



AGENDA

CABINET MEETING

Date: Wednesday, 17 March 2021

Time: 7.00 pm

Venue: Virtual Meeting Via Skype*

Membership:

Councillors Mike Baldock (Vice-Chairman), Monique Bonney, Angela Harrison, Ben J Martin, Richard Palmer, Julian Saunders and Roger Truelove (Chairman).

Quorum = 3

Pages

RECORDING NOTICE

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1. Apologies for Absence
2. Minutes

To approve the [Minutes](#) of the Meeting held on 10 February 2021 (Minute Nos. 444 - 450) as a correct record.

3. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

Part B Reports for Decision by Cabinet

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Issued on Tuesday, 9 March 2021

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Cabinet, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Cabinet	Agenda Item:
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Meeting Date	17 March 2021
Report Title	Revisions to the Covert Surveillance and Access to Communications Data Policy
Portfolio Holder	Cabinet Member for Community – Cllr Richard Palmer
SMT Lead	Larissa Reed – Chief Executive
Lead Officer	Gary Rowland, Senior Lawyer Corporate Governance and RIPA Co-ordinating Officer

Recommendations	1. Cabinet to approve the revised Covert Surveillance and Access to Communications Data Policy
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1 Purpose of Report and Executive Summary

1.1 The RIPA Co-ordinating Officer is required to review and revise the Council’s policy, where necessary, every two years to incorporate recommendations from the Investigatory Powers Commissioner’s Office (“IPCO”) following their latest inspection. Following a substantial revision to the policy in 2018, there are only a few minor suggested amendments to the existing policy. This report seeks approval of the revised policy on Covert Surveillance and Access to Communications Data (Appendix 1).

2 Background

2.1 The Home Office Covert Surveillance and Property Interference Revised Code of Practice 2010 makes it a requirement that the authority’s elected members should review the authority’s use of covert surveillance authorised under RIPA. This forms part of the Monitoring Officer’s annual report to the Standards Committee.

2.2 The IPCO carried out a telephone inspection with the RIPA Co-ordinating Officer in May 2020. The inspector was satisfied with the policy and processes in place and as such, confirmed that no physical audit would need to be carried out. The inspector made some recommendations as to how to improve future applications for RIPA which are shown in the attached inspector’s report (Appendix 2).

2.3 The policy (highlighted for ease of reference) has been revised as follows:

RIPA Senior Responsible Officer – pages 1, 4 and 10

- These sections have been revised to reflect that Larissa Reed (Chief Executive) is the current RIPA Senior Responsible Officer.

Co-ordinating Officer – page 5

- Section 5 has been revised to highlight that the RIPA training record will be kept as part of the Central Record.
- Section 6 has been revised to highlight that training will be provided in accordance with IPCO timeframes of at least once in every three-year period.

Central Record of all authorisations – page 11

- References to ‘urgency provisions’ have been removed at Section 2.7.3. Urgency provisions no longer apply and IPCO have requested that these be removed from both the policy and the Central Record.

- 2.4 There is a requirement under the Act that those that apply for and authorise the use of RIPA are appropriately trained once every three years. Training, provided by Act Now, was carried out in December 2018 which has resulted in all appropriate officers receiving the training necessary to carry out the requirements of the Act. The next training session is due to be arranged for November/December 2021 where specific focus will be given to the use of social media when carrying out surveillance.

3 Proposal

- 3.1 Cabinet are asked to approve the revised policy on Covert Surveillance and Access to Communications Data.

4 Alternative Options

- 4.1 There is no lawful alternative as the Council is required by the RIPA and associated Codes of Practice to have a policy, the contents of which are steered by the recommendations made by the IPCO following their inspection.

5 Consultation Undertaken or Proposed

- 5.1 The Portfolio Holder for Community has been consulted and has requested that following approval by SMT the matter be referred to Cabinet for final approval.

6 Implications

Issue	Implications
Corporate Plan	No direct implications however the draft policy and guidance notes on Covert Surveillance and Access to Communications Data will enable the Council to carry out surveillance in line with our values.
Financial, Resource and Property	There will be a cost to the Council as all applying and authorising officers will need to undertake training once in every three years.
Legal and Statutory	Clear policy and guidance is necessary as failure to comply with the requirements of RIPA could lead to evidence in criminal proceedings not being admissible under the common law, section 78 of the Police and Criminal Evidence Act 1984 and the Human Rights Act 1998. It may also lead to proceedings being taken against the Council under the Human Rights Act 1998.
Crime and Disorder	The appropriate use of RIPA will enable the Council to provide evidence to support prosecutions in the public interest and tackle crime.
Risk Management and Health and Safety	Compliance with the draft policy and guidance notes, together with the necessary training, will minimise the risks involved in carrying out covert surveillance and the associated risk of having critical information treated as inadmissible.
Equality and Diversity	The policy treats all groups equally.
Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage
Privacy and Data Protection	No personal information is provided as part of the report.

7 Appendices

Appendix 1 – Covert Surveillance and Access to Communications Data Policy
 Appendix 2 – IPCO Inspector’s Report

8 Background Papers

None

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COVERT SURVEILLANCE AND ACCESS TO COMMUNICATIONS DATA POLICY AND GUIDANCE NOTES

Scope

This policy and guidance notes apply to authorisations for the Access to Communications Data and to Surveillance by the Council carried out under Parts I and II of the Regulations of Investigatory Powers Act 2000 (RIPA).

RIPA Senior Responsible Officer: Larissa Reed (Chief Executive)

RIPA Co-ordinating Officer: Gary Rowland (Senior Lawyer, Corporate Governance)

Revised: February 2021
Review date: February 2023

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POLICY STATEMENT

The Regulation of Investigatory Powers Act 2000 (RIPA) provides the legislative framework within which covert surveillance and access to communications data operations must be conducted in order to ensure that investigatory powers are used in accordance with human rights. This Policy Statement is intended as a practical reference guide for Council Officers/Investigators who may be involved in such operations.

Officers/Investigators involved in covert operations must familiarise themselves with the Home Office Codes of Practice on:

- Covert Surveillance
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384975/Covert_Surveillance_Property_Interreference_web_2_.pdf
- Covert Human Intelligence Sources
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384976/Covert_Human_Intelligence_web.pdf

to ensure that they fully understand their responsibilities.

The Council is committed to implementing the provisions of RIPA to ensure that any covert surveillance and/or access of communications data that is carried out during the course of investigations is undertaken properly and that the activity is necessary and proportionate to the alleged offence/s. Following the implementation of the Protection of Freedoms Act 2012 investigatory powers can only be used in relation to activities that would receive a minimum sentence of six months imprisonment or are in relation to the underage selling of alcohol or tobacco. If such action is contemplated initial consultation with the Council's Co-ordinating Officer should be undertaken at the earliest opportunity.

The Council seeks to ensure that this Policy Statement remains consistent with the Council's objectives.

This Policy ensures:

- that proper procedures are in place in order to carry out covert surveillance or to obtain communications data;
- that an individual's right to privacy is not breached without justification
- that proper authorisation is obtained for covert surveillance or access to communications data;
- that proper procedures are followed; and
- that covert surveillance is considered as a last resort, having exhausted all other avenues.

1. BACKGROUND

Scope and Control

- 1.1 RIPA is the law which governs the use of a number of covert techniques for investigating crime and terrorism. Using covert techniques allows public authorities, which range from the police and security agencies to local authorities and organisations, such as the Office of Fair Trading, to investigate suspected offences without alerting an individual that they are part of that investigation.

- 1.2 Local authorities can use three techniques. They can **obtain Communications Data, use Directed Surveillance and use Covert Human Intelligence Sources (CHIS)**.
- 1.3 RIPA requires that an authorisation is needed for the use of these investigatory techniques and that they can only be used where it is considered proportionate to what is sought to be achieved.
- 1.4 Local authorities can only use these investigatory techniques if they are necessary to prevent or detect crime or prevent disorder.
- 1.5 These guidance notes provide a summary of the main points from the Home Office Covert Surveillance Code of Practice that are relevant to Swale Borough Council. They apply to authorisations for covert surveillance and access to communications data made by the Council under Part I and II of the Regulation of Investigatory Powers Act 2000.
- 1.6 To improve awareness this guidance also briefly refers to activities that the Council has determined **should not** be undertaken.
- 1.7 Before undertaking any covert surveillance these guidelines should be read and, if it is considered necessary, further reference to the code and training should be sought. Members of the public who enquire about covert surveillance procedures should be referred to the Home Office Covert Surveillance code of practice, copies of which are available for viewing at Council offices from the RIPA Co-ordinating Officer. Contract staff employed by the Council and who are involved in covert surveillance should be made aware of these guidelines and of the Code of Practice.
- 1.8 The use of the Regulation of Investigatory Powers Act 2000 by the Council will be overseen by the Senior Responsible Officer supported by the Co-ordinating Officer. These positions will be held by:
 - Senior Responsible Officer – Larissa Reed
 - Co-ordinating Officer – Gary Rowland

Senior Responsible Officer

The Senior Responsible Officer will have overall responsibility for the integrity of the RIPA process within the Council. In addition he will:

1. be responsible for compliance with RIPA and its regulatory framework;
2. engage with the Commissioners and Inspectors when they conduct inspections;
3. oversee the implementation of any recommendations made by the Investigatory Powers Commissioner's Office IPCO;
4. carry out periodic oversight of the authorisations; and
5. report to Members on the usage of RIPA within the Council.

Co-ordinating Officer

The Co-ordinating Officer will be responsible for the day to day RIPA process, in particular they will:

1. keep the Central Record and collate the documentation received;

2. exercise the day to day oversight over the RIPA process by ensuring the quality of the documents submitted;
3. to monitor the Council's use of its appointed S.P.O.C agent (NAFN) in line with contract agreement
4. monitoring the timeliness of the officers in making returns, carrying out reviews and effecting renewals and cancellations;
5. keep a record of the RIPA training programme **as part of the Central Record**; and
6. raise general RIPA awareness within the Council whilst ensuring that detailed awareness and training is provided to applicants and authorising officers **in accordance with the IPCO recommended timeframes.**

NB: applicants and authorising officers are required to undertake regular training at least once in every three year period.

Definitions

- 1.9 **Covert surveillance** is any surveillance carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place.
- 1.10 General observation forms part of the duties of the Councils enforcement officers i.e. **overt surveillance**, and is not usually regulated by the 2000 Act (for example observations during routine planning enforcement matters where the property owner has been 'put on notice' that inspections may be carried out). Such observation may involve the use of equipment to merely reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve systematic surveillance of an individual.
- 1.11 The use of noise monitoring equipment to measure noise audible in a complainant's premises does not amount to covert surveillance because the noise has been inflicted by the perpetrator who it is likely has forfeited any claim of privacy. The use will only become covert when sensitive equipment is used to discern speech of other noisy activity that is not discernible to the unaided ear. Further advice can be obtained from the SRO.
- 1.12 Although, the provisions of the 2000 Act do not normally cover the use of overt CCTV surveillance systems, since members of the public are aware that such systems are in use, there may be occasions when the Council's overt CCTV system is used for the purpose of a specific investigation or operation. Such cases should be discussed with the authorising officer who will decide whether it is directed surveillance and requires to be authorised.
- 1.13 The primary purpose of surveillance is to secure evidence to bring offenders before the courts. The proper authorisation of surveillance should ensure the admissibility of such evidence in criminal proceedings.
- 1.14 **Directed surveillance** is the type of covert surveillance that Swale Borough Council employees will be permitted to undertake on an exceptional basis and only within the Council's responsibilities for the prevention and detection of crime, or for the prevention of disorder. Authorisation for directed surveillance **must** first be obtained.
- 1.15 Directed surveillance is defined as surveillance which is covert, but not intrusive, and undertaken:
 - a) for the purpose of the prevention or detection of crime or to prevent disorder

- b) for the purpose of a specific investigation or specific operation.
 - c) in a manner as is likely to result in the obtaining of **private information** about a person (whether or not one specifically identified for the purpose of the investigation or operation). Private information is defined at paragraph 1.19 below.
 - d) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under Part II of the 2000 Act to be sought for the carrying out of the surveillance. For example, you may be in a Post Office obtaining information in relation to a particular customer when you observe a different person committing a benefit fraud. You are allowed to follow that person, if necessary, to establish their identification and any other information that may help with the subsequent investigation.
- 1.16 A similar situation may occur whilst visiting an employer under section 110 powers, Social Security Administration Act 1992 (which requires separate authorisation). For example, if during a visit to an employer you recognise an individual benefit claimant, authorisation for watching the person working would not be required. This is because you have come across the information incidentally and in the course of your normal duties. However, if you visited an employer with the precise intention of observing an identified individual at work (whilst claiming benefit) written authorisation would be required before the visit.
- 1.17 Directed surveillance includes covert surveillance within office and business premises.
- 1.18 It should be noted that Local Authorities may only make an authorisation permitting the use of directed surveillance under RIPA where:
- it is for the purpose of the prevention or detection of crime or the prevention of disorder, and
 - the offence being investigated meets the crime threshold; i.e. criminal offences which attract a maximum custodial sentence of six months or more or criminal offences relating to the underage sale of alcohol or tobacco.
- 1.19 **Private information** includes:
- a) any information relating to a person's private or family life, or
 - b) information relating to aspects of a person's professional and business life.
- The concept of private information should be broadly interpreted to include an individual's private or personal relationship with others. Family life should be treated to extend beyond the formal relationships created by marriage.
- 1.20 **Intrusive surveillance** is defined as covert surveillance that:
- a) is carried out in relation to anything taking place within any residential premises or any private vehicle; and
 - b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device; or
 - c) involves premises where legal consultations take place.

Under no circumstances should this type of surveillance be undertaken. An alternative means of obtaining the information should be sought.

- 1.21 **Interception of post, e-mail and recording of telephone conversations.** The interception of communications sent by post or by means of public telecommunications systems or private telecommunications systems attached to the public network are outside of the remit of Swale Borough Council officers.
- 1.22 **Covert Human Intelligence Source (CHIS)** is the term used for a person who is tasked by the Council to establish or maintain a relationship with a person for the purpose of covertly obtaining or disclosing information i.e. it is someone working “under cover” who has been asked to obtain information, to provide access to information or to otherwise act, incidentally for the benefit of the Council.
- 1.23 A relationship is established or maintained for a covert purpose if and only if it is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose.
- 1.24 A person is considered to be a CHIS if:
- (a) they establish or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraphs (b) or (c) below.
 - (b) they covertly use such a relationship to obtain information or provide access to any information to another person; or
 - (c) they covertly disclose information obtained by the use of such a relationship, or as a consequence of the existence of such a relationship.
- 1.25 The Council has taken a policy decision that it will be the general practice **not to** undertake this type of surveillance activity. An alternative means of obtaining the information should be followed. However, it is necessary that the Council be equipped to deal with CHIS if the situation arose.
- 1.26 If it is necessary to request an authorisation under CHIS advice should first be sought from the RIPA Senior Responsible Officer. Conduct that may be authorised is any conduct that:
- (a) remains within the scope of the activity authorised within the CHIS authorisation;
 - (b) relates to the person identified and authorised as a CHIS; and
 - (c) is carried out for the purposes of the investigation as detailed within the CHIS authorisation.
- 1.27 As with directed surveillance a local authority may only make an authorisation permitting the use of CHIS on the ground that it is necessary for the purpose of the prevention or detection of crime or the prevention of disorder.
- 1.28 It should be noted that where members of the public volunteer information to council officers, either as a complaint or as part of their civic duties i.e. use contact numbers set up for the reporting of suspected benefit fraud or for whistle-blowing etc. they would not generally be regarded as covert human intelligence sources. In addition, if someone is keeping a diary record of nuisance, this will not amount by itself to use of a CHIS.

1.29 In order for the Council to carry out surveillance using CHIS (should the need arise) it is necessary to have appropriately trained officers designated as Controllers and Handlers. These posts will carry out the following functions:

- Controller – will at all times have general oversight of the use made of the source.
- Handler – will have day to day responsibility for dealing with the source on behalf of the authority, and for the source's security and welfare.

In all cases the Controller will be the RIPA Senior Responsible Officer.

Handlers will include investigators and enforcement officers that have received the relevant CHIS training and have been authorised by the RIPA Senior Officer to undertake this role. A register of those authorised as handlers will be kept by the RIPA Co-ordinating Officer.

In addition to the above the RIPA Co-ordinating Officer will have responsibility for maintaining a record of the use made of the source.

1.30 Accessing Communications Data

Local Authorities can obtain communications data for investigating crime under Part I Chapter II of the Regulation of Investigatory Powers Act 1990. Communications data includes land line and mobile telephone subscriber and billing data for telephone, web and postal customers.

1.31 Communications data can be obtained where it is necessary and proportionate to do so. Applications are primarily used to identify or locate suspects. Examples include applications to ascertain subscriber identity and address details of illegal fly tipping suspects from mobile phone number evidence.

1.32 The Council has appointed the National Anti Fraud Network (NAFN) to provide a RIPA Single Point of Contact (SPoC) service to obtain communications data. NAFN is authorised to carry out requests to telecommunications service providers for category B and C data for criminal investigations. This includes subscriber and billing information on telephone, web and postal services.

1.33 It should be noted that in order for Local Authorities to seek authority to acquire category B data, it must meet the new serious crime threshold. A serious crime is one which carries a prison sentence for a minimum of 12 months and meets the definition set out in section 81(3)(b) of the Act, i.e. conduct that involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose. Category C data can still be acquired for any crime where necessary and proportionate to do so.

Category Table

A Data – Not accessible to Local Authorities	B Data – Available if serious crime threshold met	C Data – Available
Cell site IEMI Incoming caller data	Itemised Billing Call Diversion Data Downloading Outgoing call data	Subscriber detail including: Name and Address Method of Payments Customer info.

NB: Local Authorities are not able to obtain Category A data.

Social Networking Sites

- 1.34 **Social Networking Sites (SNS)** which include but are not limited to Facebook, Myspace, Twitter and Bebo can provide information that will aid an investigation. When using these sites to carry out surveillance it is essential to know how they work and officers should not assume that one service provider works in the same way as another.
- 1.35 In all cases it would be unwise to assume that the content came from an open source or was publically available, even where security settings are low, as the author would have some reasonable expectation of privacy where access controls are applied.
- 1.36 Where a site is being covertly accessed for monitoring purposes it may be necessary for an authorisation for directed surveillance to be obtained. As part of an investigation it is possible to take an initial look at an individuals social media activity, however, should there be a need to return the site this may constitute surveillance. In such circumstances advice should be obtained from the RIPA Co-Ordinating Officer before further surveillance is carried out.
- 1.37 If, when using social media, a relationship is established or maintained by an officer of the Council or by a person acting on the Council's behalf for a purpose which exceeds merely reading the site's content an authorisation for a CHIS may need to be obtained. See 1.24 above for full details of what constitutes a CHIS..
- 1.38 When conducting any surveillance of social media sites use of an officers personal account is prohibited and advice should be sought from the Communciations Team with regards to setting up a Council account.
- 1.39 A brief summary of the relevant legislation governing covert surveillance has been included at Appendix A.

2. GENERAL RULES ON AUTHORISATIONS

- 2.1 Where an authorisation or renewal is sought for the use of Directed Surveillance, acquisition of Communications Data or the use of CHIS it will be necessary to obtain Judicial Approval, i.e approval from the Magistrates Court. It will still be necessary to go through the internal authorisation stage, detailed below, prior to an application for Judicial Approval. The procedure for obtaining Judicial Approval is detailed at paragraphs 4.12 to 4.14 below.

NB: A flowchart produced by the Home Office showing the authorisation procedure is shown at Appendix B.

2.2 Directed Surveillance and CHIS

- 2.2.1 You must seek an authorisation where the surveillance is likely to interfere with a person's rights to privacy (*Article 8 of the European Convention on Human Rights*) by obtaining private information about that person, whether or not that person is the subject of the investigation or operation. Obtaining an authorisation will ensure that the action is carried out in accordance with law and subject to stringent safeguards against abuse.

2.2.2 In the event that the Council are required to conduct joint directed surveillance working with another agency, the tasking agency should obtain the authorisation. For example, in the event that the police require covert surveillance by the Councils CCTV system the police would normally seek the authorisation. A copy of the Authorisation, Renewal and Cancellation forms should be sought from the tasking agency to provide a record and justification for the Councils involvement.

2.3 Accessing Communications Data

2.3.1 Only authorised officers are able to use the National Anti Fraud Network (“NAFN”) Single Point of Contact (“SPoC”) service to access communications data. NAFN provides Swale officers with access to a secure online system for processing RIPA telecommunications requests. Authorised applicants and Designated Persons (“DP”) can submit, approve and track applications through one central secure website. NAFN review all applications for legal compliance prior to approval from Swale’s DP. NAFN is subject to inspection by the officers of the Interception Commission to ensure compliance with RIPA.

2.4 RIPA Authorising Officers

The authorising officers for the Council are:

- Larissa Reed – Chief Executive / RIPA Senior Responsible Officer
- Emma Wiggins – Director of Regeneration
- Martyn Cassell – Head of Commissioning, Environment and Leisure
- James Freeman – Head of Planning
- Charlotte Hudson – Head of Housing, Economy and Community Services

No person designated as an Authorising Officer may act as an Authorising Officer unless they have undertaken appropriate training.

In addition to the above the following officers will be responsible for the authorisation of NAFN RIPA telecommunications requests:

- Larissa Reed – Chief Executive / RIPA Senior Responsible Officer

2.5 Necessity and Proportionality

2.5.1 Obtaining an authorisation for surveillance will only ensure that there is a justifiable interference with an individual’s Article 8 rights if it is **necessary and proportionate** for these activities to take place. The 2000 Act first requires that the person granting an authorisation to believe that the authorisation is necessary for the purpose of preventing and detecting crime or of preventing disorder; therefore there is a requirement that applicants and authorising officers consider why the use of covert surveillance is necessary in the specific investigation and what it will achieve.

2.5.2 Then, if the activities are necessary, the person granting the authorisation must believe that they are proportionate to what is sought to be achieved by carrying them out. This involves balancing the intrusiveness of the activity on the target and others who might be affected by it against the need for the activity in the operational terms. Both the officer making the application and the authorising officer should consider the following test when deciding that the proposed covert surveillance is proportionate:

- a) Is the proposed covert surveillance proportionate to the mischief under investigation, and

- b) Is the proposed covert surveillance proportionate to the degree of anticipated intrusion on the target and others, and
- c) That the proposed covert surveillance is the only option, other overt means having been considered and discounted.

2.5.3 The activity will not be proportionate if it is excessive in the circumstances of the case or if the information which is sought could reasonably be obtained by other less intrusive means. For example it may be acceptable in a benefit “living together” case for surveillance over seven days but not extended over three months. All such activity should be carefully managed to meet the objective in question and must not be arbitrary or unfair.

2.6 Collateral Intrusion

2.6.1 Before authorising surveillance the authorising officer should take into account the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation or operation (collateral intrusion). Measures should be taken, wherever practicable, to avoid or minimise unnecessary intrusion into the lives of those not directly connected with the investigation or operation.

2.6.2 An application for an authorisation should include an assessment of the risk of any collateral intrusion. The authorising officer should take this into account, when considering the proportionality of the surveillance.

2.6.3 Those carrying out the covert surveillance should inform the authorising officer if the operation or investigation unexpectedly interferes with the privacy of individuals who are not covered by the authorisation. When the original authorisation may not be sufficient, consideration should be given to whether the authorisation needs to be amended and re-authorised or a new authorisation is required.

2.6.4 Any person granting or applying for an authorisation will also need to be aware of particular sensitivities in the local community where the surveillance is taking place and of similar activities being undertaken by other public authorities which could impact on the deployment of surveillance.

2.7 Central Record of all authorisations

2.7.1 A central retrievable record of all authorisations is required to be kept by the Council and regularly updated. Whenever an authorisation is granted, renewed or cancelled the original signed document must be passed to the Co-ordinating Officer who maintains the Central Record of Authorisations. On receipt of the documentation the required information will be recorded in the central register.

2.7.2 The record is required to be made available to the relevant Commissioner or an Inspector from the Office of Surveillance Commissioners, upon request.

2.7.3 These records should be retained for a period of five years from the ending of the authorisation and should contain the following information:

- the unique reference number (URN) – this will be provided by the Co-ordinating Officer when requested by the officer applying for the authorisation;
- the type of authorisation; (SBC officers can only conduct directed surveillance)
- the date the authorisation was given;

- the name of the authorising officer;
- the title of the investigation or operation, including a brief description and names of subjects, if known;
- whether the urgency provisions were used, and if so why;
- the date for review
- the date review was undertaken
- if the authorisation is renewed, when it was renewed and who authorised the renewal, including the name of the authorising officer;
- whether the investigation is likely to result in obtaining confidential information;
- the date the authorisation was cancelled.

2.7.4 In all cases, the officer responsible for the investigation (Investigation Manager) must maintain the following documentation which need not form part of the central retrievable record:

- copy of the application and a copy of the authorisation together with any supplementary documentation and notification of the approval given by the authorising officer;
- copy of any renewal of any authorisation together with supporting documents
- any authorisation which was granted or renewed orally (an urgent case) and the reason why the case was considered urgent
- record of the period over which the surveillance has taken place;
- any risk assessment raised in relation to a CHIS
- the circumstances in which tasks were given to the CHIS
- the value of the CHIS to the investigation
- the frequency of reviews prescribed by the authorising officer, recommended monthly;
- record of the result of each review of the authorisation;
- copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested;
- date and time when any instruction were given by the authorising officer since using CHIS.

2.8 Retention and destruction of product

2.8.1 Where the product of surveillance could be relevant to pending or future criminal or civil proceedings, it should be retained in accordance with established disclosure requirements for a suitable further period, commensurate to any subsequent review.

2.8.2 There is nothing which prevents material obtained from properly authorised surveillance from being used in other investigations. Authorising officers must ensure compliance with the appropriate data protection requirements and that arrangements for the handling, storage and destruction of material obtained through the use of covert surveillance are followed.

2.8.3 Investigating officers are expected to keep accurate and full records of investigations. All notebooks (QB50 for Benefit Officers), surveillance logs and other ancillary documentation that relate to surveillance must be maintained for five years and available for management or regulatory inspection on demand.

3. SPECIAL RULES ON AUTHORISATIONS

(Directed Surveillance and CHIS)

- 3.1 Care should be taken in cases where the subject of the investigation or operation might reasonably expect a high degree of privacy eg, where confidential information is involved. Confidential information consists of matters subject to legal privilege, confidential personal information or confidential journalistic material. For example, extra care should be given where, through the use of surveillance, it would be possible to acquire knowledge of discussions between a minister of religion and an individual relating to the latter's spiritual welfare, or where matters of medical or journalistic confidentiality or legal privilege may be involved.
- 3.2 In cases where through the use of surveillance it is likely that knowledge of confidential information will be acquired, the use of surveillance is subject to a higher level of authorisation, and must be authorised by the Chief Executive, or in his absence his deputy; this being the RIPA Senior Responsible Officer or the Head of Service Delivery.
- 3.3 Where a juvenile or vulnerable person is to be used as a CHIS the Investigating Officer must, when seeking an authorisation:
- (a) make a risk assessment to demonstrate that the physical and psychological risks have been identified, evaluated and explained to the CHIS, and
- (b) that an appropriate adult will be present at meetings of any CHIS under the age of 18.
- 3.4 Where the authorisation is for the employment of a juvenile or vulnerable CHIS the authorisation must be obtained by the Chief Executive or in his absence his deputy (as detailed in 3.2 above).

4. AUTHORISATION PROCEDURE FOR COVERT SURVEILLANCE

(Directed Surveillance and CHIS)

The appropriate RIPA forms are available from the Intranet, under Service Units; Legal; Shared Documents; Guidance, RIPA; Covert Surveillance Forms and Code of Practice.

Application Forms:

- Application for the use of Directed Surveillance form
- Application for the use of CHIS form
- Judicial Application / Order form

- 4.1 Before covert surveillance can be conducted, an application for the use of directed surveillance form and/or an application for the use of CHIS form must be completed and authorised in writing by the authorising officer.
- 4.2 Local Authorities can no longer rely on the provision for urgent authorisation being given orally by the authorising officer as there is the requirement of obtaining judicial approval. There are however guidelines for obtaining urgent judicial approval and these are detailed below at paragraph 4.15. It should be remembered that no RIPA authority is required in situations where surveillance is an immediate response to

events i.e. where criminal activity is observed during routine duties and officers conceal themselves to observe what is happening.

4.3 The application should include:

- the reason why the authorisation is necessary i.e. for the purpose of preventing and detecting crime or of preventing disorder (*this is the only permitted ground open to Local Authorities*)
- an adequate explanation of the reason why the surveillance is considered proportionate to what it seeks to achieve;
- the nature of the surveillance including what surveillance equipment is to be used (the operation must be spelt out in sufficient detail on the application form for the Authorising Officer to have a clear idea of exactly what they are being asked to authorise);
- a map showing where the surveillance will take place;
- details of other methods considered and why they were deemed not to be appropriate;
- the identities, where known, of those to be the subject of the surveillance;
- an explanation of the information desired from the surveillance;
- the details of any potential collateral intrusion and why the intrusion is justified;
- the details of any confidential information that is likely to be obtained as a consequence off the surveillance.
- the level of authority required (or recommended where that is different) for the surveillance;
- a subsequent record of whether authority was given or refused, by whom and the time and date.

Good practice hints:

- ensure all questions are answered properly and appropriate boxes ticked
- prior to submitting the application review the case file and discuss the case with the authorising officer to tease out additional information required and to fill any gaps, provide adequate information on the application form for it to stand alone.
- Information must be clear and un-ambiguous

4.4 To enable application forms for directed surveillance to be completed with sufficient detail drive bys are permitted to identify whether a location is suitable for surveillance. However, the practice should not be abused and repeated and/or systematic use of drive bys may require application for surveillance forms to be completed and authorisation granted by an Authorising Officer. If surveillance is to commence immediately authorisation **must** be sought first.

Authorisation:

4.5 Responsibility for authorising the carrying out of covert surveillance rests with the authorising officer and requires the personal authority of the authorising officer. **In no circumstances should an officer authorise until appropriately trained.**

- 4.6 Authorising Officers must insist on the operation being described in sufficient detail *on the application form* for them to have a clear idea of exactly what they are being asked to authorise and so that they have a sufficient *aide-memoir* to be able to withstand cross-examination in Court, maybe after a lapse of some years. The application form must stand alone in supporting the authorisation. Only what is written on the form would be used in Court to justify authorisation of surveillance being granted, therefore authorising officers must clearly describe exactly what activities they are authorising.
- 4.7 An authorisation can only be granted by the authorising officer where he/she believe that the use of covert surveillance is **necessary** in the investigation for the purposes of preventing and detecting crime or of preventing disorder and that the surveillance is **proportionate** to what it seeks to achieve, i.e it satisfies the test set out at 2.5 above.
- 4.8 In completing their authorisation the Authorising Officer should include a statement detailing their reasons for considering that application is necessary and proportionate incorporating the 5 “W”s”; these being: “who”, “what”, “where”, “when”, “why” and “how”.
- 4.9 In addition, when an authorisation is sought for the use of CHIS, the authorising officer must be satisfied that:
- (a) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have day-to-day responsibility for dealing with the source on behalf of that authority, and for the source's security and welfare;
 - (b) that there will at all times be another person holding an office, rank or position with the relevant investigating authority who will have general oversight of the use made of the source;
 - (c) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have responsibility for maintaining a record of the use made of the source;
 - (d) that the records relating to the source that are maintained by the relevant investigating authority will always contain particulars of all such matters (if any) as may be specified for the purposes of this paragraph in regulations made by the Secretary of State; and
 - (e) that records maintained by the relevant investigating authority that disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available to those persons.
 - (f) that a risk assessment has been carried out to determine the risk to the source of any tasking and the likely consequences should the role of the source become known. The ongoing security and welfare of the source, after the cancellation of the authorisation, should have also be considered at this stage.

For further information please refer to paragraphs 1.22 to 1.29 above.

- 4.10 Authorising Officers should, where possible, complete their authorisation by hand to avoid being challenged at a later date as to the authenticity of their authorisation.
- 4.11 Where a previously unidentified subject is identified or an additional subject is subsequently identified during the course of surveillance, the surveillance may continue

in order to maintain contact. Thereafter, a revised authorisation will be required to cover the additional subject etc. New individuals **must not** be added to the original authorisation retrospectively.

Judicial Approval:

4.12 As soon as an authorisation has been granted through the internal procedure the following steps must be taken to obtain judicial approval:

1. HMCTS administration at the magistrates' court should be contacted by calling 01622 671041 for a hearing to be arranged – such hearings will be held in private.
2. A copy of the original RIPA authorisation and supporting documentation should be provided to the JP (a District Judge or lay magistrate) and **should contain all information that is relied upon.**
3. Two copies of the partially completed judicial approval/order form should be provided to the JP – one for the Court to keep and one for the Council.
4. Attend hearing. For details of who should attend please see the following paragraph.

4.13 Consideration should be given as to who is the most appropriate person to attend the hearing to request judicial approval. As it is likely that the JP will have questions for whoever attends it should be someone with a detailed knowledge of the case. The OSC Guidance suggests that the most appropriate person to attend is the authorising officer as only they can explain their reasoning on necessity, proportionality, collateral intrusion and risk. It is recognised that this is not always practicable, and in these cases it is likely that the investigating officer should attend and promptly report back any comments made by the JP to the authorising officer. *Any officer that attends on behalf of the Council must be authorised to do so by the Head of Legal under section 223 of the Local Government Act 1972. A list of those authorised will be kept with the central record of authorisations.*

*NB: All evidence of necessity and proportionality **must** be in the RIPA/CHIS application form as it is not sufficient to provide oral evidence at the hearing where this is not reflected or supported in the papers provided.*

4.14 Following consideration of the case the JP will complete the order section of the judicial application / order form recording their decision to either approve or refuse the authorisation or to refuse and quash the original authorisation.

4.15 Whilst Home Office Guidance urges Local Authorities to make local arrangements to deal with out of hours access to a JP for urgent cases our local HMCTS legal staff have advised that they do not envisage there to ever be a need for the authority to require urgent access, therefore all applications should be made in Court hours. The Senior Responsible Officer will continue to review the situation and if it is proven that there is a need for local arrangements for urgent cases to be made we will contact the Court again.

NB: It should be remembered that in most emergency situations it is likely that the police would have the power to act, and in such cases they would be able to authorise the activity without prior judicial approval.

4.16 Authorising officers should not be responsible for authorising investigations or operations in which they are directly involved, although it is recognised that this may

sometimes be unavoidable, especially in the case of small organisations, or where it is necessary to act urgently.

Directed surveillance conducted from premises
(ref: R v Kenneth Johnson)

- 4.17 In the event that covert surveillance is required to be conducted from premises the following guidelines must be followed:
- Prior to covert surveillance being conducted from premises the line manager (or above) responsible for the investigation must visit the premises to ascertain the attitude of the occupiers to the surveillance activities and to the possible disclosure of information which might enable them to be identified.
 - Immediately before trial the Head of Services (or above) must ascertain whether the occupiers of the premises are the same as when the surveillance took place and, whether they are or not, what their feelings are as to the disclosure of information which might cause them to be identified.

Reviews:

Forms:

- Review of the use of Directed Surveillance form
- Review of the use of CHIS form

- 4.18 Written authorisations granted under RIPA for a CHIS cease to have effect twelve months after the date of granting of the authorisation. All other written authorisations under RIPA cease to have effect three months after the authorisation was granted.
- 4.19 Regular reviews of authorisations should be undertaken by the officer responsible for conducting the investigation (Investigation Manager), and approved by the authorising officer, to assess the need for the surveillance to continue. *There is no requirement for the JP to consider internal reviews.* A copy of the review form should be retained by the officer responsible for conducting the investigation (Investigation Manager) and the original should be passed to the RIPA Co-ordinating Officer. Particular attention is drawn to the need to review authorisations frequently where the surveillance provides access to confidential information or involves collateral intrusion.
- 4.20 In each case the authorising officer should determine how often a review should take place. This should be as frequently as is considered necessary and practicable, *recommended at least monthly and immediately after the date the surveillance is due to end.*

Renewals:

Forms:

- Renewal of Directed Surveillance form
- Renewal of CHIS form

- 4.21 If at any time before an authorisation would cease to have effect, the authorising officer considers it necessary for the authorisation to continue for the purpose for which it was given, he may renew it in writing for a further period of **three or twelve months**.
- 4.22 A renewal takes effect at the time at which, or day on which the authorisation would have ceased to have effect but for the renewal. An application for renewal should not be made until shortly before the authorisation period is drawing to an end. Any person who would be entitled to grant a new authorisation can renew an authorisation.
- 4.23 Applications for renewal of an authorisation for covert surveillance should record:
- whether this is the first renewal or every occasion on which the authorisation has been renewed previously;
 - any significant changes to the information at paragraph 4.3
 - the reasons why it is necessary to continue with the directed surveillance;
 - the content and value to the investigation or operation of the information so far obtained by the surveillance;
 - the result of regular reviews of the investigation or operation.
- 4.24 Authorisations may be renewed more than once, provided they continue to meet the criteria for authorisations. A copy of the renewal forms should be retained by the officer responsible for conducting the investigation (Investigation Manager) and the original should be passed to the Co-ordinating Officer for the required information to be recorded in the Central Record of Authorisations (see paragraph 2.7).
- 4.25 **Following the internal authorisation for renewal process it will again be necessary to obtain judicial approval for the authorisation to be renewed and the same process detailed in 4.12 to 4.14 above should be followed.**

NB: Where renewals are timetabled to fall outside of court hours it is for the Local Authority to ensure that the renewal is completed ahead of the deadline.

Cancellations:

Forms:

- Cancellation of Directed Surveillance form
- Cancellation of CHIS form

- 4.26 A written authorisation granted by an authorising officer will cease to have effect (unless renewed) at the end of a period of **three months in relation to Directed Surveillance** or **twelve months in relation to CHIS** beginning with the day on which it took effect, however the authorising officer who granted or last renewed the authorisation must promptly cancel the authorisation if he is satisfied that the covert surveillance no longer meets the criteria for authorisation, including, but not limited to, where during the investigation it becomes clear that the offence being investigated no longer meets the crime threshold.
- 4.27 As soon as the decision is taken that covert surveillance should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject(s) and a record made of the date and time when the instruction was given. A Cancellation of the use of directed surveillance form must be completed by the officer responsible for

conducting the investigation (Investigation Manager) and signed by the Authorising Officer. *There is no requirement for the JP to consider cancellations.*

- 4.28 Cancellation forms should be retained by the Investigating Manager and the original should be passed to the RIPA Co-ordinating Officer for the required information to be recorded in the Central Record of Authorisations (see paragraph 2.7).

To ensure prompt cancellation Investigation Managers should advise the authorising officer as soon as surveillance activity has ceased.

5. AUTHORISATION PROCEDURES FOR COMMUNICATIONS DATA

- 5.1 Only officers authorised by the Council's Designated Person can submit applications via the NAFN secure website facility. Authorised officers are assigned a website username and password to access the NAFN SPoC application system.

- 5.2 Applications should detail the necessity, purpose and proportionality of each request for information, in addition to consideration of collateral intrusion arising from the request for information. The level of detail should be as required for covert surveillance and CHIS applications – See 4.3.

- 5.3 Applications which do not provide adequate detail will be returned to applying officers for reworking prior to submission to the Council's Designated Person for consideration and approval. Applications will only be approved where the DP considers the application to be necessary and proportionate to the investigation.

- 5.4 As soon as an authorisation has been granted through the internal procedure it will be for the Council to obtain judicial approval following the procedure detailed above at paragraphs 4.12 to 4.14. The JP will complete the order section of the judicial application / order form reflecting their decision after which the Council will then be required to upload a copy of this order to the NAFN SPoC system.

- 5.5 Detailed NAFN SPoC procedures notes are provided on the Council's intranet. Procedures notes include action required for the withdrawal or cancellation of applications as well as procedures to be followed where applications are approved or rejected by the DP.

6. Authorisation Control Matrix/ Aide-memoire:

- 6.1 To assist officers responsible for conducting investigations (Investigation Managers) to maintain appropriate records and comply fully with the Regulations a suitable Authorisation Control Matrix has been included at Appendix C. Dates of Reviews and when Authorisations cease should also be diarised as a further aid-memoire so that Reviews, Renewals and Cancellations are properly completed in a timely manner.

7. Complaints Relating to the use of RIPA

- 7.1 The Investigatory Powers Tribunal is a court which investigates and determines complaints which allege that public authorities or law enforcement agencies have unlawfully used covert techniques and infringed an individual's right to privacy, as well as claims against the security and intelligence agencies for conduct which breaches a wider range of our human rights. Where a member of the public wishes

to complain about the Council's use of, or conduct of these powers they should be directed towards the Tribunal's website at <http://www.ipt-uk.com/>.

8. Non-RIPA Surveillance

Where the crime threshold for surveillance cannot be met, surveillance can still be considered as a last resort if it is deemed to be both necessary and proportionate. In such cases the same internal procedure used for the authorisation, renewal, review and cancellation of a RIPA application set out on pages 15 to 19 are to be followed, however the relevant non-RIPA form is to be used with all documentation being held centrally by the RIPA Co-ordinating Officer. For non RIPA applications there is no requirement to obtain Judicial Approval.

Relevant Legislation and Guidance

The Data Protection Act 2018

The Act provides six principles to be observed to ensure that the requirements are complied with. They provide that personal data (which includes personal data obtained from **covert surveillance techniques**) must:

- 1 be used fairly, lawfully and transparently;
- 2 be used for specified, explicit purposes;
- 3 be used in a way that is adequate, relevant and limited to only what is necessary;
- 4 be accurate and, where necessary, kept up to date;
- 5 be kept for no longer than is necessary; and
- 6 be handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

The Human Rights Act 1998

Article 8, of the European Convention on Human Rights is relevant in the context of **covert surveillance** in that it states:

- everyone has the right to respect for his private and family life, home and correspondence;
- there is to be no interference with the exercise of these rights by the local authority, except where such interference is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others

Article 6, of the Convention is also relevant in the context of **covert surveillance** in that everyone has the right to a fair trial, including internal procedures or hearings, and fairness extends to the way in which evidence is obtained.

The Regulation of Investigatory Powers Act 2000

- The Act strikes a balance between community responsibilities, including effective law enforcement and individual rights and freedoms. The principles of RIPA are as follows:
- Surveillance is an intrusion into the privacy of the citizen. It should not be undertaken unless it is necessary, proportionate to the alleged offence and properly authorised. Where there is an alternative legal means of obtaining information that is less intrusive on the rights of the citizen, the alternative course rather than surveillance should be taken.
- Surveillance will be conducted within the constraints of the Council. It will cease when evidence sought has been obtained or when it becomes clear that the evidence is not going to be obtained by further surveillance. At that point authorisation must be cancelled.

- In every instance where surveillance is authorised the officer who conducts surveillance will consider and make plans to reduce the level of collateral intrusion into the privacy of third parties.
- All outstanding surveillance authorisations will be reviewed at regular intervals and cancelled where there is no further need for surveillance.
- All officers involved in applying for, authorising or undertaking surveillance will understand the legal requirements set out in RIPA and the Code of Practice. They will personally take responsibility of their involvement.
- All authorisations, notebooks, surveillance logs and other ancillary documentation that relates to surveillance will be maintained to the required standard for three years. All documentation will be volunteered for any management or regulatory inspection on demand.
- Any failure of any part of the process will be brought to the attention of the manager responsible for the investigation.
- Wilful disregard of any part of the Surveillance Code of Practice or of internal procedures will be dealt with in line with Council policy.

Protection of Freedoms Act 2012

The Act amended the Regulation of Investigatory Powers Act 2000 (RIPA) to make local authority authorisation subject to judicial approval. It also limited a Local Authorities use of RIPA so that authorisations could only be obtained for directed surveillance to prevent or detect criminal offences that are either punishable, whether on summary conviction or indictment, by a maximum term of at least six months imprisonment or are related to the underage sale of alcohol and tobacco.

Investigatory Powers Act 2016

The Act will provide a new framework to govern the use and oversight of investigatory powers by law enforcement and the security and intelligence agencies. The aim of the Act is to bring together all of the powers already available to law enforcement and the security and intelligence agencies to obtain communications and data about communications and will make these powers and the safeguards that apply to them clear and understandable. In addition it creates a powerful new Investigatory Powers Commissioner to oversee how these powers are used and ensures powers are fit for the digital age.

Criminal Procedures & Investigation Act 1996 (CPIA)

The Act sets out legal obligations concerning criminal investigations. The principles of the Act are as follows:-

- **Record** - Information must be recorded in a durable and retrievable form. It must be full & factual. File notes must be contemporaneous, dated & preferably timed. There should be no personal comments, biased opinions, and prejudiced observations.
- **Retain** - All material obtained in the course of an investigation must be retained in the investigation file. The origin, date & if appropriate the time it was obtained must be recorded. The reasons for action must be recorded, including any request for authorised surveillance, and details of the risk assessment.

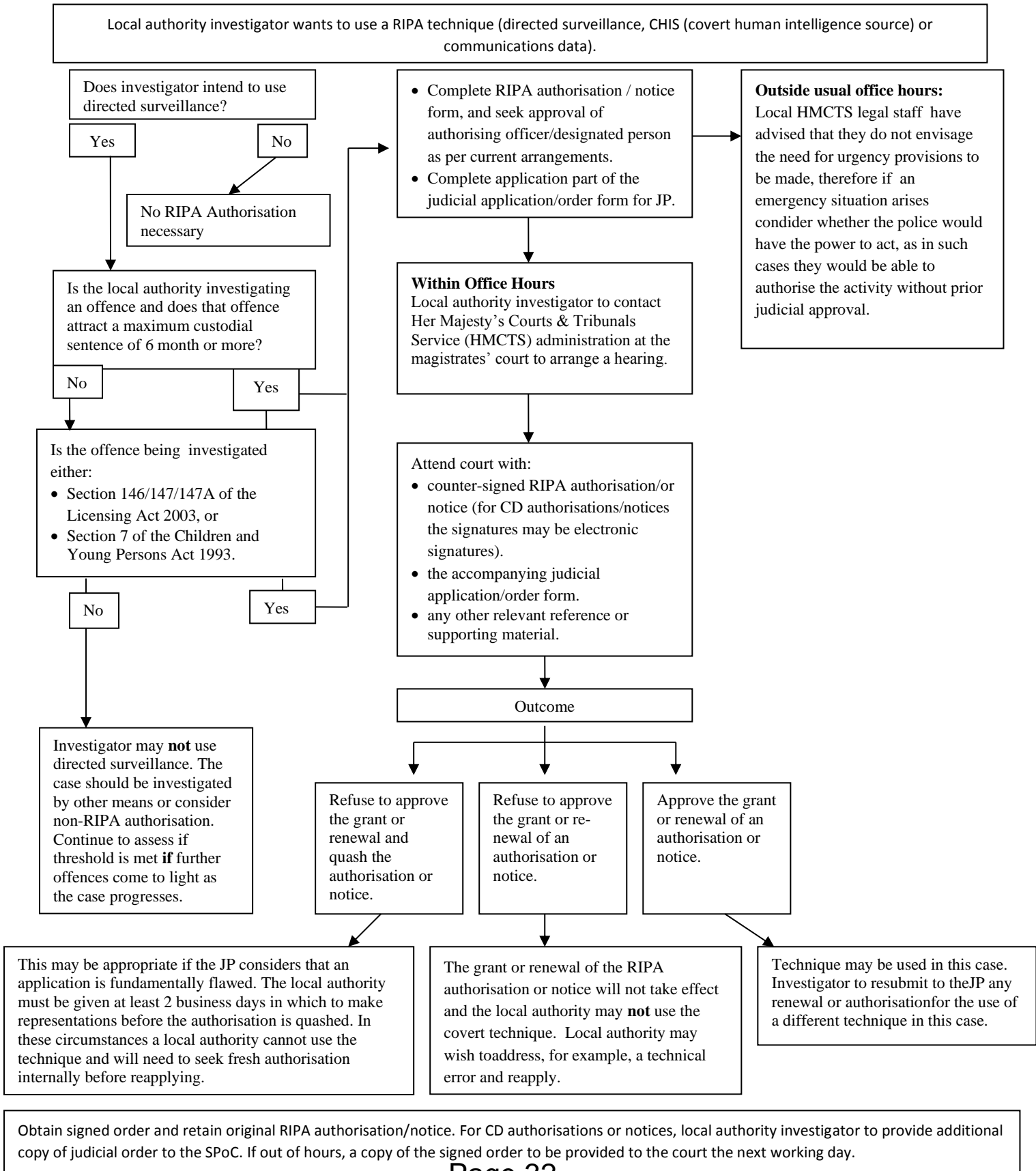
- **Reveal** - 3 clearly identifiable roles on all investigation files:-
 - Investigator
 - Officer in Charge of the Investigation
 - Disclosure Officer
- Unused material is listed on two schedules: -
 - Non-sensitive
 - Sensitive.

Guidance Notes and Codes of Practice:

- Covert Surveillance and Property Interference Code of Practice – Home Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384975/Covert_Surveillance_Property_Interference_web_2_.pdf
- Covert Human Intelligent Source Code of Practice – Home Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384976/Covert_Human_Intelligence_web.pdf
- Acquisition and Disclosure of Communications Data Code of Practice – Home Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/426248/Acquisition_and_Disclosure_of_Communications_Data_Code_of_Practice_March_2015.pdf
- Guidance to local authorities in England and Wales on the judicial approval process for RIPA and the crime threshold for directed surveillance – Home Office, October 2012
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118173/local-authority-england-wales.pdf

Information can also be obtained from the website of the Investigatory Powers Commissioner's Office at <https://www.ipco.org.uk/> who has absorbed the powers of the Office of Surveillance Commissioners and the Interception of Communications Commissioners Office.

**LOCAL AUTHORITY PROCEDURE:
APPLICATION TO A JUSTICE OF THE PEACE SEEKING AN ORDER TO APPROVE THE
GRANT OF A RIPA AUTHORISATION OR NOTICE**



AUTHORISATION CONTROL MATRIX							
OP/INVESTIGATION NAME:				UNIQUE REFERENCE NUMBER:			
SUBJECT NO.	APPLICATION	AUTHORISATION		RENEW	REVIEW	CAN-CELLED	EXPIRY DATE
		ORAL	WRITTEN				

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Investigatory Powers
Commissioner's Office

PO Box 29105, London
SW1V 1ZU

Mr Mark Radford
Chief Executive
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

2 June 2020

Dear Mr Radford,

Inspection of Swale Borough Council

Please be aware that IPCO is not a “public authority” for the purpose of the Freedom of Information Act (FOIA) and therefore falls outside the reach of the FOIA. It is appreciated that local authorities are subject to the FOIA and that they may receive requests for disclosure of our reports. In the first instance the SRO should bring the matter to the attention of the IPCO Data Protection Officer (at: info@ipco.org.uk), before making any disclosure. This is also the case if you wish to make the content of this letter publicly available.

Your Council was recently the subject of a telephone and desktop-based inspection by one of my Inspectors, Gráinne Athorn. This has been facilitated through your RIPA Co-ordinator Mr Gary Rowland, who was interviewed over the telephone and provided extensive supporting documentation to the Inspector.

The information provided has demonstrated a level of compliance that removes, for the present, the requirement for a physical inspection.

Our last inspection of Swale Borough Council took place during April 2017. The inspection found that the policy and processes utilised by the Council were suitable and consequently no recommendations were made for further action. I understand that since the last inspection Swale Borough Council has used powers to authorise directed surveillance on one occasion during 2018 and copies of all relevant documentation were copied to Mrs Athorn to review.

When assessing the documentation relating to the authorised directed surveillance, Mrs Athorn is mindful that the application as it was presented to her was lawfully authorised following the processes set out by the Protection of Freedoms Act 2012 and she does not wish to undermine this decision, however it is suggested that by utilising the following feedback improvements may be made to any future applications:

- The application for directed surveillance related to the systematic destruction of a protected woodland resulting in the imposition of a High Court Injunction intended to prevent further damage. Mrs Athorn notes that the injunction cites two relevant persons both resident on a nearby Travellers site, however only one of these persons is listed as a subject of the intended surveillance. It is not clear from the

explanation provided how these individuals came to be identified, what supporting information had been established to evidence their continued involvement in the destruction, and nor was it explained why only one was to be the subject of intended surveillance. A much fuller explanation of the context of the investigation so far would have assisted greatly in 'setting the scene' for the independent reader.

- Within the necessity criteria neither the applicant nor the Authorising Officer (AO) set out the likely penalty for disobeying a High Court injunction and how this reached the crime threshold that councils must satisfy in order to secure authorisation. It may be that the knowledge of the person granting approval was assumed, however in general terms when setting out the necessity of the proposed activity, the relevant offences under investigation and the likely penalty upon conviction as a first offence should be explained.
- When considering proportionality, the applicant did not address the criteria set out within the Covert Surveillance and Property Interference Code of Practice¹. The Code of Practice explains that an account must be provided to show how the proposed activity is justified within the circumstances of the operation and is not excessive; what other less invasive means of investigation have been considered or tried (for example in this case the use of an overt camera(s) as a deterrent); and how the proposed surveillance would cause the least intrusion to the subject(s) of the operation. The Authorising Officer's statement concerning proportionality was equally brief and gave little detail of how he had balanced the rights of the subject of the operation against the need to obtain evidence, and why this evidence was required rather than using the tactic as a deterrent.
- The application provided very little detail as to the type of equipment that was to be used other than to refer to it as 'digital recording equipment' and reference to its placement well away from residential premises. It is important that when authorising surveillance an AO understands the capability and limitations of the equipment to be used, so that an accurate assessment of success and the extent of collateral intrusion can be completed. In most cases there would be an expectation that a suitable feasibility assessment would be carried out prior to consideration by an AO to avoid an unnecessary authorisation.
- The application states that collateral intrusion was unlikely to occur because the land in question did not contain access routes or byways, however the omission of general details of the destruction of the woodland and the suspected perpetrators meant that it was not possible to assess if any other party was involved and what the consequential impact of surveillance would be on them. Community sensitivities or tensions relating to local Traveller residents were not articulated or addressed.
- Finally, the date of authorisation was the 14th May 2018 meaning the expiry date was in August, not July as stated². Any extant surveillance authorisation must be cancelled as soon as it is identified as no longer necessary. The cancellation of this authorisation was completed, without any surveillance taking place, three days before the (incorrect) expiry date. This suggests the need to review the activity at an appropriate point after authorisation had been neglected, as the unsuitability of the tactic in practice might otherwise have led to an earlier cancellation.

During her telephone call with Mr Rowland, Mrs Athorn summarised the above findings. Her conclusion is that the quality of the surveillance application and overall administration of the process would have been much improved by the involvement of a third party such as the RIPA Co-ordinator. It may also be the case that these problems were exacerbated by the decision to allow the Head of Planning to authorise an application from a staff member within his own department. It is therefore suggested that should a similar scenario arise in the future, a nominated Authorising Officer from a different department be asked to consider approving the application prior to it being taken to a court for consideration. The use of an Authorising Officer who is unfamiliar with the case is likely to prompt the greater detail envisaged as part of an improved application.

¹ The Home Office Code was updated in August 2018 after the time of the authorisation, but the earlier version was no less applicable.

² An authorisation begins at the time of the magistrate's approval and will be due to expire three months thereafter.

As well as reviewing the surveillance authorisation, Mrs Athorn also undertook a review of the current RIPA policy which covers both surveillance and CHIS as well as the acquisition of communications data. She found the document to be readable and a comprehensive guide which covered topics such as the use of information derived from social media during investigations. It is understood that your Council is registered with the National Anti-Fraud Network for the purposes of obtaining communications data, albeit as an infrequent user.

The monitoring of social media and the internet can offer initial investigative leads and assist with a council's enforcement or other investigative responsibilities, but it is important that any such activity is undertaken in a controlled and auditable manner. I understand that a suitable firewall is used by Swale Borough Council to prevent unauthorised internet access from Council approved devices. In his discussion with the Inspector, Mr Rowland set out an intention to review the overall use of overt social media profiles which can only help to strengthen your oversight of internet usage for both overt and covert purposes.

Furthermore, in accordance with section 4.47 of the 2018 Home Office Covert Surveillance and Property Interference Code of Practice, Mr Rowland confirmed that you provide Elected Members with an annual report sufficient to enable them to determine that the Council's policy remains fit for purpose, together with regular reports on RIPA activity (or inactivity).

During the inspection Mrs Athorn asked Mr Rowland about the Council's stance on the review and destruction of documentation. It is understood that this is governed by a suitable corporate policy with a standard six-year policy. Consequently, the above directed surveillance authorisation is the only entry on the central record of authorisations with all earlier entries having been deleted. Mrs Athorn did highlight that despite reference to the use of urgency provisions having been removed from the central record (removed from use by Local Authorities by the Protection of Freedoms Act 2012), a brief mention is still made of them within the RIPA Policy. Mr Rowland has agreed to remove this section of the policy.

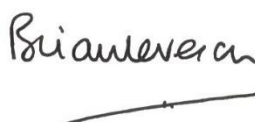
In conclusion, despite what may feel like a critical assessment of your use of RIPA powers, it appears that Swale Borough Council is well prepared to utilise surveillance in the future. The RIPA policy and processes are well established and Mr Rowland is both knowledgeable and helpful. The regular provision of training by an external provider (most recently in 2018) helps to reinforce corporate knowledge of RIPA, particularly as it is not in daily use. I understand that further training is planned, and I encourage you to invite again as many people to attend this as you think will benefit.

I am assured as to the integrity of your Council's processes and governance procedures and that these will be maintained by you in your capacity as SRO to ensure that high standards of compliance with the Act and relevant codes of practice are achieved. Mrs Athorn was impressed by the knowledge and approach of Mr Rowland, who will undoubtedly be a great support to you in your oversight role, and to whom thanks are due for his engagement at a time of unprecedented demands on local authorities.

I hope that this telephone-based inspection has proved to be a worthwhile exercise. My Office is available to you should you have any queries following the recent inspection, or at any point in the future. Contact details are provided at the foot of this letter.

I shall be grateful if you would acknowledge receipt of this letter within two months.

Yours sincerely,



The Rt. Hon. Sir Brian Leveson
The Investigatory Powers Commissioner

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Cabinet Meeting	
Meeting Date	17 March 2021
Report Title	Reactive and Planned Term Maintenance Contract – Extension of contract
Cabinet Member	Monique Bonney, Cabinet Member for Property and Economy
SMT Lead	Nick Vickers, Chief Financial Officer
Head of Service	Nick Vickers, Chief Financial Officer
Lead Officer	Debbie Hardy, Buildings Manager
Key Decision	Yes
Classification	Open
Recommendation	<ol style="list-style-type: none"> 1. That Cabinet approves to extend the current contract for Planned and Reactive Term Maintenance for a further 6 months from 1 October 2021 to 31 March 2022. 2. That detailed work is undertaken on other options for a re-tender.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out of the options for the provision of planned and reactive maintenance for the Council. The current contract has a three year term which ends on 30 September 2021 with an option to extend for a period of up to two years. It is anticipated that the annual contract value will exceed the £100,000 threshold for officer decision.

2 Background

- 2.1 The current contract for Planned and Reactive Term Maintenance commenced on 1 October 2018 and was awarded to Kirkman & Jourdain. It had an initial period of three years with an option to extend for a further two years.
- 2.2 Kirkman & Jourdain have met all KPIs over the past two and a half years with an average of 94.7% work completed on time.
- 2.3 Kirkman & Jourdain have their own Health & Safety department which ensures all operatives and subcontractors have been vetted. There have been no health & safety issues throughout the contract period.
- 2.4 All paperwork, including relevant material invoices, have been provided.

- 2.5 Kirkman & Jourdain have completed 91.3% of work at first visit.
- 2.6 Kirkman & Jourdain look to employ local staff as contractors to save travelling, there are 2 local full time operatives who work on our contract. They also hold van stock and regular items of stock at Swale House to avoid the need of travelling to suppliers. They use local suppliers such as CEF and Parker Building Supplies. The majority of the workforce and subcontractors are based locally.
- 2.7 If work needs to be sub contracted due to its specialist nature local firms are used.
- 2.8 Kirkman & Jourdain have demonstrated value for money on numerous work/projects. They have also supported specifications where necessary and provided advice when needed.
- 2.9 As Kirkman & Jourdain are a well established company, they have all the relevant accreditations meaning any due diligence that is the Council's responsibility is carried out.
- 2.10 There is a good working relationship between the contractors and various tenants at our sites.
- 2.11 There have been a few out of hours emergency issues over the past two and half years and Kirkman & Jourdain have always responded immediately making the area safe and returning to complete when necessary and instructed by Swale Borough Council.
- 2.12 To date spend in each year is:

1 st October 2018 – 31 st March 2019	£102,027.30 excl VAT
1 st April 2019 – 31 st March 2020	£234,530.30 excl VAT
1 st April - date	£156,234.82 excl VAT

3 Proposals

3.1 Option 1

The Council continues to use the incumbent contractor for a further two years. The benefits of this option are that by staying with the current contract, we will ensure continuity of service. As set out above, the performance of Kirkman & Jourdain has been satisfactory and there have been no significant performance issues raised. The main disadvantage of this option is that the Council will not be able to test the market, and one contractor does not give the opportunity for smaller, local companies to bid for work.

Option 2

To undertake a tender process for a new contract to for responsive and planned works. It is recommended that if this option is accepted the contract would be for a period of 3+2 years. The benefit of this option would be the ability to test the market, however there is no guarantee that a new contract would provide improved value for money and it is unlikely that small local firms would be able to bid due to the wide nature of the works. This option could have TUPE implications

Option 3

That the Council lets several contracts to different companies through a local framework to deliver the requirements set out in the current specification. The key benefit of this is the ability for local small and medium business will be able to bid to carry out the work. This will support local businesses. Although it should be said that the current contractor does employ a number of local staff. If this option is chosen there could be TUPE implications.

If this option were taken forward there would be an implication on the management and monitoring of the contract. Monitoring and administering several small contracts will require more resource than managing a single contract and so the cost of addition Council staff will need to be factored into the overall cost. This is likely to be up to 1 full time equivalent post- there is an existing vacancy in the Property Team and that funding could be utilised for this resource. Although the market has not currently been tested, it is felt that the costs of Option 3 could be higher than the other options.

- 3.2 Whilst the performance of the current contractor has been satisfactory there are broader issues which argue for Option 3. The Economic Development priorities of the administration seek to support small local businesses and the tender also needs to reflect the Council's Climate Change and Ecological Emergency objectives.
- 3.3 The approach to the contract also needs to be reflective of a better overall view of the maintenance required on the Council's estate rather than the reactive nature of the current arrangements. The Council also needs to improve its specifications and monitoring of work.
- 3.4 If Option 3 is adopted then to allow the time for a robust specification to be prepared and for the tender process to be undertaken the Council will need to extend the current contract. It is proposed that the extension is for 6 months, the contract can be extended for any period up to 2 years.

3.5 A proposed way forward on the new tender would be brought to Cabinet in June.

4 Alternative Options

- 4.1 Three alternative options are set out above and have been evaluated.

5 Consultation Undertaken or Proposed

- 5.1 There has been no consultation and the recommendations reflect internal discussions with members and officers from a range of disciplines..

6 Implications

Issue	Implications
Corporate Plan	Appointing a contractor that meets a good quality standard and provides good value for money contributes towards all the corporate priorities as it ensures that the maintenance of the Council's assets is optimised.
Financial, Resource and Property	Anticipated annual spend on the reactive maintenance contract is £100,000. The Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended ("TUPE") could apply to this contract..
Legal and Statutory	The contract is the standard JCT Measured Term Contract 2016, which is typically used as an industry standard for term contracts. The JCT contract is subject to a schedule of amendments and includes the Council's required contract terms, e.g. Freedom of Information.
Crime and Disorder	None identified at this stage
Environmental Sustainability	The evaluation of the original tender included social value, of which environmental sustainability forms a part.
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	The evaluation of the original tender included the contractors' approach to risk management and health and safety.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

None

8 Background Papers

None

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Cabinet Meeting	
Meeting Date	17 March 2021
Report Title	Swale House refurbishment project
Cabinet Member	Cllr Monique Bonney, Cabinet Member for Economy & Property
SMT Lead	Nick Vickers, Chief Financial Officer
Head of Service	Anne Adams, Head of Property Services
Lead Officer	Anne Adams, Head of Property Services
Key Decision	Yes
Classification	Open
Recommendations	<p>Cabinet is recommended to:</p> <ol style="list-style-type: none"> 1. Authorise the Chief Financial Officer to borrow either internally or externally up to £1.9m and allocate the funding to installing double glazed windows, LED lighting, repairing and insulating the roof, insulating the under-croft and carrying out minor internal alterations.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to present the detailed proposals for the low carbon refurbishment of Swale House and to seek Cabinet approval to allocate the required funds to the project. This project represents a significant contribution towards the target of achieving net zero carbon In Council operations by 2025.

2 Background

- 2.1 The progress report that was presented to Cabinet on 9 December 2020 provided the background to the project, detailed the appointment of the project/consultancy team and set out the key objectives for the project. These were:

- To contribute towards the delivery of the Climate and Ecological Emergency Action Plan by creating a low carbon building,
- To create a modern and efficient working environment for the organisation, and
- To support the Council's Economic Improvement Plan and Recovery Plan by providing opportunities for businesses to locate at Swale House.

2.2 Our consultants have carried out extensive works to determine our options for reducing carbon emissions and their reports can be found as background papers to this report. In order to maximise the possible carbon reductions and achieve the net zero carbon objective the following works would need to be considered:

- Wall insulation,
- Ground bearing slab insulation,
- Under-croft soffit/slab insulation,
- Roof stair core and plant room insulation,
- New double or triple glazed windows,
- New external doors,
- Solar shading,
- Roof insulation,
- Air source heat pump,
- New air handling plant with heat recovery,
- Upgrade to incoming electrical supply,
- Solar PV panels,
- LED lighting.

Public Sector Decarbonisation Scheme

2.3 In the previous report it was explained that the scope of the project and amount of funding to be recommended would be dependent upon whether the grant application had been successful. The very short timescales were also set out.

2.4 The amount of funding that we were able to apply for was considerably less than first realised due to the cap that was placed on applications. The cap was based on the amount of carbon that would be saved each year and, in our case, that resulted in a maximum grant of £1.1m.

2.5 The grant funding also had other criteria that have proven impossible to meet with the amount of match funding available. The installation of an air source heat pump was an essential requirement of the grant and for this to be an effective method of heating the building, it would require high levels of thermal insulation to the fabric of the building. The cost of the necessary work to meet the grant criteria has been estimated as £6m excluding fees.

2.6 At the same time as submitting the grant bid for Swale House, we also submitted a bid for the refurbishment of Master's House, Sheerness. We have now had notification from Salix Finance, who are managing the grant process, that the Master's House bid has been successful. We have therefore advised Salix that we propose to proceed with the grant for Master's House and withdraw the bid for Swale House.

BREEAM accreditation

2.7 In the previous report, it was recommended that the BREEAM accreditation be used to measure the success of the low carbon measures due to it being a widely recognised accreditation scheme which allows comparisons to be made against other buildings.

The reduced scope of the proposed work now means that it will not be possible to meet the criteria required for the accreditation. Other options for measuring the success of the low carbon measures are being investigated.

- 2.8 The nature of the proposed work, which is primarily essential maintenance work, does not require a BREEAM accreditation.

Workplace planning

- 2.9 Our consultant Spacelab has carried out an extensive engagement exercise to establish the needs of the organisation post-Covid. This has demonstrated that around one third of the building could potentially be freed up for third party occupiers.

- 2.10 A number of principles have been applied to their proposed design of the staff and member area:

- New ways of working, eg. greater home and flexible working,
- Improved social experience between teams, eg. use of break out spaces away from the desk,
- Delivering services digitally whilst continuing to be accessible, approachable and people focussed,
- Opening up part of the building for external paying tenants to generate rental income.

- 2.11 The area identified for third party use (tenant area) amounts to 2377 square metres of space. For the purposes of the draft layout and upon the advice of local agents, the area has been divided into four different office types together with meeting rooms, co-working areas, shared tea points and waiting areas. The potential income that could be achieved if this area were fully let is estimated as between £250,000 and £380,000 per annum.

- 2.12 The proposed internal refurbishment will also include other necessary improvements such as the addition of a fully accessible toilet on every floor, additional shower facilities and a review of on-site storage and ICT infrastructure.

- 2.13 It is important to use a low carbon approach to the internal refurbishments as well as to the carbon reduction measures themselves. This involves a “make do and mend” approach using the principles of the “circular economy”. This will be explored in more detail at the next stage of the project but could include the purchase of previously used desks and/or upcycling existing furniture where possible.

- 2.14 The estimated cost of the internal refurbishment works is up to £5.2m. This could potentially be reduced through a reduced scope of works and it is recommended that this is considered at a later phase of the works.

- 2.15 The next step is for the work carried out by Spacelab to be validated by SMT and members and for further work to be carried out to understand the rental market for commercial space in Sittingbourne. This will allow the risks to be evaluated prior to a final decision on this piece of work. At this stage, no decision is being requested in

relation to this element of the project as it will form the subject of a future report in due course.

3 Proposals

- 3.1 It is proposed that the alterations and improvements explored by the consultancy team should be carried out on a phased basis, with a view to all carbon reduction works being complete by 2025 if funds allow.
- 3.2 The first phase of the works which members are being asked to approve primarily consists of essential maintenance work which will also deliver the essential first steps towards the objective of a net zero carbon building by 2025. It is also proposed to carry out some minor internal alterations with a view to freeing up some space for renting out.
- 3.3 The target carbon reduction figure stated in the Carbon Trust report is 186t CO₂ per annum. The proposed works will achieve an estimated 70t CO₂ reduction per annum.
- 3.4 A relatively low cost improvement is the use of LED lighting. Many of the light fittings within Swale House have already been replaced with LED lights as part of routine maintenance or previous refurbishments (eg. toilets). It is recommended that any lights that have not yet been replaced should be included in the project.
- 3.5 A further low carbon option is the installation of solar PV panels on the roof. This would be an option if the roof structure is strong enough to take the additional weight of the panels. It has been included in the consultants' report and is included as an option in this report but will require more detailed structural investigations to determine its feasibility. The cost of solar PV panels is estimated as £105,000.
- 3.6 Improving the insulation to the fabric of the building is also an important contributor to reducing carbon emissions. To optimise this would require new double glazed windows, insulation to the roof and under-croft and cladding to the existing walls. The cladding could be applied either externally or internally. It is recommended that all of the work is carried out with the exception of the wall cladding which could be considered in a later phase of the project. The replacement of the windows and the work to the roof are deemed to be essential maintenance work as both are over 40 years old and are life expired.

Financial Implications and risks

- 3.7 The table below sets out the justification for the work that is recommended to be carried out in 2021/22.

Element	Justification	Capital cost	Running cost implications
Window and door replacements	Anticipated annual carbon reductions of 49 tonnes	£940,200	£6,600 (cost of gas savings)

	Improved comfort conditions for staff		
Roof repair and insulation (including provisional sum for strengthening roof slab)	Essential repairs due to poor condition of roof structure and coverings. Anticipated annual carbon reductions of 5 tonnes	£538,000	£700 (cost of gas savings)
Insulation of under-croft	Anticipated annual carbon reductions Improved comfort conditions for staff	£233,000	TBC
Minor internal alterations to free up space for tenants	Supporting the Council's Economic Improvement Plan and Recovery Plan by providing opportunities for businesses	£200,000	TBC but tenants would contribute towards running costs (service charges) as well as paying rent.
LED lighting (excluding cables and controls)	Anticipated annual carbon reductions of 16 tonnes	£75,000	£9,500 (cost of electricity savings)

3.8 Funding the £1.9m will require borrowing, given the sum involved this could be in full or part from internal borrowing at least initially. Even if the funding source is internal borrowing the Council will need to pay Minimum Revenue Provision- basically charging the revenue account for the repayment of principal and moving that to the balance sheet. The cost of MRP would be £38,000 per annum. If we borrowed the sum in full externally the interest cost would be £38,000 per annum.

3.9 A risk register has been prepared for the project. Some key risks worthy of highlighting are:

- The market for commercial office space in Sittingbourne may not be strong enough to guarantee that all of the space created can be let. Space could therefore be left vacant for a protracted period. This risk can be partly mitigated by designing the space so that the meeting rooms and other parts of the tenanted area could potentially be used by the Council while there is no external demand for it. However, the projected income figures would still be impacted. In order to break even on borrowing it would be necessary to rent out 2,500 sq ft of space at a rental figure of £15 per sq ft.
- Tendered costs could exceed the agreed budget figure. The project scope will have to be reduced to come within the funding allocated.

Project Delivery

- 3.10 The timescale for delivery of the work will be dependant upon the extent of work carried out. It is anticipated that the work to the windows, roof and boilers would be carried out during the summer with completion in the Autumn.
- 3.11 The essential repairs and the internal alterations work are all potentially disruptive to staff, members and tenants so careful planning will be required and work carried out on a phased basis if possible. If the majority of staff are able to continue working from home and Council meetings can continue to be held online, it is thought that disruption will be manageable without the need to seek temporary alternative accommodation.

4 Alternative Options

- 4.1 *Not to carry out any refurbishment works:* This is not recommended because the building would continue to be environmentally inefficient and any scope to increase rental income from third party occupiers would not be realised.
- 4.2 *Carry out all works required to maximise carbon reductions:* This is not possible at the current time due to the high costs involved.

5 Consultation Undertaken or Proposed

- 5.1 As part of the space planning work carried out by Spacelab they carried out an extensive engagement exercise with staff to gain an insight into how staff and the organisation are likely to use the building once all Covid restrictions have been lifted.

6 Implications

Issue	Implications
Corporate Plan	This project meets the corporate priority to address the climate and ecological emergency by reducing carbon emissions from Swale House. It also meets the priority to reduce dependence on government-controlled funding sources by increasing the amount of space available for renting out to third party occupiers. It also supports the Council's Economic Improvement Plan by providing office space for renting out.
Financial, Resource and Property	The financial implications are set out in the report. The project delivery phase would be managed by the project managers (Quartz Project Services) with the continued support of the existing design team.

Legal, Statutory and Procurement	<p>The Council has statutory power under section 1 of the Localism Act 2011 to do anything that individuals generally may do.</p> <p>Support will be required from both Procurement and Legal Services in relation to the procurement process and the completion of contracts.</p> <p>All necessary contracts and ancillary deeds and documents to be entered into must be in accordance with the Council's Contract Standing Orders on procurement and contracts as outlined in the Council's Constitution and should be in a form approved by Head of Mid Kent Legal Services.</p> <p>Acting on the recommendations is within the Council's powers as set out in the above statutory provision.</p>
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	The environmental implications are set out in the report.
Health and Wellbeing	The internal alterations being proposed for the organisation take account of the views expressed by staff in the staff engagement exercise. It is therefore anticipated that there will be a positive impact on staff's health and wellbeing.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	All risk management and health and safety implications will be addressed in the Project Initiation Document and will be managed throughout the project delivery phase.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

- 7.1 Appendix I: Budget estimate – net zero carbon works
Appendix II: Budget estimate – internal works

8 Background Papers

None

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PRELIMINARY BUDGET ESTIMATE Rev 2

SWALE HOUSE, SITTINGBOURNE

FOR

SWALE BOROUGH COUNCIL

Quartz Project Services Limited

34 Dover Street

LONDON

W1S 4NG

January 2021

SWALE HOUSE, SITTINGBOURNE
PRELIMINARY BUDGET ESTIMATE Rev 2

Section Contents

- 0.0 Issue History**

- 1.0 Introduction**

- 2.0 Notes and Qualifications**

- 3.0 Executive Summary**

- 4.0 Refurbishment Works**

SWALE HOUSE, SITTINGBOURNE
 PRELIMINARY BUDGET ESTIMATE Rev 2

SECTION 0.0 ISSUE HISTORY

Version	Date Issued	Author	Check By
0	06/01/2021	B Barrett	S Ahern
1	08/01/2021	B Barrett	S Ahern
2	08/01/2021	B Barrett	S Ahern

SWALE HOUSE, SITTINGBOURNE PRELIMINARY BUDGET ESTIMATE Rev 2

SECTION 1.0 INTRODUCTION

1.00 This Preliminary Budget Estimate has been prepared at the request of the Swale Borough Council. The report identifies an order of cost for the proposed development, as forecasted by Quartz Project Services

2.00 The proposed project comprise the installation of air source heating, PV's, LED lighting, new windows together with shell enhancement works :-

i. Basement	GIA 526 m2 (5,661 ft2)
ii. Ground Floor	GIA 940 m2 (10,118 ft2)
ii. First Floor	GIA 1,969 m2 (21,194 ft2)
ii. Second Floor	GIA 1,967 m2 (21,173 ft2)
ii. Third Floor/Roof Access	GIA 1,189 m2 (12,798 ft2)

Total gross internal floor area for all above units are approximately 6,591 m2 / 70,944 ft2

3.00 The proposed project generally comprise the following works:-

Site Preparation and Demolition: disconnect/remove existing heating and lighting, removal of asbestos, removal of windows

- install new windows, drylining/insulation to external walls, install new lighting and air source heating including smart radiators, upgrade incoming power supply, make good all finishes disturbed.

4.00 The estimated costs have been assessed using approximate quantities and appropriate rates applied to these quantities. Where quantification of a works item has not been possible then a notional lump sum has been included which will require verification once design information is made available.

5.00 Attention is drawn to the notes the assumptions made in preparing this report together with a **list of general exclusions (Section 2.0 Notes and Qualifications)**. Inspection of the cost analyses included in this report provides details of the specific criteria utilised in generating the Preliminary Budget Estimate. The team members are urged to examine this data in order to satisfy its validity and appropriateness.

SWALE HOUSE, SITTINGBOURNE PRELIMINARY BUDGET ESTIMATE Rev 2

SECTION 2.0 NOTES AND QUALIFICATIONS

BASED ON Q1 2021 TENDER PRICES

- 2.1 Preliminary Budget Estimate has been based on Elementa Swale House PSDS Energy Saving Report
- 2.2 The total of this Preliminary Budget Estimate identified within Section 3.0 has been generated on the understanding that the proposed works will be subject to a competitive tender action and will be let on the basis of a design and build contract (JCT 2016).
- 2.3 Provisional Allowances have been incorporated within the estimate for incoming services and associated builders work.
- 2.4 Preliminaries have been included at 10% and overheads and profit at 6%. We consider this to be consistent with the scope of works, forecast market conditions and the selected method of procurement.
- 2.5 We have included post contract design fees
- 2.6 The following costs are excluded from this Cost Plan .
- 2.6.1 VAT, Pre-Contract Construction and Design Consultants Fees, Legal Fees, Marketing Costs, Finance and the like, Planning and Building Control Fees, Contractor's Surveys and Site
 - 2.6.2 Increased cost allowance
 - 2.6.3 Asbestos removal
 - 2.6.4 Sprinklers including tanks / pumps
 - 2.6.5 Telephone and data system
 - 2.6.6 Building signage
 - 2.6.7 Tenant fitout, furniture, furnishings, process machinery, racking or skips, or any other item which has not been expressly detailed in this documents
 - 2.6.8 IT installations
 - 2.6.9 Security or CCTV installations
- 2.7 We have included a 5% design and general risk contingency within this estimate, we recommend the Client make a developers contingency allowance within their viability appraisal.

SWALE HOUSE, SITTINGBOURNE
PRELIMINARY BUDGET ESTIMATE Rev 2

SECTION 3.0 - EXECUTIVE SUMMARY (WHOLE DEVELOPMENT)

		m²	ft²
GROSS INTERNAL AREA (GIA)		6,591	70,944
	£	£/m²	£ / ft²
SECTION 4.0- DEMOLITION/ ALTERATIONS	731,495	110.98	10.31
SECTION 4.1 - REFURBISHMENT	3,924,040	595.36	55.31
Sub-total	4,655,535	706.35	65.62
PRELIMINARIES @ 10%	465,554	70.63	6.56
OVERHEADS AND PROFIT @ 6%	307,265	46.62	4.33
CONTINGENCY @ 5%	271,418	41.18	3.83
DESIGN/LA FEES	884,848	134.25	12.47
TOTAL ESTIMATED COST INCLUDING PRELIMS, OHP, CONTINGENCY	6,584,620	999.03	92.81

**SWALE HOUSE, SITTINGBOURNE
PRELIMINARY BUDGET ESTIMATE Rev 2**

SECTION 4.0 - DEMOLITION/ALTERATIONS

GROSS INTERNAL AREA (GIA)							m²	ft²	
							6,591	70,944	
SECTION 4.0 - DEMOLITION/ALTERATIONS									
a	Stripout existing LTHW system including boilers and radiators	6,591	m ²	25.00	164,775	25.00	2.32		
b	Stripout existing light fitting/cables and controls	6,591	m ²	20.00	131,820	20.00	1.86		
c	Structural strengthening to existing columns	1	Psum	75,000.00	75,000	11.38	1.06		
d	Structural strengthening to existing roof slab	1	Psum	50,000.00	50,000	7.59	0.71		
e	Remove existing windows	1,188	m ²	50.00	59,400	9.01	0.84		
f	Remove existing doors	1	Item	500.00	500	0.08	0.01		
g	Alterations to existing partitions abutting external walls/existing finishes disturbed	1	Psum	250,000.00	250,000	37.93	3.52		
h	Asbestos removal		excl						
DEMOLITION/ALTERATIONS TOTAL £							731,495	110.98	10.31

SWALE HOUSE, SITTINGBOURNE

PRELIMINARY BUDGET ESTIMATE Rev 2

SECTION 4.1 - REFURBISHMENT

GROSS INTERNAL AREA (GIA)		6,591 m ²	70,944 ft ²			
SECTION 4.1 - REFURBISHMENT						
ITEM	QUANTITY	UNIT	RATE	£	£ / m ²	£ / ft ²
4.1.1 Roof						
a Remove existing roof finishes and install Bauder Total Roof System	1,990	m ²	166.71	331,753	50.33	4.68
4.1.2 Undercroft						
a 20mm Kingspan K112 insulation mechanically fixed to concrete soffit, through colour render	1,109	m ²	150.00	166,350	25.24	2.34
4.1.3 External walls						
a 120mm thick Kingspan K112 insulation mechanically fixed to blockwork	1,888	m ²	47.00	88,736	13.46	1.25
b 50mm metal stud; Vapour control layer; 2no. 12.5mm plasterboard; decoration	1,888	m ²	48.00	90,624	13.75	1.28
c Insulated plasterboard to window heads and reveals; decoration	1,124	m	40.00	44,960	6.82	0.63
d MDF replacement window boards; decoration	674	m	30.00	20,220	3.07	0.29
4.1.4 External windows and Doors						
a Main automatic entrance door	1	nr	5,000.00	5,000	0.76	0.07
b Windows /Curtain walling - Technal Hydro Dualframe 75Si System with GUIN film technology	1,187	m ²	500.00	593,500	90.05	8.37
c Single glazed external door	2	nr	1,750.00	3,500	0.53	0.05
d Double glazed external door	1	nr	3,000.00	3,000	0.46	0.04
4.1.5 M&E Services						
a Airsource heating including LTHW pipework and smart radiators	6,591	m ²	219.62	1,447,515	219.62	20.40
b Replace existing air-handling unit/ventilation	6,591	m ²	25.41	167,477	25.41	2.36

**SWALE HOUSE, SITTINGBOURNE
PRELIMINARY BUDGET ESTIMATE Rev 2**

SECTION 4.1 - REFURBISHMENT

GROSS INTERNAL AREA (GIA)			6,591 m²			70,944 ft²
c LED lighting, associated controls, power supplies	6,591	m ²	100.00	659,100	100.00	9.29
d Local ventilation fans	20	Nr	350.00	7,000	1.06	0.10
e PV's panels	300	m ²	250.00	75,000	11.38	1.06
f Air test to building	1	item	2,500.00	2,500	0.38	0.04
g Upgrade incoming electrical supply 213KVA	1	item	100,000.00	100,000	15.17	1.41
h Builders work in connection	1	item	117,804.60	117,805	17.87	1.66
			REFURBISHMENT TOTAL £	3,924,040	595.36	55.31

SWALE HOUSE, SITTINGBOURNE

FEE SCHEDULE

DESIGN TEAM/STATUTORY FEES

1.01	Architect (Spacelab)	£	240,000
1.02	Project Manager/Employer's Agent/Quantity Surveyor (Quartz Project Services)	£	180,000
1.03	Sustainability/M&E Services Consultant (Elementa)	£	180,000
1.04	Structural Engineer (Paul Owen Associates)	£	60,000
1.05	Principal Designer (Brian Bulfin Associates)	£	13,000
1.07	BREEAM Assessor		
1.08	Building Control Fee	£	25,000
1.09	Planning Statutory Fee	£	462
SUBTOTAL Design Team/Statutory Fees		£	698,462

SURVEYS/REPORTS

2.01	Dimensional Survey (Terrain Surveys)	£	2,276
2.02	Structural Investigations	£	15,000
2.03	Asbestos Refurbishment & Demolition Survey	£	30,000
2.04	Existing M&E Systems Validation Survey (Logi-tek)	£	80,000
2.05	Carbon Trust Report	£	19,050
2.06	Whole Life Carbon Assessment	£	17,060
2.07	Acoustic Report	£	3,000
2.08	Planning Reports	£	50,000
SUBTOTAL Surveys/Reports		£	166,386

LEGAL FEES

3.01	Construction Legals	£	20,000
3.02	Highways licenses (scaffolding)		
SUBTOTAL Legal Fees		£	20,000

TOTAL PROJECT FEES **£ 884,848**

Notes:

Fees are based on the estimated construction cost of £6,000,000 for the installation of airtsource heating, photovoltaic panels, LED lighting and associated structural strengthening/builders works in connection together with new windows and curtain walling, new insulation/finishes to the roof, New cladding to external walls and soffits.



REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SWALE HOUSE, SITTINGBOURNE

FOR

SWALE BOROUGH COUNCIL

Quartz Project Services Limited

34 Dover Street

LONDON

W1S 4NG

February 2021

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

Section Contents

- 0.0 Issue History**

- 1.0 Introduction**

- 2.0 Notes and Qualifications**

- 3.0 Executive Summary**

- 4.0 Refurbishment Works**

SWALE HOUSE, SITTINGBOURNE
REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 0.0 ISSUE HISTORY

Version	Date Issued	Author	Check By
0	15/02/2021	B Barrett	S Ahern

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 1.0 INTRODUCTION

1.00 This Preliminary Budget Estimate has been prepared at the request of the Swale Borough Council. The report identifies an order of cost for the proposed development, as forecasted by Quartz Project Services

2.00 The proposed project comprise the internal refurbishment of Swale House, Sittingbourne excluding installation of air source heating, PV's, LED lighting, new windows together with shell enhancement works :-

i. Basement	GIA 526 m2 (5,661 ft2)
ii. Ground Floor	GIA 940 m2 (10,118 ft2)
ii. First Floor	GIA 1,969 m2 (21,194 ft2)
ii. Second Floor	GIA 1,967 m2 (21,173 ft2)
ii. Third Floor/Roof Access	GIA 1,189 m2 (12,798 ft2)

Total gross internal floor area for all above units are approximately 6,591 m2 / 70,944 ft2

3.00 The proposed project generally comprise the following works:-

Site stripout existing partitons, doors and finishes, disconnect/remove existing small power and data.

- install new patitions, doors, finishes, small power and data infrastructure, fixtures and fittings windows, loose furniture.

4.00 The estimated costs have been assessed using approximate quantities and appropriate rates applied to these quantities. Where quantification of a works item has not been possible then a notional lump sum has been included which will require verification once design information is made available.

5.00 Attention is drawn to the notes the assumptions made in preparing this report together with a **list of general exclusions (Section 2.0 Notes and Qualifications)**. Inspection of the cost analyses included in this report provides details of the specific criteria utilised in generating the Preliminary Budget Estimate. The team members are urged to examine this data in order to satisfy its validity and appropriateness.

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 2.0 NOTES AND QUALIFICATIONS

BASED ON Q1 2021 TENDER PRICES

- 2.1 Preliminary Budget Estimate has been based on the Following Reports:
Space Lab: Swale House Building Appraisal and Strategy Report February 2021
Elementa: Net Zero Technical Options and Feasibility Appraisal December 2020
Elementa: 510467 Swale House MEP Condition Survey and Feasibility/Briefing Report November 2020
- 2.2 The total of this Preliminary Budget Estimate identified within Section 3.0 has been generated on the understanding that the proposed works will be subject to a competitive tender action and will be let on the basis of a design and build contract (JCT 2016).
- 2.3 Provisional Allowances have been incorporated within the estimate for incoming services and associated builders work.
- 2.4 Preliminaries have been included at 10% and overheads and profit at 6%. We consider this to be consistent with the scope of works, forecast market conditions and the selected method of procurement.
- 2.5 We have included post contract design fees
- 2.6 The following costs are excluded from this Cost Plan .
- 2.6.1 VAT, Legal Fees, Marketing Costs, Finance and the like
 - 2.6.2 Increased cost allowance
 - 2.6.3 Asbestos removal
 - 2.6.4 Sprinklers including tanks / pumps
 - 2.6.5 Telephone and data system
 - 2.6.6 Building signage
 - 2.6.7 Tenant fitout, furniture, furnishings, process machinery, racking or skips, or any other item which has not been expressly detailed in this document. All costs associated with relocating existing furniture is excluded.
 - 2.6.8 IT installations except where specifically detailed in this document
 - 2.6.9 Security or CCTV installations
 - 2.6.10 Replacement of staircase balustrades
 - 2.6.11 Works to existing toilets
 - 2.6.12 Works to existing lifts
 - 2.6.13 Works to basement

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 2.0 NOTES AND QUALIFICATIONS

BASED ON Q1 2021 TENDER PRICES

- 2.6.14 Installation of air source heating, PV's, LED lighting, new windows together with shell enhancement works, all included in Quartz Project Services Preliminary Budget Estimate dated January 2020
- 2.7 All M&E services assumed to be exposes/surface fixed
- 2.8 Please note where insufficient information exists to quantify the scope or quantum of works we have included a provisional allowance (identified as "Psum") in the estimate

- 2.9 We have included a 5% design and general risk contingency within this estimate, we recommend the Client make a developers contingency allowance within their viability appraisal.

SWALE HOUSE, SITTINGBOURNE
REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 3.0 - EXECUTIVE SUMMARY (WHOLE DEVELOPMENT)

		m²	ft²
GROSS INTERNAL AREA (GIA)		6,591	70,944
	£	£/m²	£ / ft²
SECTION 4.0- DEMOLITION/ ALTERATIONS	688,795	104.51	9.71
SECTION 4.1 - REFURBISHMENT	3,122,995	473.83	44.02
Sub-total	3,811,790	578.33	53.73
PRELIMINARIES @ 10%	381,179	57.83	5.37
OVERHEADS AND PROFIT @ 6%	251,578	38.17	3.55
CONTINGENCY @ 5%	222,227	33.72	3.13
DESIGN FEES	566,679	85.98	7.99
TOTAL ESTIMATED COST INCLUDING PRELIMS, OHP, CONTINGENCY	5,233,453	794.03	73.77

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 4.0 - DEMOLITION/ALTERATIONS

GROSS INTERNAL AREA (GIA)	<u>m²</u>	<u>ft²</u>
	6,591	70,944
SECTION 4.0 - DEMOLITION/ALTERATIONS		
a Stripout existing small power and data cabling	6,591 m2	25.00 164,775
b Remove existing internal doors	232 nr	100.00 23,200
c Remove existing fixtures and fittings	1 Psum	50,000.00 50,000
d Remove existing Floor finishes	6,591 m2	20.00 131,820
e Make	6,591 m2	20.00 131,820
f Demolish existing internal walls	1,054 m	120.00 126,480
g Form new wide door openings	8 no	1,000.00 8,000
h Make good soffits/floor slabs	1,054 m	50.00 52,700
j Asbestos removal	excl	
DEMOLITION/ALTERATIONS TOTAL £		688,795 104.51 9.71

SWALE HOUSE, SITTINGBOURNE

REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 4.1 - REFURBISHMENT

GROSS INTERNAL AREA (GIA)		6,591 m ²	70,944 ft ²			
SECTION 4.1 - REFURBISHMENT						
ITEM	QUANTITY	UNIT	RATE	£	£ / m ²	£ / ft ²
4.1.1 Internal Walls and Doors						
a Internal door screen including automatic glazed door		Excl'd				
b Studwork internal walls/partitions 3m high	610	m ²	350.00	213,500	32.39	3.01
c Double glazed partitions	155	m ²	1,200.00	186,000	28.22	2.62
c Internal doors single	144	nr	1,200.00	172,800	26.22	2.44
d Internal doors double	18	nr	1,800.00	32,400	4.92	0.46
4.1.2 Internal Finishes						
a Carpet/vinyl floor finishes	6,065	m ²	45.00	272,925	41.41	3.85
b Decoration to soffits	6,065	m ²	10.00	60,650	9.20	0.85
c MDF skirtings; decorated	2,054	m	25.00	51,350	7.79	0.72
d Decoration to walls and partitions	9,174	m	10.00	91,740	13.92	1.29
e Uplift to finishes reception area	150	m ²	100.00	15,000	2.28	0.21
f Suspended ceilings		excl'd				
g Toilets/Shower/Changing Room	6	nr	1,000.00	6,000	0.91	0.08
4.1.3 Fixtures & Fittings						
a Reception Desk	1	nr	25,000.00	25,000	3.79	0.35
b Remove/reinstate paneling in council chamber	80	m ²	100.00	8,000	1.21	0.11
c Kitchens	2	nr	10,000.00	20,000	3.03	0.28
d Tea points	3	nr	3,000.00	9,000	1.37	0.13
4.1.4 M&E Services						
a DDA Toilet	5	nr	1,500.00	7,500	1.14	0.11
b Showers	1	nr	2,500.00	2,500	0.38	0.04
c Above ground drainage/H&C water	11	nr	5,000.00	55,000	8.34	0.77
d Skirting trunking	1,000	m	40.00	40,000	6.07	0.56
e Power distribution, small power, alarms	6,065	m ²	125.00	758,125	115.02	10.69

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 4.1 - REFURBISHMENT

GROSS INTERNAL AREA (GIA)			6,591 m ²	70,944 ft ²		
f	Data infrastructure	6,065 m ²	90.00	545,850	82.82	7.69
g	Door controls/security	6,065 m ²	25.00	151,625	23.00	2.14
h	Builders work in connection	1 item	78,030.00	78,030	11.84	1.10
4.1.5 Furniture						
a	Desks	560 nr	350.00	196,000	29.74	2.76
b	Chairs	560 nr	100.00	56,000	8.50	0.79
c	Storage	excl				
d	Soft furnishings	60 nr	300.00	18,000	2.73	0.25
e	Miscellaneous	1 Psum	50,000.00	50,000	7.59	0.71
REFURBISHMENT TOTAL £				3,122,995	473.83	44.02

SWALE HOUSE, SITTINGBOURNE REFURBISHMENT PRELIMINARY BUDGET ESTIMATE

SECTION 4.2 - DESIGN FEES

GROSS INTERNAL AREA (GIA)

SECTION 4.2 - DESIGN FEES

ITEM	£
Consultants Fees	
a Architect (Space Lab)	233,339
b Project Manager/Employer's Agent/Quantity Surveyor (Savills/QPS)	140,003
c M&E Services Consultant Stage 1-6 (Elementa) for grant related systems services design	93,335
Structural Engineer (Paul Owen Associates)	46,668
a Principal Designer (Brian Bulfin Associates)	23,334
c Fire consultancy	5,000
c Building Control	25,000
DESIGN FEES TOTAL £	566,679

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Cabinet Meeting	
Meeting Date	17 March 2021
Report Title	Master's House, Sheerness – low carbon refurbishment
Cabinet Member	Cllr Monique Bonney, Cabinet Member for Economy & Property
SMT Lead	Nick Vickers, Chief Financial Officer
Head of Service	Anne Adams, Head of Property Services
Lead Officer	Anne Adams, Head of Property Services
Key Decision	Yes
Classification	Open
Recommendations	<p>Cabinet is recommended to:</p> <ol style="list-style-type: none"> 1. Approve the allocation of £1.3m of funding towards the cost of the low carbon refurbishment of Master's House, Sheerness, 2. Agree to waive Contract Standing Orders for the award of contract over £100,000 and delegate authority to the Head of Property Services and Head of Legal Services in consultation with Cabinet Member for Economy and Property to enter into the necessary contract(s) to undertake the works, due to the short timescales associated with the grant funding and to ensure that the required completion date of 30 September can be met, and 3. Delegate authority to the Head of the Legal Partnership to negotiate and complete all necessary contracts, leases, deeds and ancillary deeds and documents on the terms agreed by the Head of Property Services as referred to at recommendation 2 above.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to seek Cabinet approval to allocate capital funds to the low carbon refurbishment of the Master's House, Sheerness. This will secure the long-term future of the building as a social, community and business hub for Sheerness.

2 Background

- 2.1 Master's House in Trinity Road, Sheerness was formally the district office for Swale Borough Council. It is a two storey Victorian period property that has an Edwardian extension on the western end, as well as a large 1960s side extension to the east. It comprises 5,813 sq ft gross internal area. It is a well located asset in the heart of Sheerness, between the Water Tower and Holy Trinity Church, with SBC's Trinity Place Car Park to the rear and a short walk from the High Street, train station and sea front.
- 2.2 In 2011, Kent County Council opened the Gateway in Sheerness High Street and the SBC services that were previously delivered from the Trinity Road offices transferred to the Gateway.
- 2.3 The building has been let to the current tenant for six years, on a peppercorn rent and on full repairing terms. The tenant has sublet the space for community purposes as well as to individual occupiers on rolling short term leases pending a longer term decision on the future of the building.
- 2.4 The building was rebranded as the "Master's House" by the recent occupiers to reflect its earlier purpose in connection with the adjacent water company buildings.
- 2.5 Historically there has been very little investment in the building and consequently it is now in need of significant refurbishment to bring it up to standard in order to be able to relet it.
- 2.6 The building currently does not meet the minimum standard required for a compliant Energy Performance Certificate. This means that the building cannot be leased out without environmental improvement works being carried out.
- 2.7 Notice has been served on the existing tenant to ensure that vacant possession is achieved prior to the works commencing.

3 Proposals

- 3.1 There are two key drivers for the proposed refurbishment:
 - Making a significant contribution towards the Climate Change Action Plan objective of achieving net zero carbon Council operations by 2025, and
 - Meeting the priorities set out in the Economic Improvement Plan 2020-2023 including the Council investing in its own assets. "Securing investment and Infrastructure", "Raising Swale's Profile" and "Supporting Local Business". This project will enhance Sheerness town centre by creating a business and community hub that provides high quality office, meeting and social/community space for use by the local community.

Consultancy team

- 3.2 Due to the similarities with the Swale House project, it was decided to appoint the same project managers and quantity surveyors (Quartz Project Services) and MEP/sustainability experts (Elementa Ltd) for both projects.
- 3.3 In addition, Noviun Architects were appointed to design a new internal layout and advise on the required improvements to the building fabric.
- 3.4 Because of the tight timescales for the grant application process, all appointments were made using approved framework agreements.

Public Sector Decarbonisation Scheme

- 3.5 A bid for grant funding has been made to the Public Sector Decarbonisation Scheme. The amount that could be applied for was capped by the amount of carbon savings to be achieved from the works. This resulted in a maximum possible bid of £273,400. We have now received formal notification that the bid has been successful. We have also been granted a further £28,500 towards the cost of the professional fees, making a total grant contribution of £301,900.
- 3.6 The success of this bid places tight timescales on the delivery of project with it having to be commenced by 31 March and completed by 30 September.

Works proposed

- 3.7 The low carbon refurbishment project comprises the following elements:
- Low energy air source heat pump
 - LED lighting
 - Roof insulation
 - Internal wall cladding
 - New windows and external doors
 - Alterations to internal partitions
 - New toilets and kitchens
 - IT infrastructure cabling
 - Solar PV panels
 - Upgrade electrical supply
 - Improved disability access including 8-person/disabled access platform lift and disabled toilet
- 3.8 The works will deliver significant carbon reductions together with an associated reduction in energy use. The total annual carbon reduction is 84 tonnes and the estimated reduction in energy running costs is £8,260 per annum.

- 3.9 The architects have designed a new internal layout for the building which is based partly on the requirements of a modern office environment and partly on making the best use of the large function room on the first floor. The draft plans can be found at Appendix II.
- 3.10 The scheme also includes the option to convert the outbuildings to the rear of Master's House into workshops. These could potentially be rented out as studios to businesses compatible with users of the main building (i.e. not noisy/dirty occupiers who would disturb tenants in the main building).
- 3.11 The budget estimate for the works is detailed in Appendix III. The total cost is estimated at £1,389,617 for the main building and £156,730 for the workshops including fees and contingencies. Assuming a grant of £301,900 the capital sum required to match fund the project would be £1,087,717 (excluding workshops) or £1,244,447 (including workshops).
- 3.12 The works programme is very short due to the grant criteria. It is proposed that the project will be put out to tender by the end of March with works commencing on site in early June. All work must be complete by 30 September. Whilst the works are well under the UK procurement thresholds, Contract Standing Orders (CSOs) requires that all contracts of over £100K in value must be approved by Cabinet. Due to the timescales involved it is unlikely that there will be a suitable Cabinet meeting at which the contract could be approved. It is therefore being recommended that Cabinet agrees to waive this part of the CSOs, if necessary, to avoid any delay to the start of the project and to meet the conditions of funding. The Cabinet Member for Economy and Property will be appraised of the tender process throughout.

Income potential

- 3.13 There are three key areas for income generation within this project, 9 x office rentals, 3 x workshop rental and hiring of 3 x meeting room/conference space. There is an untested office market in Sheerness, with potentially limited demand, but also limited supply.
- 3.14 The serviced business hub model does run very successfully nationally, and in Sittingbourne there are schemes that have enjoyed some success, operating at viable rents and carrying limited voids. The best known example is the St George's Business Park scheme, which has just celebrated its 20th year of trading and which offers a mix of office and workshop space. A key principle of this model is to provide a fully inclusive rent, on an easy in easy out basis, based on a month to month licence, paid in advance. Despite this, there is not a rapid turnover of occupiers and this flexibility, alongside services such as central reception, maintenance, internet provision, and other management services does command a rental premium. However, such a scheme has not been tested on the Island.
- 3.15 In order to look at a base operating model to ensure viability, advice has been sort from local agents and a review of the local letting market has been undertaken as well as some modelling, considering fixed and variable costs. It is also unknown what impact COVID19 will have on this type of operating model, although national industry intelligence is predicting a more flexible approach will become the norm.

- 3.16 The rent predictions vary significantly, with a premium product of a fully let scheme for the offices and workshops providing rents of circa. £76k inclusive of a service charge and with a more traditional offer of longer term rents producing estimates no lower than £34k exclusive of service charge. Meeting and conference space has also been predicted at a 30% occupancy rate would generate an annual income circa. £28k.
- 3.17 Market engagement and testing will now be required to see if there is demand for the business hub model, this can be undertaken during the refurbishment works. If the market did not respond to this model, then a more traditional office let could then be marketed and the management of the building and other associated services would be reduced and the most appropriate operating model taken forward.

Options for management arrangements

- 3.18 There are a number of options to be considered in relation to the future management arrangements for the building:
- ***Direct management by SBC using directly employed staff.*** Full control would be retained over how building is used. SBC retains all risk relating to rental income, voids and running costs. Potential difficulties with providing cover for sickness/holidays. May require a job share arrangement.
 - ***Indirect (“arms length”) management by a company or trust, working on behalf of SBC.*** Control over how building is used can be written into management agreement. Risks relating to rental income, voids and running costs likely to fall to SBC. Also lose connection to local businesses/Economic Development aspect.
 - ***Building leased to a company or trust to manage.*** Very low risk option as rental income would be guaranteed regardless of occupancy of the building or income generated from tenants. SBC could influence how building is used by including a user clause within the lease. However SBC would only have minimal influence how the asset is used/let. If business is not viable, lease could be forfeited and building returned to SBC
- 3.19 It can be seen that the different options have very different levels of risk. All three options will potentially deliver the key objectives for the scheme. At this stage members are not being asked to consider the management arrangements as this will be the subject of a future report in due course.

4 Alternative Options

- 4.1 The building could be disposed of, either via a freehold or long lease, in its current condition. This could potentially result in the Council losing control over how the building is used in the future. This could be mitigated by including clauses in a lease that restricted the building's use to certain activities. It is also likely to result in a low capital receipt for the building due to its poor condition.

- 4.2 The building could continue to be occupied on a short term basis on the existing terms. This would result in no income being generated and the condition would continue to deteriorate as there would be no investment in the building. This option is also prevented by the inability to enter into a lease unless the environmental standard is improved.
- 4.3 The improvement works to the building could be reduced to the minimum necessary to meet the criteria for entering into a lease. This would require the EPC rating to increase from its current G to the minimum permissible rating of E. This is not recommended as it would not meet either of the objectives of the project set out in 3.1 above.

5 Consultation Undertaken or Proposed

- 5.1 Consultation has been carried out with Sheerness Town Council who have expressed an interest in occupying part of the building.

6 Implications

Issue	Implications
Corporate Plan	This project meets the corporate priority to address the climate and ecological emergency by reducing carbon emissions from Council operations. It also meets the priorities in the Economic Improvement Plan 2020-2023 including the Council investing in its own assets “Securing investment and Infrastructure”, “Raising Swale’s Profile” and “Supporting Local Business”
Financial, Resource and Property	The main source of funding for the project will be the balance of £850,000 from the Minster Cliffs capital receipt and the balance will be taken from uncommitted Improvement and Recovery funds.
Legal, Statutory and Procurement	<p>The Council has statutory power under section 1 of the Localism Act 2011 to do anything that individuals generally may do.</p> <p>The Local Government Act 1972, section 111(1) empowers the Council to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions</p> <p>Support will be required from both Procurement and Legal Services in relation to the procurement process and the completion of contracts.</p> <p>All necessary contracts and ancillary deeds and documents to be entered into must be in accordance with the Council’s Contract Standing Orders on procurement and contracts as outlined in the Council’s Constitution and should be in a form approved by Head of Mid Kent Legal Services.</p>

	Acting on the recommendations is within the Council's powers as set out in the above statutory provisions.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	The environmental implications are set out in the report. The project will make a significant contribution towards the target of achieving net zero carbon Council operations by 2025.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	All risk management and health and safety implications will be addressed in the Project Initiation Document and will be managed throughout the project delivery phase.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage
Equality and Diversity	Additional disabled toilet and the installation of an 8-person platform lift will ensure that the building is fully accessible to disabled people.
Privacy and Data Protection	None identified at this stage.

7 Appendices

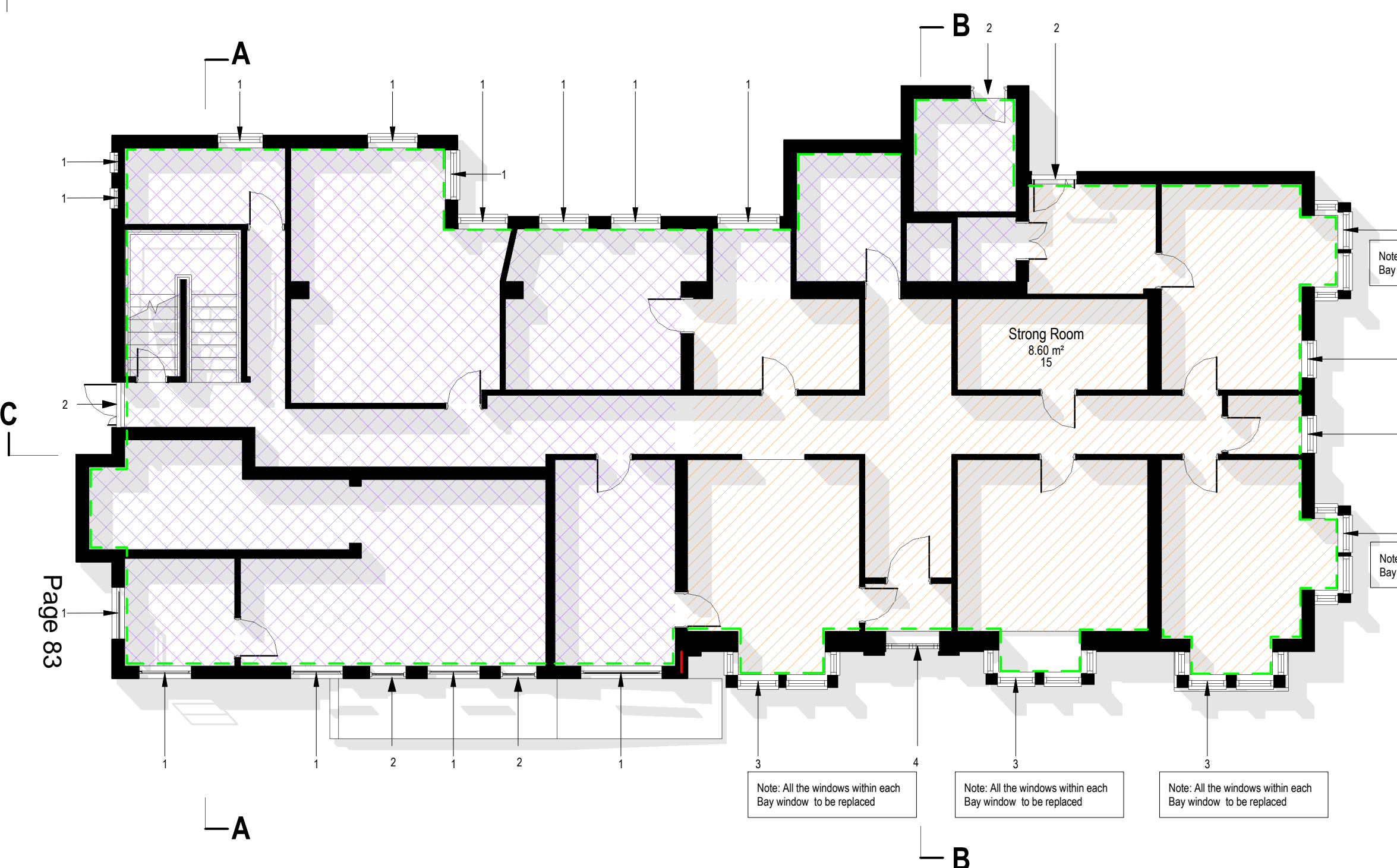
7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Existing floor plans
- Appendix II: Proposed layout plans
- Appendix III: Estimated costs

8 Background Papers

None

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Amendments		
No.	Description	Date / Issued by
1	For Salix application information	08/01/2021 DLH

No. Description Date / Issued by

- Notes:
- Indicates Potential areas of timber floor, with potential void below utilised to add insulation
 - Indicates Potential areas of solid floor
 - Indicates a location of proposed 62mm internal insulated dry lining
 - Indicates existing windows to be replaced with new aluminum double glazed units to achieve 1.4 wm 2 k colour: White to match existing
 - Indicates existing doors to be replaced with new aluminum double glazed units to achieve 3.6wm 2 k colour: White to match existing
 - Indicates existing windows to be replaced with new timber double glazed units to achieve 1.8wm 2 k colour: White to match existing
 - Indicates existing main door to be refurbished/replaced with new timber double glazed units to achieve 3.6wm 2 k colour: White to match existing

Note: All the windows within each Bay window to be replaced

Note: All the windows within each Bay window to be replaced

Note: All the windows within each Bay window to be replaced

Note: All the windows within each Bay window to be replaced

Note: All the windows within each Bay window to be replaced

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NOVIUN ARCHITECTS

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Project Name:
Masters House

Dwg Reference:
GA Ground Floor Plan

Drawn: Author Checked: Checker
Scale: 1 : 100 @ A3 Project Issue Date:

Project:	Originator:	Volume:	Level:	Type:	Role:	Number:
Z0513 - NOV - Z1 - 00 - M2 - A - 0004						

Status: Suitability Description: Orig Paper Size:

Revision: 1 Revision Description: Noviu Job No: **Z0513**

1 Ground Floor Plan

1 : 100

Internal insulated dry lining system,
Ecotherm Ecoliner insulated plasterboard mechanically fixed on firrings to internal face existing external walls. Taped and filled joints, sanded and painted to client's requirements, lining to acheive u-value 0.36wm 2 k

Windows
Existing windows to be removed and replaced with new sliding sash conservation units fully sealed and with high spec gas filled double glazing. Aluminum Comar 5P.i or similar windows to achieve u-value 1.4 wm 2 k. to be screw fixed to existing fabric, sealed with mastic seals to create airtight junction. Cill to be replaced strapped down to existing fabric and decorated to match existing. Non regular shaped specialist windows to grand hall to be replaced with like, to achieve u-value 1.8 wm 2 k

External Doors.
Existing entrance door to be refurbished upgrade draught stripping, the refurbished doors required to achieve u-value 3.50 wm 2 k . New replacement external doors to to achieve u-value 1.80 wm 2 k.

Appendix 1



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Page 85

Amendments		
No.	Description	Date / Issued by
1	For Salix application information	08/01/2021 DLH

No. Description Date / Issued by

Notes:

Note: All the windows within each Bay window to be replaced

- Indicates a location of proposed internal insulated dry lining
- 1 → Indicates existing windows to be replaced with new aluminum double glazed units to achieve 1.4 w/m² K colour: White to match existing
- 2 → Indicates existing doors to be replaced with new aluminum double glazed units to achieve 3.6 w/m² K colour: White to match existing
- 3 → Indicates existing windows to be replaced with new timber double glazed units to achieve 1.8 w/m² K colour: White to match existing

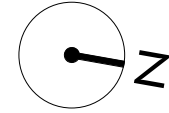
Note: All the windows within each Bay window to be replaced

Note: All the windows within each Bay window to be replaced

Use figured dimensions only. All levels and dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications.
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Project Name:
Masters House

Dwg Reference:
GA First Floor Plan

Drawn: Author Checked: Checker

Scale: 1:100 @ A3 Project Issue Date:

Project	Originator	Volume	Level	Type	Role	Number
Z0513 - NOV - Z1 - 01 - M2 - A - 0005						

Status: Suitability Description: Orig Paper Size:

Revision: **1** Revision Description: Noviun Job No: **Z0513**

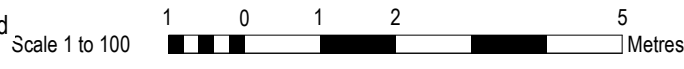
1 First Floor Plan

1:100

Internal insulated dry lining system,
Ecotherm Ecoliner insulated plasterboard mechanically fixed on firrings to internal face existing external walls. Taped and filled joints, sanded and painted to client's requirements, lining to achieve u-value 0.36 w/m² K

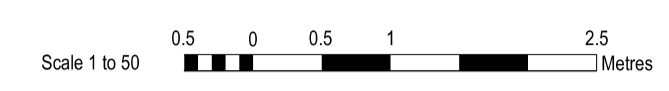
Windows
Existing windows to be removed and replaced with new sliding sash conservation units fully sealed and with high spec gas filled double glazing.
Aluminum Comar 5P.i or similar windows to achieve u-value 1.4 w/m² K. to be screw fixed to existing fabric, sealed with mastic seals to create airtight junction. Cill to be replaced strapped down to existing fabric and decorated to match existing. Non regular shaped specialist windows to grand hall to be replaced with like, to achieve u-value 1.8 w/m² K

Appendix 1a



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1 AGAL001 - Level 01 GA Plan
1 : 50



Appendix 2

GENERAL NOTE:

Wall types to comply with min. performance as identified on acousticians report.
For further wall types information refer to drawing A-06.00.
All dimensions taken to either centre line or finish face of partitions / walls, grid lines and to face of columns.
All dimensions & levels are to be checked on site by contractor & sub-contractors prior to commencement of work, any discrepancies are to be highlighted immediately to the architects.

CO-ORDINATION NOTE:

The information on this drawing is still subject to the final co-ordination of structure / sub-structure, M&E, FF&E and kitchen design.
The information on this drawing is subject to a complete site / building survey

Amendments

No.	Description	Date	Issued by
4	Feasibility Issue	10/02/2012	DLH
3	For Comment	03/02/2012	DLH
2	For Comment	19/01/2012	DLH
1	For Sale application information	08/01/2011	DLH

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Project Name:
Masters House

Draw Reference:
GA Plan

Drawn: Author Checked: Checker
Scale: 1 : 50 @ A1 Project Issue Date:

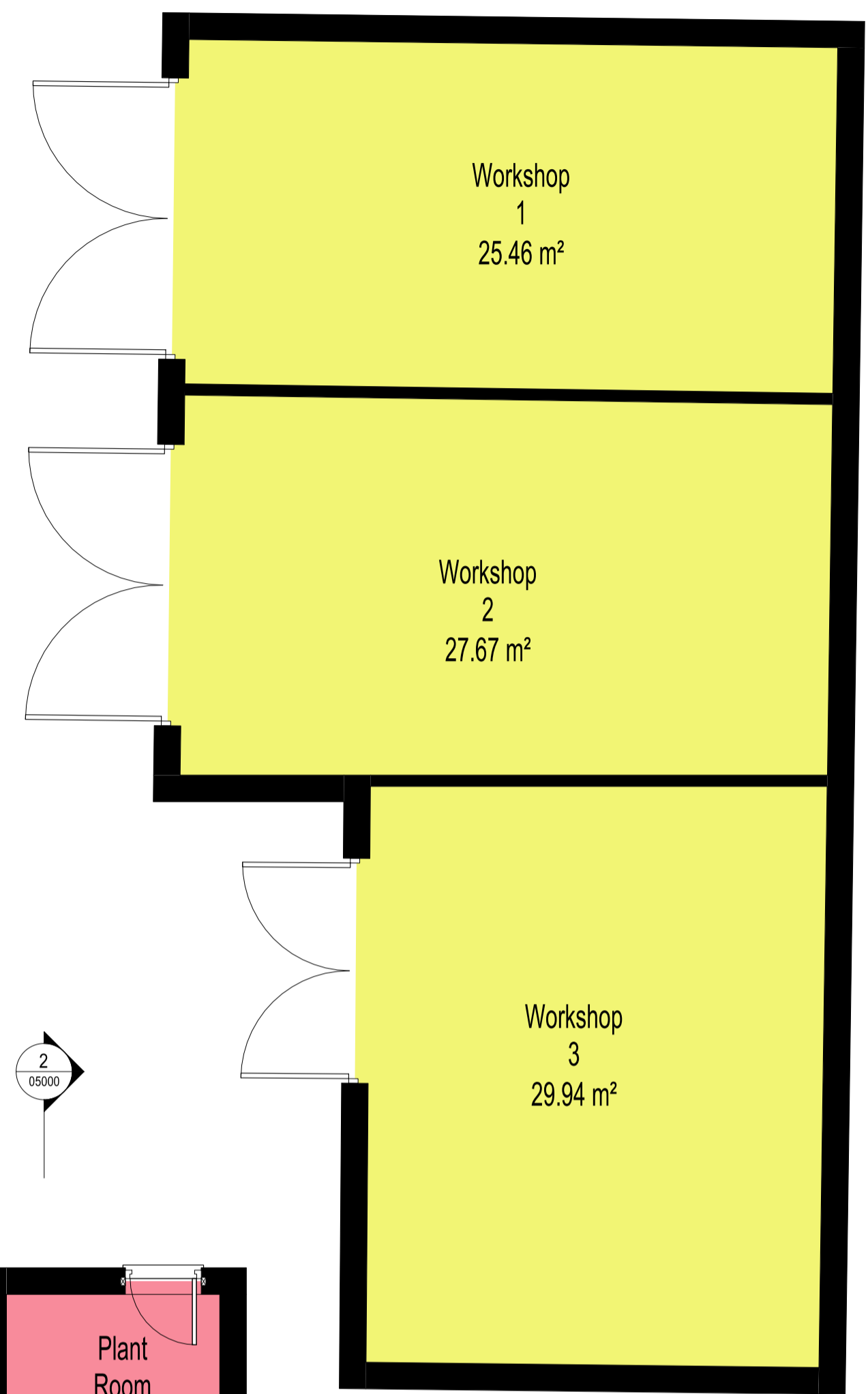
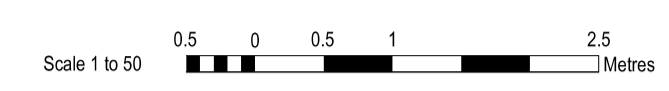
Project:	Originator:	Volume:	Level:	Type:	Role:	Number:
Z0513 - NOV	-	-	-	-	-	A - 03011

Status: Suitability Description: Orig Paper Size:

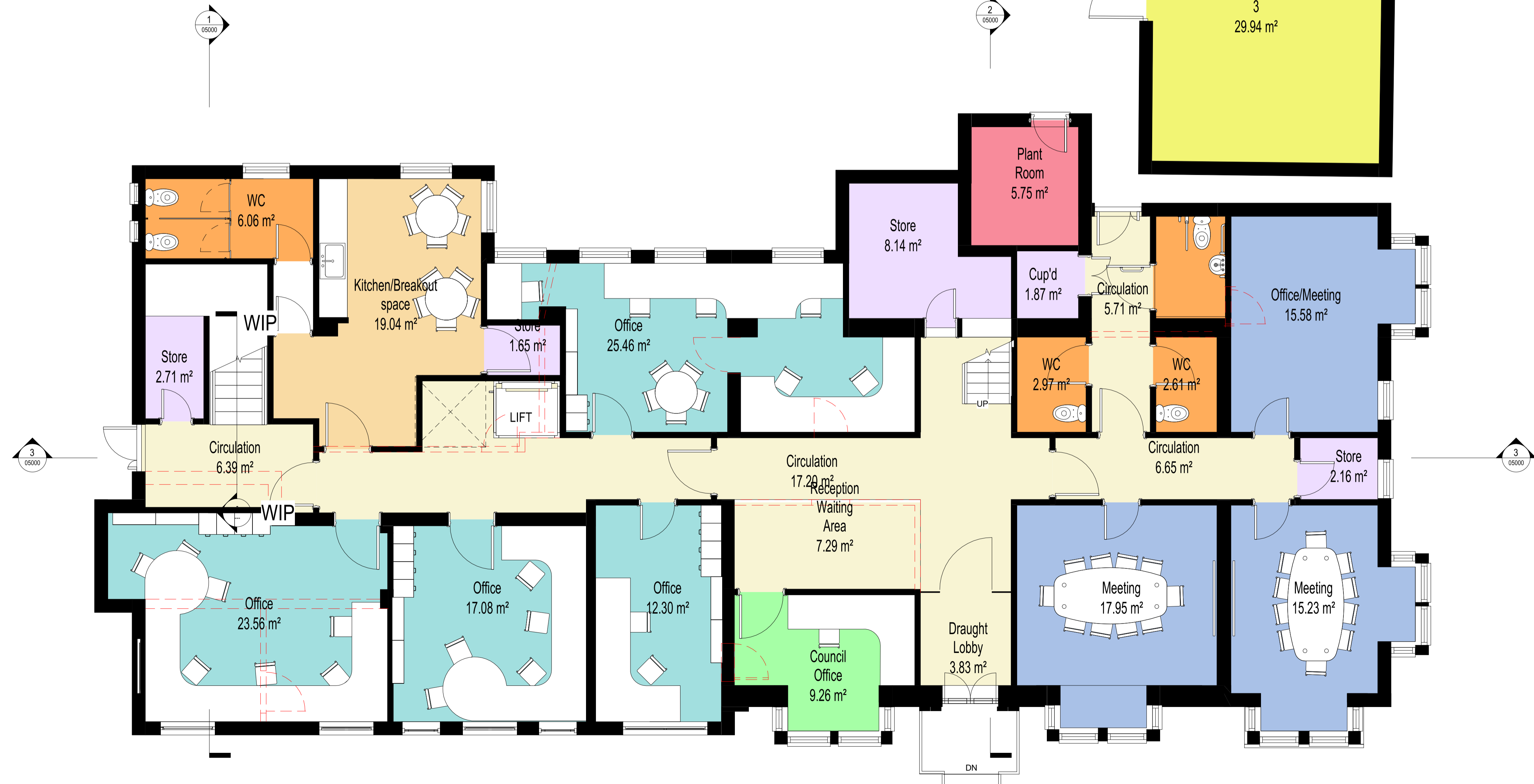
Revision: Revision Description: Noviun Job No:
4 **Z0513**

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1 Proposed Ground Floor Plan
1:50



Appendix 2a



CO-ORDINATION NOTE:
The information on this drawing is still subject to the final co-ordination of structure / sub-structure, M&E, FF&E and kitchen design.
The information on this drawing is subject to a complete site / building survey

Amendments

No.	Description	Date	Issued by
4	Feasibility Issue	10/02/2012	DLH
3	For Comment	03/02/2012	DLH
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1	For Sale application information	08/01/2011	DLH

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Project Name:
Masters House

Draw Reference:
GA Plan

Drawn: Author Checked: Checker
Scale: 1:50 @ A1 Project Issue Date:

Project:	Originator:	Volume:	Level:	Type:	Role:	Number:
Z0513 - NOV -	-	-	-	-	-	- A - 03010

Status: Suitability Description: Orig Paper Size:

Revision: Revision Description: Noviun Job No:
4 Z0513

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PRELIMINARY BUDGET ESTIMATE REV 1

MASTERS HOUSE, SHEERNESS

FOR

SWALE BOROUGH COUNCIL

Quartz Project Services Limited

34 Dover Street

LONDON

W1S 4NG

February 2021

MASTERS HOUSE, SHEERNESS
PRELIMINARY BUDGET ESTIMATE REV 1

Section Contents

- 0.0 Issue History**

- 1.0 Introduction**

- 2.0 Notes and Qualifications**

- 3.0 Executive Summary**

- 4.0 Refurbishment Works**

- 5.0 Studios**

**MASTERS HOUSE, SHEERNESS
PRELIMINARY BUDGET ESTIMATE REV 1**

SECTION 0.0 ISSUE HISTORY

Version	Date Issued	Author	Check By
0	08/01/2021	B Barrett	S Ahern
1	12/02/2021	B Barrett	S Ahern

MASTERS HOUSE, SHEERNESS PRELIMINARY BUDGET ESTIMATE REV 1

SECTION 1.0 INTRODUCTION

1.00 This Preliminary Budget Estimate has been prepared at the request of the Swale Borough Council. The report identifies an order of cost for the proposed development, as forecasted by Quartz Project Services Limited.

2.00 The proposed project comprise the installation of air source heating, LED lighting, new windows together with shell enhancement works :-

- | | |
|-----------------|------------------------|
| i. Ground Floor | GIA 284 m2 (3,057 ft2) |
| ii. First Floor | GIA 256 m2 (2,756 ft2) |

Total gross internal floor area for all above units are approximately 540 m2 / 5,813 ft2

3.00 The proposed project generally comprise the following works:-

- site preparation, stripout and demolition: disconnect/remove existing heating and lighting, removal of asbestos, removal of windows
- install new windows, loft insulation drylining/insulation to external walls, i, internal finishes, fixtures & fittings, M&E including installation of new lighting, heating including smart radiators, upgrade incoming power supply and IT infrastructure, new furniture
- studios - new roofs, wall linings, insulated floor slabs, glazed entrance screens/security shutters, internal finishes, small power, electric heating, lighting, IT infrastructure.

4.00 The estimated costs have been assessed using approximate quantities and appropriate rates applied to these quantities. Where quantification of a works item has not been possible then a notional lump sum has been included which will require verification once design information is made available.

5.00 Attention is drawn to the notes the assumptions made in preparing this report together with a **list of general exclusions (Section 2.0 Notes and Qualifications)**. Inspection of the cost analyses included in this report provides details of the specific criteria utilised in generating the Preliminary Budget Estimate. The team members are urged to examine this data in order to satisfy its validity and appropriateness.

MASTERS HOUSE, SHEERNESS PRELIMINARY BUDGET ESTIMATE REV 1

SECTION 2.0 NOTES AND QUALIFICATIONS

BASED ON Q1 2021 TENDER PRICES

- 2.1 Preliminary Budget Estimate has been based on the following information:
Novium Architects Refurbishment Masters House, Sheerness Feasibility Report February 2021
Elementa Masters House MEP Feasibility and Briefing Report February 2021
Elementa Masters House Net Zero Technical Options and Feasibility Appraisal February 2021
UKPN Budget Estimate 8500168314 dated 10th February 2021
- 2.2 The total of this Preliminary Budget Estimate identified within Section 3.0 has been generated on the understanding that the proposed works will be subject to a competitive tender action and will be let on the basis of a design and build contract (JCT 2016).
- 2.3 Provisional Allowances have been incorporated within the estimate for incoming services and associated builders work.
- 2.4 Preliminaries have been included at 10% and overheads and profit at 6%. We consider this to be consistent with the scope of works, forecast market conditions and the selected method of procurement.
- 2.5 We have included an allowance for design fees
- 2.6 The following costs are excluded from this Cost Plan .
- 2.6.1 VAT, Legal fees, Marketing Costs, Finance and the like
 - 2.6.2 Increased cost allowance
 - 2.6.3 Asbestos removal
 - 2.6.4 Sprinklers including tanks / pumps
 - 2.6.5 Telephone and data system
 - 2.6.6 Building signage
 - 2.6.7 Fitout, furniture, furnishings, process machinery, racking or skips, or any other item which has not been expressly detailed in this document
 - 2.6.8 IT installations which has not be expressly detailed in this document
 - 2.6.9 Security or CCTV installations
 - 2.6.10 Remedial works to external envelope
 - 2.6.11 Mechanical ventilation to hall and meeting rooms
- 2.7 We have included a 5% design and general risk contingency within this estimate, we recommend the Client make a developers contingency allowance within their viability appraisal.

MASTERS HOUSE, SHEERNESS
PRELIMINARY BUDGET ESTIMATE REV 1

SECTION 3.0 - EXECUTIVE SUMMARY (MAIN BUILDING)

		<u>m²</u>	<u>ft²</u>
GROSS INTERNAL AREA (GIA)		540	5,813
	£	£/m ²	£ / ft ²
SECTION 4.0 - DEMOLITION/ ALTERATIONS	164,980	305.52	28.38
SECTION 4.1 - REFURBISHMENT	820,215	1,518.92	141.10
Sub-total	985,195	1,824.44	169.48
PRELIMINARIES @ 10%	98,520	182.44	16.95
OVERHEADS AND PROFIT @ 6%	65,023	120.41	11.19
CONTINGENCY @ 5%	57,437	106.36	9.88
DESIGN/LA FEES (As attached schedule)	183,442	339.71	31.56
TOTAL ESTIMATED COST INCLUDING PRELIMS, OHP, CONTINGENCY	1,389,617	2,573.36	239.05

SECTION 3.0 - EXECUTIVE SUMMARY (STUDIOS)

		<u>m²</u>	<u>ft²</u>
GROSS INTERNAL AREA (GIA)		84	904
	£	£/m ²	£ / ft ²
SECTION 5.0- DEMOLITION STUDIOS	18,170	216.31	20.10
SECTION 5.1- STUDIOS	92,665	1,103.15	102.51
Sub-total	110,835	1,319.46	122.61
PRELIMINARIES @ 10%	11,084	20.53	1.91
OVERHEADS AND PROFIT @ 6%	7,315	13.55	1.26
CONTINGENCY @ 5%	6,462	11.97	1.11
DESIGN/LA FEES (Assumed as 15.5%)	21,033	38.95	3.62
TOTAL ESTIMATED COST INCLUDING PRELIMS, OHP,	156,729	1,404.46	130.51

**MASTERS HOUSE, SHEERNESS
PRELIMINARY BUDGET ESTIMATE REV 1**

SECTION 4.0 - DEMOLITION/ALTERATIONS

GROSS INTERNAL AREA (GIA)						m²	ft²
						540	5,813
SECTION 4.0 - DEMOLITION/ALTERATIONS							
a	Stripout existing LTHW system including boilers and radiators	540	m ²	25.00	13,500	25.00	2.32
b	Stripout existing power and lighting	540	m ²	30.00	16,200	30.00	2.79
c	Remove existing windows	139	m ²	50.00	6,950	12.87	1.20
d	Remove existing External doors	3	nr	500.00	1,500	2.78	0.26
e	Remove existing internal doors	40	nr	100.00	4,000	7.41	0.69
f	Remove existing fixtures and fittings	1	Psum	10,000.00	10,000	18.52	1.72
g	Remove existing Floor finishes	540	m ²	20.00	10,800	20.00	1.86
h	Demolish existing internal walls	202	m ²	40.00	8,080	14.96	1.39
j	Structural strengthening to new openings	57	m	1,000.00	57,000	105.56	9.81
k	Form new door openings single	2	no	500.00	1,000	1.85	0.17
l	Form new door openings double	1	no	1,000.00	1,000	1.85	0.17
m	blockup existing door opening single	2	no	250.00	500	0.93	0.09
n	Remove safe door	1	nr	1,000.00	1,000	1.85	0.17
p	Below ground drainage alterations	1	Psum	30,000.00	30,000	55.56	5.16
q	Below floor insulation	115	m ²	30.00	3,450	6.39	0.59
r	Asbestos removal		excl				
DEMOLITION/ALTERATIONS TOTAL £						164,980	28.38

MASTERS HOUSE, SHEERNESS

PRELIMINARY BUDGET ESTIMATE REV 1

SECTION 4.1 - REFURBISHMENT

GROSS INTERNAL AREA (GIA)		540 m ²		5,813 ft ²		
SECTION 4.1 - REFURBISHMENT						
ITEM	QUANTITY	UNIT	RATE	£	£ / m ²	£ / ft ²
4.1.1 Roof						
a 300mm Rockwool thermal roll loft insulation	109	m ²	25.00	2,725	5.05	0.47
b Replace existing lead flat roof/insulation	8	m ²	750.00	6,000	11.11	1.03
c Insulated mineral felt flat roof	Excl					
4.1.2 External walls						
a Ecotherm Ecoliner insulated plasterboard, tape & joint, decorate	475	m ²	40.00	19,000	35.19	3.27
b Insulated plasterboard to window heads and reveals; decoration	464	m	40.00	18,560	34.37	3.19
c MDF replacement window boards; decoration	194	m	40.00	7,760	14.37	1.34
4.1.3 External windows and doors						
a Main entrance door	1	nr	3,500.00	3,500	6.48	0.60
b Timber double glazed heritage windows to match existing	61	m ²	1,600.00	97,600	180.74	16.79
c Aluminium double glazed windows	78	m ²	500.00	39,000	72.22	6.71
d Single external door	2	nr	1,750.00	3,500	6.48	0.60
4.1.3 Internal partitions and doors						
a Internal door screen including automatic glazed door	1	nr	6,000.00	6,000	11.11	1.03
b Internal walls/partitions	188	m ²	90.00	16,920	31.33	2.91
c Internal doors single	34	m ²	1,200.00	40,800	75.56	7.02
d Internal doors double	3	nr	1,800.00	5,400	10.00	0.93
4.1.4 Internal finishes						
a Carpet/vinyl safety flooring	540	m ²	45.00	24,300	45.00	4.18
b Skirtings	446	m	30.00	13,380	24.78	2.30
c Make good/redecorate ceiling	540	m ²	20.00	10,800	20.00	1.86
d Make good/decorate walls	1,600	m ²	20.00	32,000	59.26	5.51
e Staircase finishes	2	nr	4,500.00	9,000	16.67	1.55
f MG existing feature mouldings	1	Psum	10,000.00	10,000	18.52	1.72
4.1.5 Fixtures and Fittings						
a Reception	1	Psum	5,000.00	5,000	9.26	0.86
b Toilet rolls holders/hooks	6	nr	50.00	300	0.56	0.05
c Toilet cubicles	4	nr	1,500.00	6,000	11.11	1.03
d Kitchens	2	Nr	5,000.00	10,000	18.52	1.72
4.1.6 M&E Services						
a Disabled Doc M Suite	2	Nr	1,500.00	3,000	5.56	0.52
b WC's	6	Nr	400.00	2,400	4.44	0.41
c WHB's	6	Nr	350.00	2,100	3.89	0.36

MASTERS HOUSE, SHEERNESS

PRELIMINARY BUDGET ESTIMATE REV 1

SECTION 4.1 - REFURBISHMENT

GROSS INTERNAL AREA (GIA)		540 m ²		5,813 ft ²			
d	Airsource heating including LTHW pipework and smart radiators	540	m ²	245.00	132,300	245.00	22.76
e	LED lighting, associated controls, power supplies	540	m ²	100.00	54,000	100.00	9.29
f	Local ventilation fans to kitchens and toilets	6	Nr	1,500.00	9,000	16.67	1.55
g	Power distribution, small power, fire alarms	540	m ²	75.00	40,500	75.00	6.97
h	Hot and cold water/above ground drainage	540	m ²	25.00	13,500	25.00	2.32
j	IT infrastructure cabling	540	m ²	90.00	48,600	90.00	8.36
k	TV's	5	nr	1,000.00	5,000	9.26	0.86
l	Security - cctv/alarms		excl				
m	Platform hoist	1	tiem	15,000.00	15,000	27.78	2.58
n	Air test to building	1	item	1,500.00	1,500	2.78	0.26
p	PV's including provisional allowance for associated structural works	1	Psum	50,000.00	50,000	92.59	8.60
q	Upgrade incoming electrical supply	1	item	23,000.00	23,000	42.59	3.96
r	Builders work in connection	1	item	15,270.00	15,270	28.28	2.63
4.1.7 External Works							
a	Construct new entrance ramp including handrails	1	Psum	8,000.00	8,000	14.81	1.38
b	LED External lighting	10	nr	350.00	3,500	6.48	0.60
c	Air source heating plant base/fencing	1	nr	6,000.00	6,000	11.11	1.03
4.1.8 Furniture							
a	Hall tables	10	nr	150.00	1,500	2.78	0.26
b	Hall chairs	60	nr	40.00	2,400	4.44	0.41
c	Reception furniture	1	nr	1,000.00	1,000	1.85	0.17
e	Desks	40	nr	350.00	14,000	25.93	2.41
f	Chairs	60	nr	100.00	6,000	11.11	1.03
g	Cabinets	40	nr	150.00	6,000	11.11	1.03
h	Meeting Room Furniture	5	nr	2,000.00	10,000	18.52	1.72
REFURBISHMENT TOTAL £				820,215	1518.92	141.11	

**MASTERS HOUSE, SHEERNESS
PRELIMINARY BUDGET ESTIMATE REV 1**

SECTION 4.2 - DESIGN FEES

GROSS INTERNAL AREA (GIA)		540 m²	5,813
SECTION 4.2 - DESIGN FEES			
ITEM			£
Consultants Fees			
a	Architect (Noviun Architects)		48,000
b	Project Manager/Employer's Agent/Quantity Surveyor (Savills/QPS)		36,000
c	M&E Services Consultant Stage 1-6 (Elementa) for grant related systems services design		25,200
	Structural Engineer (Paul Owen Associates)		12,000
a	Principal Designer (Brian Bulfin Associates)		6,000
c	Fire consultancy		5,000
Surveys and Reports			
b	Dimensional Survey		5,000
c	Structural Investigations		4,980
d	Asbestos Refurbishment & Demolition Survey		5,000
a	Net zero technical options and carbon feasibility appraisal		6,800
b	Sustainability statement for planning		2,500
c	Energy strategy for planning		3,500
d	Acoustic Report		3,000
e	Other Planning Reports (to be determined)		10,000
a	Building Control Fee		10,000
b	Planning Statutory Fee		462
		DESIGN FEES TOTAL £	183,442

**MASTERS HOUSE, SHEERNESS
PRELIMINARY BUDGET ESTIMATE REV 1**

SECTION 5.0 - DEMOLITION/ALTERATIONS (STUDIOS)

					<u>m²</u>	<u>ft²</u>
GROSS INTERNAL AREA (GIA)					84	904
SECTION 5.0 - DEMOLITION/ALTERATIONS (STUDIOS)						
a	Break out existing floor slabs	84	m ²	30.00	2,520	27.9
b	Remove existing roofs including Structure	100	m ²	50.00	5,000	53.53
c	Remove existing garage door	2	nr	250.00	500	0.55
d	Remove existing access door	1	nr	150.00	150	0.17
e	Allowance for structural strengthening	1	Psum	10,000.00	10,000	11.06
r	Asbestos removal		excl			
DEMOLITION/ALTERATIONS (STUDIOS) TOTAL £					18,170	20.10

MASTERS HOUSE, SHEERNESS

PRELIMINARY BUDGET ESTIMATE REV 1

SECTION 5.1 - STUDIO REFURBISHMENT

GROSS INTERNAL AREA (GIA)		84 m ²	904 ft ²			
SECTION 5.1 - STUDIO REFURBISHMENT						
ITEM	QUANTITY	UNIT	RATE	£	£ / m ²	£ / ft ²
5.1.1 Substructure						
a Reinforced concrete floor	84	m2	110.00	9,240	110.00	10.22
5.1.2 Roof						
a New insulated profiled steel roof	100	m2	150.00	15,000	178.57	16.59
b Gutters	15	m2	45.00	675	8.04	0.75
5.1.3 External walls						
a Ecotherm Ecoliner insulated plasterboard, tape & joint, decorate	200	m ²	40.00	8,000	95.24	8.85
b Insulated plasterboard to window heads and reveals; decoration	27	m	40.00	1,080	12.86	1.19
5.1.4 External windows and doors						
a Glazed screen/door	3	nr	5,000.00	15,000	178.57	16.59
b Security shutter	3	nr	1,500.00	4,500	53.57	4.98
5.1.5 Internal finishes						
a Vinyl safety flooring	84	m2	45.00	3,780	45.00	4.18
b Skirtings	66	m	30.00	1,980	23.57	2.19
c Ceiling - self finished						
d Make good/decorate walls	200	m2	20.00	4,000	47.62	4.42
5.1.6 M&E Services						
a LED lighting, associated controls, power supplies	84	m2	100.00	8,400	100.00	9.29
b Extract Fans	3	Nr	250.00	750	8.93	0.83
c Electric heating	3	Nr	1,500.00	4,500	53.57	4.98
d Power distribution, small power, fire alarms	84	m2	75.00	6,300	75.00	6.97
e IT infrastructure cabling	84	m2	90.00	7,560	90.00	8.36
f Security - cctv/alarms	excl					
g Air test to building	1	item	500.00	500	5.95	0.55
g Builders work in connection	1	item	1,400.00	1,400	16.67	1.55
STUDIO REFURBISHMENT TOTAL £				92,665	1103.15	102.49

Cabinet

Meeting Date	17 th March, 2021
Report Title	Borden Parish Conservation Areas Review
Cabinet Member	Cllr. Mike Baldock - Cabinet Member for Planning
SMT Lead	Emma Wiggins – Regeneration Director
Head of Service	James Freeman – Head of Planning
Lead Officer	Simon Algar – Conservation & Design Manager
Key Decision	Yes
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the responses received from the public consultation exercise (summarised in the response table at Appendix iii and set out in full at Appendix v). Also any response received from the 3 parties who did not receive the original notification letters and whose individual responses will be provided in a tabled update to this report. 2. To note the content of the combined conservation area character appraisal and associated management strategies for the 4 conservation areas in Borden Parish. 3. In light of 1 and 2 above, to resolve that all 4 of the Borden Parish conservation areas are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and that as such, they should be re-designated as conservation areas in accordance with section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. 4. In light of 1 and 2 above, to resolve that the boundaries to the conservation areas be re-drawn as proposed on Map 5 (Borden (The Street) Conservation Area), Map 10 (Chestnut Street Conservation Area) and Map 15 (Harman’s Corner Conservation Area) and that the related character appraisal and management plan document for the 4 Borden Parish conservation areas be formally adopted for development management purposes.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Cabinet aware of some proposed boundary changes and to confirm that following the recent review work, the four Borden Parish conservation areas should be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy for each conservation area in line with current good practice for the management of conservation areas. Officers recommend that the Cabinet approves the changes to the review document set out in Appendix iii and as reflected in Appendix ii: Public consultation version of the 2020 draft combined character appraisal and management plans document, showing alterations recommended by officers as tracked changes.

2 Background

- 2.1 The four conservation areas contained within the parish of Borden are (1) Borden (The Street) Conservation Area; (2) Chestnut Street Conservation Area; (3) Harman's Corner Conservation Area; and (4) Hearts Delight Conservation Area.
- 2.2 The first three of these four conservation areas were respectively designated in October 1971, February 1977 and October 1971. The boundaries of these conservation areas were subsequently reviewed, the boundaries amended, and a summary conservation area character appraisal prepared in August 1999. A copy of each of the respective 1999 summary character appraisal documents is included within Appendix i of this report.
- 2.3 Hearts Delight Conservation Area was first designated at the same time as the three aforementioned conservation areas received their first review, that is, in August 1999. The boundary of this conservation area has not been amended since its original designation, at which point a summary character appraisal was produced for it. A copy of that 1999 summary character appraisal document is also included within Appendix i of this report.
- 2.4 Up until now, the four conservation areas have therefore lacked a detailed appraisal or management strategy and as such, case law concerning conservation area designation indicates that it is possible (albeit highly unlikely) that they could fail (resulting in the designations being quashed) if legally challenged on the basis for the original designations not being fully evidenced.
- 2.5 The four Borden Parish conservation areas were highlighted as a priority for review because of the significant development pressure they face, located as they are close to the borough's principal town of Sittingbourne, which has and remains a focus for planned housing growth, as well areas of land outside the town being the target of some speculative development proposals. Having detailed up-to-date character appraisals and management strategies in place for

each of the four conservation area should help to ensure that any strategic decisions concerning future development and infrastructure provision in this wider area can be made on a properly informed basis taking into account the need to conserve the setting and special interest of this longstanding conservation area, as far as reasonably possible, as well as the Council's requirement to deliver new homes and support employment opportunities.

3 Proposal

- 3.1 The proposal is to re-designate each of the four conservation areas and to equip them with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes over the next decade or so. In the case of the Borden (The Street), Chestnut Street and Harman's Corner conservation areas, this re-designation is proposed to include amendments to their respective conservation area boundaries to include additional areas that contribute to their special interest.
- 3.2 The proposed changes to the boundaries of the three aforementioned conservation areas are highlighted in Appendix 2 of the public consultation version of the combined character appraisal and management plans document, which is attached as Appendix ii to this report. The proposed boundary changes to the Chestnut Street Conservation Area have been challenged and questioned through the public consultation exercise and the considerations relating to this have been clearly set out in Appendix iii (public consultation – table of representations and the council's response to them) to this report.
- 3.3 Officers recommend that the Cabinet approves the proposed changes to the review document set out in Appendix iii and as reflected in Appendix ii: Public consultation version of the 2020 draft combined character appraisal and management plans document, showing alterations recommended by officers as tracked changes. It should be noted that the version of the document provided at Appendix ii is in Microsoft Word format and is provided here purely to show how the changes to the document which your officers consider are incorporated. Final formatting of the document using professional editing software (which will also eliminate any remaining typos and grammatical errors) will be applied to the PDF version of the document which will form the adoption version and which will be placed on the Council's website for public viewing.

4 Alternative Options

- 4.1 One option would be to not take this review work any further and effectively abandon it. This is not recommended however because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.

- 4.2 A second possible option would be to suspend the work on this review until some point in the future. Whilst this option would not result in wasted consultancy fees and officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the respective Borden Parish conservation areas.
- 4.3 A third possible option would be to alter the document, in particular to take on board the representations made on behalf of those with land and/or development interests in the locality, and more especially to row back on one or both of the proposed boundary extensions to the Chestnut Street Conservation Area. However, whilst it is accepted that some minor changes can and should on balance be made to the appraisal and management strategy sections of the review document in light of commentary provided in such representations, the consultation table set out at Appendix iii sets out the Council position in relation to these comments and the carefully reasoned responses to those representation set out therein supports the view that the appraisal document and associated proposed boundary changes are in overall terms, fundamentally sound.

5 Consultation Undertaken or Proposed

- 5.1 As agreed in advance with Borden Parish Council, a 6 week public consultation exercise commenced ran from Monday the 5th October 2020 until Sunday the 15th November 2020.
- 5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key relevant organisations including Kent County Council and Historic England. A list of those parties consulted on the review document is attached for reference as Appendix iv to this report.
- 5.3 Restrictions on movement imposed due to the Coronavirus pandemic meant that the normal practice of providing hard copies of the review document at Swale House and at Sittingbourne Library (the nearest local library to the parish) could not be followed, but the review document was available to view/download on-line via the Council's website for the duration of the six-week public consultation period, and in addition, officers designed a public consultation poster, copies of which were placed on notice boards in Borden Parish prior to the start of the consultation period by the parish clerk in order to help further publicise the review work.
- 5.4 Eight representations were received in response to the public consultation exercise, with one of these in particular strongly objecting to the proposed boundary extensions to the Chestnut Street Conservation Area. There were also

suggestions for changes to the appraisal section of the document in terms of how areas within the conservation area and identified views are labelled and described, along with suggestions for some management measures. Full copies of all eight representations received are included for reference at Appendix v to this report. It should be noted that details which could allow for identification of private individuals have been redacted in the copies displayed in this appendix in order to protect personal data in accordance with the requirements of the General Data Protection Regulation 2018 (GDPR) and the associated Data Protection Act 2018.

- 5.5 It should be noted that Kent County Council's Heritage Conservation Team are contracted by the Council to provide archaeological advice on development proposals and in support of area appraisal work, as the Council, in line with most other local planning authorities does not have an in-house specialist in this respect. As such, there is no consultation response from the county's Heritage Conservation Team as the Council's consultant liaised with the county's Principal Archaeologist at the outset of this review exercise, and his input was incorporated into the public consultation document. Kent County Council in its function as the Highway Authority was consulted on the conservation area review but provided no feedback in this respect. A response from the county's Ecology Team (which was also consulted) is summarised in the consultation response table at Appendix iii to this report, along with a summary of all the other feedback provided.
- 5.6 The Local Plan Panel considered this matter at its meeting on the 18th February where it was unanimously agreed by members of the panel to recommend to the Cabinet that the proposed changes to the conservation areas review document recommended by officers, in light of public consultation feedback, should be approved. For the avoidance of any doubt, the recommendations for changes to the review document by officers do not materially alter the content of the character appraisal or management plan parts of the document. Nor do they propose any change to the conservation area boundary alterations proposed by the Council's appointed heritage consultant. The recommended changes seek solely to correct some minor factual errors and close some small gaps in information.
- 5.7 It will be noted from the minutes of the Local Plan Panel meeting (attached as Appendix vi to this report) that a small number of parties potentially affected by the review work did not receive their notification letters. Following checks being made, this is not considered to be due to any error on the part of officers. In the circumstances however, it was considered that the 3 parties in question should be offered the opportunity to submit comments, and following the conclusion of the Local Plan Panel meeting on the 18th February, the parties were contacted on the 19th February and sent a replacement consultation letter inviting them to submit any comments they might wish to make by close of business on the 12th March.
- 5.8 In the event that any comments are received from aforementioned parties by the stated deadline, a tabled update referencing this feedback will be circulated in advance of the Cabinet meeting on the 17th March. This may include changes to

the recommendations set out at the head of this report. Furthermore, it may also result in replacement or additional changes being made to the conservation areas review document, and should this be the case, a revised version of appendix ii will also be circulated in parallel with the tabled update.

6 Implications

Issue	Implications
Corporate Plan	<p>Priority 2 of the Plan is: ‘Investing in our environment and responding positively to global challenges’. Objectives 2.1, 2.4 and 2.5 of this priority are respectively to:</p> <p>(2.1) ‘Develop a coherent strategy to address the climate and ecological emergencies, aiming for carbon neutrality in the council’s own operations by 2025 and in the whole borough by 2030, and pursue all opportunities to enhance biodiversity across the borough’.</p> <p>(2.4) ‘Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.’</p> <p>(2.5) ‘Work towards a cleaner borough where recycling remains a focus, and ensure that the council acts as an exemplar environmental steward, making space for nature wherever possible’.</p> <p>The character appraisal and management strategy document, once amended as appropriate and subsequently adopted would support all 3 of the above-stated objectives from the Corporate Plan.</p>
Financial, Resource and Property	There are no financial implications for the Council.
Legal and Statutory	<p>The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to “<i>determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i>” and, from time to time, to review the functioning existing conservation areas. As such failure to follow through on this review work would mean that the council is failing to meet its statutory duties in relation to the designation and ongoing management of conservation areas.</p>
Crime and Disorder	None identified at this stage.
Environmental Sustainability	<p>One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment. The other two dimensions are a strong economy and a healthy and socially vibrant community</p>

Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Swale Heritage Strategy which underpins this review work.
Risk Management and Health & Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

The following documents are to be published with this report and form part of the report:

- **Appendix i:** Existing 1999 summary character appraisal documents
- **Appendix ii:** Public consultation version of the 2020 draft combined character appraisal and management plans document, showing alterations recommended by officers as tracked changes
- **Appendix iii:** Public consultation – table of representations, and the council's response to them
- **Appendix iv:** List of those parties consulted on the review document
- **Appendix v:** Copies of all eight representations received in relation to the public consultation (redacted to protect personal data, as appropriate)
- **Appendix vi:** Minutes from Local Plan Panel meeting on the 18th February considering this matter

8 Background Papers

None.

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The Street, Borden conservation area character appraisal

(Extract from report to Development Committee 11 August 1999 Agenda item no. 6B Annex B)

Location

1. Borden village lies some two miles south west of the centre of Sittingbourne. Whilst it remains physically separate from Sittingbourne town the intervening gap along Borden Lane is now very small. The village has itself been significantly enlarged by a series of housing developments completed during the last forty years.

Physical setting

2. The village lies on the Thanet Beds which overlay the very gently rising land of the North Downs dip slope. From here there are extensive views to the north over Sittingbourne and beyond to The Swale and the Isle of Sheppey. Orchards were, until recently, a major feature of the surrounding countryside, but arable land is now becoming more significant. Field amalgamations, especially to the south of the village, have resulted in a more open landscape. The small area of undeveloped land to the north east of the village, which separates it from Sittingbourne, displays some characteristics of the urban fringe.

Historic interest

3. The history of Borden and its vicinity has been traced back to the Iron Age. Archaeological evidence shows that Belgic people occupied a hill fort on land immediately north of the present day site of the Playstool. Other evidence shows that the countryside around Borden was subsequently settled by the Romans: Sutton Baron, some ½ mile to the south of Borden village, was the site of a Roman villa and other Roman finds have been made in the village itself. After the Roman occupation it is likely that much of the area reverted to forest and that centuries later it was slowly reclaimed, with separate settlements and farmsteads gradually being established.

4. Mediaeval times were a period of particular prosperity in Borden and its vicinity, with many houses being rebuilt and extended. A number of houses from this period still survive and are a special feature of the parish.

Buildings

5. Borden village is centred on the parish church of St Peter and St Paul, a large flint building strategically sited at the western end of The Street (the main village thoroughfare). The slightly elevated position of the building in relation to The Street reinforces its prominence, and the adjoining churchyard (similarly elevated) is also an important feature of the village layout. A flint boundary wall encircles the churchyard and is an attractive feature in its own right.

6. The churchyard's position at the western entrance to the village causes Pond Farm Road to wind tightly around its edge before joining The Street at a T-junction. This pronounced winding form creates an attractive, and very individual, entrance into the village from the adjoining countryside.

7. Opposite the churchyard to the south lies a pleasing range of buildings comprised of Street Farm Cottages and House, Apple Tree Cottage and The Cottage. These buildings are all timber-framed and infilled with a mix of plaster and red brick; they are covered with a jumble of clay, peg-tiled roofs. They stand on the edge of a

narrow footway and form an important and historic group defining the space around the church. A passageway between these cottages reveals a further range of old buildings, again with an appealing mix of materials and roof forms. Beyond again to the south is a small, boarded barn with thatched roof.

8. Appletree Cottage was used for many years as the Parish Poor House, until the Milton Workhouse was built in 19th century. There is also some evidence to suggest that Street Farm House and Street Farm Cottages may in the past have been occupied by monks, perhaps connected with Leeds Priory as an outlying farm or grange. These two Borden buildings are physically joined which is unusual for their size, and stonework is present in the rear windows of the farm.

9. Borden Hall, formerly the parsonage, is a large timber-framed building which stands to the north of the church. Whilst set well back from the public highway in its own grounds, it is prominent from within the churchyard. Dating from the 15th century, the central portion is clad with brick but the wings on either side still reveal timbering. A substantial dove cot building stands in the grounds, although the nearby tithe barn was demolished during the second world war. Large mature trees line the boundary with the church and also the frontage to Wises Lane and are an attractive and prominent feature of the village. The frontage to Wises Lane is marked for most of its length by a simple iron railing, but an interesting timber-built shelter is also present.

10. On the opposite side of Wises Lane to Borden Hall the frontage is defined for a short distance by a small range of cottages, but the historic character here is short lived as the development quickly changes to a ribbon of modern bungalows and houses.

11. The western end of The Street continues to display much of the character and appearance of a traditional village street, reinforced by the substantial presence of the church which terminates the view. The houses and cottages grouped along the south side of the road have a pleasant, fairly modest, character, but their real importance lies in the form which they give to the village street. There have been piecemeal changes to the cottages, such as replacement windows and doors, but the overall form and character of the group continues to remain substantially intact.

12. Barrow and Forge Houses at the western end of The Street are particularly important to the definition of the village layout, providing substance to the corner with Pond Farm Road. These 19th century yellow brick houses bring a measure of elegance to the street picture. The adjoining single storey forge is an important survival of a key village activity and the yellow bricks and slated roof are characteristic of its time.

13. On the north side of The Street, the Playstool public open space occupies a large part of the frontage. The name suggests that the land might have historic origins as such sites were used to stage mystery plays in the Middle Ages. Now owned by the Parish Council, the front section has been laid out as a semi-formal garden, whilst the remainder is open in character with extensive views to the north across to the hills of the Isle of Sheppey.

14. The Maypole public house has a white rendered front elevation and slate roof. Its traditional appearance enlivens the village street although the building is of no great age. The adjoining timber-framed Holly Tree Cottage has an attractive elevation to the street despite heavy refurbishment.

15. To the east of the Playstool the old village core ends rather abruptly at Homestead View where there is a new cul-de-sac developed on a plot-by-plot basis with a diversity of house designs and building materials.

16. On the opposite side of the road The Barn is a substantial building set at right angles to the road. Its traditional form, massive roof, and traditional materials make a substantial statement and visually define the boundary between the main areas of old and new development at Borden.

Landscape

17. The proximity of the countryside is, inevitably, important to the character of Borden. The western approach to the village along Pond Farm Road retains a strongly traditional feel, with the countryside continuing right up to the village edge. This simplicity has been lost from the other entrances into the village, which have been much changed by modern development and are now rather more suburban in character.

18. The open space of the churchyard is a key feature in the village, particularly so as it includes a mix of mature trees including oak, ash, pine, and birch. The trees are at their largest and grandest, however, around Borden Hall where their massive presence helps to terminate the view looking west along The Street, and is an important component in the village scene. Other trees along the southern boundary of the village make a useful contribution as a background to the street scene.

19. The Playstool is substantial in size and consequently comprises a large open space in the village but the frontage to The Street is well defined by a row of chestnut trees.

The local economy

20. The close proximity of Borden to Sittingbourne means that the village is now largely within the influence of the town. A shop/post office and a public house continue to trade, but inevitably the village now looks to Sittingbourne and elsewhere for many of its requirements.

Character

21. This conservation area contains the key elements of the traditional village scene: an historic church, an old 'manor house' surrounded by large mature trees, picturesque timber-framed buildings and other cottages grouped along the village street, a public house and a village greenspace. Each one of these elements makes an important contribution to the character of Borden,

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Chestnut Street, Borden conservation area character appraisal

(Extract from report to Development Committee 11 August 1999 Agenda item no. 6B, Annex A)

Location

1. Chestnut Street lies immediately to the south west of Sittingbourne. It is a loosely knit roadside settlement close to, but still clearly outside, the built-up area of the town. It is comprised of development fronting onto the old Sittingbourne to Maidstone road which here passes through the Stockbury Valley.

2. The settlement is now by-passed by the dual carriageway A249; the road shaves past its north-western edge at the end of the rear gardens to properties in Chestnut Street. However, the road is in a cutting at this point so that visually the traffic is hidden and rather less intrusive than would otherwise be the case.

History

3. Chestnut Street is recorded in the Patent Rolls of 1256 as The Chastynners, meaning "the place where chestnuts grow". Hasted, writing at the end of the 18th century, referred to a large tract of chestnut woods which then stretched from the hamlet of Oad Street to the Detling Road. These woods have now largely disappeared.

4. Old Ordnance Survey maps record the site of old lime kilns in the chalk pit at Hooks Hole; a large area to the south of Chestnut Street has been disturbed by former mineral workings. Standing or buried remains of lime works are considered to be of high industrial archaeological potential.

Buildings

5. The outstanding feature of Chestnut Street is a group of four mediaeval timber-framed houses, which stand on the eastern side of the road. They epitomise Kentish vernacular building of the period.

6. Hook's Hole is on the classic wealden pattern, being a hall house dating from the 15th century. The exposed timber frame is infilled with white painted plaster and brick. The upper floor of both wings is jettied and the hipped roof is carried across the recessed central hall bay on braces and the eaves here are coved.

7. Immediately to the south is Olde Houses, a somewhat later building dating from the 16th century, also now painted black and white and occupied as two dwellings. The building has a rather appealing 'unimproved' look to it, which character is enhanced by the simple grassed front garden with stepping stones leading across it.

8. Next door again is a third timber-framed building now divided into two and known as Tudor Rose Cottage and Dumbles. This also dates from the 1500s and is characterised by its steep, peg tiled roof and plaster infilled timber frame.

9. The fourth house in the group is Oldestede, now two dwellings. The oldest section dates from the 15th century, once again with exposed timber framing and a catslide roof over an outshot. The newer section, dating from the 17th century, comprises a close studded and jettied cross wing, and bears the date 1613.

10. These buildings are all set within their own separate plots, they are all set back from the road and they are also all set down slightly below the level of the present

day carriageway. Trees and shrubs are an important feature within each curtilage, so that from the road the buildings are partially screened from view.

11. Development on the opposite side of the road is all much later in date. Indeed, the rebuilding and infilling of recent years means that most of these properties are now modern. It is these buildings, rather than the enclave of historic buildings, which in some ways are the more prominent in the street scene and which in consequence more obviously define the form of the street. The new houses are generally traditional in character; others within the group are late 19th century in date and fairly modest in appearance.

12. School Lane which strikes off to the east alongside Hooks Hole, is a narrow country lane rising gently up the side of the valley. It is defined by roadside hedgerows and field boundaries, the main exception being a single storey barn, set sideways onto the road with a gable wall close to the edge of the carriageway.

Landscape

13. Chestnut Street is set at the northern end of the Stockbury valley. This setting is now somewhat affected by the presence of the nearby dual carriageway, which has created a hard edge to the settlement and carved sharply into the chalk valley side. The chalk scar of the embankment to the cutting is still prominent, but tree planting may soften it in time. The new road has, however, allowed most of the through traffic to be removed from the old A249, which in turn has allowed some of the original character of this road to re-emerge.

14. To the south of the cluster of historic buildings lies an attractive area of grazing land, formerly the site of mineral workings which have resulted in the landscape having an attractive, undulating (and in places rather sculpted) appearance, which is further enhanced by a pattern of hawthorn. An old chalk pit, with regenerated vegetation around its margins, marks the southern edge of this area. Importantly this land appears as part of the wider countryside beyond which rises to a ridge to the south and forms an attractive visual feature. Also, it separates the cluster of Chestnut Street's older building from other residential development, and consequently helps to maintain the integrity of the historic area.

15. All the older properties are surrounded by plantings of trees and shrubs. Whilst there are some native species present, it is the evergreen planting which is a striking (and sometimes discordant) feature.

Summary

16. The four timber framed buildings are the focus of this conservation area. Whilst the setting of Chestnut Street has been, to some degree, affected by the new A249 the grouping of these mediaeval buildings remains unusual and of special architectural and historic interest. Historic interest is further supplemented by the site of old mineral workings, which have now become attractively integrated into the adjoining countryside.

Harman's Corner, Borden conservation area: character appraisal

(Extract from report to Development Committee 11 August 1999, agenda item 6B, Annex D)

Location

1. Harman's Corner lies at the eastern end of Borden village, which itself lies immediately to the south west of Sittingbourne. It is a small enclave of historic buildings situated around the junction of The Street with Borden Lane; it also includes the area immediately to the south, where development has spread a short distance down Bannister Hill.

2. Although it originated as a free-standing group of properties Harman's Corner is now surrounded by modern housing developments, so that it has become physically joined to the village of Borden. The gap between it and the urban area of Sittingbourne is also now minimal.

Historic Interest

3. The historic roots of Harman's Corner lie in two timber-framed, wealden hall houses: Bannister Hall and nos. 243/247 Borden Lane. These date from the 1600s and 1500s respectively. These two buildings are likely to have been built and owned by wealthy farmers during mediaeval times, and would originally have been relatively isolated. Later, however, other properties were built in close proximity so that the place grew to become the smaller counterpart to Borden village at the opposite end of The Street.

4. Whilst the cluster of buildings at Harman's Corner has recently become surrounded by new housing developments (which have spread out from Borden village) its separate historical origins have enabled it to maintain a physical identity of its own.

Buildings

5. The striking feature of the place is the contrast in character and appearance between the older environment of Harman's Corner and that of the modern housing developments now surrounding it.

6. The most prominent building is the 15th century timber-framed hall house which fronts onto Borden Lane, and which has a traditional black and white timbered front and steeply pitched clay tiled roof. It occupies a key position at the end of The Street, and terminates the street scene in an attractive way. The property, although altered at the northern end, retains an authentic character and appearance which is complimented by the simple, grassy front garden and neat boundary hedge marking the carriageway edge.

7. Buildings on either side are more recent in date but make important contributions to the historic character of the area. Physically adjoining to the north is a substantial, two storey yellow brick house built in the early 1800s, with a simple but elegant front elevation. The front garden treatment links nicely with its neighbour. To the south lies the substantial Bannister House, dated 1883 and built of brick (which is now painted white). A low, rendered wall, surmounted by a plain iron rail, continues the theme of front boundary treatment along the carriageway edge.

8. A small pair of cottages of similar date lies immediately to the south, although both properties have been rather poorly served by replacement windows and concrete roof tiles.

9. Two weatherboarded cottages, Broumfield and Harmans Corner, sited on the north side of The Street make an important contribution to the main building group. Although built at different times they have a linking similarity: both are clad in weatherboarding, both are

painted white, both have peg tiled roofs, and both stand close to the road with low timber paling fences along the front boundary.

10. The opposite corner is defined, rather less successfully, by three modern bungalows. These buildings are clearly suburban in character, but the front gardens do provide a linking green feature around the corner of the road junction so helping to define, visually, the limits of Harman's Corner.

11. To the south the road bends sharply as it drops down Bannister Hill with a change to a more rural character, with trees and shrubs growing on the roadside banks. Bannister Hall, set on the corner, is another substantial timber-framed building but its position well back from the road behind trees and shrubs results in its contribution to the street scene being more limited.

12. Lower Bannister Hill Cottages, set side-on to the road, comprises a row of four, fairly plain dwellings (plus a modern one at the north eastern end) which neatly mark the southern limits of Harman's Corner.

Landscape

13. Harman's Corner contains elements of both urban and rural character. Bannister Hill retains some of the qualities of a country road with banks covered in trees and shrubs, but the turn half way up the hill marks a change to a more urban environment. The yellow brick retaining wall on the south-east side of the hill is a major feature despite being of no great age.

14. Much of the street scene continues to have a reasonably green appearance, which helps to link the buildings into a more coherent entity. Some further cohesion is derived from the interesting sequence of boundary walls and fences.

15. Importantly, the road itself also still retains some elements of rural character: street lighting is absent, and the footways are incomplete, so that hedges and walls in places define the carriageway edge in an attractive way.

16. The weakest part of the area concerns the bungalows, the character of which is firmly suburban. Native planting and stronger boundary treatments to the front garden areas might strengthen the appearance of this part of the street scene.

17. A cast iron signpost survives at the junction of The Street with Bannister Hill, and is an attractive item of street furniture. Overhead wires are, in places, somewhat intrusive.

Summary

18. Buildings at Harman's Corner provide the physical evidence of wealthy past times in the parish of Borden. This enclave of historic properties is an important indicator of the parish's long history, and provides a pleasing contrast with the suburban character of much of the surrounding development.

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Hearts Delight conservation area character appraisal

(Extract from report to Development Committee 26 January 2000 (Agenda item no. 7))

Location

1. Hearts Delight comprises a small scatter of houses situated to the south west of Sittingbourne and a little under a mile south east of Borden village. It is set between the recently developed housing areas of Borden to the north and a ribbon of undistinguished, mainly inter war, frontage development to the south.

Physical setting

2. The hamlet is set along a shallow dry valley feature which runs roughly north-south on the lower dip slope of the North Downs. It comprises a handful of buildings scattered along the line of the valley, interspersed with hedgerows and grazing fields. This pattern has enabled the remnants of a traditional rural landscape character to survive, which contrasts with the rather open, arable landscape of large fields beyond the valley itself.

Historic interest

3. The Borden area, including Hearts Delight, has a long history of settlement. An extensive Iron Age and Romano British site has been recorded some 600 metres to the north west of Hillyfields. Gold coins from the period have been found in Hearts Delight itself.

4. The oldest of the surviving buildings here now is Filmer House, the earliest part of which dates from the 15th century.

Buildings

5. The key feature of Hearts Delight is the three timber framed buildings and the way in which they are set slightly into the valley which itself links them all together.

6. Sharps House, which lies at the northern end of the scatter of buildings, is a 17th century timber framed building with brick infill on the ground floor and plaster infill on the first floor. The exposed timber framing and the large thatched roof are attractive features, but rather unusually the house is almost completely hidden from the road by a tall wall of yew hedge which sits on top of a brick and flint retaining wall. This hedge is now a major architectural feature in its own right; an inviting mouse-hole entrance has been formed through it with an attractive flight of brick steps leading up to the front door.

7. To the south, and on the opposite side of the road, is Filmer House. This is an L-shaped, timber framed building set slightly into the valley side. The house is comprised of three separate builds, the original building being 15th century in origin. A gabled wing to the rear climbs the valley side so that it appears to sit slightly higher than the original house.

8. Hearts Delight House is also timber framed and occupies a prominent position on the corner of Hearts Delight Road and Wrens Road. The oldest part of the building dates from the 1500s, and is now clad with red brick and tile hanging. A 16th century brick wall encloses a courtyard, and links together the main house with a small flint walled barn, to create a significant feature on the corner.

9. Around the corner to the east is a separate small group of outbuildings comprising a brick built garage building and a low, single storey weatherboarded store building, which are linked together with brick walls to form a pleasant group.

Landscape

10. The road through Hearts Delight itself has a fairly enclosed feel to it, by virtue of the valley form and the roadside banks, hedgerows, trees and pockets of grazing meadow. This traditional, small scale character contrasts with the openness of the landscape beyond. Until recently the surrounding landscape was dominated by orchards, but now it is characterised by large arable fields which pattern is relieved only by rather sparse hedgerows.

11. The elevated position provides for extensive views across farmland to the north across to the Swale Marshes and Isle of Sheppey.

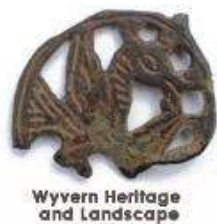
12. The timber-framed houses are truly a product of the locality with local materials such as timber, brick and flint much in evidence. These close ties with the area, plus the close relationship of buildings with the landscape feature, are crucial features. A small area of grazing pasture sweeps attractively around Filmers House, whilst Hearts Delight House is set onto the valley side propped up on colourful red brickwork. By contrast, 'Lenwood' (of more recent date) is sited with less subtlety on the top of valley slope, and so fails to achieve quite the same close association with the landscape.

Summary

13. The key feature here is the relationship of the buildings with the landscape: at their best these have the appearance of being comfortably settled into the landscape, and with locally derived materials such as timber, flint and clay being prominent they record a very close affinity with the landscape.

BORDEN CA'S APPRAISALS AND
MANAGEMENT PLAN CONSULTATION
DRAFT OCTOBER 2020 - TC VERSION

**BORDEN PARISH CONSERVATION
AREAS: CHARACTER APPRAISALS
AND MANAGEMENT PLANS**



Character Appraisal and Management Plans for:
Borden (The Street), Chestnut Street, Harman's
Corner, and Hearts Delight Conservation Areas

CONSULTATION DRAFT OCTOBER 2020 ADOPTION
VERSION – APRIL 2021

FORWARD

Historic buildings and places add to the quality of people's lives and help to create a sense of place that we all identify with.

As a community and as a local authority, we have a responsibility to safeguard our historic assets for future generations and to make sure that they are not compromised by unsympathetic alterations or poor quality developments. Conservation area designation and subsequent management is one way in which this can be achieved.

Conservation areas are not intended to halt progress or to prevent change. Rather, they give the local community and the Borough Council the means to positively manage change and to protect what is special about the area from being harmed or lost altogether.

Swale Borough is fortunate in having such a rich and varied mix of built and natural heritage. The Borough Council wants to see it used positively as a catalyst to sustainable, sensitive regeneration and development, and to creating places where people want to live, work and make the most of their leisure time. To that end, we have reviewed the Tonge Conservation Area and the results of that review are set out in this document, which the Borough Council is now seeking constructive feedback on.

This is the second of a series of conservation area reviews which the Borough Council is committed to undertaking, following the adoption of the Swale Heritage Strategy 2020 - 2032, earlier this year.



Councillor Mike Baldock,

Cabinet Member for Planning and
Swale Borough Council Heritage
Champion

A handwritten signature in black ink that reads "Mike Baldock".

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1.0 INTRODUCTION

1.1 The Borden Conservation Areas

There are four Conservation Areas in the parish of Borden.

Borden (the Street) Conservation Area was first designated on 08.10.1971. The boundary of the Conservation Area was reviewed, and the boundary amended on 11.08.1999 and a summary Conservation Area Character Appraisal prepared.

Borden village lies approximately 2.5 kilometres south west of the centre of Sittingbourne. It is approximately 6 hectares in extent [note 7 hectares if all boundary amendments accepted].

Chestnut Street Conservation Area was first designated on 10.02.1977. The boundary of the Conservation Area was reviewed, and the boundary amended on 11.08.1999 and a summary Conservation Area Character Appraisal prepared.

It lies to the south of Sittingbourne, 1 km to the southwest of the modern Key Street roundabout. Its current boundary is approximately 9.5 hectares in extent [note 11 hectares if all boundary amendments accepted]. It encompasses land located to the south and west of School Lane and part of both sides of Chestnut Street.

Harman's Corner Conservation Area was first designated on 08.10.1971. The boundary of the Conservation Area was reviewed, and the boundary amended on 11.08.1999 and a summary Conservation Area Character Appraisal prepared.

Harman's Corner lies at the eastern end of Borden village, It is a small enclave of historic buildings situated around the junction of The Street with Borden Lane; it also includes the area immediately to the south, where development has spread a short distance down Bannister Hill. It is 1.4 hectares in extent.

Hearts Delight Conservation Area was first designated on 11.08.1999. The boundary of the Conservation Area has not been amended since its original designation and the Local Planning Authority has not previously prepared a Conservation Area Character Appraisal for the Conservation Area. It is 2.5 hectares in extent.

Hearts Delight comprises a small scatter of houses situated to the south west of Sittingbourne and a little under a mile south east of Borden village. It is set between the recently developed housing areas of Borden to the north and a ribbon of undistinguished, mainly inter war, frontage development to the south.

1.2 The Purpose of Conservation Areas

Conservation Areas were first introduced in the Civic Amenities Act of 1967. A Conservation Area is defined as *“an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”* (s.69(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990). It is the responsibility of individual Local Planning Authorities to designate and review Conservation Areas using local criteria to determine and assess their special qualities and local distinctiveness.

The aim of Conservation Area designation is to protect historic places and to assist in positively managing change, so that their significance is safeguarded and sustained. Areas may be designated for their architecture, historic layout, use of characteristic or local materials, style or landscaping. In accordance with the four types of heritage values set out in the core Historic England guidance document (Conservation Principles: Policies & Guidance), communal values – which are those derived from the meaning of a place for people who relate to it, or for whom it figures in their collective experience or memory – will be of particular relevance to this Conservation Area given the linkages between place names and remnants of bygone uses in the wider context of historical growth and development. Above all however, Conservation

Areas should be cohesive areas in which buildings and spaces create unique environments that are of special architectural or historic interest.

Conservation Areas provide for additional Controls over owners and landowners activities.

Conservation Area status provides extra protection in the following ways:

- Local planning authorities have control over most demolition of buildings.
- Local authorities have extra control over householder development.
- Special provision is made to protect trees.
- When assessing planning applications, the Local Planning Authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and its setting.
- Policies in the Local Development Plan positively encourage development which preserves or enhances the character or appearance of Conservation Areas (see Section 6).

1.3 The Purpose and Status of this Character Appraisal

The purpose of this Conservation Area Character Appraisal is:

- To identify the significance of the heritage asset – i.e. the value of the asset to this and future generations because of its heritage interest – which may be archaeological, architectural, artistic or historic interest.
- To increase public awareness and involvement in preservation and enhancement of the area.
- To provide a framework for planning decisions and to guide positive change and regeneration.
- To provide the necessary background to, and framework for a review of the Conservation Area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to adhere to Section 72 of the same act.
- To highlight particular issues and features which detract from the character or appearance of the Conservation Area which offer potential for enhancement or improvement through positive management.

A Conservation Area Character Appraisal is a written record and assessment of the special architectural or historic interest which gives rise

to the character and appearance of a place. The appraisal is a factual and objective analysis which seeks to identify the distinctiveness of a place by defining the attributes that contribute to its special character. **It should be noted, however, that the appraisal cannot be all-inclusive, and that the omission of any particular building, feature or space should not be taken to imply that it is not of interest.**

The appraisal is the vehicle for understanding both the significance of an area as a whole and the effect of any impacts which bear negatively on its significance. In some cases, significance may only be fully identified at such time as a feature or a building is subject to the rigorous assessment that an individual planning application necessitates.

Additionally, an appraisal can include management proposals to ensure the preservation or enhancement of an area by means of policies, action points, design guidance and site-specific design statements where appropriate. The objective of this plan would be to reinforce the positive character of a historic area as well as avoiding, minimising and mitigating negative impacts identified as affecting the area.

An appraisal serves as a basis for both the formulation and evaluation of Development Plan policies, as a material consideration in the making of

development management decisions by the Local Planning Authority, and by the Planning Inspectorate in determining planning appeals. It can also heighten awareness of the special character of the place to help inform local Parish Councils in the formulation of Neighbourhood Plans, Village Design Statements and individuals in design choices.

This Character Appraisal is supplementary to the Swale Borough Local Plan. It has been prepared in the context of the relevant national legislation and national and local planning policy and guidance provided by central government, Historic England and the Borough Council itself, all of which are set out in Appendix 3 of this document.

The statutory duty of local planning authorities with regards to conservation areas is to provide the necessary background to, and framework for, a review of the Conservation Area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to pay special attention to the desirability of preserving or enhancing the character or appearance of the area (Section 72).

In light of the way that the production of Conservation Area Character Appraisal & Management Strategy documents (such as this one) are

developed and prepared in the above stated context and are also subject to public scrutiny via a statutory public consultation period of a minimum of 21 days, following formal adoption by the Local Planning Authority, they then have sufficient weight or gravitas to form a significant material consideration in the development management process.

1.4. Overview of the Geographic character and Historical Development of the Borden Conservation Areas

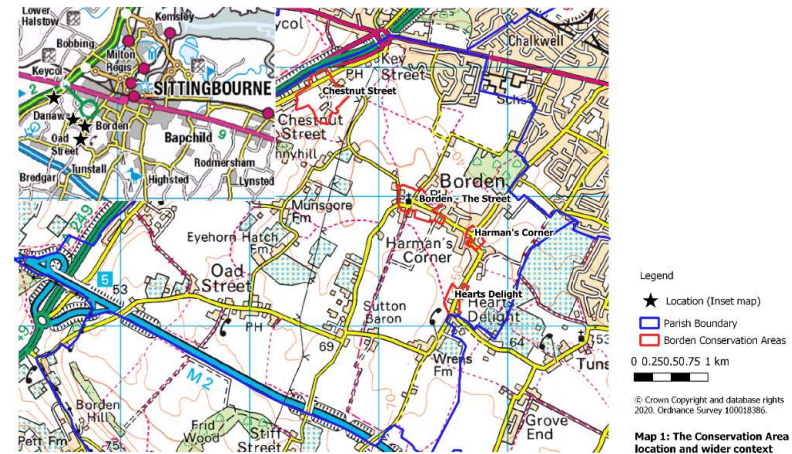
Borden parish is immediately to the southwest of the town of Sittingbourne. It is bounded by the A249 to the west and the M2 to the south and the A2 (Watling Street) to the north.

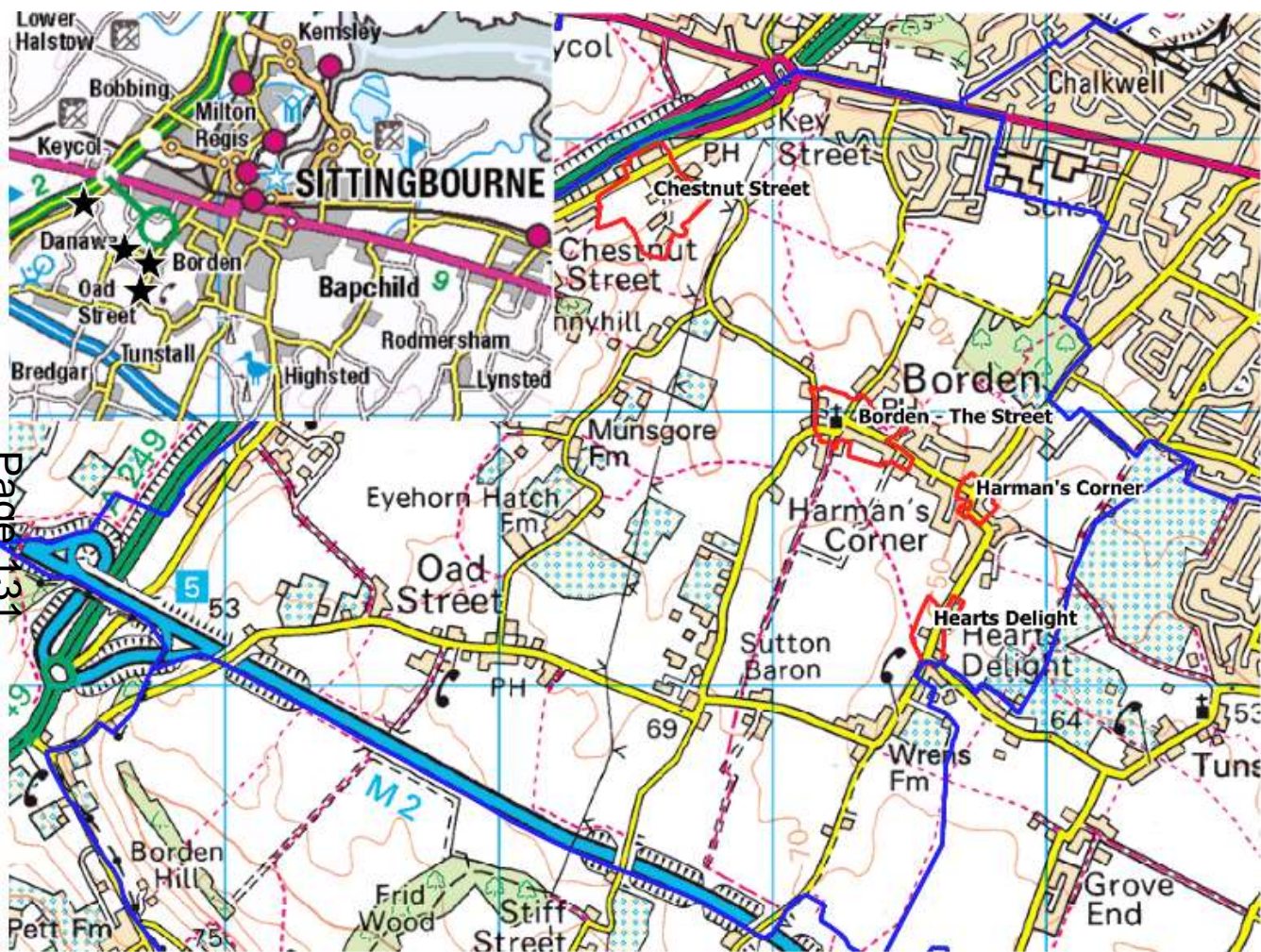
Borden village lies three kilometres south west of the centre of Sittingbourne. Harman's Corner lies 560 metres west from the centre of Borden. Hearts Delight is 500 metres south of Harman's Corner.

Chestnut Street lies on the north western edge of the parish immediately to the south west of Key Street. It is a loosely knit roadside settlement close to, but still clearly outside, the built-up area of the town.

There are 1053 households within the parish. The main force for change in the parish is the southern expansion of Sittingbourne into the northern edge of the parish particularly around Wises Lane. The primary industries carried on in the parish are based around agriculture; the crops being principally fruit, hops and corn. The majority of households are involved in economic activity outside of the parish, in Sittingbourne, Maidstone and London.

[See Map One - The Conservation Areas in wider context]





Legend

- ★ Location (Inset map)
- ▭ Parish Boundary
- ▭ Borden Conservation Areas

0 0.250.50.75 1 km

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Map 1: The Conservation Area location and wider context

Prehistoric and Roman Context

Swale as a whole is noted for its concentration of Palaeolithic evidence. The south-east research framework has undertaken an in-depth appraisal of the early Palaeolithic resource (Woban-Smith et al 2010 revised 2019), and Late Palaeolithic and Mesolithic Resource (Pope et.al. 2011 last revised 2019).

The resource for the early Palaeolithic is formed of areas where evidence has been recovered from natural geological deposits, most often lithics. These locations can also be sources of related biological and palaeo-environmental information. Some sites may represent single artefacts from a geological deposit that gathered material from a wide area whilst forming; perhaps including derived material from pre-existing older deposits. Others may contain dense accumulations of Palaeolithic material gently buried by steady accumulation of fine sediments, which have remained undisturbed since their burial. Residual Clay-with-flints deposits cap the high ground of the Chalk all around the Wealden Basin; and in some places, particularly north-east Kent, loessic deposits. (generally mapped as 'brickearth') are also present. Northern and southern chalk dip-slopes are dissected by numerous dry valleys, filled with varying thicknesses of slope wash, gravel and colluvial brickearth

There are within the North Downs dip slopes in the region of Sittingbourne, four key types of deposit (Woban Smith et Al 2010 ibid 25):

- Moderately common lower-level post-Anglian fluvial deposits
- Residual deposits of clay-with-flint
- Abundant Coombe/Head deposits
- Head/solifluction gravel

Post-Anglian (after 425,000 BP) fluvial deposits are the most widespread Pleistocene deposits within the area. These coincide with *early pre-Neanderthals, evolving into Homo Neanderthalensis. Lithics are hand axe dominated but there is the appearance of ore standardised flake and blade production techniques (Levalloisian)*. Within the dry valley systems in the vicinity of Sittingbourne there at least two distinct terraces; the lower one is associated with rich environmental remains. These represent fluvial systems probably buried by, or confused with, colluvial deposits; or outcropping offshore and at coastline (ibid.37). These fluvial deposits represent defunct larger-scale Pleistocene channels criss-crossing the modern topography that represent fossils of previous drainage patterns (ibid 39).

Residual deposits of clay-with-flint can be found capping high ground where there has been little Pleistocene deposition, but the surface has been subject to exposure throughout the Pleistocene, leading to the development of sediments. The Clay-with-flints has long been known to contain Early Palaeolithic hand axes.

There are abundant Coombe/Head deposits and Head/solifluction gravel (3bn). In general, these colluvial and solifluction deposits occur at the base of slopes, on valley-sides, in dry valleys and in hollows in the landscape. Many outcrops are too minor to be represented in geological mapping, but these unmapped deposits also have great potential for important remains. In the area of Sittingbourne, the Coombe/ Head deposits are associated with Levalloisian material relating to the lower/middle Palaeolithic. The area between Rainham and Sittingbourne is rich in Head/ Gravel outcrops where it is likely that many outcrops remain unrecorded. The recorded outcrops relate to Pleistocene fluvial drainage north into the Swale (e.g. in the Ham Green, Upchurch and Bobbing areas). Here also there is the potential for the recovery of lithics. The same Head deposits in river valley deposits can be resources of Late Pleistocene palaeo-environmental deposits (Pope et.al 2011: 6).

Regarding Mesolithic (c96000 to 4000 Cal BC) evidence, *finds of core axes/adzes are common across the Chalk and particularly noticeable in Kent. It has been suggested that these forms were produced from flint 'quarried' from the chalk but were not generally carried very far by mobile hunter-gatherer groups (Jacobi 1978). Flint core axes/adzes are generally regarded as occurring in inverse proportion to microlithic forms; however, it must also be borne in mind that most such find spots relate to surface collection, and that microlithic pieces might be better represented within excavated collections, which are few and far between (Jacobi 1978, 18) (ibid.15).*” There is therefore continued potential for dense accumulations of Mesolithic flintwork across the Chalk.

There is also a similar potential for Neolithic flint scatters.

There are few survivals of Bronze Age field systems as earthworks within the area. There is a general picture of widespread deposition, presumably deriving from human agricultural activity, by the late Bronze Age suggesting Bronze Age field systems and related settlement sites would have been present. The evidence for these could survive as cropmarks. In general evidence for Bronze Age and earlier Iron Age is lacking in the area.

However, Borden Parish does seem to follow the pattern of large-scale landscape colonisation in the late Iron Age as seen in Kent generally (Allen et.al.: 2013 revised 2019). In Borden a landscape of possible Iron Age tracks and settlement/burial sites can be glimpsed overlain by Roman activity. A gold stater of Cunobelin (ruler of the Catavallauni), Mach type 210, was found in the garden of Sharps House. It may have been part of the small hoard found in an adjacent garden in 1874. A further hoard was discovered on the western side of the Hearts Delight valley and nearby cropmarks may be Iron Age in date. Further Iron Age coins have been recovered across the parish as part of the portable antiquity scheme along with Roman coins. Within Borden village to the north of Playstool, removal of brickearth 1943-1945) in the field to the north of the Playstool, Borden, uncovered V-shaped ditches and rubbish pits which contained hundreds of sherds of 1st century A.D pottery, Iron Age pottery and other occupation material. Four late La Tene cremations (post-Conquest) and an undated flint knapping site were also uncovered.

With the invasion of the Romans after AD43 it is widely accepted that a client kingdom was rapidly established which was probably absorbed into the Roman province by the end of the 1st century AD. The Watling Street quickly became a focus of Roman activity in the landscape focusing on the creeks and fleets which ran northwards down towards the Swale, and

agricultural exploitation of the chalk dip slope to the south. Roman activity in the landscape has influenced the present day pattern of settlement and tracks/roads in the parish. Watling Street, the main Roman Road between London and Canterbury via Rochester forms the northern border of the parish. There is also a lane/trackway with probable Iron Age/Roman origins running south from Watling Street along part of Wises Lane through Borden and south towards Sutton Baron House. A parallel trackway runs on the top ridge of land to the east of Hearts Delight. A Roman Road also ran between Wrens and Sutton Baron. Adjacent to the trackways are Roman burials recovered from the centre of Borden (Maypole Inn), and a Roman walled cemetery at Harman's Corner

Roman activity in this area includes a substantial Roman villa complex at Sutton Baron. This includes 3 separate buildings discovered in the 19th century and on the opposite side of the road evidence under the present house, and a late 3rd to 4th century building to the rear. A second villa has been discovered to the north west of Harman's Corner at Mountview, and a third at Wrens Farm,

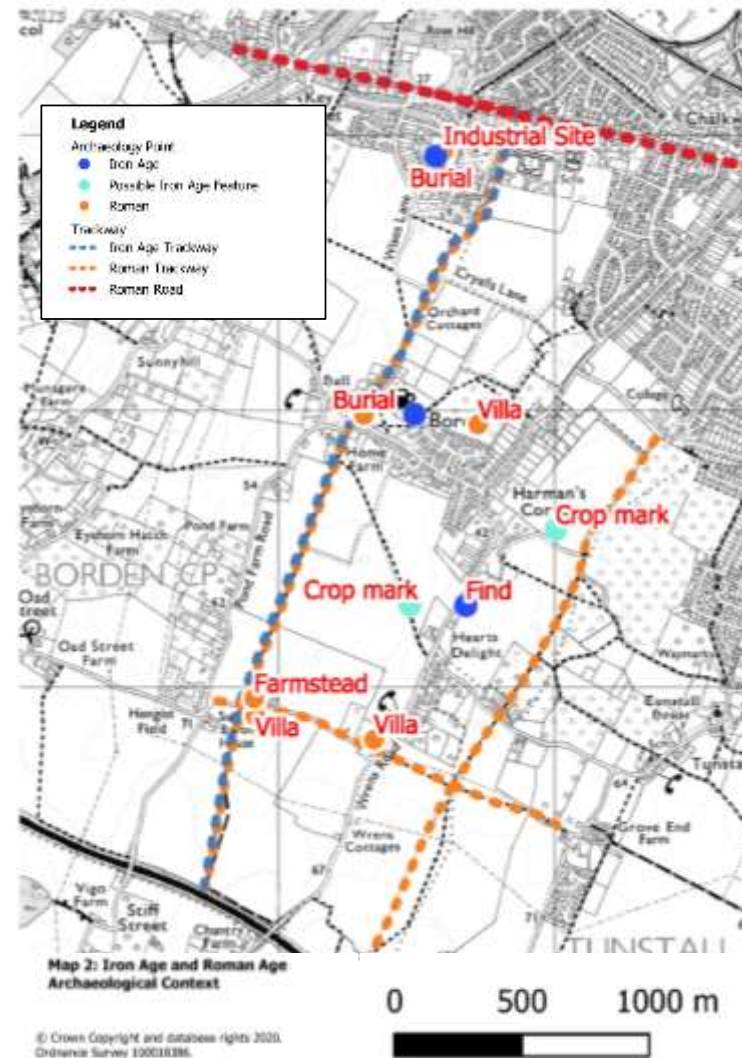
The distinction between a 'villa' and a 'farmstead' in Roman Britain is often arbitrary, and the two types of settlement are more likely to have

been part of a spectrum rather than clearly defined categories (Allen and Smith 2016). They were often located at the boundary with one of the clays. Villas are considered as structures having at least stone walls for rectangular buildings with evidence of luxuries such as tessellated floors, plastered and decorated walls, and bath suites or at least heated rooms.³ are known in Borden out of a total of c.65 in Kent.

These Villas would have been related to satellite and smaller farmsteads. While it is probable that the Iron Age landscape continued to a large degree in respect of settlement location and farming practice (Champion 2007, 116, 120; Bird 2004, 27-9; Rudling 2003, 115-7), it is increasingly clear that farmsteads varied in size and complexity (ibid 11). The small farmstead recorded at Wises Lane had Iron Age origins for example.

For more information see <https://www.kent.gov.uk/leisure-and-community/history-and-heritage/south-east-research-framework>

[Map Two: Iron Age and Roman Context]



TIMELINE OF KEY HISTORIC DATES AND EVENTS (Based on Allison, A 2013 A Borden Chronology)

DATE	EVENT
5 th Century AD	Borden parish part of a Jutish estate centred on Milton
7 th Century AD	Minister church established at Milton with Borden as daughter church
835-892 AD	Danes raid Milton and surrounding lands. Place name evidence present in Borden at 'Danefield', 'Munsgrove' and 'Danaway'
C1066	De Borden family given Borden Hall as Kings Vassals
1072	Reference to 'Niwe Cycre' in Domesday Monachorum of Christ Church
1173	Borden church first named in written document, and bequeathed to Leeds Priory
1214	Chestnut Street first known reference
1256	Chestnut Street recorded as Chastynners in 1256 the 'place where chestnuts grow'
1364	Leeds priory given two houses and land. These houses may be Street Farm and Cottages
1348	Black Death – impact probable. Was Sutton Baron a hamlet prior to this date?
1375	Reference to Kingswood alongside Chestnut Street

DATE	EVENT
1381	Borden Men involved in Wat Tyler Rebellion
1450	Cade Rebellion – 47 Borden Men listed as pardoned
1539	Leeds Priory dissolved – priory lands, Borden Hall and other property pass into hands of a series of local landowners
1604	Chestnut Street at edge of Chestnut Wood recorded as 300 acres
1614	First reference to Hop Gardens in parish
1707	Barrow Trust established
1830-1831	Captain Swing Riots Westland's Farm destroyed
1858	The Railway reaches Sittingbourne
1878	Barrow School open in Riddles Road
1930	Barrow School buildings becomes Kent Farm Institute
1963	M2 Opens
1981	First Key Street Roundabout built
1989	Mountview redeveloped
2000	Village Shop closes

Brief overview of historic development of the parish from the 5th century to the present day

Most archaeologists would now agree that the distinct cultural transitions witnessed during the 5th century were triggered by a substantial and sustained influx of Germanic migrants.

The parish of Borden has been identified as being part of a 5th century 'Jutish estate', which had its palace at Milton (Allison 1992). It should be noted that notions that these cultural differences relate to monolithic ethnic groups of 'Jutes' and 'Saxons' have since been revised. In Kent, the cultural diversity which comes to define the grave assemblages of the 6th and 7th centuries is already apparent in the first-generation cemeteries of the 5th century. The persistent 'Jutish' strand is but one of a multiplicity of influences (also drawing upon Saxon, Frisian and Frankish impulses). This reflects the fluid cultural geography of the Anglo-Saxon world and the role that sustained contacts with the continental homelands had in shaping an evolving Kentish identity (Thomas 2013 in South East Research Framework).

The Milton estate was a royal *vills*, an estate centre where the royal *fyrð* (food-rent) was collected, whose long-term development was closely

linked to the foundation of minster churches. Milton developed into a fully-fledged or incipient urban centre during the Late Anglo-Saxon period. These core Anglo-Saxon lands subsequently passed to the crown and then William the Conqueror at the Norman conquest. This includes the large Chestnut Wood for which Chestnut Street is named.

The Anglo-Saxon social system was based on farms and hamlets and became the basis for the Mediaeval pattern of settlement. Borden may have originally been a focus for seasonal pannage, a possible derivation for its name being "swine pasture" or "Boar's Den" but gradually between the 5th and 10th centuries became more regularly settled as small settlements and farmsteads gradually and independently established themselves. As Borden parish was not at the centre of the Milton estate it could develop in a more piecemeal form leading to the distinctive dispersed settlement pattern of farms and hamlets seen today. Two factors affected this development: firstly, as the manorial system developed, Borden was an outland of Milton and land within the parish divided into Free Yokes. These are landholdings held by independent title. These Yokes were still being referenced in 19th century manorial records, for example Dodman's Yoke around Filmers House and the Yoke of Corbett around Bannister Hall. There has been a prevailing and longstanding tradition of small independent landholdings meaning that

land was less easily bought up in later centuries as larger consolidated landed estates. Secondly the system of Gavelkind established by the Saxons prevailed whereby land was divided equally in wills between sons and daughters and in this way farms overtime could become small hamlets.

[Map Three: The 5th Century Anglo-Saxon estate centred on Milton: inset of Milton Minister and its daughter churches]

This dispersed pattern of hamlets and farms can still be read in the landscape today with hamlets existing at Harman's Corner, Chestnut Street and Oad Street.

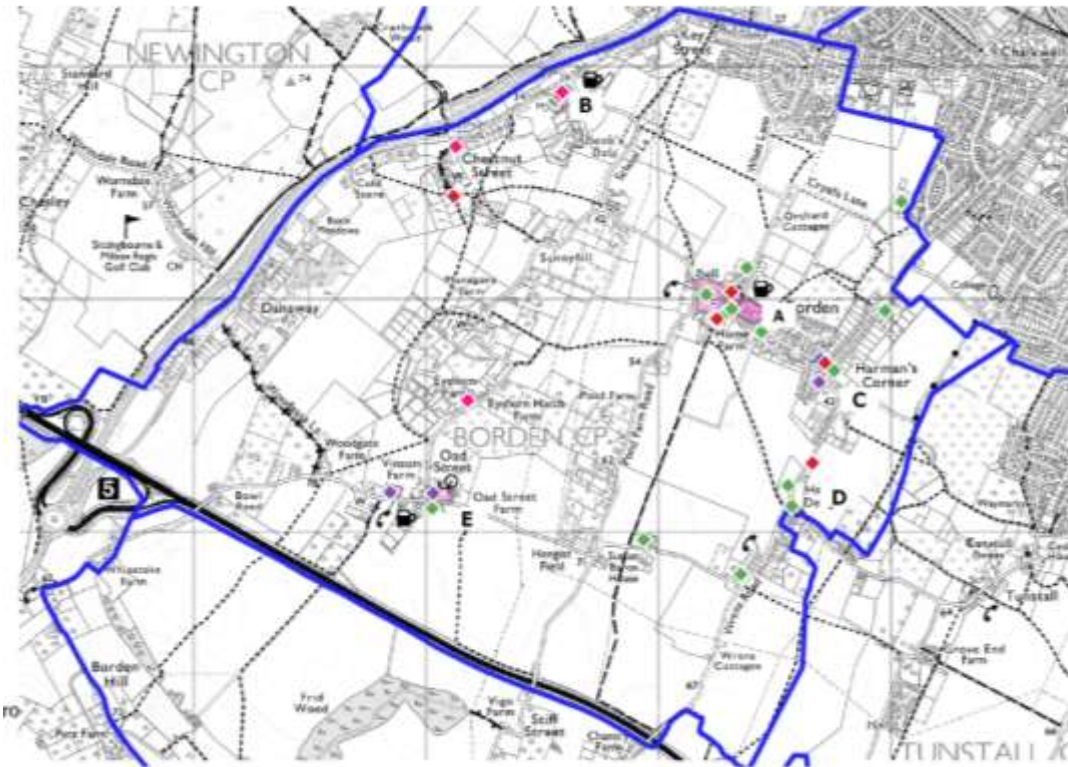
[Map Four: The distribution of Mediaeval settlement foci, and Wealden Halls across Borden Parish]

A more nucleated settlement developed at Borden village focusing on the Church and Borden Hall. In the 7th century the Minster church at Milton was established. This church then established a series of daughter churches including at Borden village. Borden is not referenced in Domesday and the church itself was not named in any surviving documents until 1173, however it may be the 'Niwe Cyrce' or new church

referenced in the Monachorum of Christ Church Canterbury c.1072. The church and the hall are both located centrally in the parish on a ridge of land with commanding views to the north towards Milton, and the Isle of Sheppey. It is possible that the church postdates the earliest hall in this location with preaching first happening in land or fields adjacent to the hall.

Either way it is known that post 1066 and the Norman conquest, the de Borden Family were established at Borden Hall as vassals to the king's estate at Milton, which led to the establishment by the 12th century of a small village focused on the hall and church at Borden. The earliest built fabric in the parish is associated with the Parish Church in the 12th century. This is followed by vernacular buildings from the 13th century onwards with at least 17 Wealden style timber framed halls known across the parish which continued to be built until the 17th century.





Legend

Timber framed houses*

- 14th Century
- 15th Century
- 16th Century
- 17th Century
- 18th Century

▭ Parish boundary (modern)

* Date of earliest surviving fabric. Several of the earliest Wealden Halls were reclad in later centuries

- A = Borden village
- B = Chestnut Street hamlet
- C = Harman's Corner hamlet
- D = Hearts Delight hamlet
- E = Oad Street hamlet

0 0.25 0.5 0.75 1 1.25 1.5 km



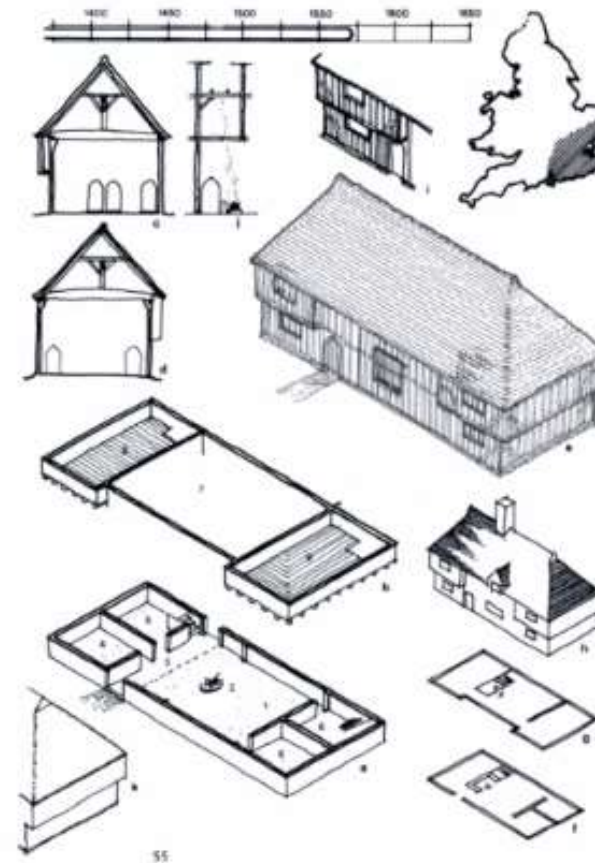
Map 4: Medieval and Post Medieval Houses and Settlements in Borden Parish

Wealden Style Timber Framed Halls and their significance

The Wealden House is a distinctive medieval structural type, found most commonly in Kent and Sussex, for which the name 'recessed-hall house' is also used. It is characterised by having an open hall flanked by floored, jettied end-bays, all under a single roof. Because the wall plate is aligned with the front walls of the end bays, it 'flies' over the hall, where it is usually braced from the corner posts of the end bays, giving the distinctive 'recessed' hall appearance. The term 'Wealden' apparently came into use among members of the Vernacular Architecture Group in the 1950s, reflecting the concentration of examples in the Kentish Weald. As well as the classic form (illustrated), with a hipped roof and two-bay hall, varieties of Wealden houses exist; these include houses with one-bay halls, and with gabled rather than hipped roofs. Most important are the half-Wealdens, which have only one end bay. Vernacular Architecture Group (VAG) (2012) *Wealden Houses Database* [data-set]. York: Archaeology Data Service [distributor] <https://doi.org/10.5284/1011977>



Hearts Delight
(drawn 1937)



Typical Wealden House cross section, plans, elevation and detail

Brunskill 2000:55

The mid to late 15th century was a time of prosperity with the parish being a focus for a thriving farming community led by independent Yeoman who gradually improved and upgraded their homes. Hasted tells us that in 1578 there were 53 houses in the parish <https://www.british-history.ac.uk/survey-kent/vol1>. At the start of the 1600s both hops and fruit production became increasing features of agricultural production in the parish.

By the 18th century Borden continued to be a parish of yeoman tenant farmers and small holdings. The Barrow Trust was one of the largest landowners including Chestnut Farm, Munsgore and The Homestall. The Napletons owned 200 acres but there was no single large land owner (ibid.93) .In 1797 Hasted recorded that *“it is..encircled by orchards of fruit trees with the church and Borden hall standing within it....The land around the village and northward of it is very fertile being mostly a hazely mould, the plantations of fruit here, though many are not so numerous as formerly, for being worn out, no new ones have been planted....and several of them have been converted into hop-grounds.”* In total he records Borden as containing 1550 acres of which 200 were still woodland. During the 18th century many of the existing properties were extended, rebuilt or refaced in the latest style.



Robert Plot (1640-1696) – Borden’s

Naturalist

Born 1640 at Sutton Baron and retired back to Sutton Baron House. He was an English naturalist, first Professor of Chemistry at the University of Oxford, and the first keeper of the Ashmolean Museum. He is memorialised at Borden Church. He also erected a

monument to his father in the Lady Chapel.

William Barrow (1636-1707) and The Barrow Trust



William was a man of considerable wealth, some inherited, some gained by marriage settlements and some created by his own acumen. He owned farms in eighteen parishes. William neglected to make a will until he lay on his deathbed in 1707

aged 71. The idea of the charity appears to have come to him in his last hours, as he considered his past life and potentially the fact that he had been a poor landlord during his life. The will appointed four friends to hold virtually all of his property in trust to give the rents and profits to the poor widows and poor men of the parish of Borden. There is a 1734 map of the Trust's holdings at Milton, Bobbing, Tunstall and Borden and the Trust has had a lasting legacy on landholdings and properties in the parish. <https://www.thewilliambarrowscharity.org.uk/>

During the 19th century the parish was overwhelmingly farmed by tenant farmers, although the number of small holders decreased through time. In 1836, the tithe commissioner found Borden to be situated on the edge of a district with fertile soil. Predominantly the land was arable with 14 acres in hops and 373 acres of woodland. In 1841, 1444 acres of the total 2097 in the parish were owned by 8 men and the Barrow Trust. Hops were planted at Wrens, Poisers, Riddles and Cryalls Farms during the

1840s and 1850s and there was an increase in fruit production across the parish. This was exacerbated by the railway reaching Sittingbourne in 1858. This is evidenced by the number of converted Oast Houses which can be seen across the parish. The community remained settled with the main incomers being brickmakers who started to live in Borden from 1851 onwards.

Primogene Duvard (1823 – 1877) – Borden's poet and playwright

Primogene Duvard was born in the parish and was associated with Chestnut Street throughout her life and a cottage on Pond Farm in the early 1870s. The row of cottages which replaced it are known as Duvards Place. These are located on Pond Farm Road between Borden and Oad Street. She is known for writing historical plays and writing poems and hymns focusing on scripture. Her headstone is just outside the door to Borden church.

The Hop – written July 8th 1841

*Let sunny France, boast its luxuriant vines,
England, fearless her rival may face;
Caressed by the delicate hop that entwines,
Around her its filial embrace.*

*Contrasted are nature's most beautiful greens,
In the soft tinted fruit and the leaf;
The light curling tendril that carelessly streams,*

For the Graces might form a wreath.

*When the summer sun darts, his beams from on high,
Their rich verdure refreshes the sight;
And the clusters matured 'neath October's clear sky,
To their labour the peasants invite.*

*No stately aisle, raised at the architect's will,
With a garden of hops can compare;
No tracery, carved with such elegant skill,
As the negligent garlands hung there.*

In 1870-72, Borden was described in John Marius Wilson's Imperial Gazetteer of England and Wales as "*a parish in Milton district, Kent; on the Chatham and Dover railway, 1½ mile W of Sittingbourne. It has a post office under Sittingbourne. Acres, 2,132. Real property, £5,886. Pop., 1,023. Houses, 204. The property is divided among a few. Many Roman coins, and foundations of two Roman buildings, were discovered at Sutton-Barn here in 1846. The living is a vicarage in the diocese of Canterbury. Value, £290. * Patron, Rev. F. E. Tuke. The church has a Norman west door and a Norman tower, and includes some Roman bricks in its walls. A charity for the poor, for widows, and for other purposes, has £1,327 a year; and other charities have £17. Dr. Plot, the author of the county histories of Oxford and Stafford, was born at Sutton-Barn; and a*

mural monument to him is in the church." In 1871, 337 individuals in the male work force worked in agriculture or 31% of the population.

At the turn of the 20th century, the parish and settlements remained rural in nature with activity focusing on arable production and fruit farming. In 1901, of the 1191 people living in the parish, 170 were agricultural labourers. Seven farmers were exclusively fruit farmers. 20th century development did not reach Borden until after 1945. It was from the 1970s onwards that the agricultural links between the residents and the land surrounding them were finally severed. The village of Borden has been enlarged by a series of housing developments in the last 40 years. In the 1970s, Borden still had 380 acres of cherries alone as well as apple and pear orchards. This area has now shrunk to a fraction of its former size with a corresponding increase in arable production across the parish. Other notable developments have been the construction of the dual carriageway of the A249 next to Chestnut Street and the closing of the gap between Borden village and its related hamlets and Sittingbourne, as the town has grown in size.

As of 2001, most inhabitants do not work the land, with only 3% employed in agriculture. The close proximity of Borden to Sittingbourne means that the parish is economically linked to the larger settlement.

Pubs continue to trade at Borden, Chestnut Street, Key Street and at Oad Street, but with the closure of the shop/post office at Borden village, residents now need to travel to Sittingbourne and elsewhere for many of their requirements.

Growth of Borden Parish through time

<i>Date</i>	<i>Population</i>	<i>Households</i>	<i>Source</i>
1578	-	53	<i>Hasted</i>
1664	-	73	<i>Hearth Tax Returns</i>
1786	355	-	<i>Allison 2003:116</i>
1801	528	97	<i>Census</i>
1811	572		<i>Census</i>
1821	650		<i>Census</i>
1831	771		<i>Census</i>
1841	860		<i>Census</i>
1851	990		<i>Census</i>
1871	1191		<i>Census</i>
1881	1263		<i>Census</i>
1891	1351		<i>Census</i>
1901	1270	286	<i>Census</i>
1911	1151	297	<i>Census</i>
1921	1283	331	<i>Census</i>
1931	989	282	<i>Census</i>

<i>Date</i>	<i>Population</i>	<i>Households</i>	<i>Source</i>
1951	1216	390	<i>Census</i>
1961	1330	456	<i>Census</i>
1981	1757		<i>Census</i>
2011	2432		<i>Census</i>

1.5 Topography, Geology and Landscape Setting

The parish of Borden is associated with the gently rising North Downs dip slope overlain with drift deposits of Thanet and Bagshot beds and clay-with-flints and Head.

Topography and Geology

Borden village is located on a ridge of land running east west (c. 62 metres OD above sea level) with panoramic views down across Sittingbourne, the Swale and the Isle of Sheppey. The land to the south slopes more gently away but there are still panoramic views from the fields immediately to the south of the village.

The historic core of the village is located on an outcrop of the Thanet Formation (56 to 59 million years), (blue in the image). Lying on top of the

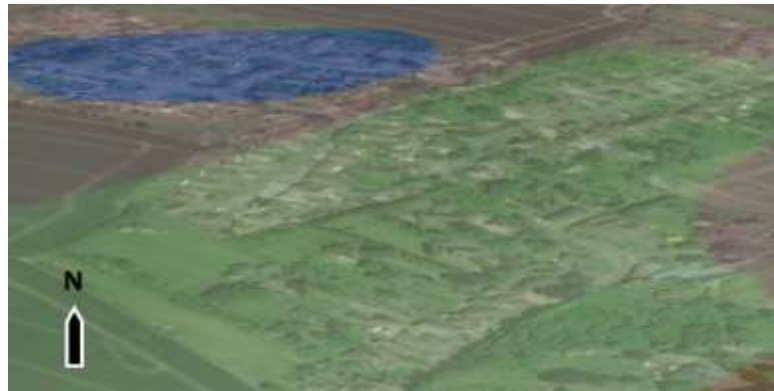
older Seaford Chalk Formation, it is surrounded by superficial deposits of Clay-with-flints, (brown in the image).



Chestnut Street lies within a dry valley running south west from the M2/A429 junction to the north east at Key Street. The geology consists of superficial deposits of Head, gravel, sand, silt, and clay (pink on the map). They lie above the Seaford Chalk Formation (green on the map).



Harman's Corner is at the eastern end of the ridge of land that Borden sits on, c. 50 metres OSD. The land drops away to the north towards Sittingbourne, and to the south towards Hearts Delight valley. The land drops steeply away to the east before rising again to a north south ridge. The area lies within the Seaford Chalk Formation (green on the map).



The Hearts Delight Valley consist of a dry valley running north/south with the land to north rising up towards Harman's Corner. The valley bottom consists of Seaford Chalk (green on the map), but the eastern valley slopes marks the transition to superficial deposits of Clay- with -flint which lie above the chalk (brown on the map).



[Geological map see <https://www.bgs.ac.uk/data/maps/home.html>]

Landscape Setting

Natural England, with assistance from Historic England, has mapped and described the landscape character of England, which has been divided into 159 National Character Areas. The Borden Parish Conservation Areas lie within Area 113: North Kent Plain.

Further valuable landscape character assessment work has been undertaken at the local level by the Borough Council resulting in the

publication of the Swale Landscape Character and Biodiversity Appraisal (2011)

The Borden Parish Conservation Areas fall within the overarching Fruit Belt Landscape Character Area. The relevant Landscape Character Types (LCTs) for Borden, The Street, Harman's Corner and Hearts Delight are Dry Valleys, and Downs. The relevant LCT for Chestnut Street is Fruit Belt Landscapes. They all lie within the local Tunstall Farmlands Landscape Character Area apart from Chestnut Street which lies within the area known as Borden Mixed Farmland.

Below is an extract from the relevant LCT descriptions detailing the most pertinent information. <https://www.swale.gov.uk/local-planning-guidance/>

Extract from **42. Tunstall Farmlands**

Key Characteristics

- Gently rising North Downs dip slope overlain with drift deposits of Thanet and Bagshot beds and clay-with-flints
- Dry valley to the east with a strong sense of remoteness given the proximity to the urban edge
- Areas of traditional orchard lost to agricultural intensification. Where present many orchards mature or remnant and grazed

- Fragmentation of hedgerows along lanes and internal field boundaries lost with enlargement of field sizes
- Narrow winding lanes
- Former quarries with nature conservation interest
- Woodland is ancient and rare
- Historic villages and hamlets maintain rural character despite influence of modern development
- Strong, well defined urban edge
- M2 motorway and pylons detract from rural tranquility

Landscape Description

The Borden area has a long history of settlement, with evidence dating from the Iron Age and Roman eras. Medieval times were a period of particular prosperity, with many houses being rebuilt and extended. Many houses from this period survive today. A number of settlements are located within the Tunstall Farmlands character area; sited on the drift deposits that overlay the gently rising land of the dip slope. These originally isolated villages and hamlets have become extended and influenced by modern housing development. The southwards expansion of Sittingbourne has somewhat suburbanised the northern edges of Tunstall and Borden. Nevertheless the strong historic cores have largely been retained and the villages remain rural in character.

Settlements have grown up around traditional flint churches.

There are many fine properties within the core areas and a number of medieval hall houses. A strong vernacular character is maintained with the traditional building materials that include weatherboard cladding, brick and flint, and brick and tile. There is some evidence of recent renovation of traditional farm buildings. The function of many traditional properties has changed with many now in residential use. They are generally well maintained and provide the area with strong sense of history.

Condition Moderate

The Tunstall Farmlands are in moderate condition. On the whole the landscape is visually coherent and many features, including the built form, help to maintain the strong historic character of the area. However, a number

of detracting features do interrupt and downgrade the landscape quality. These include the pylons and the motorway corridor, both of which are prominent elements.

Sensitivity High

This is an area of high sensitivity. The landscape has been opened up as a result of agricultural intensification and tree cover is intermittent. Coupled with the more enclosed settlements this has created a landscape of moderate visibility, although there are some long views to the Swale. The quality of the built environment is distinct and historic in the villages of Tunstall, Borden, Bredgar and the outlying hamlets. Here there are many fine buildings in local vernacular styles, their setting enhanced by mature trees in and around the settlements. There is a strong sense of place. The well defined urban edge of Sittingbourne is locally visible and here, the integrity and setting of some rural settlements is sensitive.

Extract From 19 Mixed Farmland Landscape

Key Characteristics

- Rolling topography with mixed geology of chalk, head and clay-with-flints
- Enclosed rural landscape, with valleys, fragmented over-mature hedgerows, small pockets of isolated woodland, mature and remnant orchard
- Intimate small-scale fields, in places enlarged for cereal crops
- Urbanised ribbon development along western boundary
- Traditional land uses indicated by now isolated mature shelterbelts and oasts.

Landscape Description

This rural landscape is situated between the A2 and M2, south west of Sittingbourne, with the A249 along its western boundary. The mixed geology is typical of the North Downs dip slope, with chalk on the higher ground and head and clay-with-flints on the lower lying slopes. Although it cannot be described as rare, this is an interesting landscape with an intimate character

unlike the surrounding areas. The fields are generally small-scale and irregular in shape and land use is mixed with many mature and remnant orchards separated by fields enlarged for cereal production.

It is an intimate, rolling landscape with two valleys, where views are foreshortened by the topography and vegetation. Mature hedgerows enclose the narrow, twisting, occasionally sunken lanes. Small isolated broadleaf woodlands of oak, ash and hazel are scattered across the western slopes.

Traditionally this would have been an area almost entirely used for the production of fruit. Whilst working orchards are still a feature, many have been lost or are in decline and where located on steeper areas the plots have been subdivided for use as grazing land for horses.

The A249 valley has a mix of ribbon and sporadic development, sometimes on the valley side, mixed with scrub, woodland and pastures. The greatest concentration of housing is found at Chestnut Street. This is a loosely knit ribbon development fronting onto the old Sittingbourne to Maidstone Road. It is now by-passed by the A249 dual carriageway.

Condition: Moderate

Borden Mixed Farmlands are in moderate condition. Whilst the undulating topography and mature vegetation, help to screen the landscape, visually this area cannot be described as unified. The fragmentation and removal of hedgerows and replacement in some places with post and wire fencing has reduced the sense of completeness. The influence of Sittingbourne's urban fringe is particularly noticeable towards Chestnut Street, partly exacerbated by the scale of the A249 in this area.

Sensitivity: Moderate

This is a moderately sensitive area, where the topography and tree cover restrict views across and out of the area. However, the recent decline in land use has eroded the distinctive character of the area and weakened its sense of place. This is also true of the building practices of the last century. The urban edge of Sittingbourne is locally visible and here, the integrity and setting of some rural settlements is sensitive.

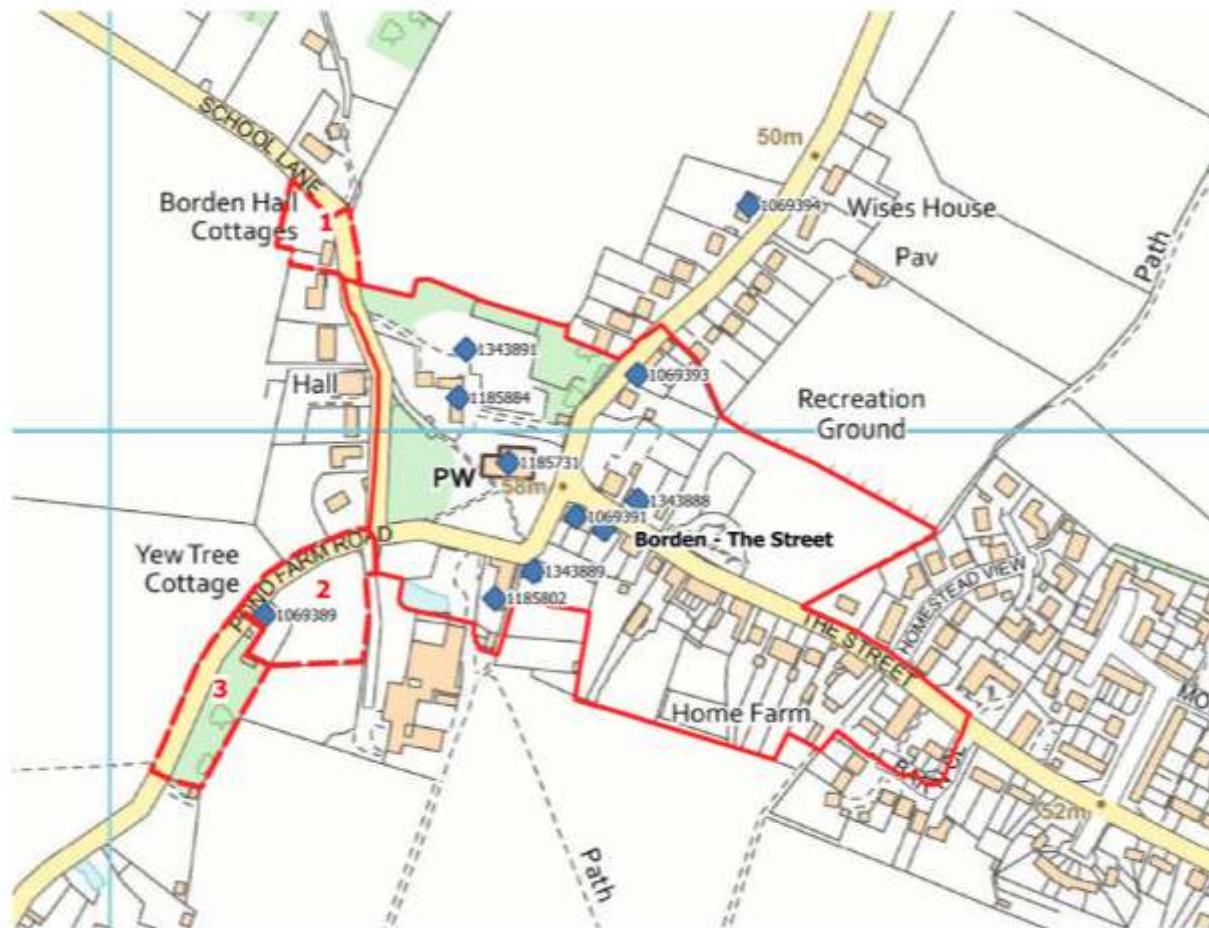
2.0. BORDEN (THE STREET) CONSERVATION AREA

2.1. Summary of significance and special interest




The significance and special interest of Borden Conservation Area can be summarised as follows:

- Focus of Iron Age and Roman activity and area of archaeological potential to the north of Pond Farm Road and the Street.
- Village core includes an area of Anglo-Saxon, and Medieval archaeological potential.
- Surviving base of the Tithe Barn to the north of Boden Hall represents a feature of Mediaeval archaeological significance.
- Core of the historic village still separate from the modern fringe of Sittingbourne to the north; the Mediaeval and early Post Mediaeval development of the village can still be read in the landscape.
- Position on a ridge of land with extensive long distance views to the north and panoramic views to the south.
- The Church of St Peter and St Paul (Grade I Listed) with 12th century fabric with its churchyard and distinctive flint boundary.
- Borden Hall (Grade II*) to the north of the Church with 15th century fabric and possible 12th Century origins

- Junction between Wisers Lane, Pond Farm Road and The Street forms the central nexus of the village.
- Winding, and narrow lanes Wisers Lane, Pond Farm Road, School Lane, providing access to the historic core of the village.
- The Playstool public open space, dating back to the Mediaeval period with extensive views north.
- Historic Wealden halls dating from the 15th to the 17th century Street Farmhouse and Cottages, Apple Tree Cottage and The Cottage and two examples clad in the 18th century - Holly Tree House and The Homestead.
- Winding, tranquil and narrow lanes providing access to the historic core of the village.
- The Street - a wider more formal village road providing the focus to the village along with the church.
- Historic Buildings of Local interest including St Martin's Cottage, The Homestead and the former Post Office with its distinctive shop front.
- Influence of William Barrow and the Barrow Trust including the construction of Barrow House/Forge House.
- Associations with scientist Robert Plot (1640 - 1696) in the church and Primogene Duvard (1823 – 1877) – Borden's poet and playwright.



Legend

-  Current Conservation Area Boundary
-  Proposed Conservation Area boundary extensions
-  Listed Buildings

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Map 5: Conservation area boundary and proposed extension; Listed Buildings



Legend

- Medieval Church (C12th Fabric)
 - Historic Settlement Development
 - 12th to 16th Century
 - 17th and 18th Century
 - 19th century
 - Post 1945
 - Timber framed houses (Including re clad examples)
 - 15th Century
 - 17th Century
 - Brick built houses
 - 18th Century
 - 19th Century
 - Current Conservation Area boundary
 - Proposed Conservation Area boundary extensions
- 0 25 50 75 100 m
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Map 6: Historical Development



Borden Church and junction of The Street looking west

[Map Five Conservation area boundary and proposed extension; Listed Buildings]

2.2. Geographic character and historical development

The village lies on the Thanet Beds which overlay the very gently rising land of the North Downs dip slope. Iron Age and Romano British activity has been recorded within the village relating to funerary activity, the line of a Roman trackway runs through the village and a Roman Villa was located at the eastern end of the ridge. The village itself as a settlement in its current location is likely to have 6th century origins.

[Map Six Borden Historical development – land and buildings]

Note Historical Development relates to evidence for past land uses not current land use or date of any surviving buildings

The historic core of the village lies on a ridge of land with extensive views to the north over Sittingbourne and beyond to the Swale and the Isle of Sheppey. It is centred on Borden Hall and Church both of which have at least 12th century origins belonging to Leeds Priory, and the grange with 14th century origins being associated potentially with Street farmhouse. The earliest surviving building in the village is the Church with 12th century architecture. The earliest surviving vernacular architecture relates to four Wealden style timber frame halls. The earliest dates to the 15th century in the form of the L-Shaped timber framed Borden Hall. The others are Street Farmhouse and Cottage, Holly Tree House (with later cladding) and The Homestead (with later cladding). The Medieval centre of the village focused on these properties along the churchyard, the gardens to Borden Hall, and the Playstool.

The next phase of building in the 17th and 18th centuries focused on land to the south side of the Street at its western end, the east side of Wises Lane and along Pond Farm Road. This took the form of genteel Georgian houses, representing the increased prosperity of the tenant farmers.

These include houses associated with charitable giving and the support of the poor. Appletree Cottage on the east side of Pond Farm Road and the churchyard, was given to the parish in 1673; it became the parish poorhouse until the 19th century and remains the property of a charitable trust. In the same period and into the 19th century some of the older timber framed halls were clad in a process of gentrification, including Homestead and Appletree Cottage.

The 1830 Tithe Map for the parish provides a snapshot of the development of the village at this time.

[Map Seven Historic Map Sequence with modern aerial]

This clearly shows the extent of the built form of the village, with buildings on the south side of Pond Farm and the Street and the eastern side of Wises Lane. The land belonging to the Rector, the owner of Borden Hall was focused on the area to the north of the hall, the large arable fields to the west, one known as Court Field, and the land immediately to the north of Chestnut Street including the Maypole and the Playstool. The presence of the tithe barn to the north of the hall and place name evidence suggests that this may represent the core of the land that was controlled by Leeds Priory, passing into lay hands at the

Reformation. Land to the north of the Hall including its garden, orchards and pasture and the tithe barn and associated farm buildings was occupied by a tenant farmer at this period. This farmstead consisted of two loose courtyards of buildings bounded by the Tithe Barn to the North, which was taken down in the 1940s. There were also two ponds, again these being infilled in the 20th century. The formal drive and approach to the Hall was along a formal drive between the Church and the Hall accessed from Wises Lane.

Another landholding pattern of interest is the glebe lands held by the Vicar; these occur to the west of the church and School Lane, and north and south of School Lane to the east of the Playstool. These again could represent the Post Medieval landholdings used to support the parish priest and may have Mediaeval origins. These have now been infilled with modern settlement, but their outer boundaries fossilise these landholdings in the landscape.

The land use around the village was a mosaic of small and medium sized gardens, and medium sized pasture and orchards arranged in semi-regular plots. In general, this field pattern is fossilised in today's landscape. However, there has been 20th century subdivision of land as the settlement was infilled and there was amalgamation of plots on the

northern side of the village and south of Street Farmhouse. The orchards would have origins dating back to the 1600s, when commercial fruit production in Kent began in earnest.

The outfields consisted of large arable fields which remains the case today.

Land use and plots remained consistent throughout the 19th century with the exception of land to the west of the village where the large arable fields were subdivided into large orchards. These were then removed in the later part of the 20th century restoring the landscape to its pre 1839 form at this location. 20th century amalgamation of fields to arable beyond the Conservation Area boundary has been most pronounced to the south of Street Farmhouse.

There were also two significant farmsteads in the village. The first to the south of the Church was associated with Street Farmhouse and cottages in a loose courtyard plan again associated with a pond. As discussed above (see page 29), this may represent the site of the original medieval grange farm associated with the hall belonging to Leeds Priory. The second farmstead is associated with land to the west of the Homestead, which has 15th century fabric. The farmstead again has a loose courtyard

plan to the south of the main house and a Pond. The main barn survives today and has been sympathetically converted into a dwelling.

During the 19th century further infilling by more modest cottages and shops occurred on the south side of The Street and the western side of Wises Lane. Further infilling at these locations occurred in the same location post 1945, in some instances replacing earlier buildings. Most notably, the substantial vicarage was demolished and replaced by bungalows.

Outside of the Conservation Area there has been modern settlement expansion along Wises Lane to the north, to the immediate west of School Lane opposite the Churchyard and on both sides of the eastern end of the Street. This means that the village of Borden and the separate hamlet of Harman's Corner are effectively joined. Another substantial late 20th century addition is the construction of the large modern barns to the south of Chestnut Street Farmhouse just outside of the Conservation Area, and the removal of brickearth from the land immediately to the north of the Playstool, which means that the northern boundary of Playstool now stops sharply at the top of a steep scarp marking the northern edge of the Conservation Area.



Modern Aerial Photography (2016)



1797 Ordnance Survey Surveyors Map



1838 Tithe Map



1908 Ordnance Survey 25 inch

Map 7: Historic Map Sequence with modern aerial view

2.3. Character Appraisal

Key Characteristics

This conservation area contains the key elements of the traditional village scene: an historic church, an old 'manor house' surrounded by large mature trees, picturesque timber-framed buildings and other cottages grouped along the village street, a public house and a village green space. Each one of these elements makes an important contribution to the character of Borden.

It has a rural countryside setting on its northern, western and southern side with features of historic and architectural interest which relate to the significance of the Conservation Area.

It has areas of notable archaeological potential and sensitivity relating to the Iron Age/Roman Period and the Saxon/Medieval period.

Key Positive Characteristics

- Mediaeval church (Grade I) and churchyard (an historic local open space).
- Flint and Brick churchyard wall and Brick boundary wall to Borden Hall

(Locally important feature in their own right).

- Grade II* Listed Borden Hall and other Grade II Listed Wealden Halls with at least an element of surviving 15th century fabric: Chestnut Street Farm (Grade II Listed); Holly Cottage (Grade II Listed), plus The Homestead - a building of local importance. Another example, named Thatched Cottage (Grade II Listed) lies within the setting of the Conservation Area on Wises Lane.
- Oak House (Grade II Listed) is an 18th century brick built house but may be another example of an earlier but subsequently reclad Wealden Hall.
- Later 17th century timber framed buildings (Grade II Listed Apple Tree Cottage) and early brick built houses (Yew Street Cottage Grade II Listed).
- 18th Century brick built house, St Martin's.
- Elegant brick built 19th century houses including Forge House and Barrow House, (Grade II Listed), and 1 and 2 Oak Cottages (Locally Important) and Olive House (Locally Important).
- The post office with its shop front (Locally Important) which has been present on The Street since at least 1900.
- 19th century Forge (Grade II Listed).
- Other historic buildings of interest: mid to late 19th Century Froghole, Wises Lane; Rose Cottage & the Conifers, The Street; early 19th century terraced cottages at nos. 1-4 The Street and attached c.1900 cottage

(no 5); converted late 18th/early 19th century The Barn, The Street; and Borden Hall Cottages, School Lane.

- Historic buildings facing directly onto the road or pavement or with narrow front plots defined by iron railings, white fencing or London stock brick walls.
- Winding narrow enclosed lanes with few footways: Wises Lane, School Lane, and Pond Farm Road.
- The more open and formal streetscape of The Street and the traditional features (fingerposts, lamp post and sign) associated with the junction.
- Surviving traditional orchard to the south of Yew Tree Cottage.
- The Playstool (important historic formal and informal recreational space) associated with mature beech and chestnut trees.
- Gardens and land surrounding Borden House and bordering onto Wises Lane including the Listed 17th century dovecot, the foundations of the Tithe Barn and mature woodland trees.
- Pond and open land (historic local open space) to the west of Chestnut Street Farmhouse.
- Important views including framed vistas at Pond Farm Road, to Borden Hall and down The Street; dynamic views with/without focal points on Wises Lane, The Street, Pond Farm Road and School Lane, trackway to the south of Chestnut Farmhouse; and panoramic views from the Playstool and School Lane looking north and along the footpath

between Hearts Delight and Borden.

- Rural countryside setting to the north, west and south with features of historic interest linked to the significance of the Conservation Area.

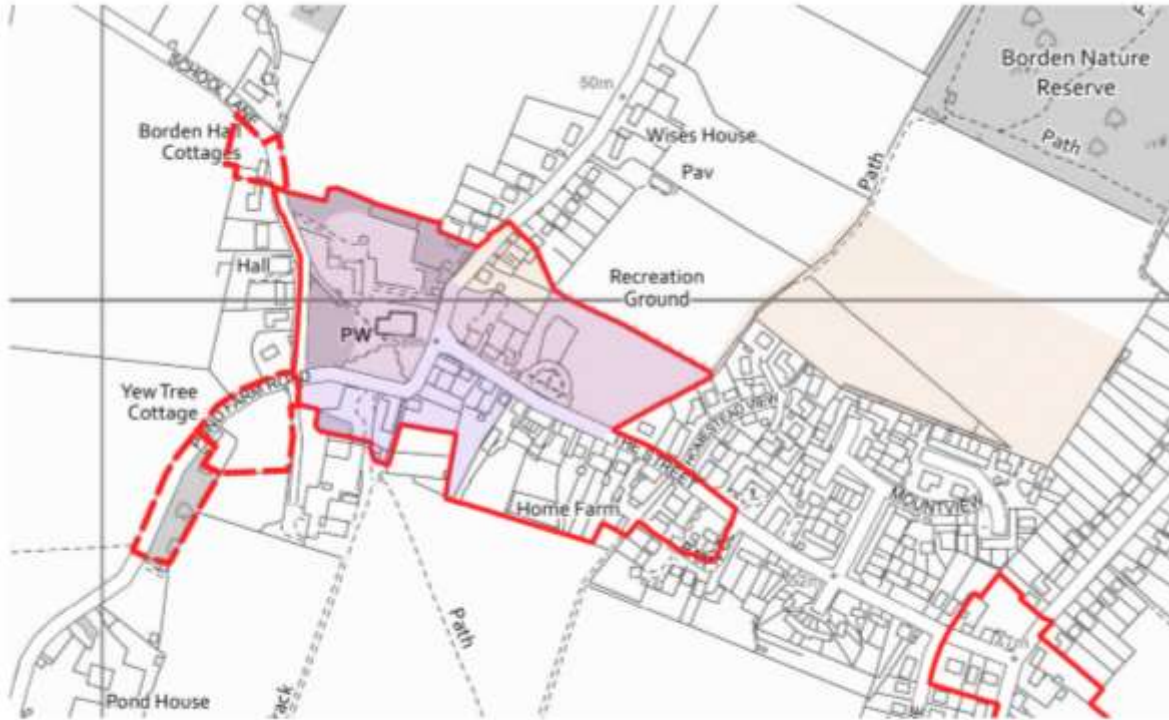
Spatial analysis – Archaeological Interest

[Map Eight Areas of Archaeological potential and sensitivity]

Important archaeological interest includes areas of archaeological sensitivity and potential for:

- Early and Middle Palaeolithic archaeology and paleo - environmental information focusing on the head deposits on the western and northern side of the Playstool.
- Iron Age and Roman archaeology to the north of Pond Farm Road and The Street.
- Saxon and Medieval archaeology in the core of the village.

In addition, the surviving base of the Tithe Barn to the North of Borden Hall represents a feature of Mediaeval archaeological significance.



Legend

Archaeological Significance

Iron Age and Roman

Medieval

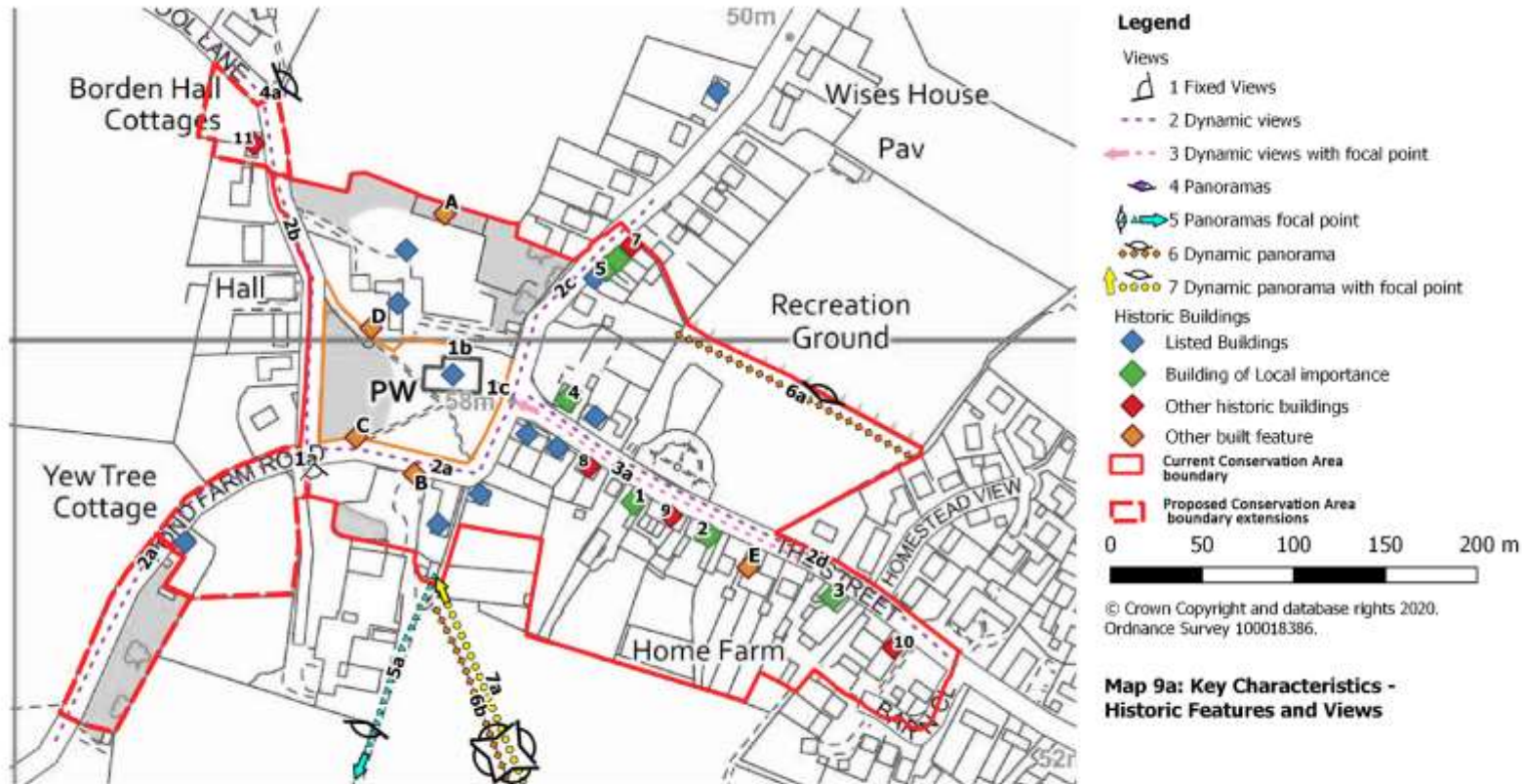
Current Conservation Area boundary

Proposed Conservation Area boundary extensions

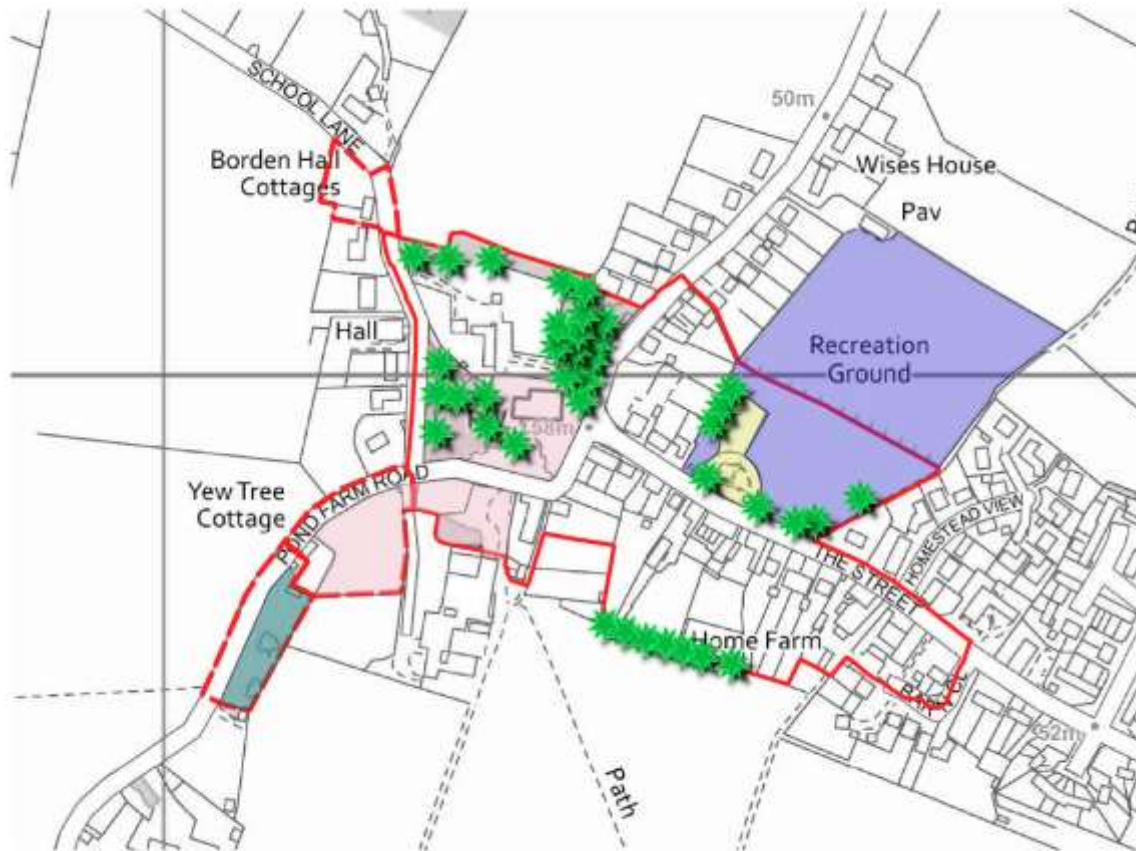
0 50 100 150 200 250 m

Map 8: Areas of known and potential Archaeological Significance

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BUILDINGS OF LOCAL IMPORTANCE: 1. Post Office 2. St Martin's Cottage 3. Homestead 4. The Maypole 5. 1 and 2 Oak Cottages 6. Olive House, Wises Lane
OTHER HISTORIC BUILDINGS: 7. Frogghole 8. Rose Cottage/Conifers 9. Nos 1-4 The Street 10. The Barn 11. Borden Hall Cottages
OTHER BUILT FEATURES: A. Foundations wall to tithe barn B. Lower courses of Street Farm Cottages outhouse C. Churchyard wall D. Brick boundary wall E. Gargoyles



Legend

- Important Trees (Indicative)
- Important Open Space
 - Formal
 - Informal
 - Other
 - Orchard
- Current Conservation Area boundary
- Proposed Conservation Area boundary extensions

0 100 200 m

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Map 9b: Key Characteristics - Open Space and Trees

There are also the lower courses of a farm building associated with Street Farmhouse which has post-medieval archaeological interest, as a remnant of the pre 1836 farmstead associated with Street Farmhouse. Another farm building between the store and the pond was removed post 1950.

See Section 1.4 for a discussion of the relevant archaeological evidence uncovered in Borden.

Spatial Analysis: Historic, Artistic and Architectural interest

Map 9a Key Characteristics – Built Heritage and Views

Map 9b Key Characteristics – Open Space and Trees

The Church and Borden Hall

Borden village is centred on the parish church of St Peter and St Paul; this is a large flint building strategically sited at the western end of The Street (the main village thoroughfare). The slightly elevated position of the building in relation to The Street reinforces its prominence, and the adjoining churchyard (similarly elevated) is also



an important feature of the village layout. A flint boundary wall encircles the churchyard and is an attractive feature in its own right. The church tower contains Roman fabric linking it to earlier origins of settlement in the parish. There is a memorial to Robert Plot (1640-1696) in the church and the grave of Primogene Duvar (1823 – 1877) – Borden’s poet and playwright, is just outside the main door.



Borden Hall stands to the immediate north of the church. It is a large timber-framed building. Whilst set well back from the public highway in its own grounds, it is prominent from within the churchyard. In the gardens to the south lie the foundations of the former Tithe Barn to the hall since demolished; these survive in the form of a low wall 90 ft long by 36 foot wide on which the barn was originally nested. Immediately to the north of the hall is a 17th century dovecot. There is a weatherboarded store building behind the house roofed with clay tiles, and a long gravel

drive accessed from Wises Lane which has been in existence since at least the 18th century. Where the drive appears onto Wises Lane, there is an attractive open-fronted timber-built store; there has been an outbuilding relating to the Hall on this site since at least 1836. There is an enclosed trackway providing access to the hall and the church from the west with high brick walls bounding the edge of the grounds of the church.

Junction of the Street, Pond Farm Road and Wises Lane

The junction provides a focal point in the village, with traditional street furniture.



Approaches to the village

The churchyard's position at the western entrance to the village causes Pond Farm Road to wind tightly around its edge before joining The Street at a T-junction with Wised Lane. This pronounced winding form creates an attractive, and very individual, entrance into the village from the adjoining countryside, from both Pond Farm Road and School Lane.

The approach to the village along Pond Farm Road rises uphill and the settlement edge is first reached at Yew Tree Cottage, an attractive early 18th century house in red brick with a tiled roof. This is set back in its own plot of land with a grazed meadow behind [\[note proposed boundary extension to include these features\]](#). There are views across this meadow towards the pond with Street Farmhouse and cottages behind. It is also associated with a traditional orchard (identified as of priority habitat in the Natural England Traditional Orchard Inventory).



Approach to the village along Pond Farm Road looking North

There has been an orchard in the landscape since at least AD 1839. This

marks the southern boundary to the settlement on Ponds Farm Road.

[\[note proposed boundary extension to include the orchard\]](#)

Borden Hall Cottages mark the northern extent of the historic settlement on Borden Lane. These are a pair of attractive brick built cottages dating to the late 19th century. [\[note proposed boundary extension to include these features\]](#).

Pond Farm Road and Street Farm and Cottages



Apple Tree Cottage and Street Farm Cottages looking east

Street Farmhouse and Cottages are on the south side of Pond Farm Road opposite the Churchyard. They originally consisted of two large Mediaeval hall houses with interconnecting wings. Street Farmhouse represents the earlier hall. This unusual arrangement is known in at least two other

Kentish examples and it is possible that these are the two houses belonging to Leeds Priory referenced in 1364 and that they represent a grange. Behind them is a complex of pronounced mainly modern farm buildings to the south outside of the Conservation Area. On the western side of the buildings, also opposite the churchyard is an open meadow including the pond associated with the original historic farmstead

On the northern side of this meadow facing onto the carriageway is the bottom 10 brick courses of a former red brick single storey farm store which formerly had a clay tiled roof. The roof and upper courses were removed in 1999.

Pond Farm Road bends round the Churchyard to head north towards the junction with The Street and Wises Lane. On the corner is Appletree Cottage (17th century) and The Cottage (19th century) (a Grade II Listed Building) a pair of timber framed cottages, with the 19th century cottage representing an extension of the original building. These were formerly the village poorhouse.

A footpath runs between The Cottage and Street Farm Cottage which leads on to a track, both fronting the line of a former Iron Age/Roman trackway leading south towards Sutton Baron.

Wises Lane

The frontage to Wises Lane on its western side is marked for most of its length by a simple iron railing, but an interesting timber-built shelter is also present (see section on Borden Hall above). The historic character here is short lived with the grounds of Borden Hall marking the edge of the Conservation Area. Outside of the area, a series of late 20th century bungalows have been built on either side of Wises Lane as it curves right and slopes downhill in a northwesterly direction.

On the opposite side of Wises Lane to Borden Hall the frontage is defined for a short distance by a small range of cottages. Travelling north from the Maypole Inn you first encounter a two storey Flemish bond brick property (Cherrington House) built in 1997 set back on its plot. The historic interest soon returns with a series of two storey brick built period properties:

- Oak House (Grade II Listed). An 18th century house, which sits at the front of its plot with a somewhat skewed relationship to the narrow footway.
- 1 and 2 Oak Cottages, positioned on the back edge of the footway, dating from the early 19th century, and marked as a shop on the Tithe Map of 1836. Olive House (early 19th century),

formerly the Olive Branch public house, known as Taylor House on the 1836 Tithe map.

- Froghole a mid to late 19th century building with a warm coloured brick front marking the start to the historic properties along Wises Lane.



Froghole

The Street (at its western end)



c.1900 view eastwards down The Street from the Churchyard



Modern view (2020) eastwards down The Street from the Churchyard

The Street at its western end is a much wider streetscape very different in character to the narrow and winding Wises and Pond Farm Road which meet it at the junction. The Street continues to display much of the character and appearance of a traditional formal village street, reinforced by the substantial presence of the church which terminates the view looking up The Street to the west.

The north side of The Street at its junction with Wises Lane is formed by a pleasant 19th century building, the Maypole Inn which stands on the site of an earlier inn. Adjacent to this, set back slightly in its plot is Holly Cottage (Grade II), a 15th century Hall House clad in brick in the 19th century. A modern bungalow is next before the land rises slightly onto the

Playstool. The Playstool public open space occupies a large part of the frontage (see open space below for description). At the eastern end of the Playstool, the old village core ends rather abruptly at Homestead View where there is a new cul-de-sac developed on a plot-by-plot basis, with a diversity of house designs and building materials.

On the south side of The Street, Barrow and Forge Houses (Grade II Listed) lie at its western end and form the corner at the junction with Pond Farm Road. These are substantial 18th century buildings which provide important definition of the village layout, and substance to the corner. They have attractive iron railings and are set back on their plots. Their frontages are now paved. They were built by the trustees of William Barrow and since the 19th century, the upper floor has formed the Trust Committee Room. Next door is The Forge (Grade II Listed), a single storey dwelling built in 1812. It is detached from Barrow and Forge House but is visually linked in its construction style. This is also set back on its plot with an area of tarmac now at its front. A circular metal opening cover in front of The Old Forge is linked to the building and forms almost certainly an interesting historic feature.





Moving east the next property is a late 19th century brick and cream-coloured rendered building with a modern tiled roof and sash windows, now occupied as two separate properties known as Rose

Cottage and the Conifers (*see photo left*). The cottages front directly onto the pavement.

There then is a 1970s detached cottage set back on its plot, the design of which is not particularly sympathetic to the historic character of the street.

The next building along is the detached brick built former Post Office and Shop dating to the early 19th century (*see historic photo right*)



c.1900

c.1900 view westwards along The Street towards the Church

currently not in use and the shop frontage is in a poor state and currently detracts from the character of the building but is nevertheless an important historic feature in the street scene and a locally important building.



There is then a pleasant row of four early 19th century terraced cottages (nos. 1-4 the Street) (*see photo left*) with mono pitch roofs sloping to the rear and

a brick parapet to the street. In spite of two of the western most cottages having their front elevations painted and a rather poor alteration to the parapet detailing to 3 of the 4 cottages, they nevertheless present an attractive frontage to the street. The parapet roof line provides a distinctive element to the character of The Street. Attached to the eastern end of the range is a later yellow brick built cottage c.1900 with red brick arches to openings and a slate roof. It has a gable end roof with moulded bargeboards. The later date of the cottage can be readily understood by the choice of brick and the segmental red brick arches. The buildings face directly on to the road.

The next property is the locally important building of St Martin's Cottage, dating to 1777. This is a very attractive building slightly set back on its plot with low iron railings in front.

The run of historic interest is then broken up by a series of late 20th century bungalows set far back on their plots with paved and concreted fronts. The low brick walls which front onto the pavement are not in



character with the more historic boundary treatments in the Conservation Area. The bungalows occupy the former site of the Vicarage and still feature the Gargoyles associated with this 19th century building (see photo left), although

this quirk is somewhat spoiled by the insensitive siting of a CCTV camera right next to one.

The historic and architectural interest then returns with The Homestead, formerly occupied by William Barrow. It is a locally important building which is based on a 15th century Wealden hall timber hall subsequently

clad in brick. It is offset on its plot and presents its side to the road. It has a brick built boundary wall on its western side. The Farmstead with which it was related to the northwest now forms part of a cul-de-sac housing development known as Homestead View. Some historic farm buildings may survive to the rear of Homestead House in the area known as Home Farm.

The Barn (see photo below) is a converted building relating to the Homestead historic farmstead, now divided into 5 dwellings. It was present on this site from at least 1836. Its traditional form, massive roof, and traditional materials make a substantial statement and visually define the boundary between the main areas of old and new development at Borden.



The houses and cottages grouped along the south side of the road have a pleasant, fairly modest, character. They give important form to the village street. There have been piecemeal changes to the historic cottages, such as replacement windows and doors, but the overall form and character of the group continues to remain substantially intact.

School Lane - Gently curving lane with a left hand bend marking the northern end of the Conservation Area, it marks the western boundary of the Conservation Area. It is bounded on its eastern side by the brick and flint boundary wall to the churchyard. Initially there are no footways.

Beyond the north edge of the Churchyard the lane is bounded on its western side by a narrow footway and by a high 8ft brick wall marking the edge of the gardens of Borden Hall. This also runs along the footpath which leads to the church which creates with the churchyard wall on the other side an attractive footpath with the church dominating the view. At its northern end at the edge of the village before the lane sweeps right and downhill there are on its western side two semi-detached late 19th century cottages known as Borden Hall Cottages, and a tall intermittent hedge on the east.

Borden Cottage is now one dwelling with modern extension to the south in yellow-brown stockbrick, with a modern tiled roof; small casement windows with brick arches; wooden door and overhanging porch.



Borden Cottage

Boundary Treatment

Boundaries of significance are:

- Distinctive flint boundary wall to the churchyard
- Short Frontages to historic properties associated with iron railings, c. 4ft high brick walls of red and yellow.
- White railings on the edge of Wise Lane marking the entrance to the hall.

Trees

The churchyard includes a mix of mature trees including oak, pine, holly and yew. The trees are at their largest and grandest, however, around Borden Hall where their massive presence helps to terminate the view looking west along The Street and is an important component in the village scene. The large mature trees along the boundary with the church include sycamore and ash. There are also Chestnuts where the drive of the Hall accesses Wises Lane, a key feature of the character of the lane at this point.



Large mature trees line the boundary with the church and the frontage to Wises Lane and are an attractive and prominent feature of the village.

The Street is well defined by a row of chestnut trees. There are mature trees associated with the trackway to the west of The Homesteads

Orchards were formerly a dominant component of the Conservation Area from the 1700s to the 1970s. Any remnant traditional orchard trees and varieties on private gardens and land are an important biological and heritage asset. They may also preserve traditional Kentish apple varieties. Only one traditional orchard has been positively identified to the south of Yew Tree Cottage.

The Playstool is associated with mature beech and chestnut trees along its western boundary and screening trees along Homestead View to the east.

Photo: Chestnuts where the drive of the Hall accesses Wises Lane

Public Realm

The Street is an open and wide rather formal thoroughfare which contrasts markedly with the widening and narrow course of Pond Farm Road and School Lane around the Churchyard, and the narrow curving approach along the southern end of Wises Lane. Both only have pavements along their eastern side and the one on Pond Farm Road disappears to the east of Street Farm Cottages. This means that pedestrian, equestrians and motorists are all sharing the same space along the remains of Pond Farm Road and along School Lane, enclosed on one side by the Brick and Flint wall of the churchyard.

There are four footways through the churchyard which meet at the Church door, provided an interconnection across the churchyard to its the junction of The Street, the sharp bend on Pond Farm Road, the junction of School Lane and Pond Farm Road, and the Village Hall on School Lane.

Footpath between The Cottage and Street Farmhouse and Cottages. which leads on to a track, both are on the line of a former Iron Age/Roman Trackway leading south towards Sutton Baron. Enclosed and narrow attractive unsurfaced footpath.

Interconnecting footpath between the Playstool and Wises Lane

Traffic and Movement

Traffic and movement are slowed and funnelled along Pond Farm Road, Wises Lane, and School Lane by the narrow and winding lane, sharp corners, lack of footways and the brick and flint boundary wall to the churchyard.

Open spaces

On the north side of The Street, the historic Playstool public open space occupies a large part of the frontage (see Photo below). The name suggests that the land might have historic origins as such sites were used to stage mystery plays in the Middle Ages. It represents an ancient field name common in Kent.



Now owned by the Parish Council, the front section has been laid out as a semi-formal garden with adjacent play area, whilst the remainder is open in character with extensive views to the north across to the hills of the Isle of Sheppey. The area of the Playstool stops at a steep bank before continuing as a lower recreational ground and Cricket Pitch. In its front section onto Chestnut Street there is a 1990s semi-formal garden where four Chestnut Trees are present along the boundary to the road. There is also a fenced playpark.

The open space of the churchyard is a key feature in the village, with a mix of mature trees.

Another key private space is the meadow and Pond fringed with trees to the west of Street Farmhouse

Space around the grounds of Borden Hall with associated mature trees is also important.

Buildings and Building Materials; Features; Structures



Nationally Designated Heritage

The Church of St Peter and Paul (Grade I LB No. 1185731) is a 12th century flint church with a tiled roof. It has high historic and architectural significance as a 12th century parish church which retains a large amount of original fabric and plan form (including the west tower), and later fabric from alterations in the 15th century which is also of special interest. Early Roman material is present in the listed building. The continuous use of the building as a church since the 12th century contributes to its significance, as well as the large number of monuments and memorials. The setting of the Church of St Peter and St Paul (Grade I) is formed by its location on a plot of land bounded by narrow lanes to the south, west and east with tight corners. Its immediate setting is formed by its churchyard retained by a flint boundary. Its wider setting is formed by Borden Hall to the north and the historic rural settlement pattern at the centre of Borden.



Borden Hall (Grade II* LB No 1185884) Dating from the 15th century, the central portion is clad with

brick but the wings on either side still reveal timbering. A substantial 17th century **Dovecot** (Grade II LB No 1343891) stands in the grounds, (grade II listed LB No 1343891) although the nearby tithe barn was demolished during the second world war).

It is an excellent example of a L-shaped 15th century Medieval jettied house with 17th century additions, the timber framing is part exposed with plaster infill, and part clad in chequered brick and plaster. It has a plain tiled hipped roof. It is of high historic and architectural significance as a 15th century timber framed house which represents the early development of Borden. The later



17th century fabric is also of interest.

The immediate setting of Borden Hall is formed by its associated with farm buildings in a loose courtyard plan with building to the three sides of the yard. The original layout of the farmstead has been significantly altered and now appears as part of the private grounds to the north, east and west. Its wider setting is associated with the open land to the north and the church to the south. The Hall is set back from Wisers Lane and School Lane.

Street Farm House and Cottages (Grade II LB No 1185802)

These are a row of cottages known as Street Farm House and No's 1-3 Street Farm Cottages. They form a significant row of 16th century buildings with historic associations to Leeds Priory with surviving original historic fabric. They are an unusual configuration of two large Hall Houses with interconnecting wing. They are constructed of timber framed, exposed with plaster infill and partly clad in flint and red brick in the 17th and 19th centuries. They have a Kent peg tiled roof.

Street Farm House and Cottages (in 2020 above and c.1900 below)

Apple Tree Cottage and The Cottage (Grade II LB No 1344889) are a pair of 17th and 19th century cottages timber framed with red brick infill. They have architectural interest in their construction and historic interest as part of the early built development of the village and their former use as the parish workhouse. They have herringbone brick nogging, casement windows and a clay tiled roof. They have further historic as the former Borden poorhouse.



The setting of the historic group of timber-frame buildings of Street Farm Cottages and House, Apple Tree Cottage and The Cottage is formed by their rear gardens and outbuildings. In the case of Street Farm House this

formed part of a regular multi yard farmstead which has since been significantly altered. The buildings front directly onto Pond Farm Road at a sharp bend in the lane and the boundary wall and churchyard of the Church forms their wider setting to the north

The timber-framed **Holly Tree Cottage** (Grade II LB No 1343888) has an attractive elevation to the street despite heavy refurbishment. It is believed to be a Kentish Hall House dating from the 16th century clad in brick in the 18th century

Forge House and Barrow House and Railings to North (Grade II LB No 1069391) - These 19th century yellow brick houses bring a measure of elegance to the street picture. Built in 1823 on site of the original Forge. The meeting room for The Barrow Trust runs along the 1st floor of both properties. Barrow House was formerly the Post Office.



Forge 5 Yards East of Forge House - (Grade II Listed Building No 1069391). The adjoining single storey forge is an important survival of a key village activity and the yellow bricks and slated roof are characteristic of its time. It was built by the Barrow Trust c1823. In working use until the 1990s, it was renovated as a meeting room in 2012. The plinth for making cartwheels can still be seen outside on the ground.



Photo: The Forge, 20th century top image and c.1900 below

Oak House - (Grade II LB No 1069393) on Wises Lane is an 18th century house constructed in chequered brick with a plain tile roof. It is architecturally significant as an example of a locally distinctive 18th century property within the Borden streetscape and of historic interest as part of the historic development of Borden. Note the rear elevation and internal timber framing available via sale particulars suggest that this may be another example of an earlier Wealden Hall reclad in the 18th century. The setting of Oak house is formed by its position on a gentle bend on Wises Lane and by its rear garden to the east. It is bounded to the north and south by non-designated historic properties. The frontage of the building leads directly onto the narrow and enclosed Wises Lane with only a small narrow pavement. Its wider setting to the west comprises the grounds to Borden Hall.

Yew Street Cottage (Grade II Listed building no 1069389) is a two storey house dating to the early 18th century. It is constructed in red brick with a clay tiled roof. Slightly set back in its plot with a hedged and fenced boundary.



The traditional orchard to the south and meadow to the east is a significant component of its setting.

Locally Important Buildings



1 and 2 Oak Cottages, Wises Lane – Early 19th century marked as a shop on the Tithe Map of 1836. They have an attractive position on the back edge of the footway. They are two storey yellow brick cottages with slate roofs.

Olive House, Wises Lane - early 19th century, formerly the Olive Branch public house, known as Taylor House on the 1836 tithe map. It consists of two storeys. The front elevation is rendered with the original yellow



brickwork present on the rear elevation. It has sash windows and a slate roof.



The Maypole public house on the Street built of red brick has a white rendered front elevation and slate roof. Its traditional appearance enlivens the

village street. The building was erected in the 19th century and stands on the site of a Mediaeval Inn.

The former **Post Office** – an early 19th century two storey building in two blocks, yellow stock brick to the side but painted white on front elevation: sash windows (one with gauged brick arch).



It has a projected shop front with flat roof in poor condition which has been present at least since the 1880s.

St Martin's Cottage - two storey brick house painted white was built in 1777 for the Ely family. The annexe was once used as a village hall. There was a well hidden under flagstones in the kitchen. It has a clay tiled roof, casement windows with gothic style glazing bars in the upper sections, a central door with the hood supported on brackets and low iron railings along the front.

The Homestead. - This house started life as a Wealden Hall and has



surviving 15th century fabric, with brick elevations added later probably in the 18th century. Once the home of local benefactor William Barrow, who in 1707, left sums from landed properties to “The widows and poor men

of Borden.” It is a large two storey dwelling sited sideways on to the road with side wall directly on the edge of the carriageway. It has white painted brick elevations to an access track and The Street with red brick at rear. It has a clay tile roof. It has modern looking casement windows to front and side but sash windows on the rear elevation. It has an attractive brick wall by the track alongside the house.

Structures of local importance

These include:

- The extensive flint boundary wall to the churchyard is approx. 1.2m high with moulded brick coping
- A brick 2m boundary wall with piers and plinths between the Hall and the Church.
- Gargoyles associated with the Old Vicarage (1838) since demolished now on modern bungalows.
- The foundations of the former tithe barn (see archaeological section)
- The lower courses of an historic outbuildings associated with the farmstead at Street Farm Cottages adjacent to Pond Farm.



Locally Distinctive building materials

12th century church and status buildings

- Flint with stone dressing, flint with brick boundaries

15th to 17th centuries Vernacular Buildings

- Timber framed buildings with plaster infill including examples faced/infilled in red/brown/yellow brick or infilled with nogging
- Kent Peg Tile Roofs

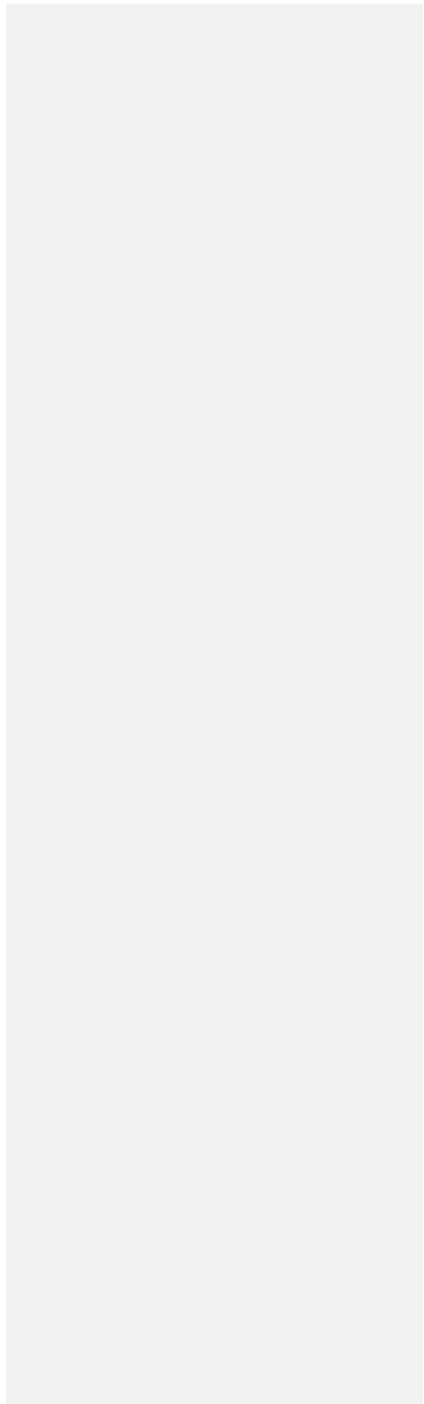
18th to 19th century vernacular buildings

- Brick (brown and yellow London Stock) – brick arch details to windows and doors; some with white rendering
- Slate and clay tile roofs

Boundaries

- Flint and Brick walls in brown/yellow London stock brick (3ft to 8ft); white picket fences; iron railing, diamond spile fences

Photos Locally Distinctive building materials. Top row left to right: timber framed buildings with infill of brick and noggin; timber framing; yellow London Stock Brick; and Red London Stock brick. Bottom row flint and brick wall.



Views

The assessment of views was divided into three concentric zones:

- long distance: views from beyond the area
- middle distant to and from the immediate setting
- historic (local) core: views from within the Conservation Area.

The views have been categorised accordingly:

1. views, often framed vistas, from fixed positions to focal points (such as a churches)

View 1a View looking south from junction of Pond Farm Road. The meadow and trees frame a long distant view to the countryside to the south of the Conservation Area.



View 1b Local View looking north from boundary of the Churchyard to Borden Hall with glimpsed view of the immediate arable setting of the Conservation Area



View 1c View from the churchyard looking eastwards down The Street



2. Dynamic views (experienced and evolving along a route, such as a street)

View 2a Local views along Pond Farm Road, with medium distance views of the setting of the Conservation Area at the south end of the Conservation Area [\[note if proposed boundary changes accepted\]](#)



View 2b Local views along School Lane



View 2c Local views along Wises Lane



View 2d Local views travelling eastwards along The Street



3. Dynamic views with a focal point

View 3a westwards along The Street with the church acting as a focal point



4. Panoramas

View 4a Long distant views from corner of School Lane looking southeast towards Sittingbourne, and the Isle of Sheppey.



5. Panoramas featuring a focal point or points

View 5a Long distant panoramic view from the southern edge of the Conservation Area boundary, the track acts as a focal point leading the eye southwards in the direction of Sutton Baron.



6. Dynamic panoramas

View 6a Views from the scarp edge at the southern end of the Playstool with medium views of the lower recreation field in the immediate setting of the Conservation Areas and long distance views to Sittingbourne, and the Isle of Sheppey.



View 6b 360 degree Panoramic Views along the footpath between Hearts Delight and Borden village. This provides medium distant views to the north of the Conservation Area and its immediate setting (see photo); allows an appreciation of the relationship between Borden Village,

Harman’s Corner and Hearts Delight. It also allows long distance views looking south towards Sutton Baron House and Oad Street where Oasts provide eye catchers in the landscape.



7. Dynamic panoramas featuring a focal point or points

View 7a Views along the public footpath between Hearts Delight and Borden village looking northwest where the church tower provides a focal point in the landscape.



Setting

Heritage assets can gain significance from their relationship with their setting whilst views from within or outside an area form an important way in which its significance is experienced and appreciated.

The setting of Borden (the Street) Conservation Area is partly formed by modern housing development to the east which has joined the historic core of the village to Harman's Corner

Similarly, modern settlement provides the immediate approach to the north along Wises Lane. However north along Wises Lane the land slopes downwards, the lane narrows and becomes enclosed. Here the historic properties of Thatch Cottage (grade II) and Wises House lie within the wider setting of the Conservation Area



The immediate western setting at Church lane opposite the church is formed by modern bungalows.



Behind these modern buildings is large arable field which has been in existence from at least 1800 (this was Orchards between approx. 1850 and 1970). This field has an historical link with the former manorial court held at Borden Hall as the field was known as Court Field in the 19th century evoking a time during the Mediaeval period when court sessions were held outdoors.

The southern approach to the village along Pond Farm Road retains a strongly traditional feel, with the countryside continuing right up to the village edge [\[note if the proposed boundary alterations not accepted for](#)

[Yew Tree Cottage and the meadow this would become a significant element of the setting of the CA\].](#)

The southern and western approaches along Pond Farm Road and School lane retain their character as narrow gently winding rural lanes.

Field amalgamations, especially to the south of the village, have resulted in a more open landscape. Here the public footpath between Hearts Delight and Borden allows an important appreciation of the land to the rear of The Street (within the CA); the relationship between Borden Village, Harman's Corner and Hearts Delight, and the relationship to the historic features of the parish looking south towards Sutton Baron House and Oad Street.

Open fields border the north east of the village, which separates it from Sittingbourne, but these become less rural as you approach the modern outskirts of Sittingbourne. The continued separation between Borden and Sittingbourne is a crucial component of the setting allowing the historic plan of the settlement to be preserved and its agricultural context which was so important to its development.

The fields to the immediate south of Borden Hall and Church formed part and were historically related to the farmstead south of the hall (see photo below looking north towards the Hall), and also feature in glimpsed views out from the south side of the church.



Views northwards from open areas such as Playstool, and the land around Borden Hall

Assessment of Condition and Identification of Negative key characteristics

Key Negative Characteristics

- Unsympathetic ribbon development along northern approach to the Conservation Area along Wises Lane
- Infilling of the historic separation between Borden and Harman's Corner
- Low brick retaining walls at the frontage of modern 20th century properties not in character in size and material and detract from the appearance of the street scene where they occur on The Street and School Lane. (See Photo top right)
- Areas of hard standing and parking in the front of the setback 20th century buildings on the south side of The Street. This create a discordant note to the street scene.
- Post Office historic shop frontage not in use and in need of attention. (see Photo middle right)
- Modern farm buildings to the south and west of Street Farmhouses within the setting of the Conservation Area which provide a hard modern edge of views towards the Conservation Area from the footpath running between Borden and Hearts Delight, and which are unsympathetic in scale and in their choice of materials and boundary materials (see Photo bottom right).





3.0. CHESTNUT STREET CONSERVATION AREA

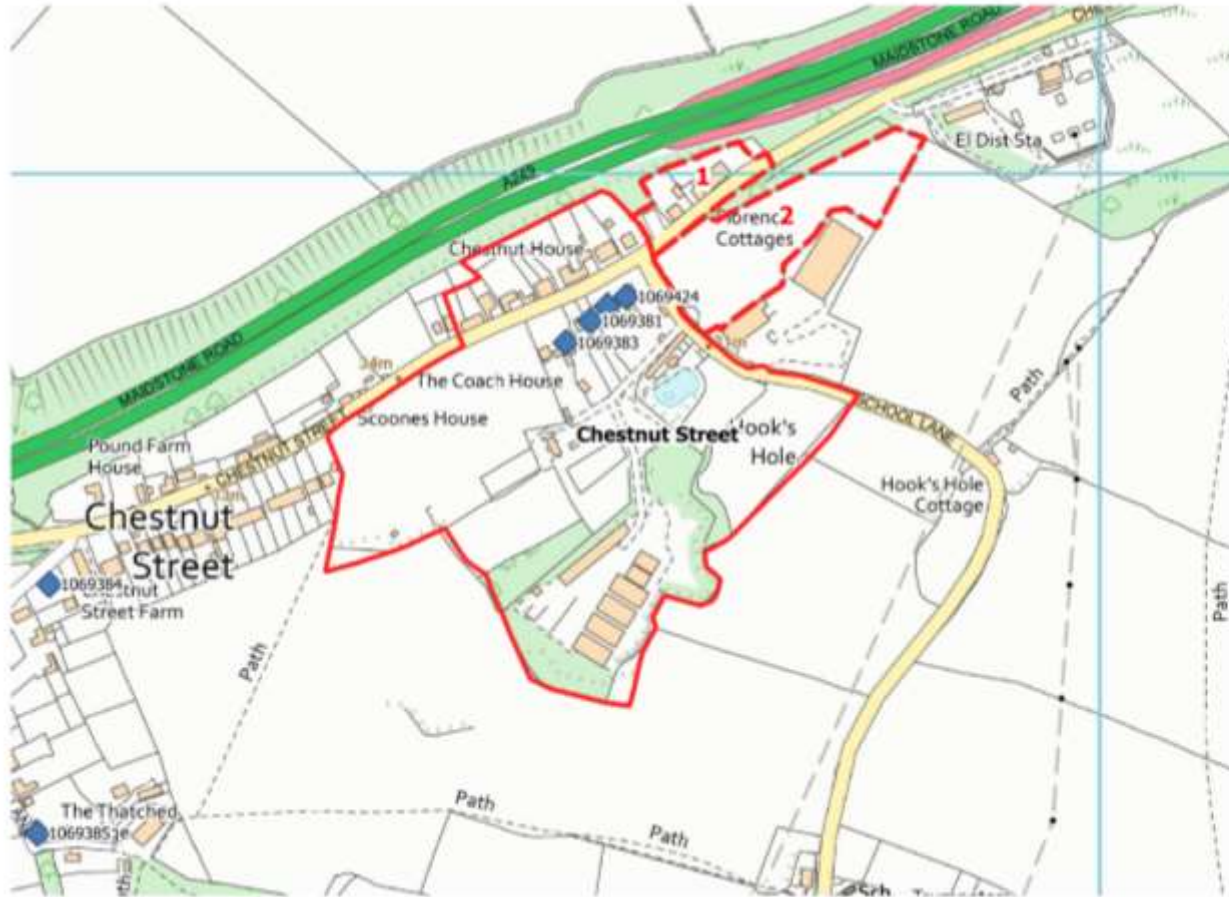
3.1. Summary of significance and special interest

- Historic core of the rural Chestnut Street hamlet focused on the junction of Chestnut Street and School Lane located within the Stockbury valley.
- Area of potential archaeological significance for Palaeolithic, Medieval and Post Medieval archaeology.
- Complex history of post-medieval quarrying in and around the Conservation Area including the site of former lime kilns in the chalk pit at Hook's Hole which have archaeological and historic interest.
- Historic association with William Burrows and Primogene Duvar.
- An outstanding feature of the Conservation Area is a group of four medieval framed timbered houses which stand on the southern side of the road). These have architectural and historic interest epitomising Kentish vernacular building of the period.
- A row of later historic 18th and 19th century cottages on the

north side of the road.

- Location on the historic toll road between Sittingbourne and Maidstone, evidenced by surviving roadside milestone.
- Evidence for Post-Medieval quarrying for chalk and gravel which is of archaeological interest.
- Areas of grazed pasture to the east and west of the group of timber framed Listed Buildings. These separate the cluster of Chestnut Street's older building from other residential development, and consequently help to maintain the integrity of the historic area.
- Views out of the Conservation Area on its western side to the wider countryside beyond which rises to a ridge to the south and forms an attractive visual feature and views from this ridge towards the Conservation Area.

[Map 10 Conservation Area boundary and proposed extension; Listed Buildings]

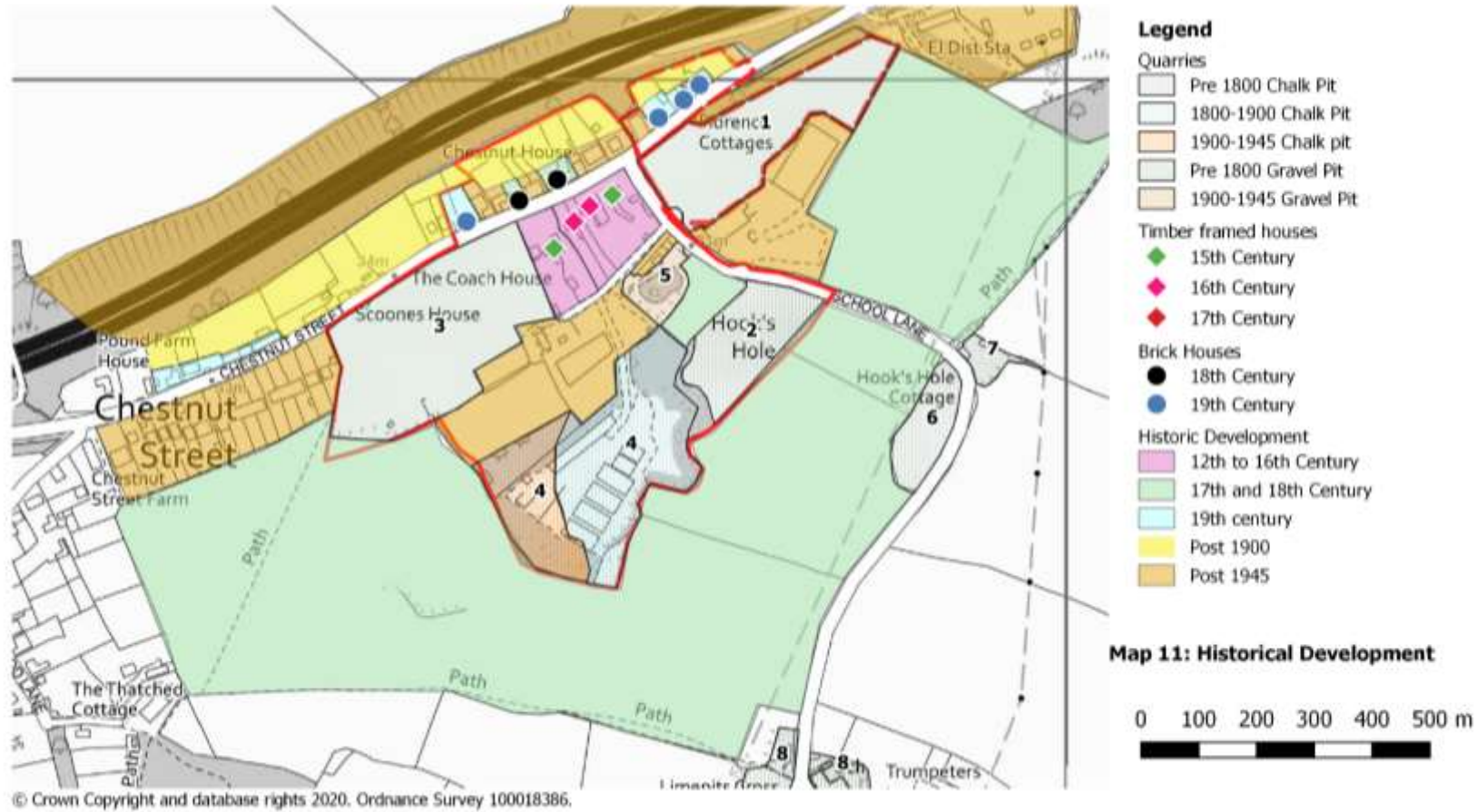


Legend

- Conservation Area boundary
- Conservation Area Extension
- Listed Buildings

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Map 10: Conservation area boundary and proposed extension; Listed Buildings



[Map shading to be altered to show Chestnut House as C12-16 \(change from blue to pink\)](#)



Modern Aerial Photography 2019



1797 Ordnance Survey Surveyors Map



1838 Tithe Map



1908 Ordnance Survey 25 inch

Map 12: Historic Map Sequence with modern aerial view

3.2. Geographic character and historical development

[Map 11 Historical development – land and buildings]

Note Historical Development relates to evidence for past land uses not current land use or date of any surviving buildings

[Map 12 Historic Map Sequence with modern aerial]

Chestnut Street Conservation Area is comprised of development fronting onto the old Sittingbourne to Maidstone road where it passes through the Stockbury Valley. This was a turnpike road in the 18th and early 19th century.

Chestnut Street is recorded in the Patent Rolls of 1256 as The Chastynners, meaning “*the place where chestnuts grow*”. Hasted, writing at the end of the 18th century, referred to a large tract of chestnut woods which then stretched from the hamlet of Oad Street to the Detling Road. These woods have now largely disappeared. The wood was recorded as being 300 acres in 1604.

In 1839 landholdings within the Conservation Area were split between two tenant farmers. The William Burrows Trust owned and leased Hook’s Hole House, farm and outfarm and land on both side of School Lane.

The Trust also owned and rented out the next door property now known as Olde House. In the front garden of this property was a Toll House owned by the Trustees of the turnpike. This building was removed by 1900.

The property of Oldstede in 1836 was rented by a tenant who also rented the large field to the west known as Gravel Pit Field and the Chalk Pit, Woods and Lime Kilns to the east.

A row of later historic 18th and 19th century cottages on the north side of the road, the one exception to this being Chestnut House and Cottage which date from the 16th century, the house becoming a coaching inn in the 18th century. The 1797 Ordnance Survey surveyors map shows properties at the western end of the row with the small open plots open to the east being infilled in the 19th century until all the historic cottages are present on the 1906 25-inch Ordnance Survey map. Primogene Duvar was associated with Chestnut Street in the 19th century.

There is a complex history of quarrying in and around the Conservation Area as follows [no’s in square brackets cross reference to Map 11]:

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- Pre 1800 area of Grazing to the northern side of School Lane within the Conservation Area known as Gravel Pit Field and in use as pasture since 1839.[1]
- Eastern side of the Conservation Area adjacent to School Lane there was a quarry which by 1839 was being used as an Orchard. The field name of Rabbit Burrows suggests a chalk pit of some antiquity, now a field for grazing.[2]
- Pre 1800 Area of grazing to the west of the Wealden Halls known as Gravel Pit Field, arable land in 1839 and now an area of grazing.[3]
- Chalk Pit and Lime Kilns on the south side of the Conservation Area, enlarged in the 19th century and no longer in use by 1900. Subsequently slightly enlarged in the late 20th century and now contains modern large sheds [4]
- Early 20th century creation of a small gravel pit in plot of land to south of the access lane which runs behind Hook's Hole house. This was known as Little Field in 1839 and was at this point in time an arable plot. This small gravel pit was no longer in use by 1950 and subsequently became a farm pond in the latter half of the 20th century, which is now scrubbed over. The rest of the field remains as an area of grazing.[5]
- Within the eastern setting of the Conservation Area on the southern side of the bend in School Lane is an area of land known in 1839

as Hook's Hole Shave , this is another pre 1800 former Chalk quarry which had become wooded over by 1839 [6]

- On the north side of the same bend, another pre 1800 chalk quarry predated into the garden of a cottage by 1836 [7].
- Pre 1800 Chalk pit to the eastern side of Lime Pits Cross [8]

3.3. Character Appraisal

General Statement

Historic core of the rural Chestnut Street hamlet focused on the junction of Chestnut Street and School Lane. The outstanding feature of Chestnut Street is a group of four mediaeval timber framed houses, which stand on the eastern side of the road. They epitomise Kentish vernacular building of the period. Dating from the 15th and 16th centuries they are exposed timber framed buildings infilled with white painted plaster. Whilst the setting of Chestnut Street has been, to some degree, affected by the new A249 the grouping of these mediaeval buildings remains unusual and of special architectural and historic interest. Development on the opposite side of the road dates from the 19th century, with infilling and rebuilding in recent years. It is these buildings rather than the historic buildings that are most prominent in the street scene. Historic interest is further

supplemented by the site of old mineral workings, which have now become attractively integrated into the adjoining countryside.



Legend

Archaeological Significance

Palaeolithic

Iron Age and Roman

Medieval

Post Medieval Quarrying

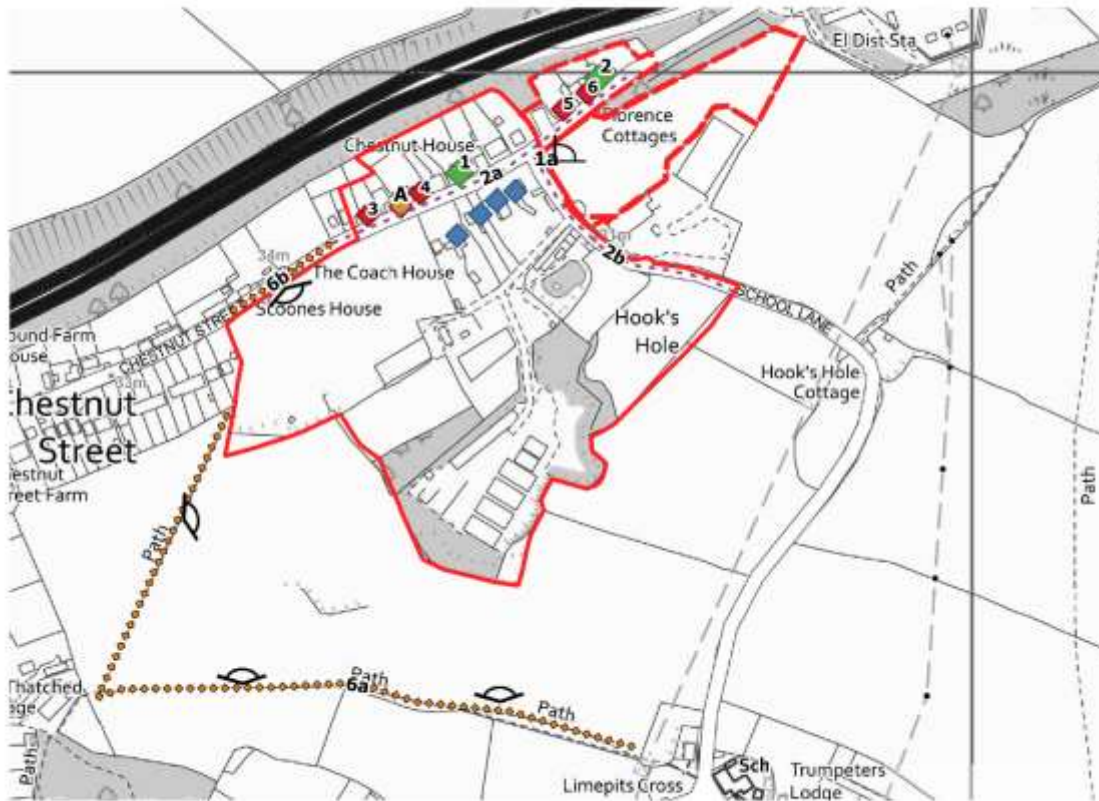
Chestnut Street Conservation Areas

Chestnut Street Conservation Area Extension

0 50 100 150 200 250 m

Map 13: Areas of known and potential Archaeological Significance

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Legend

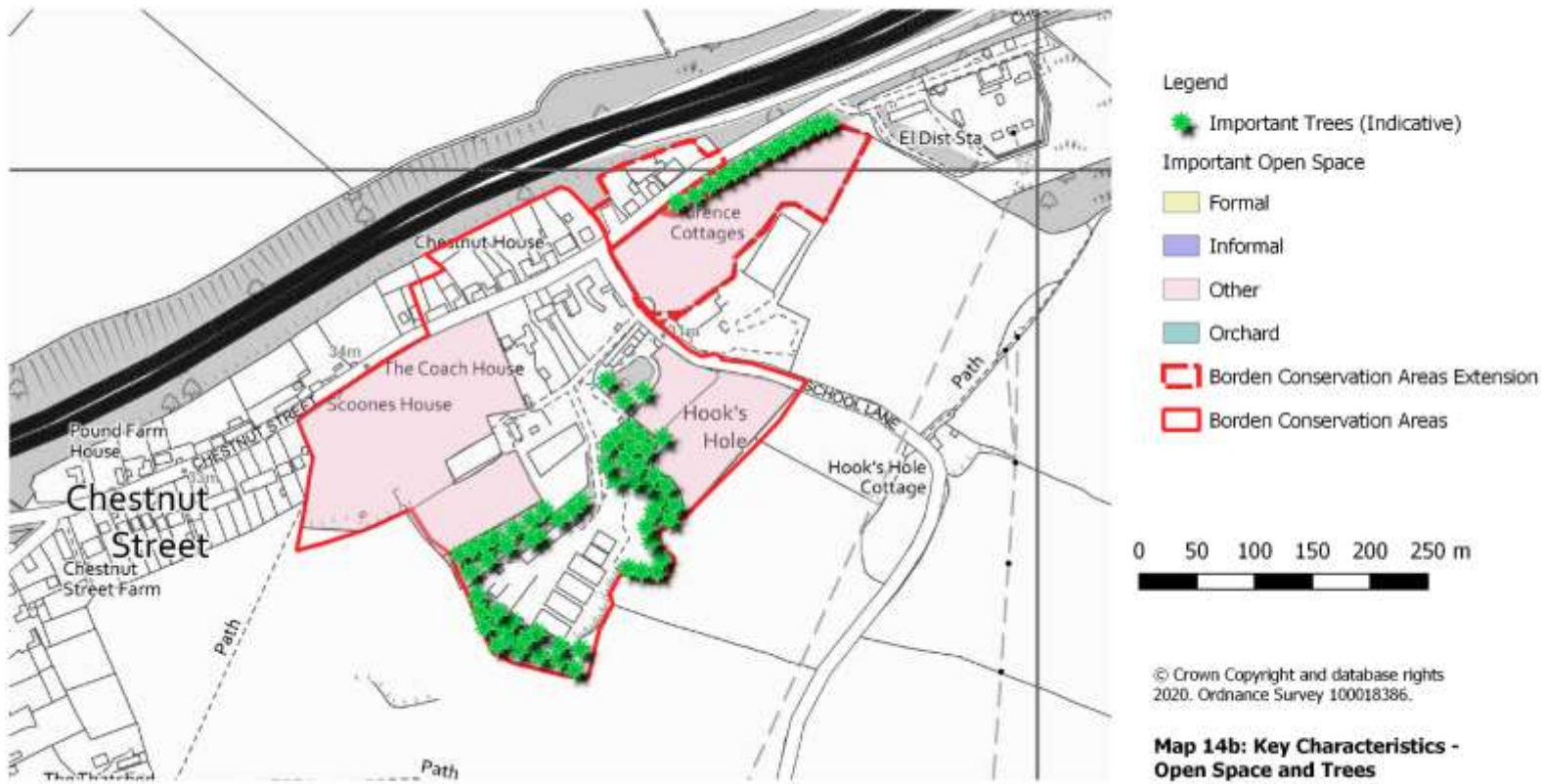
- Views**
- 1 Fixed Views
 - 2 Dynamic views
 - 3 Dynamic views with focal point
 - 4 Panoramas
 - 5 Panoramas focal point
 - 6 Dynamic panorama
 - 7 Dynamic panorama with focal point
- Historic Buildings**
- Listed Buildings
 - Building of Local importance
 - Other historic buildings
 - Other built feature
 - Borden Conservation Areas Extension
 - Borden Conservation Areas

0 50 100 150 200 m

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Map 14a: Key Characteristics - Historic Features and Views

BUILDINGS OF LOCAL IMPORTANCE: 1. Chestnut Cottage and Chestnut House 2. Tudor Rose Public House
OTHER HISTORIC BUILDINGS: 3. Row of three 1880s cottages 4. Nos 1 and 2 Milestone Cottages 5 c1880 cottage. 6. 1888 Pair of Cottages
OTHER BUILT FEATURES: A. Milestone



Key Positive Characteristics

- A group of four 15th and 16th century timber framed Listed Buildings on the south side of Chestnut Street (Hook's Hole Grade II*; Old House Grade II; Tudor Rose/Dumbles Grade II; and Oldstede Grade II*)
- A row of later historic 18th and 19th century cottages on the north side of the road including the Tudor Rose Public House and Chestnut Cottage/Chestnut House (Buildings of Local Importance)
- Locally Important milestone
- The creation of the modern dual carriageway has allowed the rural character of the hamlet to remerge
- Evidence for Post Medieval chalk and gravel quarrying
- The surviving open countryside to the east, west and south all form important open spaces preserving the sense of the rural location of the buildings.
- Areas of grazed pasture to the east and west of the group of timber framed Listed Buildings separates the cluster of Chestnut Street's older building from other residential development and industrial development, and consequently helps to maintain the integrity of the historic area.

- Local views along Chestnut Street, revealing buildings of historic interest as you travel through the Conservation Area
- Medium and Long distance 180 degree views from the Footpath which runs from the southeast corner of the Conservation Area up to Chestnut Wood and then eastwards to Limepits Cross
- 180 degree medium Panoramic Views along Chestnut Street looking south east across meadow on south side of the Conservation Area.

Spatial analysis – Archaeological Interest

[Map 13 Areas of Archaeological potential and sensitivity]

Important archaeological interest includes areas of archaeological sensitivity and potential for:

- Early and Middle Palaeolithic archaeology and paleo-environmental information focused on the Coombe/Head deposits and the head/solifluction gravel
- Saxon and Medieval archaeology focused on the Wealden Halls

- Possible Medieval and definite Post-Medieval archaeological evidence for chalk and gravel extraction on the south side of the Conservation Area.

Spatial Analysis: Historic, Artistic and Architectural interest

[Map 14a Key Characteristics – Built Heritage and Views]

[Map 14b Key Characteristics – Open Space and Trees]

Chestnut Street overview

Chestnut Street today has the appearance of a rural road with a main pavement only on the north side, while School Lane is a narrow rural lane.



South side of Chestnut Street

Travelling east from School Lane there is an area of permanent grazing, slightly hollowed and running up slope. There is stock-proof fencing alongside the road.



Travelling west from School lane. There are a group of 15th and 16th century timber framed Listed Buildings on the south side of Chestnut Street which epitomise Kentish vernacular building character of the period. Each of these buildings are all set within their own separate plots. They are also set back from the road and set down slightly below the level of the present day carriageway. Trees and shrubs are an important feature within each curtilage, so that from the road the buildings are partially screened from view. There are also low flint and brick walls. However, the character and architectural details of these buildings, and

their relationship, can still be fully appreciated from the pavement on the north side of the road

They are from east to west:

Hook's Hole, Grade II*

1069424 (Grade II*) is a classic Wealden hall house dating to the 15th century. It is set on a corner plot bounded by chestnut diamond spile



fence, and an evergreen hedge. There is a single story store building to the side and rear, clad with weather-boarding and yellow brick with a clay tiled roof and a smaller weather-boarded store building in the rear garden.



Olde House, 1069382 (Grade II), 16th century timber frame house, now occupied as two

dwellings. It is painted black and white. A significant example of a surviving timber framed 16th century house representing the next phase in development in the hamlet of Chestnut Street. It has a simple grassy front garden with stepping stones to the front door.

Tudor Rose / Dumbles Cottage, 1069381 (Grade II), a 16th century timber framed house with a plaster infilled timber frame and peg tiled roof, now occupied as two dwellings



These are bounded by a hedge and a low brick wall

Oldstede (description to be taken from that shown on p.78)



Oldestede, 1069383
 (Grade II*) 15th
 century exposed
 timber framed
 house with catslide
 roof over an
 outshot, with a



crosswing added in the 17th century, now occupied as two dwellings. This is bounded by a low brick and flint wall. (Photo above 2020 below c.1900)



Tudor Rose/Dumbles (description to be taken from p.77)

The wider setting of these four Listed Buildings is formed by their relationship to the line of the historic A429 with their frontages facing towards the road to make a visual impression, to the rear are their garden plots with outhouses and old quarries beyond.

To the west of the houses there is an extensive area of grazing with an undulating profile, the result of former mineral working. This has sculpted a sharp slope in places up against the adjoining land.

North side of Chestnut Street

There is a row of later historic 18th and 19th century cottages on the north side of the road. The 1797 Ordnance Survey surveyors map shows properties at the western end of the row with the small open plots open to the east being infilled in the 19th century until all the historic cottages are present on the 1906 25-inch Ordnance Survey map.



These are from east to west:

- Tudor Rose Public house (Building of Local Importance - see below for more information)



- A pair of historic two storey cottages dating to 1888. They are built of yellow stock brickwork, with replacement windows and doors and a concrete tiled roof.

- A two storey dwelling in render with a slate roof dating to c1880.
- An unattractive area of former highway now used for commuter parking which detracts from the street scene.



- Two modern two storey dwellings

- Chestnut Cottage and Chestnut House a pair of two storey dwellings (Building of Local Importance – see below for more information)

- A matching pair of modern two storey brick dwellings

- No's 1 and 2 Milestone Cottages – a pair of modest historic cottages.



- Two modern two storey dwellings



- The Homestead, Dun-Traden and Gretchel – originally four but now three late 1880s historic cottages.

Area to the south of the four Listed Buildings

School Lane meets Chestnut Street at a junction (see photo below) to the north of Hook's Hole House, and off to the east alongside the boundary to the property. It is a narrow country lane rising gently up the side of the valley. It is defined by roadside hedgerows and field boundaries, the main exception being a single storey barn, set sideways onto the road with a gable wall close to the edge of the carriageway



To the rear of Hook's Hole there is an access lane running along the back of the gardens to the four historic properties. This track is bounded to the east by modern agricultural shedding which has been converted to

stabling, to the west an area of hard standing has been created with an access gate to the lane. This is adjacent to a neglected farm pond now infilled with scrub and undergrowth, the site of an early 20th century gravel pit. Further west is a sloping field formerly an orchard and chalk pit, evidenced by the break of slope at the eastern edge of the Conservation Area. The access track behind the four Wealden Hall splits, leading straight ahead to some out buildings and forking left (east) past an area of unkempt informal parking and a horse ménage, and leading to the former large chalk pit and lime kiln. This is the site of a series of large sheds with the sides of the chalk quarry being scrubbed up and covered in trees.

Boundary Treatment

Boundaries of significance are:

- Distinctive low brick and brick and flint boundary wall and diamond splines to the frontage of the Listed Buildings. Evergreen hedges are less in character.

Public Realm

The relationship of the four listed buildings to the line of the historic rural road (A429) with their frontages facing towards the road to make a visual

impression, opposite the later 18th and 19th century cottages. This includes views towards the buildings from the north side of the road

Traffic and Movement

When standing within the Conservation Area opposite the four Listed Buildings the modern dual carriageway is invisible and traffic noise from it unexpectedly low key. This contrasts with the situation as you leave the Conservation Area and head north towards the Key Street roundabout where the further you travel along the road the more prominent the dual carriageway becomes. School Lane is more rural and tranquil.

Trees

All the older properties are surrounded by plantings of trees and shrubs. Whilst there are some native species present, it is the evergreen planting which is a striking (and sometimes discordant) feature. There is a line of cypresses on the frontage of the meadow on the north side of Chestnut Street.

Open spaces

The surviving open countryside to the east, west, and south all form important open spaces preserving the sense of the rural location of the buildings. They also provide an illustrative historic link between Hook's

Hole and the land to its east and north; and Oldstede with the land to the south.

There is an open area of pasture on the northern side of the Conservation Area (photo below) consisting of permanent grazing. The field is slightly hollowed, with the evidence of historic gravel quarrying (dating to before AD 1836).



Similarly, there is an open area of pasture on the southern side of the Conservation Area adjacent to Oldstede with a similar history of historic pre 1800 gravel extraction (photo below).



In this instance the changes to the morphology of the field is more pronounced with a clear scarp edge to the east. Today these form an attractive area of undulating grazing ground enhanced by a pattern of hawthorn. This land provides views to the wider countryside beyond which rises to a ridge to the south and forms an attractive visual feature. It also separates the cluster of Chestnut Street's older building from other residential development, and consequently helps to maintain the integrity of the historic area.

Buildings and Building Materials; Features; Structures
Nationally Designated Heritage

Hook's Hole, Grade II*
1069424 (Grade II*) is a



classic Wealden hall house dating to the 15th century with an exposed timber frame and hipped roof. It consists of two wings with a recessed hall. The exposed timber frame is infilled with white painted plaster and brick. The upper floor of both wings is jettied and the hipped roof is carried across the recessed central hall bay on braces and the eaves here are covered.

Olde House, 1069382 (Grade II), 16th century timber frame house, now occupied as two dwellings. It is painted black and white. It is a significant

example of a surviving timber framed 16th century house representing the next phase in development in the hamlet of Chestnut Street

Tudor Rose / Dumbles Cottage, 1069381 (Grade II), a 16th century timber framed house with a plaster infilled timber frame and peg tiled roof, now occupied as two dwellings.

Oldestede, 1069383 (Grade II*) 15th century exposed timber framed house with catslide roof over an outshot, with a cross wing added in the 17th century, now occupied as two dwellings. It is identified as belonging to the William Barrows Trust in the 1734 map of the Trusts land holdings. The property retains its historic character and appearance despite later subdivision and is clearly evident as a built element of considerable age in the streetscape. The internal architectural features also contribute to its high significance.

Locally important Buildings



Tudor Rose Public House

– two storey brick built public house now all painted with timber sash

windows on first floor and concrete tiled roof. A public house has been on this site since at least 1840.

Chestnut Cottage and

Chestnut House – A ‘pair’ of two story dwelling comprised of a centre section of brick with weather-boarding above and projecting wings at either end of stock brick painted



white. Clay tiled roof. The left hand wing has mullions. A brick boundary wall abuts the public footway. These buildings were originally one house and date from the 16th century, as indicated by the hand carved beams in the loft space. The house became a coaching inn during the 18th century and the trap doors to the cellar can still be found in the front room of Chestnut House, whilst the shoots for the beer barrels remain in the foundation of the southwest wall. The stables for the coachmen’s horses were located in the yard of Chestnut Cottage.

Locally Distinctive building materials

15th to 17th centuries Vernacular Buildings

- Timber framed buildings with plaster infill

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- Kent Peg Tile Roofs

19th century vernacular buildings

- Brick (brown and yellow London Stock) – brick arch details to windows and doors; some with white rendering, weatherboarding
- Mullion and sash windows
- Clay tile roofs

Boundaries

- Low Flint and Brick walls in brown/yellow, London stock brick walls (3ft to 5ft), diamond spile fences, hedges

Locally important built Features

Milestone

Located between Fox Cottage and Rose Lodge sited back on footway. The lettering on two faces reads “9 miles to Maidstone” and “2 miles to Sittingbourne”.



Views

The assessment of views was divided into three concentric zones:

- long distance: views from beyond the area
- middle distant to and from the immediate setting
- historic (local) core: views from within the Conservation Area.

The views have been categorised accordingly:



1. views, often framed vistas, from fixed positions to focal points (such as a churches)

View 1a – Local view within Conservation Area north across pasture on north side of the Conservation Area [note if proposed boundary changes accepted]



2. Dynamic views (experienced and evolving along a route, such as a street)

View 2a - Local views along Chestnut Street, revealing buildings of historic interest as you travel through the Conservation Area [note if proposed boundary changes accepted – down as far as Tudor Rose Public House]



View 2b Local views along School Lane



3. Dynamic views with a focal point

None

4. Panoramas

None

5. Panoramas featuring a focal point or points

None

6. Dynamic panoramas

View 6a Medium and Long distance 180 degree views from the Footpath which runs from the southeast corner of the Conservation Area up to Chestnut Wood and then eastwards to Limepits Cross.



View 6b 180degree medium Panoramic Views along Chestnut Street looking south east across meadow on south side of the Conservation Area.



7. Dynamic panoramas featuring a focal point or points

None

Setting

The setting of the Conservation area on its northern side is formed by the dual carriageway of the modern A429. This creates a hard edge to the Conservation Area which has been softened by tree planting. Its construction severed the hamlet from its rural hinterland on this side (historically wooded pre 1800), meaning surviving rural farmland becomes of even greater importance.

The setting of the Conservation area also comprises the continuation of Chestnut Street to the west and east.

Travelling west, there are a series of small paddocks and fields and some modern infilling of settlement on the north side of the road. The Conservation Area abuts an area of 20th century ribbon development on the southern side of the road. The hillside rising to the south above Chestnut Street to Chestnut Wood in the southeast is a distinctive feature. The woodland itself is interesting as next to it is one of the few remaining, if not the last, working chestnut paling works that uses the adjacent woodland.

Travelling eastwards on the north side of the road there is an electrical substation. The road is bounded by trees planted to screen the dual carriageway on the northern side. On the south side of the road is a modern plantation of trees which wraps round the Conservation Area boundary to its west and northern side. The north eastern boundary of the Conservation Area is bounded by arable fields and closer to School Lane by the former site of an 1800 Out farm to Hook's Hole. It formerly comprised a loose courtyard with agricultural buildings on one side. This was demolished, and the site is now occupied by large modern

sheds/barns which appear to form a small industrial unit. This is an incongruous element in the landscape

The setting of the Conservation area on its eastern side is formed by School Lane which is a narrow country lane rising up the side of the valley, defined by roadside hedgerows and boundaries. The land to the south east comprises large, grazed fields; the quarrying has effectively created a scarp edge with these fields now sitting on a higher level. From which you can see the scrub and trees which ring the edge of the former quarries.

Assessment of Condition; Identification of Negative key characteristics

Key Negative Characteristics

- Unsympathetic design of 20th century houses infilling the streetscape on the northern side
- An unattractive area of former highway now used for commuter parking which detracts from the street scene.
- Commuter parking within the Conservation Area.
- Area of unsympathetic land use to the south of the Listed Buildings.
- Potential loss of Limekilns within the large chalk quarry.
- Pond in poor condition.
- Large modern sheds/barns within the northern setting of the Conservation Area. This is an incongruous element in the landscape.

4.0. HARMAN'S CORNER CONSERVATION AREA

4.1. Summary of significance and special interest

- A small enclave of historic buildings representing a former hamlet now joined to the village of Borden but with its own separate historic identity.
- Two timber framed Wealden Houses known as Bannister Hall and No's 243/247 Borden Lane.
- The early post-medieval timber framed building known as Harman's Corner.
- The relationship between these early buildings with the later historic 17th, 18th and 19th century buildings surviving in the hamlet is also important.
- The narrow rural roads and lanes (The Street, Borden Lane, and Bannister Hill) which meet at Harman's Corner retain some elements of rural character: street lighting is absent, and the footways are incomplete, so that hedges and walls in places define the carriageway edge in an attractive way.

[Map 15 Conservation area boundary and proposed extension; Listed Buildings]

4.2. Geographic character and historical development

Harman's Corner lies at the eastern end of Borden village. It is a small enclave of historic buildings situated around the junction of The Street with Borden Lane; it also includes the area immediately to the south, where development has spread a short distance down Bannister Hill.

[Map 16: Historical development – land and buildings]

Note Historical Development relates to evidence for past land uses not current land use or date of any surviving buildings

[Map 17: Historic Map Sequence with modern aerial]



Legend

- Conservation Area boundary
- Conservation Area Extension
- Listed Buildings

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Map 15: Conservation area boundary and proposed extension; Listed Buildings



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Legend

Timber framed houses

- ◆ 14th Century
- ◆ 15th Century
- ◆ 16th Century
- ◆ 17th Century
- ◆ 18th Century

Brick Houses

- 18th Century
- 19th Century
- Early 20th Century

Historic Landscape Development

- 12th to 16th Century
- 17th and 18th Century
- 19th century
- Post 1900
- Post 1945

0 50 100 150 200 250 m



Map 16: Historical Development



Modern Aerial Photography 2019



1797 Ordnance Survey Surveyors Map



1838 Tithe Map



1908 Ordnance Survey 25 inch

Map 17: Historic Map Sequence with modern aerial view



4.3. Character Appraisal

General Statement

Harman's Corner is a small enclave of historic properties with some modern infill development. An outstanding feature of the Conservation Area is a group of three medieval and early post-medieval framed timbered houses. These have architectural and historic interest epitomising Kentish vernacular building of the period. They form a group with the later 18th and 19th century historic buildings of Bloumfield (Grade II) and 241 Borden Lane, and several buildings of local importance.

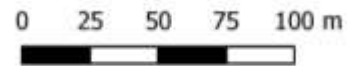
Harman's Corner was once a hamlet in its own right and the buildings at Harman's Corner provide the physical evidence of wealthy past times in the parish of Borden. It is a pleasing contrast with the suburban character of much of the surrounding development.

The Conservation Area has Roman, Saxon and Medieval archaeological interest.



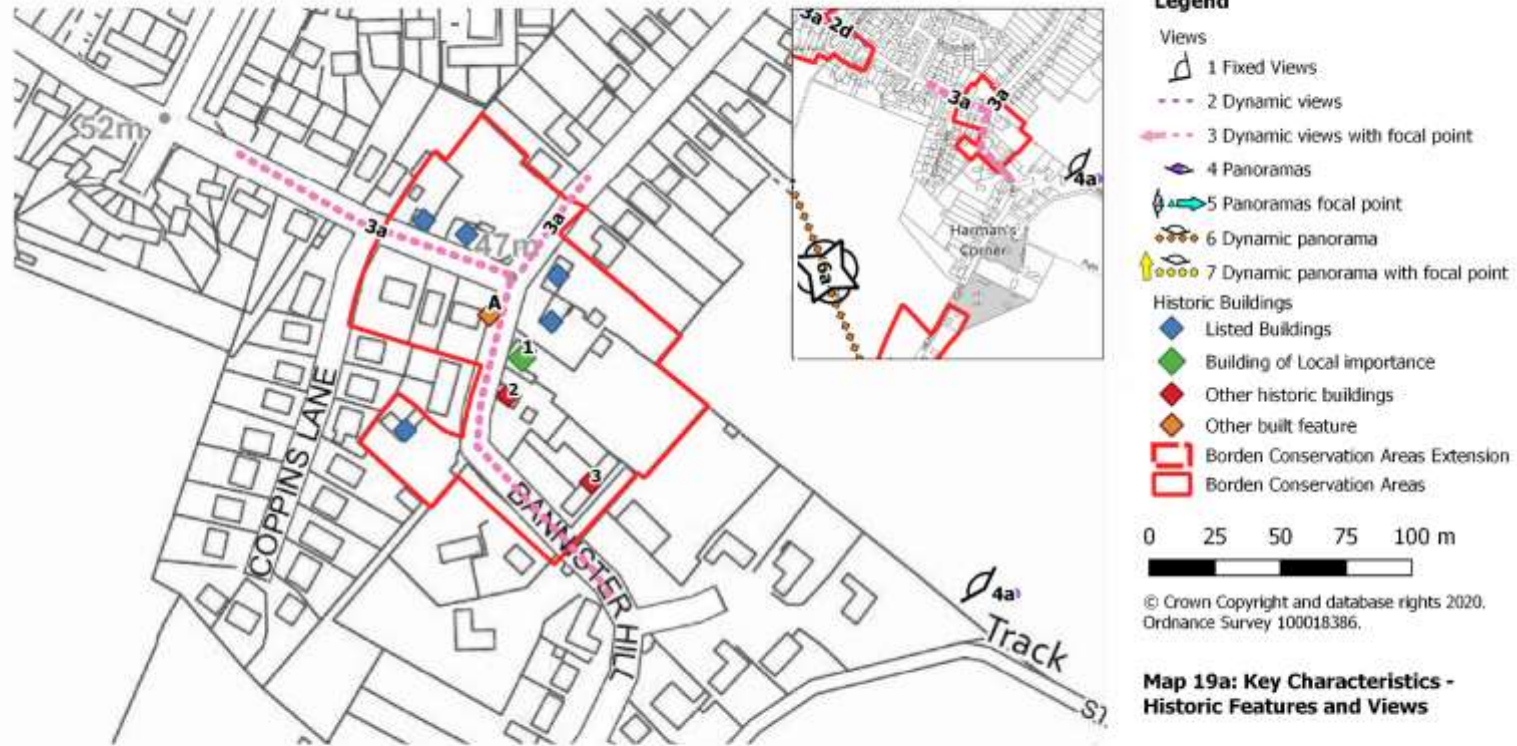
Legend

- Archaeological Significance
 - Iron Age and Roman
 - Medieval
- Hamman's Corner Conservation Area



Map 18: Areas of known and potential Archaeological Significance

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BUILDINGS OF LOCAL IMPORTANCE: 1. Bannister House
 OTHER HISTORIC BUILDINGS: 2. Upper Bannister Hill Cottages 3. Nos 1-4 Bannister Cottages
 OTHER BUILT FEATURES: A. Fingerpost



Key Positive Characteristics

- Broumfield (Grade II LB 1185794) is an 18th century timber framed house.
- Harman's Corner (Grade II LB 1069390) is a 17th century timber framed house.
- Cast iron fingerpost at junction.
- 241 Borden Lane (Grade II LB No 1185676) is a 19th century house.
- 245 and 247 Borden Lane (Grade II LB 1069423) a 15th Century Wealden Hall with surviving original fabric.
- Bannister House (Locally Important) is substantial brick house built 1880.
- Upper Bannister Hill Cottages a matching pair of two storey 19th century[check] rendered houses.
- Nos. 1-4 Bannister Cottages early 20th century two storey cottages.
- Significant boundary retaining wall with a hedge above on Bannister Hill.
- Bannister Hall (Grade II LB No 1069422) identified as a 16th century timber framed house it has origins in the 14th century.
- Boundaries including railing and white painted timber palings

- Lack of pavements is a key element of the streetscape.
- The corner is well defined by trees including yew, holly and sycamore.
- Dynamic Views along Bannister Hill, The Street and Borden Lane.
- Medium Distant view towards the Conservation Area from higher land to the east.
- 60 degree Panoramic Views along the footpath between Hearts Delight and Borden village allows an appreciation of the relationship between Borden Village, Harman's Corner and Hearts Delight.
- Surviving open land within the eastern setting of the Conservation Area.

Spatial analysis – Archaeological Interest**[Map 18: Areas of Archaeological potential and sensitivity]**

Important archaeological interest includes areas of archaeological sensitivity and potential for:

- Iron Age and Roman archaeology
- Saxon and Medieval archaeology focused around the three Wealden Halls

Spatial Analysis: Historic, Artistic and Architectural interest

[Map 19a Key Characteristics – Built Heritage and Views]

[Map 19b Key Characteristics – Open Space and Trees]

The Street (North side)

Broumfield (Grade II LB 1185794) is an 18th century timber framed house. Its historic interest lies in its relationship to the development of Harman’s Corner into the later Post-medieval period. It is located to the west of Harman’s Corner. It is built on the footprint of an earlier building. It is set close to the highway with a small front garden; with a white painted timber-paling to the left hand side.

Harman’s Corner (Grade II LB 1069390) is a 17th century timber framed house set close to the highway with a small front garden. It has a metal railing and a timber railing on the side that fronts onto Borden Lane.



The Street (south side) and the junction of Borden Lane, The Street and Bannister Hill.

Three modern bungalows set back on their plot. The appearance of their front gardens is important to the general character of the junction. The property at the junction corner is currently screened from view by a mixture of conifers and deciduous trees. There is a cast iron fingerpost partly obscured by the hedge.



Borden lane (east side)

241 Borden Lane (Grade II LB No 1185676) is a 19th century house built in yellow brick with a slate roof.



245 and 247 Borden Lane (Grade II LB 1069423) a 15th Century Wealden Hall with surviving original fabric.



Bannister Hill (east and north side) (see photo below looking north)



Bannister House (Locally Important) is substantial brick house built 1880. Attractive low decorative cast railings on low rendered walls

Upper Bannister Hill Cottages are a matching pair of two storey 19th century rendered houses with quoins and replacement windows with precast



decorated arches to the windows, and concrete tiled roofs. Low timber stained fence at front with a beech hedge on boundary round the corner.

The road sweeps left and downhill and there is a significant boundary retaining wall with a hedge above (*see photo below*)



At the bottom of the hill and set into the slope are no's 1-4 Bannister Cottages (*see photo right*). These are early 20th century two storey cottages facing onto a service road. They present walls of unpainted roughcast render, a slate covered roof and yellow brick chimney stacks.



Bannister Hill (west and south sides)

Starting at the north there are three modern dwellings set back from the road. In part the boundary is formed of a bank dropping down to the carriageway with sycamores on top. The semi natural screen of trees contributes to the enclosed street scene. On the corner of the bend of Bannister Hill is Bannister Hall (Grade II LB No 1069422) identified as a 16th century timber framed house. It has origins in the 14th century.

Boundary Treatment

Boundaries are a key element of the character of the Conservation Area.

This includes:

- White-painted timber paling, metal railings, Privet Hedges, to historic houses
- High hedges and screening trees to carriageway
- Retaining brick walls.

Public Realm

The frontages of Bloumfield, Harman's Corner, 245/247 Borden Lane and 241 Borden Lane consist of narrow front gardens fenced or hedged abutting a narrow pavement. The lack of pavements is a key element of the streetscape.

Trees

The corner is well defined by trees including yew, holly and sycamore.

Open spaces

Open spaces are not a significant component of the character of this Conservation Area which is defined by the enclosed streetscape and lack of views out from the Conservation Area. Historic houses traditionally only have narrow front gardens. Only Bannister Hall is set back within the centre of its own large plot.

Buildings and Building Materials; Features; Structures

Nationally Designated Heritage

Broumfield (Grade II LB 1185794) is an 18th century timber framed house. Its historic interest lies in its relationship to the development of Harman's

Corn
er
into
..



Photo Left Above : Broumfield Front Elevation Photo Below: Rear Elevation

later
Post-



medieval period. It is constructed of white painted weatherboarding, and half hipped peg tiled roof and sash windows.



Harman's Corner (Grade II LB 1069390) is a 17th century timber framed house clad with white painted weatherboard. It has architectural interest as a surviving 17th century example of Kentish vernacular and historic interest as representing the development of the area in the 17th century. It is located on the northern side of the Harman's Corner junction. It has an L shaped plan, white painted weatherboarding, sash windows and a peg tiled roof.



Photo Above: Harman's Corner

241 Borden Lane (Grade II LB No 1185676) is a two storey 19th century house built in yellow brick with a slate roof. Its historic interest lies in its relationship to the development of Harman's



Corner into the later Post-medieval period. It is on the eastern side of the Harman's Corner Junction



245 and 247 Borden Lane (Grade II LB 1069423) a 15th Century Wealden Hall with surviving original fabric. It has architectural interest as a surviving 15th century example of

Kentish vernacular and historic interest as representing the earliest surviving house on Harman's Corner.



Bannister Hall (Grade II LB No 1069422) identified as a 16th century timber framed house has origins in the 14th century. It was originally called Bansies, this rare L shaped Wealden hall house was rebuilt in the 16th century as three cottages and then reconverted to one dwelling in 1950s.

The 1831 census showed 24 people lived here. Its fabric consists of wooden beams exposed with plaster infill and a plain tiled house. Its architectural



interest lies in the surviving original fabric, character and appearance and its historic interest as the farmhouse to a former 16th century farmstead. It is located on the southern edge of the Conservation Area on the western side of Bannister Hill.

Photo Left 245 and 247 Borden Lane c.1900

Bannister Hall is set back within its own plot of land away from the lane and its setting is instead associated with the land surrounding it, which formerly contained the historic farmstead associated with the hall. Its wider setting is formed by the modern housing developments beyond.

Locally important Buildings

Bannister House is a substantial brick-built house dated 1883 on front elevations, yellow brick painted white with sash windows a panelled door and slated roof.



Photo Left: Bannister Hall Photo Above: Bannister House

Locally important features

Traditional fingerpost at junction

Locally Distinctive building materials

15th to 17th centuries Vernacular Buildings

- Timber framed buildings with weatherboarding; sash windows
- Kent Peg Tile Roofs

18th to 19th century vernacular buildings

- Brick (brown and yellow London Stock) painted white or with white rendering
- Slate tile roofs

Boundaries

- Brick retaining walls; white picket fences; iron railing, diamond spine fences

Views

1. views, often framed vistas, from fixed positions to focal points (such as a churches)
2. Dynamic views (experienced and evolving along a route, such as a street)

None

3. Dynamic views with a focal point

Views 3a along Bannister Hill, The Street and Borden lane all with the junction as a focal point at their centre.





4. Panoramas

View4a Medium Distant view towards the Conservation Area from higher land to the east.



5. Panoramas featuring a focal point or points

None

6. Dynamic panoramas

View 6a 360degree Panoramic Views along the footpath between Hearts Delight and Borden village. This provides medium distant views to the west of the Conservation Area and allows an appreciation of the relationship between Borden Village, Harman's Corner and Hearts Delight.



7. Dynamic panoramas featuring a focal point or points

None

Setting

The setting of Harman's Corner Conservation Area is now formed of housing developments which surround it to the north, west and south with open land surviving on the eastern side. It is approached to the south by a narrow country lane known as Hearts Delight Lane/Bannister Hill.

Modern 20th century development means that it is now joined to the village of Borden to the west and in some respects Sittingbourne to the north due to the frontage development along Borden Lane.

Assessment of Condition; Identification of Negative key characteristics

Key Negative Characteristics

- Unsympathetic ribbon development along northern approach to the Conservation Area along Borden Lane.
- Infilling of the historic separation between Borden and Harman's Corner.
- Some frontages of modern 20th century properties not in character in size and material and detract from the appearance of the street scene.

5.0. HEARTS DELIGHT CONSERVATION AREA

5.1. Significance and summary of special interest

The significance and special interest of Hearts Delight Conservation Area can be summarised as follows:

- Three Grade II timber framed buildings of Sharps House, Filmer House, and Hearts Delight House and the way in which they are set slightly into the valley, which itself links them all together.
- The enclosed lane through the hamlet, known as Hearts Delight Road, with a valley form, the roadside banks, and hedgerows providing a small scale rural and tranquil character.

[Map 20 Conservation area boundary and proposed extension; Listed Buildings]

5.2. Geographic character and Historical Development

Set within the dry Hearts Delight valley. The earliest settlement evidence for Hearts Delight are the two Wealden Halls of Filmer House and Hearts Delight with 15th century fabric. Hearts Delight was located at the junction between Wrens Road and Hearts Delight Road set up on the western valley side. Filmer House was offset from the junction on the southern side. The tithe map of 1836 shows that Hearts Delight owned land at this date on the opposite side of Hearts Lane including a small garden. This might explain why Filmer's House was offset from the junction if it were the later of the two properties to be built in the 15th century. The 1797, 1836 and 1880s maps all show orchards to the north side of both properties with arable land beyond. These were a feature of the landscape until relatively recently




[Map 21 Historical Development]

Note Historical Development relates to evidence for past land uses not current land use or date of any surviving buildings

[Map 22 Historic Map with modern aerial]



Legend

-  Conservation Area boundary
-  Conservation Area Extension
-  Listed Buildings

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Map 20: Conservation area boundary and proposed extension; Listed Buildings



Modern Aerial Photography 2019



1797 Ordnance Survey Surveyors Map



1838 Tithe Map



1897 Ordnance Survey 25 inch

Map 22: Historic Map Sequence with modern aerial view

ant

109

5.3. Character Appraisal

General Statement

The key feature here is the relationship of the buildings with the landscape: at their best these have the appearance of being comfortably settled into the landscape, and with locally derived materials such as timber, flint and clay being prominent they record a very close affinity with the landscape. There is Early Palaeolithic, Iron Age, Roman, Saxon and Mediaeval archaeological interest and potential.



Illustration of Hearts Delight. Courtesy of Borden Heritage Group

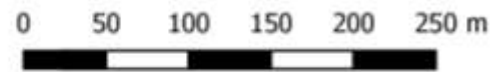
Key Positive Characteristics

- Filmer House a 15th century timber (Grade II) framed house with 16th and 17th century components lie within the valley bottom.
- Sharps House lies on the northern edge of the Conservation Area. This is a 17th century timber frame property (Grade II) with thatched roof.
- Hearts Delight House (Grade II), a 15th century timber framed property with later cladding from the 17th and 19th centuries.
- Position of Sharps House and Hearts Delight House on the valley side with high brick and flint walls with distinctive entranceways.
- Position of Filmers House on the valley floor.
- Yew Hedge at boundary to Sharps House.
- Pre 1800 Brick built garden wall to the south of Filmer House historically associated with Hearts Delight House.
- The meadow which wraps around the back of Filmers House is an important open space on the western side of the Conservation Area.
- Separation of Hearts Delight from modern southern extent of Borden.



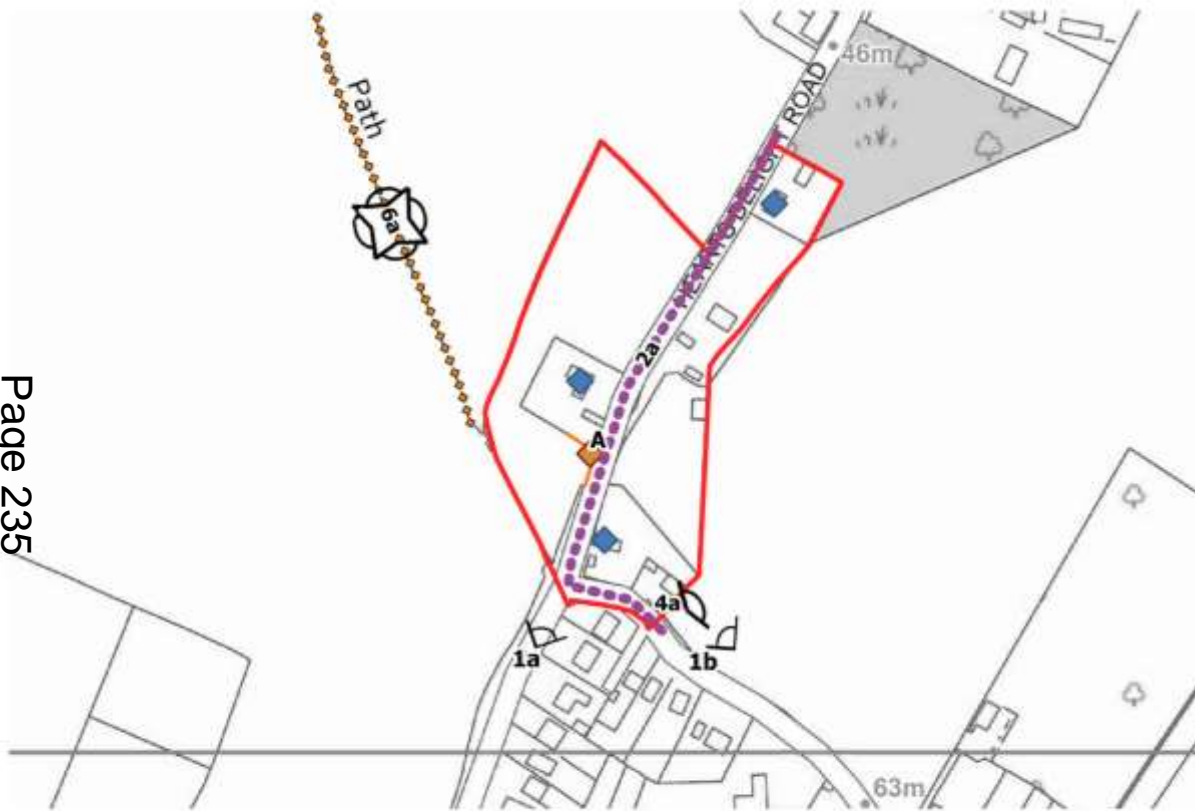
Legend

- Archaeological Significance
 - Palaeolithic
 - Iron Age and Roman
 - Medieval
- Hearts Delight Conservation Area



Map 23: Areas of known and potential Archaeological Significance

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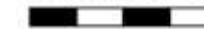


OTHER BUILT FEATURES: A. Former Garden Wall

Legend

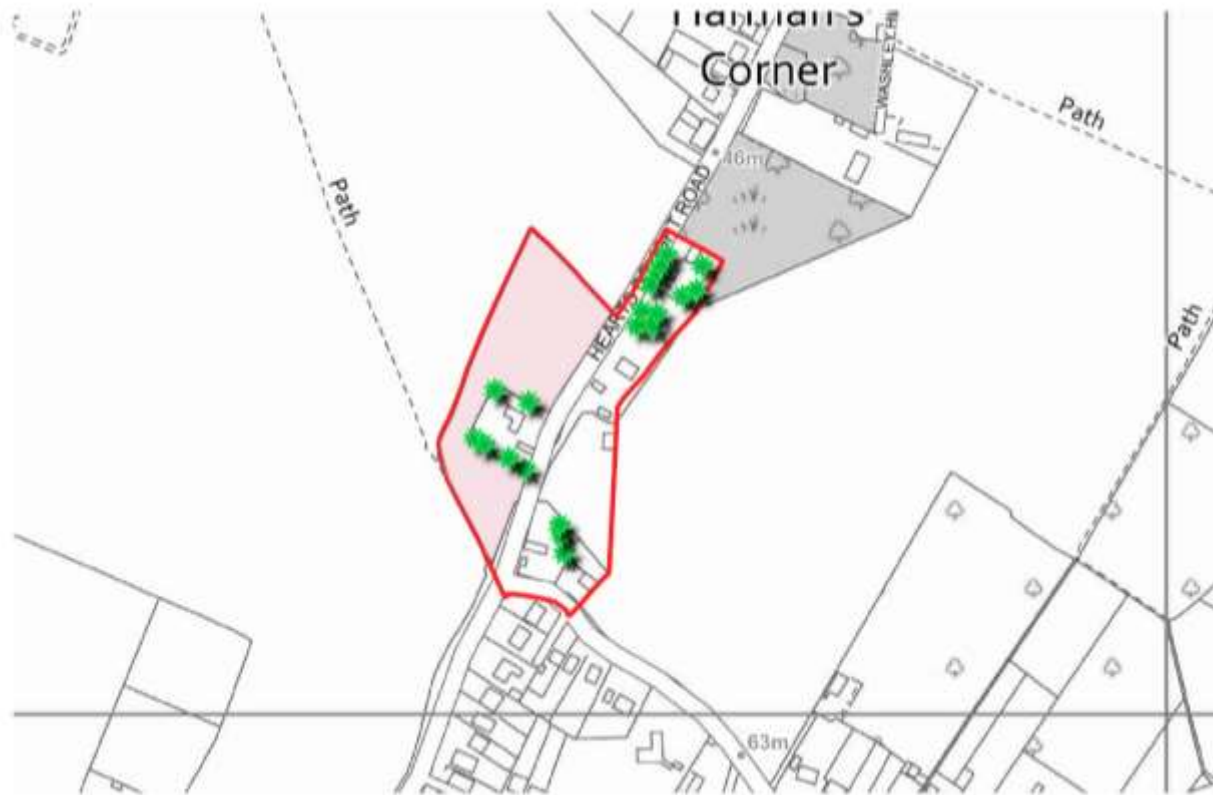
- Views
- 1 Fixed Views
 - 2 Dynamic views
 - 3 Dynamic views with focal point
 - 4 Panoramas
 - 5 Panoramas focal point
 - 6 Dynamic panorama
 - 7 Dynamic panorama with focal point
- Historic Buildings
- Listed Buildings
 - Building of Local importance
 - Other historic buildings
 - Other built feature
- Hearts Delight Conservation Area

0 25 50 75 100 m

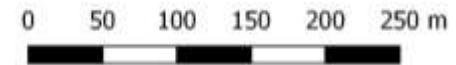


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Map 24a: Key Characteristics - Historic Features and Views



- Legend
- Important Trees (Indicative)
 - Important Open Space
 - Formal
 - Informal
 - Other
 - Orchard
 - Borden Conservation Areas Extension
 - Borden Conservation Areas



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Map 24b: Key Characteristics - Open Space and Trees

Spatial analysis – Archaeological Interest

[Map 23 Areas of Archaeological potential and sensitivity]

Important archaeological interest includes areas of archaeological sensitivity and potential for:

- Early Palaeolithic archaeology associated with the clay-with-flints on the eastern valley slope and top.
- Iron Age and Roman archaeology throughout the valley. Iron Age coinage was found at Sharps House and there is a D-Shaped enclosure to the west of Filmer House just outside the Conservation Area boundary.
- Saxon and Medieval archaeology focused around the three Wealden Halls.

Spatial Analysis: Historic, Artistic and Architectural interest

[Map 24a Key Characteristics – Built Heritage and Views]

[Map 24b Key Characteristics – Open Space and Trees]

A significant feature of the Conservation Area is the group of three mediaeval framed timbered houses. These have architectural and historic interest epitomising Kentish vernacular building of the period.

West side of Hearts Delight Lane

Filmer House a 15th century timber (Grade II) framed house with 16th and 17th century components lie within the valley bottom (*see photo below*). It is set at the centre of its plot. It has a single storey building on its south east side which is weather boarded with corrugated roofs. The building and its plot can be readily appreciated from the lane.



The boundary to the road consists of a close boarded fence with concrete posts. A clear view of the house is difficult to achieve from the road.

A small remnant of grazing field wraps around the back of Filmers House and is included in the Conservation Area. At the north of Filmers House it is bounded by stock fences adjacent to the road which gives a sense of openness. There are views of Filmers House from here with the frontage facing north. The 1836 Tithe map shows the land on this side of Filmers House was in the same ownership, perhaps explaining the orientation of the building.

South of Filmers House adjacent to the meadow there is a high 1 m plus yellow stock brick wall with a doorway bounding the road and wrapping round the edge of the boundary to Filmers House. The 1836 Tithe map shows a garden in this location belonging to Hearts Delight, so this is likely to be an historic garden wall.

The doorway onto the lane is explained by the fact that historically it was used by the house opposite and provided a physical boundary on the gardens northern side to the gardens belonging to Filmers House. The land beyond, encompassing the meadow on the south side of Filmers House and the ploughed field beyond were all in the ownership of Hearts Delight as one large arable field.



***Top Photo: Filmers House viewed from the North; Bottom Photo:
Historic Garden wall once belonging to Hearts Delight***

East side of Hearts Delight Lane

Sharps House lies on the northern edge of the Conservation Area. This is a 17th century timber frame property (Grade II) with thatched roof. The house is set up above the road with a flint retaining wall across the front boundary topped by a high wall and Yew Hedge. There is an attractive entrance via steep brick steps.



The fact that the house is set up on a slope behind this boundary means it is effectively screened from view from the lane. A store building/garage is on the northern side with weather boarded sides and thatched roof.

The next property is a modern c.1990s style chalet bungalow set back on its own plot at the top of the valley slope which contrasts with the historic buildings which are located on the valley side. The front boundary consists of a 3 metre high bank sloping down to the road with mixed hedgerow and low fencing. There is a single storey weatherboard building to the south plus timber sectional stables.

***Modern C1900s building***

There is then a large gap comprising arable farmland.

The final property encountered at the southern end of the Conservation Area at the junction of Hearts Delight Road and Wrens Road is Hearts

Delight House (Grade II), a 15th century timber framed property with later cladding from the 17th and 19th centuries.



Hearts Delight

It is set up on the valley slope and has an adjoining courtyard formed by a 16th century red brick boundary wall and building with a distinctive plank door set in an archway. The wall is adjoined to an historic outbuilding. In addition, on the western side adjacent to Hearts Delight Road is a separate set of outbuildings partly cut into the slope. There is a brick built garage with clay tiled roof and a single storey store building or barn with weather boarded sides. These have replaced earlier outbuildings present

in this location in the 19th century. There are conifers on the junction with Hearts Delight Road.

Boundary Treatment

Boundaries of significance are:

- Flint walls with brick
- High red brick boundary wall
- High Yew Hedge

Public Realm

The enclosed lane through the hamlet, known as Hearts Delight Road, with a valley form, the roadside banks, and hedgerows providing a small scale rural and tranquil character

The lane is narrow with steep banks. The lack of footways means the lane is a shared space for pedestrians, equestrians and drivers. There is a well-used public footpath running from between Hearts Delight and Borden.

Traffic and Movement

Traffic and movement are slowed and funnelled along the lane especially adjacent to high banks and walls on the eastern side.

Trees

Orchards were formerly a dominant component of the Conservation Area from the 1700s to the 1970s. Any remnant traditional orchard trees and varieties in the private gardens to the hall would be an important biological and heritage asset. They may also preserve traditional Kentish apple varieties

The Yew hedge to the boundary of Sharps House is a distinctive feature.

The private gardens to the houses have a range of native and ornamental trees some of which provide screening to the road.

Open spaces

There is an important open space in the form of a meadow which wraps around the back of Filmers House and gives a sense of openness on the western side of the Conservation Area

Buildings and Building Materials; Features; Structures

Designated Heritage

Sharps House (Grade II LB No 1343885) is a 17th century timber frame property with painted brick infill with thatched roof. It has historic interest representing the continuing 17th century development of the hamlet, and architectural interest as a surviving example of 17th century Kentish vernacular style timber framed house.

Filmer House (Grade II 106386) is a 15th century timber framed house with plaster infill and a steeply pitched plain tiled roof 16th and 17th century components. It has historic interest representing the early historic built development of the hamlet and architectural interest as being the results of three separate builds between the 15th and 17th centuries.

Hearts Delight House (Grade II 1343886) identified as a 16th century timber framed property in the Listing reference, with later cladding from the 17th and 19th centuries. It is a two storey timber framed and clad Wealden hall with red brick and tile hung with plain tile. It has a large clay tiled roof. It may have earlier 15th century fabric with a second hall and parlour added c.1450 (Allison 2003: 31). It has Irregular fenestration of 4

wood casements to each floor, and board door to centre left. Right return front with exposed close studded framing.



Hearts Delight c.1900

Hearts Delight and Filmer House have historic interest representing the early historic development of the hamlet and architectural interest as surviving examples of 15th/16th Century Wealden Halls. They also provide evidence of how such houses developed between the 15th and the 17th centuries locally.

The most significant aspects of the setting of the Listed Buildings will be those that relate to their historic and architectural interest. These are the tranquil narrow and rural Hearts Delight road, the open countryside

which surrounds them, and the interrelationship between the Listed Buildings.

Locally Important Buildings

N/A

Locally Important Built Features

Pre 1800 Brick built garden wall to the north of Filmer House historically associated with Hearts Delight House.

Locally Distinctive Building Materials

15th to 17th centuries Vernacular Buildings

- Timber framed buildings with plaster infill
- Kent Peg Tile Roofs
- Thatch

Boundaries

- Flint and Brick walls
- Red brick walls
- Yellow London stock walls
- Yew Hedges

Views

The assessment of views was divided into three concentric zones:

- long distance: views from beyond the area
- middle distant to and from the immediate setting
- historic (local) core: views from within the Conservation Area.

The views have been categorised accordingly:

1. views, often framed vistas, from fixed positions to focal points (such as a churches)

View 1a Local View northwards from Wrens Lane towards Hearts Delight



View 1b Medium distant view from Hearts Delight Road outside of the Conservation Area looking west across roofs of Hearts Delight to the western side of the valley.



2. Dynamic views (experienced and evolving along a route, such as a street)

View 2a Local views along Hearts Delight and curving round and up Hearts Delight Road, with medium distance views of the setting of the Conservation Area on its western side



3. Dynamic views with a focal point

None

4. Panoramas

View 4.1 View from south eastern edge of the Conservation Area looking north from Hearts Delight Road towards the Swale estuary



5. Panoramas featuring a focal point or points

None



6. Dynamic panoramas

View 6a 360 degree Panoramic Views along the footpath between Hearts Delight and Borden village. This provides medium distant views looking north and east of the Conservation Area and its immediate setting and allows an appreciation of the relationship between Borden Village, Harman's Corner and Hearts Delight. It also allows long distance views looking south towards the southern setting of the Conservation Area towards Wrens Farms where Oasts act as eye catchers in the landscape.



7. Dynamic panoramas featuring a focal point or points

None

Setting

Heritage assets can gain significance from their relationship with their setting whilst views from within or outside an area form an important way in which its significance is experienced and appreciated.

The setting of Heart's Delight was until recently was dominated by orchards, but now it is characterised by large arable fields whose pattern is relieved only by rather sparse hedgerows.

The setting of the Conservation Area with historic interest at Heart's Delight consists primarily of the rural landscape to the east and west of

Hearts Delight Road. The listed buildings make a positive contribution to each other's setting, given their proximity, the similarity of materials, and that they date from a similar period and represent the historical development of the area.

Another important aspect is the fact that Hearts Delight is still separate to the southern extent of Borden/Harman's Corner, and can still be seen as a separate hamlet.

The southern setting immediately adjacent to Wrens Lane is affected by the modern ribbon development which has occurred on its western side.

Assessment of Condition; Identification of Negative key characteristics

Negative Characteristics

- Loss of Traditional Orchards/Fruit Trees
- The southern setting immediately adjacent to Wrens Lane is affected by the modern ribbon development which has occurred on its western side.

6.0. CONSERVATION AREAS MANAGEMENT STRATEGY

Conservation Area designation is not an end in itself. It is a way of recognising the special architectural or historic interest of an area with a view to putting in place a framework to sustain its character for this and future generations.

Conservation is not about preventing change; the Borden Conservation Areas are part of a living community and change is needed to sustain and meet their future needs. It is about positively managing change so that what we cherish today can be properly looked after and passed on to future generations in good condition. Conservation Area designation brings with it certain statutory controls and restrictions which are described below. It also affords the opportunity for others, such as the Parish Council, local amenity groups, Kent County Council, Kent Highways, individual householders and local businesses to take part in positively managing the area.

It also can help identify opportunities where conservation can help to deliver wider social, cultural, economic and environmental benefits and

where there may be opportunities to draw on the contribution made by the historic environment to the character of a place.

This strategy is intended to encourage active involvement in the future management of the Conservation Areas.

6.1. Planning Policy and Guidance

See further Detail in Appendix 4.

Current Statutes and National Planning Policies

Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Section 66 in relation to Historic Buildings

National Planning Policy Framework and supporting guidance

Historic England Guidance

Historic England produce Good Practice Advice (GPA) and Advice Notes (HEAN).

Swale Borough Council Development Plan - Local Plan Policies - Bearing Fruits 2031

Core Objective 4. *Conserve and enhance our historic and natural assets as the means to drive regeneration, tourism, and environmental quality and to reverse declines in their condition.*

Policy CP8: Conserving and enhancing the historic environment

To support the Borough's heritage assets, the Council will prepare a Heritage Strategy. Development will sustain and enhance the significance of designated and non-designated heritage assets to sustain the historic environment whilst creating for all areas a sense of place and special identity. Development proposals will, as appropriate:

- 1. Accord with national planning policy in respect of heritage matters, together with any heritage strategy adopted by the Council;*
- 2. Sustain and enhance the significance of Swale's designated and non-designated heritage assets and their settings in a manner appropriate to their significance and, where appropriate, in accordance with Policies DM 32-DM 36;*
- 3. Respond to the integrity, form and character of settlements and historic landscapes;*
- 4. Bring heritage assets into sensitive and sustainable use within allocations, neighbourhood plans, regeneration areas and town centres, especially for assets identified as being at risk on national or local registers;*
- 5. Respond positively to the conservation area appraisals and management strategies prepared by the Council;*
- 6. Respect the integrity of heritage assets, whilst meeting the challenges of a low carbon future;*
- and 7. Promote the enjoyment of heritage assets through education, accessibility, interpretation, and improved access.*

Other relevant policies include:

- ST1 Delivering sustainable development in Swale
- CP4: Requiring good design
- CP7: Conserving and enhancing the natural environment
- DM14: General development criteria
- DM16: Alterations and extensions
- DM32: Development involving listed buildings
- DM33: Development affecting a Conservation Area
- DM34: Development affecting scheduled monuments and archaeological sites

Note the next Local Plan will cover the period 2022-2038

Adopted Supplementary Planning Guidance

The following Planning Guidance has been adopted by Swale Borough Council supplementary to the Swale Borough Local Plan, 2008:

- Conservation Areas
- Listed Buildings
- Kent Design

Swale Heritage Strategy 2020 -2032

This strategy provides a framework for the designation, conservation, management and physical and economic regeneration of Swale's Historic Buildings and Areas, including designated historic parks and gardens. From analysis of evidence on Swale's heritage and some early engagement with local stakeholders, a high level vision and set of five associated priorities have been identified.

6.2. Buildings at Risk

There are no designated heritage assets within the Borden Conservation Area on Historic England's Heritage at Risk Register or on the Swale Heritage at Risk Register.

Local heritage assets and features at risk have been identified in the management and action plan for each conservation area (section 6.5) These may be added to the local Heritage at Risk Registers if their significance is threatened by their condition. In such instances, the Council will notify respective owners and where possible, work with them to investigate opportunities for external funding to support efforts to conserve heritage assets included on the respective registers.

6.3 Condition and Forces for Change

Chestnut Street Conservation Area is in moderate condition
Borden The Street Conservation Area is in good condition.
Harman's Corner Conservation Area are in good condition.
Hearts Delight Conservation Area is in excellent condition.

Forces for Change

- Loss of historic orchards since the 1970s
- Pressure from commuter traffic and large vehicles using the Conservation Areas as a cut through between the A2 and the M2
- Pressure from commuter parking at Chestnut Street

6.4. Management Objectives and Approach

Householder Alterations and Article 4Directions

The Conservation Area Character Appraisal has identified some householder alterations which have involved the removal of historic features such as sash windows, doors, roof coverings and demolition of chimney stacks. These alterations are harmful to character but particularly so when they affect a symmetrical pair, or a terrace, where the impact of ill-considered alterations can be more obvious.

Many minor householder alterations to unlisted buildings can be undertaken without the need for planning permission but the cumulative impact of ill-considered change to historic and/or traditional properties can have a harmful effect on the character and appearance of the Conservation Area.

In light of the above, buildings where Article 4 Directions may be appropriate are identified in the management and action plan for each conservation area (section 6.5). This will allow some householder alterations (which are currently classed as permitted development) to be brought under planning control to ensure that alterations are positively managed.

Opportunities to reinstate missing architectural features (such as sash windows, panelled doors or roof coverings) and traditional boundary

treatments will be encouraged by the Council and may be requested in relation to planning applications for extensions and/or alterations, where appropriate.

The Council will seek to ensure that householder alterations which require planning permission positively enhance the special character and appearance of the Conservation Area.

Public Realm/Street Management

The public realm makes a positive contribution to the character of Borden Conservation Areas. However, in rural conservation areas it is especially necessary to guard against standard highway 'improvements' which do not respect the special character of the Conservation Area. All four areas are affected by pressure from commuter traffic and large vehicles using the village as a cut through between the A2 and the M2. Chestnut Street is also affected by commuter parking.

Trees, green space, grassy embankments and road margins are all significant features of the Conservation Area. Positive management of

highway trees and highway margins will be an important aspect of maintaining the special character of the Conservation Area.

Highway maintenance and improvements will be carried out in accordance with Kent County Highways 'Highway Works and Heritage Assets: The Kent Protocol for Highway Works in Relation to Designated Heritage Assets' second edition, 2011, which contains specific provision for works in Conservation Areas.

The Borough Council and County Council will seek to ensure that the public realm of this Conservation Area is sensitively managed.

New Development Opportunities

- There is little Potential for new development within the Borden The Street and, Harman's Corner Conservation Areas as infilling within boundary has already used up any vacant plots. However, any new buildings or renewal of existing sites need to consider the management priorities set out below.
- Development within the settings of the Conservation Area should conserve the historic grain of the villages and avoid the infilling of

the remaining rural countryside gap between Hearts Delight and Harman's Corner and between Borden and Sittingbourne.

- Further Ribbon development along Wrens Road, Pond Farm Road and Wises Lane, which over time will blur the village and hamlets into one settlement, should also be avoided.

6.5. Conservation Area Objectives and Priorities for Management and Action

Overarching Objectives: The Council will seek to ensure that the significance of The Borden Conservation Area is sustained and enhanced through:

1. The preservation and enhancement of the area's special interest, character or appearance
2. The preservation or enhancement of the setting of the conservation area and other designated heritage assets.
3. The safeguarding and better revealing the significance of any archaeology.
4. Protection and enhancement of landmarks, views and vistas within and without the conservation area.
5. Protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and

contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.

6. Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area.
7. Safeguarding the network of public rights of way.
8. Safeguarding significant spaces.
9. Safeguarding significant trees, orchards and woods
10. Promotion of high quality design in new development which responds positively to context and the distinct characteristics of the conservation area.

BORDEN THE STREET: PRIORITIES FOR MANAGMENT AND ACTION

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Focus of Iron Age and Roman activity and area of archaeological potential to the north of Pond Farm Road and the Street. (A)	Ob3	Policy - recognising archaeological sensitive/potential	
Village core includes an area of Anglo-Saxon, and Medieval archaeological potential (A)	Ob3	Policy - recognising archaeological sensitive/potential	
Surviving base of the Tithe Barn to the north of Boden Hall represents a feature of Mediaeval archaeological significance. (A)	Ob3	Feature of Archaeological significance	Archaeological recording of the surviving wall
Medieval church (Grade I) and churchyard (an historic local open space) (PC)	Ob1		.
Flint and Brick churchyard wall and Brick boundary wall to Borden Hall (Locally important feature in their own right) (PC)	Ob1 Ob6		Potential candidates for local listing
Grade II* Listed Borden Hall and other Grade II Listed Wealden Halls with at least an element of surviving 15 th century fabric: Chestnut Street Farm (Grade II Listed); Holly Cottage (Grade II Listed), plus The Homestead a building of local importance. (PC)	Ob1 Ob6		Article 4 Directions for The Homestead The Homestead potential for local listing
Later 17 th century timber framed buildings (Grade II Apple Tree Cottage) and early brick built houses Yew Street Cottage (Grade II). (PC)	Ob1		
Elegant brick built 19 th century houses including Forge House	Ob1		Article 4 Directions for 1 and 2 Oak

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
and Barrow House, (Grade II Listed), Oak House (Grade II Listed) and 1 and 2 Oak Cottages (Locally Important) and Olive House (Locally Important). (PC)			Cottages and Olive House Potential candidates for local listing.
The post office with its shop front which has been present on The Street since at least 1900 AD (Locally Important). (PC)	Ob1		Article 4 Directions Inclusion on the Swale Heritage at Risk Register
Post Office historic shop frontage not in use and in need of attention (NC)			
19 th century Forge (Grade II Listed) (PC)	Ob1 Ob10		Enhancement of the frontage
Other historic buildings of interest: mid to late 19 th Century Froghole, Wises Lane; Rose Cottage and the Conifers, The Street; early 19 th century terraced cottages 1-4 The Street and attached c.1900 cottage (no 5); converted 18 th ?/early 19 th century The Barn, The Street; and Borden Hall Cottages, School Lane. (PC)	Ob1		Article 4 directions for early 19 th century terraced cottages 1-4 The Street and attached c.1900 cottage no 5, The Street
Historic buildings facing directly onto the road or pavement or with narrow front plots defined by iron railings, white fencing or London stock brick walls. (PC)	Ob1 Ob10	Ensure appropriate boundaries to the frontage of buildings within the Conservation Area.	Seek opportunities to soften discordant existing frontages with appropriate planting and more traditional boundaries
Low brick retaining walls at the frontage of modern 20 th century properties not in character in size and material and detract from the appearance of the street scene where they occur on The Street and School Lane. Areas of hard standing and parking in the front of the setback 20 th century buildings on the south side of The Street. This creates a discordant note to the street scene. (NC)			

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Winding narrow enclosed lanes with few footways: Wisers Lane; School Lane; and Pond Farm Road. (PC)	Ob1	Policy – for ensuring a shared street space is maintained for all users, whilst still being sympathetic to the character of the Conservation Area	Investigate potential for Weight Restrictions
Pressure from commuter traffic and large vehicles using the village as a cut through between the A2 and the M2 (FC)			
The more open and formal streetscape of The Street and the traditional features (fingerposts, lamppost and sign) associated with the junction. Well defined by a row of chestnut trees (PC)	Ob1 Ob9		Maintain traditional street furniture and signage at the Junction.
Surviving traditional Orchard to the south of Yew Tree Cottage. (PC)	Ob1 Ob9	Policy for maintaining the historic and biodiversity potential of the orchard	Any remnant traditional orchard trees and varieties on private gardens and land are an important biological and heritage asset. They may also preserve traditional Kentish apple varieties. Work with the local community to identify
Loss of historic orchards since the 1970s (FC)			
The Playstool (important historic formal and informal recreational space) associated with mature beech and chestnut trees (PC)	Ob1 Ob8	Maintain chestnut trees Retain long distant views northwards	
Gardens and land surrounding Borden House and bordering onto Wisers Lane including the Listed 17 th century Dovecot, the foundations of the Tithe Barn. (PC)	Ob1 Ob6		Tithe Barn foundations added to Local List of Heritage structures
Pond and open land (historic local open space) to the west of Chestnut Street Farmhouse. (PC)	Ob1 Ob8	Policy for maintaining last surviving pond in village	

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Important views including framed vistas at Pond Farm Road, to Borden Hall and down The Street; Dynamic views with/without focal points on Wisers Lane, The Street, Pond Farm Road and School Lane, trackway to the south of Chestnut Farmhouse; and Panoramic views from the Playstool and School Lane looking north and along the footpath between Hearts Delight and Borden. (PC)	Ob1 Ob4	Retain panoramic views along the footpath, and the framed vistas	
Modern farm buildings to the south and west of Street Farmhouses within the setting of the Conservation Area which provide a hard modern edge of views towards the Conservation Area from the footpath running between Borden and Hearts Delight, and which are unsympathetic in scale and materials. (NC)	Ob1 Ob2 Ob4	Policy for lessening impact <i>[need to check planning history]</i>	Screening of Poplars to soften eastern edge
Core of the historic village still separate from the modern fringe of Sittingbourne to the north; the Mediaeval and early Post Mediaeval development of the village can still be read in the landscape. (PC)	Ob1 Ob2 Ob5 Ob4 Ob10	Prevent further ribbon development which erodes the footprint of the village Policy to maintain meaningful countryside gap	
Rural countryside setting to the north, west and south with features of historic interest linked to the significance of the Conservation Area (PC)			
Unsympathetic ribbon development along northern approach to the Conservation Area along Wisers Lane in the setting of (NC)			
Infilling of the historic separation between Borden and Harman's Corner (NC)			

CHESTNUT STREET: PRIORITIES FOR MANAGAMENT AND ACTION

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Archaeological potential for Early and Middle Palaeolithic archaeology and paleo-environmental information focused on the Coombe/Head deposits and the head/solifluction gravel	Ob3	Policy - recognising archaeological sensitive/potential	
Archaeological potential for Saxon and Medieval archaeology focused on the Wealden Halls (A)	Ob3	Policy - recognising archaeological sensitive/potential	
Possible Medieval and definite Post-Medieval archaeological evidence for chalk and gravel extraction on the south side of the Conservation Area.	Ob3	Policy - recognising archaeological sensitive/potential	Identify and record quarries – potential for listing as locally important archaeological features.
A group of four 15th and 16th century timber framed Listed Buildings on the south side of Chestnut Street (Hook’s Hole Grade II*; Old House Grade II; Tudor Rose/Dumbles Grade II; and Oldstede Grade II*)	Ob1 Ob2 Ob10	Ensuring future development and modification of this area enhances the character of the Conservation Area	.
Area of unsympathetic land use to the south of the Listed Buildings			
A row of later historic 18 th and 19 th century cottages on the north side of the road including the Tudor Rose Public House and Chestnut Cottage/Chestnut House (Buildings of Local Importance)	Ob1		Potential candidate for local listing Article 4 directions for Chestnut Cottage/Chestnut House
Unsympathetic design of 20 th century houses infilling the streetscape on the northern side	Ob1 Ob10	Future development or modification of these plots use sympathetic building materials and	

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
		styles	
An unattractive area of former highway now used for commuter parking which detracts from the street scene.	Ob1 Ob10		Bring forward development of this area which enhances character of the Conservation Area
Location on the historic toll road between Sittingbourne and Maidstone, evidenced by surviving roadside milestone (Locally Important)	Ob1 Ob6	Policy to preserve milestone in situ	Milestone potential for local listing
The creation of the modern dual carriageway has allowed the rural character of the hamlet to remerge (PC)	Ob1		Restrict road side parking for non-residents within the new CA boundary
Pressure from commuter traffic and large vehicles using the village as a cut through between the A2 and the M2 (FC)			
Commuter parking within the Conservation Area.			
Evidence for Post-Medieval quarrying for chalk and gravel which is of archaeological interest (PC)	Ob1	Seek opportunities to record the morphology and any surviving structures in the chalk quarry	Restore condition of pond
Potential loss of Limekilns within the large chalk quarry			
Pond in poor condition			
The surviving open countryside to the east, west and south all form important open spaces preserving the sense of the rural location of the buildings. (PC)	Ob1 Ob3 Ob8	Retain these open spaces. Avoid inappropriate large-scale or obtrusive elements on visually sensitive open areas and valley sides.	
Areas of grazed pasture to the east and west of the group of timber framed Listed Buildings separates the cluster of Chestnut Street's older building from other residential development and industrial development, and consequently helps to maintain the integrity of the historic area. (PC)	Ob1 Ob3 Ob8	Prevent further infilling on the north west side of Chestnut Street. Maintain integrity of the area.	

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
<p>Local views along Chestnut Street, revealing buildings of historic interest as you travel through the Conservation Area (PC)</p> <p>Medium and Long distance 180 degree views from the Footpath which runs from the southeast corner of the Conservation Area up to Chestnut Wood and then eastwards Limepits Cross (PC)</p> <p>180 degree medium Panoramic Views along Chestnut Street looking south east across meadow on south side of the Conservation Area. (PC)</p>	<p>Ob1 Ob3 Ob4</p>	<p>Retain key views</p>	
<p>Large modern sheds/barns within the northern setting of the Conservation Area. This is an incongruous element in the landscape (NC)</p>	<p>Ob1 Ob2</p>		<p>Screening of these sheds on their western side with native tree planting to soften hard edge.</p>

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Archaeological potential for Iron Age and Roman Archaeology	Ob3	Policy - recognising archaeological sensitive/potential	
Archaeological potential for Saxon and Medieval archaeology focused on the Wealden Halls (A)	Ob3	Policy - recognising archaeological sensitive/potential	
Group of Listed Timber framed houses: Broumfield (Grade II LB 1185794) is an 18 th century timber framed house; Harman's Corner (Grade II LB 1069390) is a 17 th century timber framed house; 245 and 247 Borden Lane (Grade II LB 1069423) a 15 th Century Wealden Hall with surviving original fabric; and Bannister Hall (Grade II LB No 1069422) identified as a 16 th century timber framed house it has origins in the 14 th century.	Ob1 Ob2		
241 Borden Lane (Grade II LB No 1185676) is a 19 th century house	Ob1 Ob2		
Bannister House (Locally Important) is substantial brick house built 1880.	Ob1 Ob6		
Upper Bannister Hill Cottages a matching pair of two storey 19 th century rendered houses No's 1-4 Bannister Cottages early 20 th century two storey cottages	Ob1 Ob6		
Significant boundary retaining wall with a hedge above on Bannister Hill	Ob1 Ob6	Needs to be retained	Candidate for Local listing
Cast iron fingerpost at junction	Ob1 Ob6	Needs to be retained	Candidate for Local listing
Boundaries including railing and white painted timber palings	Ob1 Ob6	Needs to be retained	
Lack of pavements is a key element of the streetscape.	Ob1		
Some frontages of modern 20 th century properties not in character in size and material and detract from the appearance of the street scene	Ob1 Ob10	Future development or modification of these plots use sympathetic building materials	

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
		and styles	
The corner is well defined by trees including yew, holly and sycamore.	Ob1 Ob9		TPOs?
Dynamic Views along Bannister Hill, The Street and Borden Lane Medium Distant view towards the Conservation Area from higher land to the east. 60 degree Panoramic Views along the footpath between Hearts Delight and Borden village allows an appreciation of the relationship between Borden Village, Harman's Corner and Hearts Delight.	Ob1 Ob4 Ob7	Retain key views	
Surviving open land within the eastern setting of the Conservation Area.	Ob1 Ob 2	Retain key views. Retain open land to the east.	
Unsympathetic ribbon development along northern approach to the Conservation Area along Borden Lane	Ob5 Ob10		
Infilling of the historic separation between Borden and Harman's Corner			

HEARTS DELIGHT: PRIORITIES FOR MANAGEMENT AND ACTION

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Important archaeological interest includes areas of archaeological sensitivity and potential:	Ob3	Policy for recognizing archaeological	

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Early Palaeolithic archaeology associated with the clay-with-flints on the eastern valley slope and top Iron Age and Roman archaeology throughout the valley. Iron Age coinage was found at Sharps House and there is a D-Shaped enclosure to the west of Filmer House just outside the Conservation Area boundary. Saxon and Medieval archaeology focused around the three Wealden Halls		sensitive/potential	
Filmer House a 15 th century timber (Grade II) framed house with 16 th and 17 th century components lie within the valley bottom. Sharps House lies on the northern edge of the Conservation Area. This is a 17 th century timber frame property (Grade II) with thatched roof. Hearts Delight House (Grade II), a 15 th century timber framed property with later cladding from the 17 th and 19 th centuries.	Ob1 Ob2		
Position of Sharps House and Hearts Delight House on the valley side with high brick and flint walls with distinctive entranceways	Ob1 Ob5	Boundaries feature of Local Importance	
Isolated Position of Filmers House on the valley floor	Ob1 Ob5		
Yew Hedge at boundary to Sharps House	Ob1 Ob6	Retain- Feature of historic Importance	
Pre 1800 Brick built garden wall to the north of Filmer House historically associated with Hearts Delight House.	Ob1 Ob6	Feature of Local Importance	Candidate for local listing
Separation of Hearts Delight from modern southern extent of Borden.	Ob1 Ob2 Ob4	Retain the gap	
The meadow which wraps around the back of Filmers House is an important open space on the western side of the Conservation Area	Ob1 Ob8		

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Loss of Traditional Orchards/Fruit Trees	Ob1 Ob9		
The southern setting immediately adjacent to Wrens Lane is affected by the modern ribbon development which has occurred on its western side.	Ob1 Ob2 Ob10	Prevent further infilling	

APPENDICES

Appendix 1: Extracts from the National Heritage List for England (the Statutory List of Buildings of Special Architectural or Historic Interest)

The statutory list is compiled and published by the Secretary of State for Culture Media and Sport and is altered and amended from time to time. The list descriptions below were current in March 2016 but for more up to date information please visit the National Heritage List for England at www.historicengland.org.uk/listing/thelist.

The omission of a building from this list should not necessarily be taken to indicate that it is not listed.

Features which are not specifically mentioned in the list description are not exempt from statutory protection which extends to the building, to any object or structure fixed to the building and to any structure within the curtilage of the building pre-dating the 1st July 1948.

BORDEN THE STREET

Borden Hall

Grade: II*

List Entry Number: 1185884

Date first listed: 27-Aug-1952

Statutory Address: BORDEN HALL, WISES LANE

TQ 86 SE BORDEN WISE'S LANE (west side)

5/27 Borden Hall 27.8.52 GV II*

House. C15 and C17. Timber framed and part exposed with plaster infill, and clad with chequered brick and plaster, with plain tiled roof. Two storeys and basement with coved eaves cornice, and stacks to centre left and projecting end right. The front of 8 windows, in 3 blocks. Left: painted brick and plaster, 3 wood casements to each floor. Centre: chequered brick with 2 oversailing half-hipped gables, 4 wood casements on first floor and 3 on ground floor with gauged heads and 5 panelled door to left with flat hood. Right: originally jettied, now underbuilt with red brick, end jettied and with exposed close studding and plaster infill on first floor and oversailing hipped gable, 1 mullioned window on first floor, 2 light segmental oriel window on ground floor. (See B.O.E. Kent II, 1983, 149).

Listing NGR: TQ8820963022

Dovecot 15 yards North of Borden Hall

Grade: II

List Entry Number: 1343891

Date first listed: 27-Nov-1984

Statutory Address: DOVECOT 15 YARDS NORTH OF BORDEN HALL, WISES LANE

TQ 86 SE BORDEN WISE'S LANE (west side)

5/28 Dovecot 15 yards north of Borden Hall

GV II

Dovecot. C17. Timber framed and part exposed, part clad with weather board and plaster to first floor, with plain tile roof. Two storeys and loft with hip, lantern and 1 hipped dormer. Loft door, and half-door with side lights.

Listing NGR: TQ8820963022

Church of St Peter and St Paul

Grade: I

List Entry Number: 1185731

Date first listed: 24-Jan-1967

Statutory Address: CHURCH OF ST PETER AND ST PAUL, THE STREET

TQ 86 SE BORDEN THE STREET (north side)

5/30 Church of St. Peter 24.1.67 and St. Paul

GV I

Parish church. C12, C13 and C15. Flint. Western tower, nave and aisles, chancel and aisles, south porch and priests room to north west. Exterior: large 2 stage tower with string course to parapet. Romanesque west doorway with attached shafts, roll mould, beaded zig-zag surround and fish-scale pattern on drip mould. Three light C15 Perp. window over, C12 2 light in upper stage, and C15 2 light belfry opening. Lozenge-shaped clock face on south wall. One storey square stair turret to north west. South aisle with diagonal corner buttress, battlemented parapet, C15 Perp. windows and battlemented south porch with water-spouts. Battlemented octagonal vice separates aisle from south east chapel. Two offset buttresses and eastern diagonal buttress, with steeply pitched roof, with the top

portion only of a restored C13 lancet window, 3 light C16 window and restored C14 "kentish" traceried window with mouchelles and flattened heads. The north east and south east chapels are on plinths, the chancel, not so, reveals C12 quoins. South east window c. 1300 cusped Y-tracery, the east window C19 reticuled style, the north east c. 1300 cusped Y-tracery. North aisle with 3 buttresses and 3 C14 curvilinear windows of 2 lights with mouchettes. Interior: large C12 tower arch scalloped, with attached shafts. 2 bay double-chamfered nave arcade, octagonal water - holding based piers. Roof of 3 crown posts and 1 wooden clerestory light. South east chapel with upper half of lancet reveal, 2 bay arcade to chancel. Heavily restored chancel with C19 2 bay arcade to north east chapel (now organ space). Chancel roof C19 cusped and panelled ceiling, south-east chapel C15 boarded segmental tunnel-vault, with covered bases concealing hammer-beams. Fittings: angle piscina in chancel, and cusped piscinae in south chapel and south aisle. Doorways in south aisle to external vice, for missing roof loft. C15 font, octagonal, with large rised letters on side: DTB, with wrought iron hood attached to pulley system on wall. Hexagonal C17 pulpit. Monuments: in south east chapel, wall monument to Robert Plot the elder d. 1671, showing St. Michael spearing the Devil, who lies under St. Michaels shield which bears an inscription. Supported by a shield below, with field of weapons of war, and crest of canons supporting a knight's helm; attributed Jaspar Latham. In north aisle: Dr. Robert Plot, d.1696, antiquarian, Oxford don, first secretary of Royal Society. Large oval tablet wreathed with flowers and palms with urn over, putti on edge of oval and coat of arms below. Also, wall tablet to Ralph Sherwood, d. 1705, and Mary Sherwood, d. 1708. White alabaster scrolled plaque with putti and urn over, on coved base. Coat of Arms in lozenge panel in north aisle - in memoriam Rebecca Plot. Brasses to William Fyge, d. c. 1450 and William Fordmell, d. 1521, layman and priest respectively. Wall painting on north wall of St. Christopher c. 1500. Royal Arms over south door, 1719. (See B.O.E. Kent II, 1983 p. 147 - 8).

Listing NGR: TQ8822562864

Yew Tree Cottage

Grade: II

List Entry Number: 1069389

Date first listed: 27-Nov-1984

Statutory Address:

YEW TREE COTTAGE, POND ROAD

TQ 86 SE BORDEN POND ROAD (east side)

5/31 Yew Tree Cottage

II

Farmhouse. Early C18. Red brick and plain tiled roof. Two storeys and hipped roof with catslide to left, stacks to centre left and projecting and offset stack to right. Four metal casements to first floor, 3 wood casements to ground floor with segmental heads. C20 plank and stud door with flat hood centre left.

Listing NGR: TQ8809362887

Street Farm House

Grade: II

List Entry Number: 1185802

Date first listed: 24-Jan-1967

Date of most recent amendment:

27-Nov-1984

Statutory Address: STREET FARM HOUSE, THE STREET

TQ 86 SE BORDEN THE STREET (south side)

5/32 Street Farm House 24.1.67 and Nos. 1-3 Street Farm Cottages

GV II

Cottage row. C16 and clad C17 - C19. Timber framed, exposed with, plaster infill, and part clad with flint and red brick to left return front, with plain tile roof. Street front: 2 storeys. Close-studded frame with deep first floor jetty on brackets; roof hipped with return hip and gablet to right and stack to right. Irregular fenestration of 3 wood casements to each floor, and half-door to left end and board door centre left. To right a C18 red brick and plain tile roof extension with 1 wood casement and 1 hatch. Left return front: a long timber framed range all of 2 storeys variously projecting and roofed. To right: 1-bay brick ground floor, plaster over; left of this C18 chequered brick with plat band, 3 wood casements anti central board door; to left 1-bay exposed frame, close-studded with brick nogging underbuilt with flint and dressed stone; to left 3 bay exposed close studding with plaster infill and arched bracing; end left projecting 2-bay, clad with C20 red brick. Igglesden suggests this range may be associated with a medieval cell of Leeds Priory, the flint and stone section in left return front may be medieval. (See Igglesden, Vol. 24, p.48ff.)

Listing NGR: TQ8822562864

Apple Tree Cottage The Cottage

Grade: II

List Entry Number: 1343889

Date first listed: 24-Jan-1967

Statutory Address: APPLE TREE COTTAGE, THE STREET

Statutory Address: THE COTTAGE, THE STREET

TQ 86 SE BORDEN THE STREET (south side)

5/33 Apple Tree Cottage 24.1.67 and The Cottage

GV II

Cottage pair. C17 and C19. Timber framed and exposed with red brick infill and underbuilt with red brick, with plain tiled roof. Three framed bays. Two storeys on plinth, the upper storey with exposed panel frame, timbers of small scantling and wavy braces, and herring bone brick noggins. Hipped roof with stacks to end left and centre right. Three wood casements to each floor, that to left in C19 extension. Board door centre-left. Once the Parish Workhouse.

Listing NGR: TQ8822562864

Forge House and Barrow House and Railings to North

Grade: II

List Entry Number: 1069391

Date first listed: 27-Nov-1984

Statutory Address:

FORGE HOUSE AND BARROW HOUSE AND RAILINGS TO NORTH, THE STREET

TQ 86 SE BORDEN THE STREET (south side)

5/34 Forge House and Barrow house and Railings to north

GV II

Two houses and Assembly Rooms. 1823. White brick and slate roof. Two storeys on basement, and hipped roof with 4 stacks evenly spaced. Regular fenestration of 6 glazing bar sash windows on first floor with cambered and gauged heads, and 4 glazing bar sash with gauged basket arches on ground floor. Two 6 panelled doors left and right with semi-circular traceried fanlights in gauged arched surrounds at top of flight of 2 steps. Interior: preserved are the meeting rooms of the Barrow's Trust with marble fireplace, panelled walls and carved and

moulded frieze. Fore- court enclosed by fleur-de-lys iron rails, 30 yards in length. Rear elevation with plaque inscribed: Erected By Mr. Barrow's Trustees Richard Tylden Esq. William Bland Jnr. Esq. Revd. R.O. Tylden William Baldwin Esq. 1823 The Trust still maintains charitable functions and meets in the Rooms.

Listing NGR: TQ8828362946

Holly Tree Cottage

Grade: II

List Entry Number: 1343888

Date first listed: 27-Nov-1984

Statutory Address: HOLLY TREE COTTAGE, THE STREET

TQ 86 SE BORDEN THE STFEET (north side)

5/36 Holly Tree Cottage

GV II

House. C16 and clad C19. Timber framed arid clad with red brick, with plain tiled roof. Two storeys and hipped roof with gablets and stack centre left. Irregular fenestration of 4 wood casements to-first floor, 3 to ground floor, with C20 doors left and right with flat hoods on brackets. Right return front has exposed lath and plaster first floor wall cladding.

Listing NGR: TQ8831562958

Oak House

Grade: II

List Entry Number: 1069393

Date first listed: 27-Nov-1984

Statutory Address: OAK HOUSE, WISES LANE

TQ 86 SE BORDEN WISE'S LANE (east side)

5/29 Oak House

II

House. C18. Chequered brick with plain tiled roof. Two storeys with basement and garret, on plinth with brick dentilled cornice to hipped roof with central stack. Regular fenestration of 3 wood casements on first floor, 2 on ground floor with segmental heads, and central 2 panelled door with flat hood on consoles.

Listing NGR: TQ8831563033

CHESTNUT STREET

Hook's Hole

Grade: II*

List Entry Number: 1069424

Date first listed: 27-Aug-1952

Statutory Address:

HOOK'S HOLE, CHESTNUT STREET

TQ 86 SE BORDEN CHESTNUT STREET (south side)

5/16 Hook's Hole 27 8 52 GV II*

Wealden hall house. C15. Timber framed and exposed with painted brick and plaster infill and plain tiled roof. Four framed bays of 2 storeys, with returned jetties to left and right supported on dragon posts. Coved eaves to central recessed hall, arch braced flying wall plate, hipped roof with gablets and stacks to rear left, centre, and projecting end right. Irregular fenestration of 3 wood casements to first floor, 2 to ground floor, with original plank and stud door in 4 centred arched and moulded surround and indecipherable inscription over. Interior: C17 inserted floor over hall, carved beam, crown post roof braced to collar from base of post.

Listing NGR: TQ8760863898

Olde Houses

Grade: II

List Entry Number: 1069382

Date first listed: 24-Jan-1967

Date of most recent amendment: 27-Nov-1984

Statutory Address:

OLDE HOUSES, CHESTNUT STREET

TQ 86 SE BORDEN CHESTNUT STREET (south side)

5/18 Olde Houses (formerly listed as 24.1.67 nos. 1 and 2 Old Cottages)

GV II

House, formerly 2 cottages. C16. Timber framed and exposed with plaster infill, underbuilt with painted brick; plain tiled roof. Four framed bays. 2 storeys; hipped roof with gablets, projecting gabled extension to right and catslide outshot to left, with central stack. Two wood casements to each floor, and 2 central board doors.

Listing NGR: TQ8759263890

Dumbles Tudor Rose Cottage

Grade: II

List Entry Number: 1069381

Date first listed: 27-Aug-1952

Date of most recent amendment: 27-Nov-1984

Statutory Address:

DUMBLES, CHESTNUT STREET

Statutory Address:

TUDOR ROSE COTTAGE, CHESTNUT STREET

TQ 86 SE BORDEN CHESTNUT STREET (south side)

5/17 Tudor Rose Cottage and 27.8.52 Dumbles (formerly listed as Tudor Rose Cottage and oldstead Cottage) GV II

House, now 2 cottages. C16. Timber framed, close studded arch braced, and exposed with plaster infill and plain tiled roof. Four bays and 2 storeys with gable left and hip to right. Stacks to left end and right end and to centre. Irregular fenestration of 3 glazing bar sashed covered oriels to first floor, and 4 sash and wood casements to ground floor, and half-glazed door to left in gabled hood.

Listing NGR: TQ8757863878

Oldstede

Grade: II*

List Entry Number: 1069383

Date first listed: 27-Aug-1952

Date of most recent amendment: 27-Nov-1984

Statutory Address:

OLSTEDE, CHESTNUT STREET

TQ 86 SE BORDEN CHESTNUT STREET (south side)

5/19 1 and 2 Oldstede 27.8.52 (formerly listed as Oldstede) GV II*

House, now 2 houses. C15 and C17 dated 1613. Timber framed and exposed with plaster infill and plain tiled roofs. To right: C15 large panelled framing with arched bracing, 3 framed bays. Two storeys and hipped roof with catslide outshot to right. Irregular fenestration of C20 wood mullioned windows and board door to left. To left: C17 close-studded and jettied cross-wing. Two storeys and garret. Oriel windows to ground and first floors, and garret window on carved brackets. Stack to rear. The jettied gable bresummer bears inscription: BTA 1613. Interior: Staircase of c. 1613. 1 flight winder and landing with carved newel posts. Two stone chimney pieces of c. 1613 - downstairs with 3 carved panels surrounded by strapwork and damasque work supported on pilasters either side of fireplace and with cornice over. Upstairs of 2 panels with semi-circular fans over, with blirdbalusters and cornice over. (See Marshall Harvey, Sketchbook 1908).

Listing NGR: TQ8755863860

HARMAN'S CORNER

Bloumfield

Grade: II

List Entry Number: 1185794

Date first listed: 24-Jan-1967

Date of most recent amendment: 27-Nov-1984

Statutory Address: BLOUMFIELD, THE STREET

TQ 86 SE BORDEN THE STREET (north side)

5/38 Bloumfield (Formerly listed 24.1 67 as Broumfield, Harmans Corner)

GV II

House. C18. Timber framed and clad with weather board with plain tiled roof. Two storeys and garret with half-hipped roof and central stack. Regular fenestration of 3 glazing bar sashes on first floor, 2 on ground floor with cornice heads, and central door of 4 panels with flat hoed on brackets.

Listing NGR: TQ8870462732

Harman's Corner

Grade: II

List Entry Number: 1069390

Date first listed: 24-Jan-1967

Date of most recent amendment: 27-Nov-1984

Statutory Address: HARMAN'S CORNER, THE STREET

TQ 86 SE BORDEN THE STREET (north side)

5/37 Harmans's Corner 24.1.67 (formerly listed as House at Harman's Corner adjoining Broumfield) GV II

House. C17. Timber framed and clad with weather board, with plain tiled roof. L-shape plan. Two storeys, hipped roof and return-hip to right and 2 stacks to rear. Irregular fenestration of 2 glazing bar sashes on first floor, 1 on ground floor with cornice head, and C20 board door to left with moulded architrave and cornice-hood.

Listing NGR: TQ8872262726

241 Borden Lane

Grade: II

List Entry Number: 1185676

Date first listed: 27-Nov-1984

Statutory Address:

241, BORDEN LANE

TQ 86 SE BORDEN BORDEN LANE (east side)

5/39 No. 241

GV II

House. Early C19. White brick and slate roof. Two storeys and hipped roof with stack to left. Three glazing bar sash windows on first floor, 2 on ground floor, with central door of 6 raised and fielded panels and semi-circular fanlight with gauged surround on imposts. Included for group value only.

Listing NGR: TQ8876162703

245. and 247 Borden Lane

Grade: II

List Entry Number: 1069423

Date first listed: 24-Jan-1967

Date of most recent amendment: 27-Nov-1984

Statutory Address:

245 AND 247, BORDEN LANE

TQ 86 SE BORDEN BORDEN LANE (east side)

5/40 Nos. 245 and 247 (formerly listed as 24.1.67 Nos. 1 and 2 Providence Cottages)

GV II

Wealden hall house. C15. Timber framed and exposed with plaster infill, underbuilt painted brick to right, with plain tiled roof. Three framed bays and screens passage. Two storeys with jettied end bay right and that to left underbuilt. Arch braced flying wall plate over recessed central hall and screens passage bays. Hipped roof with inserted stack centre left in screens passage, and projecting stack end right. Eaves line of left end bay raised. Irregular fenestration of 4 wood casements on first floor, and 3 on ground floor, with board doors end left, centre right, and right.

Listing NGR: TQ8875862689

Bannister Hall

Grade: II

List Entry Number: 1069422

Date first listed: 27-Nov-1984

Statutory Address: BANNISTER HALL, BANNISTER HILL

TQ 86 SE BORDEN BANNISTER HILL (west side)
5/41 Bannister Hall

II

House. C16. Timber framed and clad with rough cast and applied timber, with plain tiled roof. Two storeys and hipped roof with stack rear left. Irregular fenestration of 4 wood casements, with central C20 plank door.

Listing NGR: TQ8869662643

HEARTS DELIGHT

Sharp's House

Grade:II

List Entry Number:1343885

Date first listed:24-Jan-1967

Date of most recent amendment:

27-Nov-1984

Statutory Address: SHARP'S HOUSE

Q 86 SE BORDEN HEART'S DELIGHT (east side)

5/53 Sharp's House (formerly listed as 24.1.67 Mount Pleasant)

II

House. C17. Timber framed and exposed with painted brick infill on ground floor and plaster infill on first floor; thatched roof. Two storeys on plinth with hipped roof and stacks to centre left, and projecting at end left in red brick extension. Irregular fenestration of 3 mullioned wood casements on first floor and 1 wood casement and 1 glazing bar sash window with shutters on ground floor with board door to centre left.

Listing NGR: TQ8866462293

Filmer House

Grade: II

List Entry Number: 1069386

Date first listed: 27-Aug-1952

Date of most recent amendment: 27-Nov-1984

Statutory Address: FILMER HOUSE

TQ 86 SE BORDEN HEART'S DELIGHT (west side)

5/51 Filmer House 27.8.52 (formerly listed as Heart's Delight Farm cottages)

II

House. C15 to C17. Timber framed and exposed with plaster infill, underbuilt with red brick to right, with plain tiled roofs. 'L'-shaped of 3 separate builds. Front elevation: 2 storeys on plinth, with continuous jetty, hipped roof with gablets and stacks to centre right, end left and end right. Irregular fenestration of wood casements and board door centre right. The two framed bays to left are close-studded below, with panels and tension bracing over; the bay to right is of a separate build, underbuilt in brick, close studded over. To right rear is a gabled C17 wing with notably higher roof line and some decorative panelling.

Listing NGR: TQ8856062198

Hearts Delight House

Grade: II

List Entry Number: 1343886

Date first listed: 27-Aug-1952

Date of most recent amendment: 27-Nov-1984

Statutory Address:

HEART'S DELIGHT HOUSE, HEART'S DELIGHT ROAD

TQ 86 SE BORDEN HEART'S DELIGHT ROAD (north side)

5/52 Heart's Delight House (formerly listed as 27.8.52 Heart's Delight Farm Cottages) with wall adjoining.

II

House. C16 clad C17 and C19. Timber framed and clad with red brick and tile hung with plain tile roof. Two storeys and hipped roof with stacks projecting at

end left, and to rear centre left and rear right. Separately hipped extension to right. Irregular fenestration of 4 wood casements to each floor, and board door to centre left. Right return front with exposed close studded framing. A C16 red brick wall encloses a courtyard before the house - the wall 6 feet high, extends 10 yards from the front of the house and runs a length of 10 yards before returning. In the west wall is a plank and stud door in, brick arch with flat head, discontinuous cornice and coping.

Listing NGR: TQ8857362113

Appendix 2: Proposed amendments to Borden Conservation Areas boundaries

As part of the review of the four Borden Conservation Areas, consideration has been given to whether the current boundaries accurately reflect the areas which is considered to have special architectural or historic interest.

In large part, the areas covered by the Conservation Area is considered to be appropriate in that they still possesses special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. However, there are two areas where it is proposed to alter or extend the boundary of the Conservation Area. These discussed below:

Borden The Street



BCA1 Borden Hall Cottages – The cottages mark the northern extent of the historic settlement on School Lane. They are a pair of attractive brick built cottages dating to the late 19th century, which with the bend in School Lane mark the start of the historic interest within the Conservation Area.

Area.

BCA 2 Yew Tree

Cottage and adjacent land - The approach to the village along Pond Farm Road rises uphill and the settlement edge is



first reached at Yew Tree Cottage, an attractive early 18th century house in red brick with a tiled roof. This is set back in its own plot of land with a

grazed meadow behind. There are views across this meadow towards the pond with Street Farmhouse and cottages behind.

BCA3 Orchard to the south of Yew Tree Cottage - Orchards were formerly a dominant component of the Conservation Area from the 1700s to the 1970s. Any remnant traditional orchard trees and varieties on private gardens and land are an important biological and heritage asset. They may also preserve traditional Kentish apple varieties. Only one traditional orchard has been positively identified to the south of Yew Tree Cottage (identified as of priority habitat in the Natural England Traditional Orchard Inventory). There has been an orchard in the landscape since at least AD 1839. This marks the southern boundary to the historic settlement on Ponds Farm Lane.

Harman's Corner

HCA1 land to the west of the Conservation Area - This is to include the pair of characterful C19 cottages known as Homestead Cottages.

HCA 2 central area to the north of Bannister Hall. The smaller more central addition is included because they are part of the street scene within this Conservation Area and right next door to the listed Bannister Hall

Chestnut Street

CCA1 – buildings on the north eastern side of the Conservation Area on the northern side of Chestnut Street. Extension to include 19th century settlement pattern on the north side of the road as far as the Tudor Rose Public House. The pub is a building of local importance and consists of two storey brick built public house now all painted with timber sash windows on first floor and concrete tiled roof. A public house has been on this site since at least 1840.

CCA2 land to the east of the Conservation Area boundary - Open area of pasture on the northern side of the Conservation Area consisting of permanent grazing. The field is slightly hollowed, with the evidence of historic gravel quarrying (dating to before AD 1836). This mirrors the open pasture on the western side of the Conservation Area which is included within the Conservation Area



Hearts Delight

No boundary changes proposed

Appendix 3: Bibliography of key legislation, key national and local policy and guidance and local history publications

Planning (Listed Buildings and Conservation Areas) Act 1990

<http://www.legislation.gov.uk/ukpga/1990/9/contents>

➤ **Section 66** General duty as respects listed buildings in exercise of planning functions.

(1) In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

➤ **Section 69** Designation of conservation areas.

(1) Every local planning authority—

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character

or appearance of which it is desirable to preserve or enhance, and

(b) shall designate those areas as conservation areas.

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

(3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area. (4) The designation of any area as a conservation area shall be a local land charge.

➤ **Section 71** Formulation and publication of proposals for preservation and enhancement of conservation areas.

(1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.

➤ **Section 72** General duty as respects conservation areas in exercise of planning functions.

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] any of the

provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework

<https://www.gov.uk/guidance/national-planning-policy-framework>

The National Planning Policy Framework (NPPF) sets out the government's planning policies, and how they are expected to be applied.

The NPPF covers the historic environment primarily in paragraphs 184 - 202 (Chapter 16).

National Planning Practice Guidance PPG

<https://www.gov.uk/government/collections/planning-practice-guidance>

The PPG includes particular guidance on matters relating to protecting the historic environment in the section: Historic Environment.

Guidance and Advice from Historic England

<https://historicengland.org.uk/advice/planning/planning-system/>

➤ **Historic England Good Practice Advice Notes (GPAs).**

These provide supporting information on good practice, particularly looking at the principles of how national policy and guidance can be applied.

- GPA1 - Local Plan Making

- GPA2 - Managing Significance in Decision-Taking in the Historic Environment
- GPA3 - Setting and Views

➤ **Historic England Advice Notes (HEANs)**

include detailed, practical advice on how to implement national planning policy and guidance.

- Historic England Advice Note 1 - Conservation Areas
- Historic England Advice Note 2 - Making Changes to Heritage Assets
- Historic England Advice Note 4 - Tall Buildings
- Historic England Advice Note 9 - The Adaptive Reuse of Traditional Farm Buildings
- Historic England Advice Note 10 - Listed Buildings and Curtilage
- Historic England Advice Note 12 - Statements of Heritage Significance

Swale Borough Council Heritage Strategy 2020

<https://www.swale.gov.uk/swale-heritage-strategy/>

The Council has developed a borough-wide heritage strategy to help it, along with key stakeholders and other interested parties, to protect and manage the historic environment in Swale in a positive and sustainable way, on a suitably informed basis.

A key element of the strategy is the setting out of the Council's overall vision and set of priorities, which it is hoped will align with the vision and priorities of local communities and local amenity societies as far as possible, in order that the strategy can be widely supported.

The strategy sets out a series of proposals in the associated initial 3 year action plan which are aimed at enabling the positive and sustainable management of different elements of the borough's historic environment for the foreseeable future. Priority is given to those parts of the borough's historic environment which are already suffering from, and at risk from negative change, and/or which face significant development pressure, threatening their special character. The proposed set of actions will involve joint project working with amenity societies and/or volunteers from the community wherever this is possible.

Adopted Local plan Bearing Fruits 2031: The Swale Borough Local Plan 2017)

<http://services.swale.gov.uk/media/files/localplan/adoptedlocalplanfinalwebversion.pdf>

Relevant objectives and policies within the local plan include:

Policy ST 1 Delivering sustainable development in Swale

To deliver sustainable development in Swale, all development proposals will, as appropriate:.....

8. Achieve good design through reflecting the best of an area's defining characteristics;
9. Promote healthy communities through:..... e. maintaining the individual character, integrity, identities and settings of settlements;
12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment, and integration of development with the importance, form, and character of heritage assets (inc. historic landscapes).

➤ **Policy CP 4 Requiring good design**

All development proposals will be of a high quality design that is appropriate to its surroundings. Development proposals will, as appropriate:...

2. Enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening sense of place;
5. Retain and enhance features which contribute to local character and distinctiveness;.....
8. Be appropriate to the context in respect of materials, scale, height and massing;
9. Make best use of texture, colour, pattern, and durability of materials;
10. Use densities determined by the context and the defining characteristics of the area;
11. Ensure the long-term maintenance and management of buildings, spaces, features and social infrastructure;.....

➤ **Policy DM 32 Development involving listed buildings**

Development proposals, including any change of use, affecting a listed building, and/or its setting, will be permitted provided that:

1. The building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, are preserved, paying special attention to the: a. design, including scale, materials, situation and detailing; b. appropriateness of the proposed use of the building; and c. desirability of removing unsightly or negative features or restoring or reinstating historic features.
2. The total or part demolition of a listed building is wholly exceptional, and will only be permitted provided convincing evidence has been submitted showing that: a. All reasonable efforts have been made to sustain existing uses or viable new uses and have failed; b. Preservation in charitable or community ownership is not possible or suitable; and c. The cost of maintaining and repairing the building outweighs its importance and the value derived from its continued use.
3. If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make a record of it and to allow for the salvaging of materials and features.

➤ **Policy DM 33 Development affecting a conservation area**

Development (including changes of use and the demolition of unlisted buildings or other structures) within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance. The Borough Council expects development proposals to:

1. Respond positively to its conservation area appraisals where these have been prepared;
2. Retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of detail and materials, surfaces, landform, vegetation and land use;
3. Remove features that detract from the character of the area and reinstate those that would enhance it; and
4. Retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

➤ **Policy DM 34 Scheduled Monuments and archaeological sites**

1. Development will not be permitted which would adversely affect a Scheduled Monument, and/or its setting, as shown on the Proposals Map, or subsequently designated, or any other monument or archaeological site demonstrated as being of equivalent significance to scheduled monuments. Development that may affect the significance of a non-designated heritage asset of less than national significance will require a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
2. Whether they are currently known, or discovered during the Plan period, there will be a preference to preserve important archaeological sites in-situ and to protect their settings. Development that does not achieve acceptable mitigation of adverse archaeological effects will not be permitted.
3. Where development is permitted and preservation in-situ is not justified, the applicant will be required to ensure that provision will be made for archaeological excavation and recording, in advance of and/or during development, including the necessary post-excavation study and assessment along with the appropriate deposition of any artefacts in an archaeological archive or museum to be approved by the Borough Council.

Swale Borough Council Supplementary Planning Guidance

<https://www.swale.gov.uk/local-planning-guidance/>

➤ Swale Brough Council Planning and Development Guidelines **No 2: Listed Buildings – A Guide for Owners and Occupiers**

➤ Swale Borough Council **No 3: The Conservation of Traditional Farm Buildings.**

➤ Swale Brough Council Planning and Development Guidelines **No 8: Conservation Areas**

Appendix 4: Select Bibliography and Acknowledgements

Allison, H. 1992 *Borden: The History of a Kentish Parish* is a very useful in-depth history of the parish.

The South east Archaeological Research Framework can be accessed at <https://www.kent.gov.uk/leisure-and-community/history-and-heritage/south-east-research-framework>

Thank you to the Borden Heritage Group for the invaluable assistance and the permission to use the images on their website

<http://www.bordenheritage.org.uk/> provides further information on the history of the parish.

Thank you for Simon Mason and his team from Heritage Conservation at Kent County Council for his assistance. The online version of the Kent Historic Environment Record can be accessed at <https://webapps.kent.gov.uk/KCC.ExploringKentsPast.Web.Sites.Public/Default.aspx>

This Conservation Area Appraisal and Management Plan was prepared by Emma Rouse, Wyvern Heritage and Landscape on behalf of Swale Borough Council. www.wyvernheritage.co.uk

FOR FURTHER INFORMATION CONTACT:

Planning Services – 01795 417850

<https://www.swale.gov.uk/heritage-and-landscape/>

Swale Borough Council: 202~~10~~

Swale House, East Street, Sittingbourne, Kent ME10 3HT

~~PUBLIC CONSULTATION DRAFT OCTOBER 2020~~

ADOPTION VERSION – APRIL 2021

Prepared by Wyvern Heritage and Landscape

on behalf of Swale Borough Council



Wyvern Heritage
and Landscape

www.wyvernheritage.co.uk

APPENDIX iii: TABLE OF REPRESENTATIONS, AND THE COUNCIL’S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE REVIEW DOCUMENT IN RELATION TO THEM – FOR BORDEN PARISH CONSERVATION AREAS

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
1	Local resident (personal data not included to comply with GDPR requirements)	<p>- A principal concern is the old post office stores, which is unlikely to be opened, but is presently an eyesore. All local history books reference this building along with other shops long closed.</p> <p>- The other building of concern (which also has its roots firmly planted in Borden history) is Home Farm and it’s various secondary addresses including the Homestead. This should be a photographic jewel, but is a sorry looking, rundown building now.</p> <p>- We are beholden to property developers and landlords, and whilst there have been many improvements in the area (notably the playstool area and associated playpark and nature reserve), there is also much to improve on.</p> <p>- The signage at the Playstool and Mount View entrance is damaged and in need of repair.</p>	<p>Noted. Officers are looking into the condition of both the building referred to and will issue Section 215 notices requiring the owners to improve their appearance if necessary. These buildings along with a number of others in Borden (The Street) Conservation Area are also proposed to be made the subject of an individual or collective conservation area-based Article 4 Direction to provide a more effective level of control of changes to their external appearance. Home Farm to also be put forward as a candidate for local listing if it meets the adopted selection criteria.</p> <p>The signage referred to was provided by the parish council, and the parish has been made aware of the damage to action appropriately.</p>	No change to review document needed.

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
2	Local residents (personal data not included to comply with GDPR requirements)	<p>- Much of the information and the photographs in the pages 63 to 84 have been incorrectly placed. For example:</p> <p>page 74 RHS - the top photo is of Oldstede - not Tudor Rose Cottage/Dumbles [<i>to be clarified – report author’s note</i>]</p> <p>page 75 LHS - photos are not Oldstede but both photos are of Tudor Rose Cottage/Dumbles [<i>correct - report author’s note</i>]</p> <p>page 79 - the top photo is not Tudor Rose Cottage/Dumbles [<i>but Hook’s Hole – report author’s insertion</i>]</p> <p>page 82 - the top left photo is of Tudor Rose Cottage on Maidstone Road and not a local view along School lane. [<i>agreed and this view can be removed as it is almost identical to one of the views shown in 2a on page 81 – report author’s note</i>]</p> <p>It is hoped these mistakes can be corrected.</p> <p>- Support the proposed boundary extension to Chestnut Street Conservation Area.</p>	<p>Noted, with that confirmation being helpful. Officers will ensure that these corrections and any others that may be picked up from a necessary proof-reading exercise will be made and put in place for the version of the document that goes forward to adoption.</p> <p>Noted.</p>	<p>The referenced corrections to be made along with any other drafting errors and/or typos in the version of the document that goes forward to adoption.</p> <p>No change to review document needed.</p>

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
3	Local residents (personal data not included to comply with GDPR requirements)	<p><i>'The run of historic interest is then broken up by a series of late 20th century bungalows set far back on their plots with paved and concreted fronts. <u>The low brick walls which front onto the pavement are not in character with the more historic boundary treatments in the Conservation Area. The bungalows occupy the former site of the Vicarage and still feature the Gargoyles associated with this 19th century building (see photo left), although this quirk is somewhat spoiled by the insensitive siting of a CCTV camera right next to one.</u></i></p> <p>This document made most informative, even enjoyable, reading. The referenced (see underlining) 'insensitive' camera, and it's light, have now been removed</p> <p>You are of course correct about the 'low front walls' excepting the one for 'Norel'. This wall probably predates the Victorian Vicarage (which managed to be even uglier than the bungalows that replaced it) and is probably all that remains of the 'Georgian Rectory' on the site.</p> <p>The buildings much lording in the document were built in a time before council building controls, and those less appealing in a time when such controls were in place</p>	<p>Noted. It is encouraging to hear that the document is appreciated by some local residents and in some cases having a positive influence.</p> <p>The type of lording building referenced are typically listed and frequently represent the best, and fine examples of buildings of their age and type, commonly utilizing local sourced building materials and long-established building high-level craft skills (at relatively low cost by today's standards). These surviving fine historic buildings were typically (though not exclusively) built for wealthy individuals who wanted their homes to show off their wealth. Modern regulations have had an impact, but they do serve to ensure that those with no real wealth have access to housing which provides a good standard of residential amenity.</p>	No change to review document needed

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
4	Borden Parish Council	<ul style="list-style-type: none"> - Borden Parish Council (BPC) supports the proposed conservation area boundary extensions - BPC would also like Swale to consider extending the area further to include Coppins Lane - BPC would also like Swale to consider a new conservation area in the Wises Lane zone to conserve aspects of it character and appearance. 	<p>Noted, and the feedback regarding the proposed extensions is helpful.</p> <p>Coppins Lane was surveyed along with other areas just outside the current conservation areas. In general, this modern development of houses does not possess the sufficient level of architectural and/or historical interest to justify inclusion within a possible extension to the Harman's Corner Conservation Area. However, No. 2 Coppins Lane will be included as part of proposed extension HCA1 to include the characterful C19 Homestead Cottages directly adjoining it on The Street.</p> <p>There is no sound professional justification for a new conservation based around the Wises Lane zone.</p>	<p>No change to review document needed</p> <p>No change to review document needed</p> <p>No change to review document needed. No further survey work to be carried out in this respect.</p>

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
5	Kent County Council Ecology Team	The document refers to bringing various habitats, such as stream and orchards back into positive management. There are no concerns with this, but just to highlight that with areas that have had limited/no management for some time, it is possible that re-implementing management (without mitigation) may result in a breach of wildlife legislation. So there is a need to ensure that prior to any management scheme commencing, the presence of protected species are considered. It is however considered that a balance can be found to provide a form of management which provides benefit from both a heritage and ecology perspective.	Noted. The Council would liaise with KCC's Ecology Team to ensure no breach of legislation would occur in carrying out any survey work, developing any specific management policy and carrying out any subsequent agreed maintenance/improvement works.	No change to review document needed.
6	Historic England	Appraisals are documents which inform understanding and significance of the area. Coupled with a management plan, they are a vehicle to reinforce the positive character of the area, as well as avoiding and minimising negative impacts to the area. Historic England is pleased that the Council is undertaking its statutory duty in reviewing this conservation area, and has no specific comments to make on either the contents of the review or the extensions to the conservation areas proposed. Attention is drawn to the relevant Historic England guidance document: Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1 (2 nd . Ed. Feb. 2019	Noted. The Council's external heritage consultant and officers have referred to the quoted Historic England Advice Note 1 in producing and reviewing the character appraisal and management plan, and it is referenced in Appendix 3 of the document which refers to relevant legislation, national and local policy and strategies.	No change to review document needed.

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7	Montagu Evans, on behalf of Quinn Estates	<p>The representation is focussed entirely on the proposed extension to the Chestnut Street Conservation Area.</p> <p>Our conclusion is that the land within the area proposed for extension does not meet the statutory criteria for inclusion within the Conservation Area designation. The boundary of the Conservation Area should not be extended at all to include the area referred to as 'Florence Cottages' (para.1.5 from our submission)</p> <p>Firstly, we submit that there is no good reason set out in the draft Appraisal for the proposed extension to the Conservation area boundary to include the group of properties on the north side of Chestnut Street and the small parcel of land to the south. (1.8)</p> <p>Secondly, our review of the documents prepared by the Council in support of the proposed extension to the boundary presents us with none such evidence as to how the Council's assessment of these areas should result in the designation of the land proposed. (1.9)</p> <p>Further, our own assessment of these buildings and piece of land to the south of Chestnut Street leads us to the conclusions that the proposed area for extension does not substantiate a claim for 'special architectural or historic interest' as required for designation under Section 69 of the Act. Our assessment of this is presented at Section 3.0 of this report. (1.10)</p>	<p>The response narrowly identifies the heritage interest of the CAA as relating to the four listed Wealden Halls. However the original conservation area boundary was deliberately and purposely drawn to include areas of historic quarrying to the south and west and the 19th century streetscape to the north. That the Wealden Halls are exceptional is not in dispute but this should not be used as a reason to exclude other aspects of heritage interest.</p> <p>Regarding the extension of the conservation area to the northeast, this is a logical extension of the original 19th century historic footprint of the hamlet as far as the Tudor Rose Public House (a locally important building dating to before 1840. This proposed extension would also serve to include a pair of historic two storey</p>	No change to review document needed.

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7 (cont')	Montagu Evans, on behalf of Quinn Estates	Our conclusion is that the extension of Chestnut Street Conservation Area to incorporate land to the north and east of the existing boundary would lead to an inappropriate designation which is not based on any meaningful historic or architectural interest or connection, including land that has no consistent architectural quality and which has been subject to successive change and alteration. (1.12)	cottages dating to 1888 and a two storey dwelling in render with a slate roof dating to c.1880. Local views along Chestnut Street, reveal buildings of historic interest as you travel through the Conservation Area [note if proposed boundary changes accepted – as far as Tudor Rose Public House]. The new inclusion would include the full 19 th century streetscape within the Conservation Area rather than stopping arbitrarily at School Lane. See Map 11 to show links. It is accepted that all along the north side of Chestnut Street the 19 th streetscape has been infilled by 20 th century houses but this has not removed the historic and heritage interest present. Regarding the small parcel of land to the south. The heritage interest has been amply demonstrated and described. The complex	(see page 6)

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7 (cont')	Montagu Evans, on behalf of Quinn Estates	(see pages 6 and 7)	<p>history of quarrying has been described in detail on pages 67 to 68 of the draft CAA supported by Map 11. These amply support the statement that the “Historic interest is further supplemented by the site of old mineral workings, which have now become attractively integrated into the adjoining countryside.” This includes both the area of open fields to the west which is an existing part of the Conservation Area and the new area proposed to the northeast which has the same historic interest and therefore heritage interest. It is also an area of archaeological potential and sensitivity as outlined on Page 72 and Map 13. These open spaces also contribute to the key positive characteristics of the Conservation Area</p>	(see page 6)

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7 (cont')	Montagu Evans, on behalf of Quinn Estates	<p>Furthermore, the proposal to extend the conservation area would serve to stifle the future use and effective management of the land, much of which is in agricultural use, by the landowners (1.13).</p> <p>Timing of the proposed extension - we find the timing of this proposed extension to the Conservation Area to be highly irregular and we request the Council make information on the evidence for this review available to the public (paragraph 1.18).</p> <p>The reported importance of this extension area was not raised at any time during the pre-application process for the Wises Lane planning application (ref. 17/505711/HYBRID) nor during the subsequent public inquiry.</p> <p>The review document does not present, as far as our assessment has shown us, any new information about the area around Chestnut Street than has previously been understood, or uncovered new information on the wider landscape that reveals important connections or historic associations. (3.2)</p>	<p>No evidence is presented to support this assertion. Officers consider agricultural activity could continue uninterrupted as it has within the area already designated to the east.</p> <p>The Borden Parish Conservation Areas review is a scheduled workstream/project element in the publicly available, adopted Swale Heritage Strategy 2020-32</p> <p>The Council's appointed heritage consultant for the public inquiry referenced the importance of this area in her evidence to the inquiry. Paragraph 6.4.7 of her proof of evidence refers.</p> <p>This is disputed by officers. Much additional information has been presented in sections 1.4, 3.2 and 3.3. This includes in relation to Chestnut Street on archaeological</p>	<p>No change to review document needed.</p> <p>No change to review document needed.</p> <p>No change to review document needed.</p> <p>No change to review document needed.</p>

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7 (cont')	Montagu Evans, on behalf of Quinn Estates	<p>Buildings within Area 1 The Appraisal does not set out a full description of significance for these buildings and their inclusion is unsubstantiated (3.25)</p> <p>The Council has not described on what basis the landscape around the CA possesses 'heritage' interest. This needs to be explained in the evidence base with clear grounds for genuine architectural or historic interest. (4.3)</p>	<p>potential, and historic quarrying.</p> <p>The description of significance is in line with guidance and includes further detail for the Tudor Rose public house which is locally important</p> <p>Officers presume that this comment refers to the proposed extension area to the conservation area. That being the case, this has already been explained as detailed above. Map 13 (page 69) and the Key Positive Characteristics information contained on page 72 of the review document provide the appropriate justification.</p>	<p>No change to review document needed.</p> <p>No change to review document needed.</p>

BORDEN PARISH CONSERVATION AREAS – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
8	Local resident (personal data not included to comply with GDPR requirements)	Just to add to the consultation is the addition of Chestnut House and Chestnut Cottage. These were one house and date back to the 16th century. Hard carve beams in the lofts indicate this and the houses form a Coaching Inn. The trap doors to the cellars are found in the front room of Chestnut House. The house became a coaching Inn in the 18th century. The "shoots" for the beer barrels are still in the foundation of the southwest wall. The wooden "bricks" to which panelling was attached are in the south and southwest walls. The stables were in the yard of Chestnut cottage. This information should be included in the conservation area information. The house originally was grade 3* listed in the 1970s however listing was lifted when the A249 was to be built through Chestnut Street (prior to the original conservation area designation.	Noted, and the information provided is helpful. The buildings are already recognised as being of local important in the review document (see Map 14a on page 70: Key Characteristics – Historic Features and Views). The building are also referenced in the Key Positive Characteristics table on page 72.	<p>Historical Development map on page 65 to be corrected to reflect the age of the Chestnut House & Cottage.</p> <p>General Statement on page 68 to be altered to reflect age of these buildings on the northwest side of Chestnut Street.</p> <p>Additional information provided to be added to the description of the buildings already provided on page 80.</p>

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Borden Parish Conservation Areas Review October 2020:

Schedule of Consultees

SBC

Officers:

Andrew Jeffers and Graham Thomas – Planning Services

Lyn Newton – Economy & Community Services

Ward Members for Borden and Grove Park Ward:

Cllr. Mike Baldock

Cllr. Nicholas Hampshire

External Organisations

Borden Parish Council (f.a.o. Ms Julie Miller, Parish Clerk: clerk.bordenpc@gmail.com)

Borden Heritage Group (f.a.o. Lynda Briggs, Secretary: pd.lebriggs@gmail.com)

Kent County Council Highways, Transportation & Waste Team (f.a.o. Alun Millard: Alun.Millard@Kent.gov.uk)

Kent County Council Heritage Conservation Team (f.a.o. Simon Mason: Simon.Mason@Kent.gov.uk)

Historic England (f.a.o. Alice Brockway: Alice.Brockway@HistoricEngland.org.uk)

Land/Property Owners (based on LLPG address points and previous correspondence)

Borden (Chestnut Street) CA:

GRETCHEL, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD

DUN TRADEN, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD

THE HOMESTEAD, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD

ROSE LODGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD

FOX COTTAGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD

1 MILESTONE COTTAGES CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD

2 MILESTONE COTTAGES CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD
PRIMROSE COTTAGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD
CHERRY TREE COTTAGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD
CHESTNUT HOUSE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD
CHESTNUT COTTAGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DD
OAK LODGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8BX
ROSELETTE COTTAGES, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8BX
FREDERICK COTTAGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8BU
1 FLORENCE COTTAGES CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8BU
2 FLORENCE COTTAGES CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8BU
TUDOR ROSE PUBLIC HOUSE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8BT
THE COACH HOUSE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DE
1 OLDESTEDE CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA
2 OLDESTEDE CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA
TUDOR ROSE COTTAGE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA
DUMBLES, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA
1 OLDE HOUSES CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA
2 OLDE HOUSES CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA
HOOKS HOLE, CHESTNUT STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8DA

Kent County Council Estates Team, Room 1.37, Sessions House, County Hall, Maidstone, Kent ME14 1XQ (or by email to: estates.enquiries@kent.gov.uk)

Borden (Harmans Corner) CA:

GLAZEDALE, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
THE HOLLIES, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
HIGHGLADE HOUSE, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
BANNISTER HALL, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT
VIEWPOINT, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT

TREGENNA, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT
FAIRWAY, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT
THREEWAYS, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
YORK PLACE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
HI DUNO, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
PIPPINS, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
2 COPPINS LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8JG
1 HOMESTEAD COTTAGES THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
2 HOMESTEAD COTTAGES THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
BROUMFIELD, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
HARMANS CORNER, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JH
241 BORDEN LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8HR
243 BORDEN LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8HR
245 BORDEN LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8HR
247 BORDEN LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8HR
BANNISTER HOUSE, BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT
1 UPPER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT
2 UPPER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HT
1 LOWER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
2 LOWER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
3 LOWER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
4 LOWER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU
5 LOWER BANNISTER COTTAGES BANNISTER HILL, BORDEN, SITTINGBOURNE, KENT, ME9 8HU

Borden (Hearts Delight) CA:

HEARTS DELIGHT HOUSE, HEARTS DELIGHT, BORDEN, SITTINGBOURNE, KENT, ME9 8HZ
FILMER HOUSE, HEARTS DELIGHT, BORDEN, SITTINGBOURNE, KENT, ME9 8HZ

LENWOOD, HEARTS DELIGHT, BORDEN, SITTINGBOURNE, KENT, ME9 8HZ

SHARPS HOUSE, HEARTS DELIGHT, BORDEN, SITTINGBOURNE, KENT, ME9 8HZ

Borden (The Street) CA:

1 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

2 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

3 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

4 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

5 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

6 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

7 BARN CLOSE, BORDEN, SITTINGBOURNE, KENT, ME9 8JW

FOUR ACRES, HOME FARM, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

THE GRANARY, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

FLAT, HOME FARM, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

THE STABLES, HOME FARM, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

HOMESTEAD, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

NOREL, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

THIRLMERE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

RIDGEWAYS, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

ST MAWES, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

ST MARTINS LODGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

ST MARTINS COTTAGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

ANNEXE, ST MARTINS COTTAGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

1 THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

2 THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

3 THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

4 THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

5 THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

THE STORES, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

BORDEN POST OFFICE, 17 THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

BAY TREE HOUSE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

THE CONIFERS, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

ROSE COTTAGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

THE FORGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

FORGE HOUSE, THE STREET, BORDEN, KENT, ME9 8JN

FLAT 1, FORGE HOUSE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

FLAT 2, FORGE HOUSE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

BARROW HOUSE, THE STREET, BORDEN, KENT, ME9 8JN

FLAT 1, BARROW HOUSE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

FLAT 2, BARROW HOUSE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

APPLETREE COTTAGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JR

STREET FARM HOUSE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JR

1 STREET FARM COTTAGES THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JR

2 STREET FARM COTTAGES THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JR

3 STREET FARM COTTAGES THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JR

BORDEN HALL, WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LP

FROGSHALL, WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LR

OLIVE HOUSE, WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LR

1 OAK COTTAGES WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LN

2 OAK COTTAGES WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LN

OAK HOUSE, WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LR

CHERRINGTON HOUSE, WISES LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8LR

MAYPOLE INN, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

FLAT, MAYPOLE INN, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

HOLLY TREE COTTAGE, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

TERMAIN, THE STREET, BORDEN, SITTINGBOURNE, KENT, ME9 8JN

YEW TREE COTTAGE, POND FARM ROAD, BORDEN, SITTINGBOURNE, KENT, ME9 8LL

1 BORDEN HALL COTTAGES SCHOOL LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8JS

2 BORDEN HALL COTTAGES SCHOOL LANE, BORDEN, SITTINGBOURNE, KENT, ME9 8JS

The William Barrow's Charity, Mr Stuart Mair, c/o George Webb Finn, 43 Park Road, Sittingbourne, Kent, ME10 1DY (or by email to: stuart@georgewebbfinn.com)

INITIAL EMAIL

Good evening

Thank you for giving residents the opportunity to give comments and feedback.

We have lived in Borden for nearly 4 years and appreciate the improvements made previously concerning the playpark, playstool area and nature reserve. The map by the pavement in The Street is interesting and informs us of the buildings' history.

My main concerns are the old post office stores, which is unlikely to be reopened but presently is an eyesore. All the historical books written by residents who grew up in Borden mention the post office stores in The Street (and other shops long closed) so it would enhance the area for the front of the stores to look pretty at least.

The other building which has roots firmly planted in Borden history is Homestead and it's adjoining addresses. This looks a sorry, rundown building now, which should be a photographic jewel.

We are beholden to property developers and landlords, but I am just saying what I see when I walk down The Street. There have been many improvements but also much to improve on.

██████████

Sent from my iPad

FOLLOW-UP EMAIL

Good evening

██████████

I recently gave feedback and commented regarding the above. I would like to amend the name of the rundown building (not the old Post Office Stores) in the Street. One part is named Homestead but the collective name is "Home Farm". I apologise for any misunderstanding.

I would also like to take the opportunity to say that the signage in Playstool at the Mount View entrance is damaged and in need of repair.

Thank you

Regards

██████████

Sent from my iPad

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Dear Mr Algar,

Thankyou for your letter regarding the public consultation areas review in the parish of Borden.

I am reading the information at swale.gov.uk/conservation-areas and notice that many of the information and photographs in the section pages 63 to 84 have been incorrectly placed. For example:-

page 74 RHS the top photo is of Oldsteded not Tudor Rose Cottage/Dumbles

page 75 LHS is not Oldstede but both photos are of Tudor Rose Cottage.Dumbles

page 79 the top photo is not Tudor Rose Cottage/Dumbles

page 82 the top left photo is of Tudor Rose Cottage on Maidstone Road and not a local view along School lane.

Hope these mistakes can be corrected.

My wife and I can see no reason to not incorporate the prospective new areas in Chestnut Street into the conservation area of Borden.

Many thanks,

Regards

[REDACTED]

[REDACTED], Borden, Kent ME9 [REDACTED]
[REDACTED]

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re Character Appraisal and Management Plans for: Borden (The Street), Chestnut Street, Harman's Corner, and Hearts Delight Conservation Areas

'The run of historic interest is then broken up by a series of late 20th century bungalows set far back on their plots with paved and concreted fronts. The low brick walls which front onto the pavement are not in character with the more historic boundary treatments in the Conservation Area. The bungalows occupy the former site of the Vicarage and still feature the Gargoyles associated with this 19th century building (see photo left), although this quirk is somewhat spoiled by the insensitive siting of a CCTV camera right next to one'.

— This document made most informative, even enjoyable, reading, many thanks to all who worked on it. As it's in the draft stage just a couple points to note.

The 'insensitive' camera, and it's light, have now been removed,

[REDACTED]

You are of course correct about the 'low front walls' excepting the one for 'Norel', [REDACTED]. This wall probably predates the Victorian Vicarage (which managed to be even uglier than the bungalows that replaced it) and is probably all that remains of the 'Georgian Rectory' on the site.

Home Farm

On a more general note it must be said that the buildings much lorded in the document were built in a time before council building controls and those less appealing in a time when such controls were in place, just a thought.

Kind Regards [REDACTED]

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From: Julie Miller <clerk.bordenpc@gmail.com>

Sent: 19 October 2020 14:26

To: conservation@swale.gov.uk

Subject: Conservation Areas in Borden

Dear sirs,

Borden Parish Council has considered the consultation on the four conservation areas in the parish and supports the extensions.

BPC would also like Swale to consider extending the area further to include Coppins Lane.

BPC would also like Swale to consider a new conservation area in the Wises Lane zone to conserve aspects of its character and appearance.

Kind regards,

Julie Miller CILCA

Parish Clerk to Borden Parish Council

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Hi Simon,

I've just had a look through the documents and I don't have many comments to make.

The purpose of the documents are heritage – therefore there isn't any reference to protected species but the Borden Parish document does refer to Biodiversity in reference to orchards.

However both documents do refer to bringing various habitats back in to management such as steams / orchards. I don't have any concerns with this but just to highlight that if any areas that have had limited/no management recently it is possible that re-implementing management (without mitigation) may result in a breach of wildlife legislation. So there is a need to ensure that prior to any management commencing the presence of protected species are considered. I'm positive a balance can be found to provide management which provides benefit for both a heritage and ecology perspective.

Kind Regards,

Helen Forster
KCC Ecology Team

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Mr Simon Algar
Swale Borough Council

Direct Dial: 0207 973 3655

Our ref: PL00725662
14 November 2020

Dear Mr Algar

BORDEN CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

Thank you for consulting us on the review to the Borden Parish Conservation Area Appraisals and Management Plan, which includes boundary changes.

Appraisals are documents which inform understanding and significance of the area. Coupled with a management plan, they are a vehicle to reinforce the positive character of the area, as well as avoiding and minimising negative impacts to the area.

We are pleased that you are undertaking your statutory requirement to review your conservation areas. We do not wish to provide any comments on either the contents of the review or the extensions to the conservation areas proposed on this occasion. We draw your attention to our publication which is of relevance here: Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1 (<https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>)

It is not necessary for us to be consulted again on this conservation area review unless there are changes. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely,

Alice Brockway
Inspector of Historic Buildings and Areas
alice.brockway@HistoricEngland.org.uk



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk

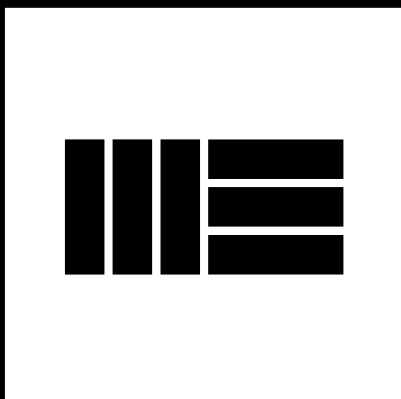


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REPRESENTATIONS ON THE DRAFT CONSERVATION AREA APPRAISAL IN RESPECT OF THE BORDEN CHESTNUT STREET CONSERVATION AREA

QUINN ESTATES

NOVEMBER 2020



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1.0 INTRODUCTION

- 1.1 We act on behalf of Quinn Estates who have instructed us to reply to the consultation on the proposed extension to the boundary of the Borden, Chestnut Street Conservation Area.
- 1.2 Whilst we welcome the council's efforts to help better define the significance of the heritage assets in the Borough and we agree that CA Appraisals are a helpful way of understanding and defining the key characteristics of that significance, we write to make representations on the content and recommendations of the Conservation Area Appraisal which are made without evidence and substantiation.
- 1.3 In summary Quinn Estates write on these bases:
- (1) *To comment on the Council's statutory duty of Conservation Area designation under s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that areas designated as Conservation Areas are genuinely of special architectural or historic interest;*
 - (2) *To comment on the appropriateness of the proposed boundary extension in accordance with those statutory duties; and*
 - (3) *To comment on the factual basis of the draft appraisal guidance and to suggest corrections based on alternative evaluation and evidence.*
- 1.4 As set out in s69 of the 1990 Act defines a CA as an area of special architectural character or historic interest, the character of which it is desirable to preserve or enhance'
- 1.5 We have considered the draft Borden Chestnut Street Conservation Area Appraisal Review (2020), inspected the site (that is, the land to be covered by the extended designation), and reviewed relevant guidance. Our conclusion is that the land within the area proposed for extension does not meet the statutory criteria for inclusion within the Conservation Area designation. The boundary of the Conservation Area should not be extended at all to include the area referred to as 'Florence Cottages' – 'Areas 1 and 2' - on the proposed new map of the Conservation Area included at Appendix 1.0 to this representation. This is Map 10 in the draft Conservation Area Appraisal.
- 1.6 This conclusion is based on the inappropriate use of the Council's powers under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as the '1990 Act') and the requirements of the National Policy and Guidance relating to Conservation Area designation.
- 1.7 The Local Planning Authority (LPA) in this case is Swale Borough Council (hereby referred to as 'the Council'). The draft appraisal on the Council's website dates from 2020 and has been written by an independent consultant for the LPA.

Overview of the Representation

- 1.8 Firstly, we submit that there is no good reason set out in the draft Appraisal for the proposed extension to the Conservation area boundary to include the group of properties on the north side of Chestnut Street and the small parcel of land to the south.
- 1.9 Secondly, our review of the documents prepared by the Council in support of the proposed extension to the boundary presents us with none such evidence as to how the Council's assessment of these areas should result in the designation of the land proposed.
- 1.10 Further, our own assessment of these buildings and piece of land to the south of Chestnut Street leads us to the conclusions that the proposed area for extension does not substantiate a claim for 'special architectural or historic interest' as required for designation under Section 69 of the Act. Our assessment of this is presented at **Section 3.0** of this report.
- 1.11 Our own assessment is based upon a thorough an understanding of the area and best practice in historic area assessments as set out in the relevant Historic England guidance, *Conservation Area Designation, Appraisal and*

Management (February 2019) and Understanding Place: Historic Area Assessments: Principles and Practice (2017 edition) as well as the detailed guidance provided on Conservation Area designation in Charles Mynors' publication, *Listed Buildings and other heritage assets fifth edition (2017)*.

- 1.12 Our conclusion is that the extension of Chestnut Street Conservation Area to incorporate land to the north and east of the existing boundary would lead to an inappropriate designation which is not based on any meaningful historic or architectural interest or connection, including land that has no consistent architectural quality and which has been subject to successive change and alteration.
- 1.13 Furthermore, the proposal to extend the conservation area would serve to stifle the future use and effective management of the land, much of which is in agricultural use, by the landowners.
- 1.14 Lastly, we comment on the inadequacies stated in the draft appraisal which go to undermine the reasons for why the extended area is suggested for designation.

Timing of the proposed extension

- 1.15 We are extremely surprised that the Council have now come to consider the extension to the Chestnut Street Conservation Area, given the lengthy and comprehensive consultation exercise our client engaged in with Swale Borough Council and statutory bodies advising on the historic environment in relation to the application for housing at the site known as 'Land at Wisles Lane South West Sittingbourne' (PINS reference APP/V2255/W/19/3233606).
- 1.16 The application proposals for the housing at Wisles Lane will affect the land identified on the Conservation Area map as being the subject of the proposed extension, the parcel of land labelled on the Map as 'Florence Cottages' (albeit this label probably relates to the dwellings on the north side of the road). We include the masterplan showing the Wisles Lane proposals as submitted with the application (Rev 'D') at Appendix 2.0.
- 1.17 The reported importance of this area to be included in the CA boundary was not raised at any time during the pre-application process, the determination of the application nor the public inquiry which sat in November 2019. The public inquiry considered issues of impacts on heritage assets, including the impact on the character and appearance of the Borden Chestnut Street Conservation Area.
- 1.18 Given the scrutiny and level of assessment the site was subject to throughout the course of the planning for the Wisles Lane site, we find the timing of this proposed extension to the Conservation Area to be highly irregular and we request the Council make information on the evidence for this review available to the public.

Summary

- 1.19 A critical review of the proposed extension of the boundary to include this area reveals that the Council has paid little regard to the integrity and quality of the land or the built environment and make unsubstantiated claims as to the interest of the area. We reiterate our clients' strong objection to the proposed extension of the Conservation Area boundary. Given the clear flaws in the Council's proposals that are highlighted in this representation, should the Council proceed with this designation then our clients will need to consider their options in relation to a challenge to that decision.

2.0 THE LPA'S STATUTORY DUTY IN RESPECT OF CONSERVATION AREA DESIGNATION

Statutory Provision

- 2.1 As defined in Section 69 of the 1990 Act, a Conservation Area is an area which has been designated because of its 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.'
- 2.2 In discharging its powers under Section 69 of the Act, the LPA is bound to exercise its discretion reasonably, and to have due regard to the terms of primary legislation and relevant policy. Additionally the LPA must take care to ensure their decision could not be construed as irrational or disproportionate.
- 2.3 The quality and interest of the whole area, as opposed to the individual buildings, should be the prime consideration in identifying conservation areas. The object, therefore, should not be to protect individual buildings or spaces which are not of demonstrable interest.

National Policy and National Guidance on Defining Boundaries

- 2.4 The National Planning Policy Framework (2019) is clear that:

'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.' [our emphasis] (NPPF, para. 186)

- 2.5 This Policy is also engaged when reviewing existing boundaries and the principles of the policy are supported in the National Planning Practice Guidance (NPPG, 2019).
- 2.6 The guidance provided in Understanding Place: Historic Area Assessments: *Principles and Practice* (2017) aims to complement Historic England's previous publications and provide a more detailed level of guidance on the purpose and methods of assessing and the designation of historic areas.
- 2.7 Under the 'Key Issues' to be considered, the guidance states that establishing 'appropriate boundaries' are required to keep historic area assessments 'focused and manageable,' and that the relevance of such boundaries should be examined critically. Assessment should validate any proposed boundaries and, where necessary, their modification.
- 2.8 This guidance is complemented by that of *Conservation Area Designation, Appraisal and Management* (February 2019), which requires an explanation of where and why a boundary is drawn when designating conservation areas.
- 2.9 Pages 27 to 28 of the guidance consider the designation of Conservation Areas. The guidance refers to paragraph 186 of the NPPF and the importance of ensuring that an area justifies designation as a conservation area because of its special architectural or historic interest, so that the concept of conservation is not devalued through the designation of areas that lack special interest.
- 2.10 A page 27 the guidance makes it clear that:
- 'Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.'*
- 2.11 In relation to the status of existing Conservation Areas, the guidance states also that:

'With appropriate management procedures in place, the character and appearance of a conservation area should not change rapidly for the worse and a review might typically result in an addendum to an existing appraisal, recording:

- *what has changed;*
- *confirming (or redefining) the special interest that warrants designation;*
- *setting out any new recommendations; and*
- *revising the management strategy.*

The updated appraisal and related management proposals can then be re-adopted by the local authority.'

- 2.12 In finalising the Conservation Area boundary, guidance states that it is important to consider 'whether the immediate setting also requires the additional controls that result from designation, or whether the setting is itself sufficiently protected by national policy or the policies in the development plan' (page 4).
- 2.13 Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.

3.0 IN APPROPRIATE EXTENSION TO THE CONSERVATION AREA

Lack of New Evidence or Reason for Extension

3.1 In this section we set out our review of the evidence base presented by the Council for the proposed extension of the CA boundary in line with Historic England guidance and the requirement at s69 of the 1990 Act. We conclude that there are no evident reasons for the proposed extension to the boundary, contrary to the requirements of statute and interpretative policy and guidance.

3.2 We have reviewed the draft CA Appraisal that has been prepared by the independent consultant to the LPA. The document does not present, as far as our review has shown us, any new information about the area around Chestnut Street than has previously been understood, or uncovered new information on the wider landscape that reveals important connections or historic associations.

3.3 Page 149 offers a brisk characterisation of proposed extension areas (CAA) 1 and 2:

CCA1 – buildings on the north eastern side of the Conservation Area on the northern side of Chestnut Street. Extension to include 19th century settlement pattern on the north side of the road as far as the Tudor Rose Public House. The pub is a building of local importance and consists of two storey brick built public house now all painted with timber sash windows on first floor and concrete tiled roof. A public house has been on this site since at least 1840.

CCA2 land to the east of the Conservation Area boundary - Open area of pasture on the northern side of the Conservation Area consisting of permanent grazing. The field is slightly hollowed, with the evidence of historic gravel quarrying (dating to before AD 1836). This mirrors the open pasture on the western side of the Conservation Area which is included within the Conservation Area.

3.4 The information presented does not go beyond what was understood about the history of the small settlement and the surrounding land at the time of the designation of the Conservation Area in 1977 or at the time of the revisions to the designation in 1999.

3.5 The 1999 Appraisal states that: *'The four timber framed buildings are the focus of this conservation area. Whilst the setting of Chestnut Street has been, to some degree, affected by the new A249 the grouping of these mediaeval buildings remains unusual and of special architectural and historic interest. Historic interest is further supplemented by the site of old mineral workings, which have now become attractively integrated into the adjoining countryside.'* (Paragraph 16).

3.6 At paragraph 11 the Appraisal states: *'The new houses are generally traditional in character; others within the group are late 19th century in date and fairly modest in appearance'* [our emphasis].

3.7 The land to the north east of the listed buildings is not of special quality or to contribute meaningfully to the special interest of the CA.

3.8 The suggestion now that the mixed group of houses to the north of Chestnut Street and the small area of paddock is not supported with reasoned evidence in the Appraisal.

3.9 There is no new evidence for including the land. The line is drawn in an arbitrary manner around the paddock, clearly excluding the agricultural sheds which form an intrinsic part of this area and affects its amenity quality. The contribution made by the open nature of the paddock to the setting and an understanding of the significance of the group of highly graded and picturesque listed buildings is diminished by the presence of the large agricultural sheds within these areas to the south, a point that is recognised in the Appraisal.

- 3.10 The inclusion of more modern dwellings in the village, and areas of incidental open farmland to the east of School Lane would surely serve to dilute the special historic and architectural interest of the CA where this relates specifically to the core group of highly graded Wealden buildings which form a pleasing historic group on the south side of Chestnut Street.
- 3.11 The reference also to the wider setting of the Conservation Area, quoted as follows: ‘... *the main force for change in the parish is the southern expansion of Sittingbourne into the northern edge of the parish particularly around Wises Lane.*’ This statement suggests the designation is to be used as a development control mechanism and to prevent changes to the land and wider area which may be necessary to meet housing need or simply to address field boundaries or agricultural practices. The Council needs to define what it means by this statement. The designation of Conservation Areas is again an entirely inappropriate provision by which this development control function should be exercised.
- 3.12 Historic England guidance is clear and indicates that in reviewing conservation areas, ‘*the character and appearance of a conservation area should not change rapidly for the worse.*’
- 3.13 Historic England further states in the same paragraph that: ‘*A review might typically result in an addendum to an existing appraisal, recording: what has changed confirming or redefining the special interest that warrants designation, highlighting additional aspects that contribute to the area’s significance or features newly identified as desirable to preserve or enhance.*’ (*Conservation Area Designation, Appraisal and Management, February 2019*).
- 3.14 The land proposed for inclusion is not of special interest and the Council has failed to demonstrate in their draft appraisal why the land is considered to merit inclusion in the boundary.
- 3.15 In our judgement, the inclusion of this land, which is undistinguished architecturally and in landscape terms, and has been subject to alteration, therefore going against the original intent of the designation.

Lack of Special Interest: Proposed Extension to Chestnut Street Conservation Area

- 3.16 In the following discussion, we identify the particular areas proposed for inclusion within the Chestnut Street Conservation Area and carry out our own analysis of the same concluding that, in our judgement, these areas lack the special architectural and historical interest that is required to justify their inclusion in the Conservation Area designation.

Summary of Historic Development

- 3.17 The historic mapping reproduced in the appraisal document confirms that in the late 18th century the Chestnut Street hamlet comprised the group of substantial late medieval timber framed houses on the south side of the street, with other houses facing them on the north. In the 19th century individual houses were built along the north side of the street to the west of the earlier houses, followed the mid-20th century what appears to have been a speculative development, largely of bungalows, on the south side of the street west of the CA.
- 3.18 The major development of the A249 motorway in the late 1980s/early 1990s which bypassed the medieval hamlet at Chestnut Street, served to sever the hamlet from the surrounding area – as recognised in the CA Appraisal (page 83).
- 3.19 In addition to the route of the new motorway, the OS Map published in 1989 shows the residential development which took place at Chestnut Street and Borden. At Chestnut Street, the route to Chestnut Wood (as shown on the 1950 OS Map) has been populated with buildings on either side of the road.

Summary of Significance

- 3.20 The Conservation Area designation is focussed on the four medieval buildings on the south side of Chestnut Street, and the significance of the Conservation Area is primarily derived from the quality and composition of these buildings. These comprise two Grade II* and two Grade II listed buildings which are described earlier in this section: Hook’s Hole, Olde Houses, Dumbles and Tudor Rose Cottage, and Olstede. The area also contains an old mineral works which are described in the Conservation Area Appraisal as “attractively integrated into the adjoining countryside”.

- 3.21 The significance of the listed buildings, individually and as a group, is considerable and they form the core of the CA. Two main points should be noted: first, to have four late medieval buildings, largely intact, standing in a linear group, is unusual, and notable. The second point is that all four are listed, two at Grade II*. This identifies that the higher-graded structures have 'more than national special interest' (as defined by Historic England), affording them, and their setting, a high degree of protection as set out in the NPPF. Only 8 per cent of listed structures are included in the higher grade of I and II*. A third point of note is that they form, as noted above, a notable and identified component of the Chestnut Street Conservation Area, fronting onto Chestnut Street itself.
- 3.22 While the buildings are principally experienced front-on from Chestnut Street, there are views from the approaches both from the south-west, and the north-east. These are more side-on, glimpsed, and partially obscured by trees and hedges.
- 3.23 On the north side of Chestnut Street, the later infill makes a limited contribution to the special historic and architectural interest of the conservation area. The listed buildings are set back from the street and so the later buildings appear prominent in the streetscene.

Unsubstantiated Basis for Extension – Areas 1 and 2

- 3.24 The CA Appraisal identifies the group of dwellings that are proposed to be included within the CA boundary, 'Area 1' as shown on Map 10 of the Appraisal and included at Appendix 1.0 of this Appraisal. These are listed as follows:
- *Tudor Rose Public house (Building of Local Importance – see below for more information);*
 - *A pair of historic two storey cottages dating to 1888. They are built of yellow stock brickwork, with replacement windows and doors and a concrete tiled roof;*
 - *A two storey dwelling in render with a slate roof dating to c1880;*
 - *An unattractive area of former highway now used for commuter parking which detracts from the street scene;*
 - *Two modern two storey dwellings;*
 - *Chestnut Cottage and Chestnut House a pair of two storey dwellings (Building of Local Importance – see below for more information);*
 - *A matching pair of modern two storey brick dwellings;*
 - *No's 1 and 2 Milestone Cottages – a pair of modest historic cottages;*
 - *Two modern two storey dwellings; and*
 - *The Homestead, Dun-Traden and Gretchel – originally four but now three late 1880s historic cottages.*
- 3.25 The Appraisal does not set out a full description of significance for these buildings and their inclusion is unsubstantiated.
- 3.26 The fields surrounding the core of the Conservation Area contribute to an understanding of the history and significance of the CA to greater and lesser degrees. The paddock, the land labelled as 'Area 2' that is proposed for extension is an open field used for pasture grazing and, whilst it remains open and in agricultural use and therefore contributes some element to an understanding of the historic activity of farming in this location, it has no meaningful and recognisable relation to the historic core of the CA and their immediate settings which are very much focussed on their garden settings.
- 3.27 As stated above and in the Appraisal, the presence of the large agricultural sheds detract from the amenity and landscape value of the fields. Looking back at the historic development of the area, the fields themselves are not of historic or architectural interest.
- 3.28 The Appraisal sets out a summary of the significance for the Chestnut Street conservation area which is put forward as a justification for the extension. Some of the bases upon which this significance is based is unsubstantiated.
- 3.29 We provide comments on these aspects as follows and ask the Council for the evidence base upon which these claims are made:
- *Historic core of the rural Chestnut Street hamlet focused on the junction of Chestnut Street and School Lane located within the Stockbury valley.*

We agree this is the location of the CA.

- *Area of potential archaeological significance for Palaeolithic, Medieval and Post Medieval archaeology.*

This remains unproven for 'Area 2' as shown on Map 10. This would need to be substantiated with a full-scale archaeological evaluation.

- *Complex history of post-medieval quarrying in and around the Conservation Area including the site of former lime kilns in the chalk pit at Hook's Hole which have archaeological and historic interest.*

This is not an indication of quarrying activity per se. There is much uneven ground in the fields south of Chestnut Street which may relate to quarrying and gravel extraction. 19th century gravel quarrying is noted as an historic activity in the specific area.

While this may have modified the topography, it has little historic significance which is intrinsic to the designation.

- *An outstanding feature of the Conservation Area is a group of four medieval framed timbered houses which stand on the southern side of the road. These have architectural and historic interest epitomising Kentish vernacular building of the period.*

We agree with this statement. The core group have been severed from their original setting and the A249 is a dominant urbanising feature in their immediate setting and a defining (detracting) feature of the CA.

- *A row of later historic 18th and 19th century cottages on the north side of the road.*

These do not form a comprehensive or coherent group of dwellings and are infilled variously with C20 development of no architectural or historic interest. The previous Appraisal identified them as such as referred to them as being 'fairly modest in appearance' (SWB, 1999).

- *Location on the historic toll road between Sittingbourne and Maidstone, evidenced by surviving roadside milestone.*

The milestone stands at a significant distance to the south-west of Area 3. The A249 does not have defining features that mean it is recognisable as a historic through road and does not have the character of a historic thoroughfare.

- *Evidence for Post-Medieval quarrying for chalk and gravel which is of archaeological interest.*

The activity of quarrying in this area does not automatically imbue the area with archaeological interest in this respect.

- *Areas of grazed pasture to the east and west of the group of timber framed Listed Buildings. These separate the cluster of Chestnut Street's older building from other residential development, and consequently help to maintain the integrity of the historic area.*

This description fails to mention the negative impact of the large agricultural buildings abutting the present southern boundary of Area 2, and within what was its historic boundary. This is especially in terms of open views across Area 2 from Chestnut Street.

- *Views out of the Conservation Area on its western side to the wider countryside beyond which rises to a ridge to the south and forms an attractive visual feature and views from this ridge towards the Conservation Area.*

We comment on the selected views in the Appraisal later in this representation.

3.30 There is no single defined character or quality of architecture that justifies the designation of the Areas 1 and 2.

3.31 To reiterate again Historic England's guidance on the same:

'Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.'

Other Issues Explained in the CA Appraisal Related to the Boundary Extension

- 3.32 The Appraisal identifies a series of views in the document. It is not clear on what basis these have been identified and what it is the Council considers they add to an understanding of the special interest of the area. We provide comments on the views as relevant.

View 1a – *Local view within Conservation Area north across pasture on north side of the Conservation Area [note if proposed boundary changes accepted].*

The photograph demonstrates this view is not of particular quality. It comprises a view predominantly of an open pastureland with modern agricultural buildings and settlements visible in the middle ground. The viewer would be aware of the busy activity of the A249 behind this view from where it is taken.

View 2b - *Local views along School Lane*

The photographs demonstrate this view is not of particular quality and in fact is predominantly of Chestnut Street which is the principal element in the view. The group of special listed buildings are visible set back behind the pavement and glimpsed views are afforded when moving along the pavement of the A249 south west to north east.

View 6a *Medium and Long distance 180 degree views from the Footpath which runs from the southeast corner of the Conservation Area up to Chestnut Wood and then eastwards to Limepits Cross.*

View 6b *180degree medium Panoramic Views along Chestnut Street looking south east across meadow on south side of the Conservation Area.*

These two views comprise fairly pleasing, but plain views of the surrounding countryside but are not of high value in terms of visual amenity or landscape value. View 6a in particular includes clear views of settlements and agricultural buildings which, although part of the character of the surrounding rural area, are not of special interest nor do they contribute to the particular character of the conservation area.

- 3.33 Overall we are of the view that the key views identified in the Appraisal do not add to an understanding of the intrinsic value of the area and should not be given weight.

- 3.34 The CA Appraisal identified key Negative Characteristics that are identified as detracting from the character and appearance of the CA and we quote as follows:

- *Unsympathetic design of 20th century houses infilling the streetscape on the northern side*

We question why the Council seeks to include these buildings in the CA designation when they are identified as negative features.

- *An unattractive area of former highway now used for parking which detracts from the street scene.*
- *Commuter parking within the Conservation Area.*

This is not an issue that is relevant to assessing the historic character and appearance of the Conservation Area.

- *Area of unsympathetic land use to the south of the Listed Buildings.*
- *Potential loss of Limekilns within the large chalk quarry.*
- *Pond in poor condition.*

- *Large modern sheds/barns within the northern setting of the Conservation Area. This is an incongruous element in the landscape.*

Summary on the Appropriateness of the Proposed Boundary

- 3.35 A critical review of the proposed extension of the boundary to include this area reveals that this has paid little regard to the integrity and quality of the land or the built environment.
- 3.36 In the above analysis, we have highlighted that the land proposed for designation comprises a small parcel of standard agricultural land which is not of particular landscape or agricultural quality.
- 3.37 As established in **Section 2.0** of this report, Historic England's *Understanding Place: Historic Area Assessments: Principles and Practice* (2017) refers to the importance of establishing 'appropriate boundaries' which enable historic area assessments to be 'focused and manageable'.
- 3.38 The Council's appraisal fails to provide any rationale for the details and intricacies of the boundary as drawn (reproduced in Appendix 1.0 of this report), which, in some areas, appears to cut directly through the middle of fields.
- 3.39 The landscape and architectural qualities of the land proposed for inclusion is indistinct and it does not contribute in a meaningful way to an understanding and appreciation of the significance of the core significance of the Conservation Area.
- 3.40 In our judgement, the boundary is not intuitive and proposes to include landscape and built form which does not contribute meaningfully to an understanding and appreciation of the existing conservation area. The designations of these areas would serve to dilute the special interest of the Conservation Area.

4.0 INAPPROPRIATE USE OF STATUTORY DESIGNATION

4.1 The latter sections of the draft appraisal, Section 6.5. Conservation Area Objectives and Priorities for Management and Action, set out recommendations for protection and enhancement of the Conservation Area.

4.2 The objectives include the following statements which require further explanation to fully demonstrate the meaning and implications of these recommendations.

5. Protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.

6. Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area

4.3 The Council has not described on what basis the landscape around the CA possesses 'heritage' interest. This needs to be explained in the evidence base with clear grounds for genuine architectural or historic interest.

4.4 Given we have been able to discredit the claims in the report that the field to the north east of the existing boundary is not of the requisite special interest, the land management techniques to ensure the farmland functions as it should, need to be allowed to continue unhindered by the CA designation. It is concerning the effect the CA designation may have on the ability to continue necessary land management practices given the designation is based on unsound evidence.

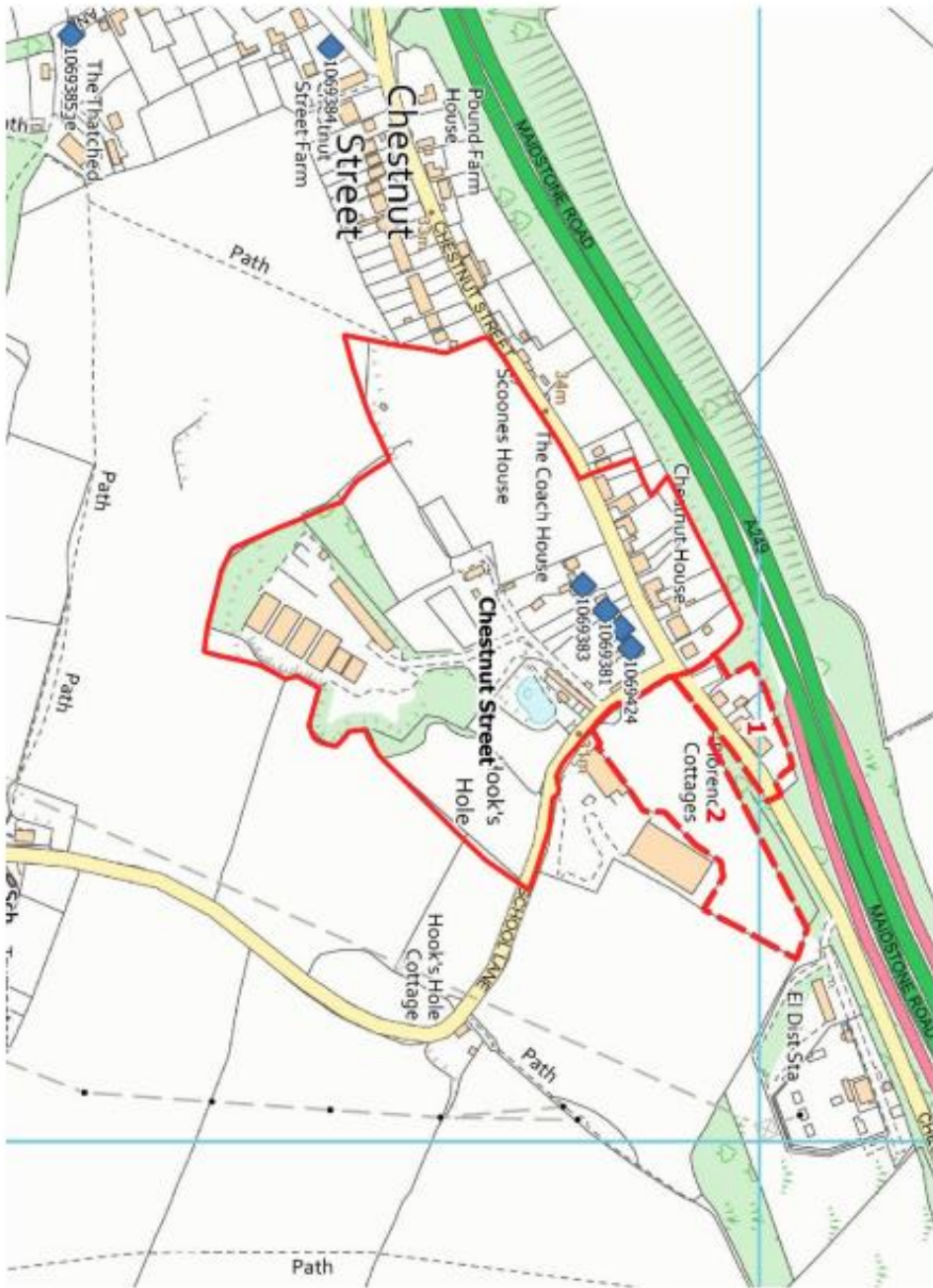
4.5 The Council has not identified what these non-designated heritage assets are within the Conservation Area. We politely request these are made available as part of the evidence base.

5.0 CONCLUSIONS

- 5.1 This report has been produced on behalf of Quinn Estates in reply to the proposed extension to the Borden, Chestnut Street Conservation Area.
- 5.2 This report presents a reasoned objection to the proposed extension, based upon the inappropriate use of the Council's powers under Section 69 of the Act.
- 5.3 We consider this to manifest in the lack of new evidence to justify the review of the Conservation Area boundaries.
- 5.4 The area proposed for extension does not substantiate a claim for '*special architectural or historic interest*' as required for designation by s69 of the Act.
- 5.5 The draft appraisal (2020) completed in support of the Conservation Area extension does not provide any justification for the proposed boundary extension and needs to be updated and re-consulted on before any decisions are made with regards to the designation extension.
- 5.6 The extension of the Conservation Area as proposed to incorporate the land would lead to a restrictive designation inconsistent with the correct management of the agricultural land which the land in the extended area comprises.
- 5.7 We would reiterate that it is the quality and interest of the whole area, as opposed to the individual buildings, should be the prime consideration in identifying conservation areas. The object, therefore, should not be to protect individual buildings or spaces which are not of demonstrable interest, in line with Historic England's guidance (2019).
- 5.8 We submit this strong objection to the proposed extension of the Conservation Area boundary to include the land indicated in the map included at Appendix 1.0 for the reasons presented above.
- 5.9 Given the clear flaws in the Council's proposals that are highlighted in this representation, should the Council proceed with this designation then our clients will need to consider their options in relation to a challenge to that decision. We also reserve the right to comment further following the Council's response to this representation.

APPENDIX 1.0

Map indicating the areas considered in the representation



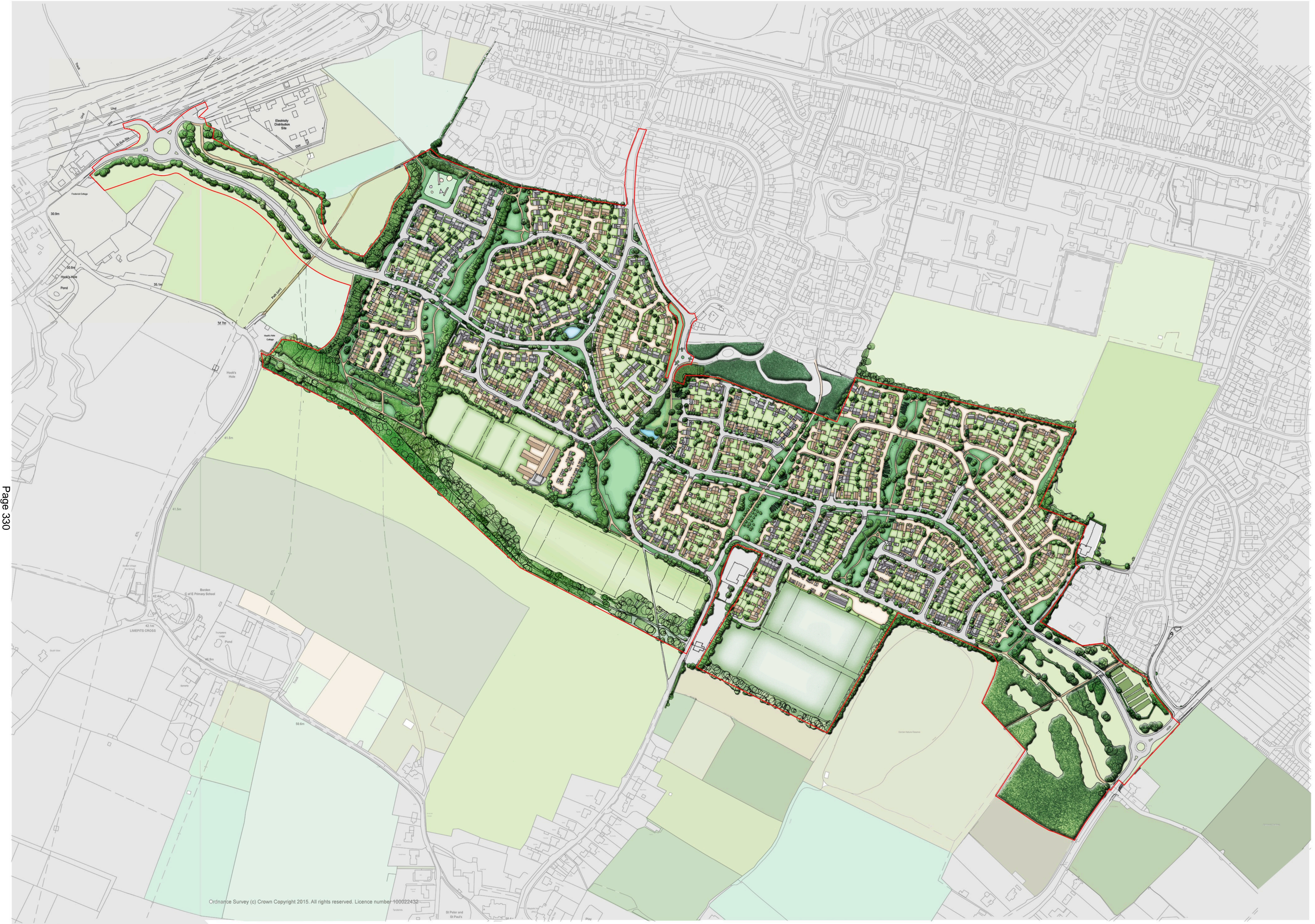
- Legend**
- Conservation Area boundary
 - Conservation Area Extension
 - ◆ Listed Buildings

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2020. Ordnance Survey 100018396.

Map 10: Conservation area boundary and proposed extension; Listed Buildings

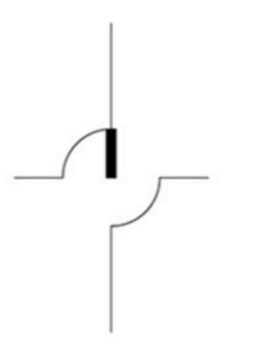
APPENDIX 2.0

Illustrative masterplan for the proposals at 'Land at Wises Lane South West Sittingbourne'
(PINS reference APP/V2255/W/19/3233606).



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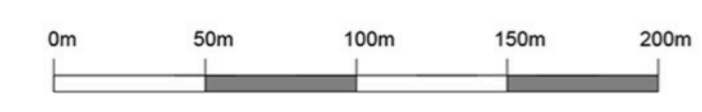
Notes:
 Please report all discrepancies, errors and omissions.
 Verify all dimensions on site before commencing any work on site or preparing shop drawings.
 All materials, components and workmanship are to comply with the relevant British Standards, Codes of Practice, and appropriate manufacturers recommendations that from time to time shall apply.
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Revisions :
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— Development Boundary

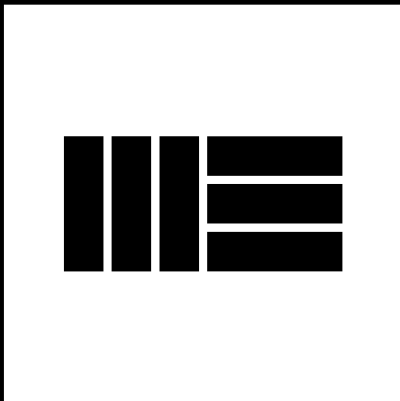


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Project title		
Proposed Development, Land at South West Sittingbourne, Kent.		
Drawing title		
Masterplan		
Scale	Drawing number	Revision
1:2500 @ A1	2574 - 401	D
Date		
August 2017		

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION. WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.

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Just to add to the consultation is the addition of Chestnut House and Chestnut Cottage. These were one house and date back to the 16th century. Hard carve beams in the lofts indicate this and the houses form a Coaching Inn. The trap doors to the cellars are found in the front room of Chestnut House. The house became a coaching Inn in the 18th century. The "shoots" for the beer barrels are still in the foundation of the southwest wall. The wooden "bricks" to which panelling was attached are in the south and southwest walls. The stables were in the yard of Chestnut cottage. This information should be included in the conservation area information. The house originally was grade 3* listed in the 1970s however listing was lifted when the A249 was to be built through Chestnut Street (prior to the original conservation area designation).



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LOCAL PLAN PANEL

MINUTES of the Virtual Meeting Via Skype on Thursday, 18 February 2021 from 7.00 pm - 7.25 pm.

PRESENT: Councillors Mike Baldock (Chairman), Monique Bonney (Vice-Chairman), Alastair Gould, James Hunt, Carole Jackson, Denise Knights, Peter Marchington, Richard Palmer, Eddie Thomas, Ghlin Whelan and Corrie Woodford (Substitute for Councillor Elliott Jayes).

OFFICERS PRESENT: Simon Algar, Philippa Davies, Kellie MacKenzie and Emma Wiggins.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Lloyd Bowen, Roger Clark, Steve Davey, Mark Ellen, Simon Fowle, Tim Gibson, James Hall, Ken Rowles, David Simmons, Bill Tatton and Tony Winckless.

APOLOGIES: Councillors Elliott Jayes and Benjamin Martin.

451 INTRODUCTION

The Chairman explained that the meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392.

The Chairman welcomed all Members, officers and members of the public to the meeting.

452 MINUTES

The Minutes of the following Meetings were taken as read, approved and signed by the Chairman as correct records:

8 October 2020 (Minute Nos. 179 – 183);
 Extraordinary Meeting 29 October 2020 (Minute Nos. 220 – 223); and
 Extraordinary Meeting 19 January 2021 (Minute Nos. 400 – 403), subject to the inclusion of Councillor Steve Davey as being in attendance.

453 DECLARATIONS OF INTEREST

No interests were declared.

454 PUBLIC CONSULTATION BORDEN PARISH CONSERVATION AREAS

The Conservation and Design Manager introduced the report which proposed boundary changes to three out of the four Borden Parish conservation areas and recommended that they be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. Members were asked to note the representations made by interested parties to the public consultation on the

character appraisals and management strategies documents. Members were also asked to support the proposed changes in response to the consultation, as set-out at Appendix II of the report, and recommend to Cabinet that they be agreed. The Conservation and Design Manager considered that the proposed changes would better reflect the special characteristics of the three conservation areas in question (namely Borden – The Street, Chestnut Street and Harman’s Corner).

The Conservation and Design Manager reported that there were some minor errors including typographical errors in the public consultation version of the conservation areas review document. He confirmed that these would be amended prior to being considered by Cabinet and being adopted. The Conservation and Design Manager further reported that he had been made aware that two of the public consultees had not received consultation letters.

Members were invited to ask questions.

In response to queries from Members, the Conservation and Design Manager confirmed that item 2.1 on page 9 of the report should read “...and in the whole borough by **2030**” not 2020 as stated. The Conservation and Design Manager referred to Appendix II on page 90 of the report, and explained the rationale to extend the Chestnut Street Conservation Area to the northeast to include a group of important historic buildings and include former areas of post-medieval quarrying at the southeast side. He stated that this would be to recognise the contribution the buildings in question made to the special interest of the Chestnut Street Conservation Area. In the case of the areas of former quarrying, to capture this area within the boundary of the conservation area, whilst recognising the important role that the area of land played in providing part of the immediate setting to the group of high-graded listed buildings, at the heart of the conservation area.

The following points were raised:

- Welcomed the report;
- concerned about the lack of response to the consultation; and
- officers needed to investigate why principal landowners had not received consultation letters.

The Chairman moved the following motion: That any consultation responses received prior to Cabinet on 17 March 2021 would be tabled at that meeting. This was seconded by Councillor Richard Palmer. This was agreed by Members.

The Chairman moved the recommendations in the report and these were seconded by Councillor Richard Palmer.

Resolved:

- (1) ***That any consultation response received from the parties whom did not receive their original consultation letters would be considered, providing any such responses were received prior to the Council’s Cabinet meeting on 17 March 2021. Any responses received from the parties in question to be tabled at that meeting.***

Recommended:

- (1) ***That the content of the public consultation draft of the combined character appraisals and management strategies document produced for the review, and the representations made on this by interested parties, the details of which were set-out in the report be noted.***
- (2) ***That the changes to the review document proposed by officers in response to the representations received during the course of the public consultation be supported and agreed by Cabinet.***

455 PUBLIC CONSULTATION TONGE CONSERVATION AREA

The Conservation and Design Manager introduced the report which set-out proposed boundary changes to Tonge Conservation Area following a review and public consultation and requested that the conservation area should be formally re-designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Members were asked to note the representations made by interested parties to the public consultation on the character appraisals and management strategies documents. In addition, Members were asked to support the proposed changes in response to the consultation, as set-out at Appendix II of the report, and recommend to Cabinet that they be agreed. The Conservation and Design Manager considered that the proposed changes would better reflect the characteristics of the Tonge Conservation Area.

The Conservation and Design Manager reported that there were some minor errors and typographical errors in the public consultation version of the conservation area review document. He confirmed that these would be amended prior to being considered by Cabinet and being adopted.

Members were invited to ask questions.

A visiting Ward Member supported the proposed changes. The Member spoke about the temporary one-way system currently in operation through the village which passed several listed buildings which he considered worked very well. He asked whether it would be possible to include this within the document as a permanent feature? The Conservation and Design Manager said that he was aware that Kent County Council (KCC) Highways and Transportation were in the process of liaising with Tonge Parish Council and Bapchild Parish Council about a possible Traffic Regulation Order (TRO) which might seek to impose a speed and/or weight restriction on Church Road, and that KCC could also be asked to consider securing the referenced temporary one-way system as a permanent feature, but that this was not something that could be included within the Conservation Area document.

The Chairman moved the recommendations in the report and these were seconded by the Vice-Chairman.

Recommended:

- (1) That the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, the details of which are set-out in the report be noted.**
- (2) That the changes to the review document proposed by officers in response to the representations received during the course of the public consultation be supported and agreed by Cabinet.**

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel

Cabinet

Meeting Date	17 th March, 2021
Report Title	Tonge Conservation Area Review
Cabinet Member	Cllr. Mike Baldock - Cabinet Member for Planning
SMT Lead	Emma Wiggins – Regeneration Director
Head of Service	James Freeman – Head of Planning
Lead Officer	Simon Algar – Conservation & Design Manager
Key Decision	Yes
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the responses received from the public consultation exercise (summarised in the response table at Appendix iii and set out in full at Appendix v). 2. To note the content of the conservation area character appraisal and associated management strategy document for the Tonge Conservation Area. 3. In light of 1 and 2 above, to resolve that the Tonge Conservation Area is of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and that as such, that it should be re-designated as a conservation area in accordance with section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. 4. In light of 1 and 2 above, to resolve that the boundary to the conservation area be re-drawn as proposed on Map 1 and the related series of maps in the character appraisal and management plan document for the Tonge Conservation Area to be formally adopted for development management purposes.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Cabinet aware of some proposed boundary changes and to confirm that following the recent review work, the conservation area should be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy in

line with current good practice for the management of conservation areas. Officers recommend that the Cabinet approves the changes to the review document set out in Appendix iii and as reflected in Appendix ii: Public consultation version of the 2020 draft character appraisal and management plan document, showing alterations recommended by officers as tracked changes

2 Background

- 2.1 Tonge Conservation Area was first designated in July 1987. The boundary of the conservation area was subsequently reviewed, the boundary amended, and a summary conservation area character appraisal prepared in July 2003. A copy of the 2003 summary character appraisal document forms Appendix i of this report. Up until now, this conservation area has therefore lacked a detailed appraisal or management strategy to underpin its continued designation. Case law concerning conservation area designation indicates that continued designation could be quashed by a legal challenge on the basis for its original designation not being fully evidenced.
- 2.2 It has also become apparent during the last year or so, that parcels of land adjoining or nearby the boundary of the conservation area are the subjects of some significant potential development pressure. Having a detailed up-to-date character appraisal and management strategy in place for this conservation area should help to ensure that any strategic decisions concerning future development and infrastructure provision in this wider area can be made on a properly informed basis taking into account the need to conserve the setting and special interest of this longstanding conservation area, as far as reasonably possible, as well as the Council's requirement to deliver new homes and support employment opportunities.

3 Proposal

- 3.1 The proposal is to re-designate the Tonge Conservation Area and to equip it with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes over the next decade or so. The re-designation is proposed to include amendments to the conservation area boundary to include additional areas that contribute to its special interest.
- 3.2 Proposed changes to the boundaries of the conservation area are highlighted in Appendix 2 of the public consultation version of the character appraisal and management plan document, which is attached as Appendix ii to this report. The proposed boundary changes have been challenged and questioned through the public consultation exercise and the considerations relating to this have been clearly set out in Appendix iii (public consultation – table of representations and the council's response to them) to this report.

- 3.3 Officers recommend that Cabinet approves the proposed changes to the review document as set out in Appendix iii and as reflected in Appendix ii: Public consultation version of the 2020 draft combined character appraisal and management plans document, showing alterations recommended by officers as tracked changes. It should be noted that the version of the document provided at Appendix vi is in Microsoft Word format and is provided here purely to show how the changes to the document which officers consider should be made, are incorporated. Final formatting of the document using professional editing software (which will also eliminate any remaining typos and grammatical errors) will be applied to the PDF version of the document which will form the adoption version and which will be placed on the Council's website for public viewing.

4 Alternative Options

- 4.1 One option would be to not take this review work any further and effectively abandon it. This is not recommended however because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.
- 4.2 A second possible option would be to suspend the work on this review until some point in the future. Whilst this option would not result in wasted consultancy fees and officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the respective Borden Parish conservation areas.
- 4.3 A third possible option would be to alter the document, in particular to take on board the representations made on behalf of those with land and/or development interests in the locality, and more especially to row back on one or both of the proposed boundary extensions to the Chestnut Street Conservation Area. However, whilst it is accepted that some minor changes can and should on balance be made to the appraisal and management strategy sections of the review document in light of commentary provided in such representations, the consultation table set out at Appendix iii sets out the Council position in relation to these comments and the carefully reasoned responses to those representation set out therein supports the view that the appraisal document and associated proposed boundary changes are in overall terms, fundamentally sound.

5 Consultation Undertaken or Proposed

- 5.1 As agreed in advance with Tonge Parish Council and Bapchild Parish Council (the land contained within the conservation is split between the two parishes), a 6

week public consultation exercise commenced ran from Monday the 5th October 2020 until Sunday the 15th November 2020.

- 5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key relevant organisations including Kent County Council and Historic England. A list of those parties consulted on the review document is attached for reference as Appendix iv to this report.
- 5.3 Restrictions on movement imposed due to the Coronavirus pandemic meant that the normal practice of providing hard copies of the review document at Swale House, at Sittingbourne Library and the nearest local library (in this case, Teynham) could not be followed, but the review document was available to view/download on-line via the Council's website for the duration of the six-week public consultation period, and in addition, officers designed a public consultation poster, copies of which were placed on notice boards in Bapchild and Tonge parishes prior to the start of the consultation period by the respective parish clerks in order to help further publicise the review work.
- 5.4 Ten representations were received in response to the public consultation exercise, with three of these in particular strongly objecting to the proposed boundary extensions to the Tonge Conservation Area. There were also suggestions for changes to the appraisal section of the document in terms of how areas within the conservation area and identified views are labelled and described, along with calls for a speed restriction on Church Road and some other management measures. Full copies of all ten representations received are included for reference at Appendix v to this report. It should be noted that details which could allow for identification of private individuals have been redacted in the copies displayed in this appendix in order to protect personal data in accordance with the requirements of the General Data Protection Regulation 2018 (GDPR) and the associated Data Protection Act 2018.
- 5.5 It should be noted that Kent County Council's Heritage Conservation Team are contracted by the Council to provide archaeological advice on development proposals and in support of area appraisal work, as the Council, in line with most other local planning authorities does not have an in-house specialist in this respect. As such, there is no consultation response from the county's Heritage Conservation Team as the Council's consultant liaised with the county's Principal Archaeologist at the outset of this review exercise, and his input was incorporated into the public consultation document. Kent County Council in its function as the Highway Authority was consulted on the conservation area review but provided no feedback in this respect. A response from the county's Ecology Team (which was also consulted) is summarised in the consultation response table at Appendix iii to this report, along with a summary of all the other feedback provided.
- 5.6 The Local Plan Panel considered this matter at its meeting on the 18th February where it was unanimously agreed by members of the panel to recommend to the Cabinet that the proposed changes to the conservation area review document

recommended by officers, in light of public consultation feedback, should be approved. For the avoidance of any doubt, the recommendations for changes to the review document by officers do not materially alter the content of the character appraisal or management plan parts of the document. Nor do they propose any change to the conservation area boundary alterations proposed by the Council's appointed heritage consultant. The recommended changes seek solely to correct some minor factual errors and close some small gaps in information. A copy of the minutes from the Local Plan Panel meeting is attached as Appendix vi to this report.

6 Implications

Issue	Implications
Corporate Plan	<p>Priority 2 of the Plan is: 'Investing in our environment and responding positively to global challenges'. Objectives 2.1, 2.4 and 2.5 of this priority are respectively to:</p> <p>(2.1) 'Develop a coherent strategy to address the climate and ecological emergencies, aiming for carbon neutrality in the council's own operations by 2025 and in the whole borough by 2030, and pursue all opportunities to enhance biodiversity across the borough'.</p> <p>(2.4) 'Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.'</p> <p>(2.5) 'Work towards a cleaner borough where recycling remains a focus, and ensure that the council acts as an exemplar environmental steward, making space for nature wherever possible'.</p> <p>The character appraisal and management strategy document, once amended as appropriate and subsequently adopted would support all 3 of the above-stated objectives from the Corporate Plan.</p>
Financial, Resource and Property	there are no financial implications for the Council
Legal and Statutory	<p>The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to "<i>determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i>" and, from time to time, to review the functioning existing conservation areas. As such failure to follow through on this review work would mean that the council is failing to meet its statutory duties in relation to the designation and ongoing management of conservation areas.</p>
Crime & Disorder	None identified at this stage.

Environmental Sustainability	One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment. The other two dimensions are a strong economy and a healthy and socially vibrant community
Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Swale Heritage Strategy which underpins this review work.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

The following documents are to be published with this report and form part of the report:

- **Appendix i:** Existing 2003 summary character appraisal document
- **Appendix ii:** Public consultation version of the 2020 draft character appraisal and management plan document, showing alterations recommended by officers as tracked changes
- **Appendix iii:** Public consultation – table of representations, and the council’s response to them
- **Appendix iv:** List of those parties consulted on the review document
- **Appendix v:** Copies of all ten representations received in relation to the public consultation (redacted to protect personal data, as appropriate).
- **Appendix vi:** Minutes from Local Plan Panel meeting on the 18th February considering this matter

8 Background Papers

None.

Tonge conservation area character appraisal

(extract from report to Planning Committee 27.02.03 - Agenda item 1.1 Annex B)

Location

1. Tonge lies approximately 2.5 kilometres (1.5 miles) east of Sittingbourne town centre and close to the southern edge of the North Kent marshes. The settlement is comprised of a small group of buildings clustered alongside a mill pond formed at the northern end of a shallow valley leading to the marshes. Immediately alongside the pond are the remains of earthworks associated with Tonge 'castle'.

History

2. The full history of the defence works at Tonge is uncertain. The rectangular earthwork was once thought to be the remains of a motte and bailey castle. Partial excavation has revealed that the 'castle' consisted of two enlarged hills partly encircled by a deep moat, with one of the mounds having been used for habitation. Evidence of a Norman building was found, which had been replaced by a substantial hall and associated buildings. The habitation found here appears, therefore, to have been a moated medieval manor of the 12th to 13th centuries, and not a true castle. It is possible, of course, that defences of some sort were in place here in earlier times; the location would almost certainly have been important to the Saxons and Danes. It is said that Hengist built a castle at Tonge for the defence and maintenance of the surrounding area but there is little to substantiate this story.

3. By tradition Thomas a Becket's Spring, which is the main source of the stream feeding the mill pond, was the site of a leper hospital/pilgrim's hospice in medieval times.

4. The Domesday book, substantially completed in 1086, records a mill being then present at Tonge. The oldest of the buildings now standing, the Old Mill, dates from the mid eighteenth century.

5. The railway line, completed in 1858, introduced a substantial new physical structure into the Tonge environment.

Built environment

6. The surviving remains of Tonge 'castle' comprise earthworks standing some 7.5 metres (25 feet) above sea level. A deep wide ditch, now dry, is present on the north-east and north-west sides which defines a rectangular central area. The south-western and south-eastern sides of this area are now bounded by a large pond, which occupies the southern portion of the original defence works. The pond is thought to be of late medieval date; it was later apparently deepened and enlarged sometime around the 1830s, which is believed to account for the disappearance of the ditch on the southern side. Occupation of the castle site ceased in the late 13th century; the present-day bungalow might be said to be a resumption of the former residential use.

7. The mill pond is fed principally by a flow of fresh water from Thomas a Becket's spring situated approximately 0.5 kilometre to the south (close to the present day alignment of the A2). This, together with other smaller springs, maintains the water level in the pond through the winter, although the flow can cease during summer droughts. There are three tiny islands within the pond plus an area of geese pens; each of these is vegetated. The outflow of water passes beneath Church Road and is channelled via leets through the garden of the Old Mill; the water courses then link

back with the stream which passes on to the north. This supply of water was the reason for the development of the mills at Tonge, perhaps also the reason for the original habitation of the site; the presence of the stream is consequently of special historical importance to the small settlement.

8. The mill buildings stand at the eastern end of the pond and are the defining feature of Tonge. The older of the two mills stands on the east side of Church Road and together with the mill house was built in 1759. A later mill stands on the opposite side of the road and occupies a narrow plot of land between the edge of the pond and the highway; date plaques show it to have been built between 1837-1866. The juxtaposition of these two mills forces a distinctively narrowed bend into Church Road as it squeezes between the two buildings; the resulting pinch-point is an attractive and defining feature of the place.

9. The old mill, now converted into three dwellings, is timber-framed and clad with white weatherboarding on the upper floors but has distinctive red brickwork with grey headers on the ground floor. The site of the original water wheel remains visible and is consequently an important link with the past. The large roofs are covered with mellowed Kent peg tiles. This is a truly picturesque mill, and an outstanding survival of Kentish vernacular industrial building, despite its original use having long since ceased. The upper section of the building leans severely away from the road 'as if it were reeling back' (Newman, Buildings of England) which results in a splendidly striking appearance. An attractive walled garden, through which the mill leets run, adjoins the building on the north west side; this garden, at the same level as the mill building, is set several metres below the level of the road to accommodate the drop in the flow of water over the original mill wheel.

10. To the north-west of the old mill lies a group of structures set around a concrete paved yard. The principal building here is a barn thought to have been constructed circa 1822; it is set at the far end of the yard and is brick-built with a slate-covered roof. Both the date and the manner of construction of this threshing barn are similar to that of the later mill complex so it seems reasonable to conclude that it was probably used for storing and processing crops prior to milling. A number of other garages/store buildings are positioned around the yard, although for the most part they are modest in character and appearance. The barn has been used in recent times as a studio, but with relatively few external alterations having been made to it the building retains an appealingly authentic character. Former stables, now used as a design studio, stand on the south side of the yard and are set at right angles to the barn.

11. Around the corner from this yard stand Castle Cottages, a row of three, post-war houses built in yellow stock brick. These are modest in character, but their simplicity and straightforwardness is such that they are well suited to the rural location and their unaltered appearance is a welcome feature. By virtue of their location these houses are an integral part of the Tonge scene, especially in the important view from the south side of the pond.

12. The 'new' mill at Tonge, on the south west side of the road, is comprised of a number of individual buildings, and is mostly built in yellow stock bricks that were almost certainly manufactured in the nearby brickfields at Sittingbourne or Teynham. The first of these buildings was completed in 1837, and a second in 1866. Their design is essentially industrial in character; indeed the buildings might be said to be appropriately austere in appearance. This industrial character is reinforced by a free standing, 30m (100ft) high, tapering, square brick chimney which is a distinctive feature in its own right and a landmark in the local landscape. It also records the

historically important switch from water to steam as the motive power in the milling process, and is therefore an interesting commentary on the way in which a local business embraced change. The mill buildings, which latterly accommodated a bakery, are currently used for a variety of purposes including furniture and craft sales, offices and living accommodation. The survival of this industrial building, in such an attractive rural setting, is rather unusual in a Kentish context and consequently of special interest.

13. A modern bungalow, built in the 1970s, now stands within the confines of the castle earthworks and is very prominent in the view of Tonge from the south. It is, however, essentially suburban in character and somewhat at odds with the overall character of the area. The relatively informal treatment of the garden area sloping down towards the pond does nevertheless work rather well with the surroundings.

14. The view from within Tonge, looking to the south, is largely rural although housing development fronting the London Road (A2) can be seen in the distance.

Landscape

15. Tonge lies at the northern end of a shallow valley where it merges with the low-lying land immediately to the south of the North Kent marshes. The stream which feeds the mill pond follows the line of the valley, and over a relatively short distance it displays an attractive sequence of characters: at its source it is little more than a weed-filled ditch; subsequently it becomes a more distinct feature with scrubby stream-side vegetation, whilst at its lower end the course of the stream is marked by prominent areas of wet woodland, comprised for the most part of alder and willow. The completeness of the water-course, running from source to mill pond over such a short distance, is nicely expressed by the sequence of stream-side habitats, features of which are important in the local landscape.

16. The gentle slopes on either side of the stream contribute to the setting of the stream. The land on the western side is now in arable use and virtually devoid of features such as hedgerows and trees; the absence of these features has undoubtedly spoilt the intimacy of the valley. However, the eastern side of the valley remains more varied with, for example, a mix of hedgerows, trees and orchards still being present; this side consequently retains a more traditional appearance. The wider landscape around Tonge continues to be attractive and, despite a number of orchards having been grubbed out in recent years, it still remains Kentish in character.

17. Trees around the site of Tonge 'castle', on the higher ground, are prominent in the landscape and form a significant screen. Of particular note is a row of mature elms, which species is now very uncommon in Kent.

18. The railway embankment, aligned east-west along the northern edge of Tonge, is an important feature in the local landscape, especially where the banks are covered with tree growth. This embankment has, in effect, severed Tonge visually from the wide sweep of low lying land to the north including the marshes so that it now forms a well defined northern edge to the settlement. The trees now comprise an important background to Tonge when viewed from the south.

19. The land on the southern side of the pond has, by tradition, been accessible to the public for informal recreation such as picnicking and feeding the ducks. A somewhat larger area was opened to public access in the late 1990s, when a small vehicle parking area was also provided. A small area of new woodland, comprised of native species, has been planted to the south-east of the pond with orchard trees

alongside; new hedges have also been planted and an area of permanent pasture established. This work has undoubtedly increased the appeal of Tonge for informal recreation by local people.

The highway environment

20. Development in Tonge is clustered almost exclusively around Church Road which is in essence a country lane; north and south of the settlement it passes between fields and orchards where carriageway edges are characterised by grassy banks, hedgerows and soft verges. This traditional rural character is aptly reinforced at the junction with Scraps Hill by the survival of a traditional wooden finger-post direction sign. The road twists and turns through Tonge itself with delightful informality, most notably where it passes through the narrow gap between the two mills, where buildings are set perilously close to passing traffic; footways here are conspicuous by their absence.

21. Overhead wires radiating from a distribution pole in the public highway alongside the two mills are, however, an unwelcome intrusion into an environment of such very special quality.

Summary

22. Tonge comprises a small, but fascinating, cluster of buildings set around an attractive mill pond. The long history of settlement here is of special interest, although it has yet to be fully documented. The stream, which continues to feed the pond, is of special historical importance as it provided one of the essential prerequisites for early habitation of the site and also the power for the mills. The buildings now present in Tonge include rare and attractive examples of Kentish vernacular industrial architecture, which nicely illustrate the use of locally-sourced building materials such as brick, tile and weatherboarding, and also in later work Welsh slate which had then become widely available. Also recorded in these structures is the historically important change from water to steam power. The pond and its feeder stream are set within a relatively self-contained area of landscape which remains attractive despite some recent loss of orchards and hedgerows. The public access afforded to the area contributes to its appeal as a local amenity.

23. The area's long standing history and the grouping of Kentish buildings in a picturesque situation alongside an attractive mill pond within an unspoilt rural landscape, together results in an area of special architectural or historic interest.

January 2003

Tonge conservation area policies and proposals for continuing preservation and enhancement

(extract from report to Planning Committee 27.02.03 – Agenda item 1.1 Annex C)

Planning policy context:

Swale Borough Local Plan; adopted July 2000.

Supplementary Planning Guidance:

Listed buildings: a guide for owners and occupiers; adopted November 1993.

Conservation Areas; adopted April 1993.

The conservation of traditional farm buildings; adopted November 1993.

Designing an extension; adopted April 1993.

Repair and maintenance of, and improvements to, buildings, boundaries and other structures:

The palette of materials present in the built environment of Tonge is of central importance to the special character and local distinctiveness of the place; key materials in this regard include locally manufactured red and yellow stock bricks; Kent peg clay roofing tiles; Welsh roofing slates; and weatherboarding. The retention of these indigenous materials will be important in the continuing preservation and enhancement of the character of the place; the use of these materials is also likely to be preferred in any new works of improvement and alteration.

The industrial origins of the key buildings in Tonge are a special feature of the local character and local distinctiveness in the built environment. The retention of key elements of this working character will be important in the continuing preservation and enhancement of the character of the place.

Owners and occupiers will be encouraged to seek the highest possible standards in the repair, maintenance and improvement of all the buildings, boundaries and other structures that contribute to the special character of Tonge, and to employ traditional work practices and traditional materials wherever appropriate.

The Borough Council maintains a small budget for grant aid towards the repair, in appropriate cases, of buildings of special architectural or historic interest.

The management of the local landscape:

Features of special importance in the Tonge landscape include the stream, mill pond and leets and the associated water regime; the wet woodland area at the northern end of the stream comprising willow and alder, and the group of elm trees on the 'castle' site; the tree cover on the south side of the railway embankment; and the Country Park.

The successful retention and enhancement of each of these features will depend upon appropriate management measures. Management regimes for the mill pond and stream, the elm trees, the Country Park and the railway embankment are already in place and their implementation will play an important part in the preservation and enhancement of the character of the place. Other management measures which promote the well-being of the traditional rural landscape will be encouraged in appropriate instances, including the care of roadside verges.

Planting which contributes to the form and structure of the local environment in and around Tonge should normally be comprised of native species, although other species now assimilated into the Kentish rural scene may also be appropriate.

Six weeks notice must be given in writing to the Borough Council before any works are undertaken to trees within the conservation area.

The public highway:

The form and appearance of Church Road is crucial to the character and appearance of the conservation area and the sensitive treatment of the highway environment will therefore be important, including the retention of the informal character and shape of both the road and the carriageway areas; the retention of the soft edges, verges and roadside banks, and traditional street furniture; the choice of materials used, and the manner of their use; and the restrained use of signing and road markings.

Works to the public highway will be carried out in accordance with the guidelines prepared by the highway authority for works in conservation sensitive areas as set out in The Highway Management Reference Book produced by Kent County Council.

Wherever possible further clutter in the highway from the statutory companies will be avoided (eg. additional poles, overhead wires and cabinets).

Other enhancement measures:

Other possible enhancement measures include:

- i. the replacement of chain-link fencing around the Tonge Mill car park with an improved boundary treatment;
- ii. the replacement of the corrugated covering on the lean-to roof on the south side of Tonge Mill with a more traditional roofing material;
- iii. the replacement of the chain-link fence fronting Church Road which separates the pond from the road;
- iv. the undergrounding of overhead wires currently carried by the distribution pole opposite Tonge Mill.
- v. the refurbishment of the traditional, wooden finger post direction sign situated on the corner of Church Road with Scraps Hill.

January 2003

TONGE CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN



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Character Appraisal and Management Plan
for Tonge Conservation Area

[Consultation Draft – October 2020](#)[Adoption Version – April 2021](#)



Wyvern Heritage
and Landscape

FORWARD

“Historic buildings and places add to the quality of people’s lives and help to create a sense of place that we all identify with.

As a community and as a local authority, we have a responsibility to safeguard our historic assets for future generations and to make sure that they are not compromised by unsympathetic alterations or poor quality developments. Conservation area designation and subsequent management is one way in which this can be achieved.

Conservation areas are not intended to halt progress or to prevent change. Rather, they give the local community and the Borough Council the means to positively manage change and to protect what is special about the area from being harmed or lost altogether.

Swale Borough is fortunate in having such a rich and varied mix of built and natural heritage. The Borough Council wants to see it used positively as a catalyst to sustainable, sensitive regeneration and development, and to creating places where people want to live, work, and make the most of their leisure time. To that end, we have reviewed the Tonge Conservation Area and the results of that review are set out in this document, which the Borough Council is now seeking constructive feedback on.

This is the second of a series of conservation area reviews which the Borough Council is committed to undertaking, following the adoption of the Swale Heritage Strategy 2020 - 2032, earlier this year.”



Councillor Mike Baldock,
Cabinet Member for Planning and
Swale Borough Council Heritage
Champion

Mike Baldock

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Note: Appraisal maps to be altered to show public right of way that cuts across the private area of land east of Becket Spring which was the former informal 'Tonge Country Park'

1.0 INTRODUCTION

1.1. Tonge Conservation Area

Tonge Conservation Area was first designated on 14.07.1987. The boundary of the Conservation Area was reviewed, and the boundary amended, and a summary Conservation Area Character Appraisal prepared on 27.02.2003.

It lies approximately 2.5 kilometres (1.5 miles) east of Sittingbourne town centre and close to the southern edge of the North Kent marshes. The small settlement is comprised of a small group of buildings clustered alongside a mill pond formed at the northern end of a shallow valley leading to the marshes.

1.2 The Purpose of Conservation Areas

Conservation Areas were first introduced in the Civic Amenities Act of 1967. A Conservation Area is defined as *“an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”* (s.69(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990). It is the responsibility of individual Local Planning Authorities to designate and review Conservation Areas using

local criteria to determine and assess their special qualities and local distinctiveness.

The aim of Conservation Area designation is to protect historic places and to assist in positively managing change, so that their significance is safeguarded and sustained. Areas may be designated for their architecture, historic layout, use of characteristic or local materials, style, or landscaping. In accordance with the four types of heritage values set out in the core Historic England guidance document (Conservation Principles: Policies & Guidance), communal values – which are those derived from the meaning of a place for people who relate to it, or for whom it figures in their collective experience or memory – will be of particular relevance to this Conservation Area given the linkages between place names and remnants of bygone uses in the wider context of historical growth and development. Above all however, Conservation Areas should be cohesive areas in which buildings and spaces create unique environments that are of special architectural or historic interest.

Conservation Areas provide for additional Controls over owners and landowners activities.

Conservation Area status provides extra protection in the following ways:

- Local planning authorities have control over most demolition of buildings.
- Local authorities have extra control over householder development.
- Special provision is made to protect trees.
- When assessing planning applications, the Local Planning Authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and its setting.
- Policies in the Local Development Plan positively encourage development which preserves or enhances the character or appearance of Conservation Areas.

1.3 The Purpose and Status of this Character Appraisal

A Conservation Area Character Appraisal is a written record and assessment of the special architectural or historic interest which gives rise to the character and appearance of a place. The appraisal is a factual and

objective analysis which seeks to identify the distinctiveness of a place by defining the attributes that contribute to its special character. **It should be noted, however, that the appraisal cannot be all-inclusive, and that the omission of any particular building, feature or space should not be taken to imply that it is not of interest.**

The appraisal is the vehicle for understanding both the significance of an area as a whole and the effect of any impacts which bear negatively on its significance. In some cases, significance may only be fully identified at such time as a feature or a building is subject to the rigorous assessment that an individual planning application necessitates.

Additionally, an appraisal can include management proposals to ensure the preservation or enhancement of an area by means of policies, action points, design guidance and site-specific design statements where appropriate. The objective of this plan would be to reinforce the positive character of a historic area as well as avoiding, minimising, and mitigating negative impacts identified as affecting the area.

An appraisal serves as a basis for both the formulation and evaluation of Development Plan policies, as a material consideration in the making of development management decisions by the Local Planning Authority, and

by the Planning Inspectorate in determining planning appeals. It can also heighten awareness of the special character of the place to help inform local Parish Councils in the formulation of Neighbourhood Plans, Village Design Statements, and individuals in design choices.

This Character Appraisal is supplementary to the Swale Borough Local Plan. It has been prepared in the context of the relevant national legislation and national and local planning policy and guidance provided by central government, Historic England, and the Borough Council itself, all of which are set out in Appendix 3 of this document.

The statutory duty of local planning authorities with regards to conservation areas are to provide the necessary background to, and framework for, a review of the Conservation Area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to pay special attention to the desirability of preserving or enhancing the character or appearance of the area (Section 72).

In light of the way that the production of Conservation Area Character Appraisal & Management Strategy documents (such as this one) are developed and prepared in the above stated context and are also subject

to public scrutiny via a statutory public consultation period of a minimum of 21 days, following formal adoption by the Local Planning Authority, they then have sufficient weight or gravitas to form a significant material consideration in the development management process.

2.0. TONGE CONSERVATION AREA

2.1 Summary of Significance and special interest

- Surviving earthworks of Tonge Castle, and fortified manor - the earthwork and its environs have high potential for Medieval and Post Medieval archaeology.
- Archaeological potential for prehistoric and Roman activity in the landscape and perhaps focused on the spring.
- The spring and stream have paleo-environmental potential.
- Association with legend of Vortigern, Hengist and Horsa.
- Association between the spring, the cult of Thomas Becket and grounds of former leper hospital.
- The historic mills include rare and attractive examples of Kentish vernacular industrial architecture and history.
- History of milling dating from 1086 to the 20th century utilising wind, water, and steam power.
- The stream and millpond and their relationship to the castle and mills.
- Area of ~~informal recreation and~~ varied natural habitat to the south of the millpond.

[Map1 current conservation area boundary and additions; Listed Buildings]

2.2 Geographic character and Historical Development

The Conservation Area is located within a historic corridor for communication and settlement once associated with orchards and isolated farmsteads within a belt of arable land. It straddles the historic parish boundary of Tonge and Bapchild.

[Map 2 Conservation Area Location and wider context]

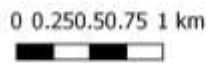
[Map 3 Archaeological Context]

Prehistoric and Roman Context




Swale as a whole is noted for its concentration of Palaeolithic evidence. The south-east research framework has undertaken an in-depth appraisal of the early Palaeolithic resource (Woban-Smith et al 2010 revised 2019), and Late Palaeolithic and Mesolithic Resource (Pope et.al. 2011 last revised 2019). 'Tonge Country Park' text on p7/9 maps to be removed.



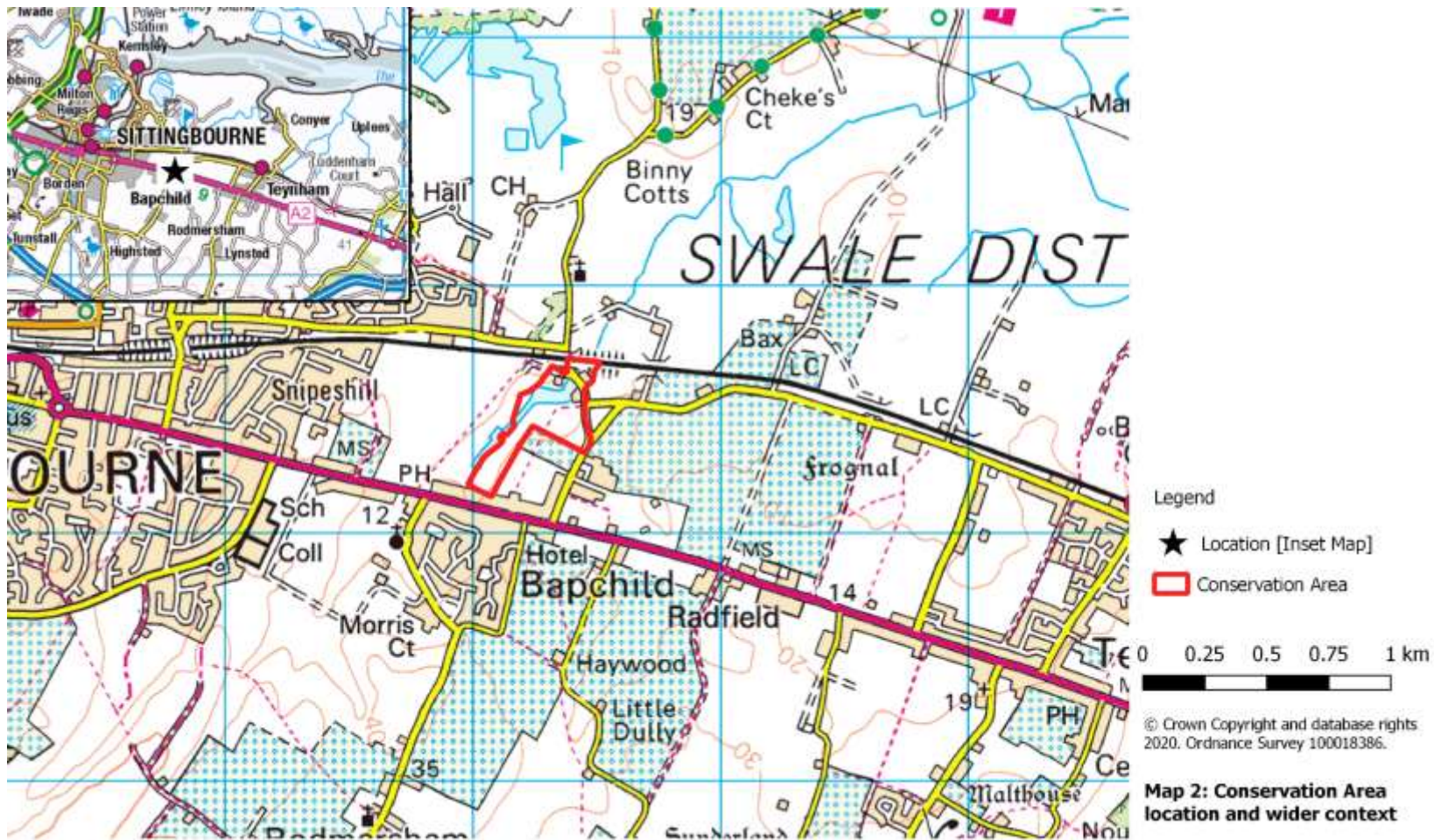
Map 1: Conservation Area boundary with proposed additions and Listed Buildings



Legend

-  Tonge Conservation Area
-  Proposed boundary extension(s)
-  Listed Buildings

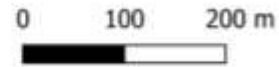
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Legend

- Tonge Current CA Boundary
- Tonge Proposed Extension
- Tonge Castle Earthworks
- Archaeology Point
 - ◆ Iron Age/Roman
 - ◆ Medieval
 - ◆ Post Medieval
 - ◆ Unknown
- Line of Roman Road



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Map 3: Archaeological Context

The resource for the early Palaeolithic is formed of areas where evidence has been recovered from natural geological deposits, most often lithics. These locations can also be sources of related biological and palaeo-environmental information. Some sites may represent single artefacts from a geological deposit that gathered material from a wide area whilst forming; perhaps including derived material from pre-existing older deposits. Others may contain dense accumulations of Palaeolithic material gently buried by steady accumulation of fine sediments, which have remained undisturbed since their burial. Residual Clay-with-flints deposits cap the high ground of the Chalk all around the Wealden Basin; and in some places, particularly north-east Kent, loessic deposits (generally mapped as 'brickearth') are also present. Northern and southern chalk dip-slopes are dissected by numerous dry valleys, filled with varying thicknesses of slope wash, gravel and colluvial brickearth.

There are within the North Downs dip slope in the region of Sittingbourne four key types of deposit (Woban Smith et al 2010 ibid 25):

- Moderately common lower-level post-Anglian fluvial deposits
- Residual deposits of clay-with-flint
- Abundant Coombe/Head deposits
- Head/solifluction gravel

Bapchild is associated with abundant Coombe/Head deposits. In general, these colluvial deposits occur at the base of slopes, on valley-sides, in dry valleys and in hollows in the landscape. Many outcrops are too minor to be represented in geological mapping, but these unmapped deposits also have great potential for important remains. In the area of Sittingbourne, the Coombe/Head deposits are associated with Levalloisian material relating to the lower/middle Palaeolithic. The area between Rainham and Sittingbourne is rich in Head/Gravel outcrops where it is likely that many outcrops remain unrecorded. The recorded outcrops relate to Pleistocene fluvial drainage north into the Swale (e.g. in the Ham Green, Upchurch, and Bobbing areas). Here also there is the potential for the recovery of lithics as was the case with finds in Bapchild in 1929. The same Head deposits in river valley deposits can be resources of Late Pleistocene palaeo-environmental deposits (Pope et al 2011: 6).

Evidence of Mesolithic activity has been found in the Tonge/Bapchild area. An occupation site was found in the late 1940s, it comprised lithics associated with a shell mound. Its location was cited as Tonge Hill Bapchild.

Neolithic flint scatters are also known across the wider landscape.

The recovery of prehistoric waterlogged deposits including boats is recorded associated with the heads of streams

The landscape was settled by the middle Bronze Age. A middle Bronze Age farmstead is known to the southwest adjacent to Pantenay Road. There is also a ring ditch and enclosure to the southwest of Scraps Hill Cottages which may also have Bronze Age origins.

It is possible that there was an Iron Age settlement based in the Bapchild – Tonge locality and centred on the spring although archaeological evidence is not available (Bannister 1995: 19). One shard of La Tene ware was recovered from the Tonge Castle excavations.

With the invasion of the Romans after AD43 it is widely accepted that a client kingdom was rapidly established which was probably absorbed into the Roman province by the end of the 1st century AD. The Watling Street quickly became a focus of Roman activity in the landscape focusing on the creeks and fleets which ran northwards down towards the Swale, and agricultural exploitation of the chalk dip slope to the south. Roman activity in the landscape has influenced the present day pattern of settlement and tracks/roads in the parishes. Watling Street, the main

Roman Road between London and Canterbury via Rochester forms the southern setting of the Conservation Area. Watling Street as it became known from the Roman period linked London with the channel ports of Dover and Richborough. The Romans paved the route and it continued to be an important transport corridor for subsequent activity, with many sites established alongside it in Roman, Saxon, mediaeval and later periods.

Roman evidence locally relates to Roman burial sites associated with the south side of Watling Street to the west of Bapchild. Roman field boundaries are also known to the east including to the immediate east of the Conservation Area at Hempstead Lane Farm.

TIMELINE OF KEY HISTORIC DATES AND EVENTS (Based on Bannister, N 1995 Tonge Mill Historic Landscape Survey)

<i>DATE</i>	<i>EVENT</i>
<i>5th Century AD</i>	<i>Tonge and Bapchild parish part of a Jutish estate centred on Milton</i>
<i>AD 696</i>	<i>Bapchild site of important meeting between King Wihtred and the church.</i>
<i>AS 1086</i>	<i>Tonge Mill and church recorded in Domesday</i>
<i>C1100</i>	<i>Tonge Castle established</i>

DATE	EVENT
1181	<i>Leper Hospital of St James first recorded</i>
1381-82	<i>Edmund Mortimer died possessed of the toft of the Castle of Tong, together with the castle annexed to the said toft</i>
1424-51	<i>Richard Duke of York possessed the manor</i>
1471-72	<i>Manor in possession of the Duchess of York (manor house falls into disrepair)</i>
1542	<i>Tonge Mill granted to John Beke by Henry VIII</i>
1650s	<i>Manor of the castle and water corn mills in ownership of the Pordage Family</i>
1669-1784	<i>Manor and mill in possession of the Iles Family</i>
1759	<i>Medieval mill replaced by 18th century mill by Richard Hazard</i>
1837	<i>Large brick mill erected, and pond expanded.</i>
1840	<i>Mill and adjacent land belonged to Thomas Denne; windmill abandoned in favour of new water mill</i>
1866	<i>Steam power added with building of chimney and boiler.</i>
1879	<i>Mill purchased for £6550 (this included both the old and new mill, and surrounding land including cottages within Tonge Castle).</i>
1934	<i>Mill steam and water powered owned by Theodore Wicks</i>
1950	<i>Fire in New Mill, it is rebuilt without top floor.</i>

Brief overview of historic development of the parish from the 5th century to the present day

Most archaeologists would now agree that the distinct cultural transitions witnessed during the 5th century were triggered by a substantial and sustained influx of Germanic migrants.

The parishes of Bapchild/Tonge has been identified as being part of a 5th century 'Jutish estate', which had its palace at Milton. It should be noted that notions that these cultural differences relate to monolithic ethnic groups of 'Jutes' and 'Saxons' have been subsequently revised. In Kent, the cultural diversity which comes to define the grave assemblages of the 6th and 7th centuries is already apparent in the first-generation cemeteries of the 5th century. The persistent 'Jutish' strand is but one of a multiplicity of influences (also drawing upon Saxon, Frisian and Frankish impulses). This reflects the fluid cultural geography of the Anglo-Saxon world and the role that sustained contacts with the continental homelands had in shaping an evolving Kentish identity.

The Milton estate was a royal *vill*, an estate centre where the royal *fyrd* (food-rent) was collected, whose long-term development was

intricately linked to the foundation of minster churches. Milton developed into fully-fledged or incipient urban centre during the Late Anglo-Saxon period. These core Anglo-Saxon lands subsequently passing to the crown and then William the Conqueror at the Norman conquest. Tonge and Bapchild churches are listed in the Domesday Monachorum as dependent on the church of Milton.

The Anglo-Saxon social system was based on farms and hamlets and became the basis for the Mediaeval pattern of settlement. Bapchild was an established settlement by the 8th century AD. Its name Bacca's Celde implies a pagan spring cult site which became Christianised. Landscape evidence suggests it predates the village of Tonge

[Map Four: The 5th Century Anglo-Saxon estate centred on Milton]

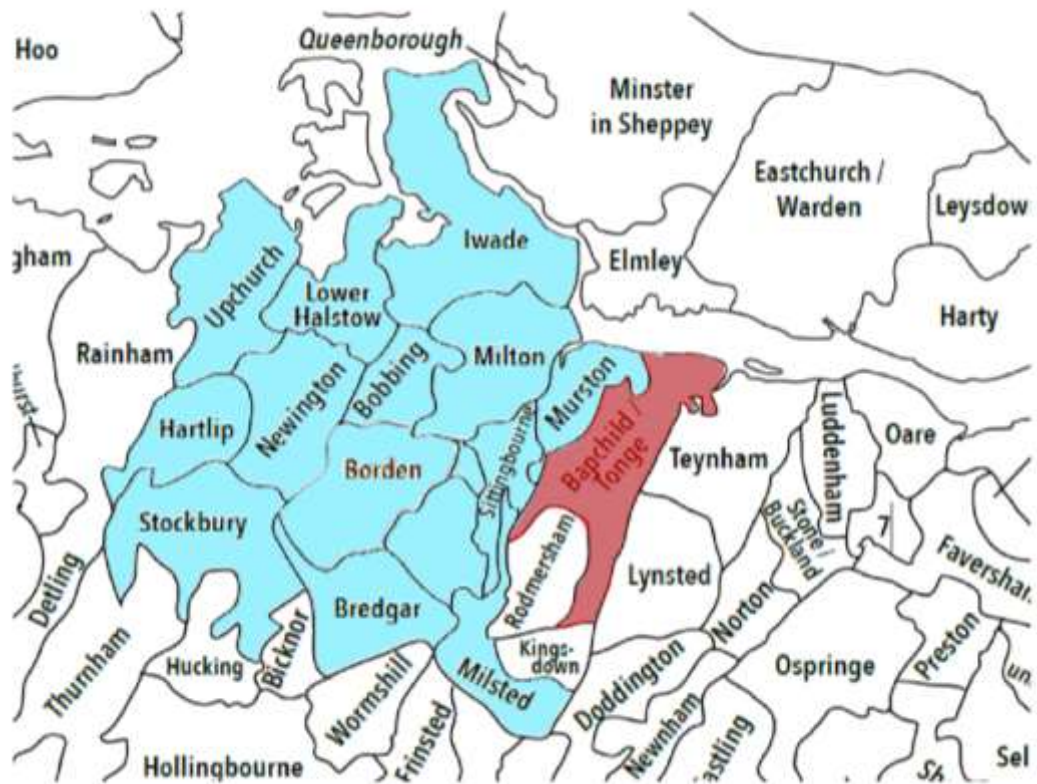
Legend and Local Tradition associated with Tonge Various historians and sources have suggested that the former Tonge Castle was the site at which the ancient King of the Britons – Vortigern (c. 425), made a pact with the Saxon leaders Hengist and Horsa to protect his kingdom against the Picts and the Scots, rewarding them for their services with a grant of land. Subsequently the Britons made war on the Saxon newcomers (first established in Kent) and four battles were fought, the

last of which led to Vortigern's son Vortemir (the Saxon's leading opponent) being slain.

The story of Hengist and Vortigern has no archaeological evidence to support it. It is however likely that there was some form of fortified settlement at Tonge from the 7th century onward. Due to its strategic position on coastal lands and the ready supply of water from the springs at Bapchild.



According to some specialist historians, there are a number of locations within the modern Swale Borough area that feature in the epic Old English Poem, Beowulf, notably Tonge and parts of the Isle of Sheppey.



Map 4: The 5th Century Anglo-Saxon estate centred on Milton

Tonge Village is recorded in Domesday as a Saxon Vill. The remains of Tonge Castle date from the 1100 at the time when the North coast was fortified by the Normans. There is the suggestion from the Domesday Book that a fortified Saxon manor was present on the site which then passed into Norman hands becoming a Motte and Bailey Castle. Archival evidence suggested that a mill was present at the same time as the castle and the pond may have formed part of the defences. The site lies on a strategic position between the Swale Estuary and the fertile land to the south. Excavations in 1932 and the mid-1960s reveals evidence for occupation between 1100 and 1400. It appears that the "castle" consisted of two enlarged hills, partly encircled by a deep moat. Only one mound was used for habitation - three building sites have now been revealed. Evidence of a Norman wooden building was found, which had been replaced by a substantial hall and associated buildings. The habitation therefore may have started as a Norman motte and bailey castle but developed into a fortified manor house and not a true castle. Occupation ceased during the late 13th century. The moat appears to belong to the late 13th or early 14th century

Tonge Castle in context

The castles, which survive in significant form in Kent, number about 30.

This is a relatively high density with one castle to about 30 square miles. They range from massive masonry castles to simple earthworks. Finally, there are the later mediaeval enclosure castles, which are principally

residential in function but may also have serious defences such as gatehouses.



The distribution of Kent's castles was

influenced by geography and strategic considerations. Of particular significance was the line of the Roman road from the harbour at Dover, through Canterbury, across the Medway at Rochester and on towards London; the major royal castles of Dover, Canterbury and Rochester lay along this vital communication. The majority of castles in Kent have their origins in earth and timber. The motte and bailey type are Allington, Binbury, Canterbury Dane John, Chilham, Coldred, Leeds, Newenden, Stowting, Tonbridge and Tonge. Many of Kent's castles seem to employ water defences.

The spring to the south of the Conservation Area is another important feature of the Mediaeval landscape which became associated with the cult of Thomas Becket.

Associated with the spring and lying just outside the southern boundary of the Conservation Area is the site of the Leper Hospital of St James at Puckleshall. Today this site is occupied by a row of terrace houses and their gardens on the north side of Watling Street. Their rear gardens open onto a raised platform above the stream which might have been associated with the hospital. In 1546 it consisted of a Chapel, house, barn stable and garden with land in Bapchild and Tonge. Another possible Mediaeval building is recorded in the Kent HER as being located to the west of the Spring known as St Thomas Hospital.

The cult of Thomas Becket and the spring; and the leper hospital

Watling Street is likely to have always been a busy route from the when it was first constructed, but in the mediaeval period, its degree of use, if it had ever in fact started to decline, increased again following the infamous murder of Thomas Becket at Canterbury Cathedral in 1170. The brutal murder shocked the whole of Europe, threatened the stability of the Angevin empire, made the murder victim into one of the most celebrated saints in the Middle Ages, and established Canterbury as the centre of a pilgrimage cult that embraced the whole of the Latin west. The subsequent pilgrimage that developed in memory of Becket resulted in the increased development of inns along the Watling Street route (which passed through Canterbury on its way to Dover) and other developments including pilgrim hospitals.



Following Thomas Becket's death in 1170, the stream within the Conservation Area became known as Becket's Stream and for many years, it was believed to have healing powers. The spring head is still known as Thomas A Becket's Spring. A Mediaeval leper hospital was developed alongside the stream, and it is possible that the stream became a popular stopping point for pilgrims on their way to Canterbury.

Mediaeval hospitals were religious institutions, many were founded simply for the poor. They provided a home for those too handicapped or elderly to work - people who might otherwise have to beg in the streets if their families could not care for them. Other hospitals were hostels for pilgrims and other wayfarers. Leper Hospitals provided an infirmary for the segregation of Lepers away from the general population.

Mills at Tonge

A mill has been associated with Tonge Castle since the 11th century. The location of the water mills almost at the head of the stream flowing into Conyer Creek is ideal. It is suggested that the stream was navigable

almost to the springhead from the Roman period until the construction of the sluice at Tonge Level on Conyer Creek c.1846. It is possible that the current 18th century mill replaced the earlier Medieval Mill. There was also a windmill just north of the castle (shown on the 1820s map) which existed as late as 1834. A second large brick mill was erected in 1837 by Thomas Denne and the mill pond enlarged, a stream boiler and chimney were subsequently added. This started as a corn mill before becoming a provender mill. In 1950 the mill caught fire and was rebuilt without its top floor.

Tonge Pond has been a local recreation site for many years.

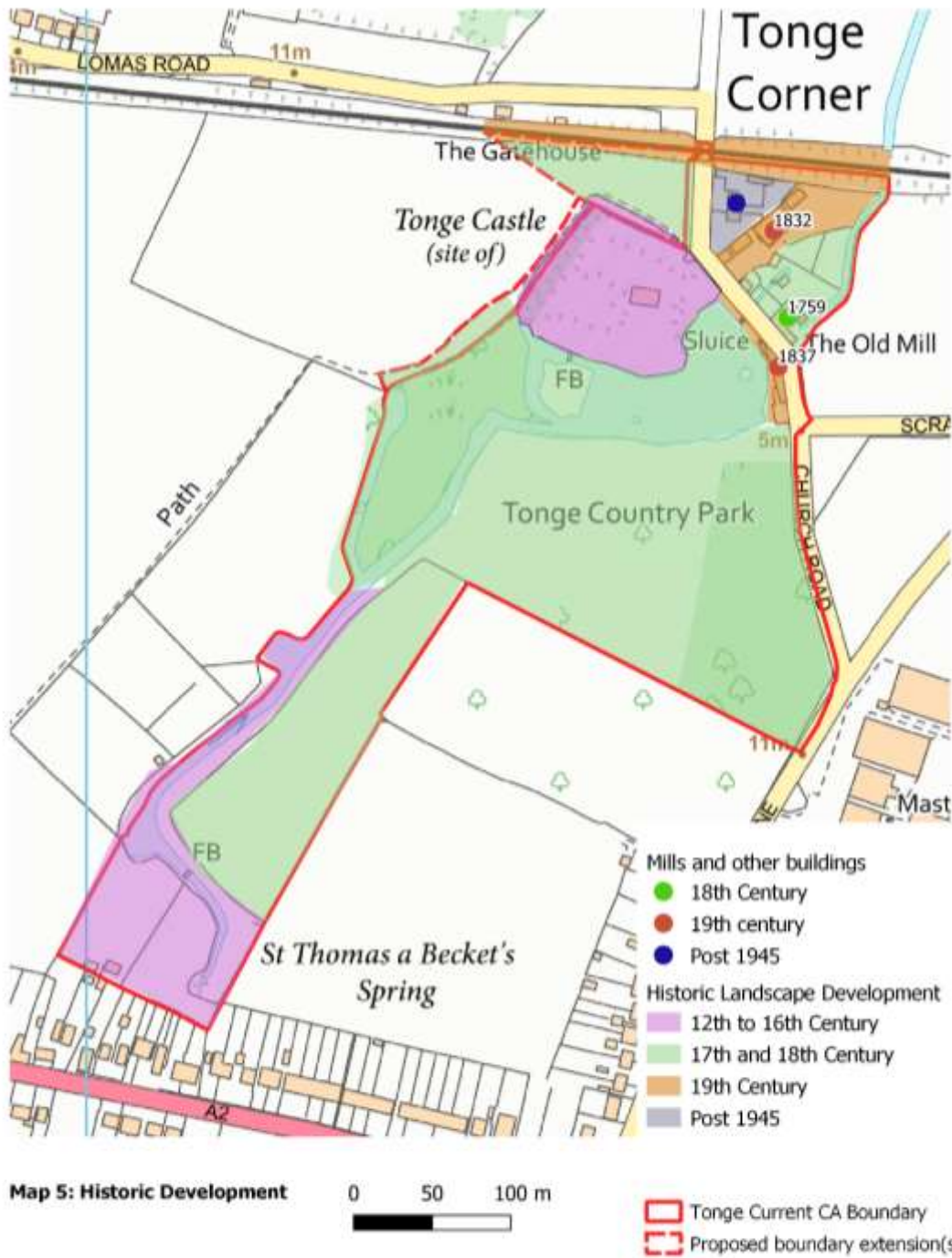
In the early 20th century there were watercress beds just upstream of the mill pond.

[Map 5 Historical development – land and buildings]

Note Historical Development relates to evidence for past land uses not current land use or date of any surviving buildings

[Map 6 Historic Map sequence with modern aerial photograph]

[Tonge County Park text on p18 map to be deleted.](#)



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Modern Aerial Photograph 2016



1797 Ordnance Survey Drawing



**Bapchild (1835) and Tonge (1836)
Tithe Maps - amalgamated view**



1897 Ordnance Survey 25 inch map

Map 7: Historic Map Sequence with Modern Aerial Photograph

Historic Mapping reproduced with permission of Kent Archives

2.3 Topography Geology and Landscape Setting

The Conservation Area lies at the head of a slight valley with the spring head at its apex to the south and the stream flowing northwards towards Conyer Creek. Tonge castle lies on an outlier of higher ground at Tonge Corner.



The Conservation Area is associated with the Thanet Formation - Sand, silt, and clay. This is a Sedimentary bedrock formed between 59.2 and 56 million years ago during the Palaeogene period. These are overlain by Alluvium - Clay, silt, sand and gravel formed between 11.8 thousand years ago and the present during the Quaternary period.

Landscape Setting

Natural England, with assistance from Historic England, has mapped and described the landscape character of England which has been divided into 159 National Character Areas. The Tonge Conservation Area lies within area 113. North Kent Plain [check].

Further valuable landscape character assessment work has been undertaken at the local level by the Borough Council resulting in the publication of the Swale Landscape Character and Biodiversity Appraisal (2011)

The Tonge Conservation Areas falls within the overarching Fruit Belt Landscape Character Area. The relevant LCT is Fruit Belt Landscape and the local Landscape Character Area is in number 42 Tunstall Farmlands.

Below is an extract from the relevant LCT descriptions detailing the most pertinent information. <https://www.swale.gov.uk/local-planning-guidance/>

Extract from **42. Tunstall Farmlands**

Key Characteristics

- Undulating, intimate, landscape composed of small hills and valleys.
- Complex geology of the fertile drift deposits, head gravel and London clay.
- Small-scale well managed network of orchards and occasional hop.
- fields. Elsewhere enlarged arable and grazing fields.
- Birthplace of commercial fruit growing at Osiers Farm.
- Narrow winding lanes enclosed by mature hedgerows and shelterbelts.
- Tracks, lanes and historic buildings raised above adjacent areas, which is indicative of the area's susceptibility to flooding.
- Mixed traditional historic houses and farms. 20th century residential and commercial development.
- Main transport routes include the railway and A2.
- Important local landmark at Tonge Mill and pond.

Landscape Description

The topography of the area is quite unusual. Generally the area forms the northern part of the Lyn Valley. Within this valley the landscape is one of small hills and valleys. Springs commonly appear within these valleys and drain onto the marshes. The deep well drained loamy soils support a mixture of agricultural land uses. In the east fruit production is still the main function and the small-scale field pattern is strong. Further west the landscape has a more marginal exposed character and numerous orchards have been lost to arable production and sheep grazing. Generally this is an enclosed landscape. However, where fields have been enlarged and orchards lost, long views are present across

adjacent marshlands. The Sittingbourne to Faversham railway cuts across the landscape on an embankment, which somewhat isolates the areas to the immediate north and south.

Tonge Mill and its associated pond and stream are a popular local landmark and visitor destination, with the mill chimney and the English Elms around the pond visible in the wider landscape. The trees, spring, ponds and connecting stream are important in terms of their wildlife interest and the remains of Tonge Castle, to the rear of Tonge Mill, provide an important historic reference. To the south of the pond, the community woodland is forming a new landscape feature.

Condition Moderate

This is a landscape in moderate condition overall, although the landscape around the urban edges is often poor. It is a visually coherent area with a strong landscape pattern. In general the ecological integrity of the area is moderate. Orchards and associated boundary trees, the railway embankment and spring fed valleys are all important for biodiversity.

Sensitivity Moderate

This is a moderately sensitive landscape. The rural landscape has retained many traditional agricultural functions, however modern farming practices and 19th and 20th century urbanisation have degraded the quality of localised areas.

2.4 Character Appraisal

Summary

Tonge comprises a small, but fascinating, cluster of buildings set around an attractive mill pond. The long history of settlement here is of special interest, although there is a lot of further research which could be done (both archaeological and historical)

The stream, which continues to feed the pond, is of special historical importance as it provided one of the essential prerequisites for early habitation of the site and also the power for the mills.

The spring head is also of historic interest due to its association with Thomas Becket.

The buildings now present in Tonge include rare and attractive examples of Kentish vernacular industrial architecture, which nicely illustrate the use of locally-sourced building materials such as brick, tile and weatherboarding, and also in later work Welsh slate which had then become widely available. Also recorded in these structures is the historically important change from water to steam power.

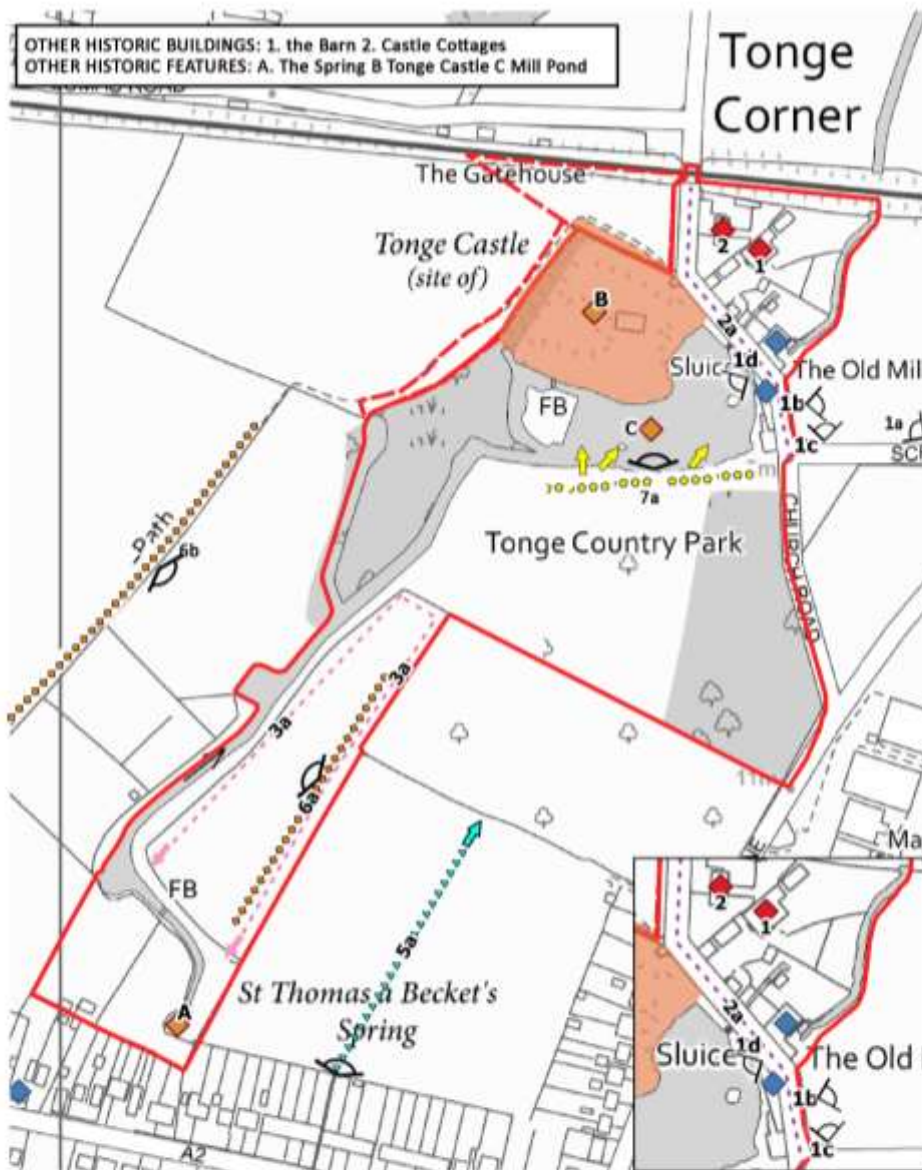
The pond and its feeder stream are set within a relatively self-contained area of landscape with a range of habitats being present. The public access afforded to the area contributes to its appeal as a local amenity, although this is informal in nature.

The area's long standing history, the spring head, stream, unspoilt rural land to the east and the grouping of Kentish buildings in a picturesque situation alongside an attractive mill pond, together results in an area of special architectural, archaeological, and historic interest.

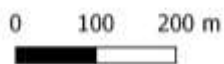
Key Positive Characteristics

- Tonge Castle earthworks.
- The spring head.
- The stream.
- The millpond.
- Land south of the millpond with a mix of habitats and informal recreational space.
- Two historic mill buildings with an interrelated history.
- Converted threshing barn associated with the mill.
- Mill chimney acting as a focal point in the landscape.
- Views across the pond to the mill and castle.
- Local views from within the vicinity of the mills.
- Views from the western setting of the Conservation Area.
- Informal semi-natural landscape which provides an appropriate setting to the historic mill buildings and in turn, also sustains an important ecological resource

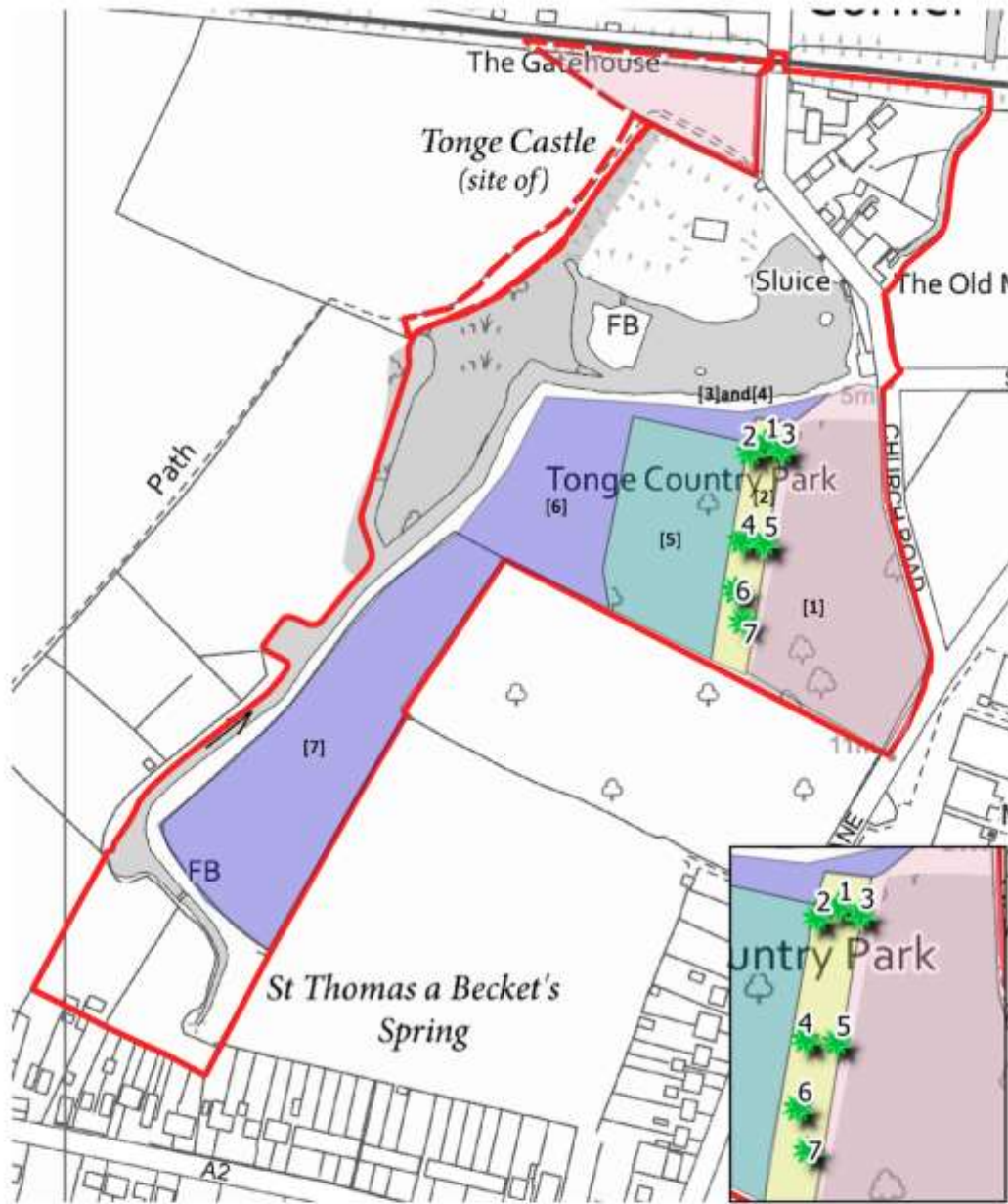
Tonge Country Park text on maps 7a/7b to be deleted



Map 7a: Key Characteristics Historic Features and Views



- Legend**
- Conservation Area and proposed extension
 - Views**
 - 1 Fixed Views
 - 2 Dynamic views
 - 3 Dynamic views with focal point
 - 4 Panoramas
 - 5 Panoramas focal point
 - 6 Dynamic panorama
 - 7 Dynamic panorama with focal point
 - Historic Buildings**
 - Other Historic features
 - Listed Buildings
 - Other Historic buildings



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**Map 7b: Key Characteristics
Open Space and Trees**

0 50 100 150 200 m



INFORMAL RECREATIONAL SPACE [1] Native Woodland Planting [2] Area of Mown Grass
[3]&[4] Views across pond [5] Traditional style orchard [6] Meadow and native woodland
[7] Open meadow

MEMORIAL OAKS (SEE INSET MAP) 1. Jubilee Oak, Flanders Oak, Deville Oak, English Oak,
Kentish Oak, Royal Air Force Oak, and Our Gracie

Legend

- key trees
- Conservation Area Boundary & Extension
- Open Space**
 - Formal
 - Informal
 - Other
 - Orchard

Spatial analysis – Archaeological Interest

The spring head and spring may have been the focus of archaeological activity in the prehistoric and roman period and the landscape as a whole has good potential for recovering evidence of activity at this date.

Tonge Castle may be associated with earlier Iron Age activity.

The spring and stream have paleo-environmental potential.

Tonge Mill and its environs have been occupied since the early Mediaeval period, supported by evidence of the castle, fortified manor, and the continuity of milling from 1086 to the twentieth century. It therefore has high potential for Mediaeval and Post Mediaeval archaeology.

The castle itself has been altered and disturbed but there is the potential for undisturbed stratified archaeology to remain.

Spatial Analysis: Historic, Artistic and Architectural interest

[Map 7a Key Characteristics – Built Heritage and Views]

[Map 7b Key Characteristics – Open Space and Trees]

Tonge Castle

This earthwork lies 10 m above sea level on the west side of a small south north valley. The surviving remains of Tonge ‘castle’ comprise earthworks standing some 7.5metres (25 feet) above sea level. A deep wide ditch, now dry, is present on the northeast and north-west sides which defines a rectangular central area. The south-western and south-eastern sides of this area are now bounded by a large pond, which occupies the southern portion of the original defence works. The pond is thought to be of late mediaeval date; it was later apparently deepened and enlarged sometime around the 1830s, which is believed to account for the disappearance of the ditch on the southern side. Alternatively, the castle may have always used the water as a defensive boundary. It consists of a very degraded and altered motte and bailey and later fortified manor. The site is now occupied by a bungalow built c1970s replacing 19th century cottages. The whole of the castle site is now a garden and tree planting now screen its ditch and banks on the northern side.

The Conservation Area boundary also includes a triangle of land to the north of Tonge Castle. This marks the former road access to the mill and

the castle and the site of the former windmill. Today it is an arable field

[note if boundary change accepted]

Windmill location maps (see last page of appendix iii) to be inserted here along with following supporting text: The location of the Windmill is shown on the OS Surveyors Map (dating to 1787: British Library) see Map B. This is located to the north of the site of the castle and south of the 19th century railway line, as shown on Map A (Source: 2016 KCC aerial photograph). Map C shows the 1787 map overlain over the modern aerial mapping confirming the location of this feature. The windmill was standing as late as 1834. The suggestion is that when the new water powered mill was built in 1837 by Thomas Denne, the windmill was abandoned (Bannister Report 1995: page 51). It is certainly not present on the 25 inch 1897 Ordnance Survey map. The tithe map identifies the field in which it sites as Mill Field.

Thomas a Becket's Spring, the spring, and the Mill Pond

The mill pond is fed principally by a flow of fresh water from Thomas a Becket's spring situated approximately 0.5 kilometre to the south (close to the present day alignment of the A2). This, together with other smaller springs, maintains the water level in the pond through the winter, although the flow can cease during summer droughts. The outflow of

water passes beneath Church Road and is channelled via leats through the garden of the Old Mill; the water courses then link back with the stream which passes on to the north. This supply of water was the reason for the development of the mills at Tong, perhaps also the reason for the original habitation of the site; the presence of the stream is consequently of special historical importance to the small settlement.

The spring head to the south of the Conservation Area is currently inaccessible due to scrub and undergrowth, it is possible that it is associated with built features, but this could not be assessed. Immediately to the west are two grass paddocks to the rear of the gardens of the houses on the north side of Watling Street (A2). These may have an association with the site of the former Leper Hospital and preserved the open nature of the stream on its south west side.

The stream itself is choked with weeds along its course

There is a wet woodland area at the northern end of the stream comprising willow and alder.

The pond has three small islands within it and one large square island on its western side accessible from the area of the castle to the north. This is referred to as garden island in historic documents.

Formatted: Superscript

Land to the east of the stream and south of the Mill Pond

This land has in recent times been used as a local country ‘park’. The land remained privately owned and the only ‘secure’ access is the public right of way which leads from the mill along the southern side of the mill pond and exits the Conservation Area through a traditional style orchard. Nonetheless this land remains a locally valued and much used asset and includes the following components travelling from east to west [nos. refer to plan 7b]:

- Area of native woodland planting with remnant area of former car parking which needs attention [1]
- Area of mown grass with seven feature memorial oak trees relating to WW1, the armed forces and Kent. [2]



- Views across to the mill over the pond [3]

- Views to the castle, although the features are not easily appreciable [4]
- Traditional style orchard with the public right of way running down the area [5]



- Informal area of native woodland planting and meadow [6]



- Sloping meadow with informal grass paths round the outside. [7]



Despite the fact that this landscape has continued to evolve since the second world war, it retains significant historic interest which relates to the character and appearance of the conservation area. The juxtaposition of meadow, plantation and orchard retain the historic landscape components which have traditionally featured to the south side of the mill pond and east of the spring since at least 1797. The exact location of each type of historic land use has been reworked several times over the last 200 years, but the historic interest retained by the survival of each component remains. The components allow the historic rural context of the mill, pond, spring and castle to still be appreciated. Within this area therefore, the experience is of being within an area of historic rural

countryside. In addition, significant evolving views of heritage significance exist within the area. Moving northwards, these allow the architectural features of the mill buildings to be appreciated as well as the historic relationship between the pond, mill and castle. The sloping meadow to the south provides important views westward out of the conservation area and southward which allow the relationship between the spring and the A2 London Road (historically Watling Street) to be understood. The more formal area of mown grass with memorial oak trees now has historic interest in its own right, relating to the history of Kent, world war one and the armed forces more generally.

The Mills and associated buildings

The mill buildings stand at the eastern end of the pond and are the defining feature of Tonge. The older of the two mills stands on the east side of Church Road and together with the mill house was built in 1759. A later mill stands on the opposite side of the road and occupies a narrow plot of land between the edge of the pond and the highway; date plaques show it to have been built between 1837-1866.

The juxtaposition of these two mills forces a distinctively narrowed bend into Church Road as it squeezes between the two buildings; the resulting pinch-point is an attractive and defining feature of the place.

The old mill, now converted into three dwellings, is timber-framed, and clad with white weatherboarding on the upper floors but has distinctive red brickwork with grey headers on the ground floor. The site of the original water wheel remains visible and is consequently an important link with the past. The large roofs are covered with mellowed Kent peg tiles. This is a truly picturesque mill, and an outstanding survival of Kentish vernacular industrial building, despite its original use having long since ceased. The upper section of the building leans severely away from the road 'as if it were reeling back' (Newman, Buildings of England) which results in a splendidly striking appearance. An attractive walled garden, through which the mill leats run, adjoins the building on the north west side; this garden, at the same level as the mill building, is set several metres below the level of the road to accommodate the drop in the flow of water over the original mill wheel.



Photo: Garden to Old Mill looking along leat looking east

To the north-west of the old mill lies a group of structures set around a concrete paved yard. The principal building here is a barn thought to have been constructed circa 1822; it is set at the far end of the yard and is brick-built with a slate-covered roof. It has been converted into a conference/wedding venue. Both the date and the manner of construction of this threshing barn are similar to that of the later mill complex so it seems reasonable to conclude that it was probably used for storing and processing crops prior to milling. Adjacent to the barn are a series of traditional style building used as hotel accommodation and adjacent to the road a three door garage. The conversion of these buildings to a hotel has been done very sympathetically and with its accompanying landscape gardens complement the historic mill buildings.

Around the corner from this yard stand Castle Cottages, a row of three, post-war houses built in yellow stock brick. These are modest in character, but their simplicity and straightforwardness are such that they are well suited to the rural location and their unaltered appearance is a welcome feature. By virtue of their location these houses are an integral part of the Tonge scene, especially in the important view from the south side of the pond.

The 'new' mill at Tonge, on the south west side of the road, is comprised of a number of individual buildings, and is mostly built in yellow stock bricks that were almost certainly manufactured in the nearby brickfields at Sittingbourne or Teynham. The first of these buildings was completed in 1837, and a second in 1866. Their design is essentially industrial in character; indeed, the buildings might be said to be appropriately austere in appearance. This industrial character is reinforced by a freestanding, 30m (100ft) high, tapering, square brick chimney which is a distinctive feature in its own right and a landmark in the local landscape. It also records the historically important switch from water to steam as the motive power in the milling process and is therefore an interesting commentary on the way in which a local business embraced change. The mill buildings, which latterly accommodated a bakery, are currently used

for a variety of purposes including offices and living accommodation. The survival of this industrial building, in such an attractive rural setting, is rather unusual in a Kentish context and consequently of special interest. There are views from the north side of the Mill across the Mill pond towards the Castle

Boundary Treatment

Carriageway edges are characterised by grassy banks, hedgerows, and soft verges. There is a less sympathetic chain link fence to the north of the Mill.

Trees

Group of seven memorial oaks to the south of the pond: Jubilee Oak, Flanders Oak, Deville Oak, English Oak, Kentish Oak, Royal Air Force Oak, and Our Gracie.

Public Realm

Development in Tonge is clustered almost exclusively around Church Road which is in essence a country lane; north and south of the settlement it passes between fields and orchards. The road twists and

turns through Tonge itself with delightful informality, most notably where it passes through the narrow gap between the two mills, where buildings are set perilously close to passing traffic; footways here are conspicuous by their absence.

Traffic and Movement

Traffic is squeezed through the narrow gap between the two mills and pedestrians and cyclists have to share the carriageway with cars. There is a public footpath across part of the land to the south of the meadow and the rest of the land on the south side of the stream is accessed via informal grass paths.

Open spaces

The land on the southern side of the pond has, by tradition, been accessible to the public for informal recreation such as picnicking and feeding the ducks. The land is experienced as a series of unfolding habitats and spaces including native woodland, mown grass with feature memorial trees, traditional orchard, semi wooded area with open glades and a large meadow to the south. This work has undoubtedly increased the appeal and value of the Conservation Area for informal recreation by local people.

Buildings and Building Materials; Features; Structures

Nationally Designated Heritage



Old Mill

The Old Mill is a water mill now formed of two houses built in 1759. It is constructed of timber framed and weather boarded above a ground floor of chequered red and grey brick, with plain tiled roof. It is constructed of three storeys (the upper 2, timber framed, leaning severely away from the road) and paired modillion eaves to hipped roof.

Tonge Mill and Mill house built 1837 and 1866. It is constructed of yellow stock brick and slate roofs. Convex curving range of 4 buildings and stack along the roadside. The chimney is a landmark in the local landscape.

Locally important Buildings

None

General building material discussion

Walls: Timber framed and weatherboarding, yellow stock brick

Roofs: Slate and Tile.



Tonge Mill

Features of Local Importance

Spring Head and Stream

Mill Pond and leat(s) to the west.

Views

The assessment of views was divided into three concentric zones:

- long distance: views from beyond the area
- middle distant to and from the immediate setting
- historic (local) core: views from within the Conservation Area.

The views have been categorised accordingly:

1. **views, often framed vistas, from fixed positions to focal points (such as a churches)**

View 1a – Local view from outside of Conservation Area at Scraps Hill towards the mill. The significance of this view includes the ability to



appreciate the architectural features of the mill buildings as well as their historical relationship with each other and the field to the east. This field is a key component of the setting of the conservation area, preserving the original historic rural countryside setting of the mill buildings, which has alternated between pasture and arable over time.

View 1b – View eastward across area of historic grazing up to Scraps Hill from adjacent to the Old Mill. The railway embankment is screened by the trees on the left hand side of the picture. This field is a key component of the setting of the conservation area, preserving the original historic rural countryside setting of the mill buildings, which has alternated between pasture and arable over time.



View 1c View from just north of the junction of Scraps Hill and Church Road looking northwest. This view is similar to 1a but provides a closer up view of the mill buildings as well as their hisotircal relationship with each other and the field to the east. This field is a key component of the setting of the conservation area, preserving the original historic rural countryside setting of the mill buidings, which has alternated between pasture and arable over time.



View 1d - View westwards from North side of the new mill across the mill pond towards Tonge Castle. The significance of this view includes the ability to appreciate the architectural features of the mill buildings on the west side of the road, as well as the historical relationship between the mill and its pond. The same view also affords an appreciation of the relationship between Tonge Castle and the pond.



2. Dynamic views (experienced and evolving along a route, such as a street)

View 2a - Local views along Church Road, revealing buildings of historic interest as you travel past the mill from junction of Scraps Hill and Church Road to the Railway bridge. The bend in the lane means that the juxtaposition of the buildings gently unfolds enabling an appreciation of



the architectural significance of the mill buildings and the historic relationship between them, the pond and their setting to the east.

3. Dynamic views with a focal point

View 3a - Southwards from edge of meadow towards Spring Head and Watling Street. This is a dynamic view: travelling southwards, one becomes increasingly aware of the historic relationship between the spring and the channel of the stream, and one's eye is drawn to the area where the spring head is with the A2 London Road (historically Watling Street) behind. As discussed below, Watling Street is an important component of the conservaton area.



4. Panoramas

None

5. Panoramas featuring a focal point or points

View 5a - 180 degree view northwards towards chimney from outside of the Conservation Area where public right of way exits the settlements on the north side of Watling Street. From here you can appreciate the relationship of the spring, stream, and mill. The significance of this view is that you can appreciate the historical spatial relationship between the spring and the mill, with the mill chimney forming an eye catcher in the view. This is not something which can be appreciated when standing within the conservation area to the north.



6. Dynamic panoramas

View 6a - 180 degree westwards over stream out of Conservation Area [towards future countryside gap]. Views to and from this ridge of alnd are

currently in a state of flux. Formerly the arable field in this location would have been an important component of the setting of the conservation area preserving the historic rural countryside setting of the spring, stream and mill. The scalped land currently distracts the ability to appreciate this relationship. However, with the establishment of a countryside gap as part of the approved development scheme on this land, there is the expectation that a new sympathetic setting will be achieved.



View 6b - View from Public Right of way to the west of the Conservation Area looking east across stream and up the eastern side of the valley. This view provides an appreciation of the historic between the spring and castle. The scalped land currently distracts the ability to appreciate this relationship. However, with the establishment of a countryside gap as

part of the approved development scheme on this land, there is the expectation that a new sympathetic setting will be achieved.



7. Dynamic panoramas featuring a focal point or points

View 7a - Evolving views of Tonge Castle and the Mill on the south side of the pond with the chimney acting as a focal point. These are very significant, allowing an appreciation of many of the key positive components of the conservation area and the relationship between them.



Setting

Heritage assets can gain significance from their relationship with their setting whilst views from within or outside an area form an important way in which their significance is experienced and appreciated.

Watling Street to the south of the Conservation Area is a key component of the setting due to its status as a major route from the Roman times onwards and its association in the Mediaeval period as a major pilgrimage route.

The land on the western side is now in arable use and virtually devoid of features such as hedgerows and trees; the absence of these features has undoubtedly spoilt the intimacy of the valley. [Note this will soon become a countryside gap as part of the new development to the west with the potential to greatly enhance the appearance of this area]

This contrasts with the eastern side of the valley (both within and beyond the Conservation Area). Here the landscape remains more varied with, for example, a mix of hedgerows, trees, and orchards still being present; this side consequently retains a more traditional appearance. There is a commercial orchard and field with rough grazing to the south and east of the Conservation Area boundary. This is then bounded by Hempstead

Lane with a modern ribbon development of houses and Hempstead Farm beyond to the west.

The eastern boundary of the Conservation Area is screened by mature trees and the sunken road at the top end of Church Road, meaning there are no views of the Conservation Area looking due east from the area of Scraps Hill.

The railway embankment, aligned east-west along the northern edge of Tonge, is an important feature in the local landscape, especially where the banks are covered with tree growth. This embankment has, in effect, severed Tonge visually from the wide sweep of low lying land to the north including the marshes so that it now forms a well-defined northern edge to the Conservation Area.

Assessment of Condition and Identification of Negative key characteristics

Key Negative Characteristics

- Overhead wires radiating from a distribution pole in the public highway alongside the two mills are, however, an unwelcome intrusion into an environment of such special quality.
- The modern chain link fence alongside the lane to the north of the New Mill
- Condition of the stream and the spring head
- Condition of Tonge Castle, especially embankments.
- Road signage on Church Road is cluttered and in poor repair
- Former car park on eastern side of the Conservation Area in need of attention
- Setting to the west prior to creation of countryside gap
- Fly tipping was observed to be an issue on the northern boundary of the Conservation Area. Note this may have been exacerbated by the COVID-19 lockdown ongoing at the time of the site visit.

Disused car park on eastern side of the Conservation Area



Cluttered signage on roads close to the mills

Chain link fence to north of the mill



Lane to the west of the Conservation Area (note soon to be transformed into Countryside Gap)

Overhead wires in vicinity of the mill



3.0. CONSERVATION AREAS MANAGEMENT STRATEGY

Conservation Area designation is not an end in itself. It is a way of recognising the special architectural or historic interest of an area with a view to putting in place a framework to sustain its character for this and future generations.

Conservation is not about preventing change; the Tonge Conservation Area is part of a living community and change is needed to sustain and meet their future needs. It is about positively managing change so that what we cherish today can be properly looked after and passed on to future generations in good condition. Conservation Area designation brings with it certain statutory controls and restrictions which are described below. It also affords the opportunity for others, such as the Parish Council, local amenity groups, Kent County Council, Kent Highways, individual householders, and local businesses to take part in positively managing the area.

It also can help identify opportunities where conservation can help to deliver wider social, cultural, economic, and environmental benefits and

where there may be opportunities to draw on the contribution made by the historic environment to the character of a place.

This strategy is intended to encourage active involvement in the future management of the Conservation Areas.

3.1. Planning Policy and Guidance

See further Detail in Appendix 4.

Current Statutes and National Planning Policies

Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Section 66 in relation to Historic Buildings

National Planning Policy Framework and supporting guidance

Historic England Guidance

Historic England produce Good Practice Advice (GPA) and Advice Notes (HEAN).

Swale Borough Council Development Plan - Local Plan Policies - Bearing Fruits 2031

Core Objective 4. *Conserve and enhance our historic and natural assets as the means to drive regeneration, tourism, and environmental quality and to reverse declines in their condition.*

Policy CP8: Conserving and enhancing the historic environment

To support the Borough's heritage assets, the Council will prepare a Heritage Strategy. Development will sustain and enhance the significance of designated and non-designated heritage assets to sustain the historic environment whilst creating for all areas a sense of place and special identity. Development proposals will, as appropriate:

- 1. Accord with national planning policy in respect of heritage matters, together with any heritage strategy adopted by the Council;*
- 2. Sustain and enhance the significance of Swale's designated and non-designated heritage assets and their settings in a manner appropriate to their significance and, where appropriate, in accordance with Policies DM 32-DM 36;*
- 3. Respond to the integrity, form and character of settlements and historic landscapes;*
- 4. Bring heritage assets into sensitive and sustainable use within allocations, neighbourhood plans, regeneration areas and town centres, especially for assets identified as being at risk on national or local registers;*
- 5. Respond positively to the conservation area appraisals and management strategies prepared by the Council;*
- 6. Respect the integrity of heritage assets, whilst meeting the challenges of a low carbon future;*
- and 7. Promote the enjoyment of heritage assets through education, accessibility, interpretation and improved access.*

Other relevant policies include:

- ST1 Delivering sustainable development in Swale
- CP4: Requiring good design

- CP7: Conserving and enhancing the natural environment
- DM14: General development criteria
- DM16: Alterations and extensions
- DM32: Development involving listed buildings
- DM33: Development affecting a Conservation Area
- DM34: Development affecting scheduled monuments and archaeological sites

Note the next Local Plan will cover the period 2022-2038

Adopted Supplementary Planning Guidance

The following Planning Guidance has been adopted by Swale Borough Council supplementary to the Swale Borough Local Plan, 2008:

- Conservation Areas
- Listed Buildings
- Kent Design

Swale Heritage Strategy 2020 -2032

This strategy provides a framework for the designation, conservation, management and physical and economic regeneration of Swale's Historic

Buildings and Areas, including designated historic parks and gardens. From analysis of evidence on Swale's heritage and some early engagement with local stakeholders, a high level vision and set of five associated priorities have been identified.

3.2. Buildings at Risk

There are no designated heritage assets within the Tonge Conservation Area on Historic England's Heritage at Risk Register or on the Swale Heritage at Risk Register.

Local heritage assets and features at risk have been identified in the management and action plan for each conservation area (section 6.5)

These may be added to the local Heritage at Risk Registers if their significance is threatened by their condition. In such instances, the Council will notify respective owners and where possible, work with them to investigate opportunities for external funding to support efforts to conserve heritage assets included on the respective registers.

3.3. Condition and Forces for Change

Tonge Conservation Area is in good condition.

Forces for Change

- Uncertain future of the area currently used for informal recreation
- Pressure from commuter traffic and large vehicles using the Conservation Areas as a cut through
- Development on the western side of the Conservation Area

3.4. Management Objectives and Approach

Householder Alterations

Many minor householder alterations to unlisted buildings can be undertaken without the need for planning permission but the cumulative impact of ill-considered change to historic and/or traditional properties can have a harmful effect on the character and appearance of the Conservation Area.

Opportunities to reinstate missing architectural features (such as sash windows, panelled doors, or roof coverings) and traditional boundary treatments will be encouraged by the Council and may be requested in

relation to planning applications for extensions and/or alterations, where appropriate.

The Council will seek to ensure that householder alterations which require planning permission positively enhance the special character and appearance of the Conservation Area.

Public Realm/Street Management

The public realm makes a positive contribution to the character of Tonge Conservation Areas. However, in rural conservation areas it is especially necessary to guard against standard highway 'improvements' which do not respect the special character of the Conservation Area. The Conservation Area are affected by pressure from commuter traffic and large vehicles using the village as a cut through between the A2 and the M2. Chestnut Street is also affected by commuter parking.

Trees, orchards, and green space are all significant features of the Conservation Area. Positive management of highway trees and highway hedgerows will be an important aspect of maintaining the special character of the Conservation Area.

Highway maintenance and improvements will be carried out in accordance with Kent County Highways 'Highway Works and Heritage Assets: The Kent Protocol for Highway Works in Relation to Designated Heritage Assets' second edition, 2011, which contains specific provision for works in Conservation Areas.

The Borough Council and County Council will seek to ensure that the public realm of this Conservation Area is sensitively managed.

New Development Opportunities

Any new buildings or renewal of existing sites need to consider the management priorities set out below. Development within the settings of the Conservation Area should conserve the historic grain of the mill and avoid the infilling of the remaining rural countryside setting to the east and south of the Conservation Area.

3.5. Conservation Area Objectives and Priorities for Management and Action

Overarching Objectives: The Council will seek to ensure that the significance of Tonge Conservation Area is sustained and enhanced through:

1. The preservation and enhancement of the area's special interest, character, or appearance
2. The preservation or enhancement of the setting of the conservation area and other designated heritage assets.
3. The safeguarding and better revealing the significance of any archaeology.
4. Protection and enhancement of landmarks, views, and vistas within and without the conservation area.

5. Protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.
6. Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area.
7. Safeguarding the network of public rights of way.
8. Safeguarding significant spaces.
9. Safeguarding significant trees, orchards, and woods.
10. Promotion of high quality design in new development which responds positively to context and the distinct characteristics of the conservation area.

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Archaeological potential for Early and Middle Palaeolithic archaeology and paleo-environmental information focused on the Coombe/Head deposits and the head/solifluction gravel (A)	Ob1 Ob3	Conserve and recognise archaeological sensitive/potential	
The spring and stream have paleo-environmental potential. (A)	Ob1 Ob3	Conserve and recognise archaeological sensitive/potential – consider impact of any future works on stream on palaeo-environmental potential	
Tonge Mill and its environs have been occupied since the early Mediaeval period, supported by evidence of the castle, fortified manor and the continuity of milling from 1086 to the twentieth century. It therefore has high potential for Mediaeval and Post Mediaeval archaeology. (A)	Ob1 Ob3	Conserve and recognise archaeological sensitive/potential	
Tonge Castle earthworks (PC)	Ob1 Ob3	Conserve archaeological sensitive/potential of the Castle	Application for Tonge Castle to be designated a Scheduled Ancient Monument.
Tonge Castle - potential for undisturbed stratified archaeology to remain. (A)			Undertake survey of earthworks and assessment of condition
Condition of Tonge Castle especially embankments (NC)			Bring banks and ditches into positive condition
The spring head (PC)	Ob1 Ob6	Policy for maintaining condition	Bring spring head into positive condition -
Condition of the spring head (NC)			
The stream (PC)	Ob1	Policy for maintaining condition	Bring water course into positive condition –

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
	Ob6		undertake baseline natural and historic survey of features
Condition of the stream (NC)			
The millpond (PC)	Ob1 Ob6		
Land south of the millpond with a mix of habitats and informal recreational space (PC)	Ob1 Ob7 Ob8 Ob9		Seek opportunities to bring former car park into positive management
Former car park on eastern side of the Conservation Area in need of attention (NC)			Seek opportunities to secure future public access to the land
Uncertain future of the area currently formerly used for informal recreation (FC)			(see separate note)
Two historic mill buildings with an interrelated history (PC)	Ob1 Ob8		Declutter road signage and introduce traditional 'Kent' style traditional fingerposts along Church Road
Road signage on Church Road is cluttered and in poor repair (NC)			Ensure residents know how to report Fly Tipping and any incidents are quickly dealt with
Fly tipping was observed to be an issue on the northern boundary of the Conservation Area. Note this may have been exacerbated by the COVID-19 lockdown ongoing at the time of the site visit. (NC)			Seek opportunities to underground wires.
Overhead wires radiating from a distribution pole in the			Seek opportunity to replace chain link fence with more traditional wrought iron fencing

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
public highway alongside the two mills (NC)			<u>which still allows views across to the millpond appropriate replacement boundary treatment agreed in liaison with landowner.</u>
Modern chain link fence alongside the lane to the north of the New Mill (NC)			
Pressure from commuter traffic and large vehicles using the Conservation Areas as a cut through (FC)			
Converted threshing barn associated with the mill (PC)	Ob1 Ob8	Future development on this site should continue to enhance the relationship between the barn and the mill.	
Mill chimney acting as a focal point in the landscape (PC)	Ob1 Ob4	Ensure that the chimney is still visible as you move round the Conservation Area especially along right of way to the south.	
Local views from within the vicinity of the mills (PC)	Ob1 Ob4 Ob8	Retain views from the mills looking east and west	
Views across the pond to the mill and castle (PC)	Ob1 Ob4 Ob8	Retain views from the millpond towards the Mill and Castle especially along existing Right of Way	
Views from the western setting of the Conservation Area (PC)	Ob1 Ob2 Ob5 Ob10	Ensure new Countryside gap enhances setting of Conservation Area	Factors to consider include habitats to west of the stream, water course management, future of public access between the Conservation Area and the stream, views in and out of the Conservation Area (see separate note).
Setting to the west prior to creation of countryside gap (NC)			

Special Interest & Positive Characteristics (PC), Negative Characteristics (NC), Archaeological Potential/Significance (A) and Forces for Change (FC)	Objectives	Specific Management Guidelines	Other Actions
Development within the western setting of the Conservation Area (FC)			

APPENDICES

Appendix 1: Extracts from the National Heritage List for England (the Statutory List of Buildings of Special Architectural or Historic Interest)

The statutory list is compiled and published by the Secretary of State for Culture Media and Sport and is altered and amended from time to time. The list descriptions below were current in March 2016 but for more up to date information please visit the National Heritage List for England at www.historicengland.org.uk/listing/thelist

. The omission of a building from this list should not necessarily be taken to indicate that it is not listed.

Features which are not specifically mentioned in the list description are not exempt from statutory protection which extends to the building, to any object or structure fixed to the building and to any structure within the curtilage of the building pre-dating the 1st July 1948.

Tonge Mill

Grade: II

List Entry Number: 1338569

Date first listed: 27-Aug-1952

Statutory Address: TONGE MILL, CHURCH ROAD

TQ 96 SW TONGE CHURCH ROAD (west side)

2/180 Tonge Mill 27.8.52 GV II

Mill and mill house. 1837 and 1866. Yellow stock brick and slate roofs. Convex curving range of 4 buildings and stack along the roadside. To left: 2 storey and hipped block with loft door and glazing bar sash on first floor, 2 blocked windows on ground floor. Centre: Mill house, 3 storeys on plinth with pilaster strip quoins and parapet. Two glazing bar sashes on second floor, 1 on first floor with loft door, 2 on ground floor with central boarded door in semi- circular headed surround with plaque over inscribed: T D 1837 To right: 2 storeys and sloping roof with 1 glazing bar casement and boarded door in large semi-circular headed surrounds on ground floor, with plaque over door, inscribed: B + S 1866 Similar block to right, no openings and chimney, approx. 100 foot height, square section and tapering with oversailing cornice cap.

Listing NGR: TQ9345163560

Mill House Old Mill

Grade: II

List Entry Number:1069265

Date first listed:21-Mar-1985

Statutory Address: MILL HOUSE, CHURCH ROAD

Statutory Address: OLD MILL, CHURCH ROAD

TQ 96 SW TONGE CHURCH ROAD (east side)

2/175 Old Mill and Mill house

GV II

Water mill, now 2 houses. 1759. Timber framed, and weather boarded on ground floor of chequered red and grey brick, with plain tiled roof. Three storeys (the upper 2, timber framed, leaning severely away from the road) and paired modillion eaves to hipped roof. Three wood casements and shuttered window opening to right on second floor. 4 glazing bar sashes and blocked loft door to right on first floor, and 5 glazing bar sashes on ground floor with boarded door to right and door of 6 raised and fielded panels to left with traceried rectangular fanlight. Plaque at centre of ground floor inscribed: R H 1759

Listing NGR: TQ9343863589

Appendix 2 Proposed amendments to Tonge Conservation Area boundary

As part of the review of Tonge Conservation Area, consideration has been given to whether the current boundaries accurately reflect the area which is considered to have special architectural or historic interest.

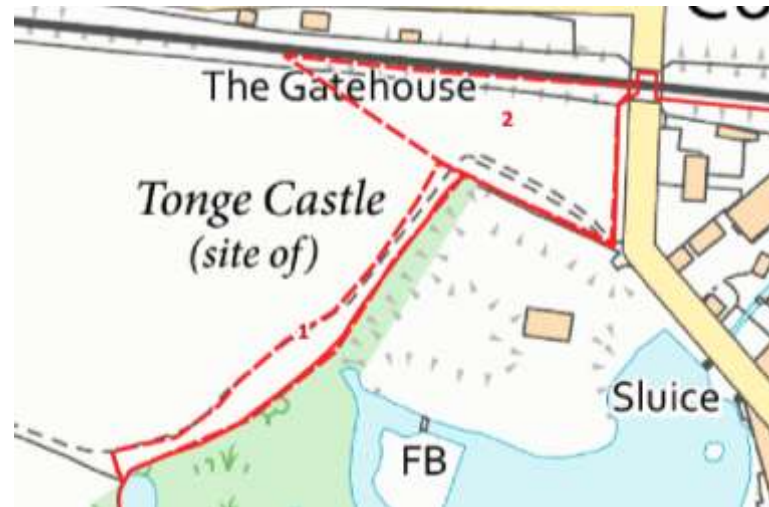
In large part, the area covered by the Conservation Area is considered to be appropriate in that it still possesses special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. However, there are two adjacent areas where it is proposed to alter or extend the boundary of the Conservation Area. These are shown on and are described below.

Area TCA1 Land to the west of Tonge Castle

The proposal is to move the current Conservation Area boundary out by c10 metres to ensure that Tonge Castle is fully included within the Conservation Area. Currently the boundary as drawn is tight to the ditch of the castle.

Area TCA2 Land to the north of Tonge Castle

The small triangle of land to the north of the Castle and south of the railway line follows the original access to the Castle and Mill and also includes the site of the former Windmill. This small (0.4 hectare) extension will ensure this important historical context is included within the Conservation Area.



Appendix 3: Relevant legislation, national and local policy & strategies

Planning (Listed Buildings and Conservation Areas) Act 1990

<http://www.legislation.gov.uk/ukpga/1990/9/contents>

➤ **Section 66** General duty as respects listed buildings in exercise of planning functions.

(1) In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

➤ **Section 69** Designation of conservation areas.

(1) Every local planning authority—

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) shall designate those areas as conservation areas.

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

(3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being

designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area. (4) The designation of any area as a conservation area shall be a local land charge.

➤ **Section 71** Formulation and publication of proposals for preservation and enhancement of conservation areas.

(1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.

➤ **Section 72** General duty as respects conservation areas in exercise of planning functions.

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework

<https://www.gov.uk/guidance/national-planning-policy-framework>

The National Planning Policy Framework (NPPF) sets out the government's planning policies, and how they are expected to be applied.

The NPPF covers the historic environment primarily in paragraphs 184 - 202 (Chapter 16).

National Planning Practice Guidance PPG

<https://www.gov.uk/government/collections/planning-practice-guidance>

The PPG includes particular guidance on matters relating to protecting the historic environment in the section: Historic Environment.

Guidance and Advice from Historic England

<https://historicengland.org.uk/advice/planning/planning-system/>

➤ **Historic England Good Practice Advice Notes (GPAs).**

These provide supporting information on good practice, particularly looking at the principles of how national policy and guidance can be applied.

- GPA1 - Local Plan Making
- GPA2 - Managing Significance in Decision-Taking in the Historic Environment
- GPA3 - Setting and Views

➤ **Historic England Advice Notes (HEANs)**

include detailed, practical advice on how to implement national planning policy and guidance.

- Historic England Advice Note 1 - Conservation Areas

- Historic England Advice Note 2 - Making Changes to Heritage Assets
- Historic England Advice Note 4 - Tall Buildings
- Historic England Advice Note 9 - The Adaptive Reuse of Traditional Farm Buildings
- Historic England Advice Note 10 - Listed Buildings and Curtilage
- Historic England Advice Note 12 - Statements of Heritage Significance

Swale Borough Council Heritage Strategy 2020

<https://www.swale.gov.uk/swale-heritage-strategy/>

The Council has developed a borough-wide heritage strategy to help it, along with key stakeholders and other interested parties, to protect and manage the historic environment in Swale in a positive and sustainable way, on a suitably informed basis.

A key element of the strategy is the setting out of the Council's overall vision and set of priorities, which it is hoped will align with the vision and priorities of local communities and local amenity societies as far as possible, in order that the strategy can be widely supported.

The strategy sets out a series of proposals in the associated initial 3 year action plan which are aimed at enabling the positive and sustainable management of different elements of the borough's historic environment for the foreseeable future. Priority is given to those parts of the borough's historic environment which are already suffering from, and at risk from negative change, and/or which face significant development pressure, threatening their special character. The proposed set of actions will involve joint project working with amenity societies and/or volunteers from the community wherever this is possible.

Adopted Local plan Bearing Fruits 2031: The Swale Borough Local Plan 2017)

<http://services.swale.gov.uk/media/files/localplan/adoptedlocalplanfinalwebversion.pdf>

Relevant objectives and policies within the local plan include:

➤ **Policy ST 1 Delivering sustainable development in Swale**

To deliver sustainable development in Swale, all development proposals will, as appropriate:.....

8. Achieve good design through reflecting the best of an area's defining characteristics;
9. Promote healthy communities through:..... e. maintaining the individual character, integrity, identities and settings of settlements;
12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment and integration of development with the importance, form and character of heritage assets (inc. historic landscapes).

➤ **Policy CP 4 Requiring good design**

All development proposals will be of a high quality design that is appropriate to its surroundings. Development proposals will, as appropriate:...

2. Enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening sense of place;
5. Retain and enhance features which contribute to local character and distinctiveness;.....
8. Be appropriate to the context in respect of materials, scale, height and massing;
 9. Make best use of texture, colour, pattern, and durability of materials;
 10. Use densities determined by the context and the defining characteristics of the area;
 11. Ensure the long-term maintenance and management of buildings, spaces, features and social infrastructure;.....

➤ **Policy DM 32 Development involving listed buildings**

Development proposals, including any change of use, affecting a listed building, and/or its setting, will be permitted provided that:

1. The building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, are preserved, paying special attention to the: a. design, including scale, materials, situation and detailing; b. appropriateness of the proposed use of the building; and c. desirability of removing unsightly or negative features or restoring or reinstating historic features.
2. The total or part demolition of a listed building is wholly exceptional, and will only be permitted provided convincing evidence has been submitted showing that: a. All reasonable efforts have been made to sustain existing uses or viable new uses and have failed; b. Preservation in charitable or community ownership is not possible or suitable; and c. The cost of maintaining and repairing the building outweighs its importance and the value derived from its continued use.
3. If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make a record of it and to allow for the salvaging of materials and features.

➤ **Policy DM 33 Development affecting a conservation area**

Development (including changes of use and the demolition of unlisted buildings or other structures) within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance. The Borough Council expects development proposals to:

1. Respond positively to its conservation area appraisals where these have been prepared;
2. Retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of detail and materials, surfaces, landform, vegetation and land use;
3. Remove features that detract from the character of the area and reinstate those that would enhance it; and

4. Retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

➤ **Policy DM 34 Scheduled Monuments and archaeological sites**

1. Development will not be permitted which would adversely affect a Scheduled Monument, and/or its setting, as shown on the Proposals Map, or subsequently designated, or any other monument or archaeological site demonstrated as being of equivalent significance to scheduled monuments. Development that may affect the significance of a non-designated heritage asset of less than national significance will require a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
2. Whether they are currently known, or discovered during the Plan period, there will be a preference to preserve important archaeological sites in-situ and to protect their settings. Development that does not achieve acceptable mitigation of adverse archaeological effects will not be permitted.
3. Where development is permitted and preservation in-situ is not justified, the applicant will be required to ensure that provision will be made for archaeological excavation and recording, in advance of and/or during development, including the necessary post-excavation study and assessment along with the appropriate deposition of any artefacts in an archaeological archive or museum to be approved by the Borough Council.

Swale Borough Council Supplementary Planning Guidance

<https://www.swale.gov.uk/local-planning-guidance/>

- Swale Borough Council Planning and Development Guidelines **No 2: Listed Buildings – A Guide for Owners and Occupiers**
- Swale Borough Council **No 3: The Conservation of Traditional Farm Buildings.**
- Swale Borough Council Planning and Development Guidelines **No 8: Conservation Areas**

Appendix 4: Select Bibliography and Acknowledgements

Bannister, N. 1995 Tonge Mill Historic Landscape Survey is an especially useful indepth study of the historic landscape context of Tonge Castle and Mill.

The South east Archaeological Research Framework can be accessed at <https://www.kent.gov.uk/leisure-and-community/history-and-heritage/south-east-research-framework>

Thank you for Simon Mason and his team from Heritage Conservation at Kent County Council for his assistance. The online version of the Kent Historic Environment Record can be accessed at <https://webapps.kent.gov.uk/KCC.ExploringKentsPast.Web.Sites.Public/Default.aspx>

This Conservation Area Appraisal and Management Plan was prepared by Emma Rouse, Wyvern Heritage and Landscape on behalf of Swale Borough Council. www.wyvernheritage.co.uk

FOR FURTHER INFORMATION CONTACT:

Planning Services – 01795 417850

<https://www.swale.gov.uk/heritage-and-landscape/>

Swale Borough Council: ~~2020~~2021

Swale House, East Street, Sittingbourne, Kent ME10 3HT

~~PUBLIC CONSULTATION-DRAFT~~ADOPTION VERSION, APRIL 2021
OCTOBER 2020

Prepared by Wyvern Heritage and Landscape
on behalf of Swale Borough Council



www.wyvernheritage.co.uk

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APPENDIX iii: TABLE OF REPRESENTATIONS, AND THE COUNCIL’S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE REVIEW DOCUMENT IN RELATION TO THEM – FOR TONGE CONSERVATION AREA

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
1	Bapchild Parish Council	<p>- Support the aims and objectives of this consultation with a view to safeguarding this significant historic landscape and heritage assets.</p> <p>- Support the amendment to the boundary of the conservation area to include areas to the west and north.</p> <p>- Support the protection of the landscape around the Conservation Area and the enhancement of landmarks and views in the surrounding area. On this issue we would like to suggest that, in addition to ensuring the new Countryside Park to the west enhances the setting of the conservation area, this area is included within the conservation area. This would help improve public access to the area.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted. However, the inclusion of the new (SBC managed) country park to the west of the spring within an extended CA boundary makes no practical difference to public access, and there are no sound conservation reasons to extend the boundary to include this wider area.</p>	<p>No change to review document needed.</p> <p>No change to review document needed.</p> <p>No change to review document needed.</p>
2	Local landowner (personal not included to comply with GDPR requirements)	<p>- References to the Country Park in the document are inappropriate as this park has not existed for several years.</p>	<p>Use of the phrase country park is perhaps unhelpful but this does not mean that there are not clear designed features of the landscape to south of the pond, e.g. Memorial Oaks.</p>	<p>Remove references in review document to country park in relation to the land in question.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
2 (cont')	Local landowner (personal not included to comply with GDPR requirements)	<p>- The reference to the former carpark being in need of attention is therefore not relevant. We are intentionally allowing this area to grass over.</p> <p>- We have been liaising with the Kent County Council in regard to clearing the access for the public right of way from Church Road (which has been done), and also further clearing of the right of way (due to take place shortly).</p> <p>- With reference to the chain link fence, is it suggested that this be replaced at the council's expense and in conjunction and discussion with the present occupiers and owners of the property.</p> <p>- There is a bin for dog waste mounted next to the entrance to the former carpark. Since there has been no public access at this point for years, please could this bin be moved to the access for the public footpath, further along Church Road towards the Mill?</p>	<p>Noted, with that clarification being helpful.</p> <p>Noted, with that clarification being helpful. Check to be made on whether additional clearance work now completed.</p> <p>The chain link fence is located on private land so agreement would need to be reached between the Council and the landowner on the question of cost and what form any replacement boundary treatment takes.</p> <p>There is no specific reference to this in the review document.</p>	<p>The references to this in the review document (on pages 36 and 43) to be removed.</p> <p>No change to review document needed.</p> <p>Wording on page 44 of the document to refer to more appropriate replacement boundary treatment agreed in liaison with landowner.</p> <p>No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
2 (cont')	Local landowner (personal not included to comply with GDPR requirements)	Page 43 of the document states “Seek opportunities to secure future public access to the land – see separate note”. The separate note is not included. Please make this available as soon as possible by e-mail.	This was a crib note of the document author to herself, and was left in the consultation document in error	Remove reference to separate note in the review document.
3	Local residents (personal data not included to comply with GDPR requirements)	<p><u>Proposed Boundary Extensions</u> - Approve of the proposed boundary extension. In fact, we previously proposed a larger extension (see plan attached to full copy of this representation at Appendix v). The proposed boundary extensions may be too narrow to protect this conservation area.</p> <p><u>Trees</u> - The appraisal document fails to capture the full extent of trees which are important features within the conservation area.</p>	<p>The wider area of boundary extension proposed is not justifiable in terms of the special interest needed to justify it. However, the wider setting of conservation areas is required to be taken into account in relation to development proposals.</p> <p>The review document appropriately captures the 7 individual memorial trees which are a carefully designed landscape feature. That is not to say other trees within the CA are not important/unappreciated. The document shows how other trees contribute to the character of the area and important views.</p>	<p>No change to review document needed</p> <p>No change to review document needed</p> <p><i>Note: All trees within the CA – subject to some limitations on min. size and type - are protected by the CA legislation which requires notification to the LPA for works to them including felling.</i></p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
3 (con't)	Local residents (personal data not included to comply with GDPR requirements)	<p><u>Biodiversity</u> - Great to see references to this in the review document. List of flora and fauna provided which make their home in Tonge Conservation Area, including water voles, herons, hedgehogs, bats and at least 20 types of apple tree (see copy of this representation at Appendix v for full list provided).</p> <p><u>Dynamic Views</u> - The 6a view (page 23 of the review document) has a slight conflict now that the attenuation pond is being built at the Stone's farm development. One of the drains appears to be unnaturally raised and now really impedes that view. Photo provided to illustrate this (see copy of this representation at Appendix v for photo in question)</p> <p><u>Public Access</u> - With reference to the land on the southern side of the mill pond, the informal public access afforded should be formalised, as hundreds of people enjoy this space each week and the local community has been involved in litter</p>	<p>Noted, and the feedback in this respect is helpful.</p> <p>The image provided does look somewhat stark, but once the attenuation pond and associated approved landscaping is in place, the structure will be much less visible.</p> <p>The land in question (east of the Becket Spring) is privately owned and has not been managed as an informal country park</p>	<p>Additional bullet point to be added to the Key Positive Characteristics table on page 22: Informal semi-natural landscape which provides an appropriate setting to the historic mill buildings and in turn also sustains an important ecological resource.</p> <p>The image 6a in the document to have text added that this view will be altered with the construction of the Stones Farm housing development and creation of the associated country park. Related appendix to be added showing approved master plan for housing layout and country park landscaping</p> <p>Remove references in review document to country park in relation to the land in question. Show the route of the PROW which cuts across</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
3 (con't)	Local residents (personal data not included to comply with GDPR requirements)	<p>picks to keep it clean. One neighbour has repaired one of the benches offering (dynamic) view 7a. There are simply not enough parks in Sittingbourne and this is possibly the best example. Such green spaces are all the more important as recognised in a growing number of studies. Most of the referenced aspects of the conservation area (including specific views) would be lost if this space were lost. For the last few months all pedestrian access through the former car park has been blocked by a new fence. This is the safest entrance to the park and now it is gone. Several regular visitors have complained about this to us, at least one of whom is disabled, and is no longer able to access the park</p> <p><u>The Narrow Road</u> - On page 29 the report refers to the “narrowed bend into Church Road as it squeezes between the two buildings; the resulting pinch-point is an attractive and defining feature of the place”. Currently it is a national speed limit road, and people do seem to want to push that boundary. If the buildings are to remain in the long-term then a speed restriction is a necessity.</p> <p><u>Management Strategy</u> - This highlights the following issues, but does not propose solutions: i. Uncertain future of the area currently used for informal recreation ii. Pressure from commuter traffic and large vehicles using the Conservation Area as a cut through</p>	<p>since 2016 (see rep. 2, above). However, the public right of way (PROW) which cuts through this area is to be maintained, thereby still affording some public access. Also, the new country park being created to the west side of the spring (which will be managed by SBC) will afford a greater degree of amenity for recreational purposes.</p> <p>Officers are currently investigating if a Traffic Restriction Order (TRO) is appropriate in liaison with KCC as the Highway Authority and Bapchild and Tonge Parish Councils</p> <p>i. Unless the land area in question transfers to the Council or Tonge Parish Council, a permanent public country park area at the location in question will not be possible.</p>	<p>the land in question on the maps on pages 7, 23 & 24.</p> <p>No change to review document needed.</p> <p>i. No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
3 (con't)	Local residents (personal data not included to comply with GDPR requirements)	<p>iii. Development on the western side of the Conservation Area</p> <p>We propose the following solutions:</p> <p>i. Formalise a permanent park as per the note on protecting the park found on the Swale website: https://services.swale.gov.uk/meetings/mglIssueHistoryHome.aspx?IId=9151&Opt+0</p> <p>ii. Introduce a speed restriction</p> <p>iii. Lower the drain and ensure tree planting to maintain natural tree boundary to prevent the visual incursion of the Stone's Farm development.</p>	<p>However, the existing PROW's will be maintained and a replacement publicly accessible country park facility will be provided on the west side of the Becket Spring.</p> <p>ii. (see response above in relation to 'Narrow Road' comment – page 5).</p> <p>iii.(see response above in relation to 'Dynamic Views' comment – page 4).</p>	<p>ii. No change to review document needed.</p> <p>iii. (as per recommendation in relation to 'Dynamic Views' comment – page 4)</p>
4	Tonge Parish Council	Tonge Country Park ceased to be registered as a conservation area in 2016, however The Mill Stream; Tonge Pond and Thomas Becketts [sic] Spring all remain as conservation areas.	The area of the former 'country park' on private land remains within the Tonge CA boundary as existing and proposed. That is also the case with the mill stream (which is the Becket Spring) and the mill pond – referenced here at 'Tonge Pond'.	Remove references in review document to country park in relation to the privately owned land in question
5	Kent County Council Ecology Team	The document refers to bringing the stream back into positive management. There are no concerns with this, but just to highlight that with areas that have had limited/no management for some time, it is possible that re-implementing management (without mitigation) may result in a breach of wildlife legislation. So there is a	Noted. The Council would liaise with KCC's Ecology Team to ensure no breach of legislation would occur in carrying out any survey work, developing any	No change to review document needed.

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
5 (con't)	Kent County Council Ecology Team	need to ensure that prior to any management scheme commencing, the presence of protected species are considered. It is however considered that a balance can be found to provide a form of management which provides benefit from both a heritage and ecology perspective.	specific management policy and carrying out any subsequent agreed maintenance/improvement works.	(see page 6)
6	Montagu Evans, on behalf of Fenrose Ltd.	<p>Representation regarding area of land to the south of the Conservation Area. The land comprising the site forms part of the CA's immediate setting to the east of the spring</p> <p>Drawing these points of drafting together, the inference within the Appraisal appears to be that the Site forms an element of the setting which contributes to an appreciation of the CA's special interest by virtue of its more 'traditional appearance' and rural character. That contribution is made, it seems, by the existence of the panoramic view (View 5a) obtained across the field comprising the Site that encompasses Tonge Mill, the stream and the Thomas Becket spring in the southern part of the CA. The premise of the assessment in relation to land to the south and east of the Conservation Area appears to be that the agricultural use of the land, and the nature of views across it towards the CA, necessarily contributes to the significance of the asset and its appreciation. We do not agree with this proposition (from page 4 of rep.)</p> <p>First, while we agree that the Council is right to identify the glimpsed view from the footpath towards the top of the mill chimney as having value, we disagree with the conclusions as to the nature of the contribution that this</p>	The significance of this view is that you can appreciate the historical spatial relationship between the Spring, Stream and the Mill with the Mill Chimney forming an eye catcher in the view. This is not something which can be appreciated when standing within the Conservation to the north.	No change to review document needed.

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
6 (cont')	Montagu Evans, on behalf of Fenrose Ltd.	land makes to the special interest of the CA. The chimney provides a point of focus which contributes to one's sense of arrival and event, and communicates the presence of a feature of interest with an industrial character. Notwithstanding, we note that the view does no more than communicate the distant location of the mill; one has to enter the country park to understand the value of the listed building and its relationship with the water, the reason for the industrial use of this site. It is from within the CA that the historic and architectural qualities of the listed building are best appreciated (from page 4 of rep.)	(see page 7)	(see page 7)
7	Iceni Projects Ltd. on behalf of Trenport Ltd.	<p>TCA2 should not be included within an updated Tonge Conservation Area boundary.</p> <p>There is no identification of built form upon the land or an assessment of how it might contribute to the significance of the area. There is also no specific mention of the character and appearance of the land which is enclosed within the boundary of TCA2. This is not surprising as we consider the importance of this parcel of land and its contribution to the significance of the Conservation Area to be extremely limited, except for the small portion of the Castle ditch which is located at its southern edge (TCA1) which we do not raise objection to its boundary extension. Our concern for the designation of TCA2, in light of Paragraph 186 of the NPPF, is further reinforced as a result.</p> <p>On this basis, the boundary extension TCA2 is not justified and this CA boundary should not be extended.</p>	Officers dispute the location of the Windmill and maintain it is within parcel TCA 2 – see Map extracts at page 20 of this appendix in support. The reasons for the designation of this area therefore remain sound.	Add the windmill overlay map (see page 20 of this appendix) to the paragraph in the review document which discusses TCA2.

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7 (cont')	Iceni Projects Ltd. on behalf of Trenport Ltd.	<p>“Area TCA2 Land to the north of Tonge Castle <i>The small triangle of land to the north of the Castle and south of the railway line follows the original access to the Castle and Mill and also includes the site of the former Windmill. This small (0.4 hectare) extension will ensure this important historical context is included within the Conservation Area.”</i></p> <p>The Appraisal notes that “There was also a windmill just north of the castle (shown on the 1820s map) which existed as late as 1834.” It does not, however, include a map dating to the 1820s to demonstrate this. However, by comparison of the 1787 map and the position of the existing windmill at this time, the draft Appraisal argues that the windmill was located within the boundary of TCA2. In fact, by carefully overlaying historic mapping, it would seem appropriate to suggest that the windmill fell to the north west of the boundary of TCA2 and the existing railway line has been constructed upon the site of the windmill.</p> <p>Additionally, whilst it is acknowledged that there is evidence of a historic road which aligned the south boundary of TCA2, the land within the TCA2 itself formed part of a larger field, with no evidence of access from the field to the Castle and Mill within it. Whilst the road has since been removed and realigned to the east (Church Road), reference to this road is partially retained by the public footpath to the south boundary although this, itself, appears to have been redirected to the south by comparison of Ordnance Survey mapping.</p> <p>The lack of evidence of any connection between the land area making up TCA2 and the castle and mill is further</p>	(see page 8)	(see page 8)

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
7 (cont')	Iceni Projects Ltd. on behalf of Trenport Ltd.	emphasised as TCA2 is identified within the draft Area Appraisal to be 'landscape development' dating to the seventeenth and eighteenth century. This is illustrated through historic mapping presented within the draft Area Appraisal and confirms that no structures are known to have been constructed upon the parcel of land. As a result, having assessed historic map regression and concluded there is no evidence to suggest that any built structures have stood upon the land captured within TCA2 historically and confirmed there are no built structures or evidence of significant visible remains upon the land today, we consider the proposed designation of this land would be contrary to the purpose of the legislation and guidance discussed above. (Page 4)	(see page 8)	(see page 8)
8	Historic England	Appraisals are documents which inform understanding and significance of the area. Coupled with a management plan, they are a vehicle to reinforce the positive character of the area, as well as avoiding and minimising negative impacts to the area. Historic England is pleased that the Council is undertaking its statutory duty in reviewing this conservation area, and has no specific comments to make on either the contents of the review or the extensions to the conservation areas proposed. Attention is drawn to the relevant Historic England guidance document: Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1 (2 nd . Ed. Feb. 2019	Noted. The Council's external heritage consultant and officers have referred to the quoted Historic England Advice Note 1 in producing and reviewing the character appraisal and management plan, and it is referenced in Appendix 3 of the document which refers to relevant legislation, national and local policy and strategies.	No change to review document needed.

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9	Montagu Evans, on behalf of Quinn Estates	<p>(From para. 1.6 of rep.): We have considered the draft Tonge Conservation Area Appraisal Review (2020), inspected the site and reviewed relevant guidance. Our conclusion is that the Council makes unsubstantiated claims about the significance of the land within the Conservation Area, and the land which comprises its setting, and needs to revisit the assertions made in the Appraisal.</p> <p>(From para. 3.25 of rep.): Firstly, the definition of this area as a Country Park is misleading and is a reflection only of the former use of the area as a recreational amenity area. This area has not been landscaped or planned in a way that would suggest it is of historic or architectural significance as a ‘country park’.</p> <p>(3.33): The Appraisal sets out a summary of the main facets of significance which lend the area its special character and we comment with our own assessment under each.</p> <p><i>Surviving earthworks of Tonge Castle, and fortified manor – the earthwork and its environs have high potential for Medieval and Post Medieval archaeology.</i></p> <p>The area is evidently hugely degraded and should not be ascribed significance. We urge the Council to review our own assessment of the earthwork. This element of the statement of significance should be revised to reflect this.</p>	<p>Comments are provided to each key point made by Montague Evans (ME) as set out below in the table.</p> <p>The use of the phrase country park is perhaps unhelpful but this does not mean that there are not clear designed features of the landscape to the south of the Mill Pond for example the Memorial Oaks</p> <p>This is disputed. Although degraded, this earthwork is one of only a handful of sites of this type in Kent. This assessment in significance was reached following discussion with KCC’s Heritage Conservation Team</p>	<p>(please refer to the recommendation set out adjacent each key point, as set out below)</p> <p>Remove references in review document to country park in relation to the land in question.</p> <p>No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9 (con't)	Montagu Evans, on behalf of Quinn Estates	<p><i>Archaeological potential for prehistoric and Roman activity in the landscape and perhaps focused on the spring.</i></p> <p>This is an assertion. The Council needs to explain what it meant by 'perhaps.' Extensive archaeological evaluation work would be needed to corroborate this claim.</p> <p><i>The spring and stream have paleo-environmental potential.</i></p> <p>Again, this may be correct but the Appraisal needs to identify specifically where this potential lies and explain what the implications of that are. Archaeological interest is not a reason for CA designation.</p> <p>Note: archaeological interest is relevant to CA designation.</p>	<p>All assessments of archaeological potential based on the Historic Environment Record are by their nature assessments of probability. This assessment was reached following consultation with the County archaeologist</p> <p>Historic England guidance on Conservation Area Appraisal, Designation and Management states that "<u>Heritage assets with archaeological interest can contribute, directly and indirectly, to the character of conservation areas.</u> These areas will often have further archaeological interest and it may even be possible to define areas with potential for remains of high importance. This archaeological evidence may relate to specific activity that is locally distinct, rare or of particular archaeological interest. There is likely to</p>	<p>No change to review document needed.</p> <p>No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9 (con't)	Montagu Evans, on behalf of Quinn Estates	<p align="center"><i>Association with legend of Vortigern, Hengist and Horsa.</i></p> <p>The appraisal confirms on page 13 that the story of Hengist and Vortigern has no archaeological evidence to support it. The Appraisal goes onto say that <i>'It is however likely that there was some form of fortified settlement at Tonge from the 7th century onward. Due to its strategic position on coastal lands and the ready supply of water from the springs at Bapchild.'</i></p> <p>This is simple assertion and should be substantiated with evidence. Significance to the area should not be attributed on this basis.</p> <p align="center"><i>Association between the spring, the cult of Thomas Becket and grounds of former leper hospital.</i></p> <p>The Appraisal has limited information on the provenance and interest of the location of a hospice in this area. It is stated on page 17 that <i>'A Mediaeval leper hospital was</i></p>	<p>be a relationship between subsurface remains, monuments and upstanding remains (including buildings and property boundaries) and spaces which contribute to the significance of each by providing evidence of their historic development and use. (paragraph 92)" <u>[Your officers emphasis]</u></p> <p>This is not an assertion, but a statement of potential supported by the detailed Bannister 1995 survey.</p> <p>The location of the former leper hospital is taken from the Kent Historic Environment Record (HER). The stream/spring has significance</p>	<p>(see page 12)</p> <p>No change to review document needed.</p> <p>No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9 (con't)	Montagu Evans, on behalf of Quinn Estates	<p><i>developed alongside the stream, and it is possible that the stream become a popular stopping point for pilgrims on their way to Canterbury.</i> [our emphasis]. This is conjecture. The association with the pilgrimage activity needs to be substantiated before significance is attributed to this.</p> <p>The map on page 9 is in error. The label showing the location of the hospital is not correct and needs to be accurate.</p> <p><i>* Area of informal recreation and varied natural habitat to the south of the millpond</i></p> <p>This is a more accurate description of the area labelled as the Country Park and that label should therefore be removed.</p>	<p>notwithstanding whether it was a stopping off point for pilgrims. However given the focus of pilgrimages to Canterbury Cathedral (i.e. the sainted Thomas Becket), given that the spring was named after Becket it is not unreasonable to assume that it would have attracted the attention of pilgrims.</p> <p>The reference to 'Country Park' is a legacy from the data used to provide the last digitised edition of the Ordnance Survey (OS) mapping. This can be corrected at the next OS data refresh. In view of comments received from the landowner (see rep 2), reference to an area of 'informal recreation' would be inappropriate.</p>	<p>(see page 13)</p> <p>The notation of 'Tonge Country Park' to be removed from the mapping shown in the review document. * Bullet point from summary of significance and special interest table on page 6 to be changed to: <i>Area of varied natural habitat to the south of the millpond.</i></p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9 (con't)	Montagu Evans, on behalf of Quinn Estates	<p>The Appraisal identifies a series of views in the document. It is not clear on what basis these have been identified and what it is the Council considers they add to an understanding of the special interest of the area. We provide comments on the views as relevant.</p> <p>View 1a: <i>Local view from outside of Conservation Area at Scraps Hill towards the mill.</i></p> <p>View 1b: <i>View eastward across area of historic grazing up to Scraps Hill from adjacent to the Old Mill. The railway embankment is screened by the trees on the left hand side of the picture.</i></p> <p>View 1c: <i>View from just north of the junction of Scraps Hill and Church Road looking northwest</i></p> <p>(3.35): We do not see what these add to the understanding of the character and appearance of the CA.</p> <p>(3.36): The contribution made by the surrounding fields as seen from the core of the interest of the CA, and views to the surrounding landscape, are limited by the rise of the landform to the north east and the vegetated boundary of the railway embankment which forms the CA's northern boundary.</p> <p>(3.37): To the south and east, the visitor has no sense of the qualities which give this area its special architectural and historic interest warranting its designation; views from The Street and Hempstead Lane are prevented by modern housing and dense hedgerows respectively.</p>	Views 1a and 1c clearly allow an appreciation of the relationship between the mill buildings. View 1b is a view out to the undeveloped historic field to the east.	Add further explanatory text to the photo descriptions.

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9 (con't)	Montagu Evans, on behalf of Quinn Estates	<p>From the west, while views towards the CA are obtained from the public footpath towards the stream and spring, there is no visual indication that the watercourse is of any historic interest or has value beyond its quality as a natural feature.</p> <p>View 3a – <i>Southwards from edge of meadow towards Spring Head and Watling Street</i> 3.38 This is not an accurate description of this view and is not of particular amenity or heritage value. It is in fact quite an enclosed view across the heath, bounded by the low hedge tree line. Suburban housing can be seen to the left and a hedge to the right.</p> <p>View 5a – <i>180 degree view northwards towards chimney from outside of the Conservation Area where public right of way exits the settlements on the north side of Watling Street. From here you can appreciate the relationship of the spring, stream, and mill.</i></p> <p>(3.39): It is not possible to see the significant relationship between the historic mill buildings and the waterways and should be reworded to reflect this.</p>	<p>Officers disagree with this. If viewed using the historical context provided by this assessment and Bannister 1995 report, the watercourse does possess historic interest.</p> <p>Further descriptive text is needed to describe heritage interest in each view as to why they have been chosen. However, officers maintain that these identified views do add to an understanding of the area.</p>	<p>As part of the development of the new countryside gap park, one or more interpretation panels to be provided adjacent new footpaths to help assist in an understanding and appreciation of the historic landscape. 'Other Actions' point to be added to the end of the management strategy table on page 44, to that end.</p> <p>Add further explanatory text to the photo descriptions.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
9 (con't)	Montagu Evans, on behalf of Quinn Estates	<p>View 6a – 180 degree westwards over stream out of Conservation Area [towards future countryside gap].</p> <p>View 6b – View from Public Right of way to the west of the Conservation Area looking east across stream and up the eastern side of the valley.</p> <p>3.40 We do not see that these views adds to an understanding of the historic significance of the Conservation Area. These views are long distance views with no particular features which make a material contribution. The scraped farmland detracts from the amenity quality of the view in view 6b.</p> <p>(3.53): The present configuration of the land to the south of the mill pond - known as the country park - dates from following the Second World War, when the orchard landscape started to be cleared to the south of the mill pond. Thus, the boundary of the CA, while it undoubtedly encompasses features of historic and architectural interest, also includes areas of landscape - the 'country park' - whose form and character is of recent derivation.</p> <p>(3.54): The inclusion of these areas, it is assumed, relates to their recreational rather than historic value.</p>	<p>Further descriptive text is needed to describe heritage interest in each view as to why they have been chosen. However, officers maintain that these identified views do add to an understanding of the area.</p> <p>Whilst the commentary set out in para. 3.53 is essentially correct, the assertion derived from that at para. 3.53 is based on a false assumption. However, this feedback does highlight the need for some clarification.</p>	<p>Add further explanatory text to the photo descriptions.</p> <p>Add sentence describing the historic value to the spatial analysis of the area in question – to aid clarity.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
10	Local residents (personal data not included to comply with GDPR requirements)	<p>- Pleasure to read in the review document how much heritage and history surround the Tonge Mill Pond area. The document is insightful to the depth of history that surrounds the area.</p> <p>- It's a positive move to extend the conservation area, but if anything the extension needs to cover a wider area.</p> <p>- Conserving and preserving our history is a important as positively managing the area, and in a way that would not allow special features to be lost.</p>	<p>Noted and it is positive to hear that the document is of interest and value to local residents.</p> <p>The conservation area boundaries have been carefully considered as part of the review work and officers consider that any extension above and beyond those already proposed could not be justified. However, local planning authorities are required to take the setting of conservation areas into account when considering any development proposals.</p> <p>Noted and agreed. One of the objectives of producing the character appraisal and management strategy document is to help ensure that the history of this special area is preserved and valued by a wider range of stakeholders, notably local residents.</p>	<p>No change to review document needed.</p> <p>No change to review document needed.</p> <p>No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No.	Representation By	Summary of Representation	Officer Response	Recommendation
10 (con't)	Local residents (personal data not included to comply with GDPR requirements)	<p>- Need to be mindful of development encroaching into this part of Tonge and policies to effect a type of greenbelt in the locality may not be effective, such the in the future, the conservation area may be surrounded by industrial development and an adjacent new relief road.</p> <p>- This conservation area is important not only because of the historical interest it provides, but also because of the ecological value and recreational facility it provides. It is therefore an extra valuable community resource.</p>	<p>Policies in the Local Plan and the Tonge Conservation Area Character Appraisal & Management Strategy are intended to function in parallel to ensure that any development taking place in or adjacent the conservation would not erode its special qualities. Conservation areas were created not to block development but to help ensure any development that takes place in or around them is sensitive to context and of a suitably associated high standard of design. Furthermore, national guidance is clear that some forms of development can positively enhance conservation area e.g. by better revealing its special interest.</p> <p>Noted, and it is considered that the review document captures these additional benefits which the conservation area offers.</p>	<p>No change to review document needed.</p> <p>No change to review document needed.</p>

TONGE CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Images showing the location of the historic windmill at Tonge (see rep. 7 on page 8 in the table)



Up-to-date aerial photograph
and 1787 map



Up-to-date aerial photograph
overlain by 1787 map.

Tonge Conservation Area Review October 2020:

Schedule of Consultees

SBC

Officers:

Andrew Jeffers and Graham Thomas – Planning Services

Lyn Newton – Economy & Community Services

Graeme Tuff – Green Spaces

Anne Adams – Property Services

Ward Members for Teynham and Lynsted Ward, and West Downs Ward:

Cllr. Lloyd Bowen (T & L)

Cllr. Mike Whiting (T & L)

Cllr. Monique Bonney (WD)

External Organisations

Bapchild Parish Council (f.a.o. Mrs Elizabeth Cruise, Parish Clerk: Clerk@Bapchild.info)

Teynham Parish Council (Mrs Hayley Mills, Parish Clerk: ParishClerk@Teynham.org)

Tonge Parish Council (Marian Mulley, Parish Clerk: TongePC@Outlook.com)

Kent County Council Natural Environment & Coast Team (f.a.o. Helen Forster:
Helen.Forster@Kent.gov.uk)

Kent County Council Highways, Transportation & Waste Team (f.a.o. Alun Millard:
Alun.Millard@Kent.gov.uk)

Kent County Council Heritage Conservation Team (f.a.o. Simon Mason: Simon.Mason@Kent.gov.uk)

Historic England (f.a.o. Alice Brockway: Alice.Brockway@HistoricEngland.org.uk)

Lower Medway Internal Drainage Board (f.a.o. Mike Watson: enquiries@medwayidb.co.uk)

Land/Property Owners (based on LLPG address points and previous correspondence)

THWANGCASTER, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

RIVENDELL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

1 CASTLE COTTAGES CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

2 CASTLE COTTAGES CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

3 CASTLE COTTAGES CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

THE BARN, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

THE OLD MILL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

MILL HOUSE, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

BREW INN, THE OLD MILL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

THE MILL SHOP, THE OLD MILL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

1 THE OLD MILL CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AW

3 THE OLD MILL CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AW

CS ONE DESIGNERS LLP, TONGE MILL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

COMIK STUDIOS, TONGE MILL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

ABX LIGHTING, TONGE MILL, CHURCH ROAD, TONGE, SITTINGBOURNE, KENT, ME9 9AP

GH DEAN & CO LTD, HEMPSTEAD FARM HOUSE, HEMPSTEAD LANE, BAPCHILD, ME9 9BH

MR M HEATHFIELD, WILLBRIDGE HOUSE, HEARTS DELIGHT ROAD, BORDEN, ME9 8HX

TRENPORT (EAST HALL PARK) LTD, 2ND FLOOR, 14 ST. GEORGE'S STREET, LONDON, W15 1FE

THE KENT HOMEBUILDING PARTNERSHIP LLP, 30 PARK STREET, LONDON, SE1 9EQ



Appendix v

Bapchild Parish Council
18 Morris Court Close
Bapchild
Sittingbourne
Kent
ME9 9PL

Tel No: 07738825836
Email: clerk@bapchild.info

27th October 2020

Mr Simon Algar
Conservation & Design Manager
Swale Borough Council,
Swale House,
East Street,
Sittingbourne,
Kent, ME10 3HT

Dear Mr Algar,

Re: Public Consultation: Conservation Areas Review in the Parishes of Bapchild and Tonge from Monday 5th October to Sunday 15th November 2020.

Tonge Conservation Area Review Feedback

Bapchild Parish Council would like to support the aims and objectives of this consultation with a view to safeguarding this significant historic landscape and heritage assets.

We support the amendment to the boundary of the conservation area to include areas to the west and north.

We support the protection of the landscape around the Conservation Area and the enhancement of landmarks and views in the surrounding area. On this issue we would like to suggest that, in addition to ensuring the new Countryside Park to the west enhances the setting of the conservation area, this area is included within the conservation area. This would help improve public access to the area.

Yours sincerely

A solid black rectangular box used to redact the signature of Liz Cruise.

Liz Cruise
Clerk
Bapchild Parish Council

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Response to Swale Borough Council's Tonge Conservation Area Appraisal and Management plan

We, as landowners, own the majority of the land in the Tonge Conservation Area including Tonge Pond and the associated land; we only came across the above document by chance and we would therefore like to know why you haven't contacted us directly for our views upon the above Appraisal and Management plan.

We have the following comments/queries to which we would like a response:

1. There are various references in the document to e.g. Tonge Mill and its associated stream and pond being a "visitor destination", to "community woodland" and to "the public access afforded to the land". We should like to formally place on record that although part of the land south of Tonge Pond was, at one time, a Country Park, it has not been a Country Park since 2016 when Natural England closed their file. All of the land to the south of the Mill Pond as well as the Mill Pond itself, is privately owned and the only public access is one public right of way which runs from Church Road by the Mill, across our land and exits the other side into an adjoining orchard. There is clear signage at the property marking our land as private and we are frustrated by the widescale abuse of the land by members of the public including the huge amount of stealing of fruit, constant fly tipping and other antisocial activities carried out by members of the public.
2. There should therefore be no reference upon any map to Tonge Country Park as it no longer exists and has not existed for several years.
3. In addition, the reference to the former carpark being in need of attention, is therefore not relevant. We are intentionally allowing this area to grass over
4. For information, we have been liaising with Michael Ellis at Kent County Council with regard to clearing the access for the public right of way from Church Road (which has been done) and also further clearing of the right of way (due to take place shortly)
5. With reference to the chain link fence, is it suggested that this be replaced at the council's expense? The chain link fence pre-dates the designating of the land as a conservation area. If this is suggested, it should be done in conjunction and discussion with the present occupiers and owners of the property (consideration will need to be given to the height, security and style of the fence etc)
6. There is a bin for dog waste mounted next to the entrance to the former carpark. Since there has been no public access at this point for years, please could this bin be moved to the access for the public footpath, further along Church Road towards the Mill?

7. Page 43 of the document states "Seek opportunities to secure future public access to the land - see separate note". The separate note is not included. Please make this available as soon as possible by e-mail.

██████████ on behalf of the landowners
11 November 2020

**Character Appraisal and Management Plan for
Tonge Conservation Area
Consultation Draft – October 2020**

From:

[REDACTED]

To:

Simon Algar
Conservation and Design Manager
Swale Borough Council

November 12th, 2020

Constructive Feedback

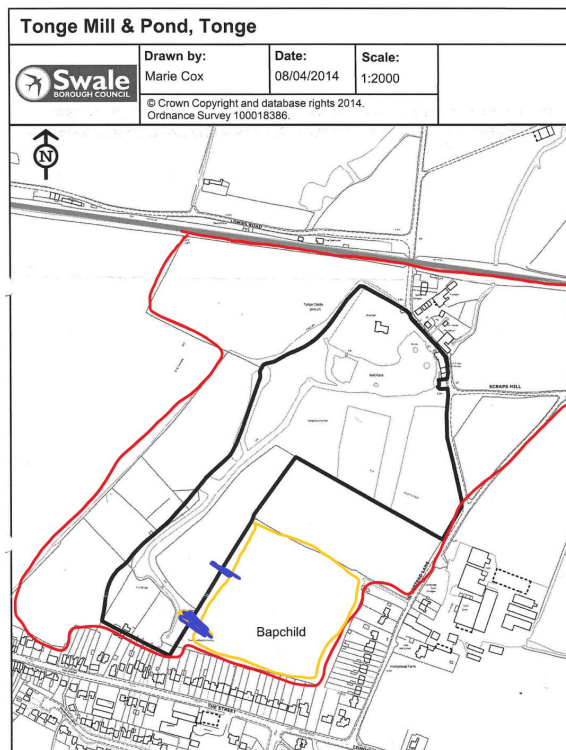
Thank you for sending us the notification on October 5th. We have many points to contribute so please do forgive the relatively informal, point form nature of our feedback.

1. Wider Community.

- a. We left a message in late October on the voicemail of Simon Algar, as we have spoken with several neighbours who live on Hempstead Lane and the A2, backing on to the Conservation area who had not received this notification. We do hope they have been able to contribute.

2. Boundary

- a. We approve of the new boundary, in fact, when asked about the boundary a few years ago we proposed the attached, which is larger. The proposed extension may be too narrow to protect this conservation area. Here is the drawing that we submitted (a scan of the letter we received is attached).



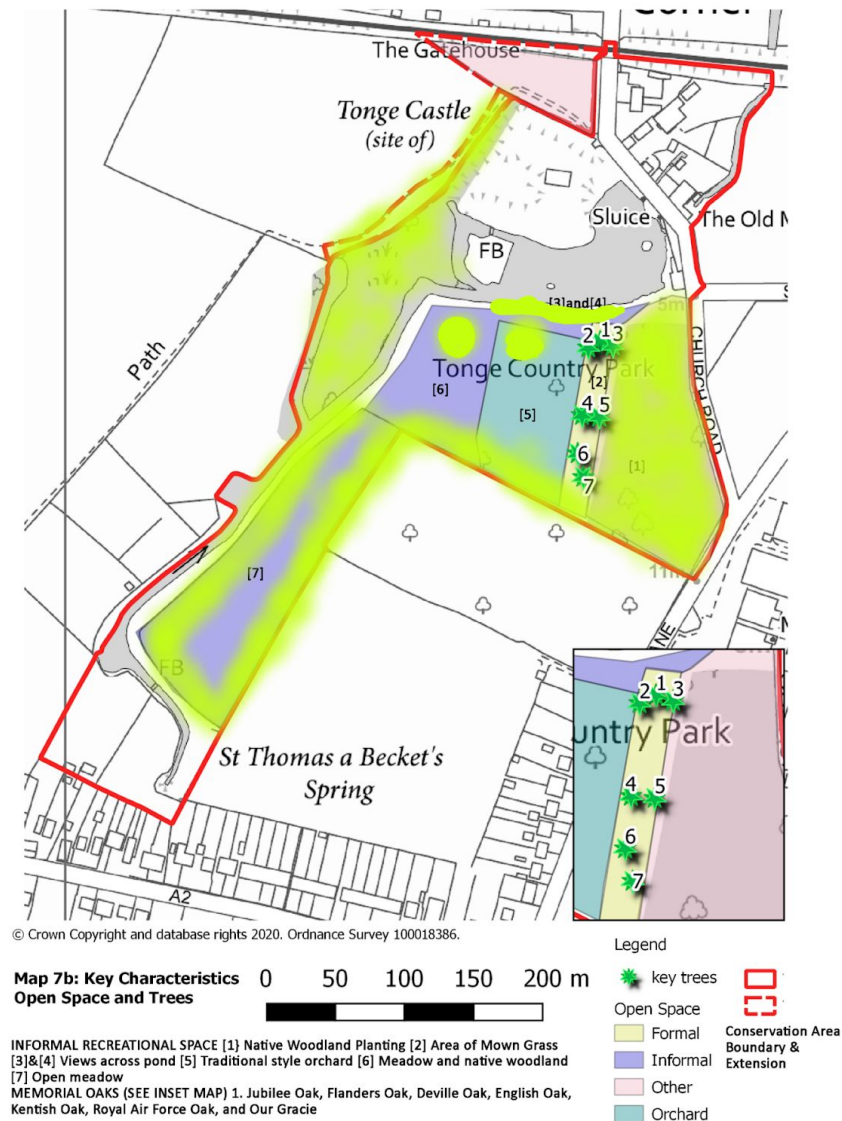
b.

- c. We suggested the red outline.
- d. The orange outline used to be a public space, but a narrow footpath through has been fenced in. There were footpaths around this space with connections into the Country Park where the blue markings are. The larger blue marking was even signposted, as this was the clearest access to the Spring head. This area is now an informal race track and 'burn site' where items as large as static caravans are burned, smouldering for days. Ideally this section of land should be brought back into the Green Space.
- e. Our outline would protect the views highlighted on page 31, 1a and 1b and 1c on page 32.

3. Trees

- a. In the report, on the 4th page there is a pop-out which highlights what is protected in a conservation area. The third point is:
 - i. • Special provision is made to protect trees.
- b. Although on page 21 there is further reference that the 'community woodland is forming a new landscape feature' the map on page 24 only appears to be designating 7 trees as important. We have identified several groups of trees that are all critically important to the landscape. They are all highlighted below in lime green on an altered map. The vast majority of these have a diameter of more than 7.5cm which means they are also under TPOs. Equally, as these trees frame the entire space, they create all kinds of pathways for small mammals, and ensure that the park provides a true feeling of 'being in nature' which footpaths and other small public spaces don't provide.
- c. The planting is also incredibly diverse and a true legacy, among others there are beech, walnut, willow, chestnut, oak, elder, damson, pear, quince, ash, elm, and hazel. We have been told that the particularly tall Elm on the Tonge

Castle site are rare and impervious to Dutch Elm disease. They are taller than the chimney, and equally important to the landscape.



24

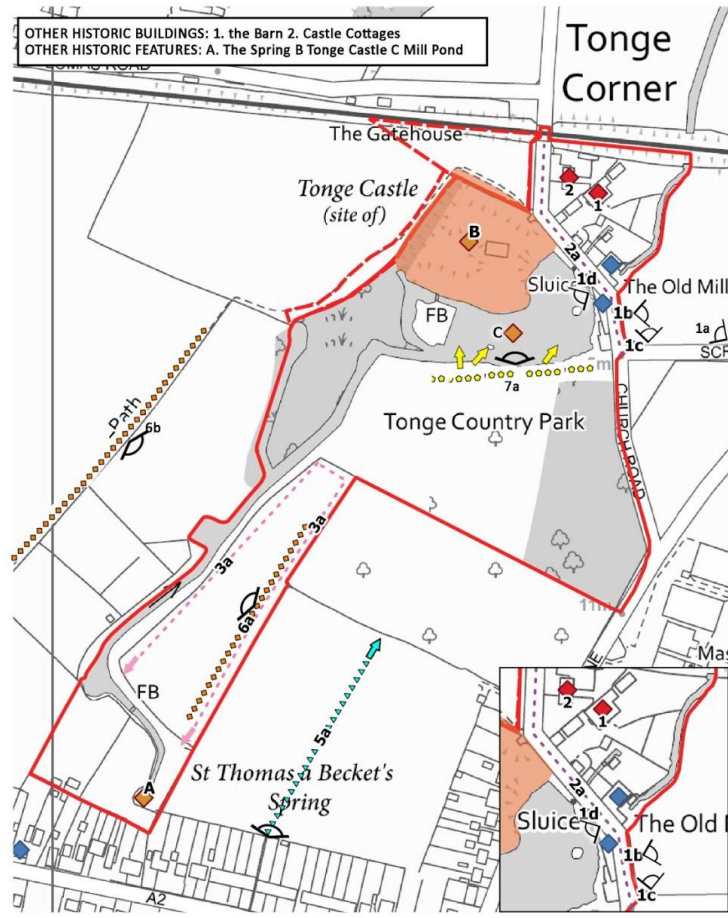
4. Biodiversity

- a. It was great to see the references to biodiversity in the report, like this on page 21:
 - i. In general the ecological integrity of the area is moderate. Orchards and associated boundary trees, the railway embankment and spring fed valleys are all important for biodiversity.
- b. This is a non-exhaustive list of the flora and fauna which make its home in the conservation area:
 - i. Water voles - there are at least two families living on the water edge, we invited the Kent Wildlife Trust to the Mill to verify the droppings. We have protected this habitat by maintaining the reeds in front of the mill and ensuring the bank had lots of places to burrow. This is a protected species.

- ii. Birds - mallards, coots, moorhens, a pair of nesting herons, kingfisher, ganets, gulls, little owls, kites, buzzards and occasionally swans.
- iii. Small mammals - hedgehogs (also a protected species), fox, mole, and squirrels.
- iv. Bats
- v. Orchard - there are at least 20 different varieties of apple tree

5. Dynamic Views

- a. The Dynamic Views Map on page 23 shows a few views that we would like to highlight



- b.
- c. The 6a view has a slight conflict now that the attenuation pond is being built at the Stone's farm development. One of the drains appears to be unnaturally raised and now really impedes that view. We took this photo:



d.

6. Public Access

- a. On page 22 we find this reference “The land on the southern side of the pond has, by tradition, been accessible to the public for informal recreation such as picnicking and feeding the ducks... The public access afforded to the area contributes to its appeal as a local amenity, although this is informal in nature”. Ideally this should be formalised.
 - i. We have also found this note on the Swale website:
<https://services.swale.gov.uk/meetings/mglIssueHistoryHome.aspx?Ild=9151&Opt=0>
 - ii. We would be happy to discuss our concerns further with Councillor Mike Baldock
- b. Hundreds of people enjoy the space each week and the local community has been involved in several formal and informal litter picks to keep it clean. One neighbour has also repaired one of the benches offering view 7a. There are simply not enough parks in Sittingbourne and this is possibly the best example.
- c. Never has the park been more important than in the time of lockdown, and we have seen a sustained increase in people enjoying the space for both physical and possibly more importantly mental health. There are many studies to support the link between nature and mental health, this one is particularly interesting:
 - i. <https://www.nhs.uk/news/mental-health/green-exercise-and-mental-health/>
- d. Most of the referenced aspects of this conservation area and the views associated with the conservation area, the panoramas, fixed views and dynamic views would be lost if this space were lost.
- e. For the last few months all pedestrian access through the former car park has been blocked by a new fence. This is the safest entrance to the park and now it is gone. Several regular visitors have complained about this to us, at least one of whom is disabled, and is no longer able to access the park.

7. The Narrow Road

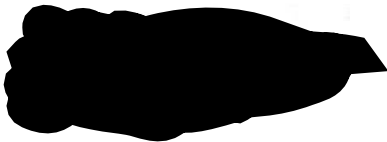
- a. On page 29 the report refers to the “narrowed bend into Church Road as it squeezes between the two buildings; the resulting pinch-point is an attractive and defining feature of the place”
- b. We would love to see a speed restriction here. Currently it is a national speed limit road, and people do seem to want to push that boundary. If the buildings are to remain in the long-term then a speed restriction is a necessity..

8. Section 3.0, Management Strategy

- a. The pop-out on page 39 labeled Forces for Change, highlights the risks to the area, but does not propose solutions.
 - i. Uncertain future of the area currently used for informal recreation
 - ii. Pressure from commuter traffic and large vehicles using the Conservation Areas as a cut through
 - iii. Development on the western side of the Conservation Area
- b. We propose solutions for these issues (in order):
 - i. Formalise a permanent park as per the note on protecting the park found on the Swale website:
<https://services.swale.gov.uk/meetings/mglIssueHistoryHome.aspx?Ild=9151&Opt=0>
 - ii. Introduce a speed restriction
 - iii. Lower the drain and ensure tree planting to maintain a natural tree boundary to prevent the visual incursion of the Stone’s Farm development
- c. We agree with all the suggestions made on pages 41-45.
 - i. Our main reason for writing was to draw particular attention to the flora and fauna and biodiversity of the site. We know that the report did not look at rare or protected species but these are incredible assets.

We are happy to discuss further. You can contact me at any time.

Yours Sincerely,



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Tonge PC would like to register that Tonge Country Park ceased to be registered as a conservation area in 2016, however The Mill Stream; Tonge Pond and Thomas Becketts Spring all remain as conservation areas.

Marion Mulley
Tonge PC Clerk

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Hi Simon,

I've just had a look through the documents and I don't have many comments to make.

The purpose of the documents are heritage – therefore there isn't any reference to protected species but the Borden Parish document does refer to Biodiversity in reference to orchards.

However both documents do refer to bringing various habitats back in to management such as steams / orchards. I don't have any concerns with this but just to highlight that if any areas that have had limited/no management recently it is possible that re-implementing management (without mitigation) may result in a breach of wildlife legislation. So there is a need to ensure that prior to any management commencing the presence of protected species are considered. I'm positive a balance can be found to provide management which provides benefit for both a heritage and ecology perspective.

Kind Regards,

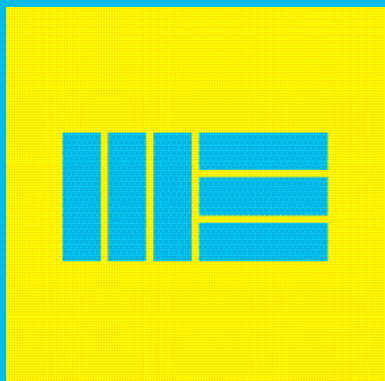
Helen Forster
KCC Ecology Team

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REPRESENTATIONS ON THE TONGE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN, CONSULTATION DRAFT

LAND NORTH OF THE STREET, BAPCHILD

NOVEMBER 2020



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APPENDICES

01: PAUL STAMPER CV

EXECUTIVE SUMMARY AND FINDINGS

Montagu Evans is instructed by JB Planning on behalf of Fenrose Ltd ('the Client'), to respond to the draft Conservation Area Appraisal and Management Plan prepared for Swale Borough Council in relation to the Tonge Conservation Area, Bapchild.

The Client is the owner of land located to north of The Street, Bapchild (the 'Site'), located outside the Tonge CA boundary to the south-east (Figure 1.1).

The drafting of the CA Appraisal concerns our Client's land in the consideration of the special interest of the CA and the contribution made to that special interest by its setting. Montagu Evans has been instructed to review the draft Appraisal and Management Plan as it relates to the Site and to prepare these representations.

THE HISTORY AND SPECIAL INTEREST OF THE CA

The Tonge CA is unusual in its form and character. It comprises a collection of related built heritage assets, remnant earthworks and natural landscape features set within a small recreational country park whose form, particularly to the east, follows land boundaries largely established in the later 20th century.

The area has a long history of settlement related to the presence of a water source – the 'Thomas Becket' spring – and associated stream which runs through the area along its western boundary and feeds a mill pond to the north. The built heritage now present in the area is focussed at its northern edge and comprises the earthworks of Tonge Castle as well as 19th century examples of Kentish vernacular industrial architecture. Most prominent, and with a landmark quality, is the Grade II listed Tonge Mill, a 19th century steam mill on the site of an earlier water mill.

To the south, the CA boundary extends to include the line of the stream and the spring. The spring is likely to have been the water source for the hospital of St. James, 'Pokeleshal,' in the parish of Tonge, the supposed site of which, to the south of the spring head, may be under the modern housing now fronting the A2. While a natural feature, this has been an important water source since at least the late 11th century and is of local interest.

The historic evolution of the CA's landscape and its landscape setting has undergone significant change, both in terms of its boundaries and its use. The historic map regression suggests the land to the north-east of Bapchild to have been characterised in the 18th century by enclosed open-strip fields, which had been removed by the time of the 1872 OS. The 19th and early 20th centuries saw the rapid expansion of orchards on a commercial scale, which extended to meet the banks of the both the mill pond and the stream.

The present configuration of the land to the south of the mill pond – known as the country park – dates from post-WWII, when the orchard landscape began to be cleared to the south of the mill pond and along the eastern bank of the stream. Thus, the boundary of the CA, while it undoubtedly encompasses features of historic and architectural interest, also includes areas of landscape – the country park – whose form and character is of recent derivation.

The inclusion of these areas, it is assumed, relates to their recreational rather than historic value.

CHARACTER AND SETTING

The character of the CA today is strongly informed by the qualities of enclosure and definition which derive from the flat, low-lying landform of this area and the extensive vegetation to its boundaries. The focus of the CA is the cluster of historic buildings and structures to the north-east. The character of the country park that contains them to the south is such that woodland belts and boundary hedging largely prevent intervisibility with the surrounding landscape.

The built elements and their interrelationships are best appreciated from within the country park where they can be seen in association with the mill pond, which comprises their immediate setting and is the reason for their presence here. The grouping of the buildings can also be appreciated from Church Road.

From this core of the CA, views to the surrounding landscape are limited by the rise of the landform to the north-east and the vegetation lining the railway embankment which forms the CA's northern boundary.

To the south and east, the visitor has no sense of the qualities which give this area its special architectural and historic interest warranting its designation; views towards the CA from The Street and Hempstead Lane are prevented by modern housing and dense hedgerows respectively. From the west, while views are obtained from the public footpath towards the stream and spring, there is no visual indication that the watercourse is of any historic interest or has value beyond its quality as a natural feature.

THE CHARACTER AND CONDITION OF THE SITE

The land comprising the Site forms part of the CA's immediate setting to the east of the spring. It comprises a field in agricultural use, subject to urbanising influences; the major thoroughfare of the A2 (the London road) lies to the south, and substantial 20th century houses set within domestic curtilages bound the field on its southern and eastern sides. The field is accordingly experienced as part of a developed settlement edge and is associated with it through the presence of modern vehicular access, a former car park in its northwest corner and associated features (utilitarian gates and fencing). This element is identified as a detracting feature in the setting of the CA; we agree with that assessment.

A public right-of-way, established in the 19th century and replacing an earlier path that followed the western edge of the field more closely, extends across the field north-south. The path is enclosed by fencing and affords a directional view of the chimney of Tonge Mill.

The western and northern boundaries of the Site comprise densely vegetated hedgerows, dating from the later 19th century when the modern field boundaries were set out.

THE TREATMENT OF THE SITE WITHIN THE CA APPRAISAL

The draft Conservation Area Appraisal refers to the Site or land in the vicinity of the Site as part of the consideration of the landscape setting to the east and south of the CA:

- At page 35, the appraisal states that to the eastern side of the valley (both within, and beyond, the CA), the landscape 'remains more varied with, for example, a mix of hedgerows, trees, and orchards still being present; this side consequently retains a more traditional appearance. There is a commercial orchard and field with rough grazing (the Site) to the south and east of the Conservation Area Boundary';
- At page 36, part of the Site (formerly used as a carpark) is referenced as a *Key Negative Characteristic*, 'in need of attention';
- At page 40, *New Development Opportunities*, the appraisal states that development within the settings [sic] of the Conservation Area should conserve the historic grain of the mill and avoid the infilling of the remaining rural countryside setting to the east and south of the Conservation Area;
- At page 41, *Conservation Area Objectives and Priorities for Management and Action*, the Council states that it will seek to ensure the protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area;
- *The Appraisal includes a map identifying Key Characteristics: Historic Features and Views. The Site forms an element in two: View 5a and View 6b, identified as a 'panorama featuring a focal point or points' and a 'dynamic panorama' respectively.*

Drawing these points of drafting together, the inference within the Appraisal appears to be that the Site forms an element of the setting which contributes to an appreciation of the CA's special interest by virtue of its more 'traditional appearance' and rural character. That contribution is made, it seems, by the existence of the panoramic view (View 5a) obtained across the field comprising the Site that encompasses Tonge Mill, the stream and the Thomas Becket spring in the southern part of the CA.

The premise of the assessment in relation to land to the south and east of the Conservation Area appears to be that the agricultural use of the land, and the nature of views across it towards the CA, necessarily contributes to the significance of the asset and its appreciation. We do not agree with this proposition, as explained below.

THE CONTRIBUTION OF THE SITE TO AN APPRECIATION OF SPECIAL INTEREST AND CONSEQUENT FINDINGS ON THE CAA DRAFTING

Our comprehensive assessment has concluded that the Site has no distinguishing characteristic that links it to the historic and architectural interest of the CA. While the CA does have a historic association with land outside its boundary, that connection is to the north, with the medieval church at Tonge. In respect of the land to the south, our research has found nothing to suggest any peculiar or special functional relationship.

The footpath across the field, we would suggest, relates to a general point of amenity. It is a 19th century diversion of an older path.

Likewise we have not found that the present agricultural use of the Site – a piece of productive land now drawn within the orbit of urbanising influences – has any intrinsic quality beyond the view that is obtained over it to the mill chimney, which signals a feature of the CA.

Indeed there is no obvious visual connection between the Site and the elements that convey the special interest of the CA. The dense hedgerow that denotes the western boundary of the site prevents any intervisibility with the spring; while it may suggest to the observant viewer the presence of a water course beyond it, there is nothing to convey the particular associative qualities of this feature. Accordingly, unless one is aware of the claimed historic background, there is nothing to suggest special interest.

The northern boundary of the Site is separated from the CA by an interposing piece of land outwith the CA, occupied by a commercial orchard. The hedgerow to the northwest corner of the site is degraded and comprises a poor quality edge to the CA. We agree with the observation of the Appraisal that this part of the site is a negative feature.

On this basis, and turning to View 5a within the draft Appraisal, we have the following observations.

First, while we agree that the Council is right to identify the glimpsed view from the footpath towards the top of the mill chimney as having value, we disagree with the conclusions as to the nature of the contribution that this land makes to the special interest of the CA.

The chimney provides a point of focus which contributes to one's sense of arrival and event, and communicates the presence of a feature of interest with an industrial character. Notwithstanding, we note that the view does no more than communicate the distant location of the mill; one has to enter the country park to understand the value of the listed building and its relationship with the water, the reason for the industrial use of this site. It is from within the CA that the historic and architectural qualities of the listed building are best appreciated.

We note, moreover, that this is an incidental view, and that the mill chimney is visible to a greater extent from numerous points within and outside the CA, including long approach views along Lower Road (Scraps Hill).

Second, we do not consider View 5a to have the qualities generally associated with a panorama. We consider the application of the word in this case to have its normal English meaning, that of a sweeping or broad prospect and generally from an elevated position. We note that in this instance, the view is framed to each side by inter-war and ribbon development and is directional in its nature through the fencing and vegetation enclosing the footpath.

Taken together with the inability to discern the stream and spring from this location, we would suggest that the current drafting that accompanies the viewpoint in the draft Appraisal does not reflect its character or qualities.

Third, the agricultural use that characterises the land to either side of the footpath in the view makes no material contribution to its quality or character. Indeed, it does not contribute anything beyond not blocking it, and as noted, is experienced in the context of peripheral residential development. An opportunity therefore exists to enhance the landscape quality of this land whilst focussing attention on the focal point, the mill chimney.

We note that the 19th century was a period of intensification of land use and urban growth; there would be nothing incongruous with seeing the form of the chimney from a planned urban landscape.

In relation to View 6b we note that the view has no obvious historic character: the CA appears as a pleasant piece of recreational land framed by and understood in the context of the settlement edge. The A2 is an urbanising influence, the presence of which is understood through road noise and the houses fronting it. The stream and spring head, which may be perceptible to the observant viewer, display no feature to convey their claimed associative value.

Accordingly, and for the reasons set out above, whilst we agree with the characterisation of the Site as 'rough grazing' and do not dispute that it has an agricultural use, we are very clear that we do not consider this element of the CA's setting to retain its rural character or traditional appearance. The urbanising influences are marked in this instance, and accordingly we submit that the drafting under *New Development Opportunities* at page 40 of the draft Appraisal does not relate to the Site.

This should be reflected in the analysis of this part of the CA's setting within the Appraisal, and taken into account in the drafting of the management guidance presented from page 40 onwards. We respectfully suggest the following amendments to the wording of the Overarching Objectives at page 41 below:

2. *The preservation or enhancement of the setting of the conservation area **where it contributes to an appreciation of special interest**, and other designated heritage assets*

4. *Protection ~~or~~ **and** enhancement of landmarks, views and vistas within and without the conservation area **where these contribute to special interest or an appreciation of special interest**.*

5. *Protection of the landscape around the Conservation Area **where it plays an important role in** ~~and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.~~*

FURTHER COMMENTS ON THE CA APPRAISAL

Map 5: Historic Development labels the country park as 17th and 18th century. This is factually incorrect; the historic map regression contained within the Appraisal evidences considerable changes in land use and boundaries between the late 18th and 20th centuries. The present configuration of the land as a country park post-dates WWII (albeit with some remnant orchard trees) and this should be made clear.

We consider the drafting at page 40: 'Development within the settings of the Conservation Area should conserve the historic grain of the mill and avoid the infilling of the remaining rural countryside to the east and south of the Conservation Area' to be unclear. The Council should clarify its meaning.

A number of the figures included within the draft appraisal use the Ordnance Survey mapping as the base plan, which places the annotation for *St Thomas a Becket's Spring* on the field comprising the Site. We would suggest that it is made clear that the annotation in fact relates to the spring head within the CA boundary.

SUMMARY

In summary, therefore, we have significant reservations in respect of the approach taken to the identification of special interest and the contribution made to that interest by setting.

Whilst we do not say that the view across the Site towards the mill chimney is unimportant, we do however disagree with the importance that is attributed to this in the context of the character of the land. We consider that there has been a conflation as between a view which we acknowledge is of interest, and the agricultural use of the land. We are very clear that we do not think that the setting in question retains its rural character.

We respectfully request that our analysis and conclusions as presented in this report are reflected in the drafting of the adopted appraisal.

1.0 INTRODUCTION

LAND NORTH OF THE STREET, BAPCHILD

INTRODUCTION

- 1.1 Montagu Evans is instructed by JB Planning on behalf of Fenrose Ltd ('the Client'), to respond to the draft Conservation Area Appraisal and Management Plan prepared for Swale Borough Council in relation to the Tonge Conservation Area, Bapchild.
- 1.2 Swale Borough Council is in the process of a borough-wide review of its conservation areas in accordance with its recently adopted Heritage Strategy (March 2020). As part of its review, the Borough Council has instructed the preparation of updated character appraisal and management plan documents for the parishes of Borden and Tonge.
- 1.3 The draft appraisal for the Tonge Conservation Area ('the CA') is currently submitted for public consultation. The draft appraisal is dated October 2020; the consultation period expires on the 15 November 2020.
- 1.4 The Client is the owner of land located to north of The Street, Bapchild (the 'Site'), located outside the Tonge CA boundary to the south-east (**Figure 1.1**). The Site's western boundary lies adjacent to the CA; the northern boundary is separated from the CA by a field currently in use as a managed orchard. To the south and east the Site is bordered by interwar housing fronting The Street and Hempstead Lane.

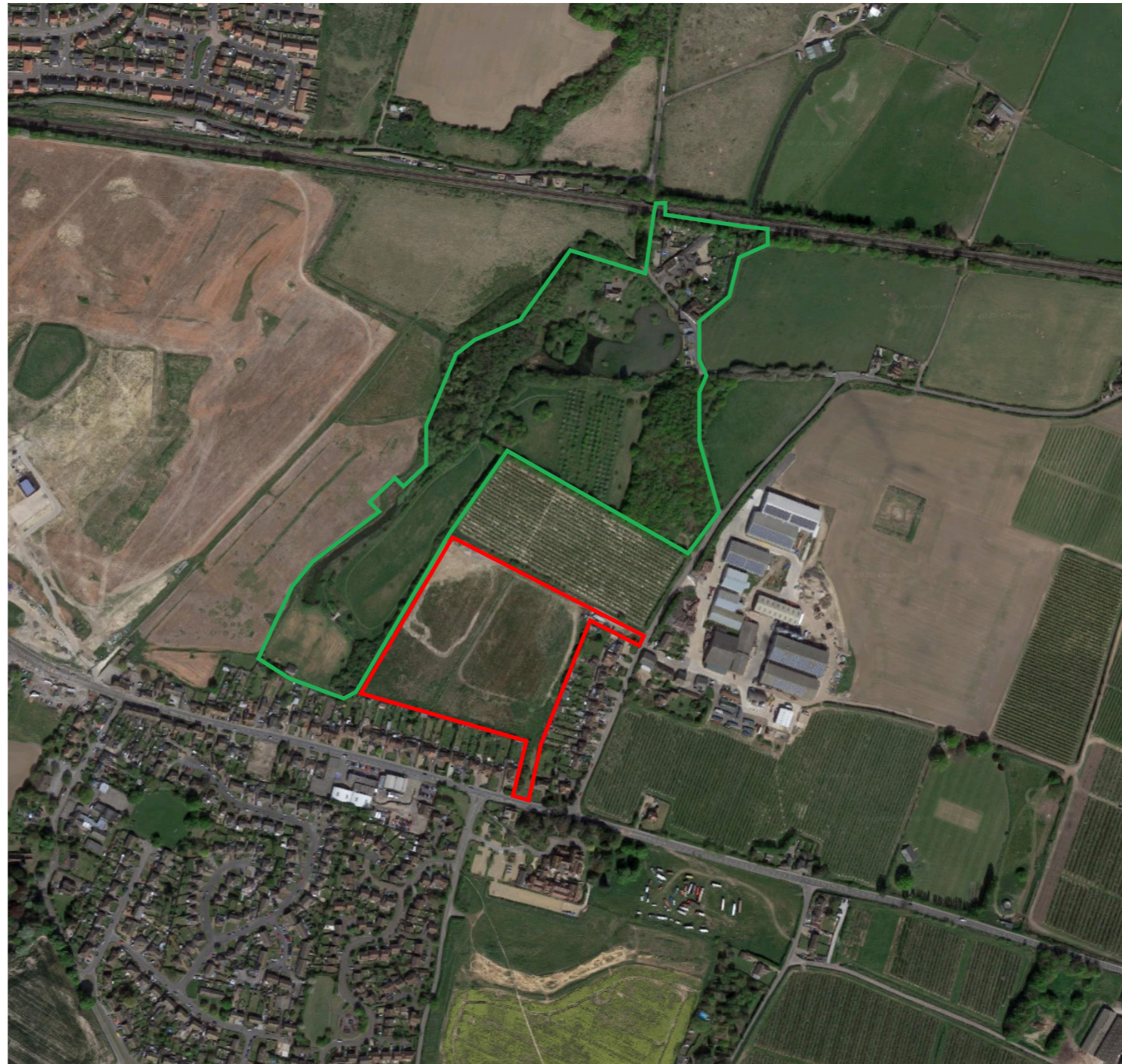


Figure 1.1 Aerial view showing the Tonge CA (shown in green) and its relationship to the Site under consideration, comprising land to the north of The Street, Bapchild (shown in red).

PURPOSE OF THE REPORT

- 1.5 Montagu Evans has been instructed to review the draft Appraisal and Management Plan as it relates to the Site and to provide these representations now submitted.
- 1.6 To discharge this instruction, we have undertaken:
- A comprehensive review of material relating to the Conservation Area, including the extant and draft CA Appraisals;
 - Research into the historic development of the CA and its constituent landscape elements;
 - An extensive site view¹ to understand the extent, character and appearance of the Conservation Area and the way it relates to its immediate and wider setting.
- 1.7 Our analysis draws on the expertise of Dr Paul Stamper, an acknowledged landscape expert and who has assisted in the preparation of this report. Dr Stamper's CV is reproduced at **Appendix 1.0**.
- 1.8 Our assessment presented in this report is accordingly based upon a thorough understanding of the area and best practice in historic area and setting assessment as set out in the relevant Historic England guidance, Conservation Area Designation, Appraisal and Management (February 2019), Understanding Place: Historic Area Assessments: Principles and Practice (2017 edition) and The Setting of Heritage Assets (2017 edition).

REPORT STRUCTURE

- 1.9 The report is structured as follows:
- **Section 2.0** summarises the statutory and policy framework relevant to the designation and review of conservation areas, their management and considerations of setting;
 - **Section 3.0** presents our research into the historic development of the CA and its landscape, and the significance of its constituent elements;
 - **Section 4.0** provides a comprehensive assessment of setting considerations pertaining to the CA, its character and appearance;
 - **Section 5.0** assesses the contribution made by the Site to an appreciation of that special interest, with reference to the CA Appraisal drafting; and
 - Our findings and conclusions are presented within the Executive Summary, to which we refer the reader.

¹ Undertaken 5th November, 2020

2.0 POLICY AND BEST PRACTICE GUIDANCE

LAND NORTH OF THE STREET, BAPCHILD

POLICY AND BEST PRACTICE GUIDANCE

2.1 This section sets out the statutory and planning policy context that provides the framework for Swale’s conservation area review and the draft appraisal currently out for consultation in relation to the Tonge Conservation Area.

STATUTORY DUTY

2.2 As defined in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a conservation area is an area designated because of its ‘special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.’ S69(2) requires that Local Authorities review their conservation areas ‘from time to time’ to establish whether they still retain the special character and appearance that warrants their designation or whether further parts warrant designation.

2.3 Section 71 (1 and 2) of the 1990 Act requires local authorities to formulate and publish proposals for the preservation and enhancement of conservation areas and consult the public in the area in question, taking account of the views expressed.

2.4 Swale is currently undertaking this review in respect of its conservation areas, in line with its recently adopted Borough-Wide Heritage Strategy (2020–2032) adopted in March 2020.

MATERIAL CONSIDERATIONS AND BEST PRACTICE GUIDANCE

2.5 Best practice guidance on conservation area appraisal, designation and management has been prepared by Historic England in its Advice Note 1: Conservation Area Appraisal, Designation and Management (Second Edition, 2019) (‘HEAN1’).

2.6 The advice contained within the document emphasises that the evidence required to inform decisions affecting a conservation area, including both its designation and management, should be proportionate to the importance of the asset. HEAN1 follows the government’s recommended approach to conserving and enhancing heritage assets, as set out in the National Planning Policy Framework (NPPF) within Chapter 16, *The Historic Environment*.

2.7 At paragraph 4, HEAN1 states:
Change is inevitable, and often beneficial, and this advice sets out ways to manage change in a way that conserves and enhances the character and appearance of historic areas.

ASSESSMENT OF SETTING IN RELATION TO CONSERVATION AREAS AND THEIR APPRAISALS

2.8 In relation to the preparation of conservation area appraisals, HEAN1 provides a checklist of key elements in defining special interest². That includes the contribution to the special interest of a conservation area made by its setting: *‘what the setting can contribute to the significance of a heritage asset, and how it can allow that significance to be appreciated’*.

2.9 The guidance refers the reader to Historic England’s *Good Practice Advice Note 3: The Setting of Heritage Assets (‘GPA3’)*, which sets out the established approach to the consideration of and assessment of setting. We have had due regard to the GPA3 guidance in the preparation of this report.

2.10 The setting of a heritage asset is defined within the NPPF as:
‘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’ (NPPF, Annex 2: Glossary)

2.11 Best practice guidance (the Planning Practice Guidance and Historic England’s GPA3) confirms that changes to setting might include visual impact, or a change in our ability to appreciate the special interest of a heritage asset. GPA3 is clear that visual perception matters a great deal. Historical and functional associations may be important on the facts of any case.

2.12 It is clear from policy and guidance, however, and confirmed by the Courts in recent judgments, that impact on setting itself is not the consideration. Setting is important only to the extent it enables an appreciation of significance or contributes directly to it. Thus a change to setting, even a major one, can be neutral, beneficial or harmful depending on the particular facts of any case.

2.13 Although the settings of conservation areas are not protected through statute, the NPPF states that the setting of a designated heritage asset (including conservation areas) can contribute to an appreciation of its significance, and the setting protection extended to conservation areas in policy terms is equivalent to that for listed buildings.

2.14 To assist in the exercise of the functions of the Framework, and with regard to the preparation of appraisals, HEAN1³ states that an appraisal should identify how the landscape or townscape that the area is within contributes to its special interest. It notes that that contribution might take the form of approaches along historic routes or visual connections between different areas that illustrate an important historic relationship.

2.15 We note that Historic England particularly commends the approach of Craven District Council towards conservation area appraisal and management⁴. It notes that the authority’s provision of a focussed assessment of the development potential of open spaces within or outside of each conservation area – including impact on the settings of conservation areas and views – enables development management staff to rapidly access an understanding of the contribution of spaces to each conservation area. Thus, the Local Plan is reinforced by the provision of a comprehensive assessment of the sensitivity of land for housing allocations in or near these conservation areas.

² HEAN1, paragraph 34

³ HEAN1, *Setting and Views*, paragraph 58

⁴ HEAN1, paragraph 31

IDENTIFYING AND REVIEWING CA BOUNDARIES

- 2.16 HEAN1 also contains guidance on identifying and reviewing conservation area boundaries⁵.
- 2.17 The guidance states that before finalising the boundary it is worth considering whether the immediate setting also requires the additional controls that result from designation. We note that conservation area designation is not generally an appropriate means of protecting the wider landscape, but it can protect open areas particularly where the character and appearance concerns historic fabric.
- 2.18 The consultation draft appraisal for the Tonge CA has considered the conservation area boundary and proposed two additional areas for inclusion within the designation. Accordingly, we infer, the immediate setting of the CA, including the Site and surrounding land, has been carefully considered and is not deemed of sufficient architectural or historic interest for inclusion within the CA boundary. We agree with that assessment, as explained within the following analysis.

⁵ HEAN1, paragraph 68, paragraph 75, Section 7.

3.0

HISTORIC DEVELOPMENT AND APPRAISAL OF SIGNIFICANCE

LAND NORTH OF THE STREET, BAPCHILD

HISTORIC DEVELOPMENT AND APPRAISAL OF SIGNIFICANCE

THE HISTORIC EVOLUTION OF THE LANDSCAPE

- 3.1 In 1798 Edward Hasted, the historian of Kent, characterised the parish of Bapchild as follows⁶:

'It contains about 1300 acres of land, of which not more than ten acres in the southern part of it are wood; that part of the parish on the northern side of the road is a flat and low country, almost on a level with the marshes, and is equally unhealthy as Bapchild, perhaps more so, even to a proverb, as lying lower, and rather more exposed to the marsh vapours; however the lands are exceedingly fertile for corn, being the same kind of round tilt land which extends along this plain. There is no village, the church stands about a mile northward from the road; the scite of the old castle is three fields only from the north side of the road, and is plainly seen from it.'

- 3.2 The following maps, covering 150 years from the late 18th century (almost exactly when Hasted was writing), show how the landscape around the later country park gradually evolved, with substantial changes to its character. In 1796 there were still traces of the medieval landscape, notably in strip-field boundaries. By the 1870s these had been swept away and the landscape improved. By 1897 there had been a radical change, with the large-scale planting of orchards across the whole area. These remained a widespread feature of the countryside around Bapchild until at least the late 1960s. There are far fewer today, although there is a commercial orchard between the Site and the country park.



Figure 3.1 The first systematic detailed mapping was by the Ordnance Survey in 1796. There is a hint that the ornamental grounds on the castle site seen in 1872 are already established. Occasional orchards stand around Bapchild and the castle site. An irregular pond appears to lie south of the spring head. On the north-east edge of Bapchild, and east of it, are what appear to be enclosed open-field strips. Source: BL OSD 113.

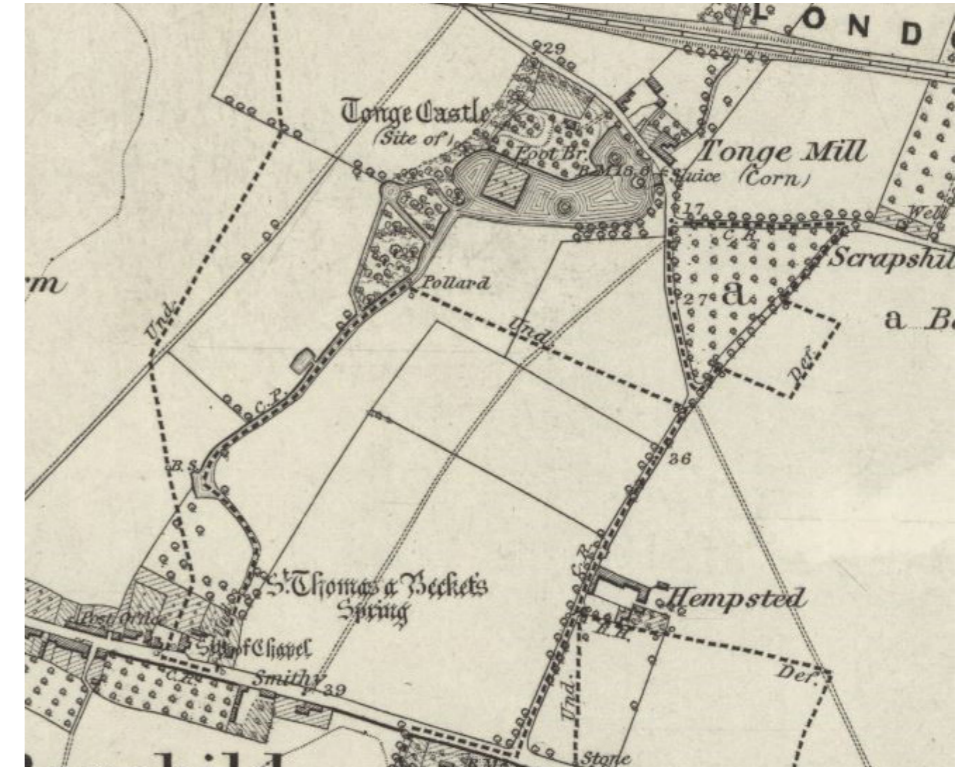


Figure 3.2 By 1872 the softly curving field boundaries have been straightened, and north of the village the narrow east-west fields have been removed. The castle site appears to be laid out as ornamental grounds, with a square island forming a probably formal garden in the mill pond. Source: OS 25 inch map, Kent sheet XXXIII.2

⁶ The History and Topographical Survey of the County of Kent: Volume 6. Originally published by W Bristow, Canterbury, 1798 at <https://www.british-history.ac.uk/survey-kent/vol6/pp132-143>

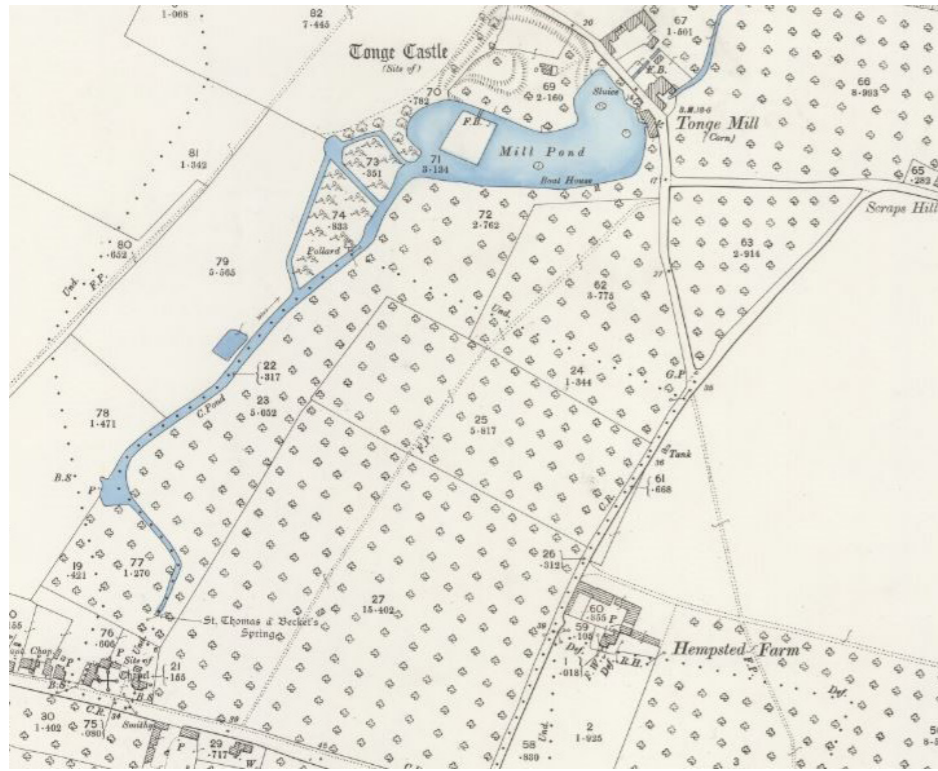


Figure 3.3 The landscape in 1897. The hospital site and spring are marked. East of the mill stream, and south of the Watling Street, much of the land has been planted as orchards which are now the dominant land-use: virtually a monoculture. Source: OS 25 inch map, Kent sheet XXXIII.2

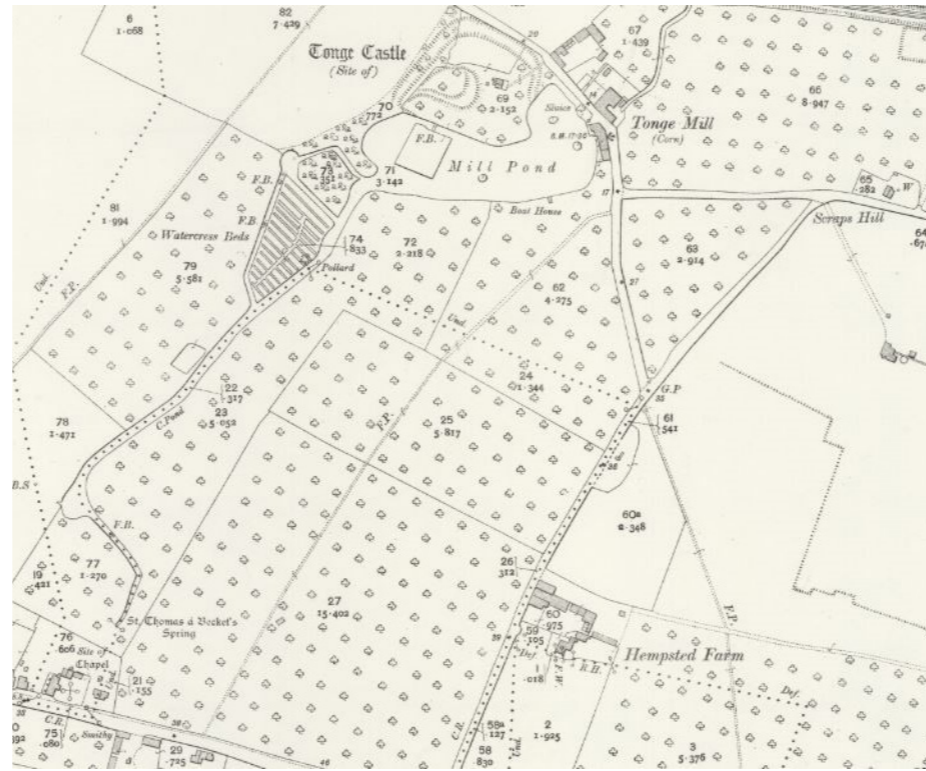


Figure 3.4 By 1908 an orchard has been planted west of the mill stream, and watercress beds established. Source: OS 25 inch map, Kent sheet XXXIII.2

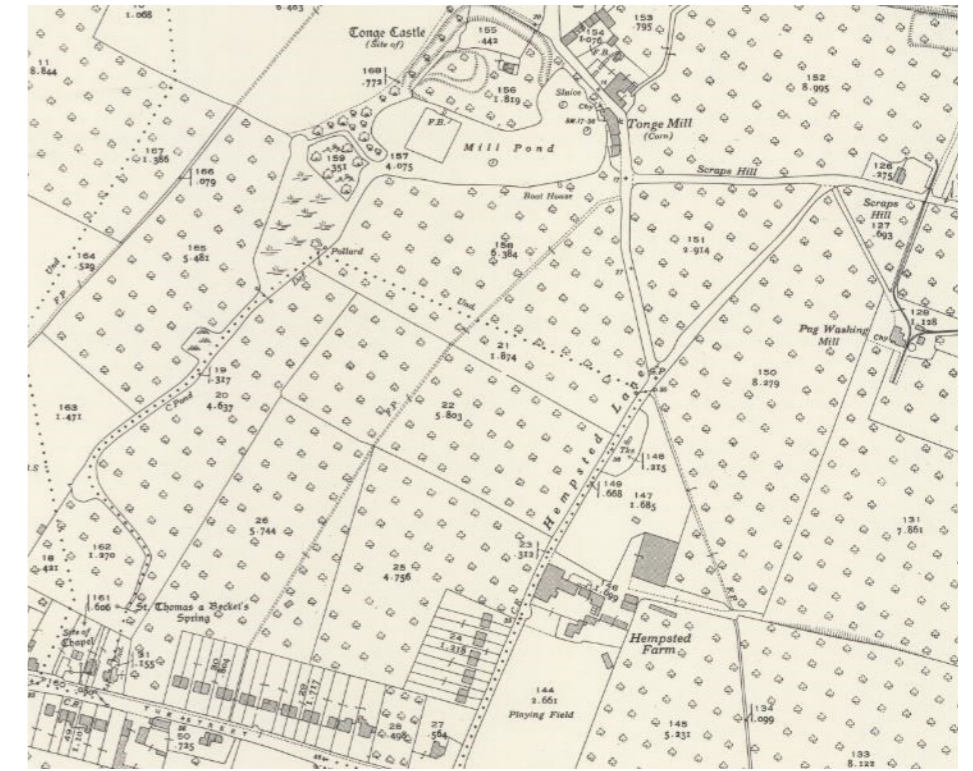
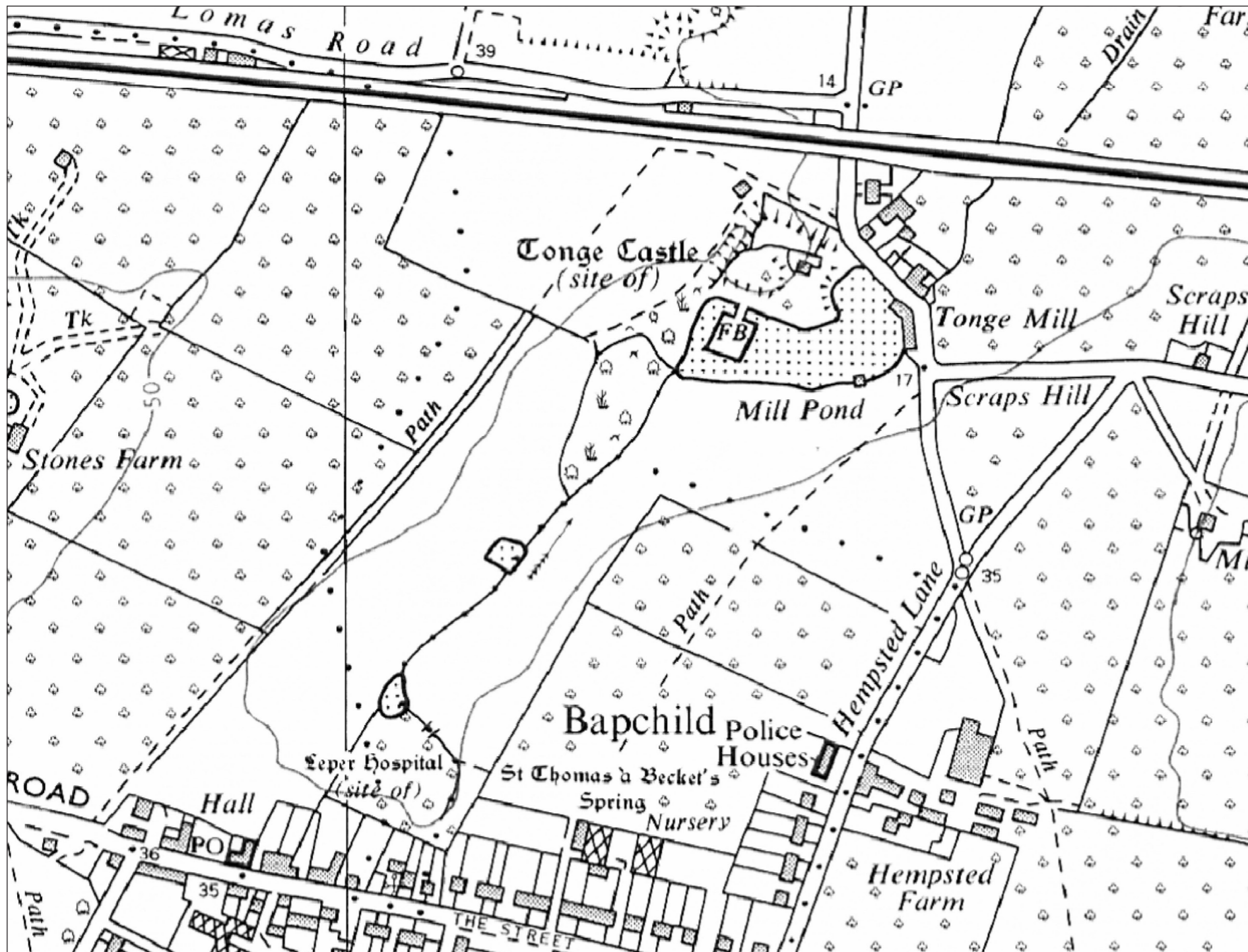


Figure 3.5 By 1946 even more orchards have been planted. The square island in the mill pond remains. Source: OS 25 inch map, Kent sheet XXXIII.2



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Figure 3.6 By 1967 orchards have been cleared from south of the mill pool. Fruit trees remain on the Site, with a nursery and glasshouses behind the houses fronting the A2, 'The Street'. The square garden island remains in the mill pool. Source: Promap.

THE CONSTITUENT ELEMENTS OF THE CONSERVATION AREA TONGE CASTLE

- 3.3 The earliest description of Tonge Castle appears in Hasted's 1797 History of Kent: 'There is no village, the church stands about a mile northward from the road [the Watling Street/A2]; the scite of the old castle is three fields only from the north side of the road, and is plainly seen from it. It consists of a high mount, containing about half an acre of ground, thrown up out of a broad and deep moat, which surrounds it, the north-west part of which is nearly dry, but the springs which rise on the South-west side of it, and formerly supplied the whole of it, now direct their course into a very large pond on the eastern side of the moat, and produce so plentiful a supply of water there, as to afford sufficient to turn a corn-mill.'
- 3.4 No modern topographical survey of the site has been undertaken to improve on Hasted's description, and in general the earthworks appear much mutilated and probably flattened. A large 20th-century bungalow stands on the site, perhaps replacing a building shown on the large-scale OS between 1897 and 1946.



Figure 3.7 View north-west to castle site across mill pool. The modern house stands in the centre of the picture.

7 [The History and Topographical Survey of the County of Kent: Volume 6](https://www.british-history.ac.uk/survey-kent/vol6/pp132-143). Originally published by W Bristow, Canterbury, 1798 at <https://www.british-history.ac.uk/survey-kent/vol6/pp132-143>

- 3.5 It has generally been assumed that Tonge castle originated as a Norman motte and bailey. However, there is no proof of this, although it is not improbable given its potentially strategic location on the Watling Street. The evidence of excavations on the site in 1963 and 1965, never properly written up, suggested occupation on the site from perhaps the 12th century.⁸ Overall it was considered that the evidence was indicative more of a manorial site than a castle.
- 3.6 The excavators associated later medieval activity on the site with a 1448 a licence to crenellate Tonge – that is, fortify it with battlements – granted to its owner, *Thomas Browne, king's squire.*⁹ However, this was clearly a 'portmanteau' grant of favour, probably purchased, as it also gave permission for four more of Browne's manors in Kent and Surrey to be similarly crenellated, and for him to inclose up to 1,000 acres of his demesne lands in each of the said manors as parks, together with other privileges. Without documentary or physical evidence it is impossible to know whether any work took place as a consequence at Tonge. There is no reason it should have – it was a very wide-ranging grant of permissions, and certainly there is no mention in any documents of a park at Tonge.
- 3.7 When the site was abandoned and cleared is unknown. That Hasted made no reference to this suggests it was well before the late 18th century. As the above mapping shows, the site was laid out as ornamental grounds between at least the late 18th century and the later 19th century. The maps do show a building on the site, but it is very small, perhaps more a summerhouse than a dwelling. One possibility that the grounds were associated with the mill house.
- 3.8 Local sources of information, from the country park notice board to (rather concerningly) *A Heritage Strategy for Swale (2020)*, make much of the supposed connections with the legendary (i.e. fictive) Dark Age figures of Hengist, Horsa and Vortigern. This, of course, is a complete nonsense, concocted by Hasted on no basis whatsoever in the late 18th century.
- 3.9 *Designations: none, the site is not scheduled, although it is listed on the Historic Environment Record: number TQ 96 SW 35*

PUCKESHALL, OR TONGE, HOSPITAL¹⁰

- 3.10 The hospital of St. James, 'Pokeleshal,' in the parish of Tonge, is first referenced in 1252. The hospital seems to have been closed at the Dissolution, and in 1546 the possessions of the fraternity or hospital in Tonge were valued at £7 13s. 4d. yearly, with deductions of £1 9s. 4d., the net income thus being £6 4s. The certificate also mentions a chalice of silver and gilt, a vestment and all things belonging to it, and two bells, valued at 30s. This suggests that, as was usual, some form of chapel or oratory formed part of the establishment. In about 1540 John Leland speculated that the buildings had by then already been demolished, but had no proof of that. The hospital site and its lands in Tonge and Bapchild were granted in 1557 to Sir John Parrott.¹¹
- 3.11 The hospital's site is marked on early large-scale OS mapping¹² as 'Site of Chapel', on the north side of the Watling Street (the modern A2), immediately south of the spring head, itself labelled 'St Thomas of Becket's Spring.' The location of the hospital, on the main pilgrim route from London to Canterbury (the experience vividly captured in *The Canterbury Tales*, written by Geoffrey Chaucer between 1387 and 1400), strongly suggests that its primary purpose was to offer accommodation to pilgrims travelling to, or from, the tomb of Thomas Becket in Canterbury cathedral. He was martyred in 1170, and it is likely the hospital was founded at some stage after that. The spring was presumably its fresh water source, with its later name remembering how the hospital provided accommodation for Canterbury pilgrims.
- 3.12 Over seven hundred hospitals were founded in England between the Norman conquest and the middle of the 16th century. Their primary function is indicated by their name, derived from the Latin word *hospitalis*, meaning being concerned with hospites, or guests, that is any persons who needed shelter. Some hospitals were, therefore, erected for the use of pilgrims and other travellers; others were really almshouses (and in all over 850 hospitals and almshouses are known from medieval England), intended chiefly for the poor aged and infirm, especially those suffering from leprosy.

¹⁰ 'Hospitals: Puckeshall or Tonge', in *A History of the County of Kent: Volume 2*, ed. William Page (London, 1926), p. 224. British History Online <http://www.british-history.ac.uk/vch/kent/vol2/p224> [accessed 9 November 2020].
¹¹ *The History and Topographical Survey of the County of Kent: Volume 6*. Originally published by W Bristow, Canterbury, 1798 at <https://www.british-history.ac.uk/survey-kent/vol6/pp132-143>
¹² E.g. OS 25 inch Kent XXXII.2 (1897)

- 3.13 *Designations: none, the site is not scheduled, although it is listed on the Historic Environment Record: number TQ 96 SW 34*
- TONGE MILL (GRADE II)**
- 3.14 The mill stands on the north side of the mill pond. Domesday notes a water mill in the manor, quite possibly on the present site. The mill was rebuilt as a steam mill in 1837 (datestone).
 - 3.15 The List entry reads: *Mill and mill house. 1837 and 1866. Yellow stock brick and slate roofs. Convex curving range of 4 buildings and stack along the roadside. To left: 2 storey and hipped block with loft door and glazing bar sash on first floor, 2 blocked windows on ground floor. Centre: Mill house, 3 storeys on plinth with pilaster strip quoins and parapet. Two glazing bar sashes on second floor, 1 on first floor with loft door, 2 on ground floor with central boarded door in semi-circular headed surround with plaque over inscribed: T D 1837 To right: 2 storeys and sloping roof with 1 glazing bar casement and boarded door in large semi-circular headed surrounds on ground floor, with plaque over door, inscribed: B + S 1866 Similar block to right, no openings and chimney, approx. 100 foot height, square section and tapering with oversailing cornice cap. Designations: Listed Grade II (List Entry Number:1338569; Date first listed:27-Aug-1952)*



Figure 3.8 Tonge Mill from the south-west

⁸ <http://www.gatehouse-gazetteer.info/English%20sites/1674.html>
⁹ Calendar of Charter Rolls Vol. 6 p. 102

MILL HOUSE OLD MILL

3.16 Water mill, now 2 houses. 1759. Timber framed and weather boarded on ground floor of chequered red and grey brick, with plain tiled roof. Three storeys (the upper 2, timber framed, leaning severely away from the road) and paired modillion eaves to hipped roof. Three wood casements and shuttered window opening to right on second floor. 4 glazing bar sashes and blocked loft door to right on first floor, and 5 glazing bar sashes on ground floor with boarded door to right and door of 6 raised and fielded panels to left with traceried rectangular fanlight. Plaque at centre of ground floor inscribed: R H 1759

Designations: Listed Grade II (List Entry Number 1069265; Date first listed:21-Mar-1985)

3.17 Two listed 17th-century and later buildings stand on the north side of the A2, on or close to the site of the medieval hospital (NHLE 1343896, and 1115443).



Figure 3.9 The mill house from the south.

ASSESSMENTS OF SIGNIFICANCE

TONGE CASTLE

3.18 The supposed castle site is not scheduled, which would identify it as a site of national importance. However, many sites which meet the tests of 'national importance', as defined by Historic England, are similarly unscheduled as the designation is discretionary. Sometimes (as with moated sites) there are so many examples that only a selection is scheduled, and certainly castle sites are numbered in their hundreds. In other cases scheduling would add nothing where a site is secure and well manged.

3.19 In this case were scheduling to be considered, taking the HE selection guide to 'Pre-1500 Military Sites' as a guide, it is unlikely that such a designation would be recommended. That is because there is little real understanding of the original date and character of the site, because it is much degraded, and has a substantial modern house and its garden on its interior.

3.20 However, while denuded, its remains are visible from the public realm, and well-known, as might best be assessed as having local interest.

TONGE HOSPITAL

3.21 Again, the supposed hospital site is not scheduled. If the traditional identification of the hospital's location is correct, its site was probably already built over by the end of the 19th century. As noted above, there were some 700 hospitals in the Middle Ages meaning this is not a rare site-type, although the location of this example on a major pilgrim route would add to its interest.

3.22 The site will be on the Kent HER, and again might best be assessed as having 'local list' quality.

ST THOMAS BECKET'S SPRING

3.23 While a natural feature, this has been an important water source since at least the late 11th century by when it seems likely there was a mill on the pool which the springwater feeds. As noted above, it was presumably the clean water source for Tonge Hospital, and perhaps for passing pilgrims. Many such springs and wells were believed to have had healing properties, but there is no known tradition of this spring having claimed properties of this sort.¹³

3.24 As it is likely the spring head has historically seen modification, it again might best be assessed as having 'local list' quality.



Figure 3.10 Becket's Spring. Source: The Megalithic Portal.

¹³ Notwithstanding the claim in A Heritage Strategy for Swale (2020), 50

THE CHARACTER OF THE COUNTRY PARK

- 3.25 The country park is small, and very much focussed on the mill and mill pool. The ground to the south of the pond is partly planted with mature apple trees, no doubt remnants of the former orchards here which in 1946 and later extended as far as the pool. East of this is woodland, now managed as coppice.
- 3.26 Approaching the south edge of the pool the trees thin and the ground becomes fairly open. From here what is a fairly closed view to the mill and the castle site opens up; this, as noted, is very much the core of the park, where its public information board is sited.
- 3.27 The other key area in terms of heritage assets is the road north of the mill, between it and the mill house on the opposite side of the road, and further to the converted barn etc which stand just beyond.
- 3.28 Presumably the arm of the country park extending south the capture Becket’s Spring and the watercourse to the mill pool was included to do just that. As far as can be seen, there is no access other than from the area south of the mill pool. There is no way this area can be included on any kind of circuit walk; you would walk down it, and then return by the same route.

SUMMARY

- 3.29 In summary, the Tonge CA is unusual in its form and character. It comprises a collection of related built heritage assets, remnant earthworks and natural landscape features set within a small recreational country park whose form, particularly to the east, follows land boundaries largely established in the later 20th century.
- 3.30 The area has a long history of settlement related to the presence of a water source – the ‘Thomas Becket’ spring – and associated stream which runs through the area along its western boundary and feeds a mill pond to the north. The built heritage now present in the area is focussed at its northern edge and comprises the earthworks of Tonge Castle as well as 19th century examples of Kentish vernacular industrial architecture. Most prominent, and with a landmark quality, is the Grade II listed Tonge Mill, a 19th century steam mill on the site of an earlier water mill.

- 3.31 To the south, the CA boundary extends to include the line of the stream and the spring. The spring is likely to have been the water source for the hospital of St. James, ‘Pokeleshal,’ in the parish of Tonge, the supposed site of which, to the south of the spring head, may be under the modern housing now fronting the A2. While a natural feature, this has been an important water source since at least the late 11th century and is of local interest.
- 3.32 The historic evolution of the CA’s landscape and its landscape setting has undergone significant change, both in terms of its boundaries and its use. The historic map regression suggests the land to the north-east of Bapchild to have been characterised in the 18th century by enclosed open-strip fields, which had been removed by the time of the 1872 OS. The 19th and early 20th centuries saw the rapid expansion of orchards on a commercial scale, which extended to meet the banks of the both the mill pond and the stream.
- 3.33 The present configuration of the land to the south of the mill pond – known as the country park – dates from post WWII, when the orchard landscape began to be cleared to the south of the mill pond and along the eastern bank of the stream. Thus, the boundary of the CA, while it undoubtedly encompasses features of historic and architectural interest, also includes areas of landscape – the country park – whose form and character is of recent derivation.
- 3.34 The inclusion of these areas, it is assumed, relates to their recreational rather than historic value.

4.0

THE CONSERVATION AREA'S SETTING: PERAMBULATION

LAND NORTH OF THE STREET, BAPCHILD

THE CONSERVATION AREA'S SETTING: PERAMBULATION

OVERVIEW

- 4.1 The Tonge CA is located between the mainline railway to the north, and the A2 (Watling Street) to the south. Inter-war semi-detached housing, the gardens of which extend northwards, lies between the stretch of the A2 (London Road) known as The Street, and the Conservation Area. The houses extend on a right-angle along the west side of Hempstead Way, to the east of the CA.
- 4.2 Church Road joins Hempstead Way and extends along the north-eastern boundary of the CA, and on through the mill complex. To the west, the spring and associated stream form a natural boundary, extending along its tributary and enclosing the remains of Tonge Castle on its western side.
- 4.3 The transport networks to the north, south and east of the Conservation Area and the associated built form to the south and east serve to enclose the Conservation Area from the wider landscape on these sides. The enclosed character is reinforced in large part by both mature vegetation and the topography of the area; the landform to the north of the road is flat and low-lying, below much of the surrounding land owing to the presence of the spring and mill pond.
- 4.4 To the west, the landscape is more open, although wooded belts and mature trees likewise characterise the northern part of this side of the CA and wholly occlude views to the west. The southern part has a more open form; agricultural land extends to meet the stream on its western side. The character of the land bordering the CA to the west is emerging and subject to a recent consent (14/501588/OUT) for c.550–600 dwellings and associated infrastructure and landscaping.

- 4.5 Overall, therefore, one of the defining landscape characteristics of the CA is its enclosure as a result of the landform and the mature hedgerows and shelterbelts that surround it. The character reflects the 18th century description of the area by Hasted: 'that part of the parish on the northern side of the road is a flat and low country, almost on a level with the marshes, and is equally unhealthy as Bapchild, perhaps more so, even to a proverb, as lying lower, and rather more exposed to the marsh vapours'. This is equally a characteristic recognised by the CA Appraisal under 'Landscape Description' at page 21. As a consequence, the visual relationship of the CA with its wider landscape setting is restricted and in many areas wholly occluded.
- 4.6 The physical and visual containment of the much of the CA necessarily limits the contribution made by its wider setting to one's appreciation of its special interest. A more detailed discussion of setting is provided below, with particular reference to the Site which lies adjacent to the CA's eastern boundary to the south.

THE SETTING TO THE NORTH AND NORTH-EAST

- 4.7 The setting to the north-east of the CA comprises Church Road, Scraps Hill and an open field adjacent to and rising away from the mill house. On the northern approach, the road is bound by dense hedgerows, preventing intervisibility with the CA which lies to the west. As views become more open as one reaches the mill complex, the landform to the north-east rises, and longer views are prevented by virtue of dense vegetation marking the line of the railway. The topography and the boundaries formed by the road and railway embankment divorces the CA from its wider surroundings (see **Figures 4.1 and 4.2**).



Figure 4.1 Looking towards the rising land to the north-east from Church Road, adjacent to the Mill complex. The topography and the vegetated railway embankment serve to enclose the CA from its wider setting



Figure 4.2 Dense vegetation along Church Road restricts intervisibility with the CA to the north-east.

4.8 Church Road eventually leads to the historic settlement of Tonge to the north, the focus of which is the early-medieval Church of St Giles which lies on the east side of road approximately 330m from the boundary of the Conservation Area. There is a historic functional relationship between the church, Tonge Castle and the mill complex, all being part of the same parish.

4.9 The railway delineates the northern boundary of the CA, and its raised embankment serves as a prominent physical and visual barrier between the CA and the landscape to the north. Thus, the relationship is confined to an historic one, as there is no functional relationship nor any visual relationship between the Conservation Area and the settlement of Tonge.

4.10 Given the visual and physical containment of the Conservation Area to the north-east and north, the contribution made by the wider setting is limited. The open land to the north-east of the mill complex provides an attractive setting to the CA on this side, but elsewhere there is little opportunity for views into and from the Conservation Area on these sides. The exception is views towards the grouping of historic buildings obtained on the approach from Lower Road, which turns into Scraps Hill; in these views the mill chimney is a discernible element that appears in context with its associated buildings and announces the presence of a historic complex.

4.11 The contribution made by the settlement of Tonge to the north to the significance of the Conservation Area is limited to an historic association.

SETTING TO THE WEST AND NORTHWEST

4.12 The northwest boundary of the Conservation Area runs along the edge of the Tonge Castle earthworks, on which now stands a modern bungalow. The boundary is densely vegetated; only glimpsed views of the castle earthworks are possible from the public footpath running around the edge of the boundary. One is also aware that the castle is not publically accessible.

4.13 This area of land, bordered by the railway embankment to the north comprises Area TCA2 in the draft Appraisal, proposed as an extension to the Conservation Area in recognition of its providing important historical context to the Conservation Area; it is the site of a former windmill, and includes the original access point to the castle and mill.

4.14 The public footpath leads through a young copse of trees along the western boundary of the Conservation Area before departing from the boundary westwards. Views are afforded towards the south and east from this point, but dense, mature vegetation restricts any intervisibility with the Country Park and castle. Looking southwards, the only visual indication of the presence of a spring is the finger of vegetation that lies in a dip in the land. Beyond this, development along the A2 can be seen in the distance.

4.15 At the time of writing, the stretch of the public footpath from the west of the Conservation Area running southwest to the Fox and Goose was inaccessible due to present development works, assumed to be associated with 14/501588/OUT. The land in this area is thus in a state of transition.



Figure 4.3 Looking northwards from just north of the castle earthworks across Area TCA2; a proposed extension to the Conservation Area



Figure 4.4 Looking southwards from the public footpath to the northwest of the CA. The dense vegetation of the CA boundary frames the view on the left and the green finger of vegetation represents the location of the spring. The urban edge along the A2 can be seen in the background



Figure 4.5 Looking southwards from the public footpath to the northwest of the CA. The dense vegetation of the CA boundary frames the view on the left and the urban edge along the A2 can be seen in the background

SETTING TO THE SOUTH AND SOUTH-EAST

- 4.16 As noted, the A2 runs along the south side of the Conservation Area, separated from it by inter-war housing development and their associated plots. The A2, formerly Watling Street, is now an intensively used and built-up thoroughfare but represents an historic association with the Conservation Area. The spring head is located approximately 65m north of the road, and is assumed to have been the fresh water source for the medieval hospital which stood close by, outside the modern Conservation Area.
- 4.17 This historic link between the road and the spring head is not detectible visually, and the inter-war development has served to sever the spring head and Conservation Area from the road at this point. Closely-spaced inter-war housing now lines the north side of the A2.
- 4.18 Further to the east from the spring location, approximately 110m from the Conservation Area boundary, there is a public footpath running from the A2 to the Site. This is a narrow way between two houses, with views opening up as one reaches the southern boundary of the Site. The footpath is well established, bordered by barbed fences and bramble hedges (Figure 4.6).



Figure 4.6 View northwards along the public footpath, from the south side of the site – in the location of View 5a of the draft Appraisal

- 4.19 The Conservation Area edge is visible to the north and west in this view; the mill chimney is discernible in front of the viewer in the distance but no other built form or features within the Conservation Area, other than vegetation, are discernible. As such the view alone does not suggest to the viewer that they are perceiving features of heritage interest.
- 4.20 The draft appraisal mentions the area to the south and east of the Conservation Area within the description of setting (pages 35–36): *‘There is a commercial orchard and field with rough grazing to the south and east of the Conservation Area boundary. This is then bounded by Hempstead Lane with a modern ribbon development of houses and Hempstead Farm beyond to the west.’ (p.35)*
- 4.21 The Site is thus described as a ‘field with rough grazing’. It appears as a relatively flat area of scrubland in the setting of the Conservation Area, gently sloping away to the northwest, severed by the footpath which cuts it in two. The present route of the footpath dates from the 19th century. It formerly ran adjacent to the stream head and cut across the top Site area diagonally, as shown in the OS map of 1796.
- 4.22 Inter-war housing along Hempstead Way, moving into modern ribbon development and a cluster of evergreen trees, frames the right of the view (see Figure 4.7). A modern industrial barn associated with Hempstead Farm can be seen at the corner of the Conservation Area to the north-east. The collection of buildings experienced in conjunction with the plain and bleak nature of the Site do not form a positive component in the setting of the Conservation Area; nor do they contribute to its significance.



Figure 4.7 Looking north-east towards the ribbon development along Hempstead Way from the public footpath to the south of the site



Figure 4.8 View from the footpath at the south of the Site, looking eastwards towards inter-war housing on Hempstead Way

4.23 As one travels northwards along the footpath, the land to the west of the footpath, within the Site, appears to fall away. The field is terminated by a vehicular mud track at the north side, which runs from Hempstead Way to the northwest corner of the site through two sets of large metal gates (Figure 4.10). At the time of the site visit (5 November 2020) there was a cluster of refuse piles in the northwest corner (see Figure 4.10). This mud track and associated metal gates and area of former-carparking forms a detracting element in the setting of the Conservation Area; indeed it is mentioned in the draft Conservation Area Character Appraisal in relation to key negative characteristics in the setting of the Conservation Area:

'Former car park on eastern side of the Conservation Area in need of attention' (p.36)

4.24 Moving further north along the footpath, one leaves the site and moves in to the 'commercial orchard' which borders the Conservation Area to the east and north. The footpath drops down a small ridge between the site and the orchard, in a gap in the line of vegetation that forms the boundary between the two (Figure 4.11). This topographical shift, and the line of vegetation along the boundary, serves to separate the Site area from the orchard visually and physically.



Figure 4.9 View from the footpath at the south of the Site, looking northwest across the site. The former-car park area can be seen in the northwest corner to the right of the frame. The CA boundary is indicated by the vegetated field border



Figure 4.11 View from within the commercial orchard to the north of the site, looking southwards towards the site.



Figure 4.10 Looking west within the site towards the CA boundary. The former-car park area can be seen in the corner of the site.



Figure 4.12 The commercial orchard. View taken from the public footpath in the south of the orchard, looking towards the CA

4.25 The orchard itself comprises formal rows of small trees, separated by tracks of slightly elevated land running east-west (Figure 4.13). The comparatively small size of the trees and the formal nature of the planting contrasts with the larger and less ordered vegetation bordering the Conservation Area. The orchard is an attractive area with a distinctive character albeit visually separate from the Conservation Area owing to tall and dense vegetation along the boundary (Figure 4.14). Accordingly, one has to move into the CA and enter the country park to discern its character and significance.



Figure 4.13 The commercial orchard



Figure 4.14 View from the north side of the commercial orchard looking towards the CA

5.0

CONTRIBUTION OF THE LAND COMPRISING THE SITE

LAND NORTH OF THE STREET, BAPCHILD

CONTRIBUTION OF THE LAND COMPRISING THE SITE

5.1 Our analysis above has considered the setting of the CA, its constituent elements and the relationships between them. Here we analyse in more detail whether, and to what degree the Site contributes to special interest of the Tonge CA or the appreciation of that special interest, taking into account the perambulation discussed above.

5.2 We make our assessment with due regard to best practice guidance as set out in **Section 2.0**, including the checklist provided in GPA3 pertaining to the assessment of setting. We frame our discussion around two principal considerations: visual setting and perceptual considerations; and historic and functional relationship.

VISUAL SETTING CONSIDERATIONS

VIEWS TOWARDS THE CONSERVATION AREA FROM THE SITE

5.3 The Site currently comprises a relatively flat field surrounded by vegetation along each boundary, and inter-war and ribbon housing development on the south and east sides. The form of the field and its boundary hedges have no obvious historic character and we know from historic mapping that the field forms of this area dates from the late 19th century when the modern field boundaries were set out.

5.4 There is a lack of topographical features within the Site and it has no distinguishing characteristics beyond the public footpath that crosses it north-south.

5.5 The field contains areas of low grade surfacing associated with previous uses; these comprise the track and former-car park along the north edge, identified in the draft appraisal as a negative characteristic within the setting of the CA. We agree with this assessment: the track is accessed through unattractive, utilitarian modern gates which link it perceptually with the developed edge of the settlement.

5.6 A distant view towards the top of the mill chimney is obtained in views northwards over the Site from the public footpath. This view is identified in the draft Appraisal as a 'panorama featuring a focal point or points'; View 5a. The view is characterised in the draft Appraisal as follows:
180 degree view northwards towards chimney from outside of the Conservation Area where public right of way exits the settlements on the north side of Watling Street. From here you can appreciate the relationship of the spring, stream, and mill.

5.7 We have reflected carefully on this drafting and offer the following observations based on our site visit:

- We agree that the Council is right to identify this view as having value, albeit we note that the mill chimney is glimpsed and does little more than indicate the presence of an industrial feature at some distance.
- An understanding of the mill within a rural context is best appreciated from within the CA itself and accordingly one has to enter the country park of discern the particular qualities of the listed building or historic group, and their relationship to their immediate setting. Thus we do not consider that the view is of any particular quality beyond providing a point of focus for the viewer, contributing to a sense of arrival or event.
- We do not consider the categorisation of the view as a panorama or its descriptive text to accurately convey its quality or character. To the contrary, we consider the view to be directional and of the mill chimney, to which the eye is drawn along the footpath in the foreground. For completeness, we reproduce the definition of 'panoramic' in the Oxford English Dictionary:

1 (Of a view or picture) with a wide view surrounding the observer; sweeping

The view does not have this sweeping quality. The land is flat and low-lying, and inter-war and modern ribbon development frames the right of the view. This and the framing of the pathway by vegetated barbed fences serves to limit the visual experience and invite the viewer to look ahead rather than around.

Further, there is no noticeable visual connection between the Site and the elements that convey the special interest of the CA to the west. The boundary hedgerow prevents intervisibility with the spring, and while it may suggest to a discerning viewer the presence of a water course beyond it, there is nothing to convey its claimed associative qualities. Accordingly, unless one is aware of the historic background, there is nothing to suggest special interest.

Thus, the current description suggesting that one can 'appreciate the relationship of the spring, stream and mill' we consider to be overstated.

- The agricultural use of the land view makes no material contribution to the composition of the view, its quality or character. By contrast, the land appears as a low quality field with an edge-of-settlement character, of no intrinsic quality and with no historic or distinguishing features. The land each side of the footpath contributes nothing beyond not blocking the view. We note that the 19th century was a period of intensification of land use and urban growth; there would be nothing incongruous with seeing the form of the chimney from a planned urban landscape.



Figure 5.1 View 5a in the draft Appraisal

VIEWS FROM WITHIN OR LOOKING ACROSS THE CONSERVATION AREA TOWARDS THE SITE

5.8 There are no views of the Site afforded from the country park to the north, which is focussed on the mill pond and buildings and enclosed in its character. There is more visibility from the southern part of the country park as it borders the stream, where the vegetation is less dense. In these views, the urbanising influences of the settlement edge and the A2 are pronounced.

5.9 The Council has identified a ‘dynamic panorama’ view looking across the stream, country park from the public footpath located outside the Conservation Area to the west. This is View 6b in the draft Appraisal and is described as follows:

View from Public Right of way to the west of the Conservation Area looking east across stream and up the eastern side of the valley



Figure 5.2 View 6b in the draft Appraisal

5.10 Views along this footpath in either direction have no obvious historic character: in the photograph reproduced by the Council this part of the CA appears as a pleasant piece of recreational land framed by and understood in the context of the settlement edge, of which the Site forms part. The presence of the A2 is marked through considerable road noise as well as the built environment that addresses it. The stream and spring head, which may be perceptible to the observant viewer, display no feature to convey their claimed associative value.

HISTORIC AND FUNCTIONAL ASSOCIATIONS

5.11 Our comprehensive assessment has not identified any historic or functional association between the Site and the CA.

5.12 The field boundaries have changed markedly; the route of the public footpath has changed likewise; and the use of the land and its character has altered dramatically. There is no evidence to suggest any peculiar historic functional connection of this land with the built heritage elements that comprise the CA.

5.13 The country park, as noted, is a later feature that follows boundaries established in the post-war period.

SUMMARY

5.14 Overall, the site has no inherent qualities of architectural or historic value evident today. Rather, it is an undistinguished area of open land characterised by inter-war housing and ribbon development associated with an urban edge and accommodating areas of previously developed land and associated utilitarian features. We agree with the characterisation on page 39 of the draft appraisal that the former-car park is a detracting feature in the setting of the CA.

5.15 Accordingly the contribution made by the Site to an appreciation of the significance of the CA is limited to the route it provides from the A2 to the CA via the public footpath and the glimpsed view of the mill chimney which communicates the presence of a feature of interest with an industrial character. The footpath itself, we consider, is a point of general amenity. The character of the footpath restricts the visual experience and invites a visual corridor that is at odds with the characterisation of views across this land as panoramic.

5.16 Accordingly, for the reasons set out above, we respectfully suggest that View 5a does not possess the attributes ascribed to it by the current drafting.

5.17 We turn here to the criteria in Historic England’s setting guidance at the *Assessment Step 2 Checklist* at page 11, which is designed to help an assessor consider the asset in its physical surroundings and establish the contribution made by its setting to significance or an appreciation of significance. Following this approach in relation to the Tonge CA and the land comprising the Site, our findings are as follows:

- The CA has a self-contained character and is substantially enclosed from the surrounding landscape due to topography and vegetation. Notwithstanding, the surrounding landscape character of the CA has been subject to changes in land use and development since the 19th century and the southern part of the CA in particular is subject to urbanising influences;
- There is no historic functional relationship between the CA and the site other than the public footpath that has existed in its present arrangement since the 19th century. We consider the footpath as a feature of general amenity;
- The setting relationship between the Site and the CA is incidental, with no intentional intervisibility with other historic and natural features;
- The relationship is likewise weakened by later development, which runs along the eastern and southern boundary of the Site, comprising interwar and modern housing set in domestic curtilages and light industrial buildings to the east;
- Urbanising influences to this part are marked, including the character of the A2 as a busy thoroughfare its associated noise and activity;
- A glimpsed view of the upper part of the mill chimney exists across the land comprising the Site; this is incidental but nevertheless forms a focus in views northwards along the footpath and is accordingly of some value;
- In views across the CA from the west the Site is associated with the settlement edge and contributes nothing to an appreciation of the country park, itself a post-WWII feature;
- The character of the Site does not enable any understanding or appreciation of the spring and stream and conveys nothing of their claimed historic value associated with tradition.

APPENDIX 1: PAUL STAMPER CV

LAND NORTH OF THE STREET, BAPCHILD

REPORT AUTHORSHIP

Dr Paul Stamper is a specialist in the English landscape and its buildings. He has a BA and a PhD from the University of Southampton, and is a Fellow of the Society of Antiquaries and a Visiting Fellow at the Centre for English Local History at the University of Leicester.

He has been directly employed in researching and managing England's historic environment for almost 40 years, firstly with the Victoria County History and for 20 years with English Heritage/Historic England. There he had various roles after joining in 1996 as an Inspector of Historic Parks and Gardens to work on the revision of the Register of Historic Parks & Gardens. Over four years he revised roughly 170 register entries.

Later, as a Senior Adviser in the Designation Department, he was responsible for overseeing the writing and, later, revision of the 44 designation selection guides covering listing, scheduling, the two registers (battlefields and designed landscapes), and ships and boats <https://historicengland.org.uk/listing/selection-criteria/>. These are complemented by over 50 Introductions to Heritage Assets – which again he commissioned and edited – which provide concise, authoritative overviews of particular types of archaeological site, building, or designed landscape, e.g. <https://historicengland.org.uk/listing/selection-criteria/listing-selection/ihas-buildings/>. *At various times he also assisted with high-level appeals and case reviews, principally concerning contentious listings.*

After leaving Historic England in 2016 he set up his own consultancy, Paul Stamper Heritage <https://paulstamperheritage.wordpress.com>. Most of its work involves assessing the significance of historic buildings and landscapes, including historic parks, and the likely impact of proposed changes.

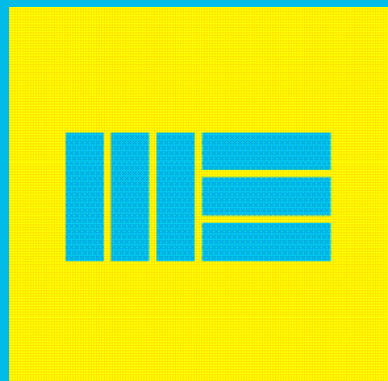
Paul Stamper has published extensively through monographs, articles and book reviews.

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Dear Sir / Madam

I write in relation to the consultation on the draft Conservation Area Character Appraisal and Management Plan (October 2020) for Tonge Conservation Area.

Trenport Investments Ltd have an interest in the land to the west and north of the conservation area, specifically the parcels of land which falls within the proposed extension to the Conservation Area boundary at:

- Area TCA1 Land to the west of Tonge Castle; and
- Area TCA2 Land to the north of Tonge Castle.

These representations are supported by the attached Heritage Appraisal and should be read alongside this email.

Our representations have been prepared in accordance with the criteria set out in the statutory requirements for conservation area designation and management, the Planning (Listed Building and Conservation Areas) Act 1990, and the requirements amplified through the National Planning Policy Framework (June 2019), as well as guidance set out by Historic England.

Having analysed the criteria set out by the 1990 Act, as well as the NPPF and Historic England guidance, and applied it in this case to the proposed extensions to the conservation area, **we have serious concerns that the proposed extension to include area TCA2 is not appropriate.** This is because this parcel of land is not considered to hold sufficient architectural and historic interest (see attached appraisal) to be identified as an area "of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". To identify it as such would be contrary to the local planning authority's duty to ensure that an area justifies such status owing to special architectural or historic interest, as set out in paragraph 186 of the NPPF.

TCA2 should **not**, therefore, be included within an updated Tonge Conservation Area boundary.

There is no identification of built form upon the land or an assessment of how it might contribute to the significance of the area. There is also no specific mention of the character and appearance of the land which is enclosed within the boundary of TCA2. This is not surprising as we consider the importance of this parcel of land and its contribution to the significance of the Conservation Area to be extremely limited, except for the small portion of the Castle ditch which is located at its southern edge (TCA1) which we do not raise objection to its boundary extension. Our concern for the designation of TCA2, in light of Paragraph 186 of the NPPF, is further reinforced as a result.

On this basis, the boundary extension TCA2 is not justified and this CA boundary should not be extended.

I would be grateful of your confirmation that you have received these representations, and that they are being considered. If you have any queries, please do not hesitate to get in touch.

Many thanks
Kind regards

Eilish

Eilish Smeaton
Planning Manager | St. James's Street Property Management

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Heritage consideration of consultation draft for Tonge Conservation Area Character Appraisal and Management Plan (October 2020) produced by Swale Borough Council

Introduction

In November 2020 Trenport Investment Ltd. commissioned Icen Heritage & Townscape to consider the consultation draft Conservation Area Character Appraisal and Management Plan (October 2020) for Tonge Conservation Area, which includes proposals for its extension.

Trenport Investments Ltd have interests in the area, owning land to the west and north of the conservation area, including one of the parcels of land which falls within the proposed Conservation Area extended boundary (TCA2). These Representations consider the consultation draft Conservation Area Character Appraisal and Management Plan for Tonge, in the light of the statutory requirements for conservation area designation and management, set out in the Planning (Listed Building and Conservation Areas) Act 1990, and amplified through the National Planning Policy Framework (June 2019), as well as guidance set out by Historic England.

Conservation Area Designation

As set out in the Planning (Listed Building and Conservation Areas) Act 1990 a Conservation Area is an area "of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance"

More specifically, in Paragraph 69 of the Planning Act 1990, it states:

69 Designation of Conservation Areas

(1) Every local planning authority—

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) shall designate those areas as conservation areas.

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

(3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is

desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

(4) The designation of any area as a conservation area shall be a local land charge.”

In conjunction with this, paragraph 186 of the National Planning Policy Framework (June 2019) states:

“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”

To assist with Conservation Area appraisal and designation, Historic England provides guidance which helps to establish criteria for appropriate designation, ensuring the significance of Conservation Areas are not devalued, as aforementioned.

Conservation Area Appraisal, Designation and Management Historic England Advice Note 1 (Second Edition) [emphasis added]

Para 72 of Historic England’s Advice Note - Suitability for designation

The different types of special architectural and historic interest which have led to designation include;

- *areas with a high number of nationally or locally designated heritage assets and a variety of architectural styles and historic associations*
- *those linked to a particular individual, industry, custom or pastime with a particular local interest*
- *where an earlier, historically significant, layout is visible in the modern street pattern*
- *where a particular style of architecture or traditional building materials predominate*
- *areas designated because of the quality of the public realm or a spatial element, such as a design form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those included on the Historic England Register of Parks and Gardens of special historic interest*

Para 73 of Historic England’s Advice Note

Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) **but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.**

Historic England's guidance confirms the spirit of the legislation and guidance that the protection offered by Conservation Areas relates to historic (and in our view extant built) fabric, not to landscape which lacks such fabric or where interest is principally archaeological.

Having analysed the criteria set out by the 1990 Act, as well as the NPPF and Historic England guidance, and applied it in this case to the proposed extensions to the conservation area, we have serious concerns that the proposed extension to include area TCA2 is not appropriate.

This is because this parcel of land is not considered to hold sufficient architectural and historic interest to be identified as an area *"of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance"*. To identify it as such would be contrary to the local planning authority's duty to ensure that an area justifies such status owing to special architectural or historic interest, as set out in paragraph 186 of the NPPF. In our view, extending the conservation area to include area TCA2 would devalue the concept of conservation by designating an area that lacks special interest, again contrary to paragraph 186 of the NPPF.

TCA2 should not, therefore, be included within an updated Tonge Conservation Area boundary. Further detailed assessment is set out below.

Tonge Conservation Area - Summary

As set out in the draft Tonge Conservation Area Character Appraisal and Management Plan (October 2020), the summary of its significance and special interest includes: **[emphasis added]**

- **Surviving earthworks** of Tonge Castle, and fortified manor - the earthwork and its environs have high potential for Medieval and Post Medieval **archaeology**.
- **Archaeological** potential for prehistoric and Roman activity in the landscape and perhaps focused on the spring.
- The spring and stream have **paleo-environmental potential**.
- **Association** with legend of Vortigern, Hengist and Horsa.
- **Association** between the spring, the cult of Thomas Becket and **grounds of former leper hospital**.
- The historic mills include rare and attractive examples of Kentish vernacular industrial architecture and history.
- **History of milling** dating from 1086 to the 20th century utilising wind, water, and steam power.
- The **stream and millpond** and their relationship to the **castle and mills**.
- **Area of informal recreation and varied natural habitat to the south of the millpond**.

Having identified only two listed buildings within the Conservation Area itself, it is evident that it predominantly encompasses an area of archaeological and historical interest, largely relating to Tonge Castle, the mills, and associated water source. However, whilst this interest would ordinarily be expected to perhaps be protected in Kent through designation of an 'Area of Archaeological Importance', as a designated Conservation Area already, we would also expect to see a summary of the Area's significance and special interest which derives from the built fabric.

The Appraisal fails to provide such a summary, most likely as a result of the lack of surviving built fabric which holds special interest. In consequence, the character and appearance of the Area and, therefore, its special interest and significance, is not identified. The character and appearance of the Area *'of which it is desirable to preserve or enhance'* is, therefore, not established adequately within the draft Conservation Area Character Appraisal and Management Plan (October 2020).

TCA2 and its Significance

At present, TCA2 forms part of the existing setting to the north of the Conservation Area.

The setting provided by the land is not described directly in the draft Appraisal, rather there is reference to the influence of the railway embankment at its northern edge:

“The railway embankment, aligned east-west along the northern edge of Tonge, is an important feature in the local landscape, especially where the banks are covered with tree growth. This embankment has, in effect, severed Tonge visually from the wide sweep of low lying land to the north including the marshes so that it now forms a well-defined northern edge to the Conservation Area.”

There is no identification of built form upon the land or an assessment of how it might contribute to the significance of the area. There is also no specific mention of the character and appearance of the land which is enclosed within the boundary of TCA2. This is not surprising as we consider the importance of this parcel of land and its contribution to the significance of the Conservation Area to be extremely limited, except for the small portion of the Castle ditch which is located at its southern edge. Our concern for the designation of TCA2, in light of Paragraph 186 of the NPPF, is further reinforced as a result.

The consultation draft of the Conservation Area Appraisal (Oct 2020), gives the following reasons for the designation of TCA2:

“Area TCA2 Land to the north of Tonge Castle

The small triangle of land to the north of the Castle and south of the railway line follows the original access to the Castle and Mill and also includes the site of the former Windmill. This small (0.4 hectare) extension will ensure this important historical context is included within the Conservation Area.”

The Appraisal notes that “There was also a windmill just north of the castle (shown on the 1820s map) which existed as late as 1834.” It does not, however, include a map dating to the 1820s to demonstrate this. However, by comparison of the 1787 map and the position of the existing windmill at this time, the draft Appraisal argues that the windmill was located within the boundary of TCA2. In fact, by carefully overlaying historic mapping, it would seem appropriate to suggest that the windmill fell to the north west of the boundary of TCA2 and the existing railway line has been constructed upon the site of the windmill.

Additionally, whilst it is acknowledged that there is evidence of a historic road which aligned the south boundary of TCA2, the land within the TCA2 itself formed part of a larger field, with no evidence of access from the field to the Castle and Mill within it. Whilst the road has since been removed and realigned to the east (Church Road), reference to this road is partially retained by the public footpath to the south boundary although this, itself, appears to have been redirected to the south by comparison of Ordnance Survey mapping.

The lack of evidence of any connection between the land area making up TCA2 and the castle and mill is further emphasised as TCA2 is identified within the draft Area Appraisal to be ‘landscape development’ dating to the seventeenth and eighteenth century. This is illustrated through historic mapping presented within the draft Area Appraisal and confirms that no structures are known to have been constructed upon the parcel of land.

As a result, having assessed historic map regression and concluded there is no evidence to suggest that any built structures have stood upon the land captured within TCA2 historically and confirmed there are no built structures or evidence of significant visible remains upon the land today, we consider the proposed designation of this land would be contrary to the purpose of the legislation and guidance discussed above.

Conclusion

To summarise, most of the area TCA2 is not appropriate for designation as part of the existing Tonge Conservation Area.

The area does not include built fabric “of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Only a portion of the historic road which gave access between the mill and the castle survives, represented by a footpath which follows a section of the southern boundary of TCA2. There is insufficient evidence that it includes the site of the former Windmill, and in any event the Windmill is no longer extant in visible form.

If the whole TCA2 area were designated as part of an extension to the existing Conservation Area, it could be contrary to para. 186 of the NPPF because it would devalue the concept of conservation through the designation of an area that lacks special interest. The pragmatic and more appropriate approach would be to extend the boundary of the conservation area into the TCA2 area only by a few metres to take in only the Castle ditch, in a similar way to the approach proposed for area TCA1. Inclusion of the whole of area TCA2, however, would be much more problematic.

The Appraisal Foreword states, “As a community and as a local authority, we have a responsibility to safeguard our historic assets for future generations and to make sure that they are not compromised by unsympathetic alterations or poor quality developments. Conservation area designation and subsequent management is one way in which this can be achieved.”

While Conservation Area designation is one way of managing development and is appropriate in cases where the special qualities of an area meet the criteria for designation, it is not appropriate in those cases where the criteria are not met. We would suggest, therefore, that the Council explore alternative and more appropriate ways to safeguard the significance of the existing Tonge Conservation Area and its setting, rather than erroneously designating additional land parcels beyond its existing boundary.

This could be achieved using local development management policy, as well as the provisions of the NPPF which relate to the ‘setting’ of heritage assets and ensure that changes to the setting of a heritage asset are properly considered during the planning process. Appropriate management of future development might also be achieved by way of planning conditions. For example, future planning consents might be conditioned to ensure an Archaeological Assessment is carried out prior to works being implemented. This would ensure any archaeological interest is properly considered in accordance with legislation.

With regards to views, setting and the relationship between the TCA2 land, the existing Conservation Area, and the wider landscape which is a prominent focus within the draft Appraisal, the Council could manage proposed development within the setting of the Conservation Area by providing guidance within the Appraisal itself and by requiring any planning applications to assess any effects on the significance of the conservation arising from a change in setting. This would reflect the approach in the NPPF. Historic England’s “Conservation Area Appraisal, Designation and Management Historic England Advice Note 1 (Second Edition)” also provides key guidance on how this could be achieved.

Iceni Projects Limited, 13th November 2020

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Mr Simon Algar
Swale Borough Council

Direct Dial: 0207 973 3655

Our ref: PL00725642
14 November 2020

Dear Mr Algar

TONGE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN REVIEW

Thank you for consulting us on the review to the Tonge Conservation Area Appraisal and Management Plan, which includes boundary changes.

Appraisals are documents which inform understanding and significance of the area. Coupled with a management plan, they are a vehicle to reinforce the positive character of the area, as well as avoiding and minimising negative impacts to the area.

We are pleased that you are undertaking your statutory requirement to review your conservation areas. We do not wish to provide any comments on either the contents of the review or the extensions to the conservation areas proposed on this occasion. We draw your attention to our publication which is of relevance here: Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1 (<https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>)

It is not necessary for us to be consulted again on this conservation area review unless there are changes. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely,

Alice Brockway
Inspector of Historic Buildings and Areas
alice.brockway@HistoricEngland.org.uk



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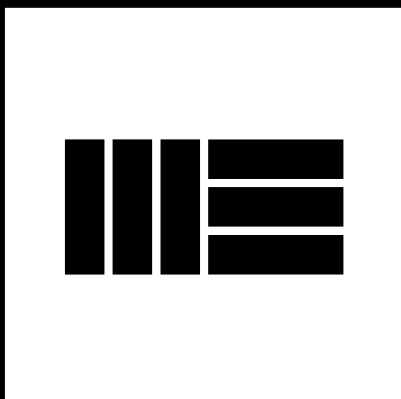


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REPRESENTATIONS ON THE DRAFT CONSERVATION AREA APPRAISAL IN RESPECT OF THE TONGE CONSERVATION AREA

QUINN ESTATES

NOVEMBER 2020



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APPENDIX 1.0	MAP INDICATING THE AREAS CONSIDERED IN THIS REPRESENTATION

1.0 INTRODUCTION

- 1.1 We act on behalf of Quinn Estates who have instructed us to reply to the consultation on the proposed extension to the boundary of the Tonge Conservation Area ('CA').
- 1.2 Quinn Estates retain an interest in the area around and as part of the Tonge Conservation Area designation, promoting it as part of the new Garden Village proposals known as 'Highsted Park.' Montagu Evans LLP are engaged as planning consultant and heritage advisers on the redevelopment of the Garden Village.
- 1.3 Whilst we welcome the council's efforts to help better define the significance of the heritage assets in the Borough and we agree that CA Appraisals are a helpful way of understanding and defining the key characteristics of that significance, we write to make representations on the content and recommendations of the Conservation Area Appraisal which are made without evidence and substantiation.
- 1.4 In summary Quinn Estates write on these bases:
- (1) *To comment on the Council's statutory duty of Conservation Area designation under s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that areas designated as Conservation Areas are genuinely of special architectural or historic interest.*
 - (2) *To comment on the factual basis of the draft appraisal guidance and to suggest corrections based on alternative evaluation and evidence.*
- 1.5 As set out in s69 of the 1990 Act defines a CA as 'an area of special architectural character or historic interest, the character of which it is desirable to preserve or enhance.'
- 1.6 We have considered the draft Tonge Conservation Area Appraisal Review (2020), inspected the site and reviewed relevant guidance. Our conclusion is that the Council makes unsubstantiated claims about the significance of the land within the Conservation Area, and the land which comprises its setting, and needs to revisit the assertions made in the Appraisal.
- 1.7 The extent of the Conservation Area and the land contained within it is shown at Appendix 1.0 to this representation.
- 1.8 This conclusion is based on the inappropriate use of the Council's powers under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as the '1990 Act') and the requirements of the National Policy and Guidance relating to Conservation Area designation.
- 1.9 The Local Planning Authority (LPA) in this case is Swale Borough Council (hereby referred to as 'the Council'). The draft appraisal on the Council's website dates from 2020 and has been written by an independent consultant for the LPA.

Overview of the Representation

- 1.10 We have carried out our own assessment of the character and appearance of the Conservation Area based on our own site visits undertaken in April 2019 and November 2020 and find that the Appraisal makes numerous unsubstantiated claims to significance based on asserted historical associations or the suggestions of 'possible' connections without evidence presented as part of this consultation exercise. It is on that basis that the Appraisal makes recommendations for key views in the area, the contribution made by setting to the overall character of the area, and the conservation and maintenance of the area.
- 1.11 It is our view that these recommendations should not be supported by the Council and we set out the reasons why in this representation.
- 1.12 Our own assessment is based upon a thorough understanding of the area and best practice in historic area assessments as set out in the relevant Historic England guidance, *Conservation Area Designation, Appraisal and Management (February 2019)* and *Understanding Place: Historic Area Assessments: Principles and Practice (2017)*

edition) as well as the detailed guidance provided on Conservation Area designation in Charles Mynors' publication, *Listed Buildings and other heritage assets fifth edition* (2017).

- 1.13 Our analysis draws on the expertise of Dr Paul Stamper, an acknowledged historic landscape expert and who has assisted in the preparation of this report.

2.0 THE LPA'S STATUTORY DUTY IN RESPECT OF CONSERVATION AREA DESIGNATION

Statutory Provision

- 2.1 As defined in Section 69 of the 1990 Act, a Conservation Area is an area which has been designated because of its 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.'
- 2.2 In discharging its powers under Section 69 of the Act, the LPA is bound to exercise its discretion reasonably, and to have due regard to the terms of primary legislation and relevant policy. Additionally the LPA must take care to ensure their decision could not be construed as irrational or disproportionate.
- 2.3 The quality and interest of the whole area, as opposed to the individual buildings, should be the prime consideration in identifying conservation areas. The object, therefore, should not be to protect individual buildings or spaces which are not of demonstrable interest.

National Policy and National Guidance on Defining Boundaries

- 2.4 The National Planning Policy Framework (2019) is clear that:
- 'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.' [our emphasis] (NPPF, para. 186)*
- 2.5 This Policy is also engaged when reviewing existing boundaries and the principles of the policy are supported in the National Planning Practice Guidance (NPPG, 2019).
- 2.6 The guidance provided in *Understanding Place: Historic Area Assessments: Principles and Practice* (2017) aims to complement Historic England's previous publications and provide a more detailed level of guidance on the purpose and methods of assessing and the designation of historic areas.
- 2.7 Under the 'Key Issues' to be considered, the guidance states that establishing 'appropriate boundaries' are required to keep historic area assessments 'focused and manageable,' and that the relevance of such boundaries should be examined critically. Assessment should validate any proposed boundaries and, where necessary, their modification.
- 2.8 This guidance is complemented by that of *Conservation Area Designation, Appraisal and Management (February 2019)*, which requires an explanation of where and why a boundary is drawn when designating conservation areas.
- 2.9 Pages 27 to 28 of the guidance consider the designation of Conservation Areas. The guidance refers to paragraph 186 of the NPPF and the importance of ensuring that an area justifies designation as a conservation area because of its special architectural or historic interest, so that the concept of conservation is not devalued through the designation of areas that lack special interest.
- 2.10 In relation to the status of existing Conservation Areas, the guidance states also that:

'With appropriate management procedures in place, the character and appearance of a conservation area should not change rapidly for the worse and a review might typically result in an addendum to an existing appraisal, recording:

- *what has changed;*
- *confirming (or redefining) the special interest that warrants designation;*
- *setting out any new recommendations; and*

- *revising the management strategy.*

The updated appraisal and related management proposals can then be re-adopted by the local authority.'

- 2.11 In finalising the Conservation Area boundary, guidance states that it is important to consider '*whether the immediate setting also requires the additional controls that result from designation, or whether the setting is itself sufficiently protected by national policy or the policies in the development plan*' (page 4).
- 2.12 Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.

3.0 CRITIQUE OF THE DRAFT CONSERVATION AREA APPRAISAL

Accuracy of the Tonge Conservation Area Appraisal and Suggestions for Modification

3.1 In the following discussion, we identify the particular areas where claims of significance have been overstated in the CA Appraisal and give our own assessment of the issues.

3.2 The issues we have assessed and request the Council review and formally respond to as part of the next round of the consultation exercise are as follows:

- Historic interest and age of the landscape features identified in the Appraisal;
- The Council's assessment of the significance of different features in the CA;
- The Council's overall assessment of significance of the CA
- Our assessment of the 'key views' identified in the CA Appraisal; and
- Our overall summary of significance and contribution made by setting.

3.3 We begin with our own description of the historic development of the area with input from the research of Dr Paul Stamper.

The Historic Development of the Landscape

3.4 In 1798 Edward Hasted, the historian of Kent, characterised the parish of Bapchild as follows:

'It contains about 1300 acres of land, of which not more than ten acres in the southern part of it are wood; that part of the parish on the northern side of the road is a flat and low country, almost on a level with the marshes, and is equally unhealthy as Bapchild, perhaps more so, even to a proverb, as lying lower, and rather more exposed to the marsh vapours; however the lands are exceedingly fertile for corn, being the same kind of round tilt land which extends along this plain. There is no village, the church stands about a mile northward from the road; the scite of the old castle is three fields only from the north side of the road, and is plainly seen from it.'

3.5 The maps we have included below, covering 150 years from the late 18th century (almost exactly when Hasted was writing), show how the landscape around the Conservation Area has gradually evolved, with substantial changes to its character. In 1796 there were still traces of the medieval landscape, notably in strip-field field boundaries. By the 1870s these had been removed entirely. By 1897 there had been a radical change to the character of the landscape with the large-scale planting of orchards across the whole area. These remained a widespread feature of the countryside around Bapchild until at least the late 1960s. There are fewer today - there is a well-tended orchard which forms part of the area referred to in the draft Appraisal as the 'country park. That term has no historic basis and we comment on that later in this representation.

3.6 This is important to note: the landscape around the historic core site which comprises the mill buildings and the waterways in the northern part of the CA, where it is still possible to appreciate the historic arrangement of these buildings in their historic setting, has changed considerably since the construction of those buildings and as a result contributes much less to an understanding of the intrinsic significance of the CA.



Figure 1 – Ordnance Survey in 1796. Indication that the ornamental grounds on the castle site seen in 1872 are already established. Occasional orchards stand around Bapchild and the castle site. An irregular pond appears to lie south of the spring head. On the north-east edge of Bapchild, and east of it, are what appear to be enclosed open-field strips. Source: BL OSD 113.

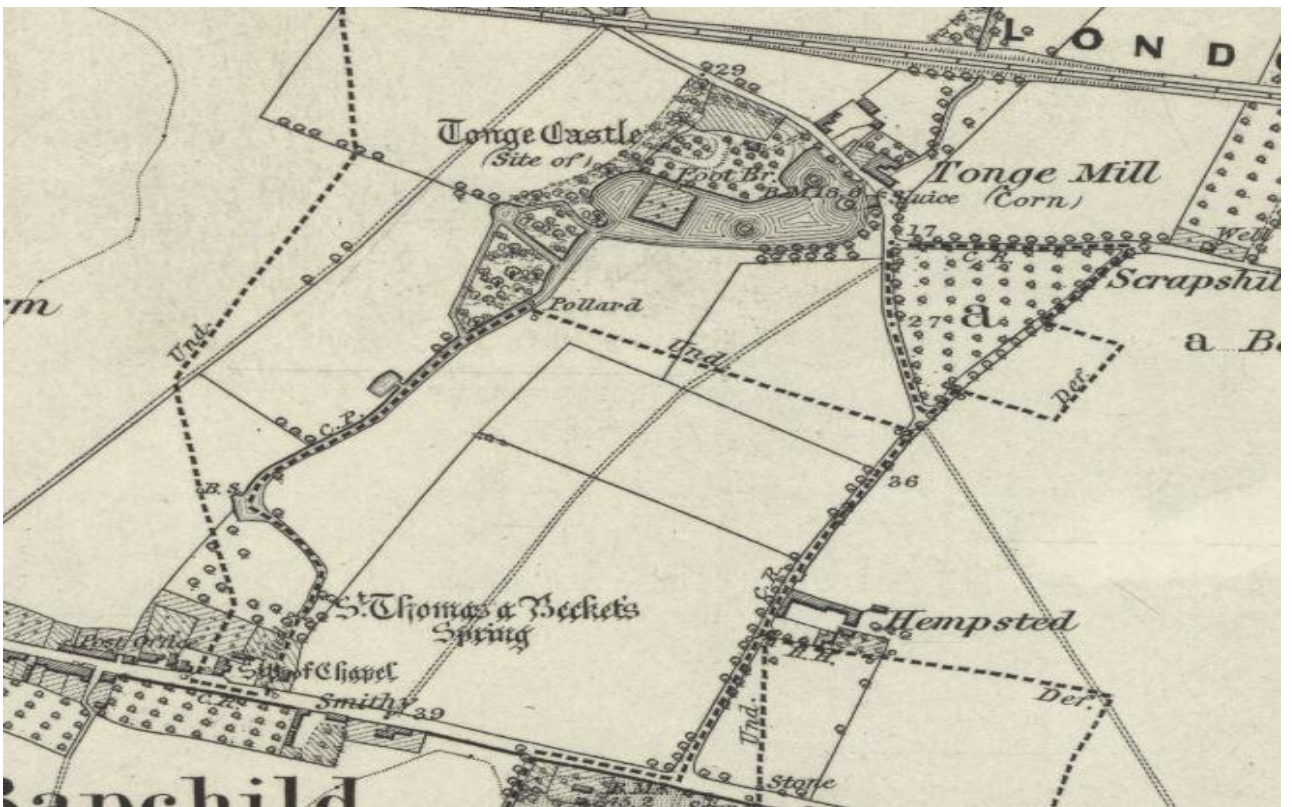


Figure 2 – By 1872 the softly curving field boundaries have been straightened, and north of the village the narrow east-west fields have been removed. The castle site appears to be laid out as ornamental grounds, with an island forming a probable formal garden in the mill pond. Source: OS 25 inch map, Kent sheet XXXIII.2.



Figure 3 – The landscape in 1897. The hospital site and spring are marked. East of the mill stream, and south of the Watling Street, much of the land has been planted as orchards which are now the dominant land-use. Source: OS 25 inch map, Kent sheet XXXIII.2.

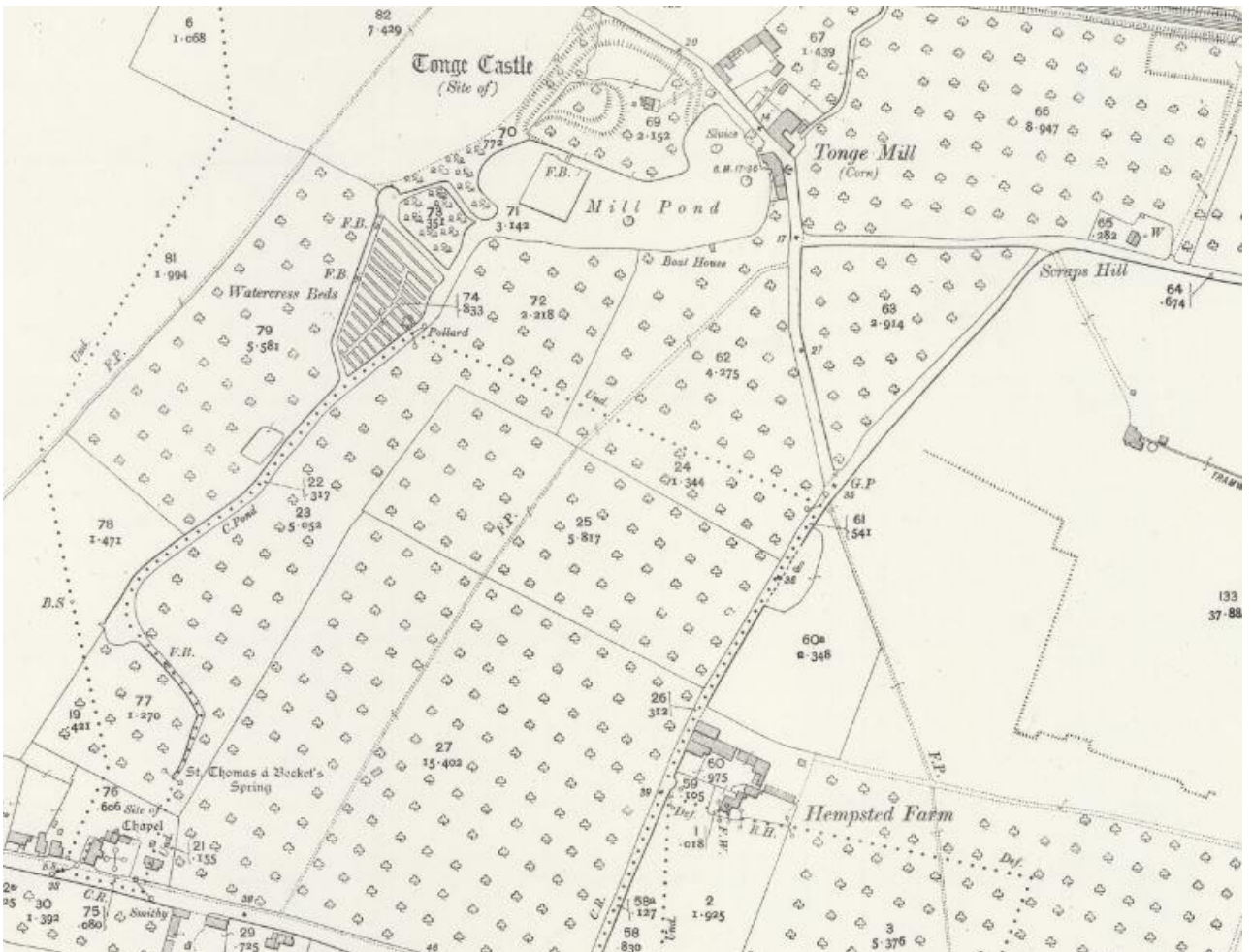


Figure 4 – An orchard has been planted west of the mill stream, and watercress beds established. Source: OS 25 inch map, Kent sheet XXXIII.2.

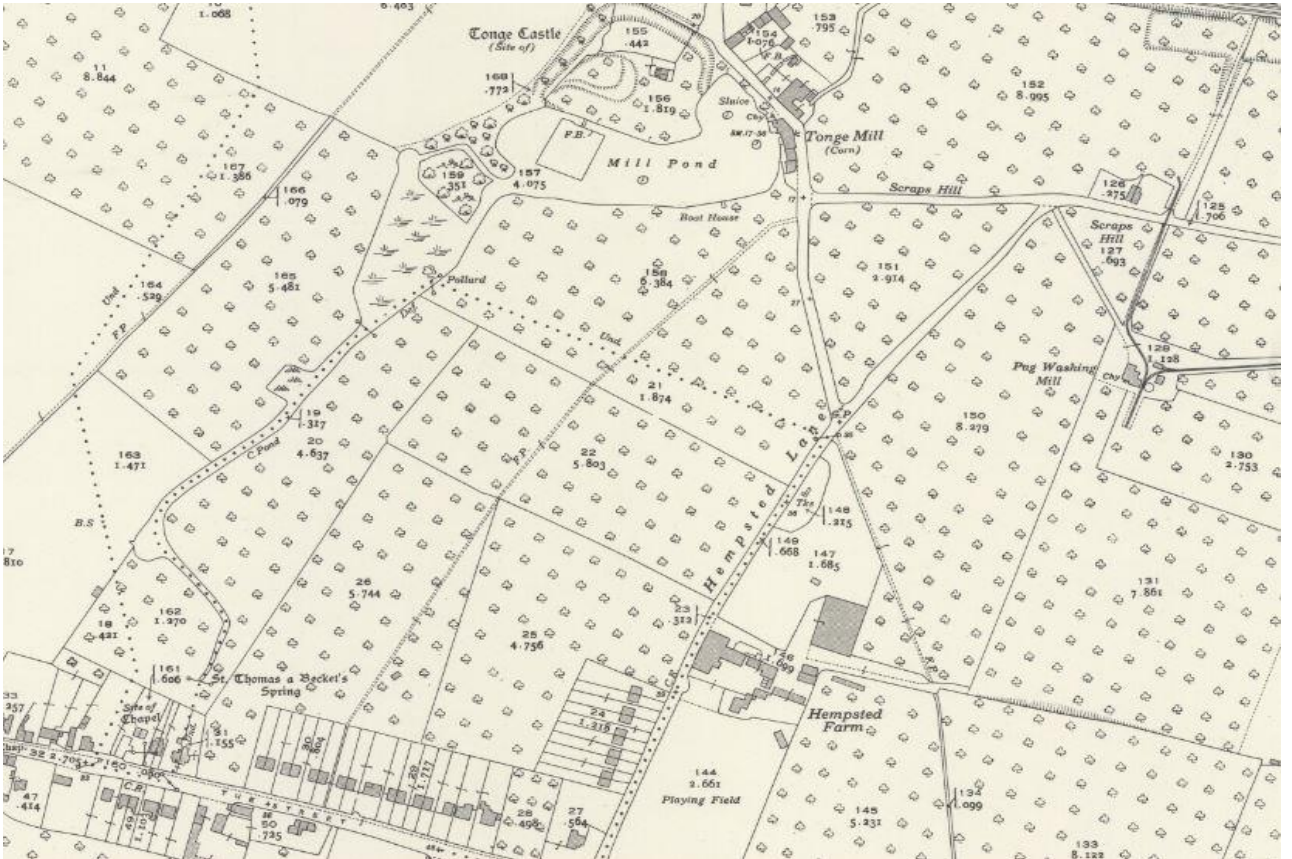


Figure 5 – By 1946 even more orchards have been planted. The square island in the mill pond remains. Source: OS 25 inch map, Kent sheet XXXIII.2.

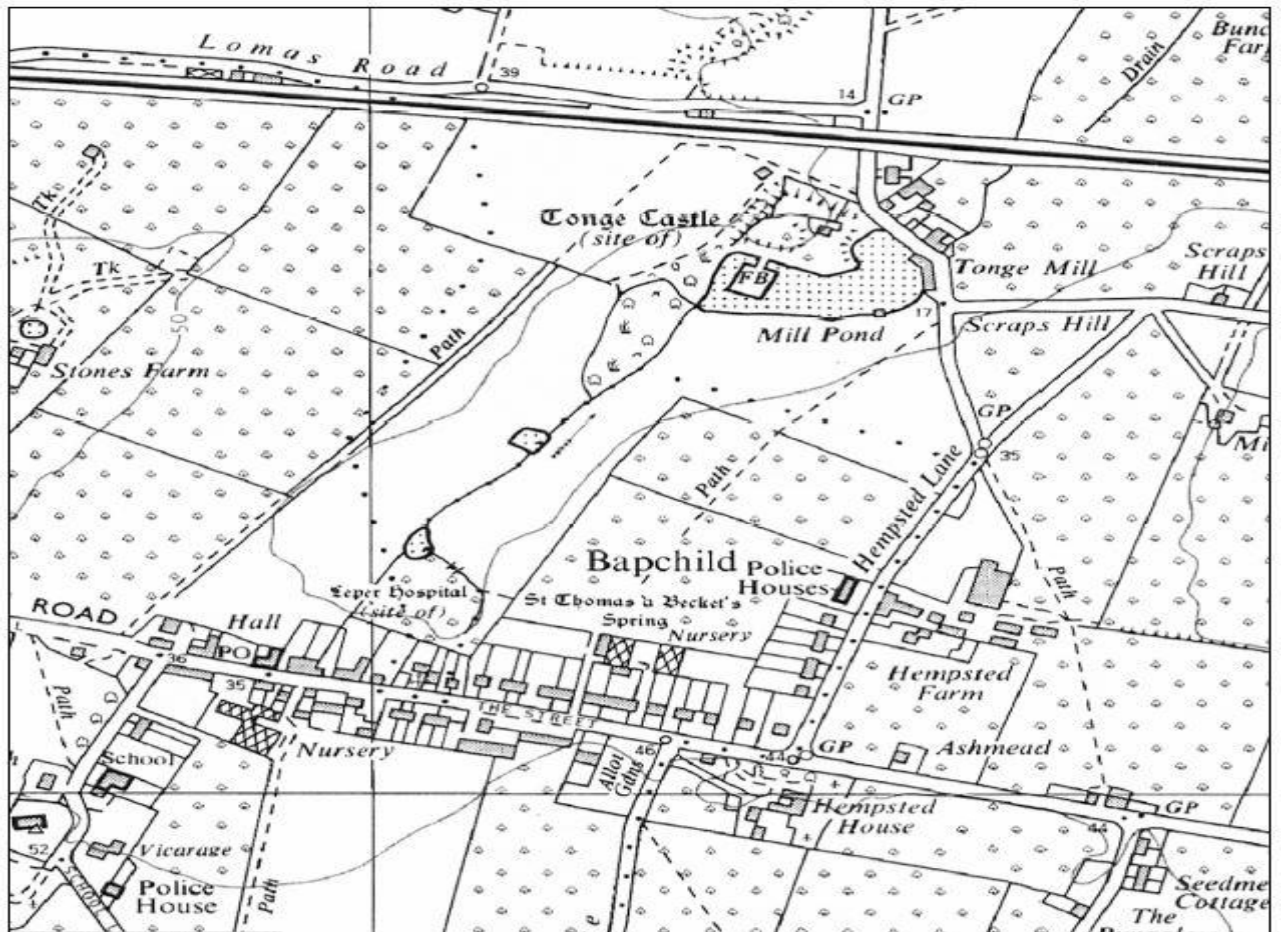


Figure 6 – By 1967 orchards have been cleared from south of the mill pool. Fruit trees remain on the PDA, with a nursery and glasshouses behind the houses fronting the A2, 'The Street'. The square garden island remains in the mill pool. Source: Promap.



Figure 7 – ‘Modern Aerial photograph’ – taken from page 19 of the CA Appraisal.

Historic Interest and Age of the Landscape Features Identified in the Appraisal

- 3.7 Map 5 provided on Page 18 of the document is inaccurate on the basis of the historic map progression and photograph provided from the Appraisal above and needs to be corrected.
- 3.8 The age of the landforms and landmarks are not accurately represented and we provide comment as follows.
- 3.9 We would agree that the watercourse leading south from the millpond has associations with the historic spring in this area, but it is not of special landscape or identifiable historic significance to warrant a designation. There may have been a record of a stream here from the C12 but it is inaccurate to label it as dating from that time since it is a natural water feature. The labels as shown ascribe too much importance to the watercourse.
- 3.10 Similarly it is inaccurate and misleading to label the area of land to the north of the CA, encompassing the former Tonge Castle which has now been built over with a C20 bungalow, as dating ‘from the C12 to C16.’ This should be corrected to reflect the fact it has been built over and is barely recognisable as a medieval feature and more readily appreciated as a C20 dwelling.
- 3.11 Later, on page 25 of the Appraisal it is acknowledged that the former Tonge Caste ‘... consists of a very degraded and altered motte and bailey and later fortified manor. The site is now occupied by a bungalow built c1970s replacing 19th

century cottages. The whole of the castle site is now a garden and tree planting now screen its ditch and banks on the northern side.'

- 3.12 This is wholly inconsistent with Map 5 and the map needs to be corrected.
- 3.13 The area referred to as the 'Country Park' is not an area of landscape that dates from the C17/C18. This is significantly overstating any historic interest this area might have and needs to be revised to make it clear the area was laid out as orchards in the C19 – when the former character of the land was swept away - and modern field boundaries put in from the mid-1940s. We comment further on this over the page of this representation.
- 3.14 We would question the inclusion of so much land within the CA which bears little resemblance to its original arrangement and which thereby limits its contribution to the significance of the core of the special area. Historic England guidance makes it clear, that: '*Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.*'

The Council's Assessment of the Significance of Different Features in the CA

- 3.15 We have also completed a review of significance of the key features identified in the Appraisal as contributing to the special interest of the area. That is the former **Tonge Castle**, the **Tonge Hospital** and the **Thomas a Beckett Spring**.
- 3.16 *Tonge Castle*. The supposed castle site is not scheduled, which would identify it as a site of national importance.
- 3.17 In this case were scheduling to be considered, taking the HE selection guide to 'Pre-1500 Military Sites' as a guide, in our professional view and on the recommendations of Dr Paul Stamper, it is unlikely that such a designation would be supported. That is because there is little real understanding of the original date and character of the site, because it is much degraded, and has a substantial modern house and its garden on its interior.
- 3.18 Some remains are visible from the public realm. At best these might be assessed as having 'local list' quality.
- 3.19 *Tonge Hospital*. Again, the supposed hospital site is not scheduled. If the traditional identification of the hospital's location is correct, its site was likely to have been already built over by the end of the 19th century. As noted above, there were some 700 hospitals in the Middle Ages meaning this is not a rare site-type, although the location of this example on a major pilgrim route would add to its interest.
- 3.20 The site will be on the Kent HER, and at best is assessed as having 'local list' quality.
- 3.21 The label of the 'Site of St. Thomas Hospital?' on page 9 of the Appraisal needs to be updated. There is no evidence to suggest a hospital in this location.
- 3.22 *St Thomas Becket's Spring*. The area has a long history of settlement related to the presence of the water source - the spring and associated stream - which runs through the area along its western boundary and feeds the mill pool. The built heritage now present in the area is focussed at its northern edge and comprises the earthworks of Tonge Castle as well as 19th century examples of Kentish vernacular industrial architecture. Most prominent, and with a landmark quality, is the grade II listed Tonge Mill, a 19th century steam mill on the site of an earlier water mill.
- 3.23 To the south, the CA boundary extends to include the line of the stream and the spring known as Thomas a Becket's Spring. The spring is likely to have been the water source for the hospital of St. James, 'Pokeleshal,' in the parish of Tonge, the supposed site of which, to the south of the spring head, is likely to be under the modern housing now fronting the A2. While a natural feature, this has been an important water source since at least the late 11th century and is only of local interest.
- 3.24 *The 'Country Park.'* The Appraisal considers the character and value of the area known as the 'Country Park on page 26 to page 27.

- 3.25 Firstly, the definition of this area as a Country Park is misleading and is a reflection only of the former use of the area as a recreational amenity area. This area has not been landscaped or planned in a way that would suggest it is of historic or architectural significance as a 'country park.'
- 3.26 Further, the land does not have particular historic or architectural significance. The present configuration of the land to the south of the mill pond dates from following the Second World War, when the orchard landscape started to be cleared to the south of the mill pond.
- 3.27 This needs to be corrected on Map 5 on page 18 as discussed.
- 3.28 There are not clear views of the significant mill group to the north of the millpond, views are restricted from this area looking north by the tree bunding and orchard layout.
- 3.29 The land remains privately owned and the only 'secure' access is the public right of way which leads from the mill along the southern side of the mill pond and exits the Conservation Area through a traditional style orchard.
- 3.30 The Appraisal states that '*Nonetheless this land remains a locally valued and much used asset,*' but this is not an accurate statement.
- 3.31 The area is of course a pleasant area with rural associations but it does not retain historic significance as the title of 'Country Park' would suggest.
- 3.32 In conclusion, this area does not comprise an area of formal parkland as the name would suggest, but is an area of leftover orchard plantations. There are no man made features which would denote a landscape of particular value. The country park title reflects the Council's reference to an area with former recreational value, as opposed historic or architectural significance. The label should be removed.

The Council's overall assessment of significance of the CA

- 3.33 The Appraisal sets out a summary of the main facets of significance which lend the area its special character and we comment with our own assessment under each.

- *Surviving earthworks of Tonge Castle, and fortified manor – the earthwork and its environs have high potential for Medieval and Post Medieval archaeology.*

Later, on page 25 of the Appraisal it is stated that the former Tonge Castle '*... consists of a very degraded and altered motte and bailey and later fortified manor. The site is now occupied by a bungalow built c1970s replacing 19th century cottages. The whole of the castle site is now a garden and tree planting now screen its ditch and banks on the northern side.*'

The area is evidently hugely degraded and should not be ascribed significance. We urge the Council to review our own assessment of the earthwork. This element of the statement of significance should be revised to reflect this.

- *Archaeological potential for prehistoric and Roman activity in the landscape and perhaps focused on the spring.*

This is an assertion. The Council need to explain what it meant by 'perhaps.' Extensive archaeological evaluation work would be needed to corroborate this claim.

- *The spring and stream have paleo-environmental potential.*

Again, this may be correct but the Appraisal needs to identify specifically where this potential lies and explain what the implications of that are. Archaeological interest is not a reason for CA designation.

- *Association with legend of Vortigern, Hengist and Horsa.*

The Appraisal confirms on page 13 that the story of Hengist and Vortigern has no archaeological evidence to support it.

The Appraisal goes on to say that *'It is however likely that there was some form of fortified settlement at Tonge from the 7th century onward. Due to its strategic position on coastal lands and the ready supply of water from the springs at Bapchild.'*

This is simple assertion and should be substantiated with evidence. Significance to the area should not be attributed on this basis.

- *Association between the spring, the cult of Thomas Becket and grounds of former leper hospital.*

The Appraisal has limited information on the provenance and interest of the location of a hospice in this area. It is stated on page 17 that *'A Mediaeval leper hospital was developed alongside the stream, and it is possible that the stream become a popular stopping point for pilgrims on their way to Canterbury.'* [our emphasis].

This is conjecture. The association with the pilgrimage activity needs to be substantiated before significance is attributed to this.

The map on page 9 is in error. The label showing the location of the hospital is not correct and needs to be accurate.

- *The historic mills include rare and attractive examples of Kentish vernacular industrial architecture and history.*
- *History of milling dating from 1086 to the 20th century utilising wind, water, and steam power.*
- *The stream and millpond and their relationship to the castle and mills.*

We agree with these statements.

- *Area of informal recreation and varied natural habitat to the south of the millpond*

This is a more accurate description of the area labelled as the Country Park and that label should therefore be removed.

Our Assessment of the 'Key Views' Identified in the CA Appraisal

3.34 The Appraisal identifies a series of views in the document. It is not clear on what basis these have been identified and what it is the Council considers they add to an understanding of the special interest of the area. We provide comments on the views as relevant.

- **View 1a** *Local view from outside of Conservation Area at Scraps Hill towards the mill.*
- **View 1b** *View eastward across area of historic grazing up to Scraps Hill from adjacent to the Old Mill. The railway embankment is screened by the trees on the left hand side of the picture.*
- **View 1c** *View from just north of the junction of Scraps Hill and Church Road looking northwest*

3.35 We do not see what these add to the understanding of the character and appearance of the CA.

3.36 The contribution made by the surrounding fields as seen from the core of the interest of the CA, and views to the surrounding landscape, are limited by the rise of the landform to the north east and the vegetated boundary of the railway embankment which forms the CA's northern boundary.

3.37 To the south and east, the visitor has no sense of the qualities which give this area its special architectural and historic interest warranting its designation; views from The Street and Hempstead Lane are prevented by modern housing and dense hedgerows respectively. From the west, while views towards the CA are obtained from the public footpath towards

the stream and spring, there is no visual indication that the watercourse is of any historic interest or has value beyond its quality as a natural feature.

View 3a – *Southwards from edge of meadow towards Spring Head and Watling Street*

- 3.38 This is not an accurate description of this view and is not of particular amenity or heritage value. It is in fact quite an enclosed view across the heath, bounded by the low hedge tree line. Suburban housing can be seen to the left and a hedge to the right.

View 5a – *180 degree view northwards towards chimney from outside of the Conservation Area where public right of way exits the settlements on the north side of Watling Street. From here you can appreciate the relationship of the spring, stream, and mill.*

- 3.39 It is not possible to see the significant relationship between the historic mill buildings and the waterways and should be reworded to reflect this.

View 6a – *180 degree westwards over stream out of Conservation Area [towards future countryside gap].*

View 6b – *View from Public Right of way to the west of the Conservation Area looking east across stream and up the eastern side of the valley.*

- 3.40 We do not see that these view adds to an understanding of the historic significance of the Conservation Area. These views are long distance views with no particular features which make a material contribution. The scraped farmland detracts from the amenity quality of the view in view 6b.

- 3.41 Overall we are of the view that the key views identified in the Appraisal do not add to an understanding of the intrinsic interest of the area.

Overall Summary of Significance and Contribution Made By Setting

- 3.42 The Appraisal sets out at Section 2.4, an overview of the significance of the Conservation Area, concluding that: *'The area's long standing history, the spring head, stream, unspoilt rural land to the east and the grouping of Kentish buildings in a picturesque situation alongside an attractive mill pond, together results in an area of special architectural, archaeological, and historic interest'* [our emphasis].

- 3.43 The historic map progression and our analysis shows that the land to the east is not 'unspoilt' as stated in the Appraisal; it has clearly changed in use overtime. This language needs to be updated to reflect that.

- 3.44 The Tonge CA is unusual in its form and character. It comprises a number of disparate elements set within a small recreational area whose form, particularly to the east, follows land boundaries largely established in the later 20th century.

- 3.45 It is clear from historic maps and the history of the area that the evolution of the CA's landscape and its landscape setting has undergone significant change, both in terms of its boundaries and its use.

- 3.46 In relation to the land to the west of the CA the Appraisal states:

'The land on the western side is now in arable use and virtually devoid of features such as hedgerows and trees; the absence of these features has undoubtedly spoilt the intimacy of the valley.[Note this will soon become a countryside gap as part of the new development to the west with the potential to greatly enhance the appearance of this area.]'

- 3.47 We would agree with this assessment; the land to the west of the CA is not of particular landscape or historic importance and adds little to the intrinsic core value of the group of historic buildings and their relationship with the waterways.

- 3.48 We note that the 'countryside gap' referenced by the Appraisal is not a historic feature and will be created by the new development.
- 3.49 Similarly with regards to views looking across the land to the west of the Conservation Area:
- 'The eastern boundary of the Conservation Area is screened by mature trees and the sunken road at the top end of Church Road, meaning there are no views of the Conservation Area looking due east from the area of Scraps Hill. The railway embankment, aligned east-west along the northern edge of Tonge, is an important feature in the local landscape, especially where the banks are covered with tree growth. This embankment has, in effect, severed Tonge visually from the wide sweep of low lying land to the north including the marshes so that it now forms a well-defined northern edge to the Conservation Area.'*
- 3.50 We agree that there are limited views of historic or amenity value across the land forming the setting of the CA to the west.
- 3.51 We welcome the Council's recognition that modern infrastructure can be incorporated sensitively within the setting of the Conservation Area.
- 3.52 Overall it is clear that the historic evolution of the CA's landscape and its landscape setting has undergone significant change, both in terms of its boundaries and its use. The historic map regression suggests the land to the north east of Bapchild to have been characterised by enclosed open-strip fields, which had been removed by the time of the 1872 OS. The 19th century saw the rapid expansion of orchards on a commercial scale, which extended to meet the banks of the both the mill pond and the stream.
- 3.53 The present configuration of the land to the south of the mill pond - known as the country park - dates from following the Second World War, when the orchard landscape started to be cleared to the south of the mill pond. Thus, the boundary of the CA, while it undoubtedly encompasses features of historic and architectural interest, also includes areas of landscape - the 'country park' - whose form and character is of recent derivation.
- 3.54 The inclusion of these areas, it is assumed, relates to their recreational rather than historic value.

4.0 INAPPROPRIATE USE OF STATUTORY DESIGNATION

- 4.1 The latter sections of the draft appraisal, Section 3.4 Management Objectives and Approach and Section 3.5. Conservation Area Objectives and Priorities for Management and Action, set out recommendations for protection and enhancement of the Conservation Area.
- 4.2 Section 3.4 states in relation to 'New Development Opportunities' that: *'Any new buildings or renewal of existing sites need to consider the management priorities set out below. Development within the settings of the Conservation Area should conserve the historic grain of the mill and avoid the infilling of the remaining rural countryside setting to the east and south of the Conservation Area.'*
- 4.3 The objectives include the following statements which require further explanation to fully demonstrate the meaning and implications of these recommendations.
5. *Protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.*
 6. *Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area*
- 4.4 The Council has not described on what basis the landscape around the CA possesses 'heritage' interest. This needs to be explained in the evidence base with clear grounds for genuine architectural or historic interest.
- 4.5 Given we have been able to discredit the claims in the report that the fields to the west of the existing boundary does not make a special contribution to the interest of the CA, the land management techniques to ensure the farmland functions as it should, need to be allowed to continue unhindered by the CA designation. It is concerning the effect the CA designation may have on the ability to continue necessary land management practices given the designation is based on unsound evidence.
- 4.6 The Council has not identified what these non-designated heritage assets are within the Conservation Area. We politely request these are made available as part of the evidence base.

5.0 CONCLUSIONS

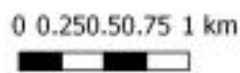
- 5.1 This report has been produced on behalf of Quinn Estates in reply to the proposed adoption of the Tonge Conservation Area Appraisal.
- 5.2 This report presents a reasoned rebuttal to the statement of significance and recommendations for management as they are set out in that document, based upon the inappropriate use of the Council's powers under Section 69 of the Act.
- 5.3 The draft appraisal (2020) completed in support of the Conservation Area extension does not provide any justification for the designation and assessment of significance as it is presented now and needs to be updated and re -consulted on before any decisions are made with regards to the designation extension and the contribution the surrounding land makes to the special interest of the area.
- 5.4 We submit this strong objection to the proposed Appraisal for the reasons presented above and request the Council review and correct the statement for re-consultation. We also reserve the right to comment further following the Council's response to this representation.

APPENDIX 1.0




Map indicating the areas considered in the representation



Map 1: Conservation Area boundary with proposed additions and Listed Buildings

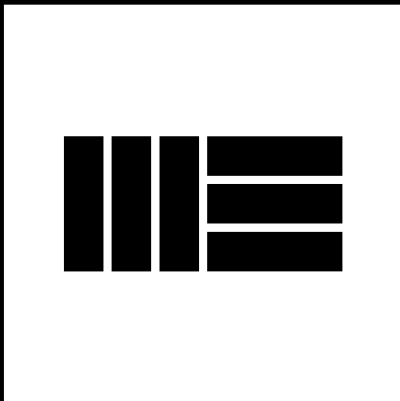


Legend

-  Tonge Conservation Area
-  Proposed boundary extension(s)
-  Listed Buildings

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.

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Good Evening,

We write with reference to the Tonge Conservation Area appraisal and management plan that is currently being evaluated. It was a pleasure to read how much heritage and history that surrounds the area that is known as the Tonge Pond. We had knowledge that the area has historical value but it was insightful to the depth of the history that surrounds the area.

We feel it is a positive move to extend the Tonge Conservation Area and if anything the extension is not big enough and needs to cover a wider area.

Conserving and preserving our history is as important as managing it and enabling the area to move with the times but at the same time not allow any of its features be lost or suffer a detrimental impact because of the need to develop areas for housing or industry.

We need to be mindful of the development that is beginning to encroach the area of Tonge, whilst a green belt area has been promised the sad reality maybe with the way developments are managed this may not be as viable or as green as required to help protect the conservation area of Tonge. The conservation area is going to become a small pocket of space that potentially in the not so distant future will be surrounded by industrial development and with potentially the Northern Relief road running adjacent to the area.

Whilst the historical elements are important to this area, it must also be noted about the flora and fauna of this area. The footpath through the conservation area has been enjoyed by many people who use the area for peace and relaxation. Many times on walks through with our children we have spotted a fox, rabbits, moles and a variety of birds including a pair of Jays. Therefore this area has a greater impact because it does not solely benefit from protection of being a conservation area for heritage, it also provides somewhere for our native wildlife to thrive and for us to enjoy.

Kind regards

████████████████████

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LOCAL PLAN PANEL

MINUTES of the Virtual Meeting Via Skype on Thursday, 18 February 2021 from 7.00 pm - 7.25 pm.

PRESENT: Councillors Mike Baldock (Chairman), Monique Bonney (Vice-Chairman), Alastair Gould, James Hunt, Carole Jackson, Denise Knights, Peter Marchington, Richard Palmer, Eddie Thomas, Ghlin Whelan and Corrie Woodford (Substitute for Councillor Elliott Jayes).

OFFICERS PRESENT: Simon Algar, Philippa Davies, Kellie MacKenzie and Emma Wiggins.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Lloyd Bowen, Roger Clark, Steve Davey, Mark Ellen, Simon Fowle, Tim Gibson, James Hall, Ken Rowles, David Simmons, Bill Tatton and Tony Winckless.

APOLOGIES: Councillors Elliott Jayes and Benjamin Martin.

451 INTRODUCTION

The Chairman explained that the meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392.

The Chairman welcomed all Members, officers and members of the public to the meeting.

452 MINUTES

The Minutes of the following Meetings were taken as read, approved and signed by the Chairman as correct records:

8 October 2020 (Minute Nos. 179 – 183);
Extraordinary Meeting 29 October 2020 (Minute Nos. 220 – 223); and
Extraordinary Meeting 19 January 2021 (Minute Nos. 400 – 403), subject to the inclusion of Councillor Steve Davey as being in attendance.

453 DECLARATIONS OF INTEREST

No interests were declared.

454 PUBLIC CONSULTATION BORDEN PARISH CONSERVATION AREAS

The Conservation and Design Manager introduced the report which proposed boundary changes to three out of the four Borden Parish conservation areas and recommended that they be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. Members were asked to note the representations made by interested parties to the public consultation on the

character appraisals and management strategies documents. Members were also asked to support the proposed changes in response to the consultation, as set-out at Appendix II of the report, and recommend to Cabinet that they be agreed. The Conservation and Design Manager considered that the proposed changes would better reflect the special characteristics of the three conservation areas in question (namely Borden – The Street, Chestnut Street and Harman’s Corner).

The Conservation and Design Manager reported that there were some minor errors including typographical errors in the public consultation version of the conservation areas review document. He confirmed that these would be amended prior to being considered by Cabinet and being adopted. The Conservation and Design Manager further reported that he had been made aware that two of the public consultees had not received consultation letters.

Members were invited to ask questions.

In response to queries from Members, the Conservation and Design Manager confirmed that item 2.1 on page 9 of the report should read “...and in the whole borough by **2030**” not 2020 as stated. The Conservation and Design Manager referred to Appendix II on page 90 of the report, and explained the rationale to extend the Chestnut Street Conservation Area to the northeast to include a group of important historic buildings and include former areas of post-medieval quarrying at the southeast side. He stated that this would be to recognise the contribution the buildings in question made to the special interest of the Chestnut Street Conservation Area. In the case of the areas of former quarrying, to capture this area within the boundary of the conservation area, whilst recognising the important role that the area of land played in providing part of the immediate setting to the group of high-graded listed buildings, at the heart of the conservation area.

The following points were raised:

- Welcomed the report;
- concerned about the lack of response to the consultation; and
- officers needed to investigate why principal landowners had not received consultation letters.

The Chairman moved the following motion: That any consultation responses received prior to Cabinet on 17 March 2021 would be tabled at that meeting. This was seconded by Councillor Richard Palmer. This was agreed by Members.

The Chairman moved the recommendations in the report and these were seconded by Councillor Richard Palmer.

Resolved:

- (1) That any consultation response received from the parties whom did not receive their original consultation letters would be considered, providing any such responses were received prior to the Council’s Cabinet meeting on 17 March 2021. Any responses received from the parties in question to be tabled at that meeting.**

Recommended:

- (1) ***That the content of the public consultation draft of the combined character appraisals and management strategies document produced for the review, and the representations made on this by interested parties, the details of which were set-out in the report be noted.***
- (2) ***That the changes to the review document proposed by officers in response to the representations received during the course of the public consultation be supported and agreed by Cabinet.***

455 PUBLIC CONSULTATION TONGE CONSERVATION AREA

The Conservation and Design Manager introduced the report which set-out proposed boundary changes to Tonge Conservation Area following a review and public consultation and requested that the conservation area should be formally re-designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Members were asked to note the representations made by interested parties to the public consultation on the character appraisals and management strategies documents. In addition, Members were asked to support the proposed changes in response to the consultation, as set-out at Appendix II of the report, and recommend to Cabinet that they be agreed. The Conservation and Design Manager considered that the proposed changes would better reflect the characteristics of the Tonge Conservation Area.

The Conservation and Design Manager reported that there were some minor errors and typographical errors in the public consultation version of the conservation area review document. He confirmed that these would be amended prior to being considered by Cabinet and being adopted.

Members were invited to ask questions.

A visiting Ward Member supported the proposed changes. The Member spoke about the temporary one-way system currently in operation through the village which passed several listed buildings which he considered worked very well. He asked whether it would be possible to include this within the document as a permanent feature? The Conservation and Design Manager said that he was aware that Kent County Council (KCC) Highways and Transportation were in the process of liaising with Tonge Parish Council and Bapchild Parish Council about a possible Traffic Regulation Order (TRO) which might seek to impose a speed and/or weight restriction on Church Road, and that KCC could also be asked to consider securing the referenced temporary one-way system as a permanent feature, but that this was not something that could be included within the Conservation Area document.

The Chairman moved the recommendations in the report and these were seconded by the Vice-Chairman.

Recommended:

- (1) That the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, the details of which are set-out in the report be noted.**
- (2) That the changes to the review document proposed by officers in response to the representations received during the course of the public consultation be supported and agreed by Cabinet.**

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel

Cabinet Meeting	
Meeting Date	17 March 2021
Report Title	Health and Wellbeing Improvement Plan
Cabinet Member	Cllr Angela Harrison, Cabinet Member for Health and Wellbeing
SMT Lead	Emma Wiggins, Director Regeneration
Head of Service	Charlotte Hudson, Head of Housing, Economy and Community Services
Lead Officer	Stephanie Curtis, Economy and Community Services Manager
Key Decision	No
Classification	Open
Recommendations	1. For Cabinet to approve the Health and Wellbeing Improvement Plan

1 Purpose of Report and Executive Summary

- 1.1 This report provides an overview of the Health and Wellbeing Improvement Plan and a summary of the recent consultation process.

2 Background

- 2.1 Following the creation of the Health and Wellbeing Officer role it was agreed that a Health and Wellbeing Improvement Plan was required to outline our priorities and to detail specific commitments that we as a council could make to improve the health of the borough.
- 2.2 Research and informal consultation with key partners/stakeholders was undertaken to gather information about the health inequalities across the borough and the current service provision. This information was then used to inform the draft Health and Wellbeing Improvement Plan.
- 2.3 A consultation period for partners and the public has run from December 20 until mid-February 21. A summary of this consultation is discussed in section 5 and Appendix 2.

3 Proposals

- 3.1 For Cabinet to approve the Health and Wellbeing Improvement Plan (Appendix 1)

4 Alternative Options

- 4.1 To not approve the Health and Wellbeing Improvement Plan: This option is not recommended. Without a joined-up approach that is documented within this plan with partners and internal departments, it would be difficult to effectively address health and wellbeing priorities across the borough.

5 Consultation Undertaken or Proposed

- 5.1 Informal consultation had taken place with key partners and internal officers in the development of the draft Plan. It was therefore not anticipated for a large amount of feedback from a consultation period, however we wanted to ensure that the public too had a chance to comment.
- 5.2 A formal consultation period with partners and the public ran from mid-December until Mid-February. This was promoted through the media and directly to key partners. An online survey and email address were used to capture feedback. As expected, there was a limited response to the consultation despite a number of reminders being circulated. 21 responses were received in total.
- 5.3 Appendix 2 summaries the feedback from this consultation period. Of those that replied, the majority were in agreement that the priorities and proposed actions within the plan were the correct ones. From the specific comments made, many relate to the need to work well in partnership to deliver this plan, which is already stressed within the document; as well as other key factors that have already been considered.
- 5.4 Following the consultation, no changes have been recommended within the Health and Wellbeing Improvement Plan.

6 Implications

Issue	Implications
Corporate Plan	The Health and Wellbeing Improvement Plan delivers against corporate priority 3.2 - Reduce health inequality by developing more productive relationships with local health partners and making health and wellbeing a central consideration in all relevant council decision-making, recognising especially the link between housing and health.
Financial, Resource and Property	The Health and Wellbeing Improvement Plan seeks to maximise potential within existing workstreams and from partnership agencies. The actions rely on existing resources and do not call for any additional resources.
Legal, Statutory and Procurement	No Legal, Statutory and Procurement implications identified at this stage.

Crime and Disorder	None identified at this stage
Environment and Sustainability	The Health and Wellbeing Improvement Plan would have positive implications in the area of Environment and Sustainability as it incorporates the areas of air quality and active travel.
Health and Wellbeing	The adoption of the Health and Wellbeing Improvement Plan seeks to have positive implications as it seeks to address several areas of health inequality across the borough.
Risk Management and Health and Safety	No Risk Management and Health and Safety implications identified at this stage.
Equality and Diversity	Within the consultation responses, 62% agreed that there were no potential unintended negative consequences to individuals/groups with protected characteristics from implementing the plan. For those that felt there were negative consequences, their individual responses were reviewed (8) and for those that provided commentary within their answer, all concerns are already addressed within the plan.
Privacy and Data Protection	No Privacy and Data Protection implications identified at this stage.

7 Appendices

Appendix 1: Health and Wellbeing Improvement Plan (see separate PDF file)

Appendix 2: Summary of consultation responses

8 Background Papers

There are no background papers.

Appendix 2: Health and wellbeing improvement plan - Summary of Consultation Response

21 online questionnaires completed in consultation period

Overall responses to questions:

- 80% agreed that the priorities within this plan were relevant;
- 67% agreed that the proposed actions would help to tackle health inequalities
- 68% agreed that the plan took into account current challenges
- 85% agreed that the plan provided a basis for partnership working in Swale
- 62% agreed that there were no potential unintended negative consequences to individuals/groups with protected characteristics from implementing the plan.

Summary of specific comments made:

- I don't think Health inequalities hold the prominence within the document that they should. For example early years education is pivotal to good health and wellbeing. Reports by Michael Marmot And their suggestions should be central to this plan.
- Universal credit and the issues it causes plus zero hours contracts and the working poor need more prominence
- The plan should have been co-produced with partners to ensure it makes a real difference
- More community involvement - bring the local charities, groups, agencies in to help - they know their beneficiaries. Their place in the community will help you reach those in need (or potentially in need). Partnerships will work wonders.
- It mentions it but needs more in-depth collaboration between officers/councillors and local providers. Use one or two partnerships in each of the three areas for a year and set a few challenges/targets. Show this can work and then move forward confidently
- I hope this will come to fruition - a concerted local effort is required - there is a lot of work to be done, but much has been achieved already, so please complement this work
- Providing everyone works in partnership effectively and have buy in from partners then yes. Suggest a taskforce set up with key partners to ensure everyone is working towards this and on track with relevant actions for each workstream.
- How will this be taken forward? Will partners be invited to workstream workshops to get the ball rolling with all of this work? Think this is really positive and very keen for our services to be involved.
- In context of other challenges not considered - age discrimination and adapting to climate change
- These have been priorities for 15 years with no significant change

- There needs to be more emphasis on the provision of adequate health care before the construction of more homes. Also all new large housing developments should have mandatory cycle lanes and be carbon neutral, The building on green field land adjacent to the towns does not help on clean air and removes space for people to enough fresh air and walks.
- There needs to be more secondary schools on the Isle of Sheppey and the new one in the West of Sittingbourne to reduce the amount of car/buses moving children across the borough. Where possible every child should be allocated to a school that they can walk to.
- Yes but I wonder if there could be more reflection on the current pandemic? The plan briefly considers that certain health inequalities may lead to greater mortality from COVID-19 but it doesn't appear to consider any emerging evidence on the impact that the pandemic and conditions it creates may be having on individuals e.g. impact on mental health, loneliness, Adverse, Childhood Experiences. The pandemic has also created challenges to delivering services, which have had to be delivered in different ways e.g. Seashells Virtual Children's Centre, Health Visitor prioritisation of face to face contacts, new distribution channels for food banks. How do we encourage positive behaviours and support access to services when people are frightened, struggling mentally or self-isolating while keeping services COVID secure and staff safe? Collaboration and partnership working are also happening differently at the moment. Does this create barriers to contributing towards planning and policy or championing priority areas for example or does it create new opportunities to do things differently?
- Swale residents are so unhealthy. I think they need educating when it comes to healthy eating and exercise. The community chef is something which I believe needs to be rolled out a lot more throughout the Borough. Encourage children to get involved. Teach young parents how to cook. Encourage health food shops/restaurants to be developed in the town. There used to be a Vegan cafe, which was a wonderful community space too. Also during lockdown we have really appreciated Swales green spaces. We would be devastated if developers were to build on this land, especially around Borden. Please save our green spaces!
Creating and protecting the places and spaces that make it easier for people to be active, is one of the most important ways of helping people to build activity into their everyday life and therefore improve their health and wellbeing.. Sport England have produced guidance called Active Design which helps developers, planners, local authorities ensure their existing and new built development facilitates activity. The contract for the leisure operators needs to include reference to providing affordable activities for those who are inactive.
- The priorities are relevant but Swale has always been the poor relation in medical terms. Seeing the support that Medway residents get with their council I have seen first hand that KCC treat Swale residents in a very poor way. Swale do not appear to have programmes to reach the "hard to reach groups". Youth clubs are needed that link with local groups and communities so that youngsters can see that community is a positive thing
- If these plans are funded and have the physical person power. Those that NEED the support, input etc are the ones that miss out. This is because they are unable to access, be it transport, health etc or even working all hours to make ends meet and unable to commit to 9 til 5hours.

- I think more needs to be understood on how to engage with the people who really need the engagement, support etc.
- If poverty isn't fully acknowledged, then everything else falls short. For example, mentioning Foodbanks isn't enough. If the rate of unemployment rises it could limit the income for Foodbanks. They can also only provide limited foodstuffs as I understand some people using them don't have access to the means to cook. Another way would be for the Council to open a 'shop' where people could buy and pay for healthy food at a much reduced rate as is being done in other areas - research would be needed in how they do this.
- Access to transport is a huge problem for many people, with fewer buses and rises in fares. Access to GPs is also limited as we have so few GPs here. Teenagers need youth leaders and youth clubs. Access to mental health services is very limited, so ways of teaching mental health self-care in schools and colleges is needed.
- Even though provision of health and public health services are outside the remit of the Council, it would be good to see SBC actively supporting groups such as SONIK (Save our NHS in Kent) and other groups fighting against privatisation of the health services - in other words, the Council being seen visibly to champion an NHS that is publicly run and publicly accountable.
- Are strategies planned for transport links, for those without a car and to help avoid people using their car, to work towards a cleaner environment and to ensure access to hospitals, doctors, dentists and other health professionals, as well as parks and leisure centres? Is there scope for small-scale bicycle hire along the lines of those in London where you can pick up a bike on the street in one place and return it to another place?
- There is acknowledgement of loneliness and isolation, so a joined-up strategy to tackle this would be good - perhaps bringing all the local agencies together as a coalition working to destigmatise loneliness and make services better known.
- Should there be greater emphasis on dental health, perhaps a problem that links with obesity?
- Is there scope for community work in supplying allotments, encouraging people to grow their own food, to share home-grown produce and cook together? There could be scope here for teaching about nutrition, healthy eating and cookery skills in a fun and community-centred way.
- The proposed actions will go towards addressing health inequalities, however there are gaps on working with partners and it does not address the issue of a lack of healthcare services across the borough. It is silent on the lack of GPs per population count and this is fundamental to Building Healthier Communities and future housing planning.



Foreword

90% of the health and wellbeing needs of residents cannot be met by the NHS.

My vision for Health and Wellbeing in Swale is where residents

1. Have enough to eat;
2. Have a decent home to live in;
3. Are helped to achieve healthy lifestyles;
4. Have a clean and safe environment in which to live and work;
5. Are helped to access employment;
6. Have a job with a living wage;
7. Have access to training and education.

Whilst I am working with Cabinet colleagues whose portfolios cover the majority of the above, there are also areas where we can work with health partners on areas that we consider can have the biggest impact on the health and wellbeing of our residents. This is a working document, which will evolve, but you have to start somewhere. Your views are welcome.

Councillor Angela Harrison, Cabinet Member for Health and Wellbeing, Swale Borough Council



Swale's Health and Wellbeing Improvement Plan 2020-2023

Swale is a diverse borough made up of towns and villages set in downland, farm and coast. There are approximately 150,082 people primarily living in its three main towns, Sittingbourne, Faversham and Sheerness. There are significant social, economic and environmental disparities across the borough, notably concentrations of deprivation on Sheppey and in Sittingbourne, particularly in the areas of health and wider determinants including income, benefits, employment and skills. Some of these are among the worst 10% in England (See Appendix 1).

As a District Council Swale Borough Council are not formally responsible for public health as detailed in the Health and Social Care Act 2012. This statutory duty lies with Kent County Council who are formally responsible for helping to improve the general health of everyone living in Kent. However, we as a District Council recognise that we do have a role to play in helping to improve the health and wellbeing of our residents.

Prior to the challenges caused by the COVID-19 epidemic the council were already making focused and coordinated efforts to address health inequalities within the borough. Achieving healthier communities is at the heart of our Local Plan and policy CP5 contained therein outlines how the council working in conjunction with relevant organisations, communities and developers, will promote, protect and work to improve the health of Swale's population, and reduce health inequalities. In addition to this the recruitment of a dedicated Health and Wellbeing Officer further speaks to the council's commitment to improving Health and Wellbeing throughout the borough.

The following Health and Wellbeing Improvement Plan has been developed based on a range of primary and secondary research as well as consultation with cross council departments and wider stakeholders from across the borough. Priorities are set out under four broad headings; Building healthier communities; Supporting healthier lifestyles; Developing partnerships and Communications strategies. Although this document has been written to cover a three year period it will be under constant review and changes will be made in accordance with priorities set by Public Health, our NHS partners and any changing needs within our communities across the borough.

Health and Wellbeing Improvement

The health of people in Swale is mixed when compared with the average for England. In 2018 the Public Health England publication Swale Health Profile revealed levels of health/deprivation that were significantly worse than the England average in the following areas: children in poverty; long term unemployment; smoking status at time of delivery; breastfeeding initiation; under 18 conceptions; and smoking prevalence in adults. The percentage of adults classified as overweight or obese also remained higher than the average within England, as did the percentage of year 6 children falling into the obese or severely obese category.

There were significant health inequalities depending on where people lived within the Borough. The life expectancy for those living in the 20% most deprived areas of Swale (west and east Sheppey, Murston, Milton Regis, Kemsley and Davington Priory) being around nine years lower for men, and approximately four years lower for women, than for those living in the least deprived areas.

Data from the NHS Integrated Care Partnership also shows that air pollution; hypertension prevalence; diabetes prevalence; unplanned hospitalisation for ambulatory care sensitive conditions; depression prevalence; suicide; and cancer survival rates are all issues that also affect those living in Swale.

The COVID-19 pandemic has further highlighted the need for us to take immediate action to address those areas of our lifestyles that may leave us more vulnerable were we to contract the virus. Studies around COVID-19 and associated risk factors have shown that individuals who smoke, who are overweight or obese and those living with type 2 diabetes are at increased risk of developing severe symptoms of COVID-19 and are more likely to die as a result of the virus.

The improvement plan has been structured into four workstreams which address the health inequalities whilst also aligning with wider council priorities.

The workstreams have emerged from the following four overarching health inequalities that were identified as a part of the research and consultation:

1. Family health
2. Healthy lifestyles
3. Mental health/ Dementia
4. Wider determinants of health



Further information in relation to each inequality can be found in Appendix 2.

Health and Wellbeing Improvement Framework

The table below provides an overview of the workstreams and the headline actions. This must be read in conjunction with the specific deliverables which have been informed by research and are detailed across the following pages.

Overarching Health and Wellbeing Inequalities			
Health and Wellbeing Improvement			
Workstream 1	Workstream 2	Workstream 3	Workstream 4
Building Healthier Communities	Supporting Healthy Lifestyles	Developing Partnerships	Communication Strategy
<ul style="list-style-type: none"> ➤ Contribute towards planning applications ➤ Contribute to the revised local plan ➤ Review internal policy ➤ Strive to embed health in all relevant workstreams ➤ Champion the health and wellbeing agenda ➤ Support the implementation of the Economic Improvement Plan (See EIP) ➤ Support the implementation of the Visitor Economy Framework (See VEF) 	<ul style="list-style-type: none"> ➤ Maximise upon potential to use our outdoor spaces to promote health ➤ Review existing health initiatives operating within Swale ➤ Champion priority areas of health ➤ Explore opportunities to work in partnership with our leisure providers ➤ Promote and Develop lifestyle change initiatives ➤ Support and Develop projects targeting areas of health inequality ➤ Evaluating health and wellbeing work ➤ Directory of resources ➤ Health and wellbeing funding 	<ul style="list-style-type: none"> ➤ Develop positive working relationships with health sector partners ➤ Develop positive working relationships with our leisure providers, voluntary & community sector partners ➤ Maintain positive working relationships with health sector partners ➤ Maintain positive working relationships with voluntary & community sector partners ➤ Community engagement ➤ Projects 	<ul style="list-style-type: none"> ➤ Communicate health messages/ projects to community and partners ➤ Communicate key dates ➤ Deliver a multi-agency communications plan ➤ Strive to embed health messages into all work that we do as a council ➤ Explore all opportunities for the council to promote areas that we champion

	<ul style="list-style-type: none"> ➤ Add value to existing/ new projects which link to health and wellbeing ➤ Smoke-free agenda ➤ Obesity ➤ Mental health/ Dementia 		
Measuring Results			
Resources			

Measuring and Reporting

These actions have been developed to be specific, measurable and achievable with realistic timelines. The suggested timescales we have used are:

- Short term- up to 1 year
- Medium term- 2-3 years

Establishing clear metric by which to measure health improvement is vital. District level data is available via the Public Health England, the Public Health Observatory and our NHS partners.

In addition this district level data can be aligned to other performance indicators such as digital reach, engagement and subscribers. Other indicators of success could include growth in engaged partners for Healthy and Active in Swale.

Resource and Funding

The health and wellbeing improvement plan is based on a partnership delivery structure. As many of the actions align with wider council priorities and initiatives, any resources or funding required from within the council may be allocated according to the priority function. Responsibility for actions also sits with other public sector organisations e.g. the NHS and KCC Public Health.

Workstream 1: Building Healthier Communities

Whilst as a District Council we are not formally responsible for public health as detailed in the Health and Social Care Act 2012 we do have a role to play in addressing the health of our communities. Our health is determined by multiple factors other than health care. As a district council we have a distinct, local role in service provision, economic development, planning, helping to shape and support our communities and influencing other bodies. These are all key areas that are increasingly recognised as vital components of a true population health system.

Health is already intertwined throughout our local plan and is high on the councils list of priorities. The council seek to build a strong, competitive economy; promote sustainable transport; deliver a wide choice of high quality homes; conserve and enhance the natural and historic environment; and promote healthy communities. They have acknowledged the climate emergency and have a goal for the Borough to be net-zero carbon emissions by 2030. Consequently, there will be more focus on infrastructure that supports this. Through the planning process, initiatives such as the emerging walking and cycling strategy and initiatives to help meet emerging sustainable infrastructure needs, such as electric vehicle charging points. Embracing this approach will ultimately improve the health of our communities as several facets of the wider determinants of health are improved upon.

Deliverable	Health Inequality	Delivery Timescale	Delivery Partners	Location
<p>Contribute towards planning applications</p> <p>Develop process to assess planning applications to ensure that all Health and Wellbeing implications are considered.</p> <p>Where appropriate make suggestions for improvements/ alterations to planning applications.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wide Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Planning Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Contribute to the revised local plan</p> <p>Work with Planning Policy to review the local plan to ensure that health goals are incorporated into the plan</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wide Determinants</p>	<p>Short Term</p>	<p>H&W Officer/ Planning Policy Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

Develop clear understanding of NHS infrastructure delivery ask and explore opportunities through the local plan to review the community infrastructure levy regulations.				
<p>Review internal policy.</p> <p>Review internal policies where health and wellbeing is a factor ensuring that health and wellbeing is advocated.</p> <p>Where appropriate suggest amendments to or creation of policy.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wide Determinants</p>	Short Term	H&W Officer/ Policy & Performance	Faversham, Isle of Sheppey, Sittingbourne
<p>Strive to embed health in all relevant workstreams</p> <p>Gain an oversight of all existing work/ projects relating to health and wellbeing including but not limited to: Sustainable transport, active travel, air quality and fuel poverty work.</p> <p>Develop understanding of work already being carried out internally and review whether there is a role for the health and wellbeing officer to be involved in this work.</p> <p>Communicate projects to health partners to raise awareness of work being undertaken by SBC.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wide Determinants</p>	Short Term	<p>H&W Officer/ Other relevant departments.</p> <p>H&W Officer/ Comms</p>	Faversham, Isle of Sheppey, Sittingbourne
<p>Champion Health and Wellbeing Agenda</p> <p>Champion the health and wellbeing agenda within the Council and review existing mechanisms to ensure that health and wellbeing implications are fully considered in Swale's decision making.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wide Determinants</p>	Short to Medium Term	H&W Officer/ Other relevant SBC depts	Faversham, Isle of Sheppey, Sittingbourne

<p>Work with other departments internally. Explore opportunities to recruit 'health champions' within each department with a view to establishing collaborative -working agreements.</p>				
<p>Support the implementation of the Economic Improvement Plan (See EIP)</p> <p>Work with Economic Improvement Team to better understand the support the health and wellbeing officer- can lend to the implementation of the EIP. Where actions are identified add them to this plan.</p> <p>Support the 'Improving Skills' Priority- Work with Economic Development team and partner agencies to better understand the wider picture. We already know there are links between employment and health. Over the coming months as unemployment rises we will need to monitor the profile within Swale and work with other agencies to address this from both a health and upskilling perspective.</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Economic Development Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Support the implementation of the Visitor Economy Framework (See VEF)</p> <p>Work with Visitor Economy Team to better understand the support the Health and Wellbeing Officer can lend to the implementation of the VEF. Where actions are identified add them to this plan</p> <p>Contribute towards the development of Active Swale and support residents and partners to use the platform to promote</p>	<p>Family Health Healthy Lifestyles Mental Health Wide Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer / Community Services Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

<p>health and wellbeing e.g. through blog posts/ good news stories.</p> <p>Continue to develop Healthy and Active in Swale pages, YouTube, Twitter and Facebook using these platforms to communicate key health messages to residents and to promote the work of partners.</p> <p>Continue to explore collaborative working opportunities with members of the community services team. Continue to support the work of Food Bank working group.</p> <p>Work in collaboration with Community Engagement and Social Inclusion officer to develop and deliver community engagement project.</p>				
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Workstream 2: Supporting Healthy Lifestyles

As a Local Authority we are in a position to encourage healthier lifestyles throughout our communities via several routes. Be that as a direct result of building healthier communities; By promoting and encouraging the use of our leisure provision and greenspaces; Through initiatives such as the emerging walking and cycling strategy; Through the delivery of key messages to our community via our comms team; Or by supporting the work of partners such as One You to ensure their offer is accessible to those who need to access their service.

Deliverable	Health Inequality	Delivery Timescale	Delivery Partners	Location
<p>Maximise upon potential to use our outdoor spaces to promote health</p> <p>Work with Leisure and Technical services and Comms to consider how we promote our open spaces from a health and wellbeing viewpoint.</p> <p>Support the promotion of our open spaces via our online platform.</p> <p>Use outdoor spaces to deliver targeted health promotion (e.g. relaunching smoke-free play areas with clear branding)</p>	<p>Family Health Healthy Lifestyles Mental Health Wide Determinants</p>	<p>Short Term</p>	<p>H&W Officer/ Leisure and Technical services/ Comms</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Review existing health initiatives operating within Swale</p> <p>Review existing health initiatives operating within Swale and establish where added value can be made and duplication avoided within the borough.</p> <p>Strive to promote the work of health partners e.g. One You, Kent Sport through comms.</p>	<p>Family Health Healthy Lifestyles Mental Health Wide Determinants</p>	<p>Short to Medium Term</p>	<p>H& W Officer/ Comms</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Maximise upon opportunities for Swale Borough Council to champion priority areas of health</p>	<p>Family Health Healthy Lifestyles Mental Health</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Comms/ All SBC staff</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

<p>Explore all opportunities for the council to be involved in championing key areas of health. Including but not limited to:</p> <p>Dementia- The council will become Dementia friends, will make it a mandatory requirement for all staff to undertake dementia training and will make Swale House a dementia friendly environment.</p> <p>Breastfeeding- promote breastfeeding friendly initiative across SBC and partner sites.</p> <p>Where appropriate consider physical adaptations that can be made to our buildings to support areas that we champion. For example. Opportunities to make Swale House dementia friendly; Ensuring Swale House is breastfeeding friendly.</p>				
<p>Explore opportunities to work in partnership with our leisure providers</p> <p>Explore community focused opportunities with our leisure providers such as discounted off peak memberships or discounted taster memberships for those undertaking the 12 week OneYou weight loss programme.</p> <p>Work with our comms team and Sport and Physical Activity Officer to communicate this offer and good news stories arising from it to residents.</p>	<p>Family Health Healthy Lifestyles Mental Health</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Leisure and Technical Services/ Comms/ Sport and Physical Activity Officer</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Promote and Develop lifestyle change initiatives.</p>	<p>Family Health Healthy Lifestyles Mental Health</p>	<p>Short to Medium Term</p>	<p>H& W Officer/ Comms / ECS Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

<p>Where partners are running projects work to communicate these to residents.</p> <p>Work with internal depts to ensure most value being delivered out of pre-existing projects (e.g. using skatepark opening to promoting physical activity) Strive to highlight projects supporting the Health and Wellbeing agenda via internal comms.</p> <p>Research new and innovative projects to better target preventative health concerns.</p> <p>Develop and deliver projects where appropriate.</p> <p>Work in partnership with other agencies to deliver projects that promote lifestyle change.</p>				
<p>Support and Develop projects targeting areas of health inequality for those living in the most deprived areas of borough</p> <p>Work with Community Engagement Officer and Fuel Poverty worker to ensure that we understand the health and wellbeing needs of those living in the most deprived areas of the borough.</p> <p>Maintain an overview of the work being done by foodbanks and similar agencies to ensure that we are using these channels to promote health and wellbeing to those that use these services.</p>	<p>Family Health Healthy Lifestyles Mental Health</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Fuel Poverty Worker/ Community Engagement Officer</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

Work in partnership with other agencies on projects that directly address inequalities within the borough. For example the Holiday Hunger programme.				
Evaluating health and wellbeing work Explore ways to monitor the impact of health and wellbeing work led by the Council and contribute to the wider partnership evidence base regarding successful strategies to improve health and reduce health inequalities in Swale.	Family Health Healthy Lifestyles Mental Health Wider Determinants	Short to Medium Term	H&W Officer	Faversham, Isle of Sheppey, Sittingbourne
Directory of resources Support KCC in the creation of a directory resource of health services and interventions available in Swale and ensure these are promoted to stakeholders and residents.	Family Health Healthy Lifestyles Mental Health Wider Determinants	Short Term	H&W Officer	Faversham, Isle of Sheppey, Sittingbourne
Health and wellbeing funding Explore all potential funding opportunities, signposting to existing services (Inside Track, SCEN etc)-and support partners to apply for grants to secure funding for projects in the borough to promote health and wellbeing.	Family Health Healthy Lifestyles Mental Health Wider Determinants	Short to Medium Term	H&W Officer	Faversham, Isle of Sheppey, Sittingbourne
Add value to existing/ new projects which link to health and wellbeing Maintain an overview of projects that relate to the health and wellbeing work stream (e.g. foodbank work, community	Family Health Healthy Lifestyles Mental Health Wider Determinants	Short to Medium Term	H&W Officer	Faversham, Isle of Sheppey, Sittingbourne

<p>engagement project, sports and physical activity projects, air quality work)</p> <p>Where appropriate develop joint working approaches with colleagues to ensure that health and wellbeing potential is maximised.</p>				
<p>Smokefree Agenda</p> <p>Attend and contribute at district sub group and main Tobacco control alliance group.</p> <p>Explore all smoke free environment project opportunities e.g. Smoke free parks relaunch, smoke free school gates, smoke free tenancies</p> <p>Support the work of OneYou. Attend regular meetings with Kent leads.</p>	Family Health Healthy Lifestyles	Short to Medium Term	H&W Officer	Faversham, Isle of Sheppey, Sittingbourne
<p>Obesity agenda</p> <p>Support KCC in the development and delivery of their obesity framework</p> <p>Promote out outdoor spaces and leisure facilities</p> <p>Work with community services team to address inactivity</p> <p>Link with foodbank work to communicate messages around healthy eating</p>	Family Health Healthy Lifestyles	Short to Medium Term	H&W Officer	Faversham, Isle of Sheppey, Sittingbourne

<p>Mental Health/ Dementia</p> <p>Represent the council at mental health action group meetings</p> <p>Work in partnership with colleagues from CSU to support work around domestic violence and mental health</p> <p>Continue to develop partnerships with mental health services</p> <p>Undertake Dementia Champion training with a view to delivering Dementia Friends sessions to SBC employees</p> <p>Mind Over Matter Meditech- Dementia pilot Support the delivery of pilot in Sheppey</p>	<p>Healthy Lifestyles Mental Health</p>	<p>Short to Medium Term</p>	<p>H&W Officer/CSU/ Other relevant SBC depts</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Family Health</p> <p>Support work programmes offered by KCC</p> <p>Support local offer i.e. smaller charitable sector support groups</p> <p>Continue to monitor areas of inequality across the borough and advocate for the borough when discussing service need</p>	<p>Family Health</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Senior Management Team/ Cabinet Members</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

Workstream 3: Developing Partnerships

This plan comes into focus at a time when the NHS is changing locally with the intention for Kent and Medway to become an integrated care system (ICS) by April 2021 with- GP practices working together in primary care networks (PCN's); Four new integrated care partnerships (ICP's) across Kent and Medway drawing together all the NHS organisations in a given area and working more closely with health improvement services and social care; and a single commissioning organisation for Kent and Medway, led by local doctors to take a bird's eye view of health priorities for local people and look at where shared challenges should be tackled together. This meant the merger of the previous eight clinical commissioning groups (CCG's) in April 2020.

Locally two ICP's cover Swale- Medway and Swale ICP covering Sheppey and Sittingbourne and East Kent ICP covering Faversham. Despite the geographical divide these changes within the NHS bring with them fresh opportunities to work in collaboration with our NHS partners to align our priorities and to work in collaboration.

Alongside our NHS partners we also strive to work closely with our partners from public health, businesses, voluntary and charitable organisations.

As a local authority we are in a position whereby we have a wider enabling role through engaging with communities and collaborating with local health partners, social care colleagues, businesses and voluntary and community sector to try and join up approaches to achieve a wider-system, joined up approach to health.

Deliverable	Health Inequality	Delivery Timescale	Delivery Partners	Location
<p>Develop positive working relationships with health sector partners</p> <p>Ensure that SBC is represented and has a voice at various meetings chaired by PH and the NHS.</p> <p>In particular we will commit to the following representations:</p> <p>Chief Executive- Medway & Swale Integrated Care Partnership Board</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Senior Management/ Cabinet Members</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

<p>Cabinet Member- Medway & Swale Local Care Implementation Board Kent and Medway Joint Health and Wellbeing Board Medway & Swale Integrated Care Partnership Non Executive Directors and Lay Members Working Group.</p> <p>Health and Wellbeing Officer- Kent Housing and Health Sub Group Mental Health Action Group Tobacco Control Alliance</p> <p>Share SBC's health and wellbeing plan- Seek feedback to ensure the plan reflects the needs of our community. Ensure that this ties in with the priorities of PH and the NHS and that they have had an opportunity to feed in to this plan.</p> <p>Explore all opportunities for collaboration.</p> <p>Maximise upon training offered by health partners.</p>				
<p>Develop positive working relationships with our leisure providers, voluntary & community sector partners</p> <p>Ensure that SBC is represented and has a voice at key health and wellbeing meetings chaired by our leisure providers, the voluntary and community sector</p> <p>Share SBC's health and wellbeing plan-</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Officers from other SBC depts.</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

<p>Seek feedback to ensure the plan reflects the needs of our community.</p> <p>Ensure that this ties in with the priorities of partner agencies.</p> <p>Explore all opportunities for collaboration.</p>				
<p>Maintain positive working relationships with health sector partners</p> <p>Work in partnership with public health and the NHS i.e. CCG's, ICP and PCN's. Support their priorities to ensure that specific areas of health inequality in Swale are targeted.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Senior Management/ Cabinet Members</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Maintain positive working relationships with leisure providers, voluntary & community sector partners</p> <p>Work in partnership with the voluntary and community sector to ensure that SBC remains an active partner.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Officers from other SBC depts.</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Community Engagement</p> <p>Ensure the Council adopts a community-led approach to health improvement helping to coordinate services & support in communities with disadvantage & health inequalities.</p> <p>Lead on the councils' community engagement in targeted areas regarding the health and wellbeing agenda.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p> <p>Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Projects</p> <p>Provide support to local agencies who are coordinating projects and represent SBC at project meetings.</p>	<p>Family Health</p> <p>Healthy Lifestyles</p> <p>Mental Health</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Partner agencies</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

	Wider Determinants			
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Workstream 4: Communication Strategy

Overarching our previous three priorities is our communication strategy. Communicating both our work and the work of partners internally, to partners and to residents is a vital component in ensuring that our communities remain informed and able to take advantage of opportunities available to them.

There are some challenges when communicating the health offer across the borough due in part to the geographical divide between the three areas with the local offer looking very different in each. To add to this the borough also falls within two ICP boundaries. Our comms approach needs to be sensitive to this whilst focusing on the local offer- promoting the work of smaller community based organisations as well as our NHS partners.

Our communications team have consulted on the HWAP so far and have helped to shape the strategy as it currently stands. Over time this strategy will likely evolve as different projects begin and as partner agencies communicate new information to us.

Deliverable	Health Inequality	Delivery Timescale	Delivery Partners	Location
<p>Communicate health messages/ projects to community and partners</p> <p>Continue to develop Healthy and Active in Swale brand- including pages on Visit Swale Website, YouTube Channel, Facebook and Twitter. Where appropriate use these channels in conjunction with main SBC platforms to promote key messages.</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Community Services Team/ Comms Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Communicate key dates</p> <p>Work with partners to raise awareness of key areas of health. Decide upon clear calendar of health related awareness dates to promote e.g. world mental health day.</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Comms Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

<p>Deliver a multi-agency communications plan</p> <p>Develop and deliver a multi-agency Communications plan to increase residents aware of health and wellbeing interventions available in the borough, utilising the 'One You' Framework and other relevant partnership mechanisms.</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short Term</p>	<p>H&W Officer/ Comms Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Strive to embed health messages into all of the work that we do as a council</p> <p>Work with comms to ensure that clear health messages can be delivered- e.g. by providing them with up to date info and stats that can be included in comms messages</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Comms Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>
<p>Explore all opportunities for the council to promote areas that we champion</p> <p>Work with comms to promote the health areas that we champion via social media and inside swale news stories.</p>	<p>Family Health Healthy Lifestyles Mental Health Wider Determinants</p>	<p>Short to Medium Term</p>	<p>H&W Officer/ Comms Team</p>	<p>Faversham, Isle of Sheppey, Sittingbourne</p>

Appendix 1.

Deprivation Profile

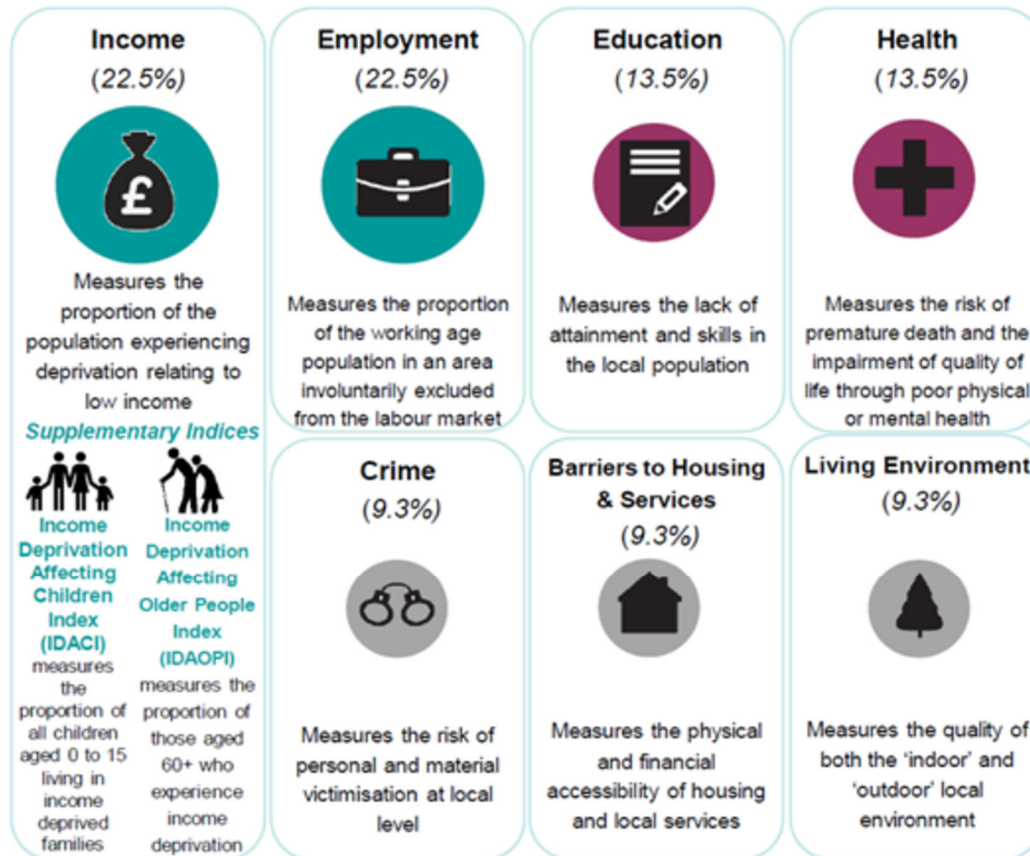
The English indices of deprivation measure relative deprivation in small areas in England called lower-layer super output areas (LSOAs).



The Index of Multiple Deprivation (IMD) is the most widely used of these indices.

They are published every 3-4 years, the previous one being in 2015 and this latest one published on 26 September 2019.

The indices are based on 39 separate indicators, organised into seven distinct domains of deprivation. These seven domains are combined, using weightings, to calculate the Index of Multiple Deprivation 2019 (IMD 2019):



In addition to the Index of Multiple Deprivation, the seven domain indices and the two supplementary indices, there are three pairs of sub-domains within three domains:

Domains and their sub-domains:

- Education, Skills and Training Deprivation Domain
 - Children and Young People Sub-domain (measure the attainment of qualifications and associated measures)
 - Adult Skills Sub-domain (measures the lack of qualifications in the resident working-age adult population)
- Barriers to Housing and Service Domain
 - Geographical Barriers Sub-domain (relates to the physical proximity of local services)
 - Wider Barriers Sub-domain (which includes issues relating to access and housing such as affordability)
- Living Environment Domain
 - Indoors Sub-domain (measures the quality of housing)
 - Outdoors Sub-domain (contains measures of air quality and road traffic accidents)

How the data is presented: LSOAs, ranking and deciles

LSOAs are small areas (also referred to as neighbourhoods), designed to be of a similar population size, with an average of approximately 1,500 residents or 650 households (and amended on an ongoing infrequent basis as an areas density's change).

There are 32,884 LSOAs in England, and every such neighbourhood is ranked according to its level of deprivation relative to that of other areas, with 1 being the most deprived and ranking 32,844 being the least deprived.

The deciles are calculated by ranking the 32,844 LSOAs from the most deprived to the least deprived and dividing them into ten equal groups. LSOAs in decile 1 fall within the most deprived 10% of LSOAs nationally; and LSOAs in decile 10 fall within the least deprived 10% of LSOAs nationally.

2019 results for Swale:

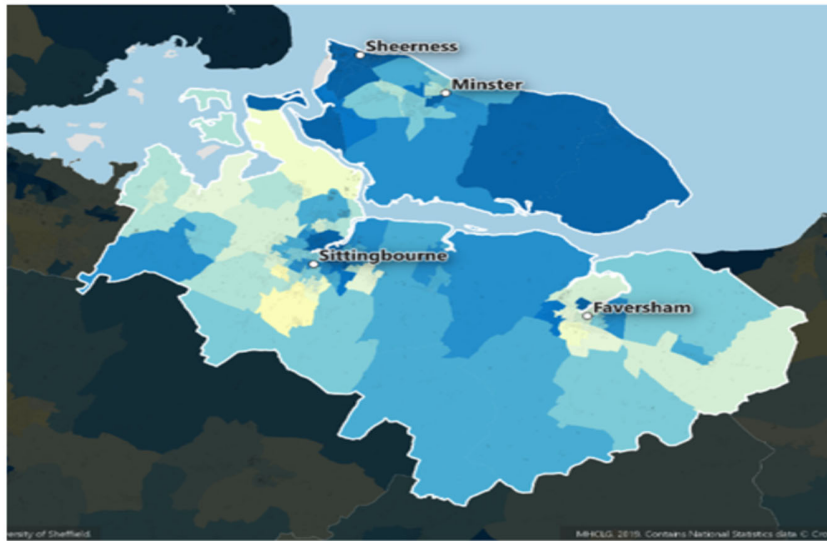
There has been a relative decline in the Borough's ranking since 2015, from 88th to 69th most deprived district within England and Wales, based on rank (out of 317). In other words, the Borough has become relatively more deprived or other Borough's have improved at a higher rate compared to ourselves.

Swale performs least well in the domains of Education, ranked 28th worst out of 317 English district authorities, and worst in Kent, crime (43rd), employment (64th) and income (74th worst), in that order.

Swales best ranking is 153rd of 317 in the Living Environment Domain.

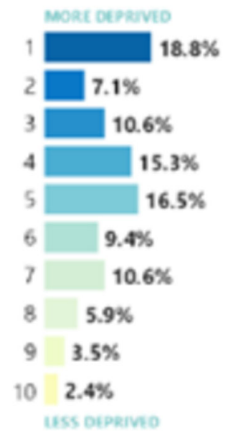
Of the 85 LSOA's in Swale, 56 have seen a fall in their rank (2015=53), with 16 now falling within the worst 10% nationally (2015=14), and 22 within the worst 20% (2015=18).

Of those worst 20%, 15 are located on the Isle of Sheppey (2015=14), four in Sittingbourne (2015=2), and three in Faversham (2015=2).



Local deprivation profile

% of LSOAs in each national deprivation decile



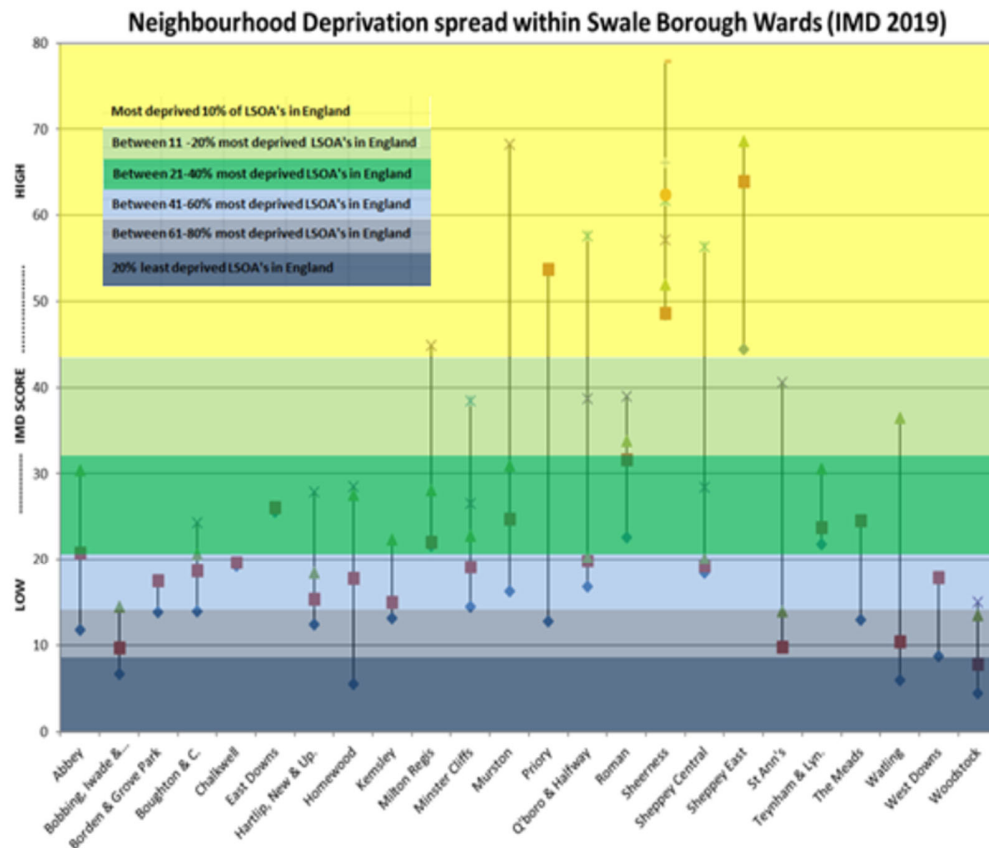
Swales average IMD score was 27.06. Assuming the wards of Teynham and Lynsted and East Downs are geographically classed as within the Faversham area, then based on average IMD scored Sheppey is the most deprived area of Swale (scoring 40.33/ decile 2) followed by Faversham (scoring 23.0/ decile 4) and the least deprived being Sittingbourne (scoring 19.91/ decile 5). Reclassifying the above wards from Faversham to Sittingbourne makes only a marginal difference to the scores and does not change the areas relative positions or deciles.

Comparing the result for Sheppey against all 317 local authorities' places Sheppey within the worst 10% of local authority areas, in a ranking position in line with the 6th most deprived area in England, with Faversham and Sittingbourne broadly in line with the 101th and 138th most deprived local authorities respectively.

Based on an average score for all LSOAs within each ward, the most deprived wards in Swale (in order) are:

1. Sheerness (average IMD score 59.29)
2. Sheppey East (59.01)
3. Murston (35.07)
4. Priory (33.26)
5. Roman (31.75)

However, within other wards there are specific neighbourhood communities which are exhibiting high levels of deprivation, at Rushenden in Queenborough and Halfway ward, parts of Minster Cliffs and Sheppey Central (Isle of Sheppey), parts of Milton Regis (Sittingbourne) and St Ann's and Watling (Faversham), all of which feature within the top 20% of most deprived neighbourhoods in England.



- Seven Swale Wards have neighbourhoods in the top 10% most deprived
- All of the neighbourhoods in Sheerness and Sheppey East Wards are in the top 10% most deprived areas and hence the two most deprived wards in Swale.
- The Broadway area of Sheerness is the most deprived neighbourhood within Swale and ranked 48 highest out of 32,844 neighbourhoods, closely followed by the Leysdown Road area of Leysdown (ranked 322) and the Castle Road area of Murston (ranked 337).

- Murston has the most diverse deprivation range within its Ward, followed by Priory and Queenborough and Halfway, whilst East Downs and Chalkwell are the least diverse Wards.
- The Ruins Bard Road are of Tunstall (Woodstock Ward) is the least deprived neighbourhood.
- Bobbing, Iwade and Lower Halstow and Woodstock are the least deprived Wards.

Appendix 2.

Health Inequalities

This plan is built around four overarching health inequalities:

Family health

Healthy lifestyles

Mental health/ Dementia

Wider determinants of health

Key information and evidence for each area of health inequality can be found below.

1. Family Health

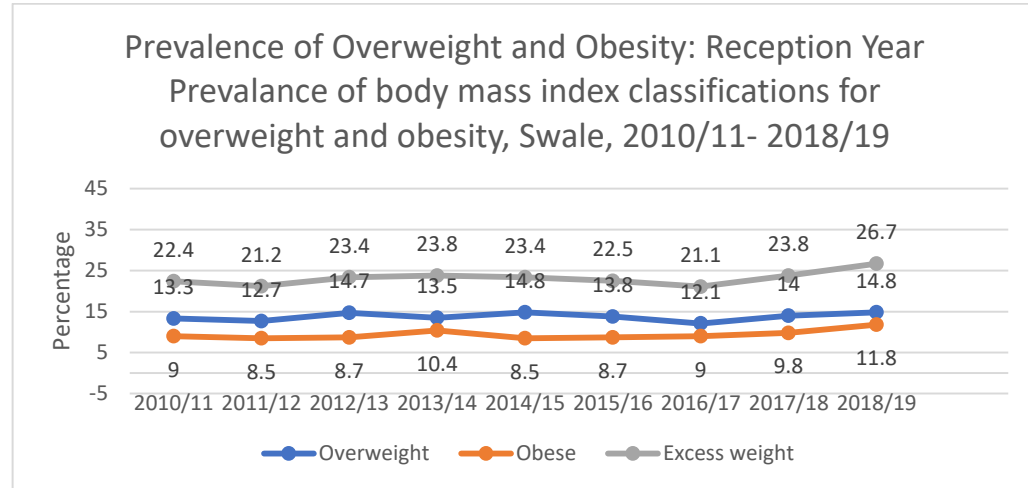
This priority area groups together the following: Teenage conception rate; Smoking at time of delivery; Breastfeeding initiation; and Childhood obesity.

Obesity- Childhood

The National Child Measurement Programme (NCMP) measures the height and weight of children in reception class (aged 4 to 5) and year 6 (aged 10 to 11), to assess overweight and obesity levels in children within primary school.

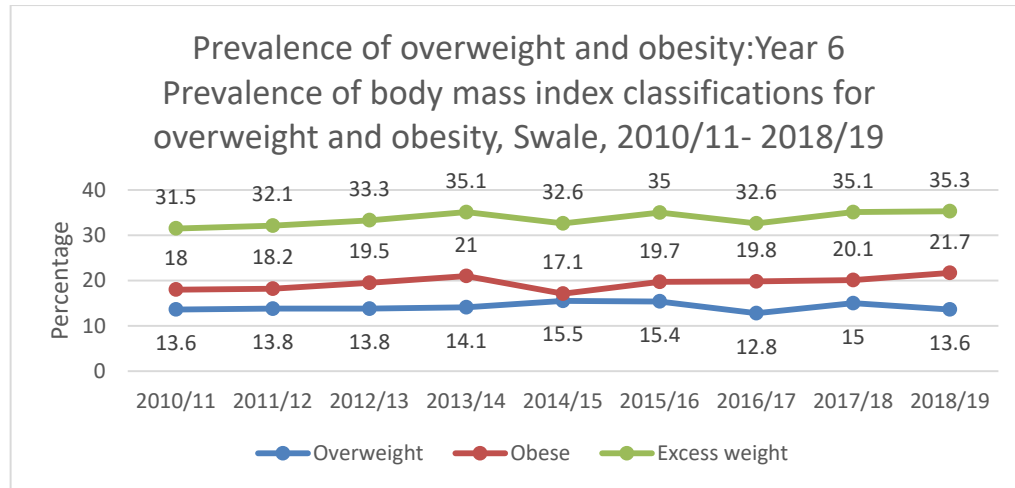
Child obesity prevalence shows a strong association with socioeconomic deprivation. Obesity prevalence in children living in 10% most deprived areas of the country is more than double that of children living in the least deprived 10% of areas (PHE 2017).

The consequences of obesity cause health problems that include heart disease, type II diabetes and cancer. It impacts on the ability to lead healthy active lives, employment and poses rising costs to the nation. In children, it can affect normal development and lead to stigmatisation having long-term consequences for physical and emotional wellbeing and resilience (DH 2011).



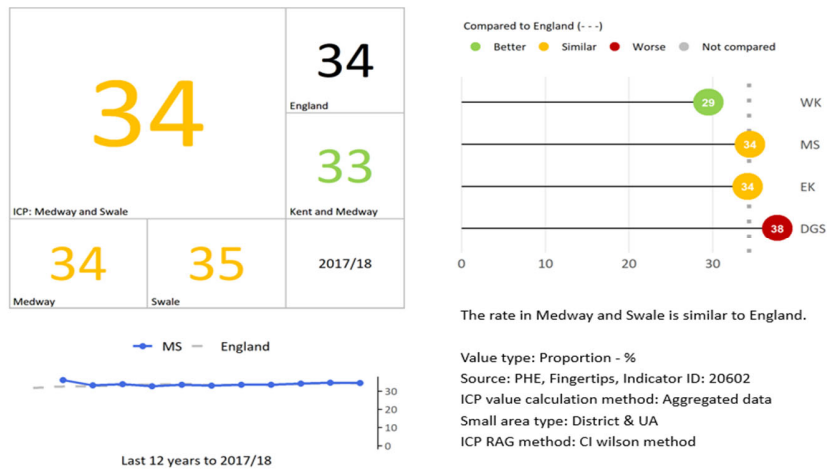
The prevalence of obesity amongst Reception year pupils living in Swale was significantly higher in 2018/19 than 2017/18- 9.8, 11.8 respectively.

* Excess weight is overweight and obesity combined.



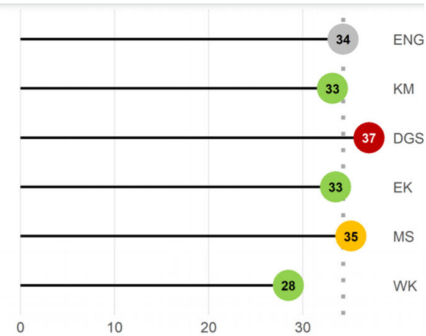
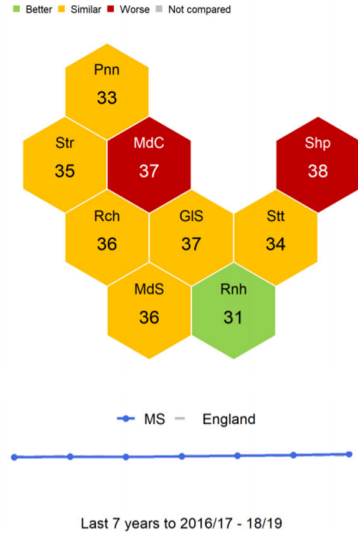
The prevalence of overweight and obesity amongst year six pupils living in Swale remains at a similar level to that recorded in 2017/18. However obesity and excess weight amongst Year 6 pupils living in Swale is higher than it is county wide within Kent.

Year 6 Prevalence of Overweight including Obesity



Children excess weight Year 6- 3 year average (excess weight obesity and overweight combined) PCN level (Shp= Sheppey, Stt= Sittingbourne, FVR= Faversham)

PCNs in Medway and Swale, Compared to England:

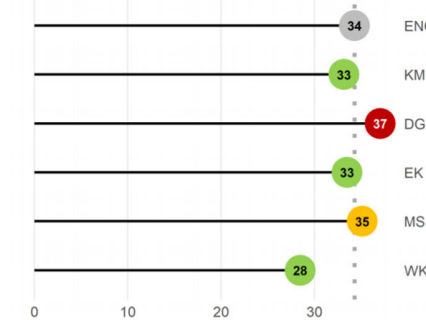
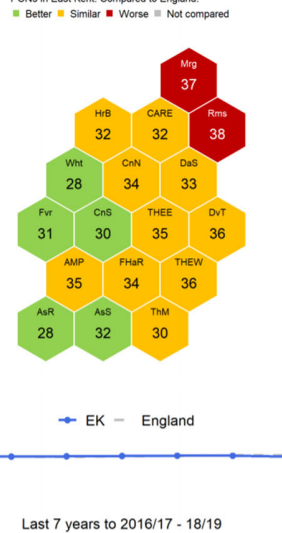


The rate in Medway and Swale is similar to England.

Value type: Proportion - %
 Latest time period: 2016/17 - 18/19
 Source: PHE, Fingertips, Indicator ID: 93108
 ICP value calculation: Aggregated data
 Small area type: Ward to PCN
 ICP RAG method: Confidence interval (95%) - Wilson Score method

The proportion of overweight and obese Year 6 children in Sheppey is 38% this is significantly worse than across England where the average is 34%. In Sittingbourne 34% of children are overweight/ obese.

PCNs in East Kent, Compared to England:



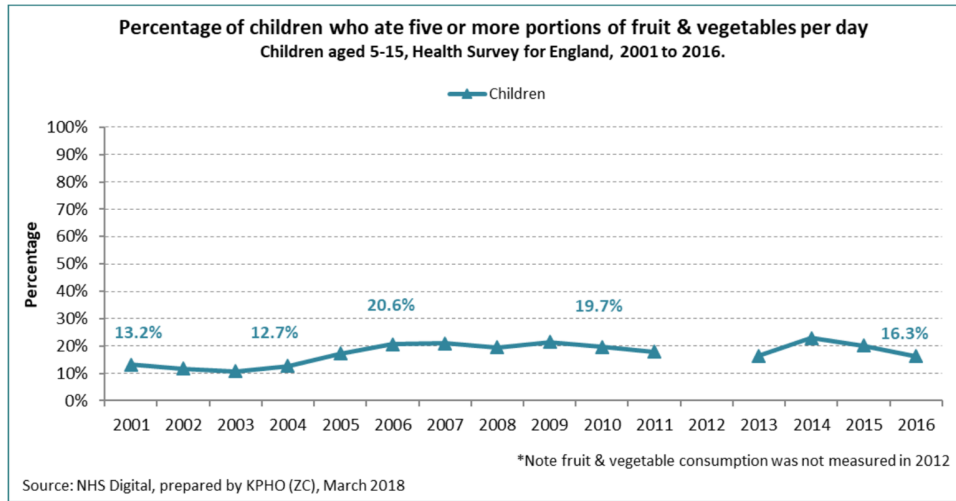
The rate in East Kent is better than England.

Value type: Proportion - %
 Latest time period: 2016/17 - 18/19
 Source: PHE, Fingertips, Indicator ID: 93108
 ICP value calculation: Aggregated data
 Small area type: Ward to PCN
 ICP RAG method: Confidence interval (95%) - Wilson Score method

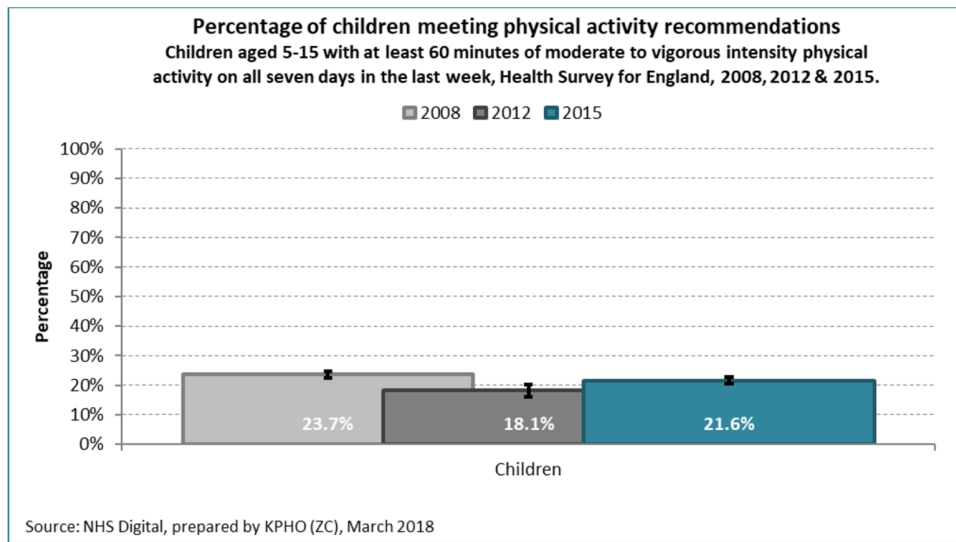
The proportion of overweight and obese Year 6 children in Faversham is better than the England average at 31%

Contributing risk factors:

The Health Survey for England¹⁴ provide statistics of fruit and vegetable consumption and physical activity levels.



In 2016, 16.3% of children aged between 5 and 15 ate the recommended five or more portions of fruit and vegetables a day. The trend was stable until 2004 and there is some evidence of an increasing trend until 2006, since this has largely remained stable until 2010.



In 2015, 21.6% of children met the recommendations for at least 60 minutes of moderate to vigorous intensity physical activity on all seven days. This was lower in 2012 and then increased in 2015, but did not reach earlier levels from 2008.

The latest National Diet and Nutrition Survey collected from 2014/15-2015/16¹⁵ provide details on free sugar consumption:

- free sugar makes up 13.5% of 4-10-year-olds and 14.1% of teenagers (11-to 18-year-olds) daily calorie intake respectively,
- whilst free sugar consumption has decreased since 2008/09-2009/10, the official recommendation is to limit sugar to no more than 5% of total energy intake,
- for teenagers, sugary drink intake is more than double that of younger children, providing 22% and 10% of total energy intake respectively

Partnership Activity:

Childrens centres- provide information, advice and activities for local families. They promote public health messages and campaigns.

The health visiting service provides universal targeted services to families expecting a new baby or this with children under 5 years old. The service aims to promote the health and wellbeing of all children and includes advice on a range of topics including; breastfeeding, infant feeding, and child development. In addition, the Health Visiting service carry out a number of mandated visits at different stages of a any or child's development where the child is weighed, and advice e delivered or where applicable to support a healthy weight. Health visiting staff are trained to offer advice and activities based on local need.

Kent County Council funds oral health services delivered by Kent community Health Foundation Trust which includes a dental survey and health promotion work around sugar and the importance of a healthy diet. It is important that healthy weight measures are linked to messages about oral health as both of these areas impact on eating behaviours and the achievement of healthy eating.

Children and young people 5-19:

KCC commissions Kent Community Health Foundation Trust to deliver the School Nursing service. This service provides advice, information, support and training to schools. The service carries out the mandated Nation Child Measurement Programme which includes proactive follow-up phone calls to offer support and guidance. This includes a lifestyle package of care for children identified as being overweight or obese and is a holistic offer of support for the child and family to support behavior change.

Family Weight Management Services:

Family weight management services (Tier 2) are commissioned in Kent and provide support to families with children with a body mass index above the 91st UK National BMI centile for clinical assessment. Commonly the Kent programmes are typically for children ages 7 to 11 years, often with the flexibility to allow sibling outside of this age range to attend.

A range of different multi-component programmes were delivered across Kent at the time of writing this report. These programmes address behavior change in terms of dietary intake, physical activity levels and emotional wellbeing. The programmes deliver between 10-12 weekly or twice weekly programmes over a period of at least 3 months- In Swale KCHFT Ready Steady Go.

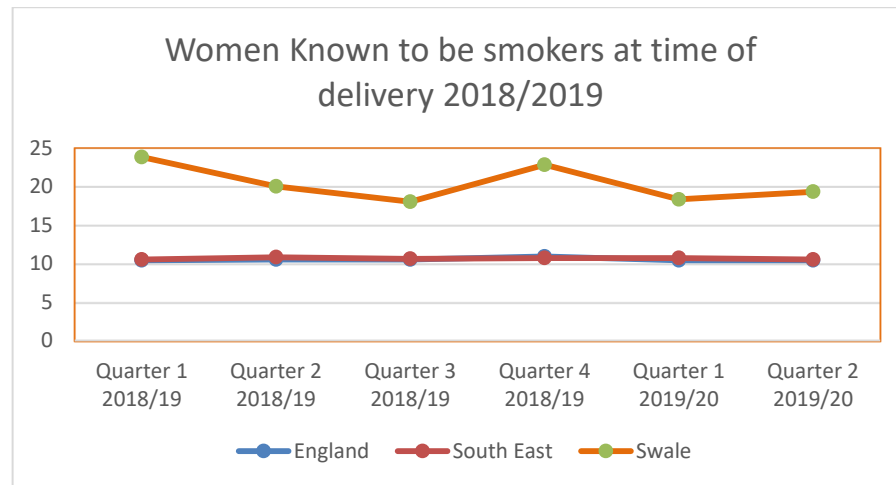
Campaigns:

Change4Life and Start4Life are the main brands used to support healthy lifestyles for families, children and young people. One You Kent is the local version of the national brand aimed to support healthy lifestyles in adults. These campaigns have key messages on healthy eating, being active and maintaining a healthy weight. Encouraging adults, parents and children to think about how they can make changes towards a healthy lifestyle.

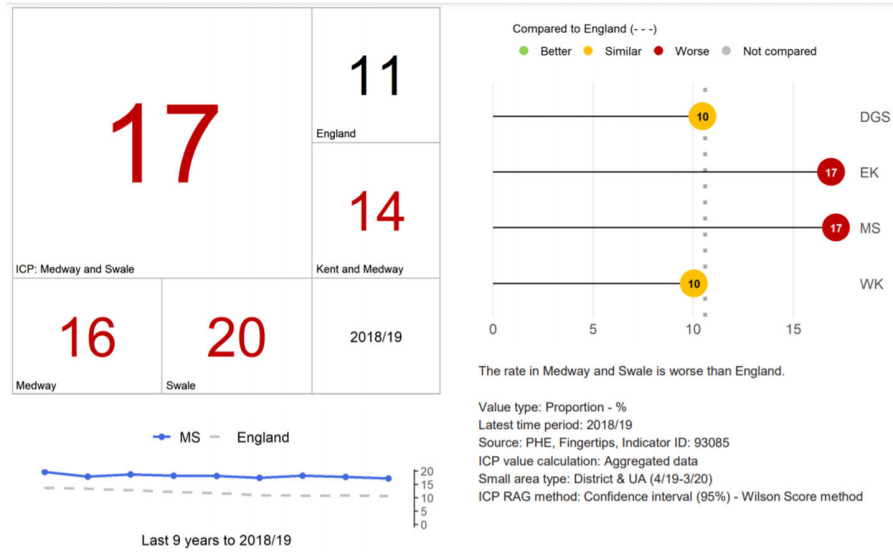
KCC utilises the resources developed centrally by Public Health England, such as apps and videos to support effective behavior change, and adds value via the promotion of these on the website alongside additional locally targeted marketing.

Community Activities: There is a huge range of activities for families in Kent that support active lifestyles.

Smoking at Time of Delivery (by Commissioning Region, Region and Clinical Commissioning Group)



Smoking status at time of delivery



Data from 2018/19 for Swale CCG shows that 20% women report smoking at the time of delivery this is higher than the Kent and Medway average of 14% and significantly higher than the average in England 11%

Partnership Activity:

One You Smoke Free service- Open to individuals aged 12+ who have smoked tobacco in the last two weeks. A 7 week support programme with a range of options including: one to one, group support, telephone and skype support. Day and evening appointments available at local venues. Delivered by experiences advisers trained by the NHS. A variety of products available via prescription to help with quitting (e.g. patches, gum, inhalators, Champix. Free behavioural support- tips on how to cope with the cravings and changing habits.

Optivo- Smoke free homes project launching this year

Swale Borough Council Partnership Scheme- The council offers a £100 refund to anyone who successfully completes the One You Smoke Free programme after receiving a £150 fixed penalty notice for dropping smoking related litter.

Breastfeeding Initiation

Breastfeeding has some of the most wide-reaching and long lasting effects on a baby's health. The Infant Feeding Survey (2011) found that the highest incidences of breastfeeding were among mothers from managerial and professional occupations, those who were in full-time education until the age of 18, those aged 30 or over and first time mothers. These findings are consistent with previous surveys.

Teenage mothers are less likely to breastfeed, they are also more likely to smoke, which puts them and their babies at increased health risk. Conversely, older mothers are more likely to breastfeed. Non-white ethnic groups tend to have higher breastfeeding rates.

There is a very clear link with smoking behaviour, which is likely to also be associated with socio-economic status and age. Low birth weight is linked to mothers smoking during pregnancy and low birth weight babies are also less likely to be breastfed, both of which are modifiable behaviours.

Further work shows that breastfeeding initiation and prevalence have seen higher increases in areas with low initial breastfeeding, and increases for initiation in more disadvantaged areas. Although these results suggest that inequalities in breastfeeding have narrowed, rates have plateaued since 2010–2011. Sustained efforts are needed to address breastfeeding inequalities.

Babies who are breastfed are at a lower risk of

- gastroenteritis
- respiratory infections
- sudden infant death syndrome
- obesity
- Type 1 and type 2 diabetes
- allergies (e.g. asthma, lactose intolerance)

Further evidence demonstrates the importance of early care, which breastfeeding can facilitate, including brain development and emotional attachment. A baby's earliest relationships lay the foundation for later developmental outcomes, from academic performance to mental health and interpersonal skills.

Benefits to mothers

- the longer mothers breastfeed, the greater their protection against breast and ovarian cancer, and hip fractures in later life
- however recent evidence has demonstrated an association between prolonged breastfeeding and postmenopausal risk factors for cardiovascular (CV) disease
- the World Cancer Research Fund includes breastfeeding as one of 10 recommendations to reduce the risk.

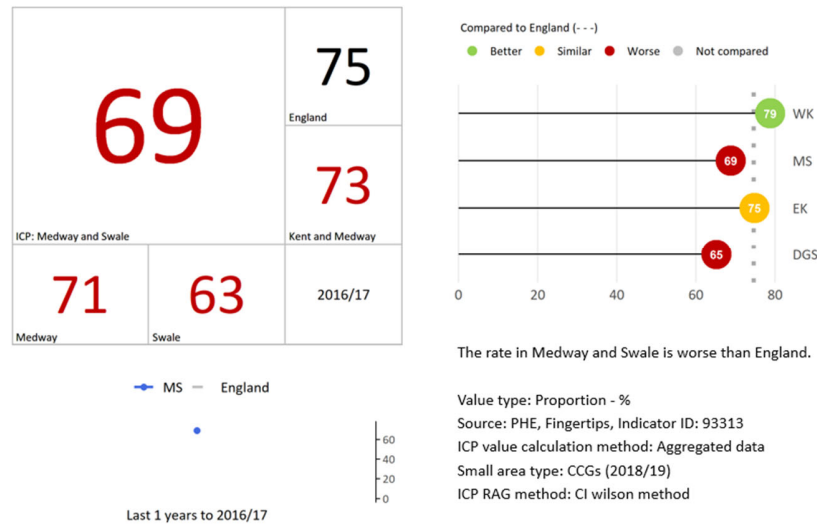
These illnesses all represent the greatest threats to women's health across all ages.

Financial benefits

The Baby Friendly Initiative report, *Preventing disease and saving resources: the potential contribution of increasing breastfeeding rates in the UK*, found that moderate increases in breastfeeding would translate into cost savings for the NHS of many millions as well as tens of thousands of fewer hospital admissions and GP consultations.

What do we know?

All current guidelines, including those from the Department of Health, follow the World Health Organisation (WHO) recommendation of exclusive breastfeeding for the first six months after birth. The World Health Organisation also recommends continued breastfeeding along with appropriate complementary foods up to two years of age or beyond. Colostrum, the yellowish, sticky breast milk produced at the end of pregnancy, is recommended by WHO as the perfect food for the new born, and breastfeeding should be initiated within the first hour after birth.



Breastfeeding initiation in Swale is 63% This represents the percentage of new mothers who breastfeed their newborn on one occasion or more. The average in Swale is significantly lower than Kent and England- 73% and 75% respectively.

Breastfeeding Prevalence and Coverage Data (KCC PH Observatory)



This analysis has been conducted using data from the Kent Integrated Dataset (KID). The KID is a whole population, person level, pseudonymised data set that currently collects information from almost all NHS providers across Kent and Medway. All data has been from taken the Child Health Contact table within the KID. Analysis relates to Kent residents only (excluding Medway) and who are using KCHFT's services. NULL values are included in this analysis as they are part of the coverage calculation. Due to the methodology used for this analysis statistics may differ to other sources. 2018/19 data is the latest available from the KID and therefore no further updates can be made. Data has been extracted from NHS England's Maternity Services Dataset for receiving first feed of maternal or donor milk.

Analysis has been conducted at district level for the prevalence and coverage of breastfeeding at a **new-born visit**. Confidence interval significant testing has determined if district rates are significantly higher or lower than Kent.

The district field has been used to calculate prevalence and coverage.

Prevalence	2016/17	2017/18	2018/19
Ashford	59.2	60.8	61.3
Canterbury	56.5	65.0	60.0
Dartford	59.0	60.5	62.0
Dover	50.5	53.0	51.1
Gravesham	55.8	57.6	62.7
Maidstone	57.3	60.2	60.4
Sevenoaks	61.2	67.5	68.1
Shepway	53.3	57.2	56.4
Swale	47.3	50.8	47.6
Thanet	50.9	53.0	53.4
Tonbridge & Malling	62.9	62.8	66.0
Tunbridge Wells	72.5	73.7	73.1
Kent	56.9	59.9	59.9

Prevalence: women who fully/ partially breastfeed their babies at 10-14 day check

	Significantly higher than Kent
	Significantly lower than Kent

Analysis has been conducted at district level for the **prevalence and coverage of breastfeeding** at a **6-8 week** health visitor check. Confidence interval significant testing has determined if district rates are significantly higher or lower than Kent.

Coverage	2016/17	2017/18	2018/19
Ashford	92.6	97.0	97.7
Canterbury	92.9	96.5	96.9
Dartford	93.4	94.7	96.9
Dover	93.4	97.1	97.3
Gravesham	92.5	95.8	98.3
Maidstone	94.3	95.9	95.8
Sevenoaks	90.7	97.5	98.7
Shepway	92.1	97.9	97.7
Swale	94.2	97.5	97.6
Thanet	90.9	96.6	97.5
Tonbridge & Malling	95.4	96.5	97.7
Tunbridge Wells	94.6	96.2	96.6
Kent	93.2	96.5	97.3

Coverage: Those babies with a breastfeeding status recorded at 10-14 day

Prevalence	2016/17	2017/18	2018/19
Ashford	46.4	43.5	43.1
Canterbury	45.6	49.6	48.2
Dartford	42.5	46.6	48.4
Dover	35.9	38.1	35.7
Gravesham	40.3	42.8	45.8
Maidstone	42.5	46.0	45.9
Sevenoaks	46.7	54.1	56.2
Shepway	40.0	43.5	39.8
Swale	33.4	36.8	36.2
Thanet	35.6	38.1	34.2
Tonbridge & Malling	49.0	49.6	47.8
Tunbridge Wells	58.3	60.2	57.3
Kent	42.7	45.4	44.7

Prevalence: women who fully or partially breastfeed their babies at a 6-8 week health visitor check.

	Significantly higher than Kent
	Significantly lower than Kent



Coverage	2016/17	2017/18	2018/19
Ashford	90.6	92.9	88.5
Canterbury	89.8	93.7	95.4
Dartford	89.3	91.3	94.1
Dover	92.5	96.7	94.5
Gravesham	87.2	92.9	93.2
Maidstone	88.1	92.4	91.3
Sevenoaks	86.1	93.4	94.9
Shepway	89.4	95.4	94.8
Swale	93.1	96.2	95.7
Thanet	89.3	94.6	89.6
Tonbridge & Malling	92.4	95.2	90.2
Tunbridge Wells	90.8	94.7	88.6
Kent	89.9	94.0	92.5

Coverage: Those babies with a breastfeeding status recorded at a 6-8 week health visitor check.

Analysis has been conducted at district level for the **prevalence of breastfeeding whether fully or partially at 6-8 week health visitor check**. Confidence interval significant testing has determined if district rates are significantly higher or lower than Kent.

Prevalence - Fully	2016/17	2017/18	2018/19
Ashford	32.1	30.2	30.6
Canterbury	33.5	35.9	34.3
Dartford	27.0	30.1	32.5
Dover	25.3	28.6	26.7
Gravesham	27.3	26.2	29.8
Maidstone	29.4	33.3	32.4
Sevenoaks	32.7	39.8	42.7
Shepway	26.8	31.8	29.4
Swale	23.4	25.6	26.5
Thanet	24.1	25.6	24.3
Tonbridge & Malling	33.5	34.5	34.6
Tunbridge Wells	42.3	43.4	43.3
Kent	29.6	31.7	32.0

Prevalence - Partially	2016/17	2017/18	2018/19
Ashford	14.3	13.1	12.5
Canterbury	12.1	12.7	14.0
Dartford	15.5	16.2	15.9
Dover	10.7	8.9	9.0
Gravesham	13.0	15.8	16.0
Maidstone	13.1	12.2	13.5
Sevenoaks	14.0	13.1	13.6
Shepway	13.2	11.1	10.4
Swale	10.1	9.0	9.8
Thanet	11.5	10.9	10.0
Tonbridge & Malling	15.5	13.2	13.2
Tunbridge Wells	16.0	15.8	14.1
Kent	13.2	12.6	12.7

 Significantly higher than Kent
 Significantly lower than Kent

Partnership Activity

Working in collaboration with partners and stakeholders to ensure that the breastfeeding aspects of National Institute for Health and Care Excellence (NICE) guidance and quality standards are adhered to.

Baby Friendly Initiative

The UNICEF UK Baby Friendly Initiative provides a framework for the implementation of best practice by NHS trusts, other health care facilities and higher education institutions.

Implementing Baby Friendly standards is a proven way of increasing breastfeeding rates. It also means health professionals can give mothers the support, information and encouragement they need. The following Kent organisations are on the journey towards Baby Friendly accreditation supported by Kent County Council:

- Medway Maritime NHS Trust
- Kent Community NHS Healthcare Trust
- Kent County Council Children's Centres.

Peer Support

Peer support provided by volunteer peer supporters who have breastfed their own babies has a positive outcomes evidence base. Kent has an accredited Breastfeeding Peer Support training programme which typically trains in the region of 200 new volunteer peer supporters a year. Currently there are over 170 volunteers providing support in Kent.

Breastfeeding Welcome

This is for businesses and community centres to show that they support breastfeeding on their premises. A sticker is usually displayed in the window to show that mothers and babies are welcome. Work has been undertaken by the KCC Workplace Team, District Councils, Peer Supporters and the Health Visiting Service to increase the number of outlets welcoming mothers to breastfeed.

Insights

A great deal of insight work has been carried out across Kent since October 2014 by Activmob and before that in the Sheppey locality.

Beside You social media campaign

Under 18's conception rate/ 1000's:

Overview

Reducing teenage pregnancy is a national policy priority and one of the four priorities of the Department of Health's Sexual Health Improvement Framework and as a key indicator of the Child Poverty Strategy.

The under 18s conception rate, as well as the rate of teenage parents, are also indicators in the national Public Health Outcomes Framework (PHOF). Success in reducing these indicators are estimated to have a positive impact on 25% of the wider PHOF outcomes including; child poverty, infant mortality, poor maternal mental health and levels of young people not in education, employment or training.

A Teenage Pregnancy Strategy was developed in Kent for 2015-20 with the following ambitions:

1. reducing under 18s conceptions requires strong leadership and joined-up working
2. building emotional resilience with children, young people, their families and their communities
3. building the aspirations of young people
4. children and young people playing an active role in shaping the world around them
5. improving sexual health for young people
6. improving emotional, physical, educational and economic wellbeing for young parents.

These ambitions link closely with the aims of Kent's Emotional and Mental Health Strategy, Child Poverty Strategy and Kent's 14-25 Learning, Employment and Skills Strategy.

In Kent, the highest rate of teenage pregnancy is in the east and the highest ward rates are to be found in the districts of Thanet, Swale and Shepway.

Key risk factors for teenage pregnancy are:

- being a looked after child
- some minority groups

- being a child of a teenage parent
- living in a deprived area.

There are some behaviours which are associated with teenage pregnancy for example being a young offender, regular misuse of alcohol and drugs and disengagement from education provision or school.

The reasons for tackling teenage pregnancy and supporting teenage mothers and young fathers are well documented and include health and wider inequalities issues.

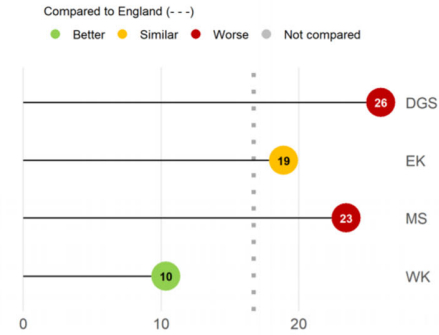
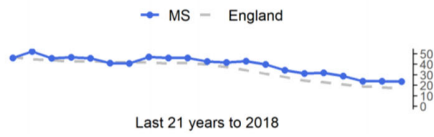
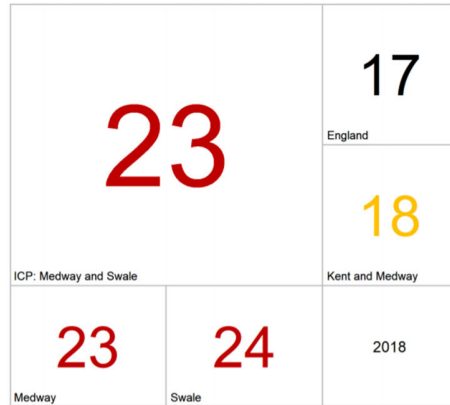
These include:

- babies born to teenage mothers have a 60% higher infant mortality rate and a 63% increased risk of being born into poverty compared to babies born to older mothers
- children born to teenage mothers do less well at school and disengage early from learning; sometimes well before they have finished compulsory education
- daughters of teenage mothers are twice as likely as daughters born to older mothers to become teenage mothers themselves. Similar disadvantages affect young fathers.

Measures to reduce teenage conceptions and reach local targets will therefore help to reduce the health inequalities and social exclusion effect of teenage parenthood. Supporting teenage mothers to access and use contraception effectively after the birth of their first child will also help prevent subsequent unplanned pregnancies.

The link with a lack of aspiration is significant. Young people need the motivation, as well as the means to prevent pregnancy and also engagement in education through their teenage years as strong protective factors.

Programmes for teenage pregnancy and supporting teenage parents are part of a long-term effort to narrow social and health inequalities and tackle child poverty.



The rate in Medway and Swale is worse than England.

Value type: Crude rate - per 1,000
 Latest time period: 2018
 Source: PHE, Fingertips, Indicator ID: 20401
 ICP value calculation: Aggregated data
 Small area type: District & UA (4/19-3/20)
 ICP RAG method: Confidence interval (95%) - Byar's method

There are 24 teenage conceptions per every 1,000 in Swale this is significantly higher than the Kent and Medway average of 18 and England average of 18.

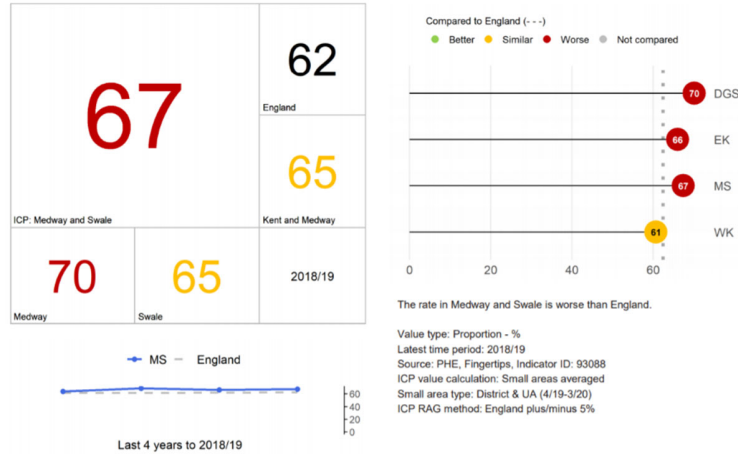
Partnership Activity

Further work is needed to develop relationships with partners and to gain a clear picture of the current service offer.

2. Healthy Lifestyles

Obesity

Percentage of adults 18+ overweight and obesity combined



The proportion of obese and overweight adults in Swale is 65% this is similar to the proportion across Kent and Medway 65% and across England 62%.

Percentage of physically inactive adults



The proportion of physically inactive adults in Swale is 23% this is worse than the proportion across England 21%.

Partnership Activity

There are a range of services and opportunities for adults for physical activity, including commercial and local authority sport and leisure services, outdoor and natural environment organisations and workplace initiatives. Kent Sport provides an extensive number of cycling and walking programmes as well as supporting sports clubs. They also manage coaching and volunteering programmes. Other Kent County Council departments offering opportunities for physical activity include Country Parks and Explore Kent. There are a number of outdoor gyms across the borough offering individuals free access to a variety of gym equipment.

One You offer a 12 week weight loss programme this is either delivered in a group or individuals can choose to see someone one to one at their local pharmacy. Sessions are free and cover healthy eating on a budget, portion control, food labelling and getting active. The programme is based on guidance from the British Heart Foundation.

Smoking prevalence in adults 18+

2019 Smoking Prevalence (Kent 13.7%)

District	2018	2019	Smoking numbers
Ashford	21.5%	10.1%	10,027
Canterbury	13.2%	8.4%	11,311
Dartford	9.9%	26.4%	21,904
Dover	13.1%	15.9%	14,948
Folk & Hythe	22.8%	14.1%	12,890
Gravesham	10.5%	10.7%	8,726
Maidstone	12.3%	14.5%	19,148
Sevenoaks	8.3%	12.5%	11,637
Swale	21.3%	15.0%	17,266
Thanet	19.7%	21.0%	23,482
Ton & Malling	12.2%	9.3%	9,396
Tunbridge Wells	14.5%	8.0%	7,330

The most recent smoking prevalence data shows a decrease in the percentage of smokers in Swale from 21.3 % to 15%. Although on the surface this appears positive this percentage is still above the Kent average of 13.7%. It is also important to note that these figures rely on an estimate based on a sample of the population questioned in the Annual Population Survey run by the Office for National Statistics.

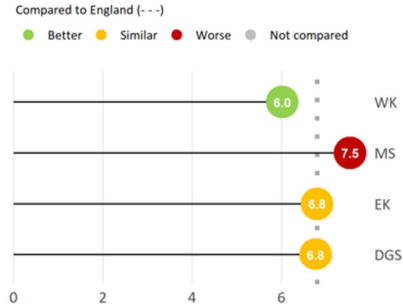
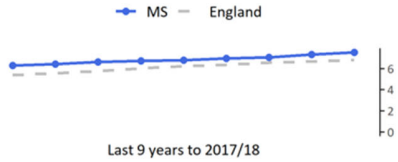
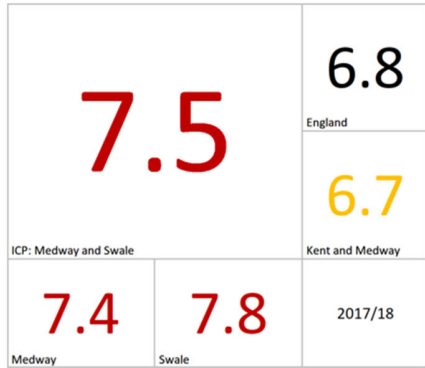
Partnership Activity

One You offer a smokefree programme is a six week personal quit plan and nicotine replacement therapy, offered in groups or one to one at local venues.

A partnership scheme between SBC and KCHFT was launched in 2018. SBC offers a £100 refund to anyone who successfully completes the smokefree programme after receiving a £150 fixed penalty notice for dropping smoking related litter.

The NHS smokefree app provides daily support and motivation including an indication of how much money is being saved.

Long Term Conditions

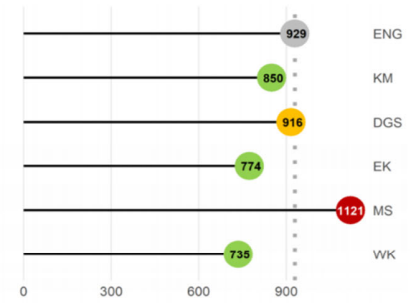
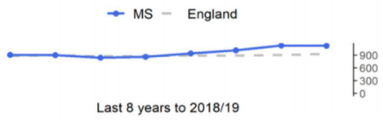
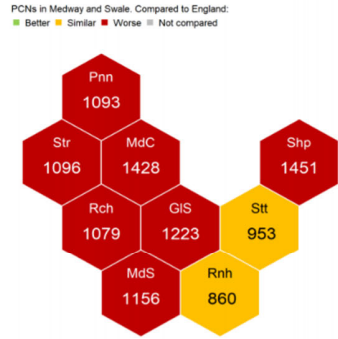


The rate in Medway and Swale is worse than England.

Value type: Proportion - %
 Source: PHE, Fingertips, Indicator ID: 241
 ICP value calculation method: Aggregated data
 Small area type: CCGs (2018/19)
 ICP RAG method: CI wilson method

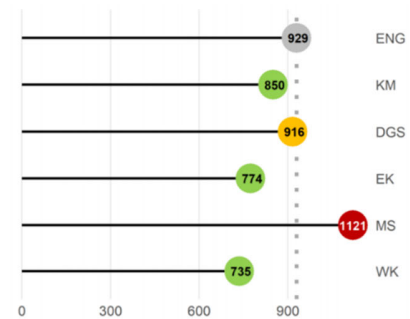
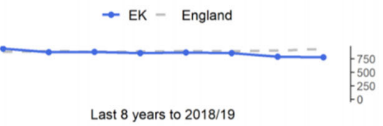
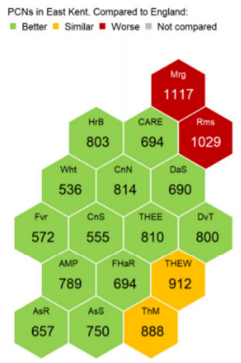
The proportion of individuals with long term conditions in Swale is 7.8% this is worse than the proportion across England 6.8%.

Unplanned hospitalisations for chronic ASCS (Shp= Sheppey, Stt= Sittingbourne, FVR= Faversham)



The rate in Medway and Swale is worse than England.
 Value type: Directly standardised rate per 100,000
 Latest time period: 2018/19
 Source: Hospital Episode Statistics (HES), NHS Digital
 ICP value calculation: Aggregated data
 Small area type: LSOA to PCN
 ICP RAG method: Confidence interval (95%) - Dobson's method

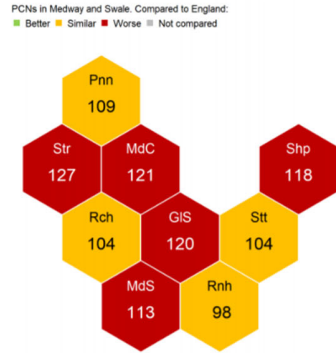
Chronic ASCS or ambulatory care sensitive conditions are conditions where effective community care and case management can help prevent the need for hospital admission. In Sheppey the rate of hospitalisations per 100,000 is 1451. This is significantly worse than the rate in England. In Sittingbourne the rate is similar to England at 953.



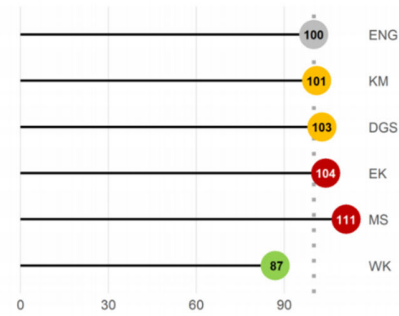
The rate in East Kent is better than England.
 Value type: Directly standardised rate per 100,000
 Latest time period: 2018/19
 Source: Hospital Episode Statistics (HES), NHS Digital
 ICP value calculation: Aggregated data
 Small area type: LSOA to PCN
 ICP RAG method: Confidence interval (95%) - Dobson's method

In Faversham the rate per 100,000 is better than the rate in England at 572.

Death from all cancer Under 75 (Shp= Sheppey, Stt= Sittingbourne, FVR= Faversham)



Trend data not available.



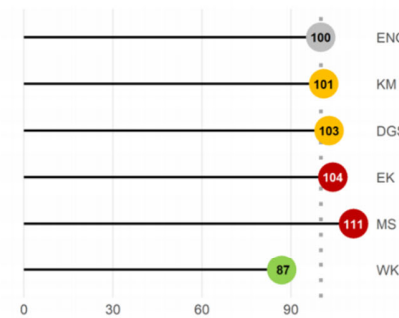
The rate in Medway and Swale is worse than England.

Value type: Indirectly standardised ratio per 100
 Latest time period: 2013 - 17
 Source: PHE, Fingertips, Indicator ID: 93254
 ICP value calculation: Aggregated data
 Small area type: Ward to PCN
 ICP RAG method: Confidence interval (95%) - Byar's method

In Sheppey the ratio of deaths from cancer is 118. In Sittingbourne the ratio is 104.



Trend data not available.



The rate in East Kent is worse than England.

Value type: Indirectly standardised ratio per 100
 Latest time period: 2013 - 17
 Source: PHE, Fingertips, Indicator ID: 93254
 ICP value calculation: Aggregated data
 Small area type: Ward to PCN
 ICP RAG method: Confidence interval (95%) - Byar's method

In Faversham the ratio of deaths from cancer is 88.

Cancer survival rates in Medway and Swale CCGs are among the lowest in the country

One year survival – all cancers

Area	Ranking	Rate
Medway	2 nd lowest	67.9
Swale	9 th lowest	68.9
England		72.8

One year survival – lung cancer

Area	Ranking	Rate
Medway	Lowest	30.7
Swale	2 nd lowest	33.1
England		41.6

One year survival – breast cancer

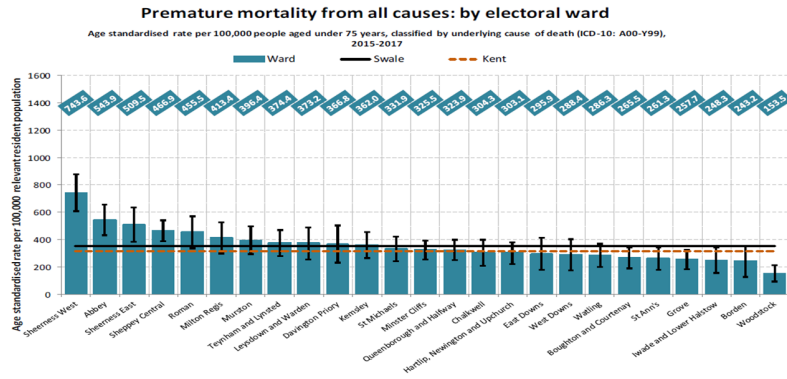
Area	Ranking	Rate
Medway	Average	96.4
Swale	2 nd lowest	93.3
England		96.9

One year survival – colorectal cancer

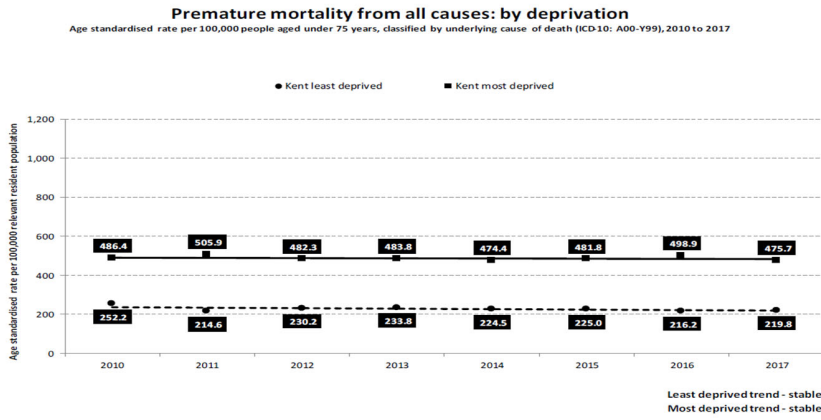
Area	Ranking	Rate
Medway	6 th lowest	74.3
Swale	11 th lowest	75.6
England		80.6

Index of cancer survival for Clinical Commissioning Groups in England: adults diagnosed 2001 to 2016 and followed up to 2017, Office for National Statistics

Premature Mortality:



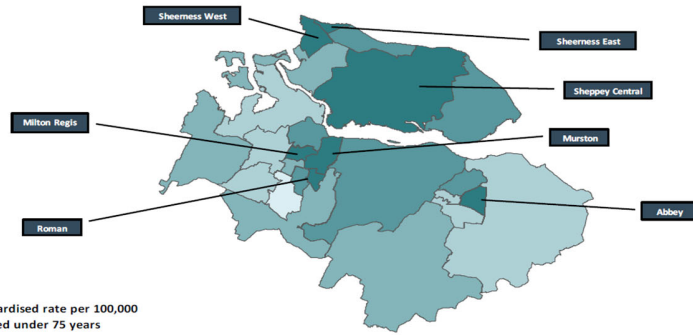
Source: PCMD, prepared by KPHO (RK), Nov-18



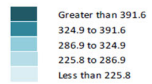
Source: PCMD, prepared by KPHO (RK), Nov-18

Premature mortality from all causes: by electoral ward

Age standardised rate per 100,000 people aged under 75 years, classified by underlying cause of death (ICD-10: A00-Y99), 2015-2017



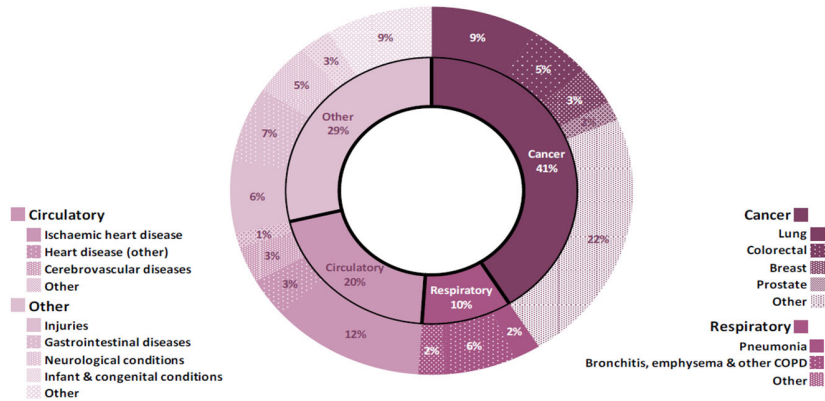
Age standardised rate per 100,000 people aged under 75 years



Source: PCMD, prepared by KPHO (RK), Nov-18

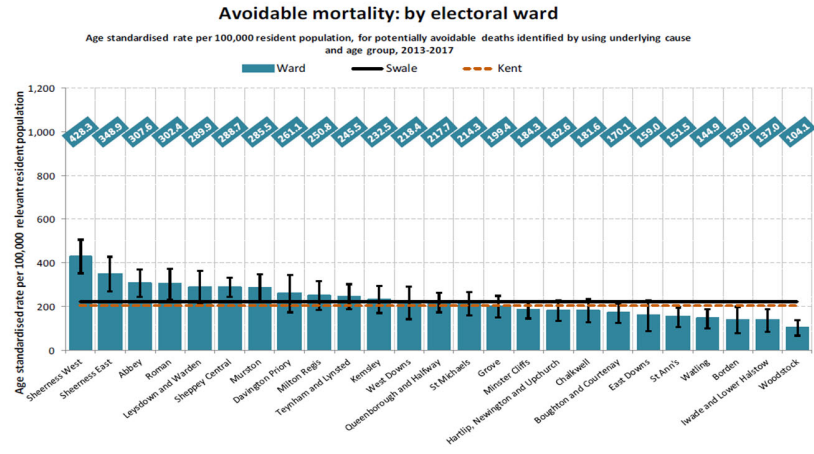
Causes of premature mortality

Underlying cause of death for persons aged under 75 years, 2017

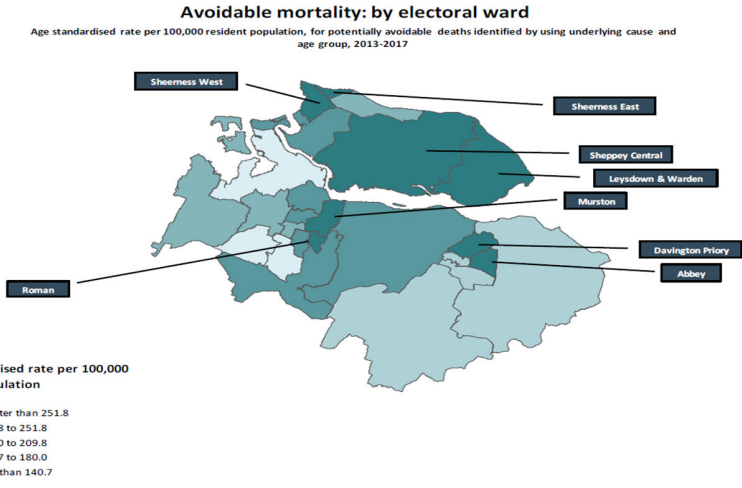


Source: PCMD, prepared by KPHO (RK), Jul-18

Avoidable Mortality

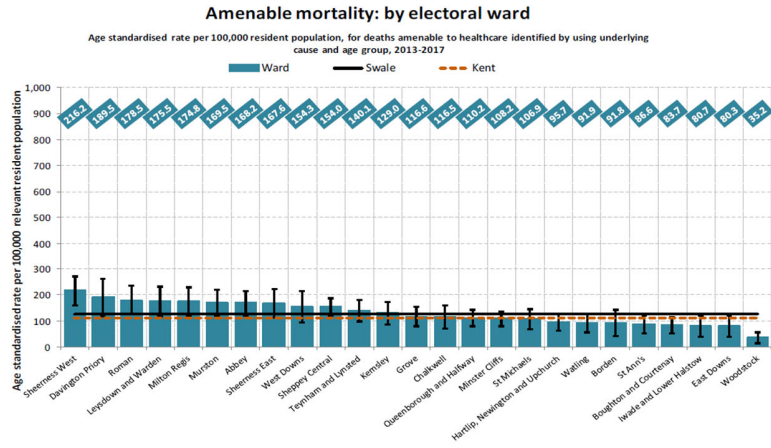


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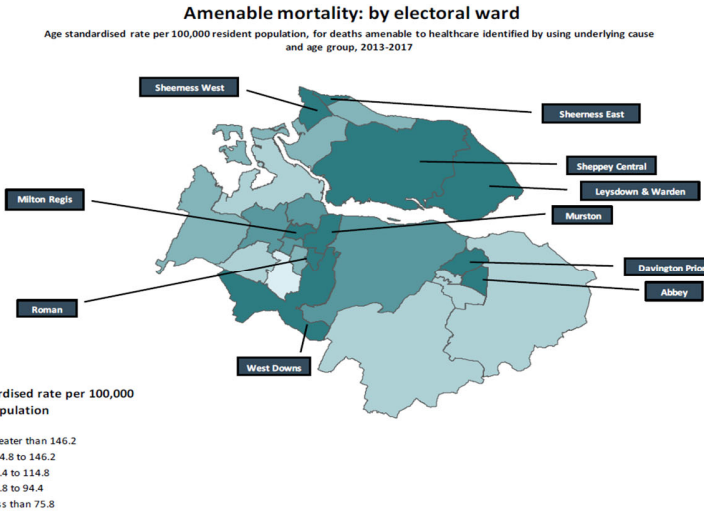


Source: PCMD, prepared by KPHO (RK), Nov-18

Amenable Mortality

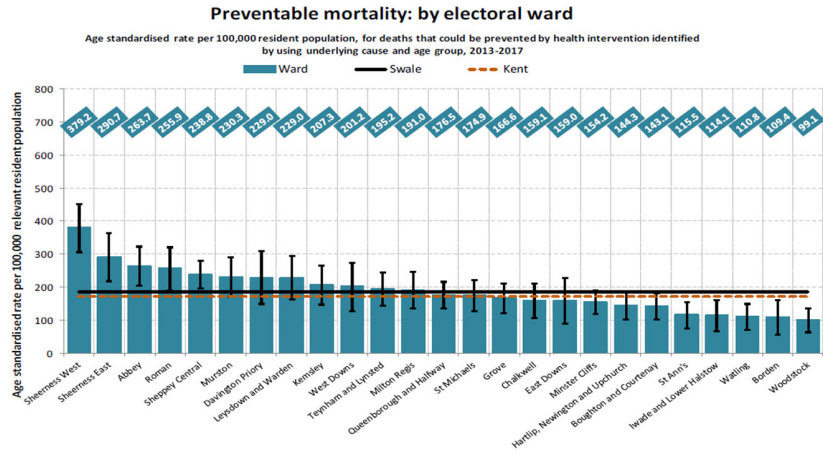


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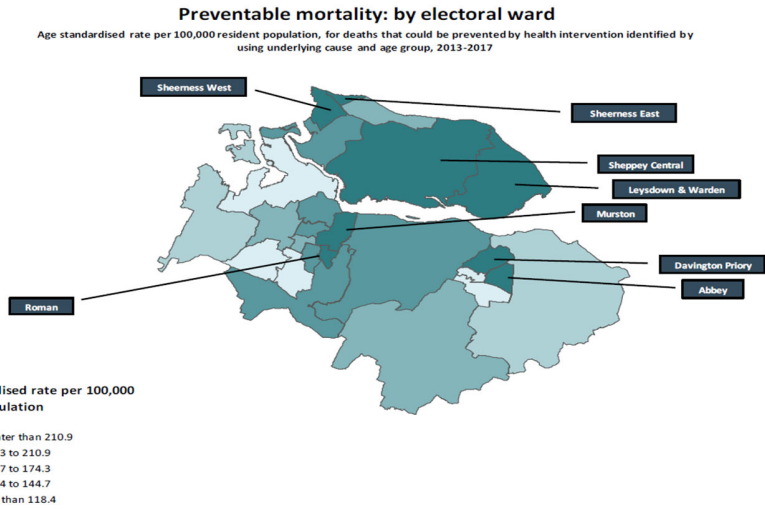


Source: PCMD, prepared by KPHO (RK), Nov-18

Preventable Mortality



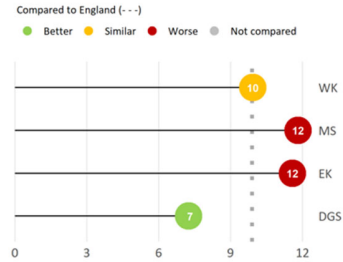
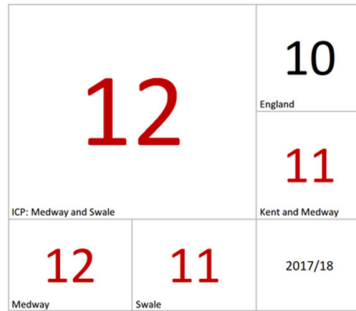
Source: PCMD, prepared by KPHO (RK), Nov-18



Source: PCMD, prepared by KPHO (RK), Nov-18

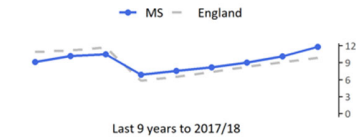
Mental Health

Depression- Recorded prevalence 18+



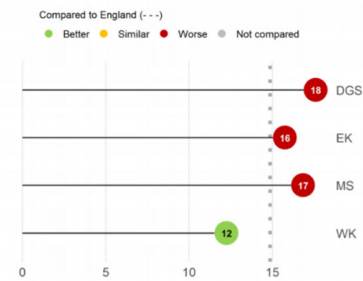
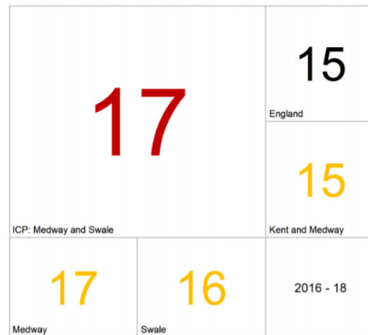
The rate in Medway and Swale is worse than England.

Value type: Proportion - %
 Source: PHE, Fingertips, Indicator ID: 848
 ICP value calculation method: Aggregated data
 Small area type: CCGs (2018/19)
 ICP RAG method: CI wilson method



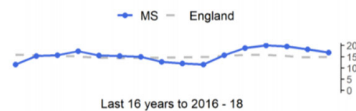
The proportion on recorded prevalence of depression in Swale is 11% this is worse than across England where the recorded prevalence is 10%

Suicide rate males



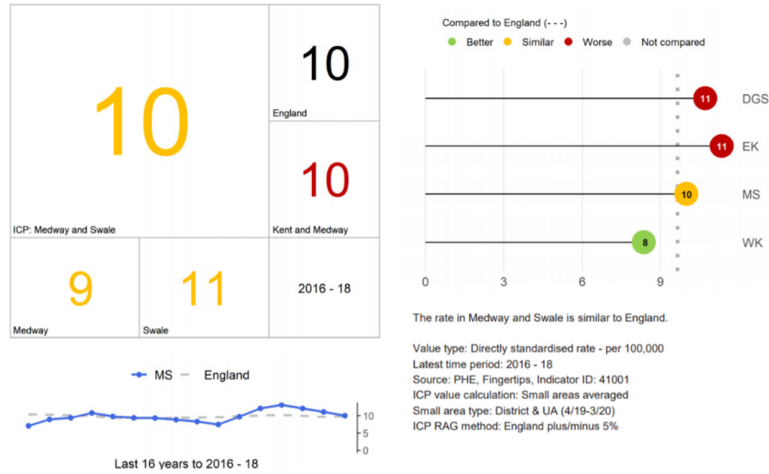
The rate in Medway and Swale is worse than England.

Value type: Directly standardised rate - per 100,000
 Latest time period: 2016 - 18
 Source: PHE, Fingertips, Indicator ID: 41001
 ICP value calculation: Small areas averaged
 Small area type: District & UA (4/19-3/20)
 ICP RAG method: England plus/minus 5%



The rate per 100,000 of males whom complete suicide in Swale is 16- this is similar to the rate in England of 15.

Suicide rate persons



The rate per 100,000 of individuals (both male and female) who complete suicide in Swale is 11% this is similar to the rate in England of 10%.

**Partnership Activity:
Live Well Kent:**

Porchlight Community Link Service- offers one to one support on a range of issues which are impacting mental health and wellbeing including benefits, finance, housing, relationships, community help.

Swale Your Way- offers a range of wellbeing services and resources if you are going through a difficult time or struggling emotionally including peer mentoring and groups.

Shaw Trust- Work with individuals to help them overcome barriers to finding work. Support is delivered individually or in groups.

Porchlight Community Housing Service- can provide advice and advocacy on housing issues such as significant rent arrears, anti-social behaviour or harassment, tenancy sustainment, disrepair issues and insecure or unsettled housing.

Porchlight Community Inclusion Service- support for those who are feeling socially isolated, lonely or anxious, can help you to find ways to improve your wellbeing.

Megan CIC- for those with diagnosed personality disorder or experience personality difficulties, service offers support. It's run by people who have experienced (and may still experience) the condition themselves.

Rethink Asian Mental Health Helpline- offers caring, non judgemental and empathetic support covering mental health and domestic abuse issues. It is free and confidential.

Support for people who are finding it difficult to sleep- SpeakUp CIC Night Owls, a closed moderated Facebook group for people who are awake at night and want to: post in a safe place and see if anyone else is awake and up for a chat.

Primary Care Mental Health Specialist Service

Invicta Healthcare- This service offers support for people with serious mental health issues. Referrals can be made by GPs and other organisations including Live Well Kent, NHS talking therapies and Community Mental Health Teams.

Counselling support- NHS funded support available via IAPT talking therapy or counselling (Faversham Counselling, Insight Healthcare, Thinkaction Swale).

Support for Carers- Kent carers can provide specialist support.

Dementia

Compared with benchmark: ● Better ● Similar ● Worse ○ Not compared ● Lower ● Similar ● Higher ○ Not compared

Recent trends: — Could not be calculated → No significant change ↑ Increasing / Getting worse ↑ Increasing / Getting better ↓ Decreasing / Getting worse ↓ Decreasing / Getting better ↑ Increasing ↓ Decreasing

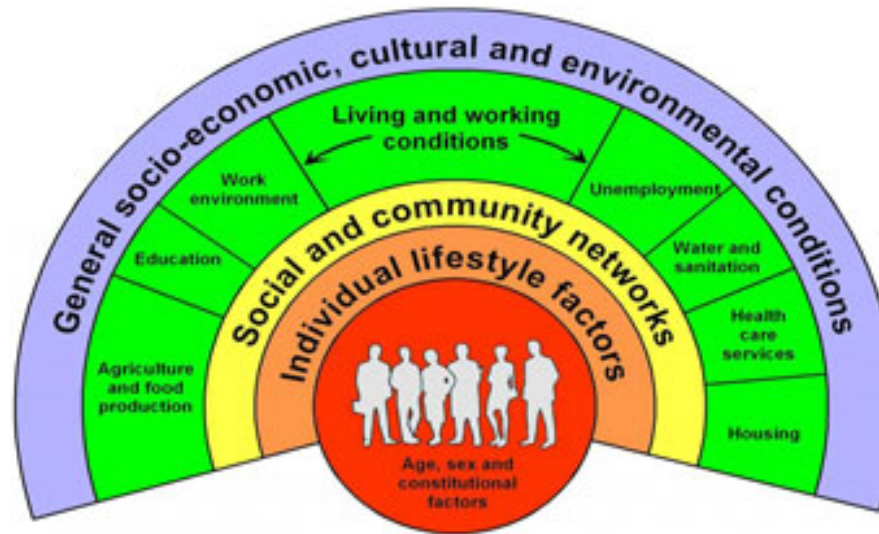
Benchmark Value

Worst/Lowest 25th Percentile 75th Percentile Best/Highest

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Indicator	Period	Swale		STP (pre 4/20)	England		England		Best/Highest
		Recent Trend	Count	Value	Value	Value	Worst/Lowest	Range	
Dementia: Recorded prevalence (aged 65 years and over)	2019	—	802	3.79%	3.81%	4.34%	2.97%		5.92%
Dementia: Crude Recorded Prevalence (aged under 65 years) per 10,000	2019	—	31	3.27	3.43	3.21	1.28		7.02
Estimated smoking prevalence (QOF)	2018/19	↓	19,506	21.0%	17.2%	16.7%	10.1%		25.5%
Obesity: QOF prevalence (18+)	2018/19	—	11,927	13.4%	9.5%	10.1%*	4.4%		17.5%
Estimated dementia diagnosis rate (aged 65 and over)	2020	—	765	62.3%	59.6%	67.4%	51.3%		92.7%
> 66.7% (significantly) similar to 66.7%									
< 66.7% (significantly)									
DEM004: Dementia care plan has been reviewed last 12mths (den.incl.exc.)	2018/19	↑	708	82.2%	77.2%	78.0%	34.3%		90.1%
Dementia: Quality rating of residential care and nursing home beds (aged 65 years and over)	2019	—	370	66.7%	69.5%	73.0%	25.6%		100%
Dementia: Direct standardised rate of emergency admissions (aged 65 years and over) -CCG responsibility	2018/19	—	625	3,333	3077	3480	6,508		1,964
Direct standardised rate of mortality: People with dementia (aged 65 years and over)	2018	—	176	911	865	904	1,725		522
Deaths in Usual Place of Residence: People with dementia (aged 65 years and over)	2018	—	129	73.7%	68.2%	69.1%	41.4%		85.1%

Wider determinants of health

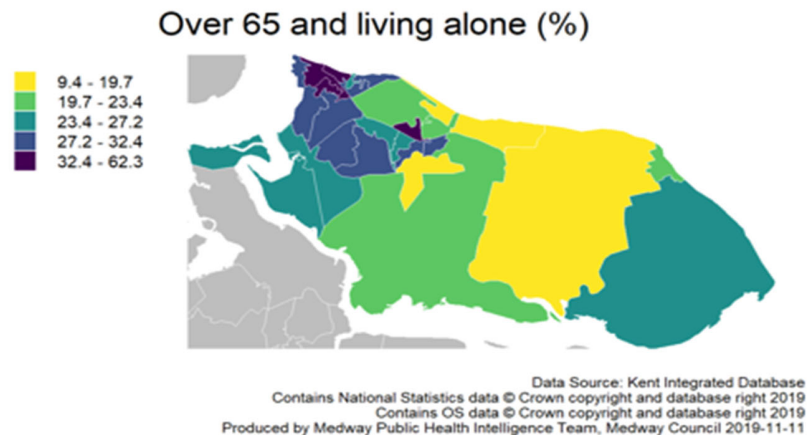


Wider determinants, also known as social determinants, are a diverse range of social, economic and environmental factors which impact on people's health. Such factors are influenced by the local, national and international distribution of power and resources which shape the conditions of daily life. They determine the extent to which different individuals have the physical, social and personal resources to identify and achieve goals, meet their needs and deal with changes to their circumstances. The Marmot review, published in 2010, raised the profile of wider determinants of health by emphasising the strong and persistent link between social inequalities and disparities in health outcomes. Variation in the experience of wider determinants (i.e. social inequalities) is considered the fundamental cause of health

outcomes, and as such health inequalities are likely to persist through changes in disease patterns and behavioural risks so long as social inequalities persist. Addressing the wider determinants of health has a key role to play in reducing health inequalities.

Several studies have attempted to estimate the contribution of the wider determinants to population health, finding that wider determinants have a greater influence on health than health care, behaviours or genetics. In addition both the Marmot review and the Dame Carol Black review highlighted the huge economic costs of failing to act on the wider determinants of health.

Social Isolation:



Loneliness:

Loneliness can be understood as an individual's personal, subjective sense of lacking desired affection, closeness, and social interaction with others. Loneliness is not the same as social isolation. Although it has a social aspect, loneliness is also defined by an individual's subjective emotional state.

Most people experience loneliness at some point in their lives. For many people it will be transitory. For a growing number of older people loneliness defines and devastates their lives. It is a poor state of living when someone feels that they have no social relationships or those that they have are not what they wish them to be – it is continuing to have to live in a negative state of mind. Loneliness is also associated with depression, sleep problems, impaired cognitive health, heightened vascular resistance, hypertension, physiological stress and mental health problems.

There have been several studies that have identified a range of factors associated with being lonely in older age. These factors include: social networks (living alone, being widowed, divorced or otherwise outside of marital or civil union, contacts with friends and family, social participation); health (unmet social care needs, poor health, mobility limitations, cognitive and sensory impairment), individual characteristics (age, ethnicity, sexual orientation, low income, retirement) and neighbourhood characteristics (structures of buildings and streets, provision of local amenities, territorial boundaries, area reputation, neighbourliness, material deprivation of area of residence).

The Age UK Loneliness Heat Map shows the relative risk of loneliness for people aged 65+ across neighbourhoods in England. It should be used alongside local knowledge and an understanding of local neighbourhoods; when this happens it can improve the allocation of limited resources to reduce loneliness across a geographic area and help understand whether existing services are reaching areas of need.

Loneliness Heat Map (Age UK)

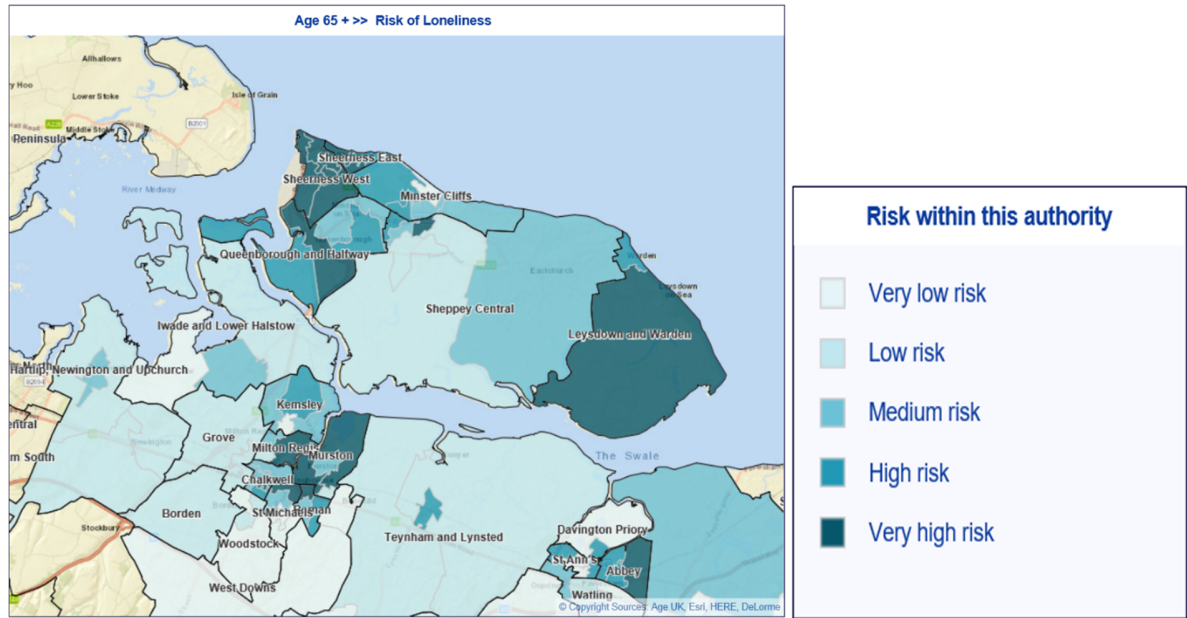


Table showing 'very high risk' areas within Swale and how each ranks within England where 1 = highest risk and 32,844= lowest risk.

Ward	LSOA	Quartile Risk	Rank
Sheppey Central	004E	Highest	668
Sheerness West	002B	Highest	1290
Sheerness West	002A	Highest	2101
Sheerness West	002C	Highest	2432
Sheerness East	001A	Highest	3567
Murston	011A	Highest	4253
Sheerness West	002D	Highest	4499
Chalkwell	010A	Highest	4782
Milton Regis	010B	Highest	5807
Abbey	015B	Highest	6482
Sheerness East	001D	Highest	6591
St Michaels	010E	Second Highest	7096

Sheerness East	001C	Second Highest	7476
Queenborough and Halfway	005B	Second Highest	7527
Murston	010C	Second Highest	7714
Leysdown and Warden	006A	Second Highest	7935
Roman	010D	Second Highest	8898

Partnership Activity:

Swale CVS Befriending service- The Befriending Service is for those who are: Elderly or have a disability; Resident in the Borough of Swale and are living in isolated circumstances or have little social contact. The service provides a one to one service to older people who are socially isolated with weekly visits from a volunteer Befriender, or a friendly weekly phone call from one of our telephone befrienders. This helps to promote confidence, independence and wellbeing. The service also offers free transport, lunch clubs, game clubs, film clubs and day trips.

Age UK- Offer a befriending service to the elderly. Also run a number of day clubs.

Social Prescribers/ Link Workers- work with a wide range of individuals including those with long term conditions, those who need support with their mental health, those who are lonely or isolated, those with complex needs to address their needs in a holistic way by focusing on what matters to the person. They work to connect people to community groups and statutory services for practical and emotional support. In Swale our main link workers are Imago. Sheppey also have a social prescriber (based at AgeUK) who is funded by the PCN.

Community Wardens- work to support and give advice to local communities. Have recently undertaken a social isolation pilot to engage socially isolated individuals living in Sheppey.

Sheppey Matters- based at the Healthy living center Sheppey Matters are a charity offering a number of free and low cost groups to local people. Their groups range from creative activities, day trips out to support groups (e.g. ADHD support, Mens groups). They have recently undertaken a social isolation project aimed at engaging those who are isolated on Seppey.

Live Well Kent-Offer a number of mental health support groups, peer mentoring

Employment:

Compared with benchmark: Better Similar Worse Not compared

Quintiles: Best Worst Not applicable

Recent trends: — Could not be calculated ↑ Increasing / Getting ↑ Increasing / Getting ↓ Decreasing / Getting ↓ Decreasing / Getting → No significant change ↑ Increasing ↓ Decreasing

Indicator	Period	England	Kent	Ashford	Canterbury	Dartford	Dover	Folkestone & Hythe	Gravesham	Maldstone	Sevenoaks	Sviale	Thanet	Tonbridge and Malling	Tunbridge Wells
Percentage of people aged 16-64 in employment	2018/19	75.6	76.5	77.1	63.7	83.9	79.0	79.6	84.0	82.8	73.1	65.2	75.0	83.1	77.4
Gap in the employment rate between those with a long-term health condition and the overall employment rate	2018/19	11.5	10.6	14.8	11.6	8.9	9.0	12.8	10.9	4.7	5.1	15.1	11.8	6.5	12.1
Unemployment (model-based)	2018	4.1	4.4	3.7	5.0	2.9	3.4	4.2	4.2	2.8	3.0	5.6	4.5	3.0	3.6
Long term claimants of Jobseeker's Allowance	2018	3.8	3.7	4.0	2.7	1.2	5.1	6.0	5.5	2.4	1.3	5.1	8.5	1.9	1.3
Economic inactivity rate	2018/19	21.1	20.4	19.6	32.7	15.5	18.8	19.8	12.0	16.4	21.3	27.5	20.5	15.4	19.1
Job density	2017	0.87	0.79	0.95	0.80	0.97	0.63	0.67	0.62	0.83	0.92	0.63	0.70	0.82	0.89
Sickness absence - the percentage of employees who had at least one day off in the previous week	2016 - 18	2.1	2.3	2.8	2.1	1.6	3.1	2.2	1.9	2.7	2.0	3.3	2.5	2.9	0.9
Sickness absence - the percentage of working days lost due to sickness absence	2016 - 18	1.1	1.1	1.1	0.8	0.7	1.0	1.5	1.7	1.0	1.4	1.2	1.2	2.1	0.3

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Cabinet	Agenda Item:
Meeting Date	17 March 2021
Report Title	Financial Management Report – Third Quarter 2020/21
Cabinet Member	Cllr Roger Truelove, Leader and Cabinet Member for Finance
SMT Lead	Nick Vickers, Chief Financial Officer
Head of Service	Nick Vickers, Chief Financial Officer
Lead Officer	Phil Wilson, Financial Services Manager and Caroline Frampton, Principal Accountant
Key Decision	Yes
Classification	Open
Forward Plan	Reference number:
Recommendations	<ol style="list-style-type: none"> 1. To note the total projected revenue overspend of £3,768,000 (£3,319,000 as at end of September 2020). 2. To agree to the use of reserve funds as set out in paragraph 3.17. 3. To note the capital expenditure of £7,540,490 as detailed in paragraph 3.19 and Table 10 Appendix I. 4. To note the additional Government funding received by the Council in response to the coronavirus. 5. To authorise a further payment to Swale Community Leisure of £535,597 to reflect leisure centre contractual commitments arising from Covid as detailed in paragraphs 3.15 and 3.16.

1. Purpose of Report and Executive Summary

- 1.1 This report sets out the revenue and capital projected outturn position for 2020/21 as at the end of December 2020. The report is based on service activity up to the end of December 2020 and is collated from monitoring returns from budget managers.
- 1.2 The headline figures are:
- projected revenue overspend on services of £3,768,000 (£3,319,000 as at end of September 2020) - Table 2;
 - projected total forecast variance of £4,120,000 (£3,890,000 as at end of September 2020) – Table 4;
 - projected impact of the Coronavirus pandemic of £4,435,000 (£3,500,000 as at end of September 2020).

2. Background

- 2.1 The Council operates a budget monitoring process at Head of Service level, with regular reports to the Leader and Cabinet Member for Finance and the Strategic Management Team.

- 2.2 Financial monitoring reports are presented to Cabinet on a quarterly basis, as well as to Scrutiny Committee.

3. Proposals

Revenue Outturn

- 3.1 The last monitoring report to Cabinet was on 16 December covering April to September and the net revenue service expenditure was a forecast overspend of £3,319,000 and the equivalent outturn figure shown in Table 2 is a forecast overspend of £3,768,000, which represents a movement of £449,000 on a budget of £19.381 million. Table 1 below details the significant movements.

Table 1 – Net Revenue Service Expenditure - Movement from April to September Forecast to April to December Forecast

Movement from 2nd Quarter to 3rd Quarter	£'000	Notes
2nd Quarter Monitoring Report to Cabinet	3,319	
Salaries – savings	(229)	Vacant posts
Homelessness – reduced costs	(147)	Anticipated additional rough sleeper grants and vacant staffing posts
Housing Benefits – additional income	(93)	The less Housing Benefit Overpayments (HBOP) that are identified as new debt equals more HB Subsidy received at 100% (HBOP only receive 40% subsidy).
Waste Contract Savings – increased savings	(48)	Movement mainly due to lower indexation than anticipated for bin collections and street cleansing
Legal Services – external income	(33)	Delayed income from 2019/20 for work on S106s etc
Sport Grants	(26)	
Internment Income	(20)	
External Legal Fees – savings	(19)	
Planning Appeals	(15)	
Housing Benefit postage – savings	(15)	
Members Allowances	(14)	
Land Charges income	24	Increased loss of income
Minimum Revenue Provision (MRP) – increased costs	24	Sittingbourne Town Centre regeneration
Grounds Maintenance	24	
Penalty Charge Notice Income	44	Loss of income
Leisure Centres	131	Covid 19 loss of income claim from Swale Community Leisure (SCL) Trust
Sittingbourne Town Centre (STC) - Bourne Place	74	Reduced income from forecast due to delayed opening as a result of Covid

Movement from 2nd Quarter to 3rd Quarter	£'000	Notes
Recovery of overpayments of Housing Benefits	141	Recovery delayed by Department of Work & Pensions removing councils' ability to use attachment to benefit and earnings
Shared Service – Mid Kent Services (MKS) Debt Recovery	143	Courts' opening has been delayed and Maidstone Borough Council (MBC) anticipate to break even rather than achieve forecast
Recovery of Council Tax Costs	161	Courts opening has been delayed resulting in reduced recovery of costs
Car Park Pay & Display – increased loss of income	345	Total estimate £1,170k re loss of income
Net other movements	(3)	
Sub Total – Movement	449	
3rd Quarter Monitoring Report to Cabinet	3,768	

Table 2 - Projected Variance by Service

Service	Service Manager	Working Budget £	Projected Outturn £	Projected Variance £
Chief Executive	L. Reed	330,270	206,270	(124,000)
Policy, Communications & Customer Services	D. Clifford	1,201,940	1,151,940	(50,000)
Democratic and Electoral Services	D. Clifford	1,016,830	930,830	(86,000)
Director of Regeneration	E. Wiggins	161,100	161,100	0
Housing, Economy & Community Planning	C. Hudson	3,494,090	3,966,090	472,000
	J. Freeman	826,390	1,360,390	534,000
Commissioning, Environment & Leisure	M. Cassell	6,099,020	8,369,020	2,270,000
Finance	N. Vickers	786,470	753,470	(33,000)
Revenues & Benefits	Z. Kent	57,050	474,050	417,000
Property	A. Adams	655,170	589,170	(66,000)
Licensing & Resilience	D. Fackrell	60,780	32,780	(28,000)
Environmental Health	T. Beattie	567,690	572,690	5,000
Information Technology	C. Woodward	1,305,530	1,330,530	25,000
Internal Audit	R. Clarke	178,260	166,260	(12,000)
Human Resources	B. Sandher	446,410	446,410	0
Legal	P. Narebor	523,860	439,860	(84,000)
Sittingbourne Regeneration	N. Vickers	0	66,000	66,000
STC - Cinema/Hotel/Restaurants	N. Vickers	(574,290)	(299,290)	275,000
STC - Retail Park	N. Vickers	(471,400)	(471,400)	0
Contributions from Reserves for services shown above	N. Vickers	0	49,000	49,000
Corporate Items	N. Vickers	2,715,870	2,853,870	138,000
NET REVENUE SERVICE EXPENDITURE		19,381,040	23,149,040	3,768,000
Financed by:				
Revenue Support Grant		(115,000)	(115,000)	0
Business Rates		(9,000,000)	(9,000,000)	0
New Homes Bonus		(1,633,000)	(1,633,000)	0
Council Tax Requirement		(8,648,040)	(8,648,040)	0
TOTAL FINANCING		(19,396,040)	(19,396,040)	0
NET EXPENDITURE		(15,000)	3,753,000	3,768,000

Note: 2020/21 budget had a surplus of £15,000.

Forecast Budget Variance

- 3.2 Table 2 shows net expenditure of £3,753,000 which, with the £15,000 contribution to Reserves, gives a net overspend of £3,768,000.
- 3.3 The revenue overspend of £3,768,000 includes a number of contributions to/from reserves, which have been made in order to comply with statute and previous Cabinet decisions, which total £49,000 and they are detailed below:

Table 3 – Contributions to Reserves

Service	Description	£'000
Local Plan	The overspend as a result of legislative changes will be met from the ring-fenced local plan reserve.	(75)
Licensing	The 2020/21 deficit relating to licensing will be transferred to the surplus on the reserve.	(28)
Revenues and Benefits	The net saving will be transferred to the Revenues and Benefits reserve.	226
Parking Management	The 2020/21 deficit relating to on-street parking will be transferred to the surplus on the on-street parking reserve under Section 55 of the Road Traffic Act 1984.	(49)
Environmental Response Team	Section 96 of the Clean Neighbourhoods and Environment Act of 2005 advised that income must be spent on “qualifying functions”. The 2020/21 deficit will be transferred to the surplus on the reserve.	(25)
Total		49

3.4 The forecast variance is for 2020/21 only. However, the impact of the coronavirus also affects forecast income from business rates and council tax. The Council is a billing authority which collects these taxes and then distributes them to other preceptors through the Collection Fund. Any surplus or deficit on the Collection Fund in 2020/21 will be allocated to preceptors in future years. Therefore, in order to show the full impact of the effect of the coronavirus on the Council’s finances, these forecast deficits are shown in Table 4 below and the explanations for them are detailed in the next section of the report.

Table 4 – Forecast Variance

	Forecast Variance £'000
Forecast over/(under) spend on services 2020/21 (Table 2)	3,768
Forecast future impact of under-recovery of Business Rate income	110
Forecast future impact of under-recovery of Council Tax income	242
Total Forecast Overspend	4,120

3.5 The additional funding received by the Council, updated for funding allocated since the period end, is shown in the table below:

Table 5 – Government Funding

Funding	Amount £	Allocation basis
Tranche 1	75,560	March £1.6bn of which £1.46bn for Social care
Tranche 2	1,501,441	April £1.6bn with 35% allocation to districts
Tranche 3	317,585	July £500m with a Relative Needs Formula reflecting deprivation
Tranche 4	1,027,204	October £919m with a Relative Needs Formula reflecting deprivation
Sales, Fees and Charges	1,000,000	75% of defined losses on some Sales, Fees and Charges. Forecast compensation for the year reflects higher loss of car parking income.
National Leisure Recovery Fund	340,000	The National Leisure Recovery Fund supports public sector leisure centres. This will be paid over to Swale Community Leisure/ Serco and Faversham Pool.
Sub-total	4,261,790	
New Burdens Grant	170,000	Banded allocation based upon number of hereditaments
Compliance & Enforcement	90,338	From Ministry of Housing, Communities and Local Government (MHCLG)
Test and Trace	31,160	From MHCLG
Total	4,553,288	

Note - this table excludes funding streams for specific purposes provided via Kent County Council (KCC).

3.6 At this stage, the forecast overspend is matched by an unprecedented level of additional Government funding. The cost forecasts are very sensitive to the impact of the new lockdown.

Business Rates

3.7 The Council collects business rates and distributes them to preceptors including the Government, Kent County Council (KCC), the Fire Authority and the Council and this is accounted for in the Collection Fund. The original forecast for 2020/21 was that the Council would collect £53m in total in 2020/21. Later the Government announced new reliefs on business rates for retail, local newspapers and nurseries which would reduce the income from business rates by £16m, but this will be offset by Government grants.

- 3.8 The Council budgeted that its share of the total business rates collected for 2020/21 would be £8.75m plus £250k contribution from business rates reserves. There is a complicated system of levies and tariffs, and any deficit on the Collection Fund for 2020/21 will be allocated to each preceptor as a cost in future years. However, for the purposes of this report, the forecast Council share of the deficit for 2020/21 of £110,000 is reported here, even though it will be a cost in future years. Council policy is to pay for business rate collection fund deficits from reserves.
- 3.9 The Business Rates Collection Fund has set aside £10m for appeals, of which the Council's share is £4m.

Council Tax

- 3.10 The Council collects council tax and distributes it to preceptors including the KCC, the Fire Authority, the Police Authority, Parish and Town Councils and the Council and this is accounted for in the Collection Fund. The original forecast for 2020/21 was that the Council would collect £89m in total.
- 3.11 Any surplus or deficit on the Council Tax Collection Fund for 2020/21 will be allocated in future years. However, for the purposes of this report, the forecast for 2020/21 is a deficit on the Council Tax Collection Fund of £2.1m of which the Council's share is £242,000.
- 3.12 The reasons for this reduction in income are:
- Increase in the single person discount due to the increase in the number of deaths resulting in a single person living in a property:
 - Reduction in the number of new properties being completed and then being liable for Council Tax; and,
 - Courts not being open has resulted in a reduction in debt recovery.

Collection Fund

- 3.13 Any deficits from council tax and business rates arising in 2020/21 would normally be transferred from the collection fund in the following year (2021/22). The Government has proposed that these deficits will now be spread equally over three years (2021/22 to 2023/24) "to ease immediate pressures on budgets".
- 3.14 The Government has also announced, as part of a consultative policy paper, the details of its proposed scheme to fund 75% of irrecoverable losses in council tax and business rates. These will be calculated once the final returns for 2020/21 have been completed and returned to the Government. The methodology differs between council tax and business rates.

Leisure Centre Loss of Income Claims

- 3.15 Over the last year the Council has been involved in negotiations with Swale Community Leisure (SCL) with whom the leisure centre management contract is held and Serco Leisure Operating Ltd (SCL's operating agent), where they are making claims for loss of income due to the pandemic. The leisure centre contract requires the Council to make adjusted payments based on Changes in Law. Following external legal advice, the enforced closures and reduced capacity opening are deemed to be a Change of Law event. Throughout the negotiations the Council has tried to strike a balance between recognising the terms of the contract and keeping the cost to the public purse to a minimum, in order to allow us to focus on our community response to the pandemic. We have been clear that only actual costs will be paid and that no element of profit will be paid to either party. Negotiations have come to an agreed way forward. In December Cabinet agreed to set aside £165,000 whilst negotiations continued. In this report Cabinet is asked to agree an additional sum of £535,597 with the sum total covering the claim for April 2020 – March 2021.
- 3.16 It was announced in October 2020 that £100m of funding has been provided for the Department for Culture, Media and Sport to help meet additional leisure costs. The Council applied to the National Leisure Recovery Fund and was awarded our full allocation of £340,000. This will be proportionally split across both leisure operators in the Borough (Swale Community Leisure and Faversham Pools Trust) and be used to offset the costs above.

Improvement and Regeneration Funds

- 3.17 Table 6 below details the movements on a number of reserve funds up to the end of December 2020. Further details regarding the funds committed in 2020/21 are detailed in Appendix I Table 9.

Table 6: Improvement and Regeneration Funds

	Balance as at 1 April 2020	Proposed Topping Up of Funds 2020/21	Fund Committed as at 1 April 2020	Funds committed after 1 April 2020 (Appendix I Table 9) 2020/21	Balance Unallocated
Funds:	£'000	£'000	£'000	£'000	£'000
Special Projects	964	1,000	(553)	(978)	433
Performance	432	0	(233)	(29)	170
Communities	556	0	(173)	(15)	368
Pension & Redundancy	94	100	0	(103)	91
Regeneration	152	0	(152)	0	0
Local Loan Fund	175	0	0	0	175
TOTAL	2,373	1,100	(1,111)	(1,125)	1,237

Capital Expenditure

3.18 This section of the report details actual capital expenditure to end of December 2020 and highlights any projected variations between the revised 2020/21 capital budget and the projected outturn.

3.19 Actual expenditure to end of December 2020 was £7,540,490. This represents 54% of the revised budget. Further details are set out in Table 10 of appendix I.

3.20 Table 7 below summarises the projected capital underspend of £2,366.

Table 7: Capital Programme Expenditure

	2020/21 Revised Budget	2020/21 Actual to Date	2020/21 Projected Variance
	£'000	£'000	£'000
Housing, Economy & Community Services	10,697	6,345	(30)
Commissioning, Environment & Leisure	2,978	1,050	20
Finance	11	11	0
Property	200	58	0
Planning	0	0	0
Information Technology	92	68	0
Environmental Health	0	8	8
Total Capital Programme	13,978	7,540	(2)
Total funded by the Council	9,348	6,837	(2)
Total Partnership funded	4,630	703	0
% Spent to date compared to Revised Budget		54%	

Payment of Creditors

3.21 For April to January 2020, 98.4% of invoices from suppliers were paid within 30 days of receipt of invoice, against the target of 97%.

Sundry Debtors

3.22 Tables 11.1 and 11.2 in appendix I analyse the sundry debt outstanding.

4. Alternative Options

4.1 None identified – this report is largely for information.

5. Consultation Undertaken or Proposed

5.1 Heads of Service and Strategic Management Team have been consulted in preparing this report.

6. Implications

Issue	Implications
Corporate Plan	Good financial management is key to supporting the Corporate Plan objectives.
Financial, Resource and Property	As detailed in the report
Legal and Statutory	The outturn report is not a statutory requirement, but it is a requirement of the Council's Financial Regulations.
Crime and Disorder	None identified at this stage.
Environmental Sustainability	The report identifies a wide range of expenditure headings which support the Council's Climate and Emergency Action Plan.
Health & Wellbeing	None identified at this stage.
Risk Management and Health and Safety	The Council's overall financial position is a key risk in the Council's Corporate Risk Register.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7. Appendices

7.1 The following documents are published with this report and form part of the report:

- Appendix I: Finance Report 2020/21

8. Background Papers

[Cabinet Medium Term Financial Plan and Budget 2020/21](#)

Table 8 – Significant Variances

Service – Cabinet Member (Head of Service)	£'000
CHIEF EXECUTIVE – Cllr R Truelove (Larissa Reed)	
Other Variances:	
Salary underspend	(129)
Recruitment costs	25
Special Projects & Swale Stars	(14)
Other net savings	(6)
TOTAL	(124)
POLICY, DEMOCRATIC SERVICES, COMMUNICATIONS AND CUSTOMER SERVICES – Cllr R Truelove (David Clifford)	
Policy, Communications & Customer Services:	
Other Variances:	
Salary underspend – Policy	(11)
Salary underspend – Customer Service Centre	(28)
Contract underspend – Kent County Council Sheerness Gateway	0
Advertising & promotion – savings	(6)
Other variances	(5)
Democratic Services:	
Other Variances:	
Salary underspend – Democratic Services	(38)
Salary underspend – Mayoral	(17)
Democratic Services – Members Allowances & Travel	(14)
Mayor & Ceremonial – other	(7)
Electoral Services:	
Other Variances:	
Net underspend on Electoral Registration	(10)
TOTAL	(136)
DIRECTOR OF REGENERATION – (Emma Wiggins)	
Other Variances:	
Net overspend	0
TOTAL	0
HOUSING, ECONOMY AND COMMUNITY SERVICES – Cllr B Martin, Cllr J Saunders, Cllr R Palmer, Cllr M Bonney, Cllr A Harrison (Charlotte Hudson)	
Economy & Community Services:	
Coronavirus Related Variances:	
Salary overspend – Economy & Communities and Economic Development - including budget savings £30k requirement delayed due to restructure being paused due to coronavirus	71

Table 8 – Significant Variances

Service – Cabinet Member (Head of Service)	£'000
Income under-recovery – Markets' rents not received.	13
Other Variances:	
Salary underspend – Tourism, Safeguarding, Health & Wellbeing, Community Services and Sports Development	(59)
Sports Grants – will not be spent in 2020/21	(26)
Net underspend including Culture grants, Heritage grants, Learning & skills, Sports Development and Tourism (including (£20k) grants to be requested to roll over)	(42)
Sub-total	(43)
Housing:	
Coronavirus Related Variances:	
Temporary accommodation overspend – additional pressure on service due to coronavirus.	269
Rough Sleeper Initiative – Government "everyone in" during coronavirus cost £50k. It is assumed that this will be fully reimbursed by the Government.	0
Other Variances:	
Temporary accommodation overspend	240
Salary overspend – Housing Private Sector vacancy allowance will not be achieved and new staff recruitment may involve post regrading	7
Stay-Put scheme grants – net variations	(1)
Sub-total	515
TOTAL	472
PLANNING - Cllr M Baldock (James Freeman)	
Coronavirus Related Variances:	
Planning fees income – shortfall as a result of economic uncertainty which has caused the decline in the housing market and a significant drop in planning applications and major applications to the Council.	250
Local Land Charges income – shortfall as a result of economic uncertainty which has caused the decline in the housing market and a significant drop in the income from land searches fees to the Council.	84
Building Control – the South Thames Gateway (STG) Building Control Partnership is not a separate entity and the forecast loss in fees and charges is being reported within Medway's submission to Ministry of Housing, Communities and Local Government (MHCLG) and included as part of their compensation claim to the Government. The remaining deficit is being met from partnership reserves for 2020/21 only.	0
Other Variances:	
Appeals	(15)
Development Control / Services – salaries overspend	38
Planning Shared Service – overspend	15
Legal fees / Planning consultation advice	60
Local Plan overspend as a result of legislative changes in August 2020	75

Table 8 – Significant Variances

Service – Cabinet Member (Head of Service)	£'000
Conservation, Design and Heritage staff - overspend	27
TOTAL	534
<i>Note: Not included in the above are the potential costs for the major planning appeal for Barton Hill Drive estimated at £203k including the £170k costs of a court claim against the Council which is subject to a High Court challenge.</i>	
N.B. The overspend on the local plan will be met from the ring-fenced reserve to be used solely to fund Local Plan associated work.	
COMMISSIONING, ENVIRONMENT AND LEISURE – Cllr Saunders, Cllr A Harrison, Cllr R Palmer (Martyn Cassell)	
Coronavirus Related Variances:	
Car Parks pay and display – income shortfall	1,170
Car Parks – private contractor costs	53
Parking Management – reduced cash security costs	(25)
Parking season tickets – income shortfall	24
Parking Penalty Charge Notices (PCN's) – income shortfall	94
Parking Enforcement – deficit relating to on-street parking is transferred to the ring-fenced street parking account under Section 55 of the Road Traffic Act 1984.	49
Multi-Storey Car Park – income shortfall	78
Environmental Response – Fixed Penalty Notices – net loss of income – deficit is transferred to the ring-fenced Environmental Initiatives account.	25
Leisure & Sports Centres – loss of income claims	701
Refuse & Recycling – additional contract costs expected re Covid 19	80
Swale Community Leisure Trust Ltd – additional grant	50
Faversham Pool – SBC share of national leisure recovery grant and additional grant	143
Other miscellaneous Covid related costs (incl. Street Naming £15k)	30
Other Variances:	
Head of Service and Client and Amenity Services – salary & staff costs savings	(19)
Leisure & Sports Centres – additional expenditure re loss of income claims as a result of works on the Swallows roof.	109
Leisure & Sports Centres – savings re service costs (including utility costs and car parking refunds)	(175)
Leisure & Sports Centres – savings re Serco maintenance agreement	(18)
Garden Waste collections – additional income	(132)
Wheeled Bins purchase – additional expenditure. Increase in garden waste subscriptions.	115
Wheeled Bins sales – additional income – including income from new developments requesting waste receptacles (anticipated to be slightly below last year's levels).	(8)

Table 8 – Significant Variances

Service – Cabinet Member (Head of Service)	£'000
Street Cleansing, Refuse Collection and Public Conveniences – contract costs savings. Indexation lower than expected.	(148)
Public Conveniences – cost savings on premises expenses.	(18)
Parks, Sports, Allotments and other ‘open air’ facilities – net additional expenditure on premises expenses.	16
Cemeteries – additional interment income	(20)
Grounds Maintenance (contracted)	24
Multi-Storey Car Park additional private contractor costs and security costs increased due to longer opening hours.	20
Multi-Storey Car Park additional other costs, including £11k electricity.	18
Parking Management – additional licence costs	20
Parking Partnership – additional costs with Maidstone Borough Council.	38
Miscellaneous services – net multiple other additional minor savings/income	(24)
TOTAL	2,270
FINANCE – Cllr R Truelove (Nick Vickers)	
Other Variances:	
Salary underspend – vacant post and agency staff savings.	(33)
TOTAL	(33)
REVENUES & BENEFITS – Cllr R Truelove (Nick Vickers)	
Coronavirus Related Variances:	
Reduced income – recovery of council tax court costs due to the courts being shut	411
Reduced income – recovery of overpayments of housing benefits due to reduction in recovery action	313
Reduced income – Mid Kent debt recovery due to courts being shut	158
Other Variances:	
Department of Works and Pensions (DWP) net additional housing benefit subsidy grant	(200)
DWP additional housing benefit grants	(112)
New Burdens Grants – Council Tax Hardship Fund & Business Rate Relief grants/Business Rate Christmas Support Grants – additional grants	(83)
DWP Housing Benefit Admin Subsidy Grant increase	(30)
MKS Fraud Partnership Charges	(15)
Postage	(15)
Recovery of Council Tax Benefit Overpayments	(10)
TOTAL	417
N.B. A net saving of (£226k) detailed above will be transferred to reserves at year end.	

Table 8 – Significant Variances

Service – Cabinet Member (Head of Service)	£'000
PROPERTY SERVICES – Cllr M Bonney (Anne Adams)	
Coronavirus Related Variances:	
External Printing reduced income (£6k) offset against an underspend on paper supplies (£5k)	1
Other Variances:	
Property salary underspend due to vacant post	(53)
Premises expenditure	(30)
Consultancy expenditure	10
Admin Buildings – rent – additional costs	6
Building Maintenance – nil variance (any variance on building maintenance will be met from the ring-fenced reserve)	0
TOTAL	(66)
LICENSING & RESILIENCE PLANNING –Cllr R Palmer, Cllr R Truelove (Della Fackrell)	
Other Variances:	
Licensing salary underspend due to vacant post	(18)
Hackney Carriage additional income forecast	(15)
Gambling Licence fees additional income forecast	(4)
General Licence Fees – nil variance	0
Emergency response overtime (Eastchurch Cliff fall)	11
Other net variances	(2)
TOTAL	(28)
N.B. A net overspend of £28k (including central support costs) on Hackney Carriage licences and other licences will be transferred to the ring-fenced reserve under the Local Government Act 1976 at year end. This reserve is to be used to fund Licensing related expenditure in future years.	
ENVIRONMENTAL HEALTH – Cllr J Saunders (Tracey Beattie)	
Other Variances:	
Shared Service costs	5
TOTAL	5
INFORMATION TECHNOLOGY – Cllr R Truelove (Chris Woodward)	
Other Variances:	
IT Maintenance and software – nil variance	0
Shared Service costs – increased usage	33
Telecommunications – reduced expenditure on equipment maintenance and costs of telephones – nil variance	(8)
TOTAL	25

Table 8 – Significant Variances

Service – Cabinet Member (Head of Service)	£'000
INTERNAL AUDIT – Cllr R Truelove (Rich Clarke)	
Other Variances:	
Shared Service costs – underspend re 2019/20	(12)
TOTAL	(12)
HUMAN RESOURCES – Cllr R Truelove (Bal Sandher)	
Other Variances:	
Shared Service costs – nil variance	0
TOTAL	0
LEGAL – Cllr R Truelove (Patricia Narebor)	
Other Variances:	
Legal shared service – underspend	(36)
S106 additional income – finalisation of historic legal agreements within 2020/21	(58)
External legal fees	10
TOTAL	(84)
SITTINGBOURNE REGENERATION	
Other Variances:	
Salary costs	14
Fees & services – anticipated consultancy and legal costs	52
TOTAL	66
CINEMA/HOTEL/RESTAURANTS	
Coronavirus Related Variances:	
Loss of rental income	275
TOTAL	275
CONTRIBUTIONS TO/FROM (-) RESERVES FROM SERVICES SHOWN ABOVE	
Licensing	(28)
Local Plan	(75)
Revenue Services	226
On-street Parking	(49)
Environmental Response Team	(25)
TOTAL	49
CORPORATE ITEMS	
Coronavirus Related Variances:	
Coronavirus Communities overspend – grants issued.	33
Coronavirus Communities overspend – salary costs.	22
Coronavirus Communities overspend – PPE equipment for staff.	23
Coronavirus Communities overspend – other costs.	40
Opening High Street Safely Project overspend – private contractors.	0

Table 8 – Significant Variances

APPENDIX I

Service – Cabinet Member (Head of Service)	£'000
Other Variances:	
Staff costs including pension costs reflecting the recent three-year revaluation which are higher than the estimated contributions provided as part of that revaluation, offset by net corporate staff savings.	(38)
Net underspend – secretarial support	(38)
Net interest earnings.	63
Insurance – additional properties and increase in cost of public liability cover.	26
Minimum Revenue Provision (MRP) – cost of STC	24
Other savings.	(17)
TOTAL	138
NET EXPENDITURE (Overspend)	3,768

The forecast salary variances identified above are collated in the table below and total £449k underspend on the total salary/ agency budget of £13.6m.

Service	£'000
Salary underspend - Chief Executive	(127)
Salary underspend – Policy	(11)
Salary underspend – Customer Service Centre	(28)
Information Governance	2
Electoral and Democratic Services	(38)
Salary underspend – Mayoral	(17)
Salary underspend – secretarial support	(31)
Salary overspend – Economy & Communities budget savings requirement delayed due to restructure being paused due to coronavirus.	71
Salary underspend – Economy & Communities – vacant posts	(59)
Salary underspend – Homelessness – vacant posts	(87)
Salary overspend – Housing Private Sector	9
Development Control / Services – salaries overspend	39
Conservation, Design and Heritage agency staff	27
Commissioning, Environment & Leisure	(33)
Salary underspend – Finance due to vacancy and reduced agency costs	(33)

Table 8 – Significant Variances**APPENDIX I**

Service	£'000
Salary underspend – Licensing	(18)
Salary underspend – Property due to vacancy	(53)
Salary underspend – Legal	(73)
Salary costs – Sittingbourne Regeneration	14
Salary costs – overtime – Eastchurch landslide	12
Coronavirus Communities overspend – salary costs.	22
Staff costs including pension costs reflecting the recent three-year revaluation which are higher than the estimated contributions provided as part of that revaluation, offset by net corporate staff savings	(37)
Total	(449)

Table 9 – 2020/21 Allocations from Funds

	£'000
Special Project Fund	
Members' grants	54
Area Committees - grant funding	188
Park improvements	150
Fuel poverty	48
Climate project officer	27
Social inclusion - officer and one off spend	55
Air Quality Officer	50
Clean Air Zone consultancy	50
Project Surveyor	55
Green Space Activity Coordinator	35
Biffa deep cleans	50
Play equipment	100
West Faversham Community Centre - support for expansion	25
Air Quality - additional monitoring St Paul's Street	22
Provision of heating for Faversham Strike Force Football Club	6
Thistle Hill Community Centre - solar PV installation	20
Leysdown Village Hall kitchen refurbishment	3
Murston Bus Lane	10
Local Cycling and Walking Infrastructure (LCWIP) for Faversham Area	30
Total Special Project Fund Approved as at 31 December 2020	978
Performance Fund	
Sittingbourne Town Centre (STC) Strategic Development	4
Member IT	25
Total Performance Fund Approved as at 31 December 2020	29
Communities Fund	
Old Forge Museum	8
Raybel Restoration Project	7
Total Communities Fund Approved as at 31 December 2020	15
Pension & Redundancy Fund	
Pension and Redundancy costs	103
Total Pension & Redundancy Fund Approved as at 31 December 2020	103

Table 10 – Capital Programme 2020/21

Capital Scheme	Funding SBC/ Partnership (P)	2020/21 Original Budget	2020/21 Revised Budget	2020/21 Actual to Date	2020/21 Projected Variance	Notes
		£	£	£	£	
Commissioning, Environment & Leisure - M. Cassell						
Gunpowder Works Oare, Faversham - S106	P	0	9,000	0	0	
New Play Area - Iwade Scheme	P	0	45,000	0	0	
Minster Leas Promenade Resurfacing	P	0	79,970	0	0	
Modular Toilet Kiosk - Minster Leas	SBC	0	122,931	78,860	0	(a)
Milton Creek Country Park Access Road	SBC	0	40,000	0	0	
Barton's Point Coastal Park – Replacement Bridge	SBC	0	158,260	20,547	0	(b)
Faversham Recreation Ground Improvement - S106	P	125,400	42,731	42,731	0	(c)
Faversham Recreation Ground Improvement – Reserves	SBC	0	122,240	93,882	0	(c)
Open Space Project - Minster Leas (outdoor gym equipment)	SBC	0	1,753	0	0	
Open Spaces Project - Shellness Road (refurbishment existing Play Area at Leysdown Coastal Park, Shellness Road)	SBC	0	2,250	0	0	
Car Park Improvement/Enhancement - Electric Charging Points – Swale House Car Park (Reserves)	SBC	0	32,000	51,734	19,734	(d)
Car Park Improvement/Enhancement – Electric Charging Points – Rose Street Car Park (Reserves)	SBC	0	29,900	49,226	0	(d)

Capital Scheme	Funding SBC/ Partnership (P)	2020/21 Original Budget	2020/21 Revised Budget	2020/21 Actual to Date	2020/21 Projected Variance	Notes
Footpath contribution - High Street Sittingbourne - S106	P	0	18,915	13,260	0	
Open Spaces S106 Play Equipment (Budget Only)	P	130,000	356,000	0	0	
Ospringe Brickworks Site, Western Link – S106	P	0	21,440	21,444	0	(e)
Leisure Centres – Budget Only	SBC	0	293,847	0	0	
Swallows Leisure Centre - Capital Works	SBC	0	0	(22,090)	0	
Sheppey Leisure Centre (Not Pool) - Capital Works	SBC	0	0	(2,310)	0	
Sheppey Swimming Pool	SBC	0	0	(4,030)	0	
Play Area Improvements - Reserves	SBC	150,000	150,000	0	0	
Play Area Improvements - Diligent Drive	SBC	0	18,000	0	0	
Public Toilets Refurbishment - Forum, Sittingbourne	SBC	0	50,000	0	0	
Public Toilets Refurbishment - Central Car Park, Faversham	SBC	0	40,000	41,329	0	
Modular Toilet Kiosk - Milton Creek Country Park	SBC	0	150,000	53,137	0	
Public Toilets and Showers - Bartons Point, Sheppey	SBC	0	100,000	0	0	
Public Toilets - The Spinney Leysdown	SBC	0	40,000	30,238	0	
Wheeled Bins	SBC	157,000	251,000	0	0	
Beach Huts	SBC	60,000	60,000	0	0	
Swallows Leisure Centre Roof – internal/external	SBC	0	691,800	531,021	0	(f)
Swallows Leisure Centre Roof – Revenue	SBC	0	51,200	51,200	0	(f)
Total Commissioning, Environment & Leisure		622,400	2,978,237	1,050,179	19,734	

Capital Scheme	Funding SBC/ Partnership (P)	2020/21 Original Budget	2020/21 Revised Budget	2020/21 Actual to Date	2020/21 Forecast Variance	Notes
Housing, Economy & Communities Services - C. Hudson						
Disabled Facilities Grants Mandatory Grants	P	2,062,800	2,062,800	554,498	0	
Disabled Facilities Grants Discretionary Grants	P	0	1,927,533	0	0	
Queenborough & Rushenden Klondyke Land	P	0	66,600	75,699	0	(g)
Housing Repair Grants Over 60	SBC	0	0	0	0	
CCTV - Repairs & Renewals	SBC	0	30,000	0	(30,000)	(h)
CCTV Monitoring Control Centre at Multi-Story Car Park	SBC	0	0	0	0	
Decent Home Loans Owner Occupier (loans)	SBC	0	0	9,380	0	
Murston Old Church	SBC	0	100,000	100,000	0	(i)
STC Site 4, Cinema/Restaurants	SBC	0	6,265,658	5,271,784	0	(j)
STC Site 5, Multi-Storey Car Park	SBC	0	0	5,183	0	
STC - Other Assets	SBC	44,250	44,250	247,096	0	(j)
The Mill Project, Sittingbourne Skate Park	P	0	0	(4,860)	0	
Faversham Creek Basin Regeneration Project (swing bridge)	SBC	0	200,000	0	0	
Local Authority Housing	SBC			32,750	0	
Land Regeneration/Improvement Works at Dolphin Barge Museum and Skatepark	SBC			52,060	0	
Land plots, Crown Quay Lane inc CPO's and creek frontage	SBC			1,354	0	
Total Housing, Economy & Communities		2,107,050	10,696,841	6,344,944	(30,000)	

Capital Scheme	Funding SBC/ Partnership (P)	2020/21 Original Budget	2020/21 Revised Budget	2020/21 Actual to Date	2020/21 Forecast Variance	Notes
<u>ICT - C. Woodward</u>						
ICT infrastructure – firewall and equipment replacement	SBC	76,200	92,000	68,390	0	
Total ICT		76,200	92,000	68,390	0	
<u>Finance - N. Vickers</u>						
Finance System Upgrade	SBC	0	1,410	1,250	0	
Leaky Lucy Minibus Replacement	SBC	0	10,000	10,000	0	(k)
Total Finance		0	11,410	11,250	0	
<u>Property – A. Adams</u>						
Swale House Refurbishment	SBC	0	200,000	4,446	0	
Milton High Street Clock	SBC	0	0	53,381	0	
Total Property Services		0	200,000	57,827	0	
<u>Environmental Health – T. Beattie</u>						
Replacement of Air Pollution Monitoring Station	SBC	0	0	7,900	7,900	(l)
Total Environmental Health		0	0	7,900	7,900	
<u>Planning - J. Freeman</u>						
Land Charges Shared Service - Online Submission Module	SBC	6,400	0	0	0	(m)
Total Planning		6,400	0	0	0	
Total Capital Programme Funded by the Council	SBC	493,850	9,348,499	6,837,718	(2,366)	
Total Capital Programme Funded by Partners	P	2,318,200	4,629,989	702,772	0	
Total Capital Programme		2,812,050	13,978,488	7,540,490	(2,366)	

Notes

- (a) Revised Budget includes Special Project Funding (SPF22).
- (b) Cabinet on 8 July 2020 approved additional funding of £22,000 against the original budget of £120,000 as a result of a contract award for the Bartons Point Coastal Park footbridge. This will be met from capital receipts. In addition, due to detailed investigations of the foundations, foundation costs are expected to be in the region of £40k more than the award price. There are also additional hiring costs depending on when the works can be completed of £5k.
- (c) Budget virement between allocation of funding to reflect actual expenditure.
- (d) Funded from reserves – special project funding and car parking equipment reserve.
- (e) Funded from S106 monies.
- (f) Expenditure is to be met from borrowing. Anticipated to be £743k. This is to meet the uninsured losses regarding the roof replacement at the Swallows Leisure Centre. Agreed by Cabinet 8 July 2020. This includes £51,200 is to be funded from direct revenue funding.
- (g) Externally funded project Homes England.
- (h) Nil expenditure anticipated to be incurred.
- (i) Community Fund Bid (CFB54).
- (j) As the leisure development completes there will be a reconciliation of total spend against budget. There are additional costs associated with the Light cinema and bowling developments.
- (k) Community Fund Bid (CFB55) approved in 2019/20.
- (l) Funded from reserves.
- (m) Project has been cancelled.

Table 11.1 – Sundry Debt Outstanding (including not due) by due date

	December 2020 £'000	December 2019 £'000
Not due (less than 1 month)	89	407
1–2 months	78	89
2–6 months	168	187
6–12 months	104	217
1–2 years	225	15
2–3 years	17	28
3–4 years	18	12
4–5 years	10	13
5–6 years	13	19
6 years +	45	30
Total	767	1,017
Total due (over 1 month)	678	610
% Total over 1 month	88	60%

Notes:

1 -2 months includes £43k relating to two debtors.

2 – 6 months includes £78k relating to three debtors.

6 – 12 months includes £57k relating to one debtor.

1 – 2 years includes £184k relating to three debtors and £10k relating to charges on property.

2 – 3 years includes £2k relating to charges on property.

5 – 6 years includes £4k relating to charges on property.

6 years + includes £21k relating to charges on property. The balance are rent deposit debts which are being paid off via payment plans.

These tables include debts raised for all our grants receivable from Kent County Council, the NHS, etc.

Table 11 – Sundry Debt Outstanding**APPENDIX I****Table 11.2 – Sundry Debt Outstanding (including not due) by Service**

	December 2020 £'000	December 2019 £'000
Property	192	201
Commissioning, Environment & Leisure	130	81
Housing, Economy & Communities	300	268
Legal	2	375
Environmental Health	7	1
Planning	2	14
Communications	1	1
Other	133	76
Total	767	1,017

Notes:

'Property' includes outstanding £140,000 quarterly rent relating to one debtor.

Cabinet Meeting	
Meeting Date	17 th March 2021
Report Title	Sheerness Clock Tower Restoration
Cabinet Member	Cllr. Monique Bonney, Cabinet Member for Economy and Property
SMT Lead	Emma Wiggins, Director of Regeneration
Head of Service	Charlotte Hudson, Head of Housing, Economy and Community Services
Lead Officer	Dean Radmore, Capital Projects Manager
Key Decision	Yes
Classification	Open
Recommendations	That the Head of Housing, Economy and Community Services in conjunction with the Chief Financial Officer in consultation with the Cabinet Member for Economy and Property and The Leader and Cabinet Member for Finance has delegated authority to award the contract for the renovation works for Sheerness Clock Tower and waive contract standing orders if three tenders are not received.

1 Purpose of Report and Executive Summary

- 1.1 This report discusses the current condition of the clock tower in Sheerness and the requirements for the Council to award a contract to carry out full restoration works.
- 1.2 The urgency of this decision has meant that it has not been possible to provide the 28 days' notice via the forward plan which are usually required for a key decision. Under Rule 20 of the council's access to information procedure rules, the chairman of the scrutiny committee has been advised of this. This report constitutes the notice required to be provided to the chairman of the scrutiny committee and made available to the public.

2 Background

- 2.1 As part of the Capital Projects work in Sheerness Town centre the council arranged for a full internal and external inspection of the clock tower in Sheerness ahead of any external painting works planned for later in the year. The inspection was carried out on 22nd Feb 2021 and during that inspection the structural integrity of the iron structure was found to be seriously compromised in a number of areas.

- 2.2 Following the inspection the council were advised to close off the area surrounding the clock tower to remove the risk of members of the public being hit by falling material/debris emanating from the tower itself.
- 2.3 The company that carried out the inspection on 22nd February 2021, Smith of Derby, are currently preparing a detailed report of their findings including costs to fully dismantle the tower, transport it to their warehouse in Derby for full restorative repair and transport it back to Sheerness to reassemble and leave in a fully restored and operational condition.
- 2.4 Other companies are being sought to provide quotes for this work however this is specialist works and therefore it may difficult to find alternative suppliers that are able to carry out the full suite of works required including dismantling and erection, dial and hand repairs, clock mechanism works, casting of iron sections for replacement, existing paint removal and full external paintwork.
- 2.5 Due to the urgent requirements to carry out this work and the timetable of Cabinet meetings scheduled. Delegated authority is requested to award this contract as early indications is the costs will exceed officer authority for awarding contracts up to £100k. Also due to the limited number of specialist contractors a waiver may be required if an insufficient number of tenders are submitted.
- 2.6 In addition to the restoration works there will also be the need to put in place more permanent hoarding until the works can be undertaken, to engage with the electricity supply company so that they can carry out a full disconnection of the supply prior to the tower being removed and also a full reconnection once the tower is reinstated. There will also be the need to remove the seating plinth around the base of the tower prior to removal, and reinstate it afterwards, and also arrange for the wires connected to the top of the tower and adjoining to the adjacent buildings to be removed prior to removal. The costs for the activities described directly above are currently unknown but are estimated to collectively be up to £25,000.

3 Proposals

- 3.1 That the Head of Housing, Economy and Community Services in conjunction with the Chief Financial Officer in consultation with the Cabinet Member for Economy and Property and The Leader and Cabinet Member for Finance has delegated authority to award the contract for the renovation works for Sheerness Clock Tower and waive contract standing orders if three tenders are not received.

4 Alternative Options

- 4.1 To leave the clock tower barriered off and out of bounds to the public until sufficient funding can be found or a grant obtained sometime in the future.

5 Consultation Undertaken or Proposed

- 5.1 Internal discussions have currently taken place with SBC's property team to determine companies suitable to carry out the work required and the conservation officer regarding the listed building consent and planning requirements. Sheerness Town Council and Town Team have been informed and will be updated once further progress has been made.

6 Implications

Issue	Implications
Corporate Plan	<p>The proposals in this report delivers against the Corporate Priority No. 2 'Investing in our environment & responding positively to global challenges' and specifically 2.3 and 2.4:</p> <p>2.3 Establish a special projects fund to provide much-needed investment in the borough's public realm and open spaces.</p> <p>2.4 Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.</p>
Financial, Resource and Property	<p>The Clock Tower in Sheerness Town centre is a listed structure of national importance. Although exact costs for the restoration project have yet to be received the financial implications are expected to be in the region of £160,000 for the restorative works (singular contract award) with up to a further £25,000 required for the supporting activities described in 2.6 above. These costs are to come from £20,000 from S106 and the remaining funds from the pooled business rate reserve which has been allocated to town centre improvements and economic regeneration.</p>
Legal, Statutory and Procurement	<p>As the structure is listed, formal listed building consent and planning consent will be required for any works undertaken. Legal advice will also be required for the contract award.</p>
Crime and Disorder	<p>None identified.</p>
Environment and Climate/Ecological Emergency	<p>None identified.</p>
Health and Wellbeing	<p>None identified.</p>
Safeguarding of Children, Young People and Vulnerable Adults	<p>None identified.</p>
Risk Management and Health and Safety	<p>The tower is currently deemed unsafe and therefore has been barriered off to protect members of the public from the risk of</p>

	falling material/debris. The tower will need to remain closed off to the public until the restoration is complete.
Equality and Diversity	None identified.
Privacy and Data Protection	None identified.

7 Appendices

7.1 None

8 Background Papers

None

Cabinet 17 March 2021

Recommendations for approval

Local Plan Panel – 18 February 2021

Minute No. 454 - Public Consultation Borden Parish Conservation Area

Recommended:

- (1) That the content of the public consultation draft of the combined character appraisals and management strategies document produced for the review, and the representations made on this by interested parties, the details of which were set-out in the report be noted.***
- (2) That the changes to the review document proposed by officers in response to the representations received during the course of the public consultation be supported and agreed by Cabinet.***

Minute No. 455 - Public Consultation Tonge Conservation Area

- (1) That the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, the details of which are set-out in the report be noted.***
- (2) That the changes to the review document proposed by officers in response to the representations received during the course of the public consultation be supported and agreed by Cabinet.***

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Recommendations for approval

Swale Joint Transportation Board – 1 March 2021

Minute No. 488 – Formal objections to Traffic Regulation Order Amendment 21

(1) That the formal objection and comments received to the advertised Traffic Regulation Order be noted and the Order be progressed as advertised.

Minute No. 489 – Formal objections to Traffic Regulation Order Amendment 20

(1) That the proposed double yellow lines in Cormorant Road and Wigeon Road, Iwade, be progressed.

(2) That the proposed double yellow lines in Dark Hill, Faversham, be progressed.

(3) That the proposed extension to the double yellow lines, and reduction of residents' parking bay at the side of 6 East Street, in St Mary's Road, Faversham, be progressed.

(4) That the proposed double yellow lines in Nutfields, Sittingbourne, be abandoned.

(5) That the proposed formalising of the existing disabled persons' parking bay in Invicta Road, Sheerness, be progressed.

Minute No. 490 – Extension to Sittingbourne Residents' Parking Scheme

(1) That the report be noted and that officers proceed with drafting a Traffic Regulation Order to extend the current Sittingbourne Residents' Parking Scheme to include all of Park Road and Ufton Lane.

Minute No. 491 - Informal Consultation Results – Various Proposals

(1) That the proposed double yellow lines in Clarence Row, Sheerness, be progressed.

(2) That the proposed reduction of the existing single yellow line outside Nos.2-8 St Catherine's Drive, Faversham, be progressed.

(3) That the proposed double yellow lines in Monarch Drive, Sittingbourne, be abandoned.

(4) That the proposed double yellow lines in Attlee Way, Milton Regis, be progressed.

Minute No. 492 – Request for extension to Residents' Parking Scheme, Edith Road, Faversham

(1) That the report be noted and that officers proceed with an informal consultation with residents of Edith Road on a possible extension to the Residents' Parking Scheme.

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