



Historic England

Mrs Hannah Gunner
Medway Council
Gun Wharf
Dock Road
Chatham
ME4 4TR

Direct Dial: 0207 973 3655

Our ref: P01087916

1 August 2019

Dear Mrs Gunner

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND OFF PUMP LANE RAINHAM KENT ME8 7TJ
Application No. MC/19/1566**

Thank you for your letter of 12 July 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

This application proposes 1250 residential units, a local village centre and green, a two form primary school, a 60 bed extra care facility and an 80 bed residential care home on agricultural land between Rainham and the Lower Rainham Road. The site is adjacent to and forms the setting of the Lower Twydall and Lower Rainham conservation areas and listed buildings within these, including the grade II* listed Bloors Place, and also forms the setting of isolated listed buildings including the grade II Pump Farmhouse.

The site and land around it was historically farmed and in this part of Kent a distinct settlement pattern of modest hamlets dependent on the surrounding land thus evolved. This settlement pattern was established by the medieval period and both Lower Rainham and Lower Twydall contain buildings from the 15th and 16th century. By the 18th century little had changed and Edward Hasted describes the land here as "a fertile and kindly land both for corn and fruit, insomuch that this parish has been noted for some of the best wheat that this kingdom has produced and it had till within memory many plantations of cherries and apples."

These land uses and settlement patterns are also confirmed by 18th and 19th century mapping (1797, unattributed, Herbert 1769, OS 1869) which depict modest settlements surrounded by agricultural fields for orchards and other crops along the



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Lower Rainham Road and on lanes on a north/south alignment which link the Lower Rainham Road to Watling Street. Modern mapping shows a continuation of this land use and settlement pattern with both Lower Rainham and Lower Twydall surviving as modest historic settlements surrounded by arable land.

An association with and dependence on the surrounding land for the Lower Rainham and Lower Twydall conservation areas is also confirmed by the survival of historic farmsteads in both (Bloor Place, York Farmhouse and the farm buildings associated with the Manor at Lower Twydall) and by tithe maps which show buildings within Lower Twydall and land within the site was under the same ownership.

Setting is described as the surroundings in which an asset is appreciated (NPPF definitions, p.71). Historic England's guidance, *The Setting of Heritage Assets GPA3* amplifies this by explaining that setting is not limited to visual connections and can include but is not limited to, historic association, land use, functional relationships and aspects such as tranquillity (p.11). Both conservation areas and the listed buildings within them thus derive some significance from their setting which continues to illustrate a historic functional relationship to surrounding agricultural land and their historic character as modest rural hamlets.

Bloor Place, which lies within the Lower Rainham conservation area is a grade II* listed building with medieval origins which was then converted to a farmhouse in the 18th century when part of the building was demolished. It lies at the eastern end of the conservation area adjacent to farm buildings including a cart shed and granary which form a modest farmstead. Like the conservation area it lies within, its relationship to surrounding fields and its rural setting are important to understand its historic use as a farmhouse and its origins as a rural dwelling.

Building across large swathes of land which form the agricultural and rural setting to both conservation areas and listed buildings within them would have an impact on the significance these designated assets derive from their setting. A sense of the rural setting afforded to both conservation areas and to buildings like Bloor Place is still appreciable from surrounding roads and pathways and from the train which passes directly to the south of the site and provides elevated views of the site and designated heritage on its periphery. Introducing a large amount of new development would fundamentally alter the historic character of the area. Such new development would inevitably have a presence in a number of views, and change would also be appreciable in increased vehicular movements, noise and light pollution. An understanding of the historic functional relationships between the historic hamlets and the surrounding land which they were dependent on would also be compromised. We can only conclude that this would cause harm to the significance of both conservation



areas though we think the greater level of harm is to the Lower Rainham conservation area which is more directly affected by the development.

We also think the harm extends to highly graded buildings like Bloor Place. Though a parcel of land south of the building would effectively act as a buffer between the development and Bloor Place, the wider environs in which the asset is experienced would be fundamentally altered by building across it and associated noise and light pollution etc. would also likely have an effect. We therefore conclude the development is also capable of causing harm to the significance of this grade II* listed building.

We therefore disagree with the Environmental Statement which concludes that the impact on both conservation areas is minor adverse in EIA terms and that the impact to individual listed buildings is moderate to negligible depending on the asset (the statement does not differentiate individual assets so it is not possible to understand where moderate impact and negligible impacts are considered to occur). There is also no assessment of the effect of the construction stage on designated heritage which we might expect where assets, such as the grade II Chapel Cottage are adjacent to both the site and road junctions which might experience increased vehicular movements during the construction phase.

The National Planning Policy Framework (NPPF) governs decisions which affect the historic environment. It places great weight on the conservation of a designated heritage when considering the impact of a proposal on the significance of a designated heritage asset (Para 193). It makes clear that harm to heritage assets can happen through changes to their setting by virtue of the contribution that this makes to their significance. The NPPF requires that harm to heritage significance should be shown to have been avoided or minimised and that any remaining harm has clear and convincing justification (paragraphs 190 and 194). Harm to the significance of a designated heritage asset must then be weighed against the public benefits of a proposal in the manner set out in paragraph 196, this being the advice for the level of harm that we think would occur through this proposal.

We think it would be difficult for the applicant to demonstrate they have avoided or minimised harm and thus to provide clear and convincing justification for the harm to designated when in our view they have not shown that the public benefits cannot be provided elsewhere without causing harm to designated heritage. We also refer you to an appeal decision for land Ref: Land North of Moor Street, Rainham (REF: APP/A2280/W/15/3012034), paragraph 52 which we hope will be helpful in your deliberation of this case.

The above notwithstanding, your Council will also need to weigh the harm to



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designated heritage against the public benefit of this proposal in the manner set out in Paragraph 196 of the NPPF in reaching a decision on this application. You will also need to be mindful of the statutory duties created by the 1990 Planning (Listed Buildings and Conservation Areas) Act and to pay special regard to the desirability of preserving any listed building, including its setting (S.66) and the desirability of preserving or enhancing the character or appearance of a conservation area (S72).

Finally we have seen and are in full agreement with the advice provided to you by Kent CC about the undoubted potential for this site to contain important but non-designated archaeological remains. We agree that this issue needs to be explored further (preferably by field evaluation) before a planning decision might be reached, especially as the application includes for quanta of development and design parameters that may not be achievable without harm to buried archaeological remains. It should not be assumed that investigation by excavation will be the appropriate outcome for all archaeological remains and so the applicant at the very least would need to demonstrate whether there can be sufficient flexibility at detailed design stages so as to preserve in situ any important archaeological remains. The Kent CC archaeologists should continue to lead for advice to you about such matters but if it becomes relevant we would be pleased to be asked for our views on the significance of any archaeological remains that are identified and that potentially come into the nationally important category. This is especially relevant given footnote 63 of the NPPF which advises that non-designated heritage assets of archaeological interest that are of equivalent significance to scheduled monuments should be treated as per designated heritage.

Recommendation

Historic England has concerns regarding the application on heritage grounds and think the application fails to meet the requirements of the NPPF in particular paragraphs 189, 190 and 194. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely



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Historic England

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