



Holybourne Village Association

Supplementary Heritage Representation

Planning Application: EHDC/25/0748/OUT – Land North of London Road, Holybourne

Date: January 2026

1. Introduction

Holybourne Village Association (HVA) objects to this application on heritage grounds due to its harmful impact on multiple designated heritage assets, including:

- Cuckoo's Corner Scheduled Monument (a heritage asset of the highest significance under the NPPF);
- the Grade II* listed Church of the Holy Rood;
- Grade II Listed Manor Farm House;
- Grade II Listed Holybourne House;
- Grade II Listed Oak Cottage;
- Grade II Listed The Forge; and
- Holybourne Conservation Area.

This objection supplements, and should be read alongside, HVA's previous submissions.

Both Historic England and EHDC's Conservation Officer acknowledge that the proposed development would cause harm to the setting of designated heritage assets. The Conservation Officer concludes that the scheme would result in less than substantial harm at a medium level, primarily through the urbanisation of the rural setting of the Holybourne Conservation Area, the Scheduled Monument, and nearby listed buildings. They identify this harm as arising from the introduction of a modern suburban form into an openly rural context, eroding historic character and views - particularly of the Grade II* Church of the Holy Rood during winter months when vegetation is sparse.

Historic England similarly identifies harm to the setting of the Scheduled Monument, categorised within the range of less than substantial harm, citing the loss of openness and the introduction of lighting, noise, and activity. Historic England does not assert that this harm would be fully mitigable. While they suggest that certain archaeological risks may be managed through detailed design and the Scheduled Monument Consent process, the fundamental change to the monument's rural setting would be permanent once development is introduced up to its boundary.

Historic England's decision not to object does not imply policy compliance. Under the NPPF, the Local Planning Authority must give great weight to the conservation of



designated heritage assets and must refuse planning permission where harm is not clearly and convincingly justified. No such justification is provided here.

While HVA maintains that the impact on the Scheduled Monument, the Grade II* Church of the Holy Rood, Manor Farm House, and the Holybourne Conservation Area amounts to substantial harm, this submission also addresses the application within the framework of consultee assessments, which describe the harm as less than substantial. This does not signify agreement. Inspectors regularly depart from consultee views on the degree of heritage harm; the purpose of this approach is to ensure that the application is assessed rigorously against the statutory duties and NPPF tests that apply whenever harm - of any degree - is identified.

2. National Policy Context

NPPF:

- Paragraph 212: Great weight must be given to the conservation of heritage assets, irrespective of whether harm is substantial or less than substantial.
- Paragraph 213: Any harm requires clear and convincing justification.
- Paragraph 215: Where harm is less than substantial, it must be weighed against the public benefits of the proposal.

Implication for Holybourne - The application fails these tests. The harm to the Cuckoo's Corner Scheduled Monument, the Grade II* Church of the Holy Rood, Manor Farmhouse, Holybourne House, Holybourne Forge, and Oak Cottage, together with the Holybourne Conservation Area - even if assessed as "less than substantial" - engages footnote 7 and provides a clear reason for refusal under NPPF 11(d)(i).

Appeal decisions confirm that even low or moderate levels of less than substantial harm attract considerable importance and weight and often outweigh claimed benefits:

- *Torrisholme Barrow (2024)*: "I attribute considerable importance and weight to the identified less than substantial heritage harm... harm not outweighed by public benefits."
- *Ascott-under-Wychwood (2024)*: "Even a low level of less than substantial harm must weigh heavily against the proposal... heritage assets are an irreplaceable resource."
- *Sherfield-on-Loddon (2019)*: "Less than substantial harm does not equate to a less than substantial planning objection."



Public benefits such as general housing supply - even in the context of a five-year land supply shortfall - do not outweigh this harm, as confirmed in these decisions.

3. Play Area Location - Inconsistencies in Historic England's Position

Historic England's January 2026 advice accepts, in principle, the relocation of a play area inside the Scheduled Monument, subject to SMC and design caveats, even while acknowledging less-than-substantial harm to the monument's setting. HVA's position remains clear: this approach trivialises the monument's significance, normalises avoidable harm to a nationally important asset, and risks physical damage to buried remains. Interpretation boards and stylised "mitigation" cannot substitute for preservation.

HVA has asked for like-for-like precedents in which a housing estate has been allowed to sprawl up to and across into a Scheduled Monument in this way. None have been provided. HVA are aware of play features near monuments (Dover Castle, Battle Abbey, Bolsover Castle, Eltham Palace) but these are generally heritage-led destinations where ancillary facilities are part of a curated visitor experience designed to interpret the asset - not amenities inserted into a Scheduled Monument to maximise housing yield on an adjacent housing estate. No best-practice conservation precedent has been produced to justify the approach proposed here.

The location is unnecessary. Historic England themselves accept (in discussing the SUDS basin) that the applicant controls extensive land outside the Scheduled area. There is no heritage or planning justification for planting and play equipment inside the monument other than to extract maximum developable area for housing. That is an unacceptable planning driver for works within a designated heritage asset of the highest significance.

HVA also disputes the stance that "the details can be left to Reserved Matters or SMC". The NPPF requires that harm be avoided or minimised at the point of granting permission, with clear and convincing justification for any residual harm. It is not lawful or prudent to defer principle to later stages, nor to rely on the separate SMC process to "fix" an outline consent that embeds harm by design. Scheduled Monument Consent is not a planning workaround; it is a separate, stricter regime that may withhold consent or necessitate material change.



Also important, Historic England’s advice extends beyond heritage impact into matters that are properly for the community and plan-led decision-making. Their letter dictates that the play area should be “high-quality, interpretive and linked to Roman heritage”, effectively grabbing a ‘replacement community facility’ as a heritage enhancement tool. That is beyond Historic England’s proper remit. The play area at Holybourne is a designated Local Green Space (LGS) under the Alton Neighbourhood Plan. Under NPPF 106 and 108, LGS carries Green-Belt-equivalent protection and is a plan-led, community-defined designation intended to endure. Its loss or re-configuration cannot be legitimised by turning the replacement into a mini heritage exhibit. Historic England should not be deciding what constitutes a commensurate replacement for a protected village asset; nor should the applicant by acceding to Historic England’s “heritage theming” demands.

The existing LGS is open, rural, accessible, and valued for its outstanding countryside views and village-wide role. The proposed “replacement” would be estate-adjacent, enclosed, visually urban and functionally subordinate to new housing. Rebadging it as a “Roman-themed” space does not and cannot replicate the spatial qualities, social value or landscape experience of the current LGS. Historic England’s preferred “interpretive” swing, slide or trail is not a policy test and cannot cure a fundamental objection: the scheme removes a protected, community-defined Local Green Space and replaces it with a different type of space serving a different purpose for a different audience.

In short:

- Inside the Scheduled Monument: planting and play equipment are unnecessary and harmful in principle; no persuasive precedent has been provided.
- Deferral is improper: harm must be addressed now; SMC and Reserved Matters cannot launder an outline consent that bakes in harm.
- Remit overreach: Historic England’s “design diktat” for a community play facility is misplaced. Their role is to advise on heritage impact, not to specify the programme or define a replacement community asset.
- LGS primacy: the plan-led, community-defined LGS designation prevails; its loss cannot be offset by heritage-themed landscaping or play equipment, and any “replacement” must be community-led, not heritage-led or developer-led.

Accordingly, the play area and planting must be removed from the Scheduled Monument, and any future provision must be community-led and policy-compliant,



recognising the LGS's enduring status and its landscape-based value to Holybourne and the wider public.

4. EHDC's Own Evidence

EHDC's published evidence base is unequivocal:

- 2019 Site Assessments Background Paper: Holybourne failed Stage Two due to "limited or no scope to avoid significant heritage impacts" and "very extensive groundwater flood risk." The site was explicitly deemed "unreasonable to put forward" for large-scale development.
- 2021 Interim Sustainability Appraisal: Reaffirmed that the site would result in significant negative effects on heritage and landscape, even with mitigation, and accordingly excluded the option from the Regulation 18 consultation.

Crucially, the site promoter's own concept plan (see below) acknowledged these constraints. In respect of the Scheduled Monument, the promoter deliberately left the entire field immediately west of the Monument undeveloped - the field currently containing the Play Area - to create a buffer protecting the Monument's setting. The concept plan also included a landscaped setback to the west, broadly comparable to the current arrangement, intended to offset development impacts on the Conservation Area and nearby listed buildings in this location.

Despite these buffers, EHDC still rejected the site for strategic growth, concluding that harm to the Scheduled Monument, the Conservation Area and listed buildings remained unacceptable.



Proposed Development – Redbrown application submission



5. Attenuation Basin and Heritage

Historic England’s acceptance that the attenuation basin is “moveable” because the applicant controls surrounding land underlines a critical point. If drainage infrastructure can be relocated to avoid archaeological harm, so too can the play area. There is therefore no necessity for recreational development within the Scheduled Monument. Its inclusion is a matter of design choice, not site constraint, and is accordingly unjustified and harmful.

More fundamentally, an outline application must demonstrate that the quantum of development sought can be accommodated within the site’s fixed constraints. In this case, two core constraints remain unresolved at outline stage:



1. Drainage location and land-take: If the attenuation basin cannot be delivered in its currently illustrated location and must instead be relocated into areas presently identified as developable, that land-take will directly displace housing parcels, streets, and open-space hierarchies. Infrastructure of this scale cannot be “found” at Reserved Matters without material consequences for site capacity and layout.
2. Archaeology and Scheduled Monument context: Ongoing archaeological evaluation, and the potential requirement for additional protection or stand-off zones (including for setting considerations), could sterilise further land. This would necessitate additional reconfiguration of the developable area and further reduce certainty over capacity.

Taken together, these unresolved matters mean the applicant has not demonstrated that ‘up to 156 dwellings’ can be delivered within the land that remains once drainage and archaeological constraints are properly addressed. Deferring these fundamentals to Reserved Matters — or to the separate Scheduled Monument Consent process — reduces the outline application to a speculative capacity aspiration, rather than a robust demonstration that the site can accommodate the development sought without exporting harm into the Scheduled Monument.

If the attenuation basin must relocate into housing land, the consequence is unavoidable: a reduction in dwelling numbers or a materially different layout.

If archaeological requirements expand — through additional evaluation or stand-off — further land is sterilised and the same consequence follows.

In these circumstances, the outline application fails to demonstrate deliverability of the stated quantum within the site’s true constraints. Historic England’s acceptance that key infrastructure is “moveable” confirms that harm to the Scheduled Monument is a deliberate design choice, not a necessity, and exposes a fundamental capacity and parameters gap at outline stage. Unless and until drainage and archaeology are fixed with sufficient certainty, located outside the Scheduled Monument, and provided with appropriate stand-offs, the application does not lawfully or reasonably demonstrate that the development it seeks can be delivered.



6. Heights Parameter Plan – Why It Fails to Address Harm

The applicant's heights parameter plan permits development of "up to two storeys, with maximum ridge heights of 11.5 m and 10 m, with rooms in the roof permitted" across the site, including land immediately adjacent to the Scheduled Monument and close to numerous heritage assets.

Despite the terminology used, these parameters plainly allow what is in practical terms three-storey development (ground floor, first floor and accommodation in the roof). Even if interpreted conservatively as "two storeys", the introduction of a housing estate of any kind into this currently open rural land would irreversibly urbanise the setting of the Scheduled Monument, the listed buildings and the Conservation Area. The rural openness that presently frames these assets - allowing long, uninterrupted views across agricultural land and contributing directly to their significance - would be permanently lost.

The proposed "step-down" in height towards the north and west does not mitigate this harm. Planning appeal decisions (Sherfield-on-Loddon and Ascott-under-Wychwood) have consistently confirmed that it is the introduction of suburban form itself, rather than marginal differences in ridge height, that causes harm to the significance and setting of heritage assets. Estates including slight lower buildings remain estates: they are not countryside. Even a development consisting entirely of bungalows would still extinguish the open rural character and destroy views that currently contribute positively to the heritage significance of nearby assets.

The National Planning Policy Framework requires that harm to heritage assets be avoided or minimised at the point of decision-making (paragraphs 212–213). The heights parameter plan fails this test. Cosmetic adjustments to ridge heights do not reduce the impact on setting, nor do they preserve the legibility of the heritage-landscape relationship. The plan therefore represents an exercise in presentation rather than mitigation, and does nothing to alter the fundamental reality that the proposal would replace open countryside with suburban built form, causing unacceptable harm to assets of the highest significance.

7. Why Historic England's Lack of Objection Does Not Alter EHDC's Duty

Historic England's role is advisory. Their January 2026 letter confirms harm but classifies it as "less than substantial" and defers the weighing exercise to EHDC. They



also separate planning permission from Scheduled Monument Consent and accept mitigation “in principle,” even though the NPPF requires harm to be justified now, not later.

Historic England’s advice does not - and cannot - convert harm into acceptability. Under the NPPF, EHDC’s duty remains clear:

- Great weight must be given to the conservation of heritage assets of the highest significance, including Scheduled Monuments and Grade II* listed buildings.
- Harm must be clearly and convincingly justified - which it is not.
- Footnote 7 applies: the tilted balance is disapplied where such harm exists.

Historic England’s non-objection does not override these tests. The determining authority must apply them rigorously. Allowing development right up to the Monument boundary is fundamentally incompatible with preserving its rural setting and cannot be mitigated through landscaping or design.

8. Appeal Precedents

Recent decisions confirm that harm to Scheduled Monuments and other heritage assets - even if assessed as “less than substantial” - is a decisive reason for refusal under NPPF 11(d)(i). Inspectors consistently attach considerable importance and weight to such harm:



Wormegay (APP/V2635/W/24/3351873, Jan 2025)



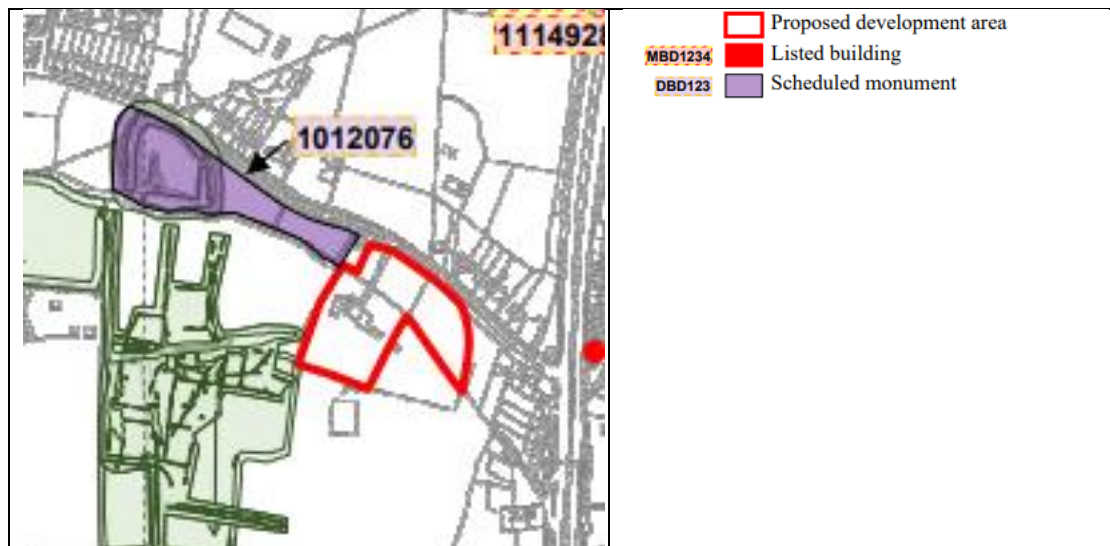
Figure 14. The spatial relationship between the proposed development site and the adjacent Scheduled Monument (blue outline) and Listed Buildings (blue triangles) at 1:3,000. (Designation data © Historic England)

Solar farm refused adjacent to a motte-and-bailey Scheduled Monument. The Inspector held that the proposal would:

- “Significantly erode the surviving open, undeveloped rural setting... curtail and distract the extent to which the Castle can be enjoyed within an open, verdant setting.”
- The harm was described as: “Less than substantial... but of considerable importance and weight... not outweighed by public benefits.”
- The Inspector concluded that paragraph 11(d)(i) directed refusal.



Wyboston (APP/K0235/W/24/3353144, Mar 2025)

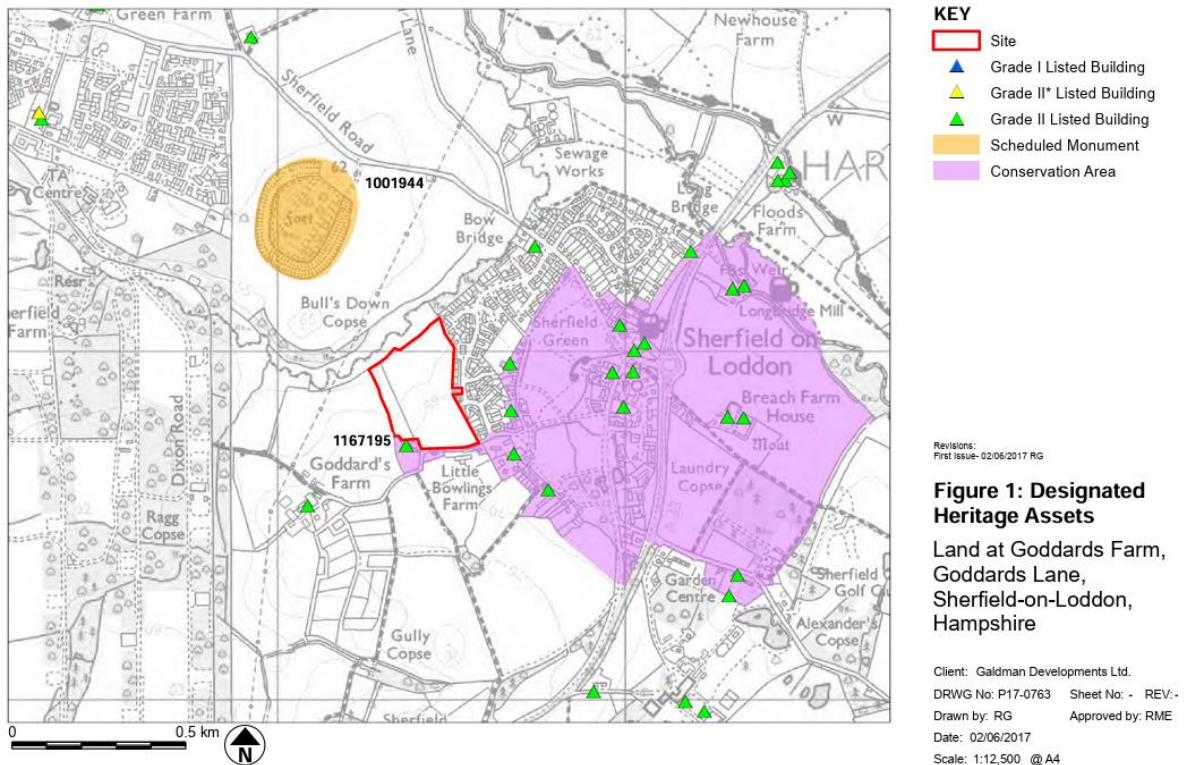


Ten dwellings refused near a Scheduled Monument (moated enclosure). The Inspector found:

- “The proposal would result in less than substantial harm at the higher end of the scale... The limited public benefits do not outweigh the harm to the significance of the designated heritage asset.”



Sherfield-on-Loddon (APP/H1705/W/19/3226286, Sept 2019)



Up to 90 dwellings refused due to cumulative heritage harm to Bullsdown Camp Scheduled Monument, the setting of Carpenters Farmhouse (Grade II) (and its curtilage structures), and the Sherfield-on-Loddon Conservation Area:

- **Scheduled Monument (Bullsdown Camp):** The proposal would “significantly intrude into the rural setting of the SM”, with the new housing “eroding the purpose, location and function of this land and its physical association with the SM”, and screening “would be of limited effectiveness”. Harm was less than substantial, but the Inspector gave very considerable weight to conserving the SM.
- **Listed building (Carpenters Farmhouse, Grade II):** The scheme would “diminish” the ability to appreciate the farmhouse “as distinct to Sherfield-on-Loddon” by reducing separation and the loss of open farmland that contributes to its significance; the greenspace would be “formalised”, changing its rural character. Harm less than substantial.
- **Conservation Area:** Loss of the open agricultural land that provides separation and contributes to the CA’s rural character would enclose the CA to an unacceptable degree, causing “considerable harm to the significance of the CA”. Harm less than substantial.



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The Inspector stressed that “less than substantial harm does not equate to a less than substantial planning objection”, and that great/very considerable weight must be given to conservation - even in the context of housing need - concluding that policies engaged by NPPF 11(d)(i) provided a clear reason for refusal.



Torrisholme (APP/M0933/W/22/3301234, July 2024)



Housing refused adjacent to an Iron Age hillfort Scheduled Monument. The Inspector concluded:

- The rural setting was integral to the asset’s significance and that introducing built form - even with buffers - would erode that setting.
- “The remaining unfettered nature of this part of the setting would be reduced... undermining the authenticity of how the emotive and evocative links to the past are experienced”.
- Public benefits did not outweigh harm; and
- “Footnote 7 constraints disapply the tilted balance.”



Ascott-under-Wychwood (APP/D3125/W/23/3332089, May 2024)



Appeal dismissed due to cumulative harm to the Grade II* Church of the Holy Trinity, multiple Grade II listed buildings, and the Conservation Area. The Inspector found that:

- The appeal site’s prevailing rural character made a “notable contribution” to the wider setting of the church and listed buildings. Development would “diminish the surviving rurality” and “obliterate the last vestiges of countryside that provide an important demarcation between the medieval core and the historic edge of the settlement.”
- For the Grade II* church, even limited intervisibility and the perceptible infilling of the appeal land would “harm the ability to appreciate the church in its rural context”, despite intervening development.
- The Inspector stressed: “Even a low level of less than substantial harm must weigh heavily against the proposal... Heritage assets are an irreplaceable resource.”
- Harm to Crown Farmhouse (Grade II) and curtilage structures was described as “firmly in the middle of the range of less than substantial harm,” while harm to the church and other listed buildings was at the lower end—but still decisive.



- The Inspector concluded that the proposal would “irrevocably erode” the rural qualities that contribute to the significance of these assets, and that great weight must be given to their conservation under NPPF Paragraph 205 (now 212).

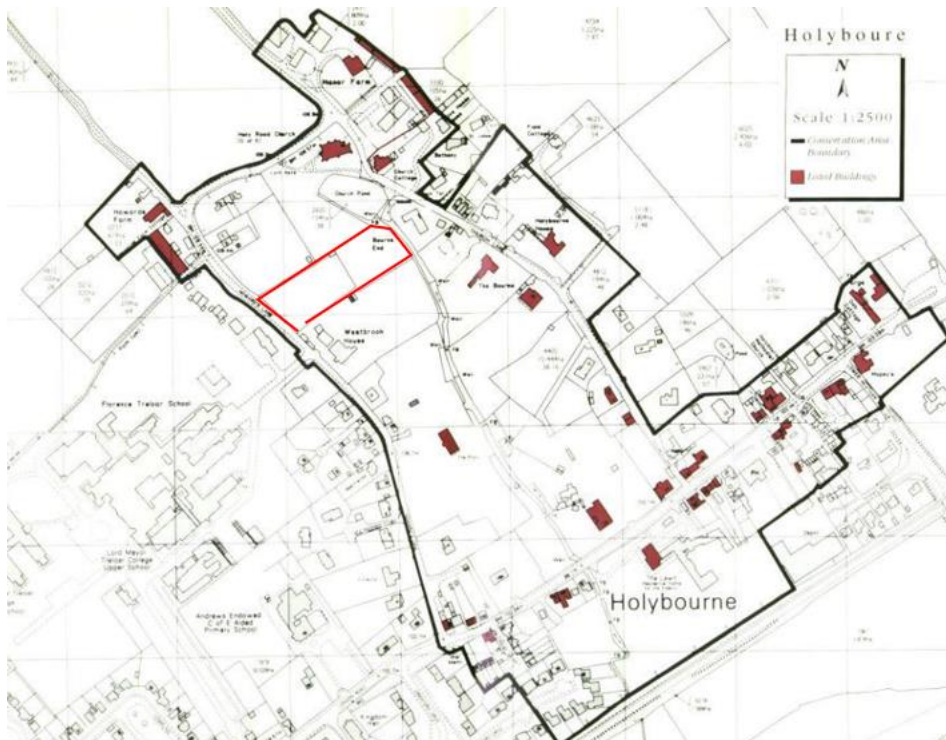
This case is directly comparable to Holybourne:

- Both involve a Grade II* church whose rural setting is integral to its significance.
- Both involve multiple listed buildings and a Conservation Area.
- Both proposals introduce a modern suburban form into an open rural context, destroying views and openness that currently contribute positively to heritage significance.

The Inspector’s reasoning reinforces that cosmetic mitigation (such as landscaping or stepped heights) cannot overcome the fundamental harm caused by urbanising the rural setting of assets of the highest significance.



Land Adjacent to Westbrook House, Holybourne (APP/M1710/W/23/3332373, Nov 2024)



Appeal dismissed for four dwellings within the Holybourne Conservation Area and the setting of the Grade II* Church of the Holy Rood. The Inspector found:

- The proposal would encroach into the open space around the stream, creating a “visual and physical barrier” that would “separate the focal point around the church from the open space along the stream”.
- This intensity of development would have an urbanising effect on the churchyard boundaries, harming the rural setting that contributes to the church’s special interest and the character of the Conservation Area.
- The Inspector emphasised that the scheme would “compromise the understanding of the LB’s setting to the detriment of the LB’s special interest and harm the character and appearance of the CA”.
- While acknowledging some public benefits (four dwellings, two self-build plots), the Inspector concluded: “The proposed public benefits would not overcome the great weight that paragraph 205 [now 212] advises should be given to the conservation of designated heritage assets”.

Why this matters for the current application:



- The same Grade II* church is involved, and the principle is identical: urbanising the rural setting - even at a small scale - was found harmful and decisive.
- If four dwellings were refused for eroding openness and rural character, a 156-dwelling estate adjacent to the Scheduled Monument and within the church's wider setting represents harm on a vastly greater scale. The harm now proposed is not incremental—it is transformative.
- This precedent reinforces that mitigation through landscaping or stepped heights cannot overcome the fundamental loss of rural setting.

It is notable that EHDC's Statement of Case for APP/M1710/W/23/3332373 did not explicitly identify harm to the Grade II* Church of the Holy Rood, despite the Inspector finding that harm decisive in dismissing the appeal. This omission illustrates why consultee advice cannot be treated as definitive and why the NPPF tests must be applied rigorously. The Inspector's reasoning confirms that the church's rural setting is integral to its significance and that even modest encroachment was unacceptable. The current proposal - introducing a 156-dwelling estate directly adjacent to the Scheduled Monument and within the church's (and other Listed Buildings) and Conservation Area's setting - represents harm on a vastly greater scale. EHDC must not repeat the oversight of underplaying harm to assets of the highest significance.



These cases reinforce:

- Great weight must be given to the conservation of Scheduled Monuments and Grade II* listed buildings as assets of the highest significance.
- Public benefits rarely outweigh heritage harm.
- Footnote 7 applies: the tilted balance is disapplied where such harm exists.

The local community has already provided these appeal decisions to EHDC demonstrating how Inspectors have applied NPPF heritage tests in analogous circumstances. To date, HVA has seen no evidence that consultees or EHDC have meaningfully engaged with the significance of these precedents. While HVA acknowledges that each case is determined on its own merits, the consistent reasoning in these decisions - particularly regarding harm to rural settings of Scheduled Monuments, Grade II/II* listed buildings, and Conservation Areas - provides a clear benchmark for applying NPPF Paragraphs 11(d)(i) and 212–215.

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 and case law (e.g., *North Wiltshire DC v Secretary of State*), previous appeal decisions are material considerations. These material considerations are each directly comparable to the current planning application and carry significant weight. If EHDC considers otherwise, or proceeds to support the application despite these precedents, HVA will expect to see robust justification why. Failure to have full regard to their relevance - including the specifics of the cases - given they have been raised as material considerations, will leave the Council open to procedural and legal challenge.

9. Unaddressed Heritage Impacts: Highways and Drainage

Neither Historic England nor EHDC's Conservation Officer has assessed the heritage consequences of the proposed highways scheme or drainage strategy - yet both facets of the development introduce significant additional harm.

Highways Scheme: The engineered redesign of London Road - build-outs, Copenhagen crossings, double-yellow lines, formalised bays, and signage - would urbanise the Conservation Area streetscape, replacing its organic rural character with regimented interventions. These works would introduce hard surfacing and formalised parking layouts that conflict with the historic pattern of development.

Result: Harm to the character and appearance of the Holybourne Conservation Area and the setting of multiple listed buildings along London Road and Church Lane, which currently enjoy an open, informal village context.



This is a direct heritage impact under NPPF Paragraphs 212–215 (great weight to conservation, clear justification for harm, weighing harm against benefits) as well as Paragraphs 129 and 135 (local character and history), and Local Plan CP29 and CP30 (harmonising with townscape and conserving heritage assets).

Drainage Strategy: The revised drainage design proposes to channel unquantified groundwater and spring flows into the curtilages of listed buildings within the Conservation Area. This introduces:

- Direct physical risk to heritage assets, breaching statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Setting harm, by imposing engineered water management features into historically significant gardens.

This conflicts with NPPF Paragraphs 212–215, which require great weight to be given to the conservation of heritage assets and clear justification for any harm.

Conclusion: EHDC must consider these impacts - both highways and drainage - under the NPPF and statutory duties, regardless of consultee silence. These interventions compound the heritage harm already identified and provide further clear reasons for refusal.

10. Conclusion

In light of the evidence and policy tests, Holybourne Village Association strongly suggests that EHDC:

- Affords great weight to the conservation of the Cuckoo's Corner Scheduled Monument and other heritage assets, including the Grade II* Church of the Holy Rood, numerous Grade II listed buildings and the Holybourne Conservation Area, as required by NPPF Paragraph 212.
- Recognises that harm has not been clearly and convincingly justified, contrary to Paragraph 213.
- Applies NPPF Footnote 7, which disapplies the tilted balance where harm to assets of the highest significance exists.
- Has full detailed regard to the Appeal Precedents which have been submitted and which comprise material planning considerations.
- Rejects any suggestion that recreational infrastructure within the Scheduled Monument is acceptable.
- Refuses the application under NPPF 11(d)(i) on heritage grounds, consistent with EHDC's own evidence base, EHDC's own planning policies, national policy, and recent appeal decisions.



Heritage is not the only barrier to approval. This site fails on multiple fronts: heritage, highways, drainage, flooding, settlement hierarchy, landscape harm, designated green space, and sustainability. Each of these issues independently provides a strong reason for refusal - some engaging NPPF Footnote 7, which disapplies the tilted balance. EHDC's own evidence base (2019 Site Assessment Background Paper and 2021 Strategic Site Options Paper) already concluded the site was unsuitable for large-scale development. Nothing material has changed - except that the harm is now greater.

The cumulative effect of these constraints cannot be "designed out" through cosmetic tweaks or iterative engagement. A housing estate of 156 dwellings adjacent to a Scheduled Monument and within the wider setting of a Grade II* church is fundamentally incompatible with the NPPF's core principles. Continued attempts to retrofit compliance - whether through engineered highways schemes, stepped building heights, or mitigation deferrals - do not represent good planning practice. They are disproportionate, unnecessary, and misconceived.

The correct course of action is clear: refuse the application without delay. Doing so will uphold the integrity of the planning process, protect assets of the highest significance, and avoid exposing the Council to procedural and legal risk.