

**Land at Pump Lane, Lower Rainham, Kent
Appeal reference APP/A2280/W/20/3259868**

Proof of Evidence of Kit Wedd

**Spurstone Heritage Ltd
on behalf of
Medway Council**

January 2021

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1. Introduction

- 1.1 My name is Kit Wedd and I am the Director of Spurstone Heritage Ltd, a consultancy that provides independent advice on conservation and development of historic sites and buildings. Details of my qualifications and experience are set out at Appendix 1 (A1.1).
- 1.2 The evidence I will present on behalf of the Council will be on heritage matters. Mr Jon Etchells of Jon Etchells Consulting will give evidence on the impact of the proposals on the landscape. Evidence on planning matters will be given by Mr Peter Canavan of Carter Jonas.

Background

- 1.3 This Proof of Evidence has been written on behalf of Medway Council (MC; the Council) in relation to the appeal by A. C. Goatham & Son against refusal of an application for outline planning permission to develop up to 1,250 houses and related infrastructure on land at Pump Lane, Lower Rainham, Kent (the Site; Planning Ref. MC/19/1566; Appeal Ref. APP/A2280/W/20/3259868).
- 1.4 The application was submitted on 13 June 2019, accompanied by a “Heritage Statement”. (Rapleys 28 May 2019) To this were later added a “ Heritage Review” and a “Heritage Addendum” (KM Heritage September 2019 and February 2020). All three documents concluded that the proposed development would have no or minimal impact on the significance of the heritage assets that would be affected through changes to their settings, and that as a result there would be no harm that might outweigh the presumption in favour of sustainable development.
- 1.5 The application was refused on 12 June 2020. Reason for Refusal no. 2 concerned heritage:
“The proposed development would have a harmful impact on the local historic landscape, as well as the setting and significance of [a] number of designated heritage assets, including: listed buildings [...]” (MC decision notice, 12 June 2019)
- 1.6 The appeal was lodged on 22 September 2020. At this point the Appellant had commissioned a third heritage consultant to produce a fourth heritage impact assessment, which was submitted with the appeal. (Pegasus Group, September 2020) This is the assessment that I deal with in my evidence, and I refer to it by its title of “Heritage Statement” (HS).
- 1.7 Further detail on the heritage information submitted with the application is included at Appendix 1 (A1.3).

2. Summary evidence

- 2.1 The scope and content of my evidence is summarised below. Further detail is given in Sections 3–8 and the appendices.

Designated heritage assets

- 2.2 The Site is the setting (or the larger part of the setting) of several listed buildings and two conservation areas. The Appellant’s Heritage Statement finds that the proposed development would harm the significance of the conservation areas and some of the listed buildings, through changes to their setting. (HS, paras. 7.1–7.3)
- 2.3 I agree with the assessment of the Heritage Statement that where there is harm, it is less than substantial (the term used in the National Planning Policy Framework; the NPPF). I also agree that there would be no harm to the heritage significance of Nos. 497–501 Lower Rainham Road or The Old House (both Grade II-listed) when these are considered as individual designated heritage assets — although there would be harm to the conservation areas of which they form part.
- 2.4 However, I disagree with the Heritage Statement as to the extent and degree of the less than substantial harm that would be caused to the significance of other designated heritage assets.
- 2.5 I disagree that the proposed development “*will result in no harm*” to the significance of York Farmhouse, the range of outbuildings west of Bloors Place and the garden walls to the south and east of Bloors Place (all Grade II-listed; HS, para. 7.3) I consider that the harm to these designated heritage assets would be less than substantial at the low end of that range.
- 2.6 I disagree that the proposed development “*will result in less than substantial harm at the lowermost end of the spectrum*” to the Lower Twydall and Lower Rainham Conservation Areas and to the Grade II* Listed Bloors Place. (HS, para. 7.2) I consider that the harm to these designated heritage assets would be less than substantial in the middle of that range.
- 2.7 I disagree that the harm to the significance of Pump Farmhouse and Chapel House (both listed Grade II) would be “*less than substantial harm at the low end of the spectrum*”. (HS, para. 7.1) I consider that the harm would be less than substantial in the middle of that range.
- 2.8 Where I disagree with the Heritage Statement’s assessment of the impact on individual heritage assets, my reasons are set out at 6.4–6.33 below.
- 2.9 The Heritage Statement does not assess the cumulative impact of the proposed development on the designated heritage assets. However, the proposed development would affect the significance of such a large number of heritage assets over a disparate area, causing less than substantial harm in some degree to all of them, that the totality of that harm is necessarily greater than if each of the assets were considered only in isolation. I have concluded that the cumulative impact of the proposed development on the significance of all the designated heritage assets would cause less than substantial harm, in the middle of that range.

Non-designated heritage assets

- 2.10 The Heritage Statement does not assess the impact of the proposed development on two large oast houses south-west of Bloors Place, formerly part of Bloors Farm and now converted to residential use. These historic buildings should be considered as non-designated heritage assets, and they form part of the setting of the Bloors Place cluster of designated heritage assets. I consider that the proposals would cause less than substantial harm to their significance, at the lowest end of that range.

- 2.11 The Heritage Statement finds that “*The landscape in which the site is located is not considered to be a heritage asset*” (HS, para. 7.4). In my view this is incorrect: the landscape is a heritage asset as defined in Annex 2 of the NPPF (see below, para. 4.8 and Appendix 3 para. A3.2.1), and it is considered as such by the Council (Appendix 6). I consider that the proposals would cause less than substantial harm to its significance at the upper end of that range.
- 2.12 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.

The Site, and its contribution to significance

- 2.13 As their setting, the Site contributes greatly to the significance of the designated heritage assets. In my view, the Heritage Statement consistently understates this contribution, and this is one of the main reasons why it also understates the harm that would be caused to some of the assets through the proposed changes to their setting.
- 2.14 A fundamental problem with the Heritage Statement’s approach is its failure to take a comprehensive view of the Site and the impact of the proposed development in its entirety. It assesses the harm to each individual designated heritage asset but does not then step back to assess the Site as a whole, and the impact of the proposed development on the significance of *all* the heritage assets in the shared context of their historic landscape setting.
- 2.15 In my assessment I have considered the whole Site as the setting for a constellation of heritage assets, taking into account four aspects of significance that are underplayed, or ignored, in the Heritage Statement.

A constellation of heritage assets

- 2.16 First, the Heritage Statement deals only with each heritage asset in isolation, as a discrete asset, in association with the particular fragment of the Site that forms its immediate setting. Ignoring the historic relationship between places, this “asset-by-asset” approach to assessing significance tells only part of the story; as a result, the Site’s contribution to significance is consistently undervalued.
- 2.17 The undeveloped nature of the Site due to continuous agricultural use has fundamentally influenced the development of all the heritage assets and their disposition within the landscape: the existing undeveloped open farmland maintains a historic context that explains the agricultural origins of the heritage assets and the sparse distribution of historic development, and this contributes to significance.
- 2.18 The harm that the proposed development would cause to the significance of each individual asset is amplified when that asset is considered as part of a constellation of assets, which would be collectively affected by cumulative changes to the shared landscape setting.

The landscape sequence

- 2.19 A second result of the narrow focus and fragmented approach used in the Heritage Statement is that it underplays the contribution that the Site makes to the important north-south sequence of historic landscapes and settlements, from the River Medway with its remnants of historic wharves and sea defences, over estuarine mudflats and saltmarsh, across Lower Rainham to the undeveloped open farmland of the Site with isolated houses and hamlets, and the railway which has contained the spread of suburban development from the south.

- 2.20 The Heritage Statement discusses this in the context of the Lower Rainham Conservation Area, stating that the historic landscape of the Site makes a lesser contribution to significance than the land to the north because it does not have a strong visual relationship with the conservation area and is currently farmed as “*modern commercial orchard*”. (HS, paras. 5.97 and 5.100) I disagree with this assessment.
- 2.21 This historically important context makes a major contribution to significance, particularly of the Lower Rainham Conservation Area. The Site is part — and by far the largest part — of the last area in this part of the Medway estuary where this sequence of landscape and settlement types remains intact so that its influence on the historic development of buildings and settlements can be understood and appreciated. The proposed development would make it no longer possible to experience this sequence, and cause a loss of significance to all the heritage assets that would be affected.

Historic routes

- 2.22 Third, the Heritage Statement ignores the historic routes across the Site. Pump Lane is a historic rural lane. The Bridleway is a tranquil ‘green tunnel’ across undeveloped open farmland. These are the primary means by which the public experience, in glimpsed views, the Site as the setting of the heritage assets. These historic routes contribute to the significance of the assets, and our ability to understand the historic relationship between them.
- 2.23 The proposals include a loop road that would cross Pump Lane at two new junctions. It would cross the Bridleway at grade, at about the half-way point. The crossings would require removal of trees and hedgerow, and the addition of hard surfacing, road markings, lighting and signage. They would provide open views of suburban housing, replacing glimpses of undeveloped open farmland as the setting of the heritage assets. These changes to the historic character of the routes would harm the significance of the landscape, and reduce its contribution to the significance of the designated heritage assets.

Intangible qualities of the setting

- 2.24 The fourth omission is that the Heritage Statement ignores the intangible qualities of the setting. Guidance on *The Setting of Heritage Assets* published by Historic England (HE) encourages us to consider attributes of a setting that may help to elucidate its contribution to significance, including noise, tranquillity, remoteness, movement and activity, scents and smells, diurnal changes, sense of enclosure, permeability and patterns of movement (GPA3; HE 2017, p. 11)
- 2.25 The Heritage Statement does not discuss how these intangible qualities — particularly the tranquillity of the undeveloped open farmland — contribute to our experience of the assets. The proposed development would replace the diurnal and seasonal rhythms of the existing agricultural use with the year-round activity of a residential suburb. This would change fundamentally the way in which the heritage assets would be experienced and would undermine the historic connection between the assets and their landscape setting.

Summary conclusions

- 2.26 For the reasons summarised above, I consider that the Appellant’s Heritage Statement gives an incomplete account of the significance of the heritage assets that would be affected by the development. It ignores the significance of Bloors Oasts and the Site as non-designated heritage assets, and it consistently under-assesses the contribution that the Site makes to the significance of each of the designated heritage assets.

- 2.27 The Heritage Statement also ignores the contribution to significance made by the whole Site as the shared historic landscape setting for all the heritage assets.
- 2.28 The consistent under-assessment of significance in the Heritage Statement means that the harm that the proposed development would cause to the significance of each of the heritage assets is consistently under-assessed also, leading to the improbable conclusion that the proposed development would cause no harm, or only a low (or the lowermost) level of less than substantial harm, to any of the heritage assets. In each case, I find that the proposals would cause less than substantial harm, and at a higher level.
- 2.29 The Heritage Statement does not consider the cumulative impact of the proposed development. I conclude that the cumulative impact on all the heritage assets (designated and non-designated) would cause less than substantial harm to heritage significance, at the upper end of that range. I therefore agree with the basis for the Council's Reason for Refusal no. 2.

3. Context

- 3.1 Sources referred to are given in Appendix 1 (A1.4). The illustrations are in Appendix 2. Relevant policies and guidance are set out in Appendix 3.

The application and the appeal

- 3.2 The appeal is against refusal of an application for outline planning permission to develop up to 1,250 houses and related infrastructure on land at Pump lane, Lower Rainham, Kent (the Site; Planning Ref. MC/19/1566; Appeal Ref. APP/A2280/W/20/3259868).
- 3.3 The application was refused by Medway Council on 12 June 2020. Reason for Refusal no. 2 concerned heritage:

“The proposed development would have a harmful impact on the local historic landscape, as well as the setting and significance of [a] number of designated heritage assets, including: listed buildings (York Farmhouse (Grade II); Pump Farmhouse (Grade II); Chapel House (Grade II); 497-501 Lower Rainham Road (Grade II); The Old House (Grade II); Bloors Place (Grade II); a range of outbuildings including cart lodge and granary west of Bloors Place (Grade II); and, the garden walls to south and east of Bloors Place (Grade II)); and, two Conservation Areas (Lower Twydall; and, Lower Rainham).*

“Applying the great weight which has to be given to the conservation of the designated heritage assets (by virtue of NPPF paragraph 193 and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990), the proposal is contrary to Local Plan policies BNE 12 and BNE18. In addition, as the public benefits of the scheme would not outweigh the harm to the designated heritage assets, the proposed development is also contrary to the NPPF paragraph 196.” (MC decision notice, 12 June 2019)

- 3.4 The appeal was lodged on 22 September 2020. At this point the Appellant had commissioned a third heritage consultant to produce a fourth heritage impact assessment, which was submitted with the appeal. (Pegasus Group, September 2020) This is the assessment that I deal with in my evidence, and I refer to it as the “Heritage Statement” (HS).
- 3.5 Further detail on the heritage information submitted with the application is included at Appendix 1 (A1.3).

The Site

- 3.6 The application Site is made up of two farms, Pump Farm (approx. 23 ha) and Bloors Farm (approx. 25 ha), which are cultivated as commercial orchard (Fig 1). It is bounded to the north-west by field boundaries, to the north-east by properties in Lower Rainham including Bloors Place and the oast houses, to the south-west by the railway line, and to the south-east by allotments and Lower Bloors Lane. Pump Lane crosses the centre of the site from north-east to south-west, and a public Bridleway runs across the south-western part from Pump Lane to Bloors Lane.

Heritage Assets

- 3.7 The proposed development has the potential to affect the significance of more than a dozen designated heritage assets, within and around the Site.
- 3.8 The Site adjoins two conservation areas:
- Lower Rainham Conservation Area
 - Lower Twydall Conservation Area

One listed building is surrounded by the Site:

- Pump Farmhouse (Grade II).

Other listed buildings within the Lower Rainham Conservation Area and adjoining the Site are:

- Bloors Place (Grade II*)
- Garden Walls to south and east of Bloors Place (Grade II)
- Outbuildings including Cart Lodge and Granary west of Bloors Place (Grade II)
- Chapel House (Grade II)

Listed buildings in the Lower Rainham Conservation Area but not immediately adjoining the Site are:

- 497-501 Lower Rainham Road (Grade II)
- The Old House (Grade II)

Within the Lower Twydall Conservation Area and adjoining the Site is:

- York Farmhouse (Grade II)

Listed buildings in the Lower Twydall Conservation Area, but not immediately adjoining the Site are:

- East Court Farmhouse (Grade II)
- Manor House and attached garden wall (Grade II)
- Manor Barn and attached N and W walls (Grade II)
- Twydall Barn and attached wall (Grade II)
- Little London Farmhouse (Grade II)

The designated heritage assets are shown in Fig 2.

Historic landscape

3.9 In order to appreciate how the Site contributes to the significance of the designated heritage assets it is important to understand the past and present uses of the land and how its long history remains readable in the landscape today — including in the Site’s relationship to the undeveloped and developed areas to the north and south.

3.10 The Council’s *Medway Landscape Character Assessment* recognises how the dual nature of the area — an estuarine zone of mudflats and saltmarsh giving way to fertile farmland on higher ground — has influenced local economic activity:

Industries that have been practised since Roman times include salt making, brick making and pottery; boat and ship building; munitions and cement production – in many cases with associated wharfage to support transport and delivery of goods and services.

Other features that have helped shape the pattern of Medway’s landscape is its long history of food production [including...] the distinctive pattern of orchards and shelter belts that characterise the North Kent Fruit Belt. (MC March 2011, pp. 7 and 8)

3.11 Hasted in the eighteenth century noted the difference between the estuarine landscape and the farmland. He described the situation of Rainham parish as “for the most part low and unpleasant, and from its nearness and exposure to the marshes very unhealthy” but went on to praise the southern part as “a fertile and kindly land both for corn and fruit, insomuch that this parish has been noted for growing some of the best wheat that this kingdom has produced; and it had well within memory many plantations of cherries and apples, especially on the lands adjoining the [London Road], and to the northward of it”. (Hasted 1798, p. 4)

- 3.12 The north-south progression from the waterfront over mudflats and saltmarsh to fertile farmland provides a context for understanding the existing development within and around the Site. Lower Rainham and Lower Rainham Road (B2004) stand on the first solid ground encountered inland from the river. This location allowed them to service commercial activities on both sides, cultivating crops to the south and transporting them upriver via the wharves to the north. In 1564 there were said to be eight houses in Lower Rainham, and three quays including “Blower’s” (Bloors) Quay. (Hasted 1798, p. 4)
- 3.13 The Landscape Character Assessment also notes important connections between the different types of landscape, including *“the estuarine landscape’s strong connections with [the] Lower Rainham Farmland character area to south and overall role of [the] two character areas as generous buffer and corridor separating urban areas from [the] natural spaces of [the] estuary.”* (MC March 2011, p. 33)
- 3.14 The inland agricultural use has had a profound effect on the pattern of settlement in and around the Site, as noted in HE’s advice to the Council: *“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.”* (HE 1 August 2019, pp. 1–2; Appendix 6)
- 3.15 Historic maps show how that “distinct settlement pattern”, already well established in the eighteenth century, has been preserved to the present day. The land has always been sparsely inhabited in isolated farmsteads and hamlets, surrounded and separated from one another by arable land. HE have noted in particular the *“association with and dependence on the surrounding land for the Lower Rainham and Lower Twydall conservation areas.”* (HE 1 August 2019, pp. 1–2; Appendix 6)
- 3.16 The point is picked up in the Senior Planning Officer’s report to the Council’s planning committee: *“It is probable that the broad pattern of medieval occupation in the area largely mirrors that seen in the modern landscape, with the arrangement of farmsteads, villages and routeways established in the medieval period forming the landscape framework that we see today.”* (MC 13 June 2019, p. 38; Appendix 5)
- 3.17 The farmland has been used for different crops. The Heritage Statement identifies a rich agricultural mix in the history of Bloors Place: *“The landholding associated with Bloors Place was very large and included land in the eastern extent of the site ... This appears to have been a dispersed landholding, rather than a consolidated area centred on the house. This included arable, orchard, nursery, meadow, woodland and saltmarsh. This is in line with the outbuildings, which include a granary, cattle sheds and oasts, suggesting a mixed farming base, not just a farm cultivating just fruit.”* (HS, para. 5.67) Hasted mentions cultivation of wheat and describes how the greatest part of the orchards that produced the fruit he so admired had been *“displanted some years since.”* (Hasted 1798, p. 4) Historic OS maps tell the same story in the nineteenth and early twentieth centuries (Figs 3–6), and the oast houses at Bloors Farm indicate the former presence of hop gardens. Clearly, although orchards have been a characteristic feature of this area since at least the eighteenth century, other crops have also been cultivated; fruit trees have come and gone, and come back again.
- 3.18 The only major disruption to the historic pattern of land use in the Site and its surroundings is the railway line, opened in 1858. This has effectively contained suburban residential development to the south, preserving the rural character of the undeveloped open farmland to the north.

4. The significance of the heritage assets

- 4.1 The Heritage Statement provided with the appeal contains a more thorough and accurate assessment of the significance of the heritage assets than the heritage documents that accompanied the application. I am in broad agreement with its assessment of the significance of each individual designated heritage asset.

Significance of the designated heritage assets

- 4.2 The significance of Bloors Place is officially recognised by its inclusion in the statutory list of buildings of special architectural or historic interest, at Grade II* (Appendix 4). This confirms that it is a particularly important building of more than special interest; 5.8% of listed buildings are Grade II*.
- 4.3 The other listed buildings affected by the proposed development are Grade II-listed. Buildings in this category are of special interest warranting every effort to preserve them; 91.7% of all listed buildings are in this grade.
- 4.4 The designation of the Lower Rainham and Lower Twydall Conservation Areas confirms that these are areas the character or appearance of which it is desirable to preserve or enhance.

Significance of the non-designated heritage assets

Bloors Oasts

- 4.5 Apart from a couple of passing references to them in its description of Bloors Place, the Appellant's Heritage Statement does not discuss the two large oast houses south of Bloors Place (Fig 7). These should be considered as non-designated heritage assets in their own right, and as part of the setting of the cluster of listed buildings at Bloors Place.
- 4.6 The oasts were formerly associated with Bloors Place, and retain the name "Bloors Oasts". A building on their site first appears on the OS map of 1898. On the 1909 OS this is labelled 'Windmill', which if correct suggests a history of adaptation. Along with the Grade II-listed granary, the oasts provide evidence of mixed farming activity in the past. They have been recently renovated and converted to residential use, which has diminished their historic interest. However, they have some architectural and historic interest as traditional agricultural buildings associated with the Kentish hop industry.
- 4.7 They contribute to the significance of the three listed buildings at Bloors Place, as agricultural buildings formerly associated with Bloors Farm, and as locally characteristic agricultural buildings that provide evidence of the historic use of the land. Their tall roofs and white bonnets appear in long views from the south, with the Medway in the distance (Fig 8).

The historic landscape

- 4.8 The Appellant's Heritage Statement states that the historic landscape is not a heritage asset. (HS, paras. 5.108, 5.112 and 7.4). I disagree: as the definition Annex 2 to the NPPF makes clear, heritage assets includes "landscapes" which are "*identified as having a degree of significance meriting consideration in planning decision, because of its heritage interest*". My view accords with that of the Senior Planning Officer, whose report to the planning committee includes: "*It is clear then, that the historic landscape has non-designated heritage value in its own right.*" (Appendix 6, below p. 68).
- 4.9 The significance of the historic landscape and its contribution to the significance of the other heritage assets that would be affected by the proposed development is discussed in the following section.

5. The Site, and its contribution to significance

- 5.1 One basis of my disagreement with the Appellant’s Heritage Statement assessment of the impact of the proposed development on the significance of the heritage assets lies in our respective approaches to the assessment of the historic landscape of the Site. I regard the historic landscape as a non-designated heritage asset in its own right, and an important part of a significant north-south sequence of landscape types. I consider the whole Site as the shared setting for the constellation of heritage assets that would be affected by the proposals.
- 5.2 I also consider a wider range of attributes of setting that may contribute to significance, in contrast to the Heritage Statement, which concentrates on views and intervisibility. It cites no or limited intervisibility between the Site and each heritage asset as a reason why the setting makes no or only a minor contribution to the significance of the asset, and understates the extent and availability of views. In the case of Pump Farmhouse, for example, the long views to the north and north-east are described thus: *“The house does have some intervisibility between its side elevation and land to the north-east, including land within the site, although this is partially screened by a large shed and orchard trees.”* (HS, para. 5.28) In fact, the view from Pump Farm over the Site extends across open country as far as the River Medway (Fig. 9), taking in most of the important sequence of landscape types discussed below (5.16–5.25).
- 5.3 The “asset-by-asset” approach also means that long views across the Site that do not have an individual asset as their subject or source (for example, along Pump Lane and the Bridleway) are not discussed in the Heritage Statement, although they reveal a historic pattern of sparse and isolated development.
- 5.4 The Government’s online National Planning Practice Guidance (NPPG) and GPA3 are clear that views do contribute to significance, but that they are not the only consideration. Although the Appellant’s Heritage Statement provides other extracts from both sources, it omits this general advice on assessing the contribution that setting makes to significance:
- “The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.”* (NPPG para. 13; GPA3, p. 2)
- 5.5 It also omits HE’s recommendation that *“the assessment should first address the key attributes of the heritage asset itself and then consider:*
- the physical surroundings of the asset, including its relationship with other heritage assets
 - *the asset’s intangible associations with its surroundings, and patterns of use*
 - *the contribution made by noises, smells, etc to significance, and*
 - *the way views allow the significance of the asset to be appreciated.”* (GPA3, para. 26)
- 5.6 These aspects of the Site are not addressed in the Heritage Statement, which does not acknowledge that the setting makes more than a *“minor contribution”* to the significance of any of the heritage assets. It minimises the contribution by considering each asset in isolation, with only a fragment of the Site as its setting. This narrow focus and fragmented “asset-by-asset” approach to assessing significance ignores the Site as a whole and the historic relationship between places. It tells only part of the story, and as a result the Site’s contribution to significance is consistently undervalued.

- 5.7 My view, in contrast, is that the scale of the proposed development demands that it be considered in the wider context of the Site as a whole, in simultaneous relation to all the heritage assets that would be affected, and the surrounding landscape.
- 5.8 When I consider the whole Site as the setting for all the heritage assets, it seems to me that the Heritage Statement has ignored four key characteristics that contribute to significance: the Site as the shared setting for a constellation of designated heritage assets; the north-south landscape sequence; the historic routes of Pump Lane and the Bridleway; and the intangible qualities of the setting.

A constellation of designated heritage assets

- 5.9 Because the Heritage Statement does not consider the historic landscape to be a heritage asset, it does not address the Council’s concern that “[t]he proposed development would have a harmful impact on the local historic landscape”. In my view this approach is mistaken. HE advises that setting can contribute to significance by enabling us to understand the historic relationship between places (GPA3, p. 2). It is important, therefore, to consider the contribution to significance made by the whole Site as the shared setting for a constellation of heritage assets, which makes a crucial contribution to the significance of all.
- 5.10 The undeveloped open farmland character of the Site has fundamentally influenced the development of all the heritage assets and their disposition within the landscape. They developed as discrete, isolated incidents — a late-medieval farm, another of the eighteenth century, a fifteenth-century house, and two hamlets — that still maintain their historic separation from one another. It was because the land was so valuable as farmland that further development did not take place.
- 5.11 In its assessment of significance for each of the listed buildings that would be harmed by the proposed development, the Heritage Statement states that the land (within the Site) that surrounds each listed building is no longer in the same ownership as the listed building, and argues that this diminishes the setting’s contribution to significance. (e.g. in the discussion of York Farmhouse: *“Parts of the site were once elements of the farm landholding historically, although this ownership link has now been severed and it was a dispersed landholding rather than a legible consolidated area surrounding the farmhouse. Furthermore ,...”*, para. 5.18)
- 5.12 The historical analysis of land tenure in the Heritage Statement is interesting, but of limited relevance to significance. GPA3 makes no reference to current land ownership playing any part in the contribution that setting makes to the significance of a heritage asset.
- 5.13 The Heritage Statement states that the functional relationship between each listed building (that was formerly in agricultural use) and its setting has been “severed”, and argues that this is a reason why the setting makes no or only a minor contribution to the asset’s significance. HE’s advice contradicts this: *“the listed buildings [...] derive some significance from their setting which continues to illustrate a historic functional relationship to surrounding agricultural land”*. (Appendix 5, below p. 58)
- 5.14 Moreover, a functional relationship is only one of the suggested attributes of setting that might contribute to significance, listed in the GPA3 Assessment Step 2 Checklist. (HE 2015, p. 11) The relationship does not have to be current in order to contribute to significance; the open, undeveloped nature of the Site continues to provide evidence of the past functional relationship between the designated heritage assets and their surroundings. The point is emphasised in HE’s advice. (Appendix 5, below p. 58)

5.15 The undeveloped open farmland setting maintains the historic context that explains the sparse and scattered disposition of the listed buildings and the hamlets at the core of the conservation areas. This aspect of the Site makes a major contribution to the significance of all the heritage assets.

The landscape sequence

5.16 A second result of the narrow focus and fragmented approach used in the Heritage Statement is that it underplays the importance of the Site in the north-south sequence of historic landscape and settlements. It notes that the Lower Rainham Conservation Area is on the first solid geology inland from the Medway, which enabled the village to benefit from both estuarine and agricultural economic activity, but draws an unbalanced conclusion from this interesting observation. (HS, paras. 5.97 and 5.100) It emphasises the importance of the landscape to the north but does not concede that the Site to the south makes an equally important contribution to the agricultural side of the estuarine / agricultural equation. Instead, concentrating again on views and intervisibility, it concludes that the Site makes “*a very minor contribution to the heritage significance of Lower Rainham Conservation Area through setting, as part of the wider agricultural surrounds, albeit of changed character and not with strong intervisibility to historic areas of Lower Rainham*”. (HS, para. 5.102)

5.17 However, if one considers the Site as a whole and in the wider landscape context, its importance in the north-south sequence of different landscapes and types of historic development becomes clear. The sequence is:

- The River Medway with its remnants of historic wharves and sea defences
- 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.

5.18 The way in which the historic landscape of the Site is knitted into the wider landscape of the Medway estuary provides a context for the heritage assets, particularly for the Lower Rainham Conservation Area and the listed buildings at Bloors Place. The settlement arose at a junction in the landscape sequence for very specific reasons related to historic activity in that locality, and depended for its existence on the land to south and north, equally.

5.19 The Site is within the “North Kent Fruit Belt” county landscape character area. The use of the Site as orchards is within the local tradition of fruit growing, which has shaped the character of the landscape. Considered as the setting of all the heritage assets, it helps to explain the sparse distribution of historic buildings along the routes through and around the site.

5.20 The Heritage Statement argues that because the Site is not cultivated in a traditional manner and the nature of the crop has changed, the landscape’s contribution to significance is diminished. It states, for example, that land within the Site adjacent to Pump Farmhouse and Lower Twydall Conservation Areas was “*not orchard historically*” (HS, paras. 5.33 and 5.92) This is misleading: historic OS maps reproduced in the Heritage Statement clearly show

orchard planting adjoining York Farm in Lower Twydall in 1869, 1897, 1909 and 1935, and surrounding Pump Farm in 1897, 1909 and 1935 (HS, Plates 4–7).

- 5.21 The Heritage Statement repeatedly refers to the “*modern commercial orchard*” character of the landscape today (13 instances), implying that modern methods of cultivation diminish the contribution of the setting to the significance of the heritage assets. But farming practices can be expected to evolve. Even apparently “wild” or “natural” English landscapes are managed to some extent and will therefore change over time. As far as the Site is concerned, Hasted in the eighteenth century noted how orchards in Rainham had been “*displanted*”, and historic maps show various patterns of cultivation within the Site and its surroundings. The Heritage Statement itself discusses the history of mixed farming at Bloors Place (HS, para. 5.67).
- 5.22 In this case, whatever the current crop or method of cultivation, it is the undeveloped nature of the open farmland that contributes to significance: it provides a natural environment with a properly rural character and maintains the relative isolation of the heritage assets by preserving the distance between them, which ensures that the historic relationship of the assets to the land, and to each other, remains legible.
- 5.23 This is another aspect of the point made by HE that “*[the] conservation areas and the listed buildings within them [...] 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*”. (Appendix 5, below p. 58)
- 5.24 The railway line has historic interest in its own right as a mid-nineteenth-century addition to the landscape. It is a barrier preventing the suburbs of Gillingham from spreading northward. The Pump Lane railway bridge marks a dramatic change of scene, from rural lane in undeveloped open farmland to suburban housing estate (Figs 10 and 11).
- 5.25 The Site is the last remaining piece of undeveloped open farmland in the sequence of historic landscape types in this part of the Medway estuary. The historic landscape sequence makes an important contribution to the significance of the heritage assets because it preserves their wider historic context. It reveals the historic relationship between places in a way that is not possible when ‘setting’ is defined only as the fragment of the Site contiguous with each individual heritage asset.

The historic routes

- 5.26 Two historic routes cross the Site, along historic field boundary lines: Pump Lane and the Bridleway.
- 5.27 Pump Lane is a historic rural lane that bisects the Site on a line from north to south, with orchards on both sides. It connects the Lower Rainham Conservation Area with the Grade II-listed Chapel House and Pump Farmhouse (Fig 12). It is enclosed with banks and trees, framing long vistas with greenery in summer. At the northern edge of the Site it passes under the railway line and emerges into a suburban residential area, part of the late twentieth-century coalescence of Twydall and Rainham. The contrast is marked, and an important component of the character of the setting.
- 5.28 The Bridleway runs from Pump Lane westward to Lower Bloors Lane. It is a ‘green tunnel’ with long straight sections that reveal the line and extent of historic field boundaries (Fig 13). It is also a tranquil path that provides glimpsed views of the undeveloped open farmland of the Site on both sides (Fig 14).
- 5.29 Both routes give public access to the Site as the setting of all the designated heritage assets outside Lower Twydall. Their rural character permits the heritage assets to be experienced and understood in their historic context, and thus contributes to the significance of the assets.

Intangible qualities

- 5.30 The GPA3 Assessment Step 2 Checklist includes more than a dozen attributes of setting that may contribute to significance. (HE 2015, p. 11) These “other environmental factors” mentioned in the guidance are not considered in the Appellant’s Heritage Statement assessment of significance.
- 5.31 Following the advice in GPA3 on non-visual aspects of setting quoted above (paras. 5.4–5.5), I consider that factors associated with the Site such as the ability to appreciate seasonal changes and activities on the land, birdsong, breeze, scents and night-time darkness all contribute to the significance of the heritage assets because they sustain the rural setting that explains the historical development of the assets and their relationship to one another.
- 5.32 The Site is not an especially quiet spot because of noise from traffic on the B2004 but this is a background hum. Most of the time the undeveloped open farmland provides a tranquil setting that enhances the significance of the heritage assets by emphasising their isolation in a rural setting. The Bridleway is a quiet route, where natural sounds such as birdsong can be appreciated. The quality of the light is natural, subject to seasonal and diurnal changes that accompany the natural rhythms of the agricultural year. (GPA3 paras. 26, 31)
- 5.33 The way in which the Site has influenced the historic relationship between places is another intangible contributor to significance. GPA3 advises us to consider the history of the Site, and degree of change over time. Although crops and agricultural methods may change, the Site retains its essential character as undeveloped open farmland, and sustains the historic pattern of sparse development in isolated houses and hamlets.

6. The proposals and their impact on significance

- 6.1 The Appellant’s Heritage Statement finds that the proposed development would harm the significance of the conservation areas and some listed buildings, through changes to setting.
- 6.2 I agree with its assessment that where there is harm, it is less than substantial (the term used in the NPPF). I also agree that there would be no harm to the heritage significance of Nos. 497–501 Lower Rainham Road or The Old House (both Grade II-listed) when these are considered as individual designated heritage assets — although there would be harm to the conservation areas of which they form part.
- 6.3 However, I disagree with the Heritage Statement as to the extent and degree of the harm that would be caused to the significance of other designated heritage assets. I set out my reasons for this below, taking the assets in the order in which they are dealt with in the Heritage Statement before discussing the impact on the significance of heritage assets not considered in the Statement.

Impact on the designated heritage assets

Impact on York Farmhouse (Grade II)

- 6.4 I agree with the Heritage Statement’s assessment of the significance of the fabric of the Grade-II listed York Farmhouse. However, I disagree with the assessment that “[t]he land within the site is not considered to contribute to the heritage significance of York Farmhouse”. (HS, para. 5.18) The Heritage Statement considers the listed building in isolation, as a discrete asset within its immediate garden setting, and without reference to Lower Twydall Conservation area. However, HE note that the survival of York Farmhouse confirms the conservation area’s “association with and dependence on the surrounding land”. (Appendix 5, below p. 58). Furthermore, the listed building is part of the constellation of heritage assets: the undeveloped open farmland setting indicates its agricultural origins and its relationship to Pump Farmhouse and Chapel House.
- 6.5 The Heritage Statement understates the impact of the proposed development, stating that it “would result in the construction of modern built form to the east and south of York Farmhouse. The character of the land will be altered from modern commercial orchard planting to residential”. The application drawing shows housing up to 12m high within approximately 100m of the rear boundary. The proposed inclusion of a landscaped buffer zone will not compensate for the loss of the existing setting: it would be a different kind of landscape to the undeveloped open farmland, and the change would diminish the setting’s contribution to the significance of York Farmhouse.
- 6.6 I disagree with the Heritage Statement’s assessment that the proposed development “will result in no harm” to the heritage significance of York Farmhouse. (HS, paras. 5.19 and 7.3) I consider that the harm to the designated heritage asset would be less than substantial at the low end of that range.

Impact on Pump Farmhouse (Grade II)

- 6.7 I agree with the Heritage Statement’s assessment of the significance of the fabric of the Grade-II listed Pump Farmhouse. However, I disagree with the assessment that “[t]he replacement of the farmyard with a complex of modern residences has very greatly reduced the agricultural character of the farmhouse, and it is only the name of the asset that elucidates its former agricultural connection”. (HS 5.25) The Russetts Farm development has not changed the character of the farmhouse, which was intentionally set apart from its farmyard and built in a consciously polite style of architecture. Not only the name, but also undeveloped open

farmland to the north and north-east, and in the wider setting, clearly indicate its origins as a farmhouse.

- 6.8 The Heritage Statement describes the impact of the proposed development on views to and from Pump Farmhouse thus: *“The character of the wider land will be altered from orchard planting to residential and commercial, which is likely to be visible in views north-east from the asset.”* (HS, para. 5.23) As noted at para. 5.2 above, there are extensive and open views north and north-east of the listed building. It is incorrect to describe the proposed development as *“likely to be visible”* when in reality it would be unmissable. It would destroy the view by building over the undeveloped open farmland with residential and commercial buildings up to 12m in height. In so doing it would harm the intrinsic significance of the historic landscape, and diminish the contribution it makes as setting to the significance of the listed building, both as a designated heritage asset in its own right and in its relationship to the other listed buildings in the constellation of designated heritage assets.
- 6.9 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.
- 6.10 The Heritage Statement ignores how the setting contributes to the significance of the listed building as part of the constellation of heritage assets, and how the uninterrupted view from the farmhouse to the River Medway locates the listed building firmly in the farmland part of the north-south sequence of historic landscapes (Fig 9).
- 6.11 The proposed development would bring commercial buildings up to 10m high to within approximately 70m of the listed building, and would fill the view north and north-eastward with residential buildings up to 12m high. I disagree with the Heritage Statement’s assessment that the harm to the significance of Pump Farmhouse would be *“less than substantial harm at the low end of the spectrum”*. (HS, para. 7.1) I consider that the harm would be less than substantial in the middle of that range.

Impact on Chapel House (Grade II)

- 6.12 I agree with the Heritage Statement’s assessment of the significance of the fabric of the Grade-II listed Chapel House. However, I disagree with the assessment that the only part of the setting that contributes to significance is *“the immediately adjacent agricultural land”* (HS, para. 5.45) The Heritage Statement considers the listed building in isolation, as a discrete asset within its immediate setting, and ignores its place in the Lower Rainham Conservation Area; but it is part of the constellation of heritage assets around the Site, and the undeveloped open farmland preserves the historic landscape and Chapel House’s relationship to Pump Farmhouse and the other designated heritage assets.
- 6.13 Excluding the rest of the Site causes the Appellant to underassess the contribution that the Site makes to the particular asset, and therefore the harm that would be caused by the proposed development. This includes a residential care home up to 12m in height within approximately 50m of Chapel House, a *“village centre”* and residential development beyond, which would cover the gently rising ground of the historic landscape to the south. The

proposed green buffer will not compensate for the harm to significance caused by the loss of the wider historic landscape setting.

- 6.14 I disagree with the Heritage Statement’s assessment that the harm to the significance of Chapel House would be *“less than substantial harm at the low end of the spectrum”*. (HS, paras. 5.47 and 7.1) I consider that the harm would be less than substantial in the middle of that range.

Impact on 497–501 Lower Rainham Road (Grade II)

- 6.15 I agree with the assessment in the Heritage Statement that there would be no harm to the heritage significance of Nos. 497—501 Lower Rainham Road when it is considered as an individual designated heritage asset — although there would be harm to the conservation areas of which it forms part.

Impact on The Old House (Grade II)

- 6.16 I agree with the assessment in the Heritage Statement that there would be no harm to the heritage significance of The Old House when it is considered as an individual designated heritage asset — although there would be harm to the conservation areas of which it forms part.

Impact on Bloors Place (Grade II*)

- 6.17 I agree with the Heritage Statement’s assessment of the significance of the fabric of the Grade-II listed building. However, I disagree with the assessment that every other element in the immediate setting is considered to make a greater contribution to significance, but *“the land within the site is considered to make a very minor contribution to the heritage significance of Bloors Place through setting”*. (HS, para. 5.72)
- 6.18 When Bloors Place is considered as part of the constellation of heritage assets, it is clear that the undeveloped open farmland preserves the historic landscape and the isolation of Bloors Place in relation to the other heritage assets, particularly Pump Farmhouse; as HE have noted, the survival of the Grade II* listed building and its Grade II-listed neighbours confirms the Lower Rainham Conservation Area’s *“association with and dependence on the surrounding land”*. (Appendix 5, below p. 58)
- 6.19 Bloors Place also derives significance from its location on the edge of Lower Rainham, at the point in the north-south landscape sequence where estuarine land gives way to fertile farmland. The undeveloped open farmland setting helps to explain the size and grandeur of the historic farmstead, and its connection to the River Medway — Bloors Wharf having been the lading-place for the farm’s produce.
- 6.20 The proposed development would place housing up to 12m in height within approximately 60m of the rear walled garden (which is enclosed by the Grade II-listed wall), and a school of up to 10m in height within approximately 120m. It would cause the loss of the historic landscape setting and its contribution to the significance of the listed building. I disagree with the Heritage Statement’s assessment that the proposed development *“will result in less than substantial harm at the lowermost end of the spectrum”*. (HS, paras. 5.73 and 7.2) I consider that the harm to this highly-graded heritage asset would be less than substantial in the middle of that range.

Impact on Outbuildings and garden walls at Bloors Place (Grade II)

- 6.21 I agree with the Heritage Statement’s assessment of the significance of the fabric of the Grade-II listed range of outbuildings including cart lodge and granary west of Bloors Place.

However, I disagree with the assessment that *“The land within the site is not considered to contribute to the heritage significance of the range outbuildings and garden walls at Bloors Place, having no intervisibility with them and being modern commercial orchard.”* (HS, para. 5.79) As explained above (paras. 5.4, 5.5 and 5.30–5.33), intervisibility is not the only attribute of setting that contributes to significance, and it is the undeveloped open farmland nature of the historic landscape that makes an important contribution to significance, not the current style of land management (e.g. paras. 5.10, 5.15).

- 6.22 These listed buildings are part of the historic farmstead, the survival of which confirms the Lower Rainham Conservation Area’s *“association with and dependence on the surrounding land”*. (Appendix 5, below p. 58) They are part of the constellation of heritage assets around the Site, and the undeveloped open farmland preserves the historic landscape and their isolation in relation to the other heritage assets, particularly Pump Farmhouse.
- 6.23 The proposed development would place housing up to 12m in height within approximately 60m of the Grade II-listed wall, and a school of up to 10m in height within approximately 60m of the cart lodge and granary. It would cause the loss of the historic landscape setting and its contribution to the significance of the listed building. I therefore disagree with the Heritage Statement’s assessment that the proposed development *“will result in no harm”* to the heritage significance of these listed buildings, as the assessment is based solely on the lack of intervisibility between land within the Site and the heritage asset. (HS, paras. 5.80 and 7.3) I consider that the harm to these designated heritage assets would be less than substantial at the low end of that range.

Impact on the Lower Twydall Conservation Area

- 6.24 Conservation area designation confirms that the historic hamlet of Lower Twydall is an area the character or appearance of which it is desirable to preserve or enhance. The Council has no current conservation area appraisal. (Pers. comm. Ross Crayford, MC conservation officer, 16 October 2020) The conservation area also contains five Grade-II listed buildings. I do not agree with the Heritage Statement’s Assessment that *“Setting makes a far lesser contribution to the significance of the asset”* (HS, para. 5.87), or that *“The site is considered to make a very minor contribution to the heritage significance of Lower Twydall Conservation Area through setting”* (HS para. 5.90)
- 6.25 HE note the contribution that the wider historic landscape makes to significance: *“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.”* (Appendix 5, below p. 58)
- 6.26 The Heritage Statement assessment is again based largely on intervisibility between the historic village and the site, and takes no account of other attributes of setting besides visual connections that contribute to the significance. (GPA3, p. 11). HE note how *“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.”* (Appendix 5, below p. 58)
- 6.27 The proposed development would have direct impact on the setting of the Lower Rainham Conservation Area. The new housing, access road and associated infrastructure would suburbanise the historic landscape setting, destroying its rural character and making it impossible to read the important north-south sequence of landscape character areas.
- 6.28 I disagree with the Heritage Statement’s assessment that the proposed development *“will result in less than substantial harm at the lowermost end of the spectrum”* to the Lower

Twydall Conservation Area (HS, paras. 5.94 and 7.2) I consider that the harm to this designated heritage asset would be less than substantial in the middle of that range.

- 6.29 I also note that the Heritage Statement seeks to argue that the current management of the land as “modern commercial orchard” diminishes the setting’s contribution to significance: *“It should also be noted that the area between Lower Twydall and Pump Lane has changed in character over the period of time it has been mapped. Early mapping given above (Plate 4) shows that whilst there was orchard in the immediate vicinity of the settlement, much of the land between Pump Lane and Lower Twydall was not historically orchard, and, of course, no areas were modern commercial orchard as is present today.”* (HS, para. 5.86) However, Plates 5, 6 and 7 of the Heritage Statement show the spread of orchard planting across precisely this area between 1897 and 1935. As noted in the discussion of Pump Farmhouse above (para. 6.8), this selective use of historical records makes the assessment of significance appear unreliable (although in any case, it is the undeveloped open farmland character of the setting that contributes most to significance).

Impact on the Lower Rainham Conservation Area

- 6.30 Conservation area designation confirms that the historic hamlet of Lower Rainham is an area the character or appearance of which it is desirable to preserve or enhance. The Council has no current conservation area appraisal, but Gillingham Borough Council prepared an advisory leaflet about the conservation area in 1994 (Appendix 7) This is no longer made available to the public because the policy information it contains is out of date, but the summary description of the conservation area remains relevant. (Email Ross Crayford to KW 21 October 2020) The conservation area also contains five Grade-II listed buildings and one Grade II*-listed building (Bloors Place); its boundary is drawn with a spur along Lower Rainham Road to the west, specifically to include Chapel House as an outlying village building.
- 6.31 I do not agree with the Heritage Statement’s Assessment that *“Setting makes a far lesser contribution to the significance of the asset. The main element of the setting of the Conservation Area that contributes to its significance comprises the salt marsh and estuary to the north, as the settlement appears to have been located on the edge of this area to exploit both estuarine areas and agricultural land on solid geology. Agricultural land in the vicinity also makes a contribution, but the historic parts of the Conservation Area do not have a strong visual relationship with the land to the southwest, the character of which has changed over the last century from arable, orchard, and market garden to modern commercial orchard.”* (HS, para. 5.100) This under-assesses the value of the Site in the north-south sequence of historic landscape types because it considers only intervisibility and current land management. As discussed above, these attributes of the setting are given too much weight while other attributes that contribute to significance are ignored.
- 6.32 The proposed development would replace the historic landscape setting of the Lower Rainham Conservation Area with new residential development and a school. The existing undeveloped open farmland would be built over and the historic separation between the conservation area and the other heritage assets around the site — particularly Pump Farm and Church Cottage — would be ended.
- 6.33 HE have advised, in relation to both conservation areas: *“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. [...] 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.” (Appendix 5, below p. 58)

- 6.34 I disagree with the Heritage Statement’s assessment that the proposed development “*will result in less than substantial harm at the lowermost end of the spectrum*” to the Lower Rainham Conservation Area (HS, para. 7.2) I consider that the harm to this designated heritage asset would be less than substantial in the middle of that range.

Impact on non-designated heritage assets

Impact on Bloors Oasts

- 6.35 The Appellant’s Heritage Statement does not consider the impact of the proposed development on the significance of Bloors Oasts.
- 6.36 Residential development up to 12m high is proposed on rising ground south-east and south-west of the oasts approximately 20m from the rear boundary of the oast houses property. The new school would be approximately 100m to the west. The existing undeveloped open farmland would be built over and the historic separation between Bloors Oasts as part of the Bloors Place historic farmstead, and the other heritage assets, would be ended.
- 6.37 The proposed development would cause less than substantial harm to the significance of the oasts and setting of the listed buildings at Bloors Place, at the low end of that range.

Impact on the historic landscape as a heritage asset in its own right

- 6.38 The Appellant’s Heritage Statement does not consider the historic landscape to be a heritage asset in its own right and therefore does not assess the impact of the proposed development on the significance of the historic landscape of the Site. It does not discuss the character of Pump Lane as a historic rural lane, and does not mention the Bridleway at all; consequently, it does not assess the impact of the proposals on these historic routes
- 6.39 I have explained above my reasons for considering that the historic landscape of the Site should be considered as a heritage asset in its own right (paras. 2.17 –2.1 and 5.16–5.33): it retains its essential character as undeveloped open farmland crossed by historic routes; it sustains the historic pattern of sparse development in isolated houses and hamlets; it is the largest part of the last place in this part of the Medway estuary where the important north-south sequence of historic landscapes and settlements is preserved; its intangible attributes such as tranquillity contribute to its historic landscape character.
- 6.40 The Site is within the “North Kent Fruit Belt” county landscape character area, and the loss of the orchards to development would cause a significant loss of that local character and history. The Senior Planning Officer’s report states bluntly that “*The proposed development is of a significant size, would effectively transform large areas of designated landscape into a housing estate, and would clearly lead to significant harm to the landscape character of the site and the area around it.*” (MC 13 June 2019, p. 43; Appendix 5)
- 6.41 The Landscape Character Assessment notes that “*Recent urban extension to north west of Otterham Quay Lane now divides this character area and diminishes coherence.*” (MC March 2011; p. 68 para. 21) The proposed development would do the same at Bloors Farm and Pump Form, but more destructively.
- 6.42 The recent expansion of Gillingham to the west and Rainham to the south means that the proposed development Site is the last remaining place in this part of the Medway estuary where the important north-south sequence of landscapes and settlement types remains intact (above, paras. 5.16–5.19) so that its influence on the historic development of buildings and

settlements can be understood and appreciated. Were the proposed development to go ahead, this unique survival of medieval patterns of agriculture and settlement would be lost for ever.

- 6.43 The proposed development would cover nearly all the Site with residential, commercial and school buildings, roads and associated infrastructure. It would block views, remove the agricultural character of the land, undermine the historic character of Pump Lane and the Bridleway, and destroy the last surviving area of the important north-south sequence of historic landscapes.
- 6.44 The application drawings show an internal loop road in the new housing estate, which crosses Pump Lane at two points, requiring four new openings in the banks and hedgerows that enclose the lane. (Movement Parameter Plan; dwg. no. PL 007 Rev B) These crossings will require removal of trees and hedgerow, regrading, splays, warning signs, lighting etc. The introduction of hard landscape, signage and street furniture would suburbanise the appearance of Pump Lane at these points, and in long views, particularly in the northern part.
- 6.45 The loop road will also cross the Bridleway at grade. The Bridleway would no longer be an uninterrupted, 'green tunnel': the crossing would require openings in the hedgerow, lighting and warning signs for drivers and pedestrians. The proposals would introduce light, openness, noise and awareness of traffic into the tranquillity of the enclosed path. They would erode the rural character of both these historic routes, and harm the significance of the historic landscape.
- 6.46 Non-visual aspects of the setting that contribute to the significance of the heritage assets include the ability to appreciate seasonal changes and activities on the land, birdsong, breeze, scents and night-time darkness. The proposed development would introduce the noise, traffic, light pollution and activity (school, village centre, dog walking) of a modern suburb, and undermine the relative tranquillity of the undeveloped open farmland.
- 6.47 The proposed development would erode the historic character of the landscape to the point at which it would cease to be a heritage asset in its own right, and cause less than substantial harm to the significance of the heritage asset, at the upper end of that range.

Impact on the historic landscape as the shared setting for the constellation of heritage assets

- 6.48 Step 3 of the Historic England GPA3 methodology is to identify the effects a development may have on setting and to evaluate the resultant degree of harm or benefit to the significance of the heritage assets. (GPA3 para. 32)
- 6.49 I have set out in Section 5 the ways in which the historic landscape of the Site contributes to the significance of the constellation of heritage assets that surround the Site, as their shared setting. I believe that ignoring this aspect of setting has led the Heritage Statement consistently to understate the harm that the proposed development would cause to the significance of the assets.
- 6.50 The undeveloped open farmland character of the Site makes the most important contribution to the significance of the heritage assets because the properly rural appearance of the place sustains the historic relationship between the heritage assets and their undeveloped open farmland surroundings.
- 6.51 The proposed housing development, predominantly at a height of up to 12m, would substantially limit or remove altogether the viewpoints from which one is able to appreciate the significance of the heritage assets that are currently visible in the wider setting. (GPA3 p. 7). There would be no point on the Site from which one could recapture the sense of isolated

settlements in a swathe of undeveloped open farmland that contributes to the historic interest of each of the heritage assets.

- 6.52 The proposed development would create activity, light and noise in what is currently a relatively tranquil rural setting. It will require street lighting and there will be light spill from the private properties. Noise will be generated by cars and delivery vans, and by people going about their business. These changes would destroy the intangible associations between the Site and the heritage assets.
- 6.53 The proposed development would change the nature of the approach into the Site as the setting for all the heritage assets, so that the experience of emerging from the outer suburbs of Gillingham into undeveloped open farmland, would be lost. This would harm the setting of the heritage assets, diminishing the significance of all.
- 6.54 The Appellant's masterplan layout proposes "green infrastructure" and balancing swales in several places around the edge of the proposed development, and the Heritage Statement adjudges this to be sufficient to prevent development coalescence in the case of individual heritage assets. However, I agree with the Senior Planning Officer's assessment that this "seems very unrealistic, given the scale and nature of the proposals". (MC 13 June 2019, p. 43; Appendix 5).
- 6.55 A green buffer or planted screen might limit intervisibility between the Site and one of the heritage assets individually (the aspect that is emphasised in the Heritage Statement) but would do little to mitigate the fundamental harm to the constellation of assets that would be caused by building over most of the undeveloped open farmland. The assessment should "zoom out" to consider the Site as a whole, and the wider historic context that it provides for those assets. From this point of view, it is clear that the proposed development would diminish the legibility of the historically significant morphology of sparse and disconnected development, making it impossible to appreciate the shared historic context for the constellation of heritage assets.

Cumulative impact

- 6.56 Because it does not consider the historic landscape of the Site as a heritage asset, and has adopted a consistently narrow and fragmented "asset-by-asset" approach to assessing the impact of the proposed development on significance, the Heritage Statement has avoided considering the Site as the shared setting of a constellation of heritage assets. Consequently, it has not assessed the cumulative impact of the proposals on heritage significance.
- 6.57 However, my assessment of the whole Site as a heritage asset in its own right and as the shared setting for the constellation of heritage assets, shows that the proposed development would affect the significance of such a large number of heritage assets over a disparate area, causing less than substantial harm in some degree to all of them, that the totality of that harm is necessarily greater than if each of the assets were considered only in isolation.
- 6.58 This requires the cumulative impact to be considered, in accordance with *Historic Environment Good Practice Advice in Planning 2. Managing Significance in Decision-Taking in the Historic Environment*. This advises:
- 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. [...] Negative change could include severing the last link to part of the history of an asset or between the asset and its original setting.* (GPA2; HE 2015, para. 28)

- 6.59 Step 3 in the GPA3 methodology for assessing the effects of proposed development on significance includes:

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. (HE 2017, para. 32)

Cumulative impact on designated heritage assets

- 6.60 Paragraph 196 of the NPPF requires less than substantial harm to the significance of a designated heritage asset to be weighed against the public benefits of the proposal. My analysis shows that the proposed development would cause less than substantial harm to the significance of six listed buildings and two conservation areas, as follows:
- 6.61 The proposed development would cause less than substantial harm to the significance of York Farmhouse, the range of outbuildings west of Bloors Place and the garden walls to the south and east of Bloors Place (all Grade II-listed), at the low end of that range.
- 6.62 It would cause less than substantial harm to the significance of the Grade II*-listed Bloors Place, Pump Farmhouse and Chapel House (both listed Grade II) and the Lower Twydall and Lower Rainham Conservation Areas, in the middle of that range.
- 6.63 Taking into account that only one of the assets is highly graded (Bloors Place, at Grade II*), the cumulative impact on all the designated heritage assets would cause less than substantial harm, in the middle of that range.

Cumulative impact on all the heritage assets

- 6.64 Paragraph 197 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. My analysis shows that the proposed development would cause less than substantial harm to the significance of Bloors Oasts at the lowest end of that range, and to the historic landscape of the Site at the upper end of that range.
- 6.65 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.

7. Policy considerations

Historic England's advice

- 7.1 Historic England is the Government's expert adviser on England's heritage. They have a statutory role in the planning system and their views should be accorded great weight in planning decisions. I agree with the advice they provided in their letters to MC (HE 1 August 2019, and 31 October 2019; Appendix 6).
- 7.2 My assessment of the contribution made to the significance of the designated heritage assets of the Site as setting, chimes with HE's advice that “[b]oth conservation areas and the listed buildings within them ... 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.” (HE 1 August 2019, p. 2; Appendix 6)
- 7.3 My assessment of the impact of the proposed development on significance also aligns with HE's view that:
- “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.”* (original emphasis; HE 1 August 2019, pp 2–3; Appendix 6)
- 7.4 Historic England also find that the proposed development would harm the significance of three specific listed buildings — Chapel House (Grade II), Pump Farmhouse (Grade II) and Bloors Place (Grade II*).

The Council's Reason for Refusal no. 2

- 7.5 The application was refused by Medway Council on 12 June 2020. Reason for Refusal no. 2 concerned heritage (quoted in full above, at 3.3). The Senior Planning Officer's report to the planning committee contains a detailed and thoughtful summing-up of all the heritage matters that need to be taken into account in coming to a decision on this application. (MC March 2011; relevant extract at Appendix 6)
- 7.6 The Council's Conservation Officers agree with Historic England that the harm to the heritage assets is considered to be less than substantial. (MC March 2011, p. 35) The report pays careful attention to the historic landscape of the proposed development Site as the setting for designated heritage assets, and concludes:
- “There is clear harm to the setting and critically the significance of designated heritage assets in these proposals from the loss of open countryside and orchards. [...] Limited justification for the harm to the significance of the heritage assets has been provided through the application, with little discussion around the coalescence of the historic settlements and the alteration to the historic landscape that contributes to the significance of many of the affected heritage assets.”* (p. 36)
- 7.7 I agree with the officers' conclusions as set out in the report, and support their Reason for Refusal no. 2.

The NPPF

Paragraph 189

- 7.8 Analysis of the Appellant’s Heritage Statement shows that, while it presents a careful and detailed history of each heritage asset, its assessment of significance is incomplete. It does not consider Bloors Oasts or the historic landscape of the site as non-designated heritage assets. It does not consider the historic routes through the Site. It does not consider the Site as a whole, as the setting for the constellation of heritage assets and an important component in the north-south sequence of historic landscapes.
- 7.9 In assessing the significance of individual heritage assets, the Heritage Statement concentrates on views and intervisibility and omits consideration of other attributes of setting that may contribute to significance, as identified in GPA 3.
- 7.10 The Heritage Statement is sometimes inaccurate and sometimes selective in the evidence that it provides to support its assessments of significance (for example, it understates the extent of the views from Pump Farmhouse, and ignores historic maps that show parts of the Site in orchard use). This tends to undermine confidence in the reliability of its assessments.
- 7.11 For these reasons, the Appellant’s Heritage Assessment does not fully meet the requirement in para. 189 of the NPPF *“to describe the significance of any heritage assets affected by proposed development, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*
- 7.12 Therefore the Council were justified in departing from the assessment of impact provided in the Heritage Statement. They have considered the advice of HE, which has been consistent throughout the consultation process. They have reached their own conclusion that the proposed development would cause unacceptable harm to the significance of the heritage assets, as set out in Reason for Refusal no. 2, and I support this conclusion.

Paragraph 193

- 7.13 Para. 193 of the NPPF states that: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be) [...]”*
- 7.14 The NPPG advises that: *“Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm [...] Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”* (Para. 018 Reference ID: 18a-018-20190723) The NPPG also advises: *“When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.”* (Paragraph: 013 Reference ID: 18a-013-20190723)
- 7.15 I have identified numerous instances where the proposed development would cause less than substantial harm, including harm at the upper end of that range. I have also assessed the cumulative impact of the proposals, and concluded that this would cause less than substantial harm at the upper end of that range (not “substantial harm”, because the greater number of heritage assets that would be affected are listed at Grade II, or non-designated). Even so, the NPPG states that: *“In general terms, substantial harm is a high test, so it may not arise in many cases.”*

Paragraph 196

- 7.16 Para. 196 of the NPPF: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”* It is for others to weigh the less than substantial harm to the significance of the designated heritage assets against the public benefits of the proposal. However, it is worth noting that no changes are proposed to any of the designated heritage assets (they are outside the proposed development Site), and there is no apparent threat to their continued use.
- 7.17 It should also be noted that the development proposals do not offer any heritage benefits.

Paragraph 197

- 7.18 Para. 197 deals with non-designated heritage assets, stating that: *“In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”* In this case, the non-designated historic landscape of the Site would suffer less than substantial harm the highest end of at scale, and this should carry considerable weight in the balanced judgment to be made.

The Local Plan

BNE12 and BNE 14

- 7.19 Policies BNE12 Conservation Areas and BNE14 Development in Conservation Areas of the Medway Council Local Plan (adopted May 2003) are relevant to consideration of the proposed development, because it would harm the significance of the Lower Rainham and Lower Twydall Conservation areas through changes to their setting.
- 7.20 BNE 12 states that *“[s]pecial attention will be paid to the preservation and enhancement of the character and appearance of Conservation Areas[...].”* The impact of such a large development as that proposed across the historic landscape setting of both conservation areas, and the coalescence of two historic settlements, would be contrary to this policy.
- 7.21 BNE 14 requires development within Conservation Areas, or affecting their setting, to *“achieve a high quality of design which will preserve or enhance the area’s historic or architectural character or appearance.”* The proposed development would replace the existing historic landscape which provides the majority of the setting of both conservation areas, with housing, a “village centre” with commercial buildings, a residential care home and a school, with associated infrastructure and areas of designed landscape. This will not preserve the area’s historic character or appearance, and would be contrary to this policy.

BNE 18

- 7.22 Policy BNE18: Setting of Listed Buildings states that *“[d]evelopment which would adversely affect the setting of a listed building will not be permitted.”* The Appellant’s own Heritage Statement finds that the proposed development would cause harm to three of the listed buildings that would be affected through changes to their setting. I identify harm to six of the listed buildings. The proposed development would therefore be contrary to this policy.

8. Conclusion

- 8.1 The heritage assets within and around the Site that would be affected by the proposed development within their setting, together create a heritage context of remarkable range, complexity, significance and sensitivity. This requires a full assessment of significance in order that the impact of the proposal may be properly understood, in accordance with NPPF para. 189.
- 8.2 The proposed development would have an impact on the heritage significance of a constellation of designated and non-designated heritage assets through changes to their setting. The Site is the major part of the setting, and also a non-designated heritage asset in its own right.
- 8.3 My assessment is that the impact of the proposed development would cause less than substantial harm to the significance of all the heritage assets individually. It would cause less than substantial harm to the historic landscape of the Site, at the upper end of that range.
- 8.4 There would also be cumulative impact, which would cause less than substantial harm to the designated heritage assets, in the middle of that range. The cumulative impact on all the heritage asset, designated and non-designated considered together, would be at the upper end of that range.
- 8.5 My assessment accords with Historic England's advice to the Medway Council, and with the Senior Planning Officer's report to the Council's planning committee. I agree with the Council's Reason for Refusal no. 2, and support their decision to refuse the application.

Appendices

Appendix 1. Personal statement

Appendix 2. Illustrations

Appendix 3. Heritage planning policy context

Appendix 4. Statutory designations

Appendix 5. Extract from Medway Council — Report of Senior Planning Officer

Appendix 6. Historic England's advice

Appendix 1. Personal statement

- A1.1.1 My name is Kit Wedd. I am the Director of Spurstone Heritage Ltd, a London-based consultancy providing independent advice on conservation and development of historic sites and buildings.
- A1.1.2 I hold a Bachelor of Arts (joint honours) degree in English Literature and Study of Art, and full membership of the Institute of Historic Building Conservation. I have worked for architects and planning consultancies, as a historic buildings and areas inspector for Historic England and in the conservation section of the consulting engineers Alan Baxter Ltd.
- A1.1.3 I have advised on development proposals for many sites containing multiple heritage assets. In 2019 I gave expert evidence on behalf of West Malling Parish Council at a Public Inquiry into proposed development within the setting of Malling Abbey, Kent. In that Inquiry, the Inspector agreed with my assessment of harm to the primary heritage asset, departing from the conclusions of not only the Appellant's heritage witness but also Historic England. I am currently engaged by Wye with Hinxhill Parish Council as their expert witness in an appeal concerning proposed development at Wye College, also in Kent.
- A1.1.4 I have written and edited several books about historic buildings, and taught on postgraduate conservation courses. I was deputy director of the Victorian Society and director of the Society's postgraduate Summer School. I now serve the Society as a trustee.
- A1.1.5 On 25 September 2020, after the appeal had been lodged, I was approached by Mr Dave Harris, Head of Planning at Medway Council, and asked to act as an expert witness in this case. Before accepting the instruction, I reviewed the planning application, supporting information and consultation responses. I researched the Site and the heritage assets that would be affected by the development proposals, and was satisfied that I would be able to act in this case.
- A1.1.6 I declare that the evidence set out in this proof is true to the best of my knowledge. The opinions expressed are my own and have been formed using my professional judgement, based on my knowledge and experience, and following accepted good practice.

A1.2. Methodology

- A1.2.1 Information for this Proof of Evidence was acquired on a site visit on 16 October 2020, and desk-based research. Libraries and archives have been closed due to Covid-19 so I have relied upon secondary sources and online resources.
- A1.2.2 The Historic Environment Record (HER) has not been consulted, as this is an outline application, and all relevant designations have been obtained from other sources.
- A1.2.3 In assessing the significance of the heritage assets I have used the definitions of significance contained in the National Planning Policy Framework 2019 (the NPPF), online Planning Practice Guidance (NPPG) and HE's *Conservation Principles, Policies and Practice* (HE 2008).
- A1.2.4 My assessment of the impact of the proposed development on the significance of the heritage assets follows the methodologies in the HE guidance on *Managing Significance in Decision-Taking in the Historic Environment* (GPA2; HE 2015) and *The Setting of Heritage Assets* (GPA3; HE 2017).

A1.3. The Appellant's heritage information

Planning Statement 3 June 2019

- A1.3.1 The Planning Statement that accompanied Application MC/19/1566 was submitted on 13 June 2019 contained a section on "Heritage and Archaeology". (Rapleys 3 June 2019, paras. 6.96–6.114) This summarised the content of a more detailed "Heritage Setting Assessment" appended to the Environmental Statement that accompanied the application. (Rapleys 28 May 2019, Technical Appendix 14.3)
- A1.3.2 This assessment considered some of the designated heritage assets that would be affected by the proposed development within their setting: Chapel House, Pump Farmhouse, Bloors Place and the Lower Rainham and Lower Twydall Conservation Areas. The assessment included some inaccuracies. For example:
- "the Site does not form part of the setting of Chapel House". (Para. 6.101) It was subsequently agreed that the Site should be considered as part of the setting of this Grade II listed building.
 - Pump Farmhouse was described as "[a]lmost completely enclosed by a recent residential development at Russett Farm". (Para. 6.102) The residential development is to the west and north of the house; to the east and south is undeveloped open farmland, with two detached and two semi-detached houses widely spaced along Pump Lane.
 - "There is no proposed development within the environs of Pump Farmhouse". (Para. 6.103) It is not clear what is meant by "environs" here, but the proposed development includes residential development within approximately 70m north of the farmhouse and a "village centre" approximately 60m to the north-east.
 - "The Grade II, listed Bloors Place". (Para. 6.104) Bloors Place is listed at Grade II*.
- A1.3.3 The assessment concluded that the proposed development would have no impact on the significance of any of designated heritage assets it considered. It claimed that limited intervisibility between the Site and each heritage asset, and the screening effect of existing boundary vegetation meant that the proposed development would have no or a negligible impact on the heritage assets. (Paras. 6.101, 6.103, 6.105)

Heritage Review September 2019

- A1.3.4 Following comments made by Kent County Council, HE and MC the Appellant submitted a "Heritage Review", which re-assessed the heritage assets considered in the planning statement, and in addition considered the listed buildings in and around the Lower Twydall Conservation Area: York Farmhouse, Little London Farmhouse, Manor Barn and North and West Walls, Twydall Barn and Walls, and the Manor House and attached Garden Wall. (KM Heritage September 2019)
- A1.3.5 This repeated the inaccurate assertion that Pump Farmhouse is "*almost completely surrounded by a recent residential development at Russett Farm*" and stated — incorrectly — that "*Although once the farm may have sat with views across open countryside, in reality this element of the building's setting and therefore its contribution to the building's significance was much reduced some years ago*". (Para. 22). There are uninterrupted views across open country to the north and north-east of the farmhouse.
- A1.3.6 The Heritage Review denied any "*actual connection*" between the heritage assets and their rural surroundings, and followed the earlier Planning Statement in basing its impact

assessment on intervisibility between the Site and the heritage assets. (Paras. 27, 39, 42–46, 49) It also drew attention to the mitigating effect of the proposed “buffer zones” and new planting. (Paras. 41.46, 49, 50, 54) It concluded that the proposals would do no harm to significance.

Heritage Addendum February 2020

- A1.3.7 The Appellant submitted a further heritage document, a “Heritage Addendum” to address further points raised by MC. (KM Heritage February 202; response to MC email 31 October 2020) This document dealt with designated heritage assets not covered in the previously submitted information: The Old House and Nos. 497–501 Lower Rainham Road. It again concluded that the proposed development would do no harm to the significance of the designated heritage asset, due to limited intervisibility between the Site and the assets, and the screening effect of new planting.
- A1.3.8 The first, second and third heritage assessments did not consider the contribution to significance made by the whole Site as the shared setting for a constellation of connected heritage assets, the historic character of the landscape, the historic routes across the Site, or the oast houses. They did not identify the important relationship of the undeveloped open farmland of the Site with the railway to the south, and with the Lower Rainham Road (B2004), estuarine land and River Medway to the north.
- A1.3.9 The unfortunate impression created by this sequence of heritage documents is of an Appellant having to be reminded, repeatedly, of the obligation under NPPF para 189 to “describe the significance of any heritage assets affected, including any contribution made by their setting [at a] level of detail [...] proportionate to the assets’ importance” and grudgingly providing a minimal response maintaining that the proposals would cause no harm to the significance of any heritage assets, until refusal of the application brought home the importance of addressing heritage concerns.
- A1.3.10 The three heritage documents provided with the application share a consistently narrow focus on views, fail to consider the setting as a whole or the heritage assets in relation to one another, and ignore the wider historic landscape context.
- A1.3.11 MC were justified in asking for more information to enable them properly to assess the impact of the proposals on the significance of the heritage assets that would be affected by them, in accordance with NPPF paragraphs 189 and 190.

Heritage Statement September 2020

- A1.3.12 The application was refused on 12 June 2020 and the appeal was lodged on 22 September 2020. At this point the Appellant commissioned a third heritage consultant to produce a fourth heritage impact assessment, which was submitted with the appeal.
- A1.3.13 This might be taken as a tacit admission that the previously submitted heritage information was inadequate. At any rate, this latest document, entitled “Heritage Statement”, has taken a ‘clean slate’ approach to the assignment. It considers all the designated heritage assets and comes with a full supporting apparatus of planning policy context, methodology and footnotes. There is no Section 6 – the numbering jumps from 5 to 7 — but I am assured this is a formatting error and no material is missing.
- A1.3.14 This Heritage Statement — the first of the heritage documents provided by the Appellant to acknowledge that the proposed development would harm the significance of some of the heritage assets — is the one that I consider in my evidence (Sections 1–7 above).

A1.4. Sources

Books

Hasted, E. (1798) 'Parishes: Rainham', in *The History and Topographical Survey of the County of Kent: Volume 6*. Canterbury, pp. 4–15

Pevsner, N. and Newman, J. (2012). *The Buildings of England. Kent: West and the Weald*. London and New Haven: Yale University Press

Reports

Jacobs Babbie (October 2004) *The Landscape Assessment of Kent*. (Report for Kent County Council).

KM Heritage (February 2020). *Pump Farm & Bloor Farm, Lower Rainham, Kent: Heritage Addendum*. (Further information submitted with Application MC/19/1566).

KM Heritage (September 2019) *Pump Farm & Bloor Farm, Lower Rainham, Kent: Heritage Review*. (Further information submitted with Application MC/19/1566).

Medway Council (March 2011). *Medway Landscape Character Assessment*.

Medway Council (13 June 2019) *MC/19/1566. Land Off Pump Lane Rainham Kent ME8 7T* (Senior Planning Officer's report to Planning Committee).

Rapleys (28 May 2019). *Environmental Statement Technical Appendix 14.3. Heritage Setting Assessment Land at Pump Lane Lower Rainham*. (Non-technical summary for A. C. Goatham & Sons, submitted with Application MC/19/1566).

Rapleys (22 September 2020). *Statement of Case. Land off Pump Lane, Lower Rainham, Kent ME8 7TJ*.

Policy and guidance

Gillingham Borough Council (October 1992) *Lower Rainham Conservation Area*. (Information leaflet)

Historic England (2008). *Conservation Principles, Policies and Guidance*. London: HE

Historic England (2015). *Historic Environment Good Practice Advice in Planning 2. Managing Significance in Decision-Taking in the Historic Environment*. (GPA 2).

Historic England (2017). *Good Practice Advice in Planning Note 3. The Setting of Heritage Assets Historic Environment*. (GPA3).

Historic England (2018). *Listed Buildings and Curtilage Historic England Advice Note 10*. (HEAN 10).

Historic England (2019). *Statement of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12*. (HEAN 12)

Appendix 2. Illustrations

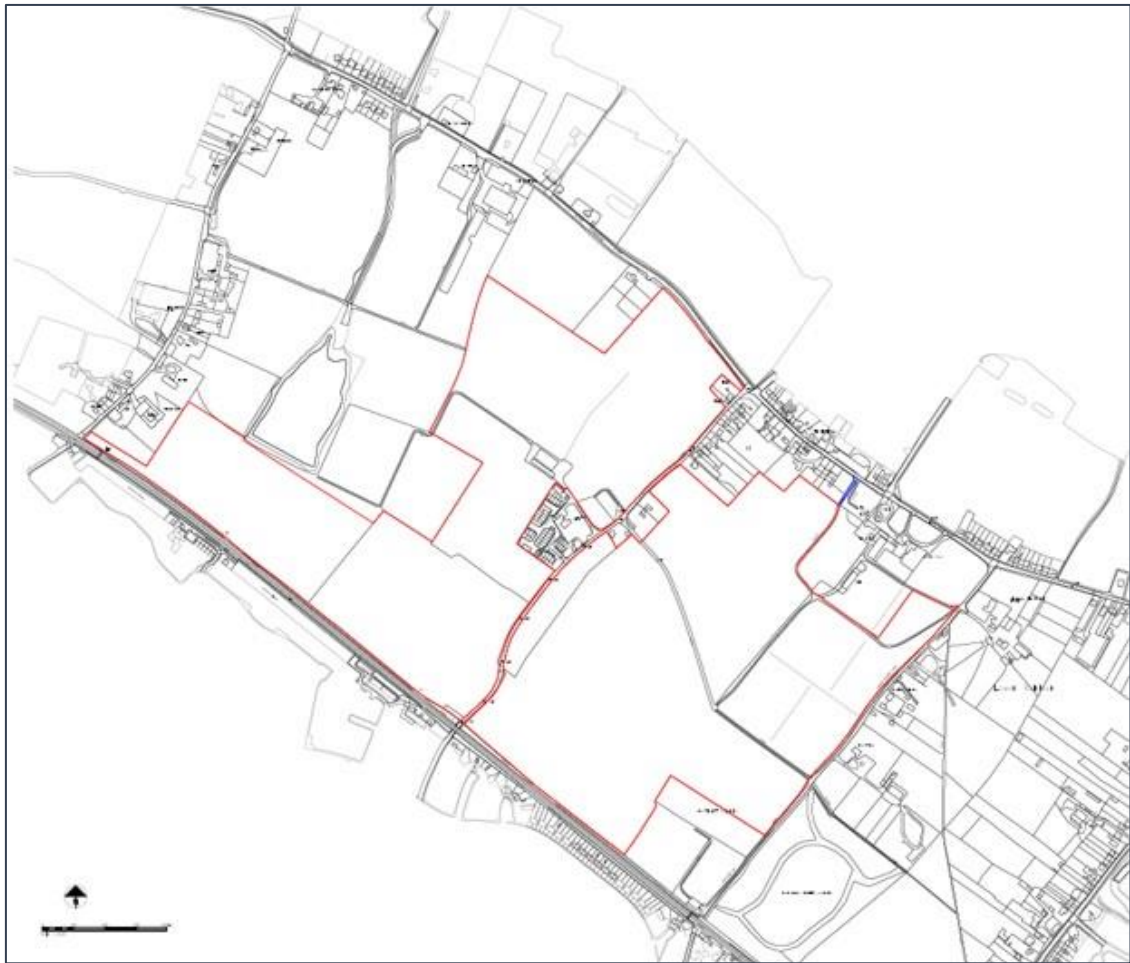


Fig 1. The Site

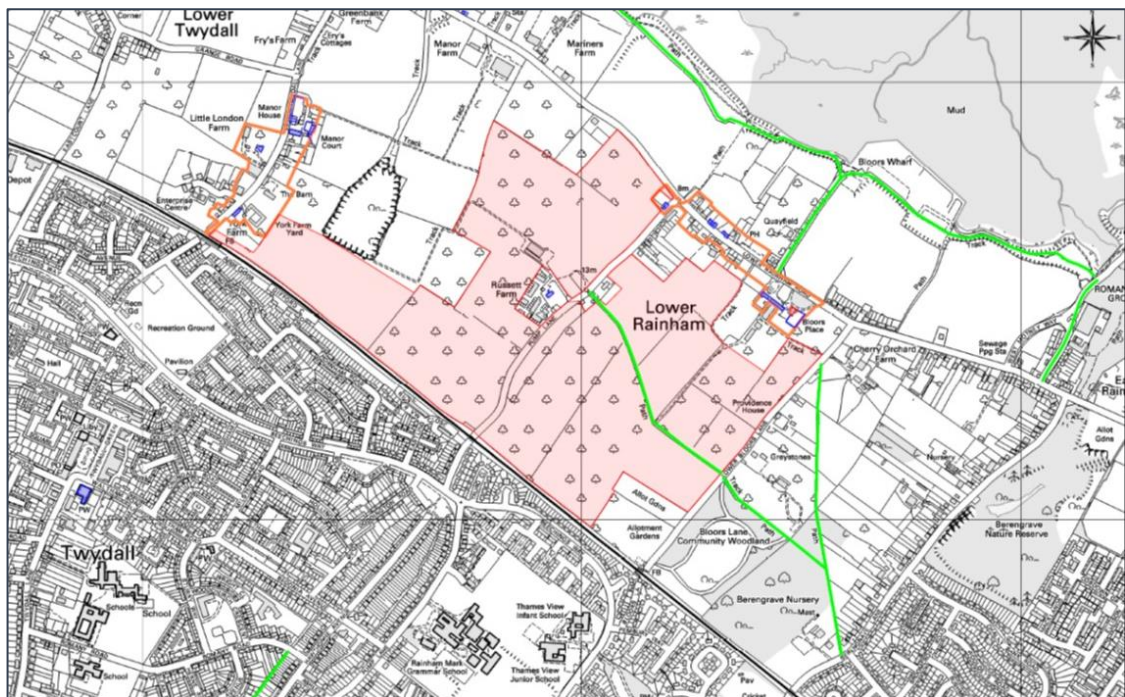


Fig 2. Designated Heritage assets (MC)



Fig 3. OS 1869, detail (NLS)

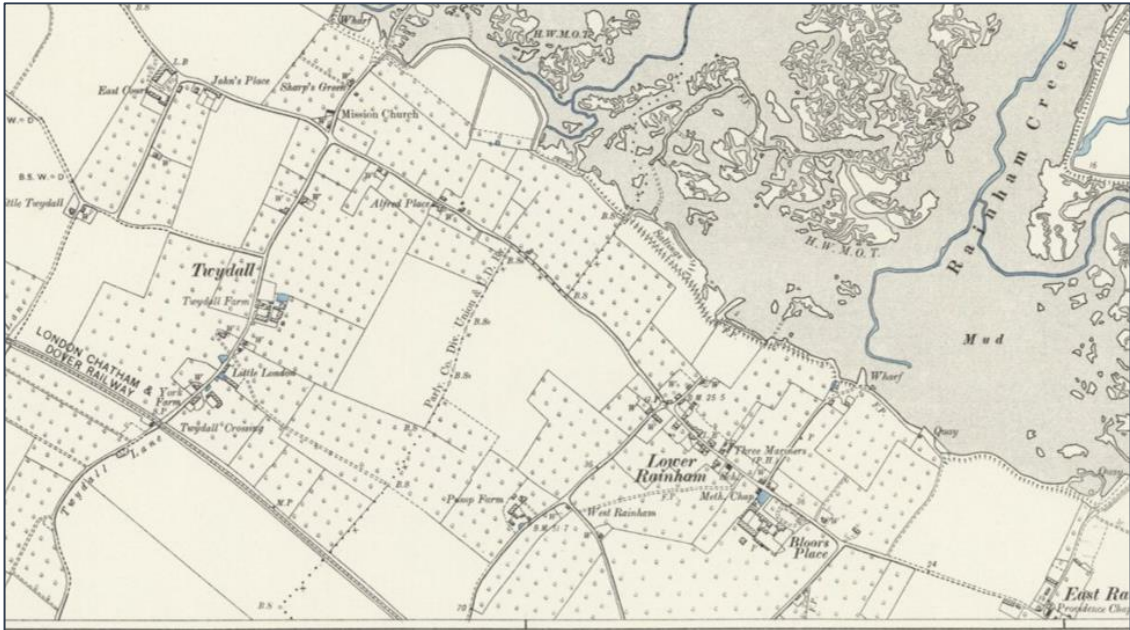


Fig 4. OS 1898, detail (NLS)

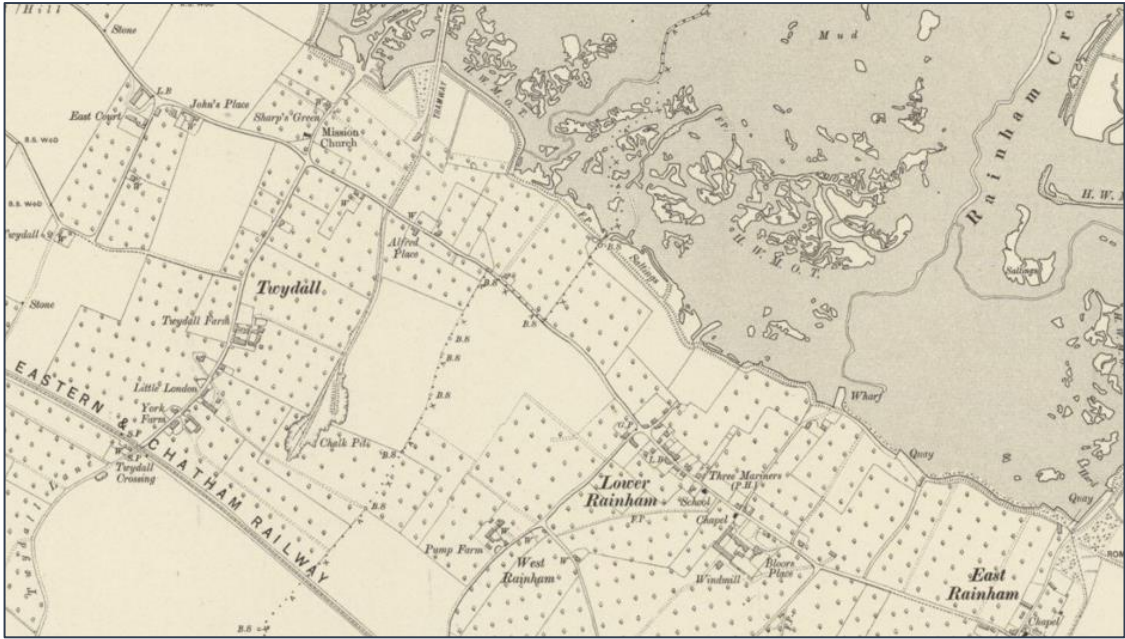


Fig 5. OS 1909, detail (NLS)

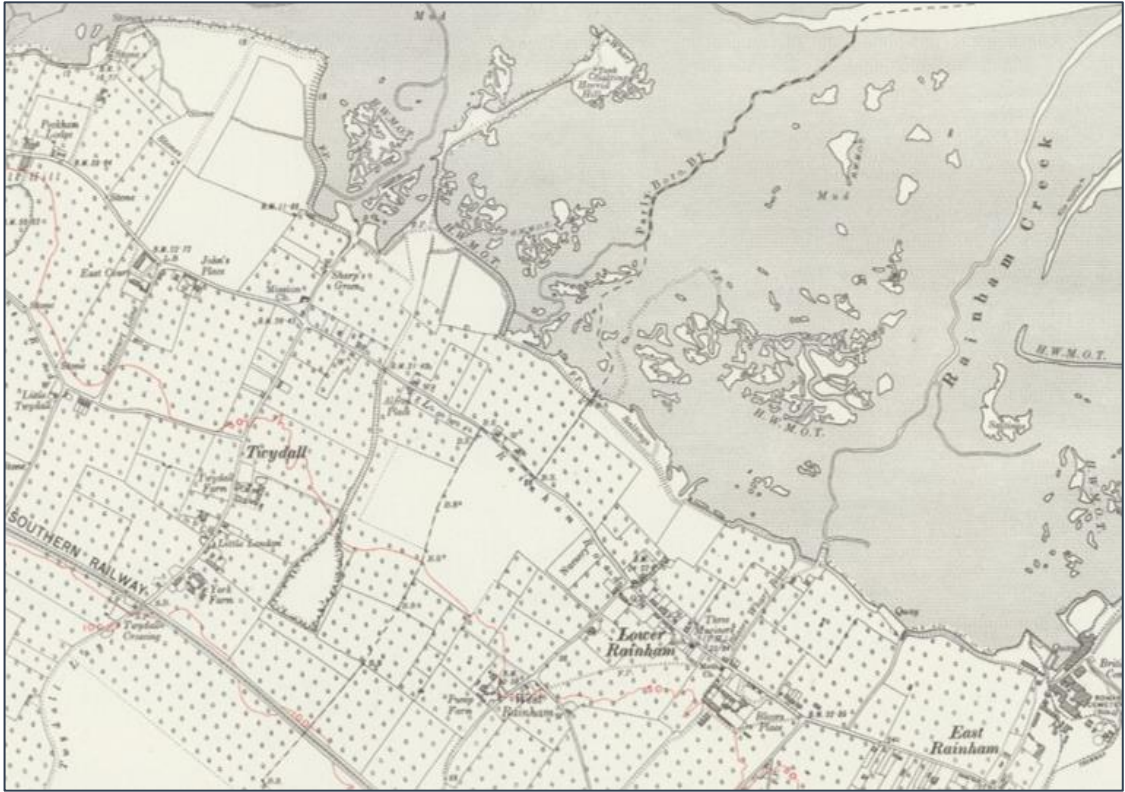


Fig 6. OS 1935, detail (NLS)



Fig 7. Bloors Oasts



Fig 8. Bloors Oasts are visible over the treeline in long views from the south, with the Medway in the distance



Fig 9. View north-eastward from first floor window of Pump Farm



Fig 10. Pump Lane, looking back towards railway bridge from a point approximately 140m north of the railway



Fig 11. Suburban residential development on Pump Lane south of the railway bridge



Fig 12. Pump Lane, looking north towards Chapel House



Fig 13. The 'green tunnel' of the Bridleway



Fig 14. Glimpsed view of part of the Site from the Bridleway

Appendix 3. Planning policy and guidance

A3.0.1 This section contains the national and local policies and guidance for the protection of the historic environment that are relevant to the consideration of this appeal.

1. Primary legislation

A3.1.1 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, local planning authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.

A3.1.2 Section 72 (1) of the Act requires local planning authorities, in considering whether to grant planning permission with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

2. General definitions

A3.2.1 Annex 2 of the NPPF provides the following definition of a heritage asset:

Heritage asset: *A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).*

Listed Buildings and Conservation Areas are designated heritage assets. (NPPF Annex 2)

A3.2.2 NPPF Annex 2 defines significance as:

Significance (for heritage policy): *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. [...]*

A3.2.3 The NPPF Annex 2 defines setting as follows:

Setting of a heritage asset: *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

A3.2.4 Although not formally identified as such, the two oast kilns, formerly part of Bloors Farm, are considered in my evidence as non-designated heritage assets. This type of asset is described in the NPPG as:

... buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. (MHCLG, 2014, Paragraph: 039 Reference ID: 18a-039-20140306)

3. National Planning Policy Framework (February 2019)

A3.3.1 The updated National Planning Policy Framework (the NPPF) was published on 19 February 2019. The guidance in Section 16 of the NPPF, *Conserving and enhancing the historic environment*, advises how local planning authorities should determine applications for development that may have an effect on the significance of heritage assets.

Para. 184 recognises that heritage assets are an irreplaceable resource, which “*should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*”

Para. 189 explains how an applicant should describe the significance of any heritage assets affected by proposed development, including any contribution made by their setting: “*The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*”

Para. 190: “*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage assets conservation and any aspect of the proposal.*”

Para. 192. “*In determining applications, local planning authorities should take account of:*

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.”

Para. 193. “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be) [...]*”

Para. 194. “*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. [...]*”

Para. 195 deals with proposals that would lead to substantial harm, and is not applicable in this case.

Para. 196. “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*”

Paragraph 197 deals with non-designated heritage assets, stating that: *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’*

Para. 200. “*Local planning authorities should look for opportunities for new development within Conservation Areas [...] and within the setting of heritage assets, to enhance or*

better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."

Para. 201. *"Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole."*

4. National: Planning Practice Guidance

A3.4.1 Government provides online Planning Practice Guidance (NPPG) which includes guidance on *"Decision-making: historic environment"*, last updated on 23 July 2019.

A3.4.2 The NPPG expands on the NPPF definition of significance to explain why "significance" is important in decision-making:

"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals." (Para. 007 Reference ID: 18a-007-20190723)

A3.4.3 Paragraph 13 deals with the setting of heritage assets:

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation. (Paragraph: 013 Reference ID: 18a-013-20190723)

A3.4.4 Under “What is meant by the term public benefits?” the NPPG advises that they:

“... could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (para. 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation (Para. 020 Reference ID: 18a-020-20190723)*

A3.4.5 Under “How can the possibility of harm to a heritage asset be assessed?” the NPPG advises:

“What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset’s physical presence, but also from its setting.

“Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 194-196) apply.

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

“Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.[...]” (Paragraph: 018 Reference ID: 18a-018-20190723)

5. National: Historic England Guidance

Assessing impact on Significance

A3.5.6 The methodology for the impact assessment in this Proof of Evidence follows current good practice, as set out in the NPPG. This states:

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the

potential impact and acceptability of development proposals. (MHCLG, 2014, Paragraph: 009 Reference ID: 18a-009-20140306)

A3.5.7 On assessing the impact of proposals, *Conservation Principles* advises:

Where change to a heritage asset is being proposed, it is important to identify in sufficient detail the significance of the asset ... and what impact the change will have on it. Factors to consider in assessing the impact of change include:

the relative contribution to significance of the elements affected [...] including the contribution of its setting;

how the proposed change would affect these elements; (HE 2008, para. 65)

The setting of heritage assets

A3.5.8 Historic England's *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) The Setting of Heritage Assets* (GPA3; 2017) reiterates the NPPG advice on setting and gives advice on assessing the impact of proposals on setting:

Consideration of the contribution of setting to the significance of heritage assets, and how it can enable that significance to be appreciated, will almost always include the consideration of views. The staged approach to taking decisions on setting given here can also be used to assess the contribution of a view, or views, to the significance of heritage assets and the ability to appreciate that significance. (GPA3 para. 5)

Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance [...]. (GPA3 para. 9)

Because the contribution of setting to significance does not depend on public rights or ability to access it, significance is not dependent on numbers of people visiting it; this would downplay such qualitative issues as the importance of quiet and tranquillity as an attribute of setting, constraints on access such as remoteness or challenging terrain, and the importance of the setting to a local community who may be few in number. (GPA3 para. 9)

Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated ... Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance. (GPA3 para. 9)

A3.5.9 GPA3 then sets out a five-step staged approach to proportionate decision-taking, of which the first three steps are relevant to the discussion in this Proof of Evidence:

Step 1: *Identify which heritage assets and their settings are affected.*

Step 2: *Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated.*

Step 3: *Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it.* (GPA3 p. 8)

6. Local: Medway Council local plans

A3.6.10 The Medway Council Local Plan (adopted May 2003) contains the following policies for the protection of the historic environment:

Policy BNE12 Conservation Areas: *Special attention will be paid to the preservation and enhancement of the character and appearance of Conservation Areas, as defined on the proposals map.*

Policy BNE14 Development in Conservation Areas: *Development within Conservation Areas, or affecting their setting, should achieve a high quality of design which will preserve or enhance the area's historic or architectural character or appearance. The following criteria will be applied:*

(i) materials, features and details of buildings or structures which contribute to the character or appearance of the area should be retained or reinstated; and

(ii) traditional street patterns, buildings lines, open spaces and urban spaces, paving and roadway materials, boundary treatments and street furniture should be retained or reinstated; and

(iii) the scale, height, mass, roofscape, materials, detailing, fenestration, plot width and depth, and visual appearance of new development should be sympathetic with existing buildings and their settings; and

(iv) trees, hedgerows and open spaces should be retained and protected; and 46 MHCLG, NPPF, p. 213.

(v) hard and soft landscape elements and traditional materials which enhance the area should be utilised. Proposals should be submitted as full applications when they are within, or would affect, a Conservation Area.

Policy BNE18: Setting of Listed Buildings: *Development which would adversely affect the setting of a listed building will not be permitted.*

A3.6.11 A new Local Plan to 2037 is in preparation. This contains the following draft policy:

The Council will support the conservation and appropriate enhancement of the historic environment by:

- *Restricting development that could have an unacceptable impact on a designated heritage asset and its setting;*
- *Ensuring that new development in Conservation Areas enhances their significance and special qualities, whilst respecting the historical and architectural character;*
- *Ensuring that all new development contributes to local distinctiveness and identity;*
- *Encouraging development that makes sensitive use of historic assets, particularly where they are underused or redundant;*
- *Promoting the preservation of historic buildings considered to be 'at risk';*
- *Resisting demolition or destruction of heritage assets without substantial justification that clearly demonstrates that public benefit outweighs the harm or loss resulting from the demolition or destruction.*

Appendix 4. Statutory designations

This appendix contains the statutory list entries for:

- 497, 499 and 501 Lower Rainham Road
- Bloors Place
- Garden Walls to south and east of Bloors Place
- Range of outbuildings including cart lodge and granary west of Bloors Place
- Chapel House, 1 and 2 Pump Lane
- Little London Farmhouse
- Manor Barn and attached north and west walls
- Manor House and attached garden wall
- Pump Farmhouse
- The Old House
- Twydall Barn and attached wall
- York Farm House

497, 499, AND 501, LOWER RAINHAM ROAD

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259732

Date first listed: 21-Dec-1973

Statutory Address: 497, 499, AND 501, LOWER RAINHAM ROAD

Location

Statutory Address: 497, 499, AND 501, LOWER RAINHAM ROAD

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 81293 67677

Details

GILLINGHAM

TQ86NW LOWER RAINHAM ROAD, Lower Rainham 686-1/8/74 (North side) 21/12/73

Nos.497, 499 AND 501

GV II

House, later shop, now 3 houses. Late C15, remodelled C17; later rear ranges; refenestrated and altered mid-late C19. Timber-framed, roughcast with brick external end and rear stacks and tiled hipped roof. PLAN: open hall house, with high end cross-wing (No.499), remodelled with inserted floor and stacks in C17. EXTERIOR: 2 storeys; 5-window range. No.497 has right-hand C20 door, 6/6-pane ground-floor and tripartite first-floor sashes; No.499 has central door with small canopy and flanking C19 small-paned shop window with cornice and paired first-floor casement; No.501 with a central doorway with mid C20 door, tripartite flanking ground-floor windows and central and left-hand 2/2-pane sash. Right-hand return has a large stack with offsets each side and small flanking windows and a rear hipped C19 porch. Left-hand rear extension. INTERIOR: reported as having undershot cross passage with one service door still visible. Fine crown post with octagonal post and cap and square base. Moulded low end beam remains. Staircase added and floor inserted in the C17.

Listing NGR: TQ8128967685

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462584

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

BLOORS PLACE

Overview

Heritage Category: Listed Building

Grade: II*

List Entry Number: 1267763

Date first listed: 24-Feb-1950

Statutory Address: BLOORS PLACE, LOWER RAINHAM ROAD

Location

Statutory Address: BLOORS PLACE, LOWER RAINHAM ROAD

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 81480 67478

Details

GILLINGHAM

TQ86NW LOWER RAINHAM ROAD, Lower Rainham 686-1/8/75 (South West side) 24/02/50

Bloors Place

GV II*

Hall house, now house. 1470-1510, for Christopher Bloor, rear wing early C16 truncated and rebuilt late C17, partly destroyed by C18 fire. MATERIALS: timber-frame, clad in red brick to ground floor and tile-hung above, galleated limestone rubble rear wing extended in English bond brick, and the right in Flemish bond brick, brick rear external stacks, and a tall octagonal stack with crenellated cap to the rear wing extension, and a hipped roof with left-hand gable. PLAN: Wealden-type 3-room hall house of which the left-hand section destroyed in C18 fire, extended to rear C16. EXTERIOR: 2 storeys and attic; 4-window range. Former hall recessed at left-hand end has chamfered curved brackets from sides and projecting lateral beam under the overhanging eaves, a right-hand 4-centre arched moulded doorway with ribbed door and a rectangular overlight with margin panes, and a late C19 left-hand casement and first-floor casement over the entrance. Long right-hand bay refaced late C19 has C20 fenestration with a left-hand canted bay and mullion, and mullion and transom casements, with hipped dormers to the middle and left-hand return. A deep C20 weatherboarded eaves band extends along the front. The rear of the hall and the rear wing have C16 Perpendicular moulded stone mullion windows with shallow pointed heads and small panes. The hall has a rubble rear with a large external stack with a C19 star-shaped shaft, and a wide 2-storey bay in the outer corner with a hipped roof, 3 ground-floor and 5 first-floor lights, the latter leaded casements, and to the inner side of the stack are single 2-light windows to each floor; the left-hand return a 1-window range with a C19 doorway with 4-pane overlight, C18 8/8-pane first-floor sash and a C20 attic casement. Rear wing has a weathered stone plat band, with 5 irregularly spaced windows to the E with an off-centre 4-centre-arched door with moulded surround and boarded door, and arched lights as the previous section; a C19 doorway as the end of the hall. The W side has 2 paired windows, that to the left higher to a possible stairwell, a single paired first-floor window, and a hipped dormer, with a flat-headed door in the window-less rear section. C20 lower porch and probable stair well in the SW re-entrant. INTERIOR: not inspected but recorded by RCHME as having much evidence of timber-framing including heavy jowled posts in front range; original C16 4-centre arched doorways at S end of former screen passage and in first floor stair well, the latter with enriched spandrels and moulded stops; crown post collar purlin roof in front range with octagonal crown posts with bases and capitals and arched braces. Rear wing first-floor chamber has clustered roll-moulded ceiling beams. C18 panelling in front right-hand drawing room. HISTORY: an

unusual plan in having a very long W service bay, formerly jettied but the floor altered. The roof shows no evidence of smoke blackening, and believed to be a rare example of a hall with an original rear stack. A fine and unusual complex with group value with the rear walled garden walls and cart lodge and outbuildings (qv). (Survey of Kent Buildings: 1991-: 40264).

Listing NGR: TQ8130267677

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

462586

Legacy System:

LBS

Sources

Books and journals

Survey of Kent Buildings, (1991)

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

GARDEN WALLS TO SOUTH AND EAST OF BLOORS PLACE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1267767

Date first listed: 27-Jan-1984

Date of most recent amendment: 05-Dec-1996

Statutory Address: GARDEN WALLS TO SOUTH AND EAST OF BLOORS PLACE, LOWER RAINHAM ROAD

Location

Statutory Address: GARDEN WALLS TO SOUTH AND EAST OF BLOORS PLACE, LOWER RAINHAM ROAD

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 81484 67437

Details

GILLINGHAM

TQ86NW LOWER RAINHAM ROAD, Lower Rainham 686-1/8/76 (South West side) 27/01/84

Garden walls to south and east of Bloors Place (Formerly Listed as: LOWER RAINHAM ROAD, Rainham (South West side) Walls to south and east of Bloors Place)

GV II

Garden walls. Mid C17. English bond brick and limestone rubble and dressings. Brick walls have plinth and angled brick beneath a weathered brick coping, stone walls have a moulded stone 4-centre arched doorway. Walls enclose E garden and S kitchen garden.

Listing NGR: TQ8130267677

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

462590

Legacy System:

LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

RANGE OF OUTBUILDINGS INCLUDING CART LODGE AND GRANARY WEST OF BLOORS PLACE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1267769

Date first listed: 28-Feb-1989

Date of most recent amendment: 05-Dec-1996

Statutory Address: RANGE OF OUTBUILDINGS INCLUDING CART LODGE AND GRANARY
WEST OF BLOORS PLACE, LOWER RAINHAM ROAD

Location

Statutory Address: RANGE OF OUTBUILDINGS INCLUDING CART LODGE AND GRANARY
WEST OF BLOORS PLACE, LOWER RAINHAM ROAD

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 81417 67512

Details

GILLINGHAM

TQ86NW LOWER RAINHAM ROAD, Lower Rainham 686-1/8/77 (South West side) 28/02/89

Range of outbuildings including Cart Lodge and Granary west of Bloors Place (Formerly
Listed as: LOWER RAINHAM ROAD, Rainham Range of outbuildings including Cart Lodge
and Granary WNW of Bloors Place)

GV II

Cart shed and granary with adjoining cattle shed converted to coach house. Probably C18 with late C19 alterations to cattle shed. The cattle shed has a late C19 or C20 roof. Red brick in various bonds and partly weatherboarded timber-frame, and tiled roof. PLAN: rectangular. EXTERIOR: 2-storey; 7-bay cart lodge has open ground floor with timber posts and small curved braces to wall plate and longer braces to inner posts, with first-floor granary weatherboarded with open central and right-hand doorways and small boarded windows between. Rear has a first-floor loft door and window, with ground-floor window with boarded shutters. Lower left-hand brick single storey former cattle shed probably originally open-fronted, now brick-fronted with a right-hand vehicle entrance and louvred window. INTERIOR: not inspected.

Listing NGR: TQ8130267677

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462592

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

CHAPEL HOUSE, 1 AND 2, PUMP LANE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259635

Date first listed: 21-Dec-1973

Statutory Address: CHAPEL HOUSE, 1 AND 2, PUMP LANE

Location

Statutory Address: CHAPEL HOUSE, 1 AND 2, PUMP LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 81187 67712

Details

GILLINGHAM

TQ86NW PUMP LANE, Lower Rainham 686-1/8/80 (West side) 21/12/73 Nos.1 AND 2

Chapel House

II

House, now two. Mid-late C15, altered early-mid C16, altered early C20. MATERIALS: timber-framed, rendered rear and weatherboarded left-hand end, with a large right-hand brick external stack, rear left-hand gable stack and rear central external stack, and a half hipped tiled roof with left-hand hipped cross range. PLAN: 3-room parallel plan with a right-hand rear outshut to No.1. EXTERIOR: 2 storeys, attic and basement; 9-window range. A close-studded front has a continuous jettied first-floor in three sections, the left-hand one projecting and with a jettied return, and a hipped roof front and rear. Mostly late C16 windows with flanking clerestory windows, blocked on the first floor, mostly C19 casements; right-hand and left side of middle section have ground-floor 3-light transom and mullion windows with small flanking lights, with C20 first-floor window above; left-hand 1-window range section has C19 cross windows, and a curved brace with a moulded base to the corner post. Large right-hand stack has offset toward the front and ridge section of roof connecting to the house; to the rear is a plain C20 door, with C20 windows above and to the side of the outshut. Left-hand return is weatherboarded to upper floor, with C20 windows, and a rear C20 extension with a gable stack and C20 door. Rear has a central single-storey gable with a stack, and a shallow raking dormer to the attic. INTERIOR: not inspected.

Listing NGR: TQ8034766348

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462707

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

LITTLE LONDON FARMHOUSE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259706

Date first listed: 21-Dec-1973

Date of most recent amendment: 05-Dec-1996

Statutory Address: LITTLE LONDON FARMHOUSE, LOWER TWYDALL LANE

Location

Statutory Address: LITTLE LONDON FARMHOUSE, LOWER TWYDALL LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 80269 67846

Details

GILLINGHAM

TQ86NW LOWER TWYDALL LANE, Twydall 686-1/8/122 (North West side) 21/12/73 Little London Farmhouse (Formerly Listed as: TWYDALL LANE, Twydall (North West side) Little London Farmhouse)

II

House. Late C15-early C16, altered C17, C19 rear range. Timber-frame on a flint plinth, partly brick, render and weatherboard, brick left-hand external gable and rear lateral stacks, with a tiled roof. PLAN: 3-room parallel plan with a right-hand lean-to and a C19 rear service range. EXTERIOR: 2 storeys; 3-window range. Flint plinth, rendered ground floor and close-studded first floor with end tension braces and 2 cills to small blocked late C16 clerestory windows under the eaves; C17 English bond left-hand gable and right-hand weatherboard gable. A C20 bracketed timber canopy with a hipped roof to the right of the left-hand window and boarded door; left-hand 8/8-pane sash in exposed frame, central and right-hand C20 casements, first-floor C19 casements and central 3/6-pane sash. Right-hand lean-to has raking roof and C19 timber-framed half gable. Lower rear wing encloses a lateral stack, with a gabled stair tower in the left-hand angle, and a late C20 conservatory linked to a rear C19 brick and tile service extension. INTERIOR: not inspected. A retaining wall in the cellar contains the capital of a column (the shaft of which is within the garden) which may have come from the chantry chapel built by John Beafits from Twydall Manor House in 1433 and demolished in 1756. (The History and Topography Survey of the County of Kent: Hasted E: 2nd ed.: vol 4: 1972-: 235, 236).

Listing NGR: TQ8026967845

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462602

Legacy System: LBS

Sources

Hasted, E, *The History and Topography Survey of the County of Kent*, (1972), 235, 236

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

MANOR BARN AND ATTACHED NORTH AND WEST WALLS

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259709

Date first listed: 19-Nov-1985

Date of most recent amendment: 05-Dec-1996

Statutory Address: MANOR BARN AND ATTACHED NORTH AND WEST WALLS, LOWER TWYDALL LANE

Location

Statutory Address: MANOR BARN AND ATTACHED NORTH AND WEST WALLS, LOWER TWYDALL LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 80386 67892

Details

GILLINGHAM

TQ86NW LOWER TWYDALL LANE, Twydall 686-1/8/124 (South East side) 19/11/85 Manor Barn and attached north and west walls (Formerly Listed as: LOWER TWYDALL LANE Small barn along E end of E yard at Manor Farm and attached yard walls)

GV II

Barn, now house. C16 and C17 with C18 and other extensions. Timber-framed with weatherboarding, and tiled half-hipped roof. PLAN: rectangular. EXTERIOR: single storey; 5-window range. Original cart entrance left of centre now glazed, inserted C20 glazing to ground and first floors. Rear roof descends lower. INTERIOR: a 6-bay frame with 2 tiers of posts, original ones to the upper level, and original large braces in 1st, 2nd, 5th and 6th bays; roof not seen but known to have survived. SUBSIDIARY FEATURES: attached flint wall with brick coping and piers to N and W. Group value with Twydall Barn (qv).

Listing NGR: TQ8026967845

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462605

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

MANOR HOUSE AND ATTACHED GARDEN WALL

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259712

Date first listed: 24-Feb-1950

Date of most recent amendment: 05-Dec-1996

Statutory Address: MANOR HOUSE AND ATTACHED GARDEN WALL, LOWER TWYDALL LANE

Location

Statutory Address: MANOR HOUSE AND ATTACHED GARDEN WALL, LOWER TWYDALL LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 80340 67913

Details

GILLINGHAM

TQ86NW LOWER TWYDALL LANE, Twydall 686-1/8/123 (South East side) 24/02/50 Manor House and attached garden wall (Formerly Listed as: TWYDALL LANE, Twydall (South East side) Twydall Farmhouse)

GV II

Farmhouse. Late C17-early C18, extended C18 and late C19. Brick, mathematical tile side range, with brick gable and lateral stacks, and tiled roof. PLAN: L-shaped single-depth plan with C18 N extension, and late C19 S extension. EXTERIOR: 2 storeys; road front 3-window range. Complex of various builds; Flemish bond road front has a moulded plat band, with a left-hand boarded door, and rubbed brick flat arches to 8/8-pane sashes in flush frames; the late C19 right-hand 1-window section has a lower end with paired gables with raised kneelers and central blind windows to both floors, extending half the depth of the end gable which has brick coping, a 6/6-pane attic sash with a flush frame, and a large exterior stack part enclosed by the extension. Rear wing has a straight joint in from the header bond rear gable, which has a stack, brick coping, the bond extending up to a straight joint, from which Flemish bond extends to the front range. At the N end is third section set forward from the main entrance, of C18 header bond with 2 ground-floor windows and a lateral stack, and a canted oriel in the left-hand return with 8/8-pane and flanking 4/4-pane sashes. The rear has a gabled dormer with 8/8-pane sash. INTERIOR: not inspected. SUBSIDIARY FEATURES: attached brick wall with coped top extending approx. 100m round garden to N. The N section has battered buttresses. HISTORY: formerly the farmhouse accompanying the other listed farm buildings, including the fine C15 Twydall Barn (qv), with which it has group value.

Listing NGR: TQ8034167914

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462608

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

THE OLD HOUSE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1267776

Date first listed: 24-Feb-1950

Statutory Address: THE OLD HOUSE, LOWER RAINHAM ROAD

Location

Statutory Address: THE OLD HOUSE, LOWER RAINHAM ROAD

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 81327 67648

Details

GILLINGHAM

TQ86NW LOWER RAINHAM ROAD, Lower Rainham 686-1/8/79 (North side) 24/02/50 The Old House

GV II

House. C15, altered late C16. Timber-framed with plaster infill, limestone rubble and brick, with a brick ridge stack and tiled hipped roof with right-hand cross wing. PLAN: Wealden-type plan, with a lobby entry when the stack was inserted, and right-hand service room under catslide. EXTERIOR: Wealden frame with large square panels and C20 leaded lattice lights. Left-hand section jettied to front and end with curved corner brackets, a larger one on the corner and 2-light first-floor casement; left-hand return has ground-floor compression braces and first-floor tension braces, and central casements to each floor. Central former hall range set back beneath the eaves with a central curved brace, a mortice in the wall plate from a former diagonal left-hand brace, and a tension brace in the left-hand bay, former central doorway in line with the stack, 2 outer 3-light ground-floor casements and a right-hand first-floor casement, some with diamond-section mullions. Right-hand cross wing set forward with jettied upper floor, and a left-hand buttress or former chimney, stone below and brick above; 3-light casements, larger on the ground floor. Brick service range on the right-hand return under a catslide roof. INTERIOR: not inspected, but reported as having octagonal crown post roof and dragon beam to south-west corner.

Listing NGR: TQ8130267677

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462599

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

PUMP FARMHOUSE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259637

Date first listed: 21-Dec-1973

Statutory Address: PUMP FARMHOUSE, PUMP LANE

Location

Statutory Address: PUMP FARMHOUSE, PUMP LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 80926 67514

Details

GILLINGHAM

TQ86NW PUMP LANE, Lower Rainham 686-1/8/81 (West side) 21/12/73 Pump Farmhouse II

Farmhouse. Late C18, extended and remodelled early C20. Rendered brick with brick end lateral stacks and a left-hand rear external stack, and a tiled hipped roof. PLAN: double-depth plan with right-hand single-room extension. EXTERIOR: 2 storeys; 3:1-window range. Double-fronted, a timber doorcase with a small canopy and door with 6 flush panels, late C20 15/15-pane ground-floor and three 9/9-pane sashes; similar right-hand 1-window block with matching glazing. INTERIOR: altered, contains a central C20 dogleg stair, rear fireplace with possibly re-set 4-centre arched bressumer.

Listing NGR: TQ8092667514

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462709

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

TWYDALL BARN AND ATTACHED WALL

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259714

Date first listed: 19-Nov-1985

Date of most recent amendment: 05-Dec-1996

Statutory Address: TWYDALL BARN AND ATTACHED WALL, LOWER TWYDALL LANE

Location

Statutory Address: TWYDALL BARN AND ATTACHED WALL, LOWER TWYDALL LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 80345 67884

Details

GILLINGHAM

TQ86NW LOWER TWYDALL LANE, Twydall 686-1/8/126 (South East side) 19/11/85 Twydall Barn and attached wall (Formerly Listed as: LOWER TWYDALL LANE Large crown post barn to south of Manor Farmhouse and attached yard wall)

GV II

Barn, now house. C15, converted c1985. Timber-frame with weatherboarding and brick plinth and a tiled half-hipped roof. PLAN: rectangular 5-bay plan, formerly with central threshing floor. EXTERIOR: single storey; 7-window range. A tall central former cart entrance with a hipped projecting canopy, now glazed, with 6 small inserted windows and C20 roof lights. Boarded doors at E end. INTERIOR: contains a fine 5-bay aisled frame with a crown post roof with stopped and chamfered crown posts with four upward braces each; arcade posts and low outer wall posts and jowls, arcade plate and tie beam braces, aisle braces and rails. SUBSIDIARY FEATURES: attached flint and brick wall enclosing E yard.

Listing NGR: TQ8021467701

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462610

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

YORK FARMHOUSE

Overview

Heritage Category: Listed Building

Grade: II

List Entry Number: 1259716

Date first listed: 16-Aug-1983

Statutory Address: YORK FARMHOUSE, LOWER TWYDALL LANE

Location

Statutory Address: YORK FARMHOUSE, LOWER TWYDALL LANE

The building or site itself may lie within the boundary of more than one authority.

District: Medway (Unitary Authority)

National Grid Reference: TQ 80214 67701

Details

GILLINGHAM

TQ86NW LOWER TWYDALL LANE, Twydall 686-1/8/127 York Farmhouse 16/08/83

II

House. C16 with C17, C18 and C19 additions. Timber-framed, elevations encased in red and blue brick in C19, rendered to right on 1st floor of east front of main block and north gable end of main block. Plain tiled roofs. East front: end stacks to right and left to main block, that to right projecting but encased in C19 extension. EXTERIOR: 2 storeys and garrets with 1-storey extension to right. 2-window front to main block, with irregular fenestration of casements on 1st floor, and glazing bar sash to left and polygonal bay to right on ground floor. 1 window to right-hand extension. Central half-glazed door with wooden C19 weather-porch to main block. Irregular rear elevation with C17 wing to rear of main block and C19 2-storey wing to left. INTERIOR: substantial timber-frame evident with heavy jowled posts and braces. Moulded beams inside main block. Side-purlin rafter roof with collars.

Listing NGR: TQ8021467701

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: 462612

Legacy System: LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

Appendix 5. Consultation response: Historic England

This appendix contains HE's advice in response to the application consultation, contained in the following letters:

- Alice Brockway (HE) to Hannah Gunner (ABC), 1 August 2019. HE Ref. P01087916.
- Alice Brockway (HE) to Hannah Gunner (ABC), 31 October 2019. HE Ref. P01087916.



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



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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

Alice Brockway

Alice Brockway

Inspector of Historic Buildings and Areas

E-mail: alice.brockway@HistoricEngland.org.uk

cc: Matt Newton, Ross Crayford, Medway Council, Ben Found, KCC



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Historic England

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

Direct Dial: 0207 973 3655

Our ref: P01087916

31 October 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 14 October 2019 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Historic England has reviewed the updated information submitted to support an outline application for up to 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. While it is helpful to see an amplified heritage statement and cultural heritage chapter of the ES, it does not fundamentally change Historic England's view on the level of harm arising from this application or our recommendations. The advice set out in our letter of 1 August therefore remains Historic England formal position on this application.

Recommendation

Historic England continues to have concerns regarding the application on heritage grounds and considers that the application fails to meet the requirements of the NPPF in particular paragraphs 190 and 194. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their settings of any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special regard 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



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Historic England

changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

A Brockway

Alice Brockway

Inspector of Historic Buildings and Areas

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cc: Ross Crayford, Matt Newton



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Appendix 6. Extract from Medway Council Report of Senior Planning Officer

Application Number MC/19/1566

The text on the following pages is an extract from the Heritage section of the Senior Planning Officer's report to the planning committee (pp. 28–38).

Heritage

The proposals raise the potential for impact to cultural heritage – Listed Buildings, Conservations Areas, and the historic landscape – and also below ground archaeology. The NPPF explains, at paragraph 184, that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Listed Buildings and Conservation Areas are designated heritage assets, in respect of which paragraph 193 says:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

As can be read in the consultation responses; Historic England has concerns that the proposals will harm the setting and significance of several heritage assets. This harm is judged to be *“less than substantial”* for the purposes of the NPPF.

This assessment by Historic England is important because it refers to specific ‘tests’ in the NPPF. At paragraph 195 of the NPPF it states:

“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent...”

However, since this level of harm has not been identified, consideration must turn to paragraph 193 of the NPPF which states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Moreover, it should be noted that Historic England is the government's expert advisor on England’s heritage and it has a statutory role in the planning system; their views carry *“great weight”* in planning decisions unless there are cogent reasons to depart from them.

The setting of heritage assets is also a key element in considering the impacts of a proposals. The setting of a heritage asset is defined in the NPPF as *“The surroundings in which a heritage asset is experienced”*. Planning Practice Guidance (PPG; para. 013 Reference ID: 18a-013-20140306) provides further guidance on what comprises the setting of a heritage asset. The PPG notes that views play an important part of an assets setting, but that other factors affect how an asset is experienced, including noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. The PPG also makes it clear that the contribution that setting makes to the significance of a heritage asset does not depend on there being public rights or an ability to access or experience that setting.

Local Plan policy BN12 states that:

“Special attention will be paid to the preservation and enhancement of the character and appearance of Conservation Areas”

Local Plan policy BN18 also outlines that:

“Development which would adversely affect the setting of a listed building will not be permitted.”

Kent County Council’s archaeological team has also raised detailed concerns about the potential for below ground heritage interest and potential interest which must be carefully considered. This is in accordance with Local Plan policy BNE21 which seeks to protect important archaeological remains in situ, and to avoid or minimise damage to these deposits. However, where damage is unavoidable, appropriate archaeological investigation will be required in advance of development.

Hereunder, issues relating to cultural heritage are assessed followed by archaeological interest.

Cultural Heritage

The proposed development is located to the north of Rainham and Twydall, between the railway line and the Lower Rainham Road, and lies adjacent to 2 Conservation Areas:

- Lower Twydall; and,
- Lower Rainham.

The proposed development has the potential to impact upon 8 Listed Buildings:

- York Farmhouse (Grade II);
- Pump Farmhouse (Grade II);
- Chapel House (Grade II);
- 497-501 Lower Rainham Road (Grade II);
- The Old House (Grade II);
- Bloors Place (Grade II*);
- a range of outbuildings including cart lodge and granary west of Bloors Place (Grade II); and,
- the garden walls to south and east of Bloors Place (Grade II).

As noted above, Conservation Areas and listed buildings are amongst the list of ‘designated heritage assets’ described at paragraph 194 of the NPPF. However, as well as these designated assets the proposals have the potential to affect a range of non-designated heritage assets including the local historic landscape, which is considered to be a heritage asset in its own right.

In respect of the buildings identified in the ES as being affected by the proposed development it is noted that that Bloors Place is in fact listed at Grade II*, not Grade II as indicated within the assessment.

Historic landscape

Turning first to the non-designated (in heritage terms) historic landscape. Topographically the site levels fall north-eastward from the site’s south-west boundary down towards the river. The lower dip-slope between Gillingham and Rainham is dissected by a number of shallow dry valleys, running broadly parallel with each other, and trending south-west to north-east. Pump Lane approximately follows the line of one such dry valley, whilst the former Twydall chalk quarry falls within another. This gives the landscape a broadly undulating topography.

As noted above, the broad grain of the landscape and settlement pattern had probably been established by the medieval period, albeit some elements, such as Lower Rainham Road may have earlier origins. Lower Rainham Road is orientated north-west to south-east, parallel with the River Medway, and skirting along the edge of the higher, dryer land overlooking the marshland and river margins. Perpendicular to Lower Rainham Road there are a series of north-east to south-west aligned routes, which run towards Watling Street and out onto the downs. Pump Lane, which bisects the site, follows one of these north-east to south-west aligned routes, as does Lower Bloors Lane and Lower Twydall Lane, which book-end the site to the north-west and south-east. Historic mapping, such as the Gillingham and Rainham Tithe maps (dated 1840 and 1838 respectively), Ordnance Survey field surveyors' drawings (1797) and the 1st Edition Ordnance Survey maps (1869) all show these routes, with the land between subdivided into fields, with boundaries generally orientated either north-west to south east or north-east to south-west. These provide a framework and landscape-grain that exists to the present-day.

Hasted, writing at the end of the eighteenth century describes the land north of the street (i.e. Watling Street, now the A2) as "a fertile and kindly land both for corn and fruit, insomuch that this parish has been noted for growing some of the best wheat that this kingdom has produced; and it had well within memory many plantations of cherries and apples".

The historic mapping also demonstrates the historic origins of the current settlement pattern. Eighteenth century maps show Lower Twydall (sometime Tweedale) and Lower Rainham as small hamlets which largely correspond with the two conservation areas. The settlements have a clear agricultural focus, with Lower Twydall comprising a collection of farmsteads, with their associated barns and other agricultural buildings. Subsequent expansion has largely comprised "ribbon-type" development, primarily along Lower Rainham Road in the direction of East Rainham. The development towards East Rainham is consistently of more recent date, and as such it is possible to appreciate that the conservation area of Lower Rainham reflects the core of a small historic settlement between Chapel House and Bloors Place.

Historic landscape character: The Kent Historic Landscape Characterisation places the site within Historic Landscape Character Area (HLCA) 17 – Northern Horticultural Belt. Historic map regression shows that orchards have long been a feature of the landscape here, with the combination of fertile soils and shelter from the North Downs, combined with easy access to urban markets, including London, being favourable factors.

Extensive areas of orchard are shown on late eighteenth-century maps, along with arable fields. In the nineteenth century and into the twentieth century the remaining arable fields are given over to orchards, whilst within the existing areas of orchard there is some rationalisation through the removal of field boundaries. The settlements of Lower Twydall and Lower Rainham are clearly shown on historic maps, as are Lower Rainham Road, Pump Lane, Lower Twydall Lane and Lower Bloors Lane.

The ES includes a section on Landscape and Visual Impact (LVIA; ES Chapter 11), but this does not consider the historic character of the landscape, its time depth or significance. The historic landscape character of the area is similarly not considered in any detail within the Archaeology and Cultural Heritage chapter of the ES. The Planning Statement that accompanies the application suggests that the scheme has paid regard to the existing landscape context, but if this is to be achieved effectively, then it is essential that the area's historic landscape character is understood. The illustrative masterplan and the parameter plans do not clearly demonstrate that the historic landscape character of the area has been

considered. For example, the primary movement infrastructure is a new loop road, but this appears to pay no regard to the historic grain of the local or wider landscape.

The NPPF recognises the need for developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting. As well as being of value in its own right, the historic landscape character of an area can also make a significant contribution to the setting of individual heritage assets.

The 2017 Medway Heritage Asset Review identifies the agricultural landscape and associated heritage assets as being an important part of Medway's rich heritage. The study specifically identifies the North Kent Fruit Belt and suggests that development of agricultural land here "should be resisted in all but the most appropriate instances to ensure that the agricultural character that defines Rainham's heritage is preserved".

It is clear then, that the historic landscape has non-designated heritage value in its own right. Paragraph 197 of the NPPF states that:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The loss of substantial areas of orchard to built development will significantly harm the historic landscape. The balance of this harm will be returned to at the conclusion of this report.

As well as having value in its own right, the existing and historic landscape character of the area also contributes to the significance of nearby designated heritage assets (conservation areas and listed buildings), whose setting it, in part, forms. The application documentation seeks to argue that there is little historic association between these designated heritage assets and the proposed development site. This is clearly not the case and it is suggested there is a clear historic functional association between the agricultural buildings and settlements and the farm/horticultural land of the application site that adjoins them. As an example, cursory examination of the Tithe Maps shows that some of the buildings within Lower Twydall are under the same ownership as land within the development area. The next section of this report will turn to the potential impacts on designated heritage assets.

Lower Rainham Conservation Area and the Listed Buildings at Bloors Farm

The Lower Rainham Conservation Area currently comprises a mixed collection of residential properties dating back to the 15th century, a public house (The Three Mariners) and a former farm at Bloors Place; however historically there was a second public house (The Jolly Gardeners) and a chapel. The names of the pubs provides an insight into the history of the area, indicating that the traditional trades in the area related to use of the river and to horticulture. Grade II* Listed Bloors Place is located to the east of the Conservation Area and comprises a former hall house dating back to between 1470-1510, which was converted to a farmhouse by the 18th century. A range of Grade II Listed farm buildings remain including a granary and cart shed, as well as a recently reconstructed oast.

The Conservation Area is characterised by that of a traditional Kentish hamlet in its original setting that is derived from the local horticultural industry, and to a lesser extent its association with the river. Historic mapping identifies an abundance of orchards surrounding the Conservation Area on all sides and is described in Edward Hasted's 1798 publication 'The History and Topographical Survey of the County of Kent' as "this parish has been noted for growing some of the best wheat that this kingdom has produced; and it had

will within memory many plantations of cherries and apples, especially on the lands adjoining the high road, and to the northward of it.”

The Council’s Conservation Officers report that any development nearby would need to respect the setting of the Lower Rainham Conservation Area and heritage assets contained therein. The proposed development masterplan indicates that a school is to be located immediately south of the western half of the Lower Rainham Conservation Area, and residential development to the eastern portion; further residential development is proposed immediately east of the Conservation Area, to the rear of Chapel House.

Whilst recognising that layout and design are to be determined at reserved matters stage, the loss of the agricultural (and open) land, and its replacement with built development as is indicated on the parameters plans will cause harm to the significance of the Conservation Area and Listed Buildings and by encroaching upon and interrupting their existing and important historic rural setting.

Pump Farmhouse

Grade II Listed Pump Farmhouse is understood to originate from the 18th century, and has been subject to alteration since. Historic mapping shows the farmhouse to be surrounded on 3 sides by orchards, with a farmyard located to the immediate south. A modern residential development, Russett Farm, has since replaced the farmyard and the orchard to the north-western edge, however the horticultural setting is retained to the north. Whilst the design of Russett Farm has taken influence from traditional Kentish farm buildings, the scale of the development has led to an erosion of the setting of the farmhouse, reducing its interpretation in the historic landscape.

The Council’s Conservation Officers report that any development adjacent to Pump Farm (particularly to the north of the farmhouse) will need to respect its setting. The proposed development masterplan indicates a buffer around the farm, with a ‘village centre’ proposed to the immediate north, in the area of setting most in need of protecting.

Once more it is recognised that the layout and design are to be determined at reserved matters stage, however, the indicated locations for development (in the parameters plan) adjacent to Pump Farmhouse is likely to encroach upon and interrupt its existing and important historic rural setting and therefore harm its significance.

Lower Twydall Conservation Area and York Farmhouse

The Lower Twydall Conservation Area is a small settlement comprising range of historic former farm houses and farm buildings converted to residential use, many of which are now Grade II Listed. The origins of the settlement here can be dated back to the 15th century, with late 19th century mapping identifying the 3 main farms of York Farm, Little London Farm and Twydall Farm, all surrounded by orchards and fields. Much of this historic horticultural setting is still in existence around the Conservation Area and plays a significant role in its character and significance. A small modern residential development (Little York Meadows) has eroded some of this character to the western corner, however similarly to Russett Farm much of the design of the development has taken influence from traditional Kentish farm buildings.

The Council’s Conservation Officers report that any development nearby would need to respect the setting of the Lower Twydall Conservation Area and heritage assets contained therein. The proposed development masterplan indicates residential development immediately to the south-east of the Conservation Area, separated by what appears to be a belt of trees.

Whilst recognising that layout and design are to be determined at reserved matters stage, the loss of the agricultural (and open) land, and its replacement with built development as is indicated on the parameters plans will cause significant harm to the significance of the Conservation Area and Listed Buildings and by encroaching upon and interrupting their existing and important historic rural setting.

The cumulative impact upon heritage assets

Much of the land around Lower Rainham (between the Railway line to the south and River Medway to the north) has been used for horticultural purposes, particularly fruit orchards since at least the 18th century, with evidence of farm buildings being identified at Bloors Farm, which Hasted in 1798 describes as “the old mansion of Bloors-place, mentioned hereafter, great part of which was pulled down a few year ago to adapt the size of it to that of a farmhouse, though what still remains of it, with the garden walls, offices, &c. shew it to have been of large size, well suited to the hospitality of those times, and to the rank which the founder of it held among the gentry of the county”. The 2001 Kent Historic Landscape Characterisation identifies the proposed development site area as part of the ‘Northern Horticultural Belt’. This belt is “primarily defined by horticultural activity, with a predominance of orchards. This belt occurs on the sandier soils of the northern areas in the sheltered belt below the downland areas. Economically, it is situated between a series of major towns which would have supplied substantial markets as well as an extensive road and rail corridor for transportation further afield.” The existing fruit orchards and dispersed settlement pattern of farms and associated buildings therefore form a distinctive and important part of the historic landscape of the Lower Rainham area and help characterise many of the heritage assets and their settings.

The proposed development includes the loss of some of the historic orchards described above and would lead to the eventual coalescence of 3 individual historic settlements that collectively with the orchards and fields between define the historic landscape in this area.

It is considered that there is a clear and appreciable historic link between the agricultural/horticultural land of the development site and the rural settlements and farms that adjoin it. As such the impact of the development on the setting of the individual listed farms and the conservation areas must be harmful and by dint of NPPF paragraph 193 that harm must be given great weight in any planning decision. For the listed buildings the framework is bolstered by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which creates a strong presumption against development that would have a harmful impact on a listed building or, as is the case here, its setting.

The Council’s Conservation Officers agree with Historic England that the harm to the heritage assets is considered to be less than substantial. Paragraph 194 of the NPPF requires clear and convincing justification for any harm or loss of significance to a heritage asset. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be), as per paragraph 193. Furthermore, paragraph 197 notes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

There is clear harm to the setting and critically the significance of designated heritage assets in these proposals from the loss of open countryside and orchards. Albeit that that layout and design are to be determined at reserved matters stage. Limited justification for the harm to the significance of the heritage assets has been provided through the application, with little discussion around the coalescence of the historic settlements and

the alteration to the historic landscape that contributes to the significance of many of the affected heritage assets.

These significant (albeit “less than substantial”) harms to designated heritage assets – as outlined above – is not outweighed by the public benefits of the scheme, including new homes, affordable homes, limited construction and future employment, and the services and facilities associated with the development.

The application is therefore considered to be contrary to the NPPF at paragraphs 193 – 196 and Local Plan policies BNE12 and BNE18.

Appendix 7. Lower Rainham Conservation Area leaflet

Minor Alterations and Additions

The General Development Order 1988 permits a number of minor alterations and additions to certain buildings without planning permission. However there are extra restrictions relating to Conservation Areas summarised below:

1. The enlargement, improvement or other alteration of a dwelling house over 50 cubic metres or 10% (whichever is greater).
2. Development in the form of cladding of any part of the exterior of a dwelling house with stone, artificial stone, timber, plastic or tiles.
3. The insertion of dormer windows or roof alterations on any part of a dwelling house.
4. The provision of a building or enclosure within the curtilage of a dwelling house exceeding 10 cubic metres, for example, a garage.
5. Special controls relate to satellite dishes. For further information contact the Planning Department.

Advertisements

Sensitive control over the display of advertisements is exercised in Conservation Areas to protect the character and general appearance of the area.

LISTED BUILDINGS

Once a building has been listed it cannot be demolished, altered or extended in any way which would affect its character without Listed Building consent from the Local Planning Authority.

Policy B6 of the Medway Towns Local Plan states:

"Listed Building consent for the demolition of a Listed Building will normally be refused unless it can be demonstrated that there are exceptional and overriding reasons for demolition and that all possible methods of preserving the building have been investigated."

Design features such as brickwork, window design, plaques, bollards, railings, lamp posts, landscaping, surfacing materials and internal features are extremely important in determining the character of a Listed Building and its setting. Consequently all applications for proposals affecting Listed Buildings will need to be fully detailed in these respects and in keeping with the character of the building.

Policy B7 of the Medway Towns Local Plan states:

"The Local Planning Authorities will normally require all applications for internal or external alteration, extensions or changes of use affecting Listed Buildings to be detailed in order to fully assess the effect of the proposal. Proposals will be refused unless it can be demonstrated that they -

- i) are not detrimental to the character of the building;
- ii) maintain the integrity of the original building and are sympathetic in terms of scale, appearance and use and the retention of traditional features and materials.

The setting of a Listed Building is often an essential feature of its character. Consequently any development permitted in close proximity to a Listed Building will need to be designed to ensure the setting of the building is adequately protected.

Policy B8 of the Medway Towns Local Plan states:

"In considering a planning application for development in close proximity to a Listed Building, the Local Planning Authorities may, where appropriate, impose such conditions as may be necessary to protect the setting of the Listed Building."

Any advertisements displayed on a Listed Building will need to be of a design and appearance which does not detract from the character of the building.

Policy B9 of the Medway Towns Local Plan states:

"The Local Planning Authorities will ensure that the display of signs and advertisements on a Listed Building do not detract from the character and appearance of that building.

Carrying out work without Listed Building Consent is an offence. The work would probably require reinstatement or alteration.

THESE CONTROLS ARE NOT INTENDED TO BE NEGATIVE OR RESTRICTIVE, BUT TO ENSURE THAT WE CONSERVE AN ATTRACTIVE AND HISTORIC ENVIRONMENT AS A PLEASANT PLACE IN WHICH TO LIVE AND TO PASS ON TO FUTURE GENERATIONS.

The ultimate success of a Conservation Area will depend upon the care which individuals take with the maintenance and repair of their properties and any alterations or extensions. Over a period of time the cumulative effect of even small alterations such as changing the original glazing patterns, window openings or original roof materials and profiles can detract from the unique character of the area. The Council's Planning Department can offer advice and information concerning any changes you may wish to make to your property.

The location of the Lower Rainham hamlet on the B2004 has resulted in local environmental problems due to heavy traffic usage of the road. These problems are made particularly acute due to the narrow width of parts of the carriageway and footways in the hamlet. A highway scheme designed to control traffic movements was implemented early in 1994 by the Council's Technical Services Department and Kent County Council's Highways and Transportation Department.

FURTHER INFORMATION

The Council is always willing to give general advice to property owners and residents, particularly if it is intended to submit a planning application. Early discussions with planning officers before an application is submitted will often save time and by ensuring plans are drawn up correctly can save money. Advice can also be given as to the availability of any grants.

The Borough Council has also produced guidelines on Advertisements in Conservation Areas and planning guidance leaflets are being produced concerning shop fronts and advertisements in Conservation Areas and on Listed Buildings.

In all instances please contact staff in the Planning Department (Tel. Medway 282305) or write direct to:

Borough Planning Officer
Gillingham Borough Council
Municipal Buildings
Canterbury Street
Gillingham Kent ME7 5LA

Lower Rainham Conservation Area



This is one of a series of leaflets being prepared for each of the Conservation Areas in the Borough of Gillingham. It provides general advice for property owners and others with an interest in the conservation of the built environment.

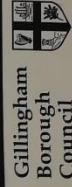
WHAT IS A CONSERVATION AREA?

Conservation Areas were introduced by the Civic Amenities Act of 1967 and are "Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance." Conservation Areas are now designated by the Local Planning Authority under the provisions of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1986.

The designation of a Conservation Area indicates the Local Authority's positive commitment to the area and its intention to preserve and enhance the quality of the environment by guiding and controlling development, rather than preventing it. All new development should be sympathetic to the special architectural and visual qualities of the area, particularly in terms of scale, design, materials and space between buildings.

WHAT IS A LISTED BUILDING?

Under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1986, buildings may be 'listed' when they are considered worthy of special architectural or historic interest. The purpose of listing is to ensure that historic buildings are not demolished or altered before each proposal has been examined and full consideration has been given to alternative solutions where appropriate.

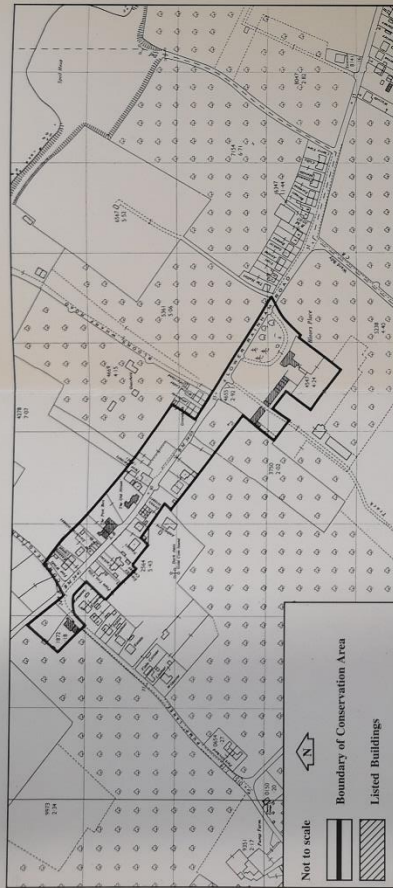


Gillingham
Borough
Council

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LOWER RAINHAM CONSERVATION AREA

Designated 8.3.1989



WHY WAS LOWER RAINHAM DESIGNATED?

The hamlet of Lower Rainham which contains a number of buildings of significant architectural and historic interest is set within a rural environment that reflects traditional farming practices of the North Kent area. In order that its individual character could be preserved and enhanced, the Lower Rainham Conservation Area was designated on 8th March 1989.

Lower Rainham hamlet takes a linear form along the Lower Rainham Road (B2004), with evidence indicating that the line of the road originates from a Stone Age track following the course of the River Medway. Archaeological finds provide evidence of occupation of the area by the Romans and Saxons. In the Domesday Book, the area is recorded as belonging to the Archbishop of Canterbury.

Much of the Lower Rainham area is honeycombed by dene-holes; these subterranean passages travel from areas such as Bloors House to the vault of Rainham Parish Church. It is probable that these tunnels were formed by the process of chalk extraction, the chalk being used to 'lime' the surrounding fields or used as building material.

The Conservation Area contains some of the most important Listed Buildings in the Borough and there are also several other groups of buildings of local architectural or historic interest intermixed with Victorian workers cottages and a number of post-war dwellings.

Chapel House is a grade II Listed Building situated in Pump Lane. It is a timber-framed Hall House dating from about the 15th Century that has been added at some point in the past to form two cottages. The House is reputed to have had connections with a religious order based at Orzech (formerly Grange) Manor. The property retains its original roof structure, the first floor overhanging as a cantilevered bracket. The building underwent extensive renovation in the 1970's which exposed the timber frame by removing the Victorian frontage.

In the centre of the Conservation Area is a prominent group of Listed Buildings. The Old House is a 15th Century timber framed house with plaster infilling, a recessed centre and two wings with the first floor overhanging. The Listed Buildings at 497-501 Lower Rainham Road (c. 15th Century) are also timber framed but have been reframed

and rendered with later chimneys added at both ends. Number 499 (the Post Box) has two 19th Century shopfronts and wooden weatherboards on brackets over the door and windows. The distinctive roof of these cottages indicates that the building was originally a single medieval wealden house subsequently used as the local Hall. The building was subdivided and in the past has been used as a beer-house (called The Jolly Gardeners), a coaching and post inn and the village stores. When used as a beer house, the building is reputed to have been used as a meeting place by Drake, Hawkins and Frobisher after whom the public house at 509 Lower Rainham Road was named. The Three Mariners. Records show that No. 509 was built in the 1550's, originally being a yeoman farmer's house. The Barn which is adjacent to the Three Mariners dates from about 1500 was moved to this location in 1963 from the Tentenden area.

Bloors Place situated at the eastern end of the Conservation Area is a Tudor Manor House with a later 18th Century front. The eastern end is recessed with curved braces and protruding beams supporting the eaves and there is also a wooden parapet. This grade II Listed Building is the oldest manor house in Rainham and is named after the Bloor family who were prominent local landowners.

The outbuildings of Bloors Place are protected by virtue of their being within the curtilage of a Listed Building. However, the primary reason for their inclusion in the Conservation Area is their high historical significance. The wagon lodge and adjoining cattle shed (now airbrakes) are 18th Century buildings which date from the 18th Century with 19th Century adaptations and enlargements. The wagon lodge is a red brick timber-framed structure with an open ground floor of seven bays and a weatherboarded granary at first floor level. Planning permission has been granted for the conversion to residential use of the wagon lodge and also the dairy building to the west. In granting consent, the Borough Council has ensured the long term conservation of redundant buildings and by extensive negotiations has sought the retention of the character and architectural integrity of the buildings at Bloors Place.

As well as these very old buildings, there is a fine example of a Victorian villa on the southern side of the road known as Plum Tree Villa which was built in 1879. The frontage contains several attractive holly trees thought to date from a similar period.

LIVING IN A CONSERVATION AREA

Property owners should be aware of a number of implications of living in a Conservation Area. These are described below and further information can be found in the Medway Towns Local Plan 1992 which sets out the Council's planning policies on a wide range of development and land use matters.

Demolition of Buildings

Under the Town and Country Planning General Development Order, 1988, and the Planning (Listed Buildings and Conservation Areas) Act 1990, Conservation Area status is required for the demolition in whole or part of most buildings and structures. If demolition is being considered then the Council should be consulted.

Policy B3 of the Medway Towns Local Plan states:

"Proposals to demolish a building (whether listed or not) in a Conservation Area beyond repair, incapable of use, of inappropriate structure or design or where its removal or replacement would benefit the character and appearance of the area. Consent will be conditional upon no demolition occurring until a contract has been entered into for development of the site in accordance with approved plans."

Buildings in Disrepair

If an unoccupied building, considered by the Council to be of "key" importance to the area falls into disrepair, then the Secretary of State for the Environment can be asked to confirm an Order requiring urgent repairs to be carried out. The cost of the work is shared between the Council and the owner. The Order is designed to protect the environment and the legislation imposes penalties for failure to observe them.

Trees

If you wish to fell, lop, prune, top, support or otherwise affect the healthy growth of a tree in a Conservation Area you should give the Borough Council six weeks notice in writing. This does not apply to trees which are dead or have a diameter less than 75mm (3") measured at a height of 1.5 metres (4ft 11in) above the ground. Alternatively trees may be protected by a Tree Preservation Order. In all instances it is advisable to check with the Planning Department.

Design and Development

Any proposals for development, redevelopment or change of use within or affecting Conservation Areas should be compatible with the existing buildings and the general character of the area. This includes compatibility of use, proportion, scale, roofline, materials and hard and soft landscaping.

Policy B4 of the Medway Towns Local Plan states:

"Proposals for development, redevelopment or changes of use within or affecting a Conservation Area will normally be refused unless it can be demonstrated that they will make a positive contribution to the Special Historic Character of the Conservation Area. The Local Planning Authorities will, in planning applications to be submitted in detailed rather than outline form, will have regard to the following criteria when considering such applications:

- i) The retention or reinstatement of materials, features and details of unlisted buildings or structures which contribute to the character of a Conservation Area, including street patterns, paving materials and street furniture.
- ii) The height, size, design of roofspace, plot width and visual appearance of new development including alterations and extensions to existing buildings should respect the character of a Conservation Area.
- iii) Protection of trees which contribute to the character of a Conservation Area, trees and hedgerows which contribute to the landscape setting of a Conservation Area.
- iv) Provision where appropriate of schemes for hard and soft landscaping in traditional materials which enhance the Conservation Area.

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