

**IN THE MATTER OF AN APPEAL UNDER s. 78 TCPA 1990 BY PAUL
CROCKER**

Hybrid planning application consisting of: Full planning permission for a mixed-use development to erect a food store with cafe, plus office space and 2 No. flats above. Erect building for mixed commercial, business and service uses (Class E), (e.g. estate agents, hairdresser, funeral care, dentist, vet). Form vehicular and pedestrian accesses and parking. Form parking area for St. Gregory’s Church and St Gregory’s Primary School. Carry out landscaping works and associated engineering operations. (Demolish redundant agricultural buildings). Land west of Church Hill. Outline planning permission (to determine access) to erect up to 120 dwellings. Land off Butts Close and Schoolhouse Lane.

APPEAL REF: APP/D1265/W/24/3353912

LPA REF: P/OUT/2023/02644

**PROOF OF EVIDENCE OF
STEPHEN BOYCE
ON BEHALF OF MARNHULL PARISH COUNCIL
A RULE 6 PARTY**

ISSUE 1:

The effect of the development on the character and appearance of Marnhull and on the setting of its heritage assets.

Reason for Refusal No. 4 – Heritage impact on listed buildings and the wider Marnhull conservation area.

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I, Stephen Boyce of Laburnum Cottage, Sodom Lane, Marnhull DT10 1HR will say as follows:

1. Introduction

- 1.1. I provide this Proof of Evidence on behalf of Marnhull Parish Council (“MPC”). The purpose of this statement is to provide evidence related to heritage matters, in support of the MPC’s response to this appeal. The appeal was made by Paul Crocker (“the Appellant”) in respect of a hybrid planning application consisting of:
- an application for full planning permission for a mixed-use development on land west of Church Hill, to erect a food store with cafe, plus office space and 2 No. flats above, erect a building for mixed commercial, business and service uses (Class E), (e.g. estate agents, hairdresser, funeral care, dentist, vet), form vehicular and pedestrian accesses and parking and form a parking area for St. Gregory’s Church and St Gregory’s Primary School, together with landscaping works and associated engineering operations, including the demolition of redundant agricultural buildings
 - an application for outline planning permission (to determine access) to erect up to 120 dwellings on land off Butts Close and Schoolhouse Lane.
- 1.2. The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true.
- 1.3. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief. Included with this witness statement is a paginated bundle of exhibits marked SB1. References to documents in this bundle are by way of [SB1/ TAB].
- 1.4. I am a Marnhull resident with a background in cultural funding and development. Whilst not a qualified heritage expert I am familiar with the sector following a career which has included senior management roles at the National Lottery Heritage Fund and other cultural bodies; consultancy for the National Trust, various local councils, arts organisations and museums, and trusteeships with a wide range of cultural bodies. I am currently a committee member for the National Lottery Heritage Fund (London & South), Chair of Museum Development South West and a trustee of Common Ground, a charity which promotes local distinctiveness. I am the author of three volumes of family history and three poetry collections. I was a member of Marnhull’s Neighbourhood Plan Working Group until October 2024 and have continued to work with Marnhull Parish Council on heritage matters.

- 1.5. I have been asked by Marnhull Parish Council to assist as part of its continued objection to this application in respect of Dorset Council’s Reason for Refusal 4, and the related heritage issues that now form part of Issue 1 in this Appeal, as identified by the Inspector. Cllr. Turner will also give evidence in respect of Issue 1 on the wider impact on character and appearance of the village and parish, whereas my evidence is focused on the impacts on local distinctiveness, heritage assets and the Marnhull Conservation Area, and is in support of the Council’s fourth reason for refusal.
- 1.6. MPC wholeheartedly endorses the reason for refusal on heritage grounds, and draws particular attention to the advice given by Historic England to Dorset Council¹ [CD8.009]. MPC has sought to work with Dorset Council Conservation Officer, Tobias Carleton-Prangnell, and wishes to amplify Dorset Council’s concerns with further information from a local perspective.
- 1.7. The Appellant’s Heritage Statement [CD1.43] in support of the application claims: *‘any harm has been mitigated through the sensitive layout of the sites as illustrated by the submitted plans which demonstrate an awareness and response to the significance of heritage assets within proximity of the proposed developments.’* MPC contends that the Appellant’s heritage statement fails to fully appreciate and give sufficient weight to the historic character of Marnhull; the setting of key heritage assets, and the notable historic cultural associations of the village, and that as a result they have substantially underestimated the degree of harm to the heritage arising from the proposals.
- 1.8. The siting, mass and scale of the proposed developments create a significant intrusion on the landscape and setting of Marnhull’s most significant heritage assets, obscuring key views and the legibility of the historic settlement pattern. Of particular note is the adverse impact on landmark historic buildings including Grade I Church of St Gregory, Grade II* Seniors Farm, Grade II Conyers Place and their settings.
- 1.9. Moreover, the development demonstrates no awareness of the important cultural value of the site in question, in particular its associations with the work of Dorset’s most famous literary figure, Thomas Hardy, and the work of artist Gordon Beningfield. These historic connections make a notable contribution to the character, significance and quality of Marnhull’s heritage.

¹ Letter from Eve Van der Steen, Assistant Inspector of Historic Buildings and Areas, to Robert Lennis dated 22 November 2023

2. Policy Context and Evidence Base

- 2.1. Section 16 of the National Planning Policy Framework (“NPPF”) deals with conserving and enhancing the historic environment, and is broadly reflected in Policy 5 of the North Dorset Local Plan Part 1. Further national policy is expressed through the online National Planning Policy Guidance (“NPPG”) section on the Historic environment².
- 2.2. The NPPF definition of significance (for heritage policy) states that it is *“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.”* Historic interest is defined in the NPPG as an interest in past lives and events (including pre-historic). It goes on to state that *“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.”* These definitions can also be found in Historic England’s guidance on analysing significance in heritage assets³.
- 2.3. The setting of a heritage asset is defined in the NPPF as *“The surroundings from which an asset is experienced.”* The NPPF notes that changes to the setting can affect the ability to appreciate that significance. It follows that the setting is integral to the heritage asset and the impact of a proposal on the heritage asset is also derived from the impact to its setting. A robust assessment of the impact of development on the setting of a heritage asset is therefore required sufficient to understand the potential impact of the proposal on each asset’s significance. The NPPF highlights that the assessment may also need to consider the implications of cumulative impacts / change.
- 2.4. Historic England also underlines the special value of heritage to communities:

By understanding and valuing the role of cultural heritage in our lives, we are empowered as a society that acknowledges and benefits from the wide array of advantages offered by our historical past. It's not just about a visit to a medieval castle or a stroll through a historic garden; it's about the everyday encounters

² <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

³ *Statements of Heritage Significance: Analysing Significance in Heritage Assets* - Historic England, HEAG279 (2019) - <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/>

*with our heritage that serve as pathways to wellbeing. Heritage assets are essential components of our collective wellbeing.*⁴

- 2.5. National policy emphasises the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 2.6. National Planning Policy also makes clear that planning decisions “*should ensure that developments: ... are **sympathetic to local character and history**, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*”. This is reflected in Local Plan’s [CD3.1] design principles (Figure 10.1) referenced in Policy 24, which emphasise the need for development to “**respond to and reinforce locally distinctive patterns of development, landscape and culture**”.
- 2.7. The Strategic Landscape and Heritage Study for North Dorset Area 2019 (pp 6, 9, 49-52) [CD5.014] provides an initial assessment of the significance of the landscape and heritage sensitivities of Marnhull. Its remit was to test the principle of built development to guide future policy decisions on potential site options, without knowing the specific size, configuration or exact location of future development. Its assessment of key sensitivities and resulting guidance specific to Marnhull includes recognition of:
- the low density of the existing settlement which is laid out in a distinctive and historic linear settlement pattern, and that new development may lead to further development along connecting lanes or the loss of the linear settlement pattern of the village;
 - the strong rural perceptual qualities of the villages and surrounding network of minor rural lanes which have not been significantly altered by modern development;
 - the role of the agricultural landscape in contributing to the setting of heritage assets, such as the conservation area;
 - the area’s strong associations with Thomas Hardy, providing the inspiration for ‘Marlott’ in *Tess of the d’Urbervilles*, and its substantial contribution to associative heritage values;

⁴ *The Wellbeing Impact of Cultural Heritage on England’s Economy*: Historic England, March 2024 <https://historicengland.org.uk/research/current/social-and-economic-research/culture-and-heritage-capital/life-satisfaction/>

- the potential for development within the conservation area, or its rural setting, to affect its special interest by changing its character, historic layout, rural setting, or through the loss of key views;
- the potential for development to affect the heritage significance of listed buildings and non-designated built heritage assets, including through a change in their setting and views to and from the conservation areas and listed buildings in the wider vicinity.

The resulting guidance includes the following:

- *Proposals should not detract from landmark views, including views to the church tower.*
- *New development should not result in the loss of public rights of way or detract from views experienced from these locations, particularly the long-distance footpaths including the Hardy Way.*
- *Development should not detract from the existing prominent skyline features such as the grade I listed St Gregory's Church.*
- *Development should preserve or enhance the special interest of Marnhull Conservation Area and others nearby and any elements of their settings that contribute to their significance*
- *Listed Buildings and non-designated built heritage assets within the assessment area should be retained. Elements of their setting that contribute to their heritage significance should be preserved or enhanced.*

2.8. Marnhull Neighbourhood Plan⁵ [CD6.001] has reached regulation 14 consultation (Close 31 March 2025). With regard to heritage the plan aims to

Protect the distinctive local character and heritage of the Parish by ensuring new developments are respectful of the historic built and natural environment. Ensure that new developments will contribute to the character and interest of the Parish and not harm the fabric or setting of historic buildings including non-designated heritage assets.⁶

2.9. As part of the work on the Neighbourhood Plan, the Steering Group has investigated and collated evidence on heritage matters, much of which can be found in the Neighbourhood Plan appendices. This includes:

⁵ <https://marnhull-pc.org.uk/wp-content/uploads/simple-file-list/Neighbourhood-Plan/Draft-Neighbourhood-plan/NDP-Reg-14-draft-250206.pdf>

⁶ P13 para 5.3

- the results of a Parish Survey carried out in December 2023 which elicited 500 responses (Appendix 3);
- an overview of the historic settlement pattern (Appendix 4);
- a draft appraisal of the Conservation Areas (produced as a separate document⁷ [CD6.006]) which identifies potential non-designated heritage assets both within and outside the existing Conservation Areas and also recommends changes to the existing Conservation Area boundaries, and the creation of two new Conservation Areas including one at Walton Elm to the south of the Appeal site (Appendix 5); and
- an appraisal of important views, noting key local landmarks that are common to many including St Gregory's Church and tower (Appendix 9).

⁷ https://marnhull-pc.org.uk/wp-content/uploads/simple-file-list/Neighbourhood-Plan/Draft-Neighbourhood-plan/Marnhull-CAA-250208_compressed.pdf

3. The Historic Character of Marnhull – Local Distinctiveness and a Sense of Place

*‘Everywhere is somewhere.
What makes a place unique is the accumulation of story
upon history upon natural history.’⁸*



⁸ *England in Particular*, Sue Clifford and Angela King: Holder & Stoughton, 2006

- 3.1. The people of Marnhull place a high value on the character of the village, as evidenced in the results of the 2023 Parish Survey referred to in Councillor Turner’s proof of evidence.
- 3.2. The particular character of Marnhull derives from its peculiar topography, the historic development of a distinctive settlement pattern of scattered hamlets joined along the limestone ridge and following historic routes through the village from the west, as well as the open, rural nature of its setting. (See Fig 1)
- 3.3. A conservation area appraisal conducted by Marnhull’s Neighbourhood Plan steering group during 2023/24, with extensive consultation, has been submitted to Dorset Council for consideration. The report reinforces the value and importance of the two present conservation areas of New Street and Burton Street and of maintaining the open green space and open views between them. It also suggests the separate hamlet of Walton Elm, to the south, is worthy of conservation, as well as Nash Court, to the north. The delineation of the two existing conservation areas underlines in a legible manner the historic form of the settlement pattern, situated along the key routes of New Street and Burton Street and separated by countryside / agricultural land. As the appraisal states: **‘Unlike most villages which have grown around a crossroads or village green, Marnhull has developed from five hamlets joined over the years in a distinctive linear settlement pattern.’**⁹
- 3.4. This distinctive aspect of Marnhull’s historic character – endorsed by heritage experts, conservationists and cultural historians – was at the heart of the original designation of the conservation areas in 1970. In proposing these areas the then Dorset County Council Area Planning Officer, Mr R.W. Packenham, recognised the importance of the large area of pasture in between New Street and Burton Street (referred to at the time as the ‘green lung’) on the principle that, as he put it, **‘the jewel without the setting lacks interest.’**¹⁰
- 3.5. The Pevsner Architectural Guide for Dorset [CD12.001b] notes: ‘Marnhull is a large village and one with a special character. Instead of a single centre, it has groups of stone cottages clustering at the angles of a square of roads, with the church at the SE angle. **This pattern is a very loose one, but one feels it quite strongly; so it would**

⁹ P18 para 2.1

¹⁰ Explanatory Memorandum of 20 August 1969 – see *Marnhull Conservation Area Appraisal*: Marnhull Parish Council 2024 [CD12.001a]

be much regretted if the new estates of bungalows springing up in quite a number of places filled the pattern in.¹¹

- 3.6. In the Pimlico County History Guide for Dorset (1995) [CD12.001c] Richard Ollard remarks: 'To the south-west there are some pretty villages, Stour Provost and Marnhull among them. Marnhull's church tower stands magnificently. Unlike Stour Provost, which is a neat, compact little place, **Marnhull seems to have been blown about by a storm wind.**¹²
- 3.7. Margaret Marande in her guide to the Hardy Way¹³ [CD12.001d] describes turning into **'the large scattered village of Marnhull.'**
- 3.8. Thomas Hardy himself notes this distinctive character, describing 'Marlott' (Marnhull) in *Tess of the d'Urbervilles* as **'dispersed'** and **'the long and broken village'** [CD12.001e], while the distinguished author, broadcaster and Hardy scholar, Desmond Hawkins, refers to Marnhull as **'nearer to being a federation of detached wards than an organic entity.'**¹⁴
- 3.9. Historic England, in response to the original hybrid application, have also drawn particular attention to the layout and legibility of Marnhull's historic settlement, the prominent historic buildings clustered around the church, and the open green space and associated views to the west of Church Hill: **'We consider the unusual and dispersed layout of the settlement to be a key aspect of its special character.... Moving along Church Hill from north to south, the open agricultural land to the west provides expansive views, and the dispersed nature of the historic settlement is clearly legible: the experience is of moving from one settlement to another.'**¹⁵
- 3.10. Similarly, views from Burton Street to the North (See Fig 8 below) and Sackmore Lane to the west and from the footpaths crossing the fields between the Burton Street and

¹¹ The Buildings of England DORSET : Newman & Pevsner : Penguin p271

¹² Pimlico County History Guides DORSET: Richard Ollard : Pimlico 1995 p91

¹³ *The Hardy Way – a 19th century pilgrimage* : Blue Birch, Dorset 2015 p93

¹⁴ *Hardy's Wessex*: Desmond Hawkins: MacMillan, 1983) p67. [CD12.001f]

¹⁵ Letter from Eve Van der Steen, Assistant Inspector of Historic Buildings and Areas, to Robert Lennis dated 22 November 2023 [CD8.009]

New Street conservation areas, underscore the open and scattered settlement pattern which makes Marnhull recognisably Marnhull.

- 3.11. Marnhull’s distinguishing feature – a scattered settlement overlaid with linear development along the two key spines, with an integral countryside setting – is thus a widely acknowledged and fundamental aspect of its historic character giving the village its distinctive sense of place. The attempt to create an artificial village centre on the fields between the two conservation areas fails to respect the historic character and local distinctiveness of the village, notably the special nature of its settlement pattern, contrary to national and local planning policy.
- 3.12. While the 1970s infilling to the east of Church Hill could be argued to have begun to compromise the original form of the village, that original form is still evident and the two principal spines (Burton Street and New Street) remain distinct, as does the separate area of Walton Elm. To infill on the green space to the west of Church Hill, however, would be of a different order altogether obscuring the historic form and going against the intention of the two conservation areas to delineate and retain the historic pattern.
- 3.13. Additionally, the proposed development of 120 houses on the Butts Close site would further diminish the particular character of Marnhull by significantly eroding the open relationship between the main settlement area and the outlying hamlet of Walton Elm / Carraway Lane (proposed as a new conservation area in the recent appraisal). Thomas Hardy refers to such hamlets and farmsteads as ‘solitudes’¹⁶ due to their isolation from the main settlement. The more development deviates from the linear pattern the more it compromises this separation, adversely affecting the locally distinctive form of Marnhull’s historic pattern and making it illegible to future generations.
- 3.14. **MPC contends that, far from contributing to local character, the proposed developments by virtue of their scale and location erode the distinctive historic pattern of the settlement which gives Marnhull its special sense of place. As a result they fail to conserve and enhance the varied settlement pattern and instead inflict significant harm on the local character and history of the parish.**

¹⁶ See *The Woodlanders* Chapter 25

4. The Setting of Heritage Assets

- 4.1. Marnhull benefits from a total of 58 listed buildings of which 27 lie within the two current conservation areas. The 2019 landscape and heritage study [CD5.014] concluded: **‘Development should preserve or enhance the special interest of Marnhull Conservation Area and others nearby and any elements of their settings that contribute to their significance.’**¹⁷
- 4.2. This development impacts particularly on the setting of the Grade I Church of St Gregory, Grade II* Seniors Farm, Grade II Conyers Place (The Old Rectory), which form a key landmark group within Marnhull and, together with the Crown Inn, Church Farm and Church Cottages, play an important role in the understanding of its history. The Grade I listing of the church indicates its exceptional importance – only around 2.5% of listed buildings nationally are Grade I. Grade II* buildings, such as Seniors Farm, are of more than special interest – only around 5.8% of listed buildings are Grade II*.
- 4.3. This group sits on a slight ridge that runs along New Street adding to their prominence and meaning that development to either side sits in the foreground of views. MPC considers that there are also impacts on Grade II Orchard House and the New Street and Burton Street conservation areas, including Tapshays House which is identified as a non-designated heritage asset in the draft Conservation Area Appraisal [CD6.006].
- 4.4. While distant views or glimpses of the church tower are obtained from various vantage points around and beyond the parish, the significance of near views (those within the village) is that they set the church clearly in its historic rural context alongside Seniors Farm and other nearby historic buildings, as among the oldest buildings in the parish and the flagship of the New Street conservation area. Currently the two most significant near views of the church that include its farmland setting are from Burton Street (Fig 6) to the north and across the Butts Close field to the south (Fig 11 et al). These views are a tangible reminder of the prominent position of the church in the community, the footpaths through the fields that led to it, and the historic function and land holdings of Seniors Farm as as a former grange of Glastonbury Abbey. The further erosion of green space adjacent to the church and Seniors Farm would significantly diminish the historic setting so appreciated by residents and users of the footpaths across the fields around the village and noted by Mr Pakenham in his previously quoted observation – ‘the jewel without the setting lacks interest.’

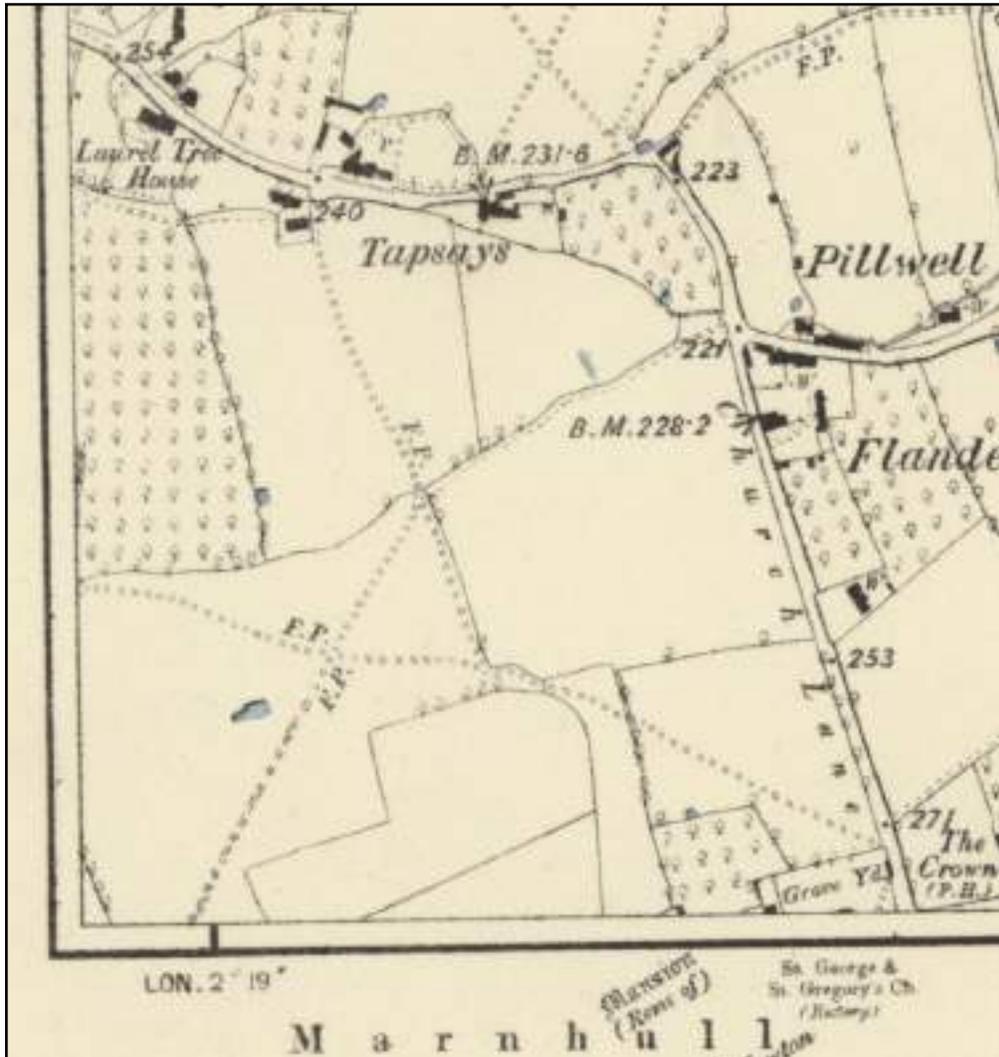
¹⁷ Strategic Landscape and Heritage Study for North Dorset Area 2019

Development on land west of Church Hill

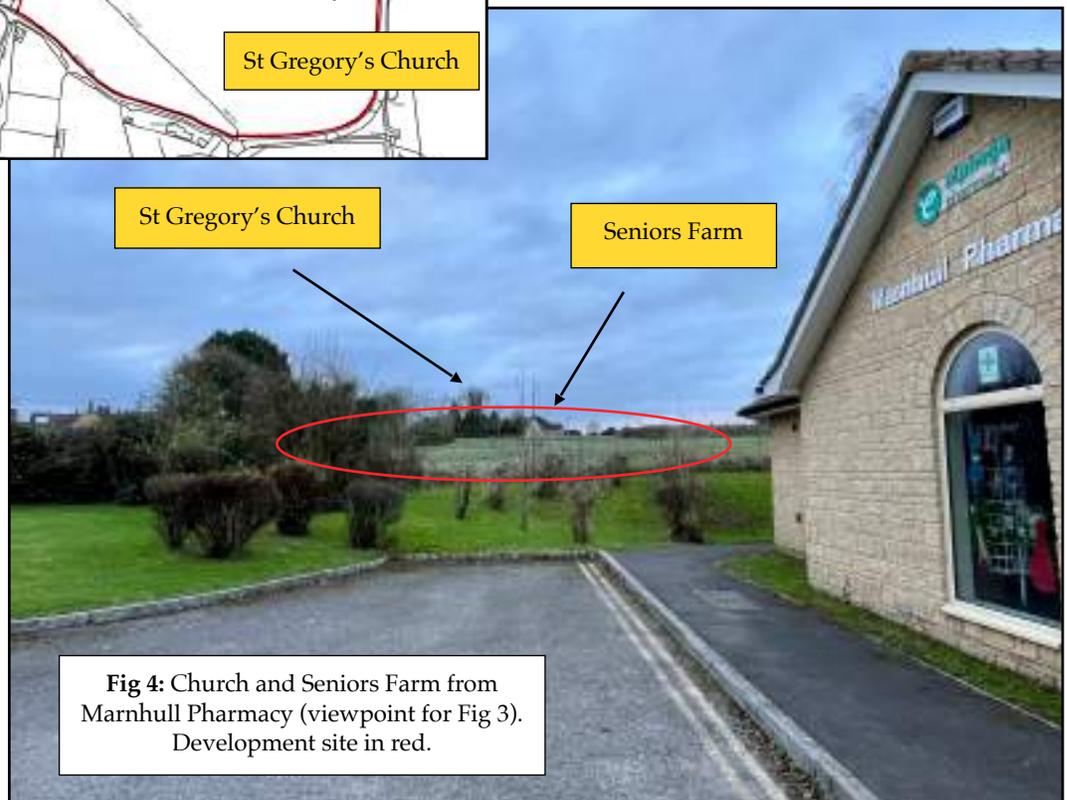
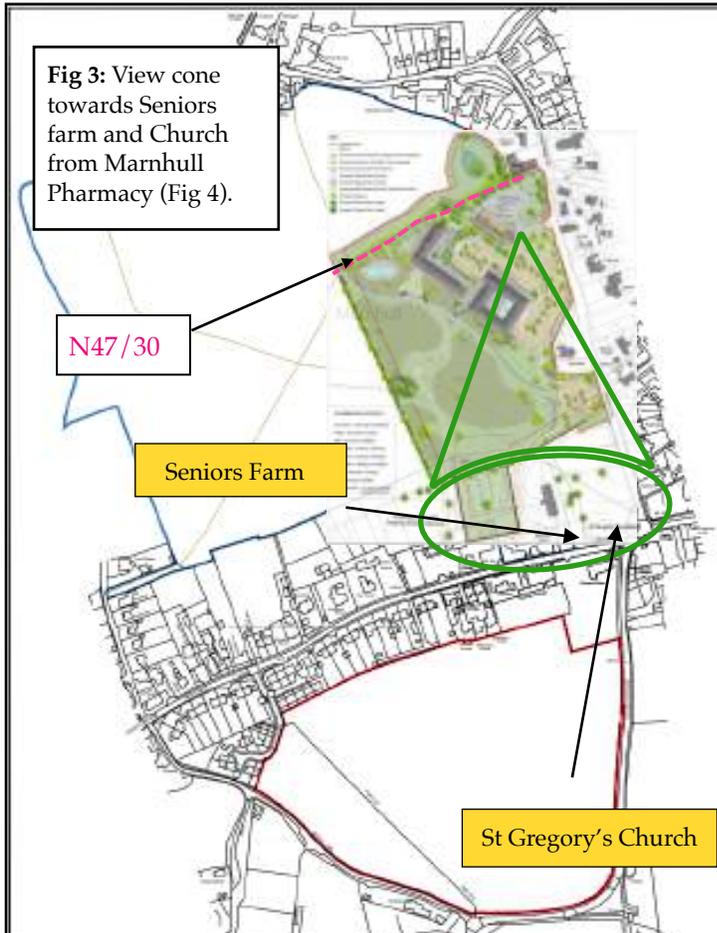
Fig 2: Dorset Sheet VII.NE

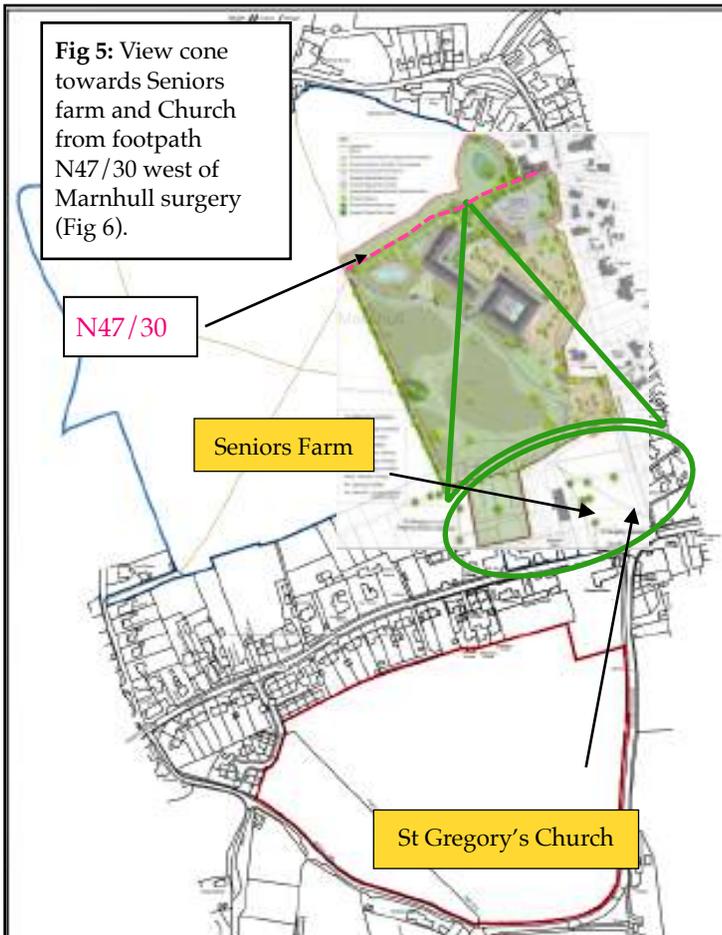
Surveyed: 1886, Published: 1886

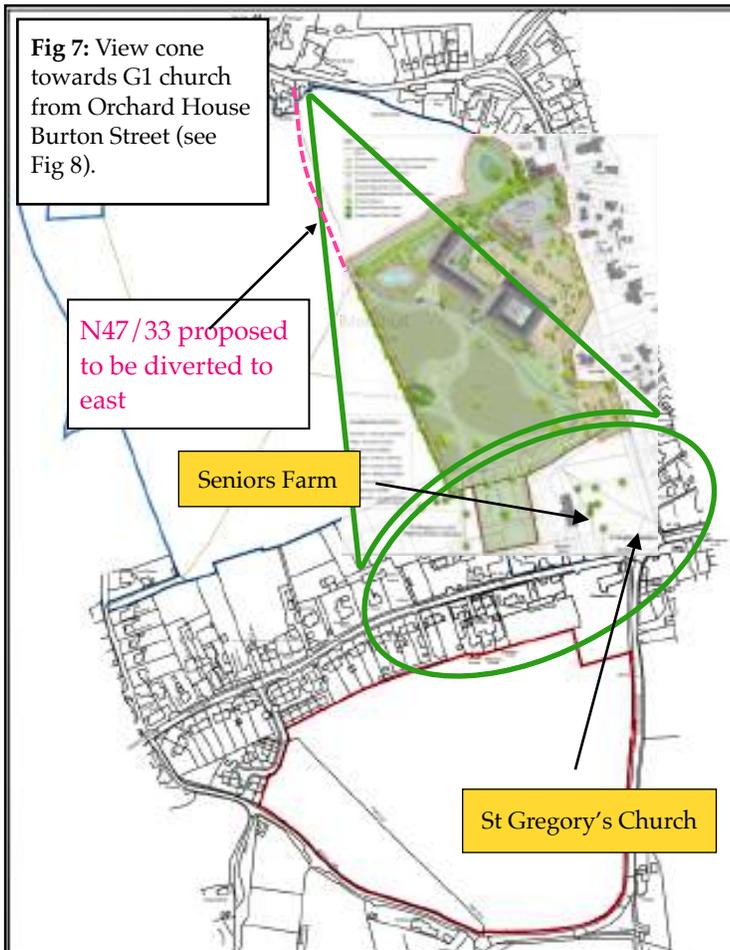
Six inches to one mile (1:10560) source: National Library of Scotland¹⁸

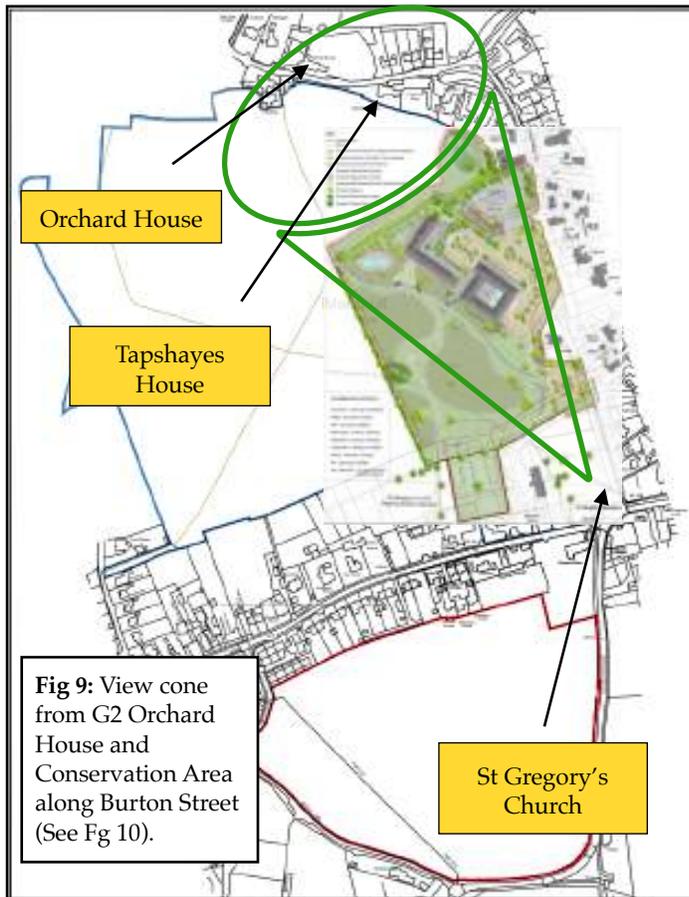


¹⁸ <https://maps.nls.uk/view/101446040>





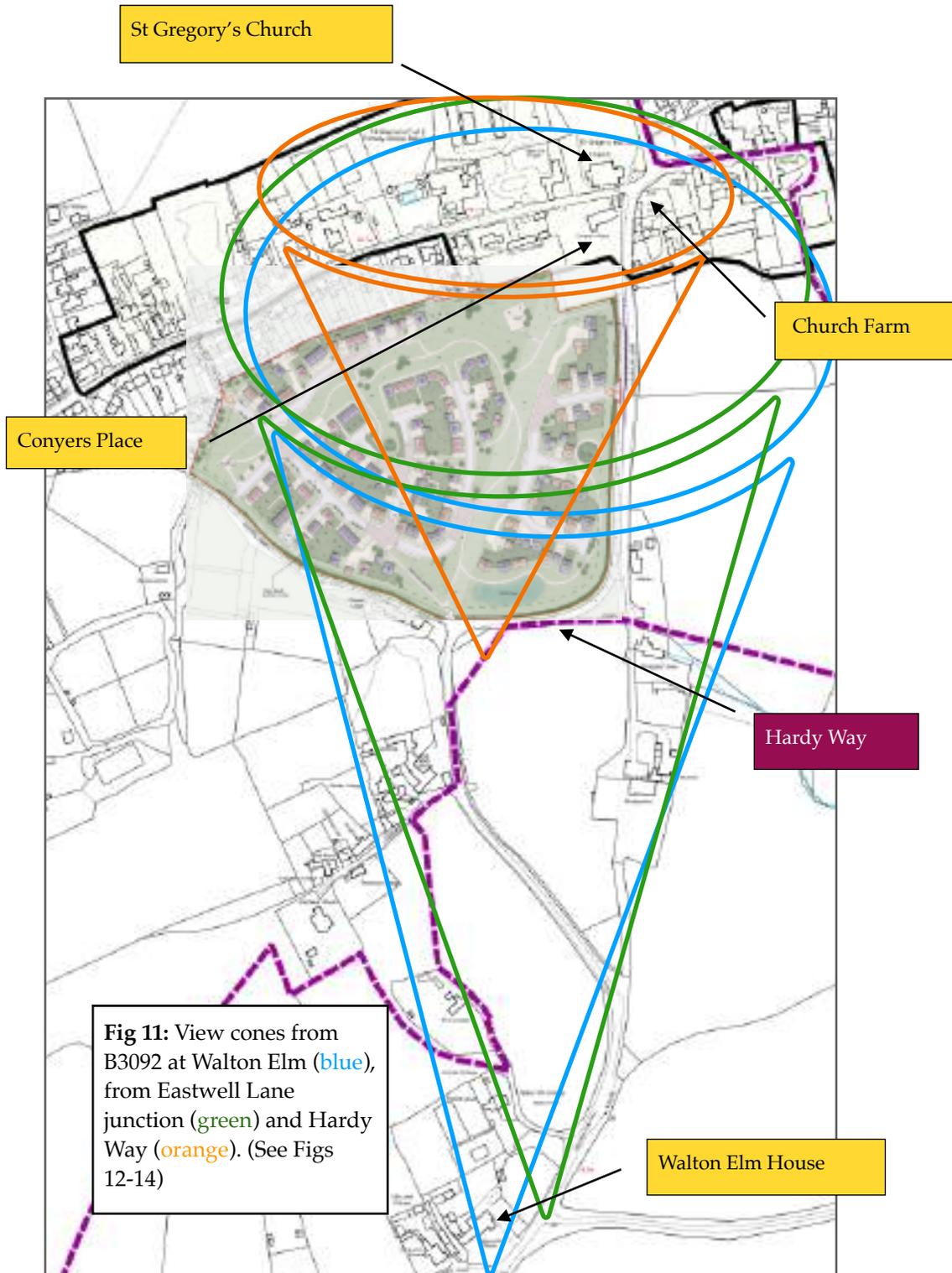




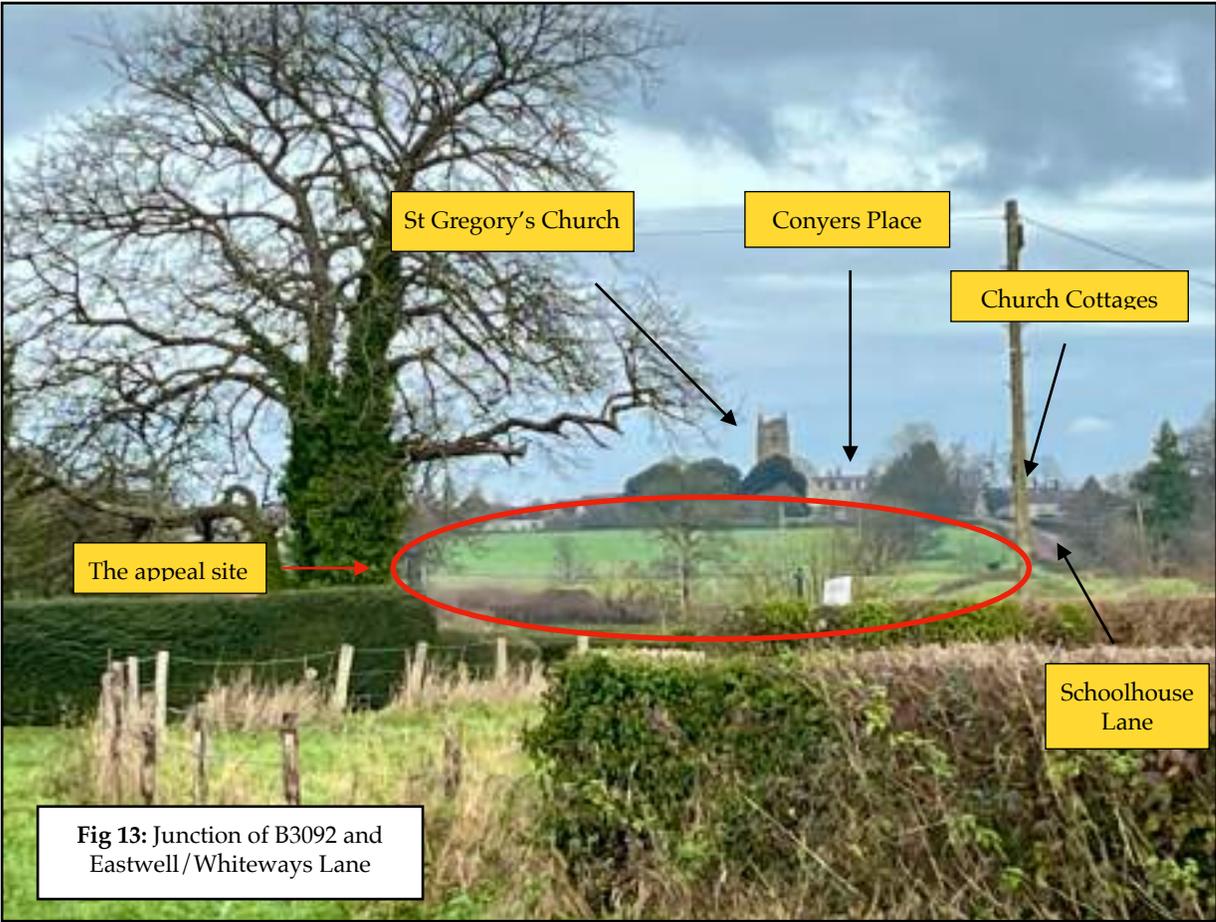
- 4.5. The footpaths crossing farmland between Burton Street and New Street have been established for more than 150 years, providing more direct access to the constituent parts of the village and in particular focusing on routes to and from the church.
- 4.6. As can be seen from the illustrations (Figs 3-10), current views of the church and Seniors Farm from the pharmacy and surgery, and from public footpath N47/30, will be severely impinged on and in part obstructed by the proposed commercial centre, changing the very nature of its historic farmland setting.
- 4.7. The prominent view across open fields from the field gate opposite Orchard House in Burton Street, at the start of footpath N47/33, is also restricted by the development (See Figs 7/8). This opening is the principal viewpoint to the church and Seniors Farm from the key thoroughfare of Burton Street. It also gives access to the network of historic footpaths leading to the church through these fields and offering among the most appealing and complete views of these buildings in their historic context. Furthermore, the proposed diversion of this path to the east, around the rear of Tapshays House to the surgery, goes against the grain of the historic links to and from the church. Users of the diverted path will find the view of the church and Seniors Farm more directly obscured by the proposed development.
- 4.8. The Appellant's Heritage Statement [CD1.43] argues (para 5.53) that the impacts of the development upon the setting of the church will be limited from the north, which is simply not evidenced through any photomontages of views from the various public rights of way, and it is clear from our assessment that a number of views will be significantly adversely impacted. The Appellant's heritage expert goes on to state that views of the church could be *'enhanced by the removal of the large chicken sheds which form part of the application proposals adjacent to Seniors Farm which will open up some views to and from the church from the north-west.'* In fact the chicken sheds are not currently visible from the north west as they are screened by trees, and one shed has recently been removed.
- 4.9. The Appellant's heritage expert goes on to state, in relation to the setting of St Gregory's church, that the *'new centre ... will read as part of the established urban village context and more so upon construction of the houses to the north of the proposed site.'* It is unclear whether the expert is referring to the land north of Burton Street (currently under construction), but if so this is some distance from the site in question and does not directly impact on the setting of the church in the way that the proposed development would, or whether the expert is referring to the Appellant's future retirement living area indicated in the 'Marnhull's Future' leaflet [CD4.5a], which has not been subject to any planning application or approval. In either case the expert's conclusions appear to be highly misleading or mistaken.

- 4.10. The same error is repeated in their assessment of harm to the Grade II Orchard House (Para 5.47) where they state that *'outline permission has already been granted on the parcel of land to the north of the current proposal and within the more immediate setting of the listed building'*, and that this *'illustrates the acceptability of development within that location and as such would form a visual buffer between the listed building and application site.'* **Their conclusion that *'no demonstrable harm would result and no further commentary is necessary'* is therefore flawed, and it is my view and that of MPC that the rural setting of Orchard House and this end of the Burton Street conservation area in general (including Tapshays House which is a potential non-designated heritage asset), would be adversely impacted by the 'Tess Square' development, particularly when viewed from the N47/31 exiting from the churchyard. (See Figs 9/10).**

Development on land off Butts Close and Schoolhouse Lane







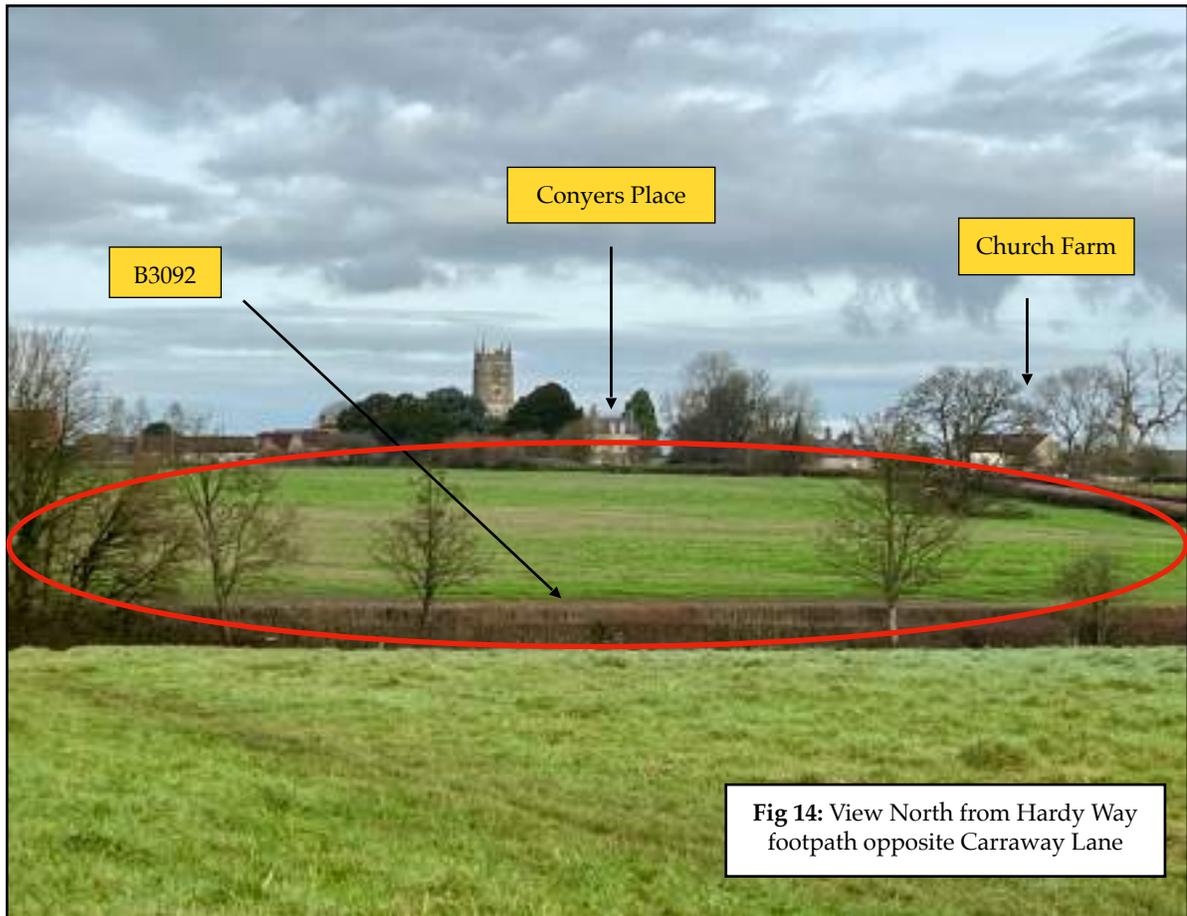


Fig 14: View North from Hardy Way footpath opposite Carraway Lane



Fig 15: B3092 junction with Chippel Lane

- 4.11. Turning to the Butts Close site the setting of the church, as approached from the south, would again be severely impacted by the proposed development of 120 houses on the field adjoining the New Street conservation area (See Figs 11-14). It is also my view, and that of MPC, that the setting of Conyers Place (The Old Rectory) and some of the associated listed buildings at the eastern end of the New Street conservation area, would also be adversely impacted. The site comprises part of the former glebe lands of the then rectory, the income from which would have supported the parish priest. It is thus directly associated with the history of the church and the Old Rectory.
- 4.12. The previous outline application for development on this site (2/2018/0448/OUT for up to 58 houses) was withdrawn by the Appellant, following significant criticism of the scale and impact of such development on the setting of the church, with outline approval eventually being granted only for 39 dwellings on the western boundary of the field along Chippel Lane at a time when the ‘tilted balance’ was engaged. Development of the scale now proposed across this site would comprehensively and irreparably alter the setting of the church and other heritage assets, a setting whose heritage value is enriched by significant cultural associations (see section 5).
- 4.13. The approach to Marnhull from the south on the B3092 Sturminster to Gillingham road offers landmark views of the church, from before Walton Elm and as far as the junction with Chippel Lane, in which the Butts Close field is a visually prominent part of the setting (see Figs 12-15). This setting not only enhances the view of these key heritage assets in the landscape but also illustrates the rural agrarian character of the parish. Moreover, the setting is vividly experienced from the Hardy Way long distance footpath which passes through the field immediately south of the B3092 (see Fig 14).
- 4.14. Restricted views through the proposed development may provide an occasional reminder of the presence of heritage assets through glimpses of the Church tower, but they do not compensate for the degree to which the development will impinge on the setting when seen from a variety of viewpoints – the human eye, which has a normal view cone of 60°, cannot ignore what is in front of it. **Thus the limited mitigation proposed is not effective. The development does not make a positive contribution to the character of the village and fails to adequately address the harm to the setting of three of Marnhull’s most significant historic buildings, St Gregory’s Church, Seniors Farm and Conyers Place (The Old Rectory).**

5. Significant Cultural Associations – Thomas Hardy / Gordon Beningfield



Fig16; 'Marnhull' by Gordon Beningfield from *Hardy Country* and as cover image for *The Darkling Thrush*

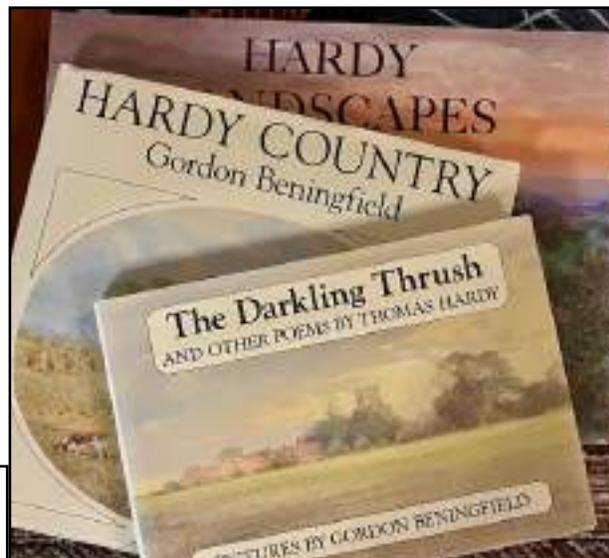


Fig 17: Benningfield 's books on Hardy



Fig 18: Butts Close field – Benningfield view today

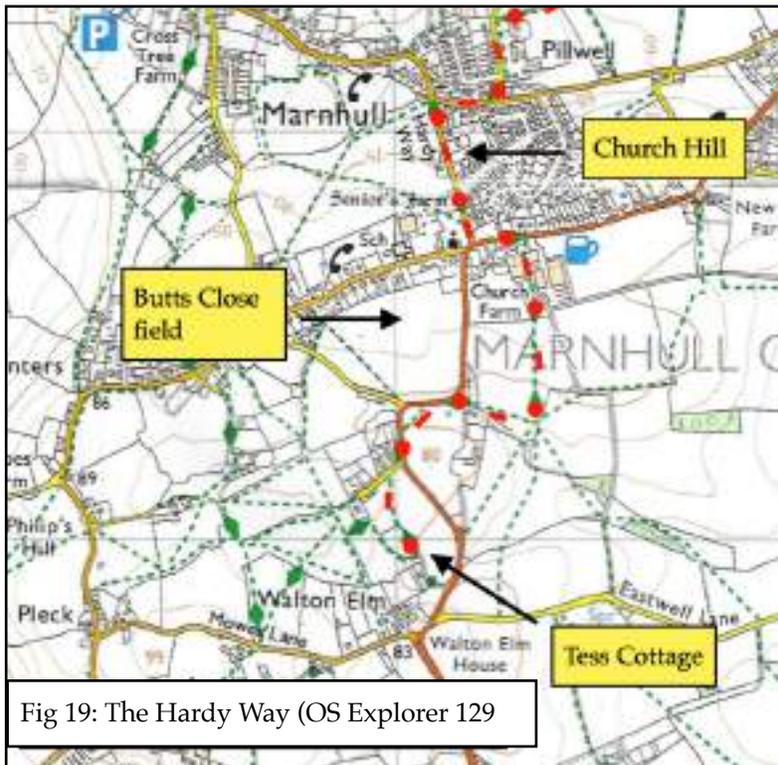


Fig 19: The Hardy Way (OS Explorer 129





Fig 20: Butts Close field from Hardy Way S of B3092

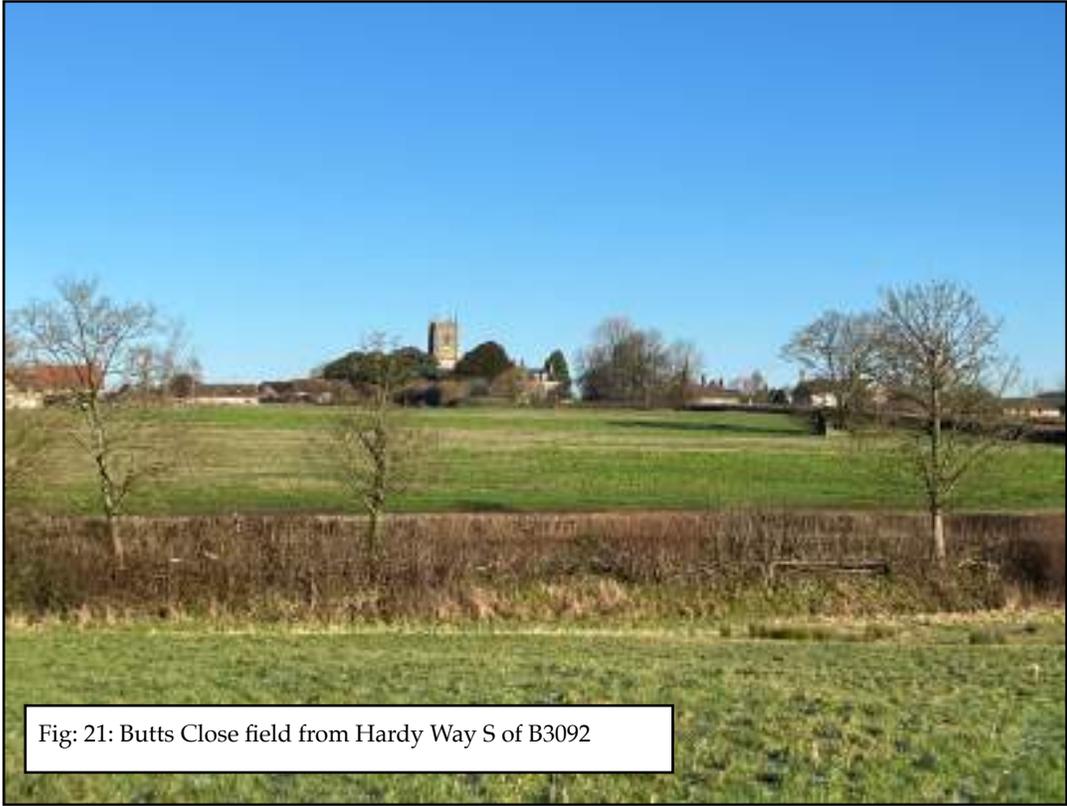
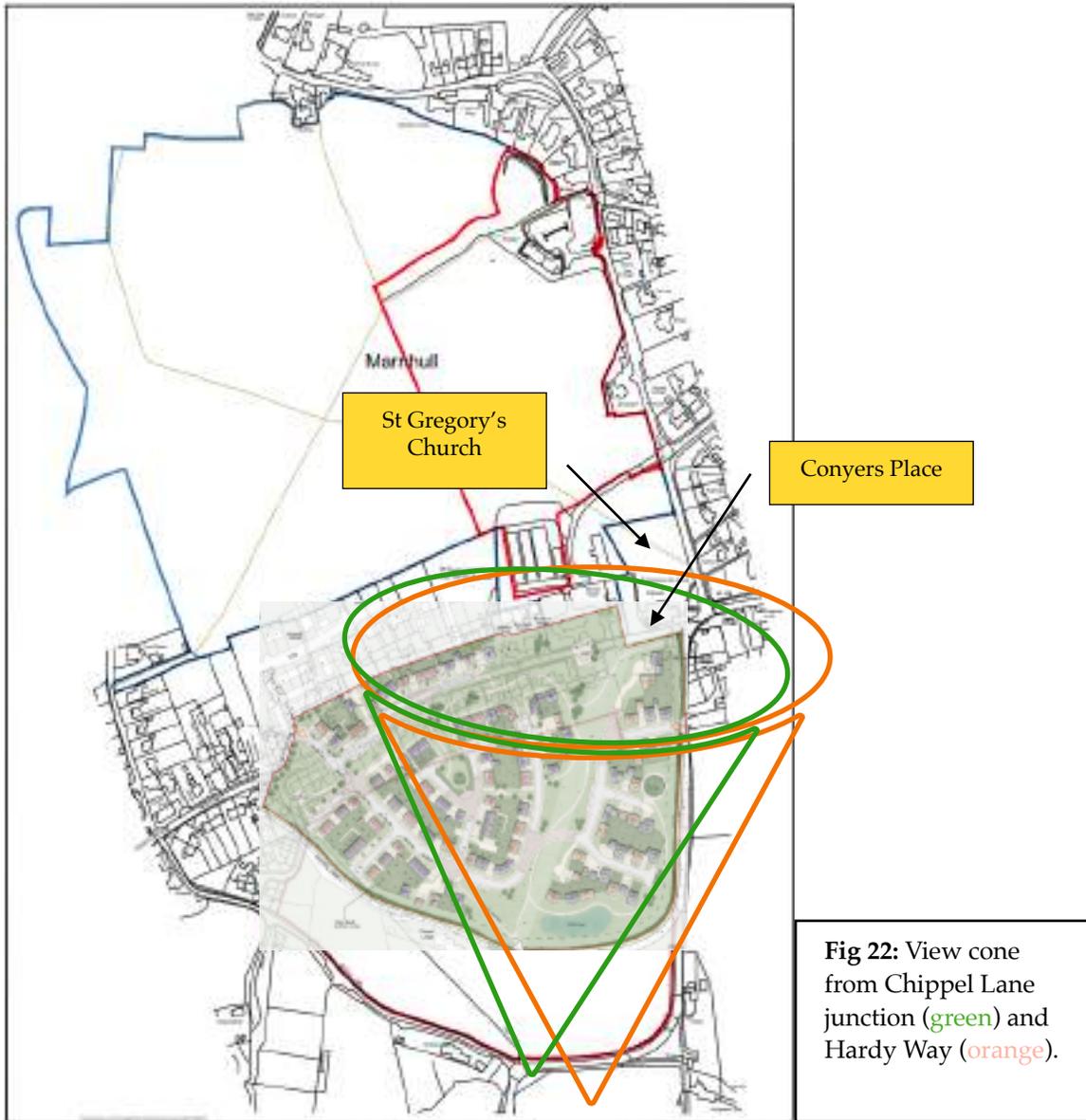


Fig 21: Butts Close field from Hardy Way S of B3092



- 5.1. The current local plan notes the connection between heritage assets and cultural identity: '[H]istoric 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 an emotional meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.**'¹⁹
- 5.2. Marnhull's association with the work of Thomas Hardy (1840-1928) is well known, the village being the inspiration for 'Marlott', birthplace of Tess and resting place of her child, in perhaps his most famous novel *Tess of the d'Urbervilles* (published 1891) – '*the triumphant fulfilment of his career as a novelist*'²⁰. Tess has inspired plays, films and even an opera and is described by James Gibson, founder of the Thomas Hardy Journal, as '*indisputably one of the greatest novels of that great period of novel-writing, the nineteenth century.*'²¹ Or as Desmond Hawkins wrote '*his masterpiece*'²²
- 5.3. Alongside Jane Austen, William Wordsworth and Charles Dickens, the poet and novelist Thomas Hardy (1840-1928) remains one of this country's most highly regarded and enduringly popular literary figures with a lively and extensive international following. His championing of social issues, the brilliance of his story-telling and his intimate knowledge of and feeling for the rural life of Wessex continues to command respect and love. Brought up in Dorset and living most of his life in the county, including in nearby Sturminster Newton, Hardy is known in particular as a Dorset writer. His contribution to the cultural identity of Dorset is recognised around the world and his UNESCO-listed archive is held at Dorset History Centre.
- 5.4. As 'A.M.L.' records in *The Marn'ull Book*²³ (Blackmore Press 1952) p166, '**Marnhull's lion is Thomas Hardy.** Not only did he choose this village as the birthplace and home of one of his heroines, but she was his greatest heroine: *Tess of the d'Urbervilles.*' A.M.L. goes on to say: '*If one reads Tess of the d'Urbervilles with careful attention to background detail it is possible to build up a picture of what the village life was like a*

¹⁹ North Dorset Local Plan part 1 [CD3.001]

²⁰ James Gibson, Introduction to 1993 Everyman edition of *Tess of the d'Urbervilles* pXIX [CD12.001e]

²¹ Ibid pXX

²² Hardy – novelist and poet: Desmond Hawkins: Papermac: 1987 p137 [CD12.001g]

²³ The Marn'ull Book : Blackmore Press 1952) p166 [CD12.001h]

hundred years or so ago. While living at Sturminster Newton Hardy is known to have visited Marnhull on several occasions²⁴, and it is his use of local detail that adds authenticity to his work.

- 5.5. Tess goes to school in Marlott, attends church and takes part in the May Day celebrations; her child is born here and, most poignantly, the infant ‘Sorrow’ is buried *‘in that shabby corner of God’s allotment where He lets the nettles grow.’*²⁵
- 5.6. The proposed development particularly impinges on the locations and buildings most closely associated with Tess. In addition to the church, The Crown Inn features as ‘The Pure Drop Inn’ and the area around Walton Elm is widely considered to have influenced Hardy’s choice of locations, so that Old Lamb House (formerly The Lamb Inn) has a claim to be ‘Rollivers’ ale house and, most notably, Tess Cottage (formerly Barton Cottage) situated between Walton Elm and Carraway Lane is deemed to be the Durbeyfield home. It is reported that Hardy visited the cottage in 1924 and told the then owner that it had been the inspiration for the home of his tragic heroine. The cottage name was immediately changed to Tess Cottage²⁶. Marnhull’s association with Hardy inspires many visits to the village, including those arranged by Sturminster Newton Literary Festival and the Thomas Hardy Society. Former president of the Society and authority on Hardy’s landscapes and locations, Dr Tony Fincham, points out that *‘from the cottage, there are fine views to the north towards the village church and eastward over the Vale of the White Hart’*²⁷.
- 5.7. Tess takes part in ‘club-walking’, the procession of young women and girls around the village on May Day, after which *‘they turned into a field near The Pure Drop Inn for dancing on the grass’*. It is here Tess first – and fatefully – encounters Angel Clare. There is a good case for believing that the land south of Butts Close and west of Schoolhouse Lane is the field Hardy had in mind, lying between ‘The Pure Drop Inn’ and Tess Cottage. This was certainly the opinion of distinguished artist, naturalist and Hardy enthusiast, Gordon Beningfield (1936-1998).

²⁴ See *The Hardy Way—a 19th-century pilgrimage*; Margaret Marande: Blue Birch 2015 p95 [CD12.001d]

²⁵ *Tess of the D’Urbervilles*: Everyman Edition: Chapter 14 p88 [CD12.001e]

²⁶ *Hardy’s Wessex Reappraised*, Denys Kay-Robinson, David & Charles, 1972. p112-3 [CD12.001i]
Tess of the d’Urbervilles: Fact-related Fiction, Tony Bradbury, The Hardy Society Journal Spring 2009. <https://www.jstor.org/stable/48561919>
Marnhull – A Dorset Village at the Millennium: Adrian Bailey 2001.p136 [CD12.001j]

²⁷ *Hardy’s Landscape Revisited*; Tony Fincham, Hale Books, 2010 p207 [CD12.001k]

- 5.8. Beningfield is internationally acclaimed for his beautiful depictions of the English countryside, in particular the landscape, locations and rural life described by Thomas Hardy, in books such as *Hardy Country*, *Hardy Landscapes* and *The Darkling Thrush and other poems by Thomas Hardy*. The cover illustration of the latter is his notable painting of St Gregory’s church viewed across this sloping field from near the junction with Chippel Lane (Figs 18-21) : ‘*I tried to think where Hardy would have seen the May Day dance taking place – I think it might have been here.*’²⁸ While it is not always possible to be definitive about the precise location of certain scenes from the book – and Hardy himself pointed out that the writer’s imagination may well amalgamate locations – there is enough evidence for this suggestion not to be fanciful. Indeed in chapter 54, while in pursuit of Tess, Angel Clare leaves her family cottage and heads to ‘Shaston’ / Shaftesbury: ‘*His way was by the field in which he had first beheld her at the dance...He passed on through the churchyard.*’²⁹ The most direct route from Tess Cottage to the church is through the field at Butts Close and this is likely to be what influenced Beningfield’s choice.
- 5.9. The field and this much-published view of the church are undoubtedly of cultural and historical significance – the connection to Hardy (and Beningfield) being of special heritage importance to Marnhull and considerable interest to visitors. The church and the field which provides its setting are clearly visible as one approaches along the B3092 from the south as Figs 13-15 above illustrate.
- 5.10. The Hardy Way was the first long distance path in Great Britain to be linked with the works of a great writer, and is enjoyed today by local walking groups, ramblers and Hardy admirers. It proceeds from Tess Cottage to Carraway Lane where it emerges on to the B3092 and crosses the fields towards Church Farm and the Crown Inn (see Fig 19). As it does so it provides from slightly elevated ground a fine open view of the field, the Church and other listed buildings (see Figs 20-22), a view that would be severely obscured by the imposition of houses on this field.
- 5.11. In the introduction to the guide, *Exploring Thomas Hardy’s Wessex*, Dr Tony Fincham writes: ‘*for the reader to be moved to tears by the fate of Tess d’Urberville or Bathsheba Everdene and then to be able to visit the places where these heroines lived, loved and died gives an entire extra dimension to the literary experience, especially when these scenes are set amongst some of the most beautiful countryside in England.*’³⁰ For the proposed development to intrude so drastically on the landscape

²⁸ *Hardy Country*: Gordon Beningfield : Viking, 1983 p56 [CD12.0011]

²⁹ *Tess of the D’Urbervilles*: Everyman Edition: Chapter 14 p345 [CD12.001e]

³⁰ *Exploring Thomas Hardy’s Wessex*: Tony Fincham: Dovecote Press 2016 p6 [CD12.001m]

and, in particular, the view made famous by Beningfield and directly associated with Hardy, would seriously diminish the cultural heritage of Marnhull and be a major deterrent to visitors.

5.12. Beningfield himself wrote in the introduction to *Hardy Landscapes*:

*No better tribute could be made to a writer who has delighted so many people with his evocations of the English countryside than affording proper protection to the heart of Hardy country. His readers and admirers should always be able to see for themselves that the dream-like landscapes he conjured up in his writings actually existed.*³¹

5.13. This view is endorsed by Gregory Stevens Cox, editor of *The Hardy Guides*; (Penguin Books 1986) who wrote:

*I have one concluding thought. We are living in a period of rapid and violent change. Perhaps the best tribute that we can pay to Thomas Hardy today is to take Thomas Hardy's Wessex³² as one of our textbooks of what should be protected and conserved in the West of England. The landscape should not be further scarred. The buildings mentioned in Lea's book should be designated and scheduled as protected, if not already so listed, and while this may incur the wrath of the developers it will at least elicit the gratitude of our children.*³³

5.14. The Thomas Hardy Society has written [CD12.001p] in support of these comments:

*The Thomas Hardy Society wholly supports all the objections raised to this proposed development by Marnhull Parish Council. We cannot state the case more fully or more strongly.*³⁴

5.15. To date Marnhull's relationship with Hardy has not been commercialised or sentimentalised. It is valued by residents and visitors alike, is promoted by the Thomas Hardy Society – which supports these observations – and by Sturminster Newton Literary Festival. It is an association which – along with that of Gordon Beningfield –

³¹ *Hardy Landscapes* : Gordon Beningfield : Viking 1990 p7 [CD12.001n]

³² Hermann Lea, 1913 and still in print

³³ *The Hardy Guides Vol 1*: Hermann Lea : Penguin 1986 p12/13 [CD12.001o]

³⁴ Letter to the Inspectorate from Dr Tony Fincham, Vice-President, The Thames Hardy Society, 21st February 2025. [CD12.001p]

enriches Marnhull's historic character and enhances its cultural identity and special sense of place. The parish council regards further interpretation of the Hardy connections as an important opportunity and proposals to celebrate and improve awareness of this literary heritage are contained in the draft Neighbourhood Development Plan.

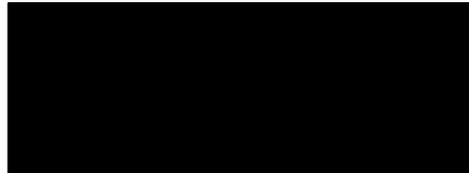
- 5.16. While the proposed development appropriates the name of Hardy's heroine (the notion of a commercial 'square' would be largely alien to Tess whose life was lived in the 'dispersed' village, on isolated farms and along unmade rural lanes), the appellant's heritage statement fails to make any reference whatsoever to Thomas Hardy, Beningfield or the value and significance of these cultural associations. **This is a serious omission which indicates a fundamental lack of understanding of and respect for the heritage of Marnhull.**

6. Conclusion

- 6.1. **MPC contends that the appellant has failed to show a comprehensive understanding of the heritage of Marnhull or its significance, especially with regard to the inter-related issues of the locally distinctive character of the village, the setting of key heritage assets and the importance of well-established cultural associations. Consequently, they have considerably underestimated the adverse impact of the proposed development on the heritage of the parish.**
- 6.2. **Each part of this hybrid application (i.e. both the Church Hill and Butts Close sites), inflicts a significant degree of harm on the heritage of Marnhull. The cumulative impact resulting from the development of these sites would be devastating, significantly altering the valued character of the village, contrary to the key sensitivities and guidance identified in the Strategic Landscape and Heritage Study for North Dorset Area 2019 and other key policies.**
- 6.3. **MPC believes that, on grounds of harm to the heritage, the appeal should not be allowed.**

Statement of Truth

I believe that the facts stated in this witness statement are true.



Signed:.....

Print name:.....STEPHEN BOYCE...

Date:.....10 March 2025.....

7. References and Bibliography

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- *Tess of the D'Urbervilles*: Thomas Hardy: Harper & Bros 1899
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- *Figures in a Wessex Landscape*: Thomas Hardy's picture of English country life: Joann Cullen Brown: Allison & Busby 1987
- *Thomas Hardy His Life and Landscape*: Desmond Hawkins : National Trust 1990

8. Appendices – Documents provided in evidence

CD12.001a

Explanatory Memorandum of 20 August 1969 from Area Planning Officer RW Packenham Ref RWP/VM

CD12.001b

The Buildings of England DORSET : Newman & Pevsner

CD12.001c

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Letter from Dr Tony Fincham, Vice President of the Thomas Hardy Society, 21st February 2025