heritage assets of the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 63 of the NPPF;
 - **Designated heritage assets of less than the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and
 - **Non-designated heritage assets**. Non-designated heritage assets are defined within the PPG as “buildings, monuments, sites, places, areas or

*landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.*¹⁶

4.21 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

4.22 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

4.23 In order to relate to key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** *It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”;*¹⁷ and
- **Less than substantial harm.** *Harm of a lesser level than that defined above.*

¹⁶ MHCLG, PPG, paragraph 039, reference ID: 18a-039-20190723.

¹⁷ *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

4.24 With regards to these two categories, the PPG 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.”*¹⁸

4.25 Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle of the spectrum and upper end of the less than substantial harm scale.

4.26 With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated. As such, harm to such assets is articulated as a level of harm to their overall significance, with levels such as negligible, minor, moderate and major harm identified.

4.27 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, ‘preserving’ means doing ‘no harm’.¹⁹

¹⁸ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

¹⁹ *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).

4.28 Preservation does not mean no change; it specifically means no harm. GPA 2 states that “*Change to heritage assets is inevitable but it is only harmful when significance is damaged*”.²⁰ Thus, change is accepted in Historic England’s guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

4.29 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in GPA 3, described above. Again, fundamental to the methodology set out in this document is stating “what matters and why”. Of particular relevance is the checklist given on page 13 of GPA 3.

4.30 It should be noted that this key document also states that:

“Setting is not itself a heritage asset, nor a heritage designation...”²¹

4.31 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

4.32 With regards to changes in setting, GPA 3 states that:

*“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.*²²

²⁰ Historic England, *GPA 2*, p. 9.

²¹ Historic England, *GPA 3*, p. 4.

4.33 Additionally, it is also important to note that, as clarified in the Court of Appeal, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused.²³

Benefits

4.34 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets concerned.

4.35 As detailed further in Section 6, the NPPF (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

4.36 Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 201 and 202.

4.37 The PPG provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

²² Historic England, *GPA 3.*, p. 8.

²³ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- reducing or removing risks to a heritage asset*
- securing the optimum viable use of a heritage asset in support of its long term conservation."²⁴*

4.38 Any 'heritage benefits' arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the Decision Maker.

²⁴ MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

5. Planning Policy Framework

5.1 This section of the Report sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the site, with a focus on those policies relating to the protection of the historic environment.

Legislation

5.2 Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,²⁵ which provides statutory protection for Listed Buildings and Conservation Areas.

5.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 or, 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."*²⁶

²⁵ UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

²⁶ *Planning (Listed Buildings and Conservation Areas) Act 1990*, Section 66(1).

5.4 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

*"Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."*²⁷

5.5 A judgement in the Court of Appeal ('Mordue') has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 draft of the NPPF, the requirements of which are now given in paragraph 196 of the revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.²⁸

5.6 With regards to development within Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability

²⁷ *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137. para. 24.

²⁸ *Jones v Mordue* [2015] EWCA Civ 1243.

of preserving or enhancing the character or appearance of that area.”

- 5.7 Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.
- 5.8 Scheduled Monuments are protected by the provisions of the *Ancient Monuments and Archaeological Areas Act 1979* which relates to nationally important archaeological sites.²⁹ Whilst works to Scheduled Monuments are subject to a high level of protection, it is important to note that there is no duty within the 1979 Act to have regard to the desirability of preservation of the setting of a Scheduled Monument.
- 5.9 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.³⁰

²⁹ UK Public General Acts, *Ancient Monuments and Archaeological Areas Act 1979*.

National Planning Policy Guidance

The National Planning Policy Framework (July 2021)

- 5.10 National policy and guidance is set out in the Government’s National Planning Policy Framework (NPPF) published in July 2021. This replaced and updated the previous NPPF 2019. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.
- 5.11 The NPPF sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.
- 5.12 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the ‘presumption’) sets out the tone of the Government’s overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to

³⁰ UK Public General Acts, *Planning and Compulsory Purchase Act 2004*, Section 38(6).

plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

- 5.13 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a. plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or*
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when*

*assessed against the policies in this Framework taken as a whole.*³¹

5.14 However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

*"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change."*³² (our emphasis)

5.15 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

5.16 Heritage Assets are defined in the NPPF as:

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage

³¹ MHCLG, *NPPF*, para. 11.

³² MHCLG, *NPPF*, para. 11, fn. 7.

³³ MHCLG, *NPPF*, p. 67.

*assets and assets identified by the local planning authority (including local listing).*³³

5.17 The NPPF goes on to define a Designated Heritage Asset as a:

*"World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation."*³⁴ (our emphasis)

5.18 As set out above, significance is also defined 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."*³⁵

5.19 Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 195 that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict

³⁴ MHCLG, *NPPF*, p. 66.

³⁵ MHCLG, *NPPF*, p. 71-72.

between the heritage asset's conservation and any aspect of the proposal."³⁶

5.20 Paragraph 197 goes on to state that:

"In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c. the desirability of new development making a positive contribution to local character and distinctiveness.*"³⁷

5.21 With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

"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."³⁸

³⁶ MHCLG, *NPPF*, para. 195.

³⁷ MHCLG, *NPPF*, para. 197.

"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:

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*"³⁹

5.22 Section b) of paragraph 200, which describes assets of the highest significance, also includes footnote 68 of the *NPPF*, which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

5.23 In the context of the above, it should be noted that paragraph 201 reads as follows:

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to

³⁸ MHCLG, *NPPF*, para. 199.

³⁹ MHCLG, *NPPF*, para. 200.

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.”⁴⁰*

5.24 Paragraph 202 goes on to state:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”⁴¹

5.25 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or

⁴⁰ MHCLG, *NPPF*, para. 201.

⁴¹ MHCLG, *NPPF*, para. 202.

⁴² MHCLG, *NPPF*, para. 206.

better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”⁴²

5.26 Paragraph 207 goes on to recognise that “*not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance*”⁴³ and with regard to the potential harm from a proposed development states:

“Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”⁴⁴ (our emphasis)

5.27 With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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

⁴³ MHCLG, *NPPF*, para. 207.

⁴⁴ *Ibid*.

*harm or loss and the significance of the heritage asset.*⁴⁵

5.28 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

5.29 The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

5.30 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

5.31 The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of

'significance' in decision taking is important and states:

*"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."*⁴⁶

5.32 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

"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.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less

⁴⁵ MHCLG, *NPPF*, para. 203.

⁴⁶ MHCLG, *PPG*, paragraph 007, reference ID: 18a-007-20190723.

than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”⁴⁷ (our emphasis)

Local Planning Policy

5.33 Planning applications within Sudbury are currently considered against the policy and guidance set out within the Babergh Local Plan Alteration No. 2 (adopted June 2006) which contains the following relevant saved policies:

“Policy CN.06: Listed Buildings

Proposals for the alteration (including part demolition), extension or change of use of buildings of Special Architectural or Historic Interest (including curtilage structures), or for the sub-division of, or new work within the curtilage or setting of a listed building should:

- *Preserve the historic fabric of the building, and ensure that all proposals to remove by demolition, or alter any part of the building are justified in terms of preserving the special character of the building and will cause the minimum possible impact;*
- *Retain all elements, components, and features which form part of the building’s special interest and respect the original scale, form, design and purpose of the architectural unit;*
- *Not conceal features or importance or special interest;*
- *Be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its*

setting;

- *Retain a curtilage area and/or setting which is appropriate to the listed building and the relationship with its surroundings;*
- *Include fenestration which respects the character of the building;*
- *Retain traditional thatch roof coverings;*
- *Use materials and components which are natural or handmade, and which complement or harmonise with those on the building and the area. This will include: lime plasters and lime mortars; natural clay or slate roofs; bricks; handmade timber windows and doors;*
- *Use appropriate detailing, finishes, and colours, both internally and externally;*
- *Respect those features which contribute positively to the setting of a listed building including space, views from and to the building and historic layout; and Comply with Annex C of PPG 15.*

“Policy CN.08: Conservation Areas

Proposals for the alteration, extension or change of use of an existing building, or for the erection of new buildings in a conservation area or which have an impact on views into or out of a conservation area should:

- *Preserve or enhance the character of the*

⁴⁷ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

conservation area or its setting;

- *Retain all elements and components, including spaces, which contribute to the special character of the area;*
- *Be of an appropriate scale, form, and detailed design to harmonise with its setting;*
- *Include fenestration which respects its setting;*
- *Use materials and components that complement or harmonise with the character and appearance of the area; and*
- *Ensure that natural features such as trees and hedges are retained and integrated into any development proposals."*

"Policy CN.09: Conservation Areas

Where the character or appearance of a conservation area is under threat from development which is permitted, the District Council will introduce an Article 4(2) Direction. It will also consider introducing such a Direction at the time of designating new conservation areas."

Emerging Policy

- 5.34 The Babergh and Mid Suffolk Joint Local Plan pre-submission document (Regulation 19) (November 2020) was approved by Babergh Full Council on 10th November 2020 and Mid Suffolk Full Council on 11 November 2020. This contains the following relevant draft policy:

"Policy LP21 – The Historic Environment

1. Where an application potentially affects heritage assets, the Councils will:

a. Depending on the nature of the works/development proposed, require the applicant to submit a heritage statement that demonstrates:

i. The significance of the heritage asset is appropriately understood (statement of significance);

ii. The potential impacts on the heritage asset's significance, including the contribution made by setting, are understood (impact assessment);

iii. That the proposal has been fully justified in light of the significance and impact identified above (statement of justification);

iv. If relevant, that the proposal has considered how preservation in situ of archaeological assets can be achieved through the design of the site;

v. An effective conservation strategy, including details of recording, mitigation, repair, preservation, protection and management as appropriate;

b. Where development includes (or has the potential to include) heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, a field evaluation by a suitably qualified person is required.

2. The Councils will support:

- a. The re-use/ redevelopment of a heritage asset, including Heritage at Risk, where it would represent optimal viable use, including assets in isolated locations, and the proposal preserves the building, its setting and any features which form part of the building's special interest and complies with the relevant policies of the Plan;
- b. Development proposals that contribute to local distinctiveness, respecting the built form and scale of the heritage asset, through the use of appropriate design and materials;
- c. Proposals to enhance the environmental performance of heritage assets, where the special characteristics of the heritage asset are safeguarded and a sensitive approach to design and specification ensures that the significance of the asset is not compromised by inappropriate interventions.

3. In order to safeguard and enhance the historic environment, harm to heritage assets should be avoided in the first instance. Only where harm cannot be avoided should mitigation be considered. When considering applications where a level of harm is identified to heritage assets (including historic landscapes) the Councils will:

- a. Have regard (or Special Regard where appropriate) to the historic environment and take account of the contribution any designated or non-designated heritage assets makes to the character of the area and its sense of place. All designated and non-designated heritage assets must be preserved, enhanced or conserved in accordance with statutory tests and their

significance, including consideration of any contribution made to that significance by their setting; and

- b. Have regard to the planning balance whilst considering the extent of harm and significance of the asset in accordance with the relevant national policies.

4. Proposals which potentially affect heritage assets should have regard to all relevant Historic England Advice and Guidance.

5. Where development is otherwise considered acceptable, planning conditions/obligations will be used to:
- a. Secure an appropriate programme of archaeological investigation, recording, reporting, archiving, publication, and community involvement; to advance public understanding of the significance of any heritage assets to be lost (wholly or in part); and to make this evidence and any archive generated publicly accessible.

6. The Historic Environment

6.1 A map of all designated heritage assets in the surrounds of the site is included at Appendix 1.

APPENDIX 1: DESIGNATED HERITAGE ASSETS PLAN

6.2 This section provides an assessment of the Locally Listed, non-designated Horse and Groom Public House and the Sudbury Conservation Area within which the site is located.

6.3 Heritage assets in the vicinity of the site are discussed in Section 7 below.

Horse and Groom

6.4 The Horse and Groom is a public house of mid-late 19th-century date (Plate 15). It has been identified as a Locally Listed Building by the Sudbury Society which maintains a Local List on behalf of Babergh District Council. On this basis, it is considered to be a non-designated heritage asset of modest value (together with its outbuildings).

6.5 The description of the Horse and Groom by the Sudbury Society reads as follows:

"A substantial late Victorian pub which retains all its original sash windows. The 'cutaway' on the corner was both decorative and practical, giving some protection from collision with turning wagons. Behind there is an attractive range of peg tiled outbuildings. Some people believe that this was the target of the Zeppelin raid on Sudbury in March 1916 because it

was being used as the HQ of a regiment stationed in the town."



Plate 15: The Locally Listed Horse and Groom

6.7 As mentioned in the description of the Horse and Groom by the Sudbury Society, notable features of the building include its

original sash windows and the cutaway on the corner at the junction with East Street and Upper East Street.

- 6.8 The rear of the building is accessed by the car park and includes two sash windows on the upper storey (Plate 16).



- 6.9 A small, raised patio and grassed area and has been established to the south-west of the PH, which includes a timber shelter (Plate 17).



- 6.10 As outlined in the Site Development section above, built form was first depicted within the site at the time of the Ordnance Survey Map of 1886 which shows built form in the same footprint as the public house and outbuildings. Dwellings along East Street and Upper East Street are also depicted on the mapping, and the surrounds of the public house are considered to be residential.

6.11 The asset is best viewed from around the junction of East Street and Upper East Street, since it is from this location that the principal south-eastern elevation can be best appreciated (as seen in Plate 15 above). Some of these views include the outbuilding to the rear (Plate 18), seen in conjunction with the PH and other existing residential development in the area.



6.12 From within the PH, principal views are directed out from the windows on the principal elevation, south-east across East Street towards the residential dwellings opposite. Views are also possible towards residential development along Upper East

Street. Views out of the upper storey windows to the rear of the dwelling are across the car park to the outbuilding and residential development beyond.

The Outbuildings

6.13 The outbuildings along the north-western site boundary are currently in use as storage for the main public house. Overall, the range has a vernacular appearance, being formed of two distinct outbuilding connected together, with the northern most half being two storey and of brick construction with a tile roof, with the south western section being single storey and rendered, and again with a tile roof. The upper gable end of the two-storey element, which faces towards Upper East Street has timber weatherboarding with a door into the roof space/loft (Plate 19). The other gable end of this part of the building has a small window above the ridgeline of the adjoining, lower stables/coach house part of the range.



6.14 As depicted on the historic mapping below, the building used to occupy the full depth of the site along the north-western boundary, with a further outbuilding adjoining the single storey element, but has since been truncated. This has resulted in the 'crispness' of render of the end gable wall (Plate 20).



6.15 Inside the single storey part of the building the timber joists appear to be a mix of historic and modern (Plate 21). The brickwork is historic and in a form of garden wall bond, topped by a soldier course and final layer of stretches before the timber roof structure. The south-western wall shows clear signs of later alteration, when comparing the colour and bonding to the brickwork to the rear wall. It is possible this may have been reconstructed or altered when the building was truncated and rendered externally, as mentioned above.



6.16 However, the shared wall between the parts of the range also has this more-poorly constructed appearance when compared against the external brickwork, so provides further evidence of the south western gable formerly being an internal wall which was exposed when the adjoining building was demolished (Plate 22). The positions of the wooden posts between the three sets of double doors appear to be historic (Plate 23).



6.17 The north eastern, two storey element of the range has had modern partitions inserted, subdividing the space (Plates 24-26).





6.18 An early or original brick floor is retained in the western bay of the eastern outbuilding (Plate 27).



6.19 A WC is presently accessed from a door on the south-eastern elevation of the outbuilding which may have been located elsewhere in the building and later moved to its current position, looking at the enclosing brickwork (Plate 28).



Statement of Significance

- 6.21 The Horse and Groom is identified as a Locally Listed Building by the Sudbury Society on behalf of Babergh District Council and therefore has the potential to be regarded as a non-designated heritage asset of modest value. There is no monument record for the public house in the Suffolk Historic Environment Record.
- 6.22 The heritage significance of the public house is consolidated by its inclusion within the boundary of the Sudbury Conservation Area and is principally embodied in its external appearance and contribution to the streetscene. In particular, it is the principal south-eastern façade of the PH from which the building derives most of its historic and artistic interest, being an example of a late 19th-century public house. The asset derives modest architectural value from its detailing, include the cutaway on the corner which had a decorative as well as practical function.
- 6.23 The range of two outbuildings within the site forms part of the Local Listing of the Horse and Groom. The outbuildings are considered to contribute to the heritage significance of the Horse and Groom PH as historic outbuildings which have been in the same use as the pub since its construction and therefore have a historic and functional association. However it is important to note that these have been previously altered, including the truncation of the range through the removal of a third building which extended the range to the south west.
- 6.24 The setting of the PH and outbuilding also contributes to their significance, although the significance derived from the setting

is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which may be considered to contribute to its heritage significance comprise:

- East Street, which contributes to the historic interest of the building being the main thoroughfare past the PH and from where it was designated to be seen in order to attract passing trade;
- The immediate curtilage of the PH, including its associated grassed and patio beer garden, car park (although this has an overwhelmingly modern character and appearance);
- The earlier and contemporary buildings and dwellings in the vicinity that the PH was historically constructed to serve.

Assessment of Impacts

- 6.25 The proposals will result in no change to the fabric of the Horse and Groom PH itself, with the proposals focusing on the conversion of the range of associated outbuildings along the north western boundary to a residence.
- 6.26 The range of outbuildings are visible in views north-west from the rear of the public house, including from the two original sash windows on the upper storey of the north-western elevation of the building (Plate 30).



Plate 30: Ground-level view north-west from the rear of the Horse and Groom towards the outbuilding

6.27 The proposals have sought to ensure that the range of outbuildings will retain its ancillary appearance and the surviving external features of interest, including the brickwork, fenestration pattern and timber cladding to the upper north east gable end will be retained as part of the development proposals.

6.29 The timber doors and other existing windows will be beneficially renewed, retaining the existing fenestration pattern on the south east elevation.

6.30 These works will maintain the ancillary character of the building, whilst a programme of repair to the roofs and walls will secure the retained fabric.

6.31 Internally, the two buildings will be connected and new partitions installed to create a two bedroom property. These works in themselves do not require consent, given the unlisted status of the building and largely relate to reorganisation of existing modern partitions. The works will however ensure the building is brought into beneficial use and secure investment into its fabric.

6.32 The outbuildings have a historical and functional association with the Horse and Groom Public House, as outbuildings which appear to have been constructed to be used in association with the pub as stables/a coach house, although more recently used for storage.

6.33 Overall, despite there being some loss of fabric, the limited change to the overall character of the range of buildings and the fact that the proposals ensure the retention of their ancillary character, ensure that the conversion of the range of outbuildings would not result in any harm to the heritage significance of the Locally Listed Horse and Groom PH, a non-designated heritage asset of modest value. Those elements which contribute to the public house's significance will be

protected, with the works providing investment into its associated outbuildings.

Sudbury Conservation Area

6.34 The site is located within the Sudbury Conservation Area which covers the historic medieval settlement core, the wider later town expansion and the adjoining wet grazing marshes to the west and south. The plan of the centre of the settlement evolved around the road from the south-west, whilst the other roads approach the settlement from the north-west round to the south-east from a point to the east of the centre.

6.35 The Sudbury Conservation Area was originally designated by West Suffolk County Council in 1973 and was inherited by Babergh District Council at its inception in 1974. The boundary of the Conservation Area was revised in both 1981 and 2003. A Conservation Area Appraisal was produced by Babergh District Council in 2008 which provides a discussion on the important elements of the character and appearance of the Conservation Area which contributes to its heritage significance.

6.36 The Conservation Area can be approached from multiple directions by road and on foot. The principal approaches to Sudbury by road are from Melford Road to the north, East Street to the north-east, Newton road to the east, Cornard Road to the south-east and Ballingdon Hill (the A131) to the south-west. As stated above, the settlement expanded along these approaches into Sudbury, particularly along Ballingdon Hill to the south-west.

6.37 'Important' views are outlined within the Conservation Area Appraisal which culminate in key buildings within the Conservation Area such as the Grade I Listed Church of St Peter (Plate 31) and also include views from the settlement into the marshes within the Conservation Area boundary. The site is not the focus of any of the 'important' views within the Conservation Area.



Plate 31: 'Important' view north-west towards the Grade I Listed Church of St Peter

6.38 The significance of the Conservation Area is primarily derived from the buildings and spaces within it, particularly the historic

settlement of Sudbury and the adjoining wet grazing marshes to the south and west. Historic plot boundaries, trees and hedgerows are also considered to contribute to the character and appearance of the Conservation Area. Elements within the Conservation Area are also considered to be of archaeological and artistic interest.

6.39 The setting of the Conservation Area also contributes to its significance, although the significance derived from setting is less than that from the built form and spaces which it contains. Within this context, the Conservation Area is surrounded by the wider settlement of Sudbury to the north, east and south-east, with this altering the degree of significance which is derived from the surrounds of the asset.

6.40 Elements of the surrounds of the Conservation Area which are considered to contribute to its overall heritage significance comprise:

- The remaining rural context of the Conservation Area as provided by the agricultural land to the south, west and north-west; and
- The experience and appearance of this immediate rural context of the Conservation Area via routeways into and out of the asset.

The contribution of the site

6.41 The site is located within the north-eastern extent of the Sudbury Conservation Area. As a Locally Listed Building, it is considered that the contribution to the character and appearance of the Conservation Area made by the Horse and Groom is principally derived from the architectural and artistic interest of its built form, the understanding of the development of this area during the latter half of the 19th century and it forms part of the historic streetscape and is considered to make a positive contribution to the heritage significance of the Conservation Area.

6.42 The outbuilding range forms part of the group of buildings at the site of the PH, and as part of this group of historic buildings is considered to make a positive contribution to the historic streetscape of at the boundary of the Conservation Area, albeit this contribution is limited by their current poor condition, with there being clear scope for investment into the buildings.

Assessment of Impacts

6.43 When considering potential impacts of the proposed development on the character and appearance of the Sudbury Conservation Area, it is important to recognise that the Conservation Area covers a large area, and includes a wide variety of areas of differing characters. The site itself represents an extremely small portion of the total area covered by the Conservation Area and, as noted in the NPPF at paragraph 201, it is necessary to consider the relevant significance of the

element which has the potential to be affected and its contribution to the significance of the designation as a whole, i.e. would the application proposals undermine the significance of the Conservation Area as a whole?

- 6.44 The physical fabric of the Horse and Groom PH itself will be unaffected by the proposals.
- 6.45 The outbuilding will retain its ancillary appearance and its surviving external features comprising its brickwork, fenestration pattern and timber cladding on the upper gable end. The retention of the carriage doors is considered to be a positive design as it will reflect the former use of that part of the building. The other existing fenestration will be renewed and retained, which is also considered to be positive.
- 6.46 The additional windows and doors that are proposed will result in some loss of fabric, although this is not considered to result in a change which will affect the overall character and appearance and thus significance of the Conservation Area.
- 6.47 The proposals will secure a long term viable use for the outbuilding range, which is largely redundant, and which will thus ensure its long term preservation and the contribution that it makes to the group of historic buildings at the site and wider streetscene and Conservation Area.
- 6.48 The development proposals are considered to preserve and enhance the character and appearance of the area. The minor changes to the external appearance of the buildings resulting from their conversion and consolidation to a single property will not result in a change which will alter their legibility from the surrounds of the Conservation Area as historically ancillary to the Horse and Groom PH. As such, the proposals are not considered to result in a change which would alter the character and appearance of the Conservation Area in this location.

7. Setting Assessment

7.1 Step 1 of the methodology recommended by the Historic England guidance GPA 3 (see Methodology above) is to identify which heritage assets might be affected by a proposed development.

7.2 Development proposals may adversely impact heritage assets where they remove a feature that contributes to the significance of a heritage asset or where they interfere with an element of a heritage asset's setting that contributes to its significance, such as interrupting a key relationship or a designed view.

7.3 Consideration was made as to whether any of the heritage assets present in the vicinity of the site include the site as part of their setting, and therefore may potentially be affected by the proposed development.

Step 1

7.4 The designated assets in the vicinity of the site identified for further assessment on the basis of distance and intervisibility comprises the following:

- The Grade II Listed 52-59 East Street located c. 15m south-east of the site (1372436); and
- The Grade II Listed 60-71 East Street located c. 25m south-east of the site (1351348).

7.5 Assets in the wider area have been excluded from further

assessment on the basis of distance, and/or a lack of intervisibility, an absence of historic functional association and the nature of the development proposals.

Step 2

52-59 East Street

7.6 The Grade II Listed 52-59 East Street lies 15m south-east of the site (1372436). The asset was added to the National List on 22nd October 1973 with the following description:

"Mid C19 gault-brick terrace of three storeys, built to house workers in the silk weaving trade, similar to Nos 60 to 71 adjoining. One window range to each tenement, one double hung sash window with glazing bars to ground floor, large three light casement with glazing bars to first floor, two-light casements to third storey. Roof of slates."

7.7 The full List Entry is included in Appendix 2.

APPENDIX 2: 52-59 EAST STREET LIST ENTRY

7.8 The asset comprises a terrace of eight houses which lie on the eastern side of East Street and are set back from the road by small front gardens (Plate 32). The asset lies to the north of the Grade II Listed 60-71 East Street, which were most likely constructed contemporarily for the same reason: to house workers of the silk weaving trade.



Plate 32: The Grade II Listed 52-59 East Street

Statement of Significance

- 7.10 The Grade II Listing of the asset highlights that it is a heritage asset of less than the highest significance as defined by the NPPF. This significance is cemented by the Listed Building's inclusion within the boundaries of the Sudbury Conservation Area.
- 7.11 The heritage significance of the asset is principally embodied in

its physical fabric and external appearance, particularly the principal north-western façade which fronts onto East Street and was designated to be the most visible element of the building. The asset derives historic and architectural interest from its general form, being a good example of a mid-19th-century terrace of houses which were constructed for a specific reason. The asset also holds group value with the associated Listed terrace immediately to the south.

- 7.12 The setting of 52-59 East Street also contributes to the significance of the Listed Building, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- Its curtilage, specifically the rear and front gardens which illustrate the historic domestic function of the asset;
- East Street which facilitates access and key views to the Listed Building; and
- The neighbouring terrace to the south at 60-71 East Street which are near-contemporary with nos. 52-59 East Street and possess group value.

Contribution of the Site

- 7.13 The Horse and Groom PH lies to the north-west of the asset, with the associated outbuildings to the rear. There are ground-level views from adjacent to nos. 52-59 East Street towards the roof of the two-storey element of the outbuilding range, and

there are anticipated to be clear views across East Street towards the outbuildings from the upper storeys of the asset (Plate 33).



7.14 Similarly, there are clear views from adjacent to the outbuildings in the direction of the asset, seen in association with the intervening car park and beer garden furniture (Plate 34).



7.15 However, whilst the public house itself positively contributes to the wider streetscene within which the asset sits, the outbuildings themselves are not considered to make a specific contribution to the heritage significance of the Grade II Listed 52-59 East Street.

Assessment of Impact

7.16 The proposed development will result in the conversion of the outbuilding range to a single residence, with limited changes to its external appearance.

7.17 The development proposals will not obstruct key views to the

Listed Building or detract from its special historic and architectural interest.

- 7.18 In summary, the proposed development will result in no harm to the heritage significance of the Grade II Listed 52-59 East Street, via a change to setting.

60-71 East Street

- 7.19 The Grade II Listed 60-71 East Street lies c. 25m south-east of the site (1351348). The asset was added to the National List on 26th October 1971 with the following description:

"Mid C19 gault brick with some red brick dressings, roof of slates. Built to house workers in the silk weaving trade. Centre block of 3 storeys. (63-68). Ground floor windows, sash with glazing bars, 1st floor with characteristic wide window openings of 3 lights (for the workrooms). 3rd storey with 2- light casements. End blocks with double hung sashes with glazing bars."

- 7.20 The full List Entry is included in Appendix 3.

APPENDIX 3: 60-71 EAST STREET LIST ENTRY

- 7.21 The asset comprises a terrace of 12 houses which lie on the eastern side of East Street and are set back from the road by small front gardens (Plate 35). The asset lies to the south of the Grade II Listed 52-59 East Street, which were most likely constructed contemporarily for the same reason: to house workers of the silk weaving trade.



Plate 35: The Grade II Listed 60-71 East Street

- 7.22 The asset is best appreciated from East Street where the main frontage can be appreciated and understood. From this area, it can also be seen in association with the Grade II Listed 52-59 East Street which lies directly to the north.

Statement of Significance

- 7.23 The Grade II Listing of the asset highlights that it is a heritage asset of less than the highest significance as defined by the NPPF. This significance is cemented by the Listed Building's inclusion within the boundaries of the Sudbury Conservation Area.
- 7.24 The heritage significance of the asset is principally embodied in

its physical fabric and external appearance, particularly the principal north-western façade which fronts onto East Street and was designated to be the most visible element of the building. The asset derives historic and architectural interest from its general form, being a good example of a mid-19th-century terrace of houses which were constructed for a specific reason. The asset also holds group value with the associated Listed terrace immediately to the north.

7.25 The setting of 60-71 East Street also contributes to the significance of the Listed Building, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- Its curtilage, specifically the rear and front gardens which illustrate the historic domestic function of the asset;
- East Street which facilitates access and key views to the Listed Building; and
- The neighbouring terrace to the north at 52-59 East Street which are near-contemporary with nos. 60-71 East Street and possess group value.

Contribution of the Site

7.26 There is no intervisibility between the outbuildings to the rear of the Horse and Groom and the Listed Building due to the intervening built form to the south-west of the Horse and Groom which blocks views from nos. 60-71 East Street in the direction of the outbuilding range (Plate 36).



Plate 36: Ground-level view north-west from adjacent to the asset towards the site

7.27 Similarly, views from adjacent to the outbuildings in the direction of the asset are blocked by this intervening built form (Plate 37).



Plate 37: View south-east from adjacent to the outbuilding in the direction of the asset (no visibility)

7.28 The site itself is not considered to make a contribution to the heritage significance of the Grade II Listed 60-71 East Street.

Assessment of Impact

7.29 The proposed development will result in the conversion of the outbuilding range to a single residence with limited changes to its external appearance.

7.30 Given there are currently no clear views between the site and the asset, and there are no changes proposed which would alter this, nor would the development proposals obstruct key views to the Listed Building, the proposals will not detract from its special historic and architectural interest.

7.31 In summary, the proposed development will result in no harm to the heritage significance of the Grade II Listed 52-59 East Street, via a change to setting.

8. Conclusions

- 8.1 This Built Heritage Statement has been commissioned by Cordage 32 Ltd. to consider the proposed conversion of a range of two outbuildings to the rear of the Horse and Groom PH.
- 8.2 The Horse and Groom PH is Locally Listed and the outbuildings which are the subject of this application are considered to form part of this designation. The buildings are also located within the boundaries of the Sudbury Conservation Area.
- 8.3 Following a site inspection and appropriate desk-based research, it has been concluded that the proposed conversion of the outbuilding would not result in any harm to the heritage significance of the outbuildings themselves, nor the adjacent Horse and Groom PH, being a non-designated heritage asset of modest value.
- 8.4 The development proposals are considered to preserve and enhance the character and appearance of the area. The minor changes to the external appearance of the outbuildings can be more than justified by the securing of a long-term viable use for

the outbuildings. The outbuildings, whilst combined internally, will still be legible from the surrounds of the Conservation Area as historically ancillary to the Horse and Groom PH. As such, the proposals are not considered to result in a change which would alter the character and appearance of the Conservation Area in this location.

- 8.5 Heritage assets in the vicinity of the site were assessed in accordance with Historic England guidance GPA 3. It was concluded that only two assets are potentially sensitive to the proposed development of the site, namely the Grade II Listed 52-59 East Street and the Grade II Listed 60-71 East Street, therefore these assets were taken forward for further setting assessment. It has been concluded that the proposals will result in no harm to the significance of the Listed cottages through change to their settings.

Sources

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Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137.

Jones v Mordue [2015] EWCA Civ 1243.

Cartographic Sources

1840 Tithe Map of St George and St Peter in Sudbury

1886 Ordnance Survey Map

1904 Ordnance Survey Map

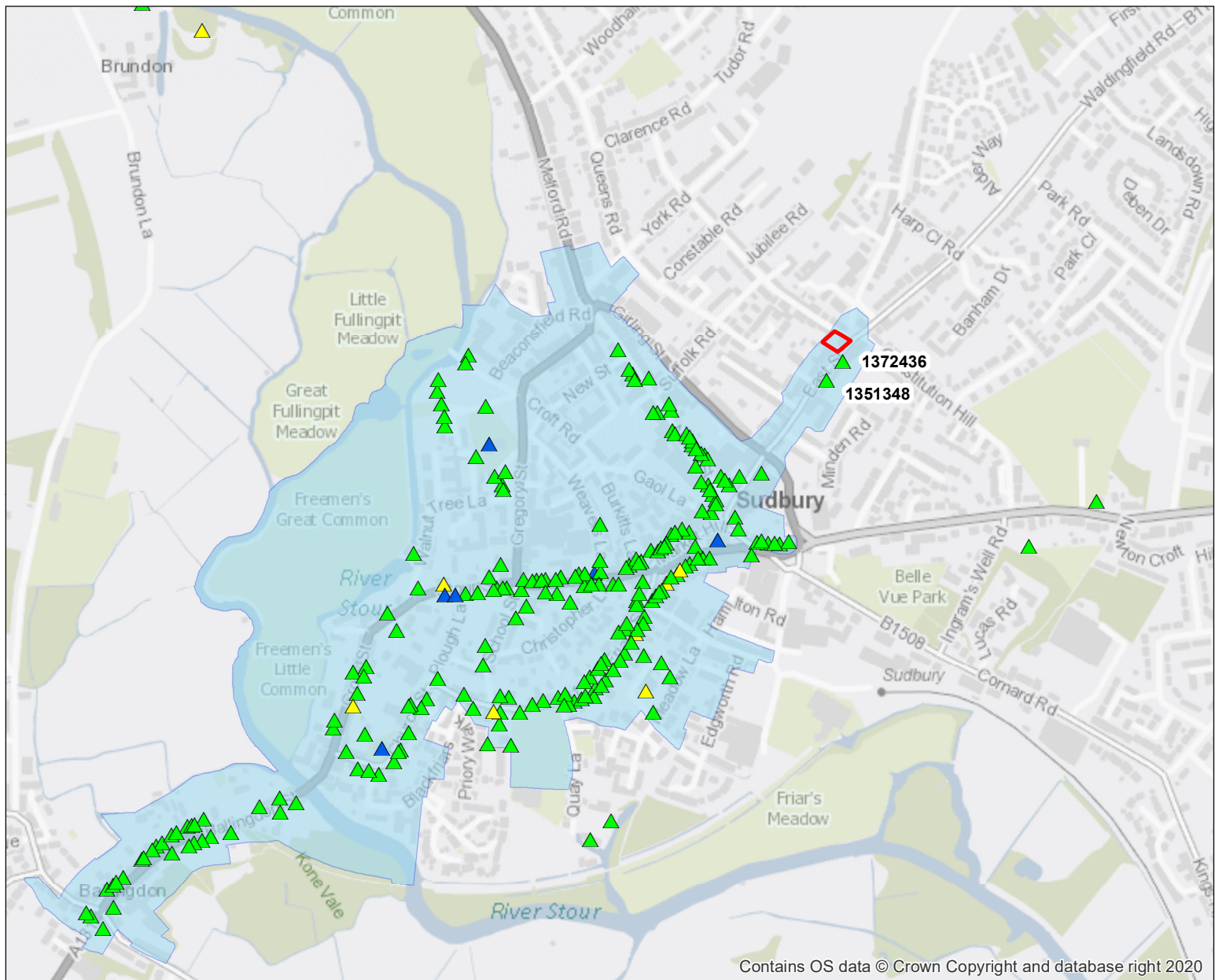
1923 Ordnance Survey Map

1927 Ordnance Survey Map

1968 Ordnance Survey Map

1973 Ordnance Survey Map

Appendix 1: Designated Heritage Assets Figure



KEY

- Site
- ▲ Grade I Listed Building
- ▲ Grade II* Listed Building
- ▲ Grade II Listed Building
- Sudbury Conservation Area

Revisions:
First Issue- 25/03/2021 RG

Figure 1: Designated Heritage Assets

Horse and Groom, Sudbury

Client: Cordage 32 Ltd.
 DRWG No: P20-1300 Sheet No: - REV: -
 Drawn by: RG Approved by: GST
 Date: 25/03/2021
 Scale: 1:10,000 @A3

Appendix 2: 52-59 East Street List Entry

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1372436

Date first listed: 22-Oct-1973

Statutory Address: 52-59, EAST STREET

Map



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Location

Statutory Address: 52-59, EAST STREET

The building or site itself may lie within the boundary of more than one authority.

County: Suffolk

District: Babergh (District Authority)

Parish: Sudbury

National Grid Reference: TL8764841625

Details

1. 1692 TL 8741 2/235

EAST STREET (South Side) Nos 52 to 59 (consec)

II

2. Mid C19 gault-brick terrace of three storeys, built to house workers in the silk weaving trade, similar to Nos 60 to 71 adjoining. One window range to each tenement, one double hung sash window with glazing bars to ground floor, large three light casement with glazing bars to first floor, two-light casements to third storey. Roof of slates.

Listing NGR: TL8764841625

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 361660

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

Appendix 3: 60-71 East Street List Entry

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1351348

Date first listed: 26-Oct-1971

Statutory Address: 60-71, EAST STREET

Map



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Location

Statutory Address: 60-71, EAST STREET

The building or site itself may lie within the boundary of more than one authority.

County: Suffolk

District: Babergh (District Authority)

Parish: Sudbury

National Grid Reference: TL8762141593

Details

1. 1692 TL 8741 2/138 TL 8741 3/138

EAST STREET (South Side) Nos 60 to 71 (consec)

II

2. Mid C19 gault brick with some red brick dressings, roof of slates. Built to house workers in the silk weaving trade. Centre block of 3 storeys. (63-68). Ground floor windows, sash with glazing bars, 1st floor with characteristic wide window openings of 3 lights (for the workrooms). 3rd storey with 2- light casements. End blocks with double hung sashes with glazing bars.

Listing NGR: TL8762141593

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 275984

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing



DESIGN



ENVIRONMENT



PLANNING



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HERITAGE

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