

Heritage Impact Assessment for ^[1]_{SEP}

OUTBUILDINGS AT 4-6 BUTCHER'S LANE, BOXFORD SUFFOLK CO10 5DZ

For Mr. C Parr



Cover photo: Aerial view of the site
National Grid Reference: 596380 – 240635

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Authorship of this Heritage Impact Assessment

This report is Bob Kindred MBE BA IHBC MRTPI - the former Head of Conservation, Urban Design & Planning Policy at Ipswich Borough Council with over 40 years' continuous experience in the public, private and voluntary heritage sectors. He was awarded the MBE for services to heritage in 1999.

He is Vice-Chair of its Education Training & Standards Committee of the Institute of Historic Building Conservation and a member of its Policy Committee; a Trustee of Historic Buildings and Places (the former Ancient Monuments Society); the Heritage Assessor member of the RIBA Suffolk Design Review Panel; an Honorary Member of the Suffolk Association of Architects (since 1992); and a member of the St Edmundsbury & Ipswich Diocesan Advisory Committee.

He was the Standing Special Heritage Advisor to the House of Commons Culture Media & Sport Committee [2005 to 2012] advising on five major heritage inquiries; a member of the UK Commission for UNESCO [1999 to 2010]; and on the Main Committee of the Victorian Society [1987 to 1997].

He was part of the Regulatory Working Group of the sector wide Power of Place Inquiry 1997-9 and was seconded to the DCMS to advise on Heritage Protection Reform 2004-7 and the draft Heritage Protection Bill.

He was at the forefront of buildings-at-risk initiatives having successfully piloted local authority computerized survey and analysis with English Heritage in 1984, well before the commencement of their own at-risk register in 1999.

He initiated the concept of Heritage Partnership Agreements [HPAs] in 1992 (for the Grade 1 Willis Building in Ipswich) and these protocols were formally incorporated into heritage legislation via the Enterprise and Regulatory Reform Act 2013.

He chaired the Task Group and Vice-Chaired the Steering Group for the Heritage Maintenance Project 'Maintaining Value' 2002-4 funded by the Dept of Trade & Industry, English Heritage and the HLF with support from CITB-Construction Skills and input by the National Trust, SPAB and other sector partners.

His definitive publication on Listed Buildings Repairs Notices was the only non-governmental reference source included in PPG15 and he advised ODPM on their Best Practice Guidance on Listed Building Prosecutions having established in 1996 (and continues to maintain) the national on-line database of Listed Building Prosecutions.

His portfolio of project involvements includes the assessment, evaluation and recording of historic buildings and heritage sites and has prepared numerous heritage impact assessments to accompany applications for planning permission and listed building consent relating to both designated and non-designated heritage assets of all forms and grades.

He was editor of the IHBC's professional journal *Context* from 1989-1999; has been one of the three Consultant Editors of the international *Journal of Architectural Conservation* since 2005; and is the author of a number of heritage publications including contributions to the professional literature on historic windows and the care and management of 20th century historic buildings and is the joint author of the *Dictionary of Architects of Suffolk Buildings 1800-1914*.

1. INTRODUCTION

1.1 Bob Kindred Heritage Consultants were commissioned by Kirkham Sheidow Architects on behalf of Mr. C. Parr to undertake a Heritage Impact Assessment in accordance with the National Planning Policy Framework [NPPF 07-2021] in support of planning proposals for the removal of an existing fence with gates, and construction of new brick wall with a sliding gate at Nos.4-6 Butchers Lane, Boxford, Sudbury, Suffolk CO10 5DZ.

1.2 The fence sits between two domestic garages behind a forecourt adjacent to a Grade 2 Listed building and is situated within the designated Boxford Conservation Area.

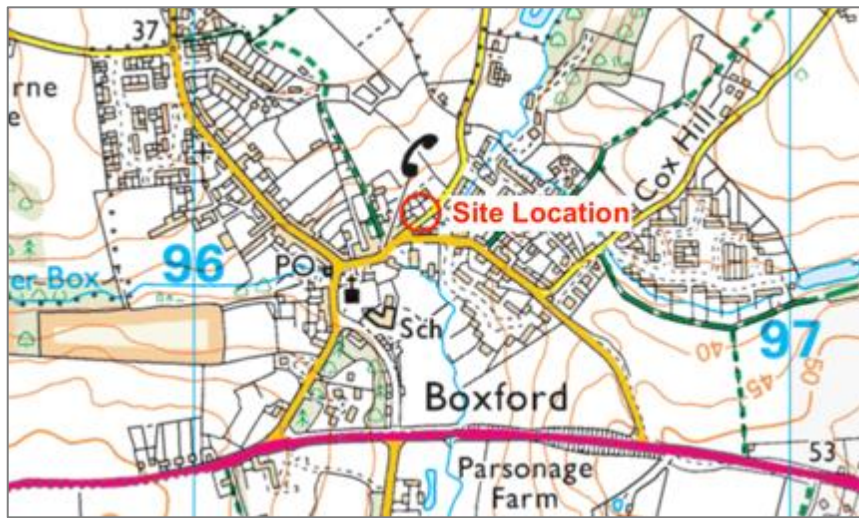


Fig.1 Location Plan - not reproduced to scale

1.3 The purpose of this assessment is therefore to address the relative heritage impact (or otherwise) of the proposals in conformity with aims of the National Planning Policy Framework [NPPF 07-2021].

1.4 Set out below are the key heritage legislative requirements and national heritage policies (where relevant); in relation to designated heritage assets; (listed buildings and the conservation area designation). In the vicinity there are several listed buildings and these are shown in Section 3, Figure 2.

1.5 The approach to the proposed works is explained in a Design & Access Statement by Kirkham Sheidow Architects and an accompanying application drawing; and this Heritage Impact Assessment should be read in conjunction with that documentation.

1.6 The scheme was the subject of pre-application advice from Babergh District Council dated 19th September 2023 (Council Ref: DC/23/03767) when it was observed inter alia that: ... *the proposed removal of the existing fence and gate was not opposed; the proposed construction of a new brick wall (to match the existing historic wall nearby); and a timber gate - to a traditional design was similarly not opposed.*

1.7 This report may be deposited with Suffolk Historic Environment Record and a copy sent to the National Monuments Record maintained by Historic England if required.

2. NATIONAL POLICY CONTEXT

Introductory note

2.1 The key heritage test in this instance is one related to the impact (or otherwise) on the setting of listed buildings in the vicinity and the character and appearance of the Boxford Conservation Area.

Heritage legislation

2.2 The law relating to listed buildings is enshrined in the Planning (Listed Buildings and Conservation Areas) Act 1990. This places a duty on local planning authorities to have special regard to the desirability of preserving listed buildings and any features of importance, and regarding their settings (Sections 16 and 66). A similar duty arises with respect to the desirability of preserving or enhancing the character or appearance of conservation areas (Section 72). although in this instance it is contended that the minor nature of the works would have no material heritage impact.

National Planning Policy Framework [NPPF]

2.3 Paragraphs 199 and 200 of the NPPF [07-2021] apportion great weight to a designated asset's conservation. The more important the asset, the greater the weight should be. The NPPF asserts that significance can be harmed or lost by inappropriate change and that proposals will require clear and convincing justification at planning application stage. No change is proposed to any listed buildings in the locality.

2.4 The Heritage Assessment to accompany the proposals is intended to comply with the requirements of NPPF paragraph 194. Applicants must describe the impact of proposals on the significance of any heritage asset to a level of detail proportionate to the assets' importance and thus is also acknowledged in the council's pre-application advice.

2.5 This description should be no more than is sufficient to understand the potential of that impact on the significance; and further, to assist under the terms of paragraph 195 with an assessment of the relationship between the preservation or enhancement of listed buildings and the conservation area or their setting.

2.6 In weighing up the considerations in the NPPF [07-2021], the Framework makes clear in paragraph 3 that it should be read as a whole (including its footnotes and annexes) including the presumption of sustainable development and core land use principles.

2.7 The Framework sets out three overarching objectives as a means of achieving sustainable development through the planning system. These matters are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.

2.8 Although the economic, social and environmental objectives (including the protecting and enhancement of the built and historic environment and making effective use of land) should be delivered through the preparation and implementation of plans and the policies in the NPPF [07-2021] they are not criteria against which every decision can or should be judged.

3. DESIGNATED HERITAGE ASSETS

Introductory remarks

3.1 As noted above the proposal is located immediately to the east-northeast of No.4 Butchers Lane and located within the Boxford Conservation Area. The relationship of the site to designated heritage assets is shown in Figure 2.



Fig.2 Distribution of listed buildings (shown in mid-blue) in the locality of the site ringed in red. The area is entirely within the conservation area boundary.

Listing generally - context

3.2 The statutory Lists are widely recognised as an outstanding national achievement. They are the foundation stone for the system of protection of England's most important historic buildings, one that is robust and widely admired.

3.3 Compiled originally as an emergency procedure to evaluate the significance of buildings damaged or threatened by enemy action during the Second World War, listing progressed on a more thorough footing during peacetime following the 1947 Town & Country Planning Act until, by the mid 1960s, there were over 85,000 listed buildings¹.

3.4 The listing survey work was undertaken in two campaigns using 15 full-time Ministry staff and was characterised by speed, rather than depth; the Chief Investigator of the time estimated that 90% of the right buildings could be identified and protected but background research was minimal, inspection was rapid and descriptions of the buildings were brief².

Designated heritage assets

3.5 The only listed building in the immediate vicinity of the site³ is Nos.4-6 Butcher's Lane Listed Grade 2 on 23rd January 1958 [List Entry Number: 1193620, Legacy System No: 276241, National Grid Reference: TL 96367 40617]. (Fig3.) The statutory list description of the building is as follows and has not been subsequently expanded or amended.

¹ The number of entries on the statutory list has grown from 12,496 in 1951 to approximately 500,000¹ heritage assets formally protected today. - Delafons J. Politics & Preservation – A policy history of the built heritage 1882-1996. E&FN Spon 1997 p.79

² Heritage Protection Reform – Statutory Lists: Review of Quality and Coverage (July 2010) Dr Martin Cherry, English Heritage (unpublished) p.14

³ To the south at a distance of 26m and located behind a tall brick wall and landscaping is Peyton House, listed Grade 2 in July 1980 but by virtue of screening and distance its setting is considered not to be affected by the proposal

BOXFORD BUTCHER'S LANE 1. 5377 Nos 4 and 6 TL 9640 60/94 23.1.58 II GV 2. Nos 4 and 6 with No 2 form a continuous range of C16 timber-framed buildings. Two storeys. The upper storey is jettied on the whole front, on exposed joists and has exposed timber-framing. The ground storey is plastered. No 4 has panels of modern pargetting. Four window range of modern casements with glazing bars. Roof tiled. Restored.



Fig.3 Oblique view of front elevation looking east from the very narrow Butcher's Lane
The narrowness of the lane inhibits a clear view of the front elevation to be obtained

3.6 The description of the dwelling is perfunctory in the extreme covering only the front elevation and is typical of those buildings added to the statutory list during the national town and parish-based resurveys undertaken by the Ministry of Housing and Local Government.

3.7 Designation descriptions from that initial listing era served more for the purposes of identification than as an objective evaluation of the degrees of significance and/or the component features contributing to a building's special architectural and historic interest and in this respect the brief description is now over 65 years old and does not represent best practice regarding the assessment of significance associated with current designations.

3.8 Such descriptions are considered unhelpful to the local planning authority; the owner; any professional advisor, the statutory amenity bodies or to the general public in evaluating the relative merits of the surviving historic fabric.

Boxford Conservation Area

3.9 As noted in Section 2, NPPF expects an evaluation of the impact of the proposals on the significance to a proportionate level of detail to the assets' importance and the principal issues concern the potential heritage impact (or otherwise) of the proposals on the setting of adjacent listed buildings and the conservation area.

3.10 Butcher's Lane sits within the Boxford Conservation Area, a heritage asset originally designated by West Suffolk County Council in 1973, and came within Babergh District Council's administrative area at the council's inception in 1974. With the passage of time the precise reasoning for the widely drawn boundaries is unclear and these boundaries have not subsequently been revised.

3.11 Local planning authorities have a duty to review their conservation area designations from time to time, and in 2010 a character appraisal was undertaken for Boxford⁴. This evaluated the area under a number of different headings based on the then applicable English Heritage Guidance on Conservation Area Appraisals⁵ (2006).

3.12 The purpose of a Conservation Area Appraisal [CAA] should therefore be to explain the reasons for designation, describe the area, outline its particular qualities and character and highlight those issues needing to be addressed in order to ensure the area's preservation and enhancement. As a designated heritage asset, the policies in the NPPF apply to it.

3.13 The Boxford CAA defines the character of the conservation area only in the broadest terms, making general succinct observations about a variety of topics including topography; archaeology; the collective intrinsic quality of the buildings; use of local traditional materials; the hierarchy of spaces; and, trees and planting. The only references to Butcher's Lane are on page 11 in relation to traditional building materials; and page 13 related to the narrowness of the roadway.

3.14 The CAA states that:

"As a document it is neither prescriptive nor overly descriptive, but more a demonstration of 'quality of place', sufficient for the briefing of the Planning Officer when assessing proposed works in the area. The photographs and maps are thus intended to contribute as much as the text itself.

As the English Heritage (sic) guidelines point out, the appraisal is to be read as a general overview, rather than as a comprehensive listing, and the omission of any particular building, feature or space does not imply that it is of no interest in conservation terms.

3.15 The CAA has no townscape analysis and does not choose to identify buildings that make a negative contribution to the character or appearance of the Conservation Area and it must therefore be assumed that the contribution of all other buildings should therefore be treated as neutral at worst.

3.16 It should also be noted that the NPPF [07-2021] states in paragraph 207 that not all elements of a Conservation Area will necessarily contribute to its significance and this is compounded by the lack of detailed analysis in the Boxford CAA.

3.17 The conservation area considerations of the proposals are considered to be very minor and at worst would have a neutral effect on the general character and appearance of the conservation area in line with the House of Lords South Lakeland decision⁶.

⁴ Written by the late Patrick Taylor

⁵ Reissued as Historic England Advice Note [HEAN] 1 February 2016

⁶ The House of Lords in *South Lakeland District Council v Secretary of State for the Environment and another* [1992] 1 ALL ER 573 decided that the "statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved." (...)

A development that maintains the status quo, perhaps by replacing a building that detracts from the character and appearance of the conservation area with a similarly detrimental building or improves the appearance of an existing detrimentally altered building, would satisfy the statutory consideration. This is notwithstanding that an existing detrimentally altered building presents an opportunity to improve the environment.

4. THE PROPOSALS

Context

4.1 As noted in Section 2 the NPPF [07-2021] would expect proposals to demonstrate the impact (or otherwise) on the significance of heritage assets to a proportionate level of detail commensurate with the importance of those assets and the principal issues concern is considered to be the effect of the proposals on the setting of the conservation area and by extension non-designated heritage assets.

4.2 As noted above, the boundaries of the Boxford Conservation Area are widely drawn, and encompass land to the eastern northeast of the site which until the mid-20th century comprised small fields and orchards.

4.3 In the latter part of the 20th century the area has been developed for ubiquitous, architecturally undistinguished, detached and semi-detached dwellings, with the visual impact on the conservation area having been mitigated by the gradual establishment of maturing curtilage landscaping.

The site and the works

4.4 To the east of Nos.4-6 Butcher Lane, at a distance of about 10.8m, are two single-storey domestic garages. These have rendered gables facing the lane and are set back from the lane frontage by about 6.7m behind a tarmac forecourt parking area. (Fig.4)

4.5 Separating the two garages is a solid timber boundary the left half of which comprises a pair of outward opening timber gates with the right-hand part in vertical boarding screening a yard between the two garages. (Fig.4)



Fig.4 Garages to Butcher's Lane with gates and fencing screening the central yard

4.6 The left-hand (west) garage and yard to the rear belongs to the applicant while the right hand (east) garage belongs to a neighbor.

4.7 The proposal is to replace the outward opening gates and vertical timber fence with a wall of identical height to the existing and in traditional brick construction to half the width of the dividing frontage between the garages; but the existing timber gates would be replaced by a sliding gate vertical boarding which would which would slide open and close behind the brick wall.

4.8 As noted above, the pre-application advice from the council raised no objection to the works⁷ and the CAA does not provide any townscape analysis on which to evaluate any proposal⁸ and makes no reference to the impact (good, bad or neutral) of the late 20th century housing within the eastern part of the conservation area,

4.9 The present garages are set apart from the listed building in Butcher Lane, and also in a recessed position in the street scene. Views within the Lane from the west, (Fig.5) the garages are therefore concealed until the viewer is immediately opposite.



Fig.5 View in Butcher's Lane looking from the west with garages (effectively centre) concealed

4.10 From the east, (Fig.6) looking towards the listed buildings, the garages again remain recessed and visually are associated with the extensive modern residential character. Screening of the more distant listed buildings Nos.2-6 is provided by a boundary wall encompassing a large existing tree.



Fig.6 View in Butcher's Lane viewed from the east with the garage recessed divided by the inconspicuous screen fence.

⁷ Subject to suitable planning conditions being met

⁸ Notwithstanding what the 2010 CAA states in its introduction

5. CONCLUSION

5.1 Overall, the proposed works would form a very minor alteration to a modern boundary fence abutting a modern domestic garage of no heritage merit. No change in height or alignment of the screening (to the yard to the rear) would result.

5.2 The physical change is brought about merely by a change of materials to part of the screen partitioning (in the form of brickwork of traditional construction) and a change in the way in which the gate is operated (from outward opening to a sideways sliding arrangement).

5.3 With regard to the character and appearance of this part of Boxford, the works are considered to be *de minimus*⁹ in heritage terms; with no material heritage impact on either the setting of the listed building to the west (or any other listed buildings), or to this eastern part of the conservation area.

5.4 It is therefore recommended that the scheme should be approved.

Bob Kindred MBE BA IHBC
Bob Kindred Heritage Consultants Ltd
October 2023



⁹ There is a long-standing principle enshrined in the English legal system: *De minimis non curat lex* – the law does not concern itself about trifles (small acts).