

## **LAND OFF PUMP LANE, RAINHAM, KENT**

# **REBUTTAL PROOF ON HERITAGE MATTERS**

## **ON BEHALF OF AC GOATHAM AND SONS**

**Prepared by:** GAIL STOTEN BA (Hons) MCIFA FSA

### **Pegasus Group**

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | Gloucestershire | GL7 1RT

**T** 01285 641717 | **F** 01285 642348 | **W** [www.pegasuspg.co.uk](http://www.pegasuspg.co.uk)

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

**PLANNING** | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

---

**CONTENTS:**

	Page No:
1. BACKGROUND	3
2. INTRODUCTION	3
3. REFERENCE TO HISTORIC ORCHARDS	3
4. HISTORIC LANDSCAPE SEQUENCE	5
5. APPROACH TO ASSESSMENT OF HARM, INCLUDING CUMULATIVE HARM	6
6. CONCLUSIONS	8

## **1. BACKGROUND**

- 1.1 My name is Gail Stoten. My qualifications and experience are set out in my Proof of Evidence.
- 1.2 The evidence which I have prepared and provided for this appeal is true; it has been prepared and is given in accordance with the guidance of my professional institution; and I confirm that the opinions expressed are my true and professional opinions.

## **2. INTRODUCTION**

- 2.1 This short Rebuttal Proof of Evidence addresses a number of points raised in the Proof of Evidence of Ms Kit Wedd.
- 2.2 The rebuttal naturally does not cover every point raised in Ms Wedd's proof of evidence, and my not referencing each point below should not be taken to necessarily indicate my agreement with Ms Wedd's approach, analysis or findings.

## **3. REFERENCE TO HISTORIC ORCHARDS**

- 3.1 Ms Wedd makes the point a few times that the Pegasus Heritage Statement makes '*selective use of historical records*' when it refers to areas of land not being orchard historically. She uses this example to cast doubt on the reliability of the statement, stating at her paragraph 6.9 that:

*"I also disagree with the Heritage Statement's assessment that the Site's contribution to significance as the setting of the listed building "is only minor as the area that is clearly visible from the farmhouse was not orchard historically". (HS, para 5. 33) This refers to the historic character of the landscape to the north-east of the listed building and repeats a statement that "orchard was not present historically (see Plate 4, above)" (HS, para. 5.29) Plate 4 is the OS map for 1869 and does indeed lack orchard symbols in this location. However, OS 1897, 1909 and 1935 show orchard covering this part of the Site. (HS Plates 4-7; my Appendix 2, Figs 3-6) This selective use of historical records does not inspire confidence in the reliability of the Heritage Statement's assessment."*

- 3.2 These pointed remarks are in my view, unfounded. The Heritage Statement and my Proof of Evidence distinguish between areas that were recorded as orchard on the earliest available historic mapping to reliably indicate land use (the Tithe Maps of the middle of the 19<sup>th</sup> century), and those areas that were first depicted as orchard on later Ordnance Survey maps.
- 3.3 This is an important distinction. If first depicted on Ordnance Survey mapping (late 19<sup>th</sup> century onwards), this orchard is likely to have been part of the boom in orchard planting of the late 19<sup>th</sup> century onwards, linked to the growth of the railway network, population increase, and increased jam production related to the price of sugar coming down<sup>1</sup>. This period saw the rise of monoculture, with a concentration on newly emerged, disease resistant and popular-tasting varieties, and the emergence of bigger commercial growers using economies of scale, rather than smaller market garden enterprises<sup>2</sup>.
- 3.4 Following on from this, the appearance of orchards further changed in the early 20<sup>th</sup> century, with lower, semi-dwarf species planted closer together in rows. These smaller trees or bushes were easier to prune and harvest, but shorter lived, being replaced approximately every 20 years. The close-row arrangement of such orchards meant that animals could not graze the areas, and pesticides were relied upon to keep grass and weeds down between rows<sup>3</sup>.
- 3.5 These changes greatly altered the appearance of orchards - See plates 37 and 38 of my proof, on page 70.
- 3.6 As such, the date at which orchards were established does matter in terms of understanding their nature and appearance on establishment.
- 3.7 It should, of course, be noted that all areas of the site now used for fruit cultivation are modern, commercial, low-height rows, with no animal grazing.

---

<sup>1</sup> Masset, 2012, p17, Appendix 1

<sup>2</sup> Masset, 2012, p21, Appendix 1

<sup>3</sup> Masset, 2012, p23, Appendix 1

#### 4. HISTORIC LANDSCAPE SEQUENCE

4.1 Ms Wedd identified the 'historic landscape' as a heritage asset, giving the sequence (in paragraph 5.17 on page 12 of her proof) as:

- *Estuarine mudflats and saltmarsh crossed by Bloors Wharf Road; the name derives from the historic connection with the listed buildings at Bloors Place*
- *Lower Rainham, built on the first solid geology that could carry buildings and the coastal road to Chatham*
- *The undeveloped open farmland of the Site, with widely dispersed farmsteads and the hamlet of Lower Twydall*
- *The railway line and embankment, a Victorian intervention in the landscape that has provided a physical and psychological barrier to development*
- *Suburban residential development south of the railway.*

4.2 Ms Wedd then refers to the land within the site (paragraph 5.25 on page 13 of her proof) as '*the last remaining piece of undeveloped open farmland in the sequence of historic landscape types*'.

4.3 A central flaw in this analysis is that if the last element is removed ('suburban residential development south of the railway'), which is of no interest, the sequence of estuarine flats and saltmarsh, then settlement, farmland (with farmsteads) and railway is very common for north Kent. This can be readily seen through reference to modern aerial photographs. I do not accept the idea that the backstop of 1960s suburban development engenders significance to the area and makes it a heritage asset.

4.4 As discussed above, in Section 3, the whole character of the site has changed from a mixed farming and orchard base to wholly modern commercial orchard. The pattern of small-scale settlement within this landscape is as might be expected for very many locations in the country. There is nothing about the landscape within the site that would justify its consideration as a heritage asset.

## 5. APPROACH TO ASSESSMENT OF HARM, INCLUDING CUMULATIVE HARM

5.1 Ms Wedd asserts that the 'asset by asset' approach is incorrect. I maintain that it is the correct approach. In order to assess relative loss of significance (if it does occur) the whole of the significance of each asset must be understood – this cannot be rigorously achieved by considering them together.

5.2 Furthermore, there is no basis in guidance for the exercise Ms Wedd undertakes in paragraphs 6.60 to 6.63 and then 6.64 to 6.65, of inflating the level of harm to each asset by considering it 'cumulatively'. There is absolutely no basis in guidance for the addition of individual harms to make a larger level of harm to all assets.

5.3 As set out in my proof, GPA2 makes reference to cumulative harm being consideration when a proposed development '*severs the last link to part of the history of the asset or between the asset and its original setting*'. This does not advocate the addition of harms to different assets. The whole of the paragraph in GPA2 reads:

*The cumulative impact of incremental **small-scale changes** may have as great an effect on the significance of **a heritage asset** as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies. Negative change could include severing the last link to part of the history of an asset or between the asset and its original setting. Conversely, positive change could include the restoration of a building's plan form or an original designed landscape. (my emphasis)*

5.4 The above paragraph is clear that it refers to situations where a number of small-scale changes may harm *an asset* (there referred to in the singular). It does not refer to a single development (even if it is appropriate to consider it with previously constructed development) causing an increased level of harm to a particular asset because it may affect multiple assets.

5.5 Ms Wedd also makes reference to GPA3 in her paragraph 6.59:

*The third stage of any analysis is to identify the effects a development may have on setting(s) and to evaluate the resultant degree of harm or benefit to the*

*significance of the heritage asset(s). In some circumstances, this evaluation may need to extend to cumulative and complex impacts which may have as great an effect on heritage assets as large-scale development and which may not solely be visual.*

5.6 This refers to cumulative issues as separately defined earlier in GPA3, with the same phrasing as quoted from GPA2 above, and then makes reference to 'complex impacts', including non-visual considerations. I would anticipate such impacts occurring where there was a particular designed landscape, such as a park or garden or prehistoric ritual landscape, where processional routes through the landscape and designed associations may be a consideration. This guidance in no way advocates the aggregation of impacts to increase levels of assessed harm on individual assets.

5.7 A sense-check on this is given by the consideration of Ms Wedd's aggregation exercise in reverse. In her paragraph 6.65 she states:

*Taking into account the impact on the significance of each and all the heritage assets, designated and non-designated, I conclude that the cumulative impact of the proposed development would cause less than substantial harm to heritage significance at the upper end of that range.*

5.8 Considering that it is agreed common ground (Para 3.14) that substantial harm would have such a serious impact on the significance of the assets that its significance was either vitiated altogether or very much reduced, it logically follows that less than substantial harm at the upper end of the range is approaching that level of harm.

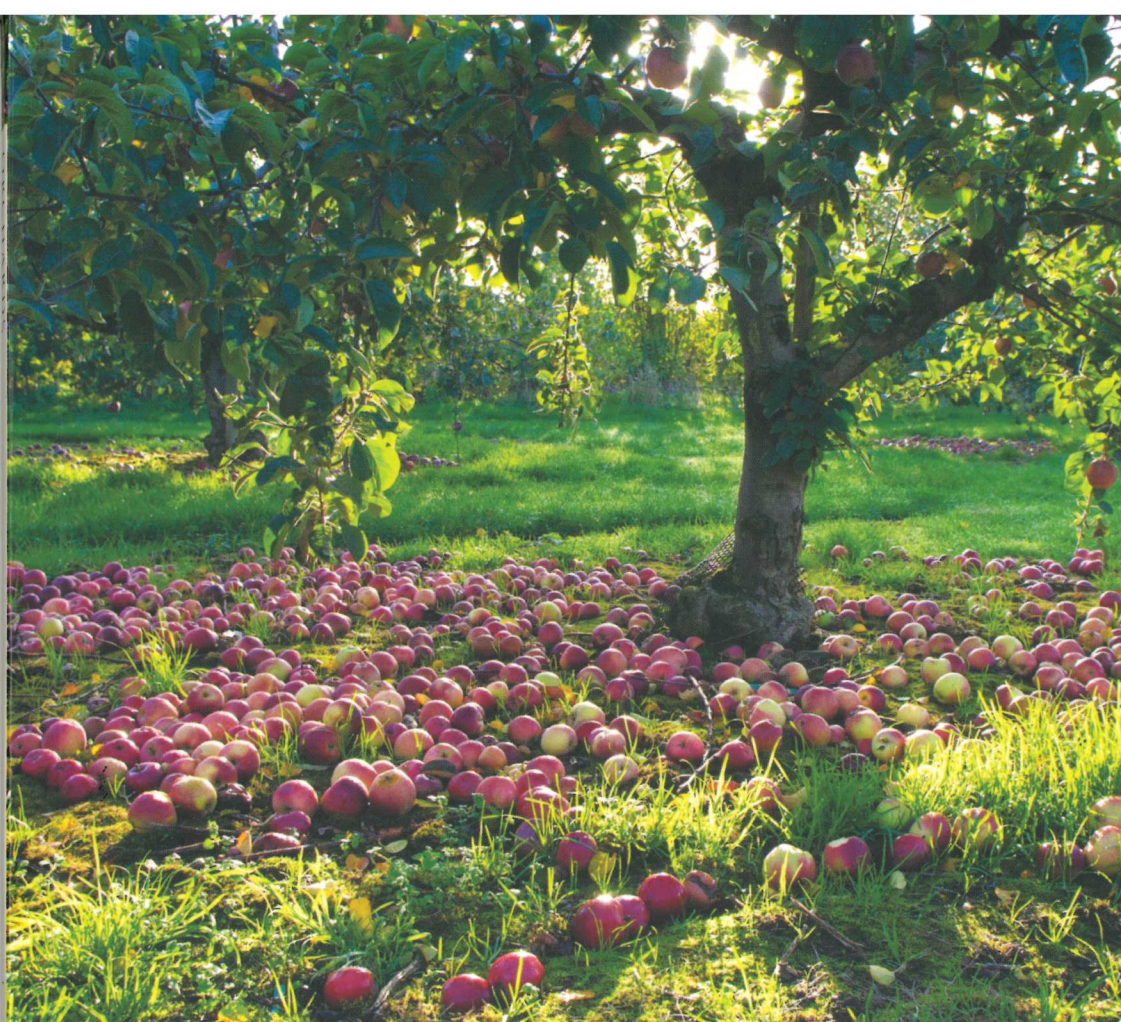
5.9 Taking York Farmhouse as an individual example, to suggest that the proposed scheme would result in such a level of harm when the fabric of the building, its gardens and former outbuildings would all remain unaltered and open land would remain between the building and built form, is simply not credible.

## **6. CONCLUSIONS**

- 6.1 In conclusion, I have considered Ms Wedd's evidence and this does not alter the views I expressed in my original Proof of Evidence.



**APPENDIX 1: Extract from Masset, C. 2012, *Orchards*, Shire Publications, Oxford**

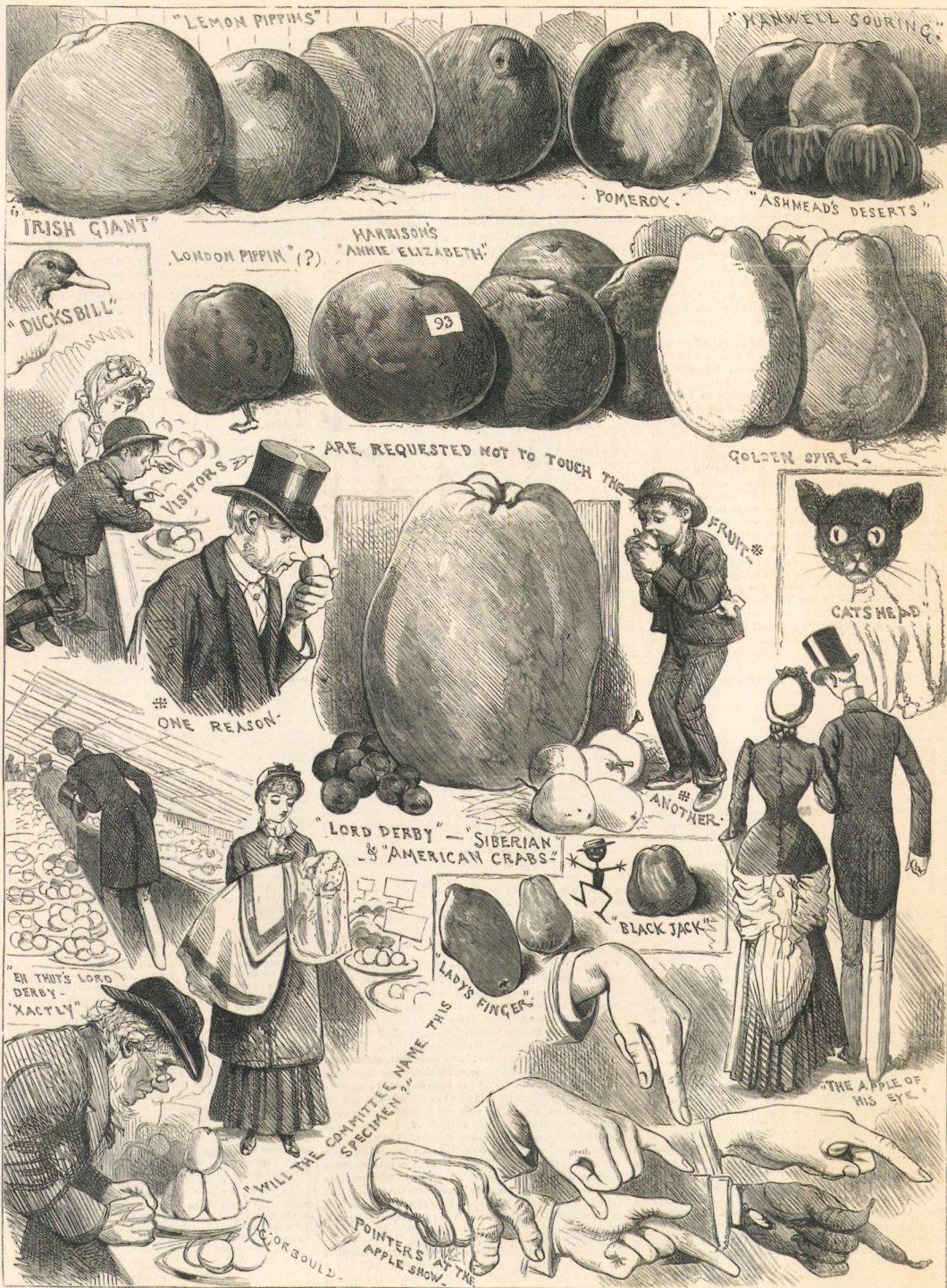


# ORCHARDS

CLAIRE MASSET

SHIRE  LIBRARY





SKETCHES AT THE APPLE CONGRESS AT CHISWICK.

## HEYDAY AND DECLINE

HAD IT NOT been for the Industrial Revolution, a good many of Britain's orchards would no doubt have disappeared during the nineteenth century. The emergence and growth of the railway network and the huge rise in population during this era increased the demand for and availability of food, including fruit. As a result, and despite the desperate condition of some of Britain's orchards, the number of orchards actually rose during the nineteenth century, particularly in the later decades. Kent, for instance, saw its fruit-growing acreage rise from 10,000 in 1873 to 25,000 in 1898. While established orchard areas such as Kent and Somerset grew, new ones also appeared. In Worcestershire, the local Pershore plum became a speciality. Cambridgeshire focused on the delicious Cambridge Gage. Lancashire, Cheshire, Nottinghamshire and Cornwall all developed orchard hotspots. By the end of the nineteenth century, every county had its orchards.

The establishment of the Midland Railway's Oxford, Worcester and Wolverhampton line in 1852 led to the planting of new orchards in Herefordshire. From here apples could be taken by train to the large urban markets in the Midlands and London. A few large orchards ran their own trains, and Lord Sudeley's 1,000-acre Toddington Orchard Company in Gloucestershire even had its own terminus. By the early decades of the twentieth century, some railway companies had special fruit-handling premises and fleets of lorries collected fruit from orchards within reach of stations.

Because, thanks to the Empire's trading system, sugar was cheaper in Britain than anywhere else in the nineteenth century, a successful jamming industry developed. Realising the value of using plums as an alternative to more expensive strawberries in their preserves, jam makers, such as the John Chivers Company established in 1873, helped boost plum production and keep orchards going. Wilkin & Sons of Tiptree, another big jam producer, bought fruit, such as the Cambridge Gage, from Essex and Cambridgeshire. It still produces preserves today using fruit farmed from 1,000 acres near the village of Tiptree in Essex.

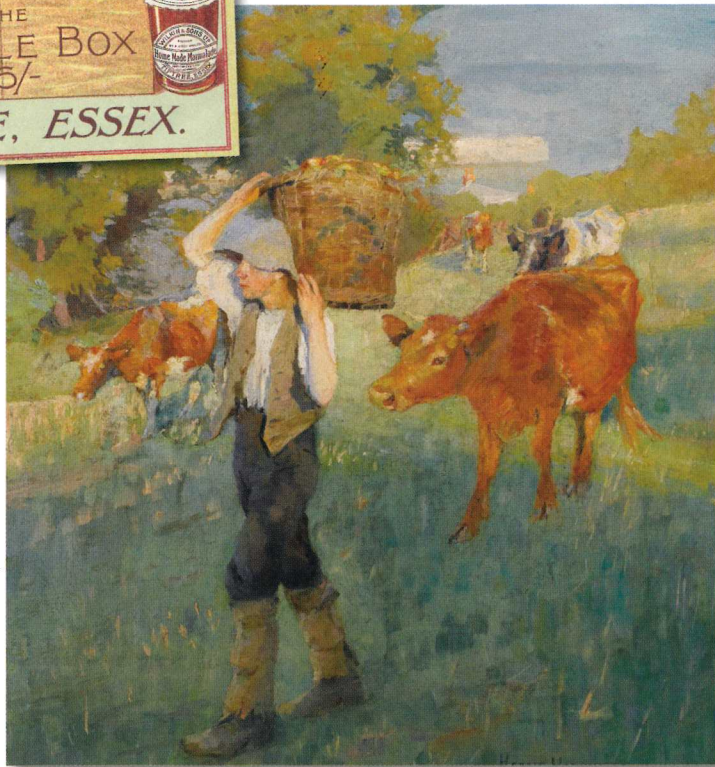
Opposite:  
This print published in *The Illustrated London News* features humorous sketches inspired by the 1883 National Apple Congress. Notice some of the descriptive apple names, such as Catshead, Lemon Pippin and Lady's Finger.





Above: Wilkin & Sons was established in Tiptree, Essex, in 1885 and famously made preserves using a variety of fruit, as this poster displays. The jamming industry played a key part in the development of orchards during the late nineteenth century.

Right: *Returning from the Orchard* (1907), an oil painting by the Cornish painter Harold Harvey (1874–1941).



Founded in 1804, the Horticultural Society (which became the Royal Horticultural Society in 1861) was particularly helpful in encouraging fruit growing and disseminating practical and scientific knowledge both to commercial growers and the wider public. It ran fruit trials, encouraged the breeding of new varieties, published practical information on fruit production and even built up its own fruit collection at its garden in Chiswick. Between 1828 and 1830 it produced a *Pomological Magazine*, featuring intricate illustrations of different fruit varieties cultivated in Britain, accompanied by detailed descriptions.

Thanks in part to the work of the Horticultural Society the nineteenth century saw a rise in the production of exquisitely illustrated pomonas. Published by George Brookshaw in 1812, the great *Pomona Britannica*, or a *Collection of the Most Esteemed Fruits at Present Cultivated in this Country* featured 256 species of fifteen kinds of fruit. Perhaps even more astonishing was the *Pomona Herefordiensis*, published in 1811 by Thomas Andrew Knight. It has been described as a masterpiece, and rightly so. Each of the highly detailed illustrations (some are so realistic they even show leaf and fruit damage) is hand-coloured, making every copy unique. Had it not been for one enterprising local society – the Woolhope Naturalists' Field Club – this book might never have come into being. Worried about the state of Herefordshire's cider orchards, the society decided to carry out a survey of the county's orchards. The fruit expert Dr Robert Hogg led the survey and the results of his research were published in the pomona. His work was so comprehensive that Hogg subsequently became known as the 'father of British pomology'.

Eventually all this interest in fruit, and particularly apples, led to the establishment of the British Pomological Society in 1854, while the increasingly scientific approach to fruit growing resulted in the introduction of new varieties. Research was undertaken, for instance, to enable the production of a new variety of plum whose blossom would be more resistant to frost: plum trees flower earlier than other fruiting trees and are therefore more at risk of frost damage. Specialist breeders, such as Thomas Laxton of Buckingham, developed many new varieties. He and his

Opposite top right: This fruit picker for Wilkin & Sons is busy harvesting cherries to be used in the company's preserves.

Below: This hand-coloured print from the exquisite *Pomona Herefordiensis* depicts the Blenheim Orange, a dual-purpose apple with a delicious nutty flavour.







Cox's Orange Pippin was introduced in the 1850s and, since its commercial production in the 1860s, has been the most popular apple grown in Britain.

grandsons after him produced some of our most popular and tasty apples (Lord Lambourne, Laxton's Fortune and Laxton's Superb) as well as plums (Early Laxton and Laxton's Supreme), pears and other soft fruits such as strawberries and raspberries. The RHS awarded medals to the best new varieties of fruit, a fact which must have fuelled growers' enthusiasm and interest. In about 1835, retired brewer Richard Cox grew the very first Cox's Orange Pippin, perhaps the most popular apple ever to be raised in Britain. It won an RHS Gold Medal.

Apple imports from abroad – particularly France and the United States, but also Canada, New Zealand and Australia – started to threaten British orchards from the late 1870s onwards. Rather than give in, though, the British became passionate about their 'national fruit'. Apples – their taste, appearance, smell, cooking potential – became a topic of serious and heated debate. The French might have their fine wines, but the British had their apples and started discussing particular varieties as if they were an expensive claret. The wealthy started reintroducing apple trees into their private gardens, creating 'artistic orchards' inspired by the medieval and Tudor eras. At the same time, the eternal beauty of orchards inspired many late nineteenth-century British artists – such as Sir George Clausen and Henry Herbert La Thangue – to produce wonderfully lyrical images of orchards.

Soon a national campaign to save British orchards was under way, culminating in the National Apple Congress of 1883 held at the Great Vinery in the RHS gardens at Chiswick. The show was so popular that it had to stay open an extra week to meet demand. 'Never before had so many varieties been brought together in one place and probably never will again,' wrote apple expert Joan Morgan in *The New Book of Apples*.

For the show, a committee of fifty experts was convened: they identified a total of 1,545 different varieties from the apples exhibited and ultimately produced a list of the top best dessert and culinary apples, which included Cox's Orange Pippin and Bramley's Seedling. The most popular apples on this list eventually became the staples of Britain's apple orchards. In fact, Cox's Orange Pippin became so popular that experts estimate that about half of all the apple trees planted in Britain in the inter-war years were of this variety.

There is an irony here: while the National Apple Congress and national interest in apples encouraged an appreciation of their varying tastes, textures and appearances, the final compilation of these 'best apples' actually led to a reduction in the number of different apples grown commercially. The competition from abroad helped reinforce this trend, by making it almost

compulsory for apple growers to concentrate on a small number of reliable (and also long-lived) varieties, rather than focusing on taste and locality as a priority. As we shall see, this development eventually led to the rise in monoculture which has blighted much of Britain's farming industry. As a result of foreign competition, most of the small market gardens were eventually swept away, unable to compete with bigger commercial growers and their economies of scale.

Developments in 'fruit technology' continued unhindered though, probably boosted by all this foreign competition. In 1894 Woburn Experimental Fruit Farm was established; it was the first centre ever to focus on fruit experimentation. In 1903, the Fruit Research Station was founded at Long Ashton in Somerset, followed in 1913 by the now world-famous East Malling Research Station in Kent. It was here that eminent pomologist Ronald Hatton worked on the testing and standardisation of apple rootstocks, which became known as the 'Malling series'. And in 1922 nurseryman and fruit expert Edward Bunyard set up the Commercial Fruit Trials at RHS Wisley in order to establish and select the most commercially viable fruit varieties. This in turn led to the establishment of the National Fruit Trials at

Rural orchards inspired many nineteenth- and early twentieth-century artists, including Monet, Van Gogh, Pissarro and other lesser-known painters such as John McDougal, who painted *In a Gloucestershire Orchard* (1924).





Brogdale in Kent. The site is now home to the National Fruit Collection – one of the world's great 'mother orchards', home to over 3,500 named varieties of fruit. It has been described as a living museum: a gene bank for later generations, acting as a vital source of grafting material for the propagation of old and rare varieties.

This 1954 photograph shows a Bramley apple orchard in Kent being sprayed with arsenic of lead to protect the trees against codling moth. No measures were too great to safeguard the crop from this pest.



years or more. By the 1970s, growers moved to even smaller dwarfing trees, which reached about 2 metres in height when mature. Being small, they were particularly easy to harvest, yielded an inordinate number of fruit compared to their actual size, and bore fruit when they were only three or four years old, rather than eight to ten years for a standard tree. But there was a downside to all this: animals were unable to graze under such small, tightly packed trees and pesticides had to be used to control the grass and weeds surrounding them.



An avenue of oil-filled 'smoke bombs' in an Evesham orchard, 1939. At the first sign of frost, the farmer would light the bombs; the warm smoke emitted by the oil was enough to keep the frost away from the trees.



The fertiliser sulphate of ammonia is scattered by hand on a Morello cherry orchard at Wested Farm, Crockenhill, Kent, in 1949. Note the old stump with the new graftings.