

## AGENDA

### LOCAL PLAN PANEL MEETING

Date: Thursday, 24 March 2022

Time: 7.00 pm

Venue: Swale House, East Street, Sittingbourne, Kent, ME10 3HT\*

Membership:

Councillors Mike Baldock (Chairman), Monique Bonney (Vice-Chairman), Alastair Gould, Mike Henderson, James Hunt, Carole Jackson, Elliott Jayes, Peter Marchington, Richard Palmer, Eddie Thomas and Ghlin Whelan.

Quorum = 3

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Pages

#### Information for the Public

\*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website on Wednesday 23 March 2022.

Meeting Link: To be added.

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2. Emergency Evacuation Procedure

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The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

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3. Minutes

To approve the [Minutes](#) of the Meeting held on 15 December 2021 (Minute Nos. 505 - 507) and the [Minutes](#) of the Extraordinary Meeting held on 17 February 2022 (Minute Nos. 607 - 610) as correct records.

4. 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 Interests (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 A Reports for Recommendation to Cabinet**

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#### **Issued on Wednesday, 16 March 2022**

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](http://www.swale.gov.uk)

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<b>Local Plan Panel Meeting</b>	
<b>Meeting Date</b>	24 March 2022
<b>Report Title</b>	Swale Local Plan Issues and Preferred Options: Main Issues
<b>Cabinet Member</b>	Cllr Mike Baldock, Cabinet Member for Planning
<b>SMT Lead</b>	James Freeman, Head of Planning
<b>Head of Service</b>	James Freeman, Head of Planning
<b>Lead Officer</b>	Jill Peet, Planning Policy Manager
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	That the Panel notes the summary of main issues, as set out in Appendix 1, raised by representations received during the Swale Local Plan Issues and Preferred Options consultation

## 1 Purpose of Report and Executive Summary

- 1.1 Following the approval of Cabinet on the 27 October 2021, consultation was undertaken on the Swale Local Plan Issues and Preferred Options (I&PO) between the 29 October and 29 November 2021. This consultation was undertaken under Regulation 18 of the Town and Country Planning (England) (Local Planning) Regulations 2012 (as amended) ('the Regulations').
- 1.2 The consultation sought views on the Borough's local housing need, different options for distributing future development across the Borough and on possible alternative or additional approaches in certain policy areas, such as town centres and economic development (to address Covid 19 impacts), climate change and providing new homes.
- 1.3 A total of 3,477 individual responses to the consultation were received from 326 respondents. All the representations received have been published in full via the planning policy consultation portal and can be viewed at <https://swale-consult.objective.co.uk/kse/event/36546/section/>.
- 1.4 This report provides an outline of the main issues that were raised through the I&PO consultation and briefly outlines the next steps in preparing the Swale Local Plan Review.

## 2 Background

- 2.1 As set out in the report on the Local Development Scheme (LDS) to Cabinet in October 2021, the Council made the decision not to proceed with the version of the Local Plan published in early 2021 under Regulation 19, and instead undertake further consultation under Regulation 18. This allowed for further consultation on changes to the Plan that may be needed following revisions to the National Planning Policy Framework (NPPF) in July 2021, to respond to issues raised in

representations to the Regulation 19 Local Plan and provide an additional opportunity for local community engagement.

- 2.2 The I&PO, supported by an interim Sustainability Appraisal, was published on the 29 October 2021 with the consultation running for four weeks until the 29 November 2021. The consultation documents were made available on-line through the Council's planning policy consultation portal, website and available to view in hard copy at local libraries across the Borough. Details of the consultation were publicised through the issuing of a press release, on the Council's social media throughout the consultation period and an article in the winter 2021 edition of 'Inside Swale'. Notification of the consultation was sent to all contacts on the planning policy consultation database (approximately 2,200 in total) seven weeks before the consultation was due to commence and then again once the I&PO had been published. This included all those who had made representations to the Regulation 19 Local Plan, although it should be noted that where individuals had not consented to their details being held on the consultation database it was not possible, due to GDPR requirements, to notify them of the I&PO consultation. All Parish and Town Councils were also invited to attend a briefing session prior to the start of the consultation; around half of the Councils attended, and officers also attended an online public meeting arranged by Faversham Town Council in addition to other locally arranged meetings.
- 2.3 3,477 individual responses were received from 326 individuals or organisations. In comparison the 2018 'Looking Ahead' consultation, which was also undertaken under Regulation 18, received 3,282 responses from 271 respondents. Responses to the I&PO were received from residents, developers and landowners, planning agents/consultants, community or other representative organisations, public agencies and statutory consultees, local authorities, councillors and one of the Borough's MPs.
- 2.4 The Regulations state that the representations received must be taken into account in preparing the Local Plan and the main issues raised by the representations have been summarised in Appendix 1 under each of the I&PO questions. Where an issue has been raised by a statutory consultee or other organisation, the organisation has been identified in bold.
- 2.5 These main issues will, together with the representations to the earlier Regulation 19 Local Plan, be taken into account in the preparation and refinement of Local Plan policies and allocations for inclusion in the revised Regulation 19 Local Plan. Arising from the identified main issues some of the key areas to be addressed in moving forward with the Local Plan Review are outlined below together with an initial assessment of the implications for the development of the Local Plan and associated evidence base.
- Local Housing Need
- 2.6 A number of responses to the I&PO consultation, particularly from residents and local organisations, challenged the use of the standard method and level of local housing need (LHN) arising, citing in support of this the Government's previously stated intention to look at the standard method.

- 2.7 Whilst the 2020 Planning White Paper, and the more recent Levelling Up White Paper, has introduced some uncertainty about how plans will be prepared in the future, the Government (including the Chief Planner's newsletter of February 2022) has strongly encouraged local authorities to continue working to ensure up-to-date local plans in a timely manner; the Government's deadline of December 2023 for having up-to-date plans in place remains unchanged.
- 2.8 For the time being, therefore, the preparation of the revised Local Plan must follow current legislation, the national planning policy framework and planning guidance. National policy is clear that the LHN should be calculated using the standard methodology unless there are exceptional circumstances. As part of the early evidence gathering, the Council commissioned specialist consultants to assess whether there was a robust argument to justify not using the standard method; the evidence concluded there was no justification to take a different approach at that time.
- 2.9 However, it is important to recognise that there is a difference between seeking to justify a housing need lower than the figure calculated using the standard method and concluding that a certain level of LHN cannot be accommodated within the Borough. This latter 'unmet' need takes account of constraints such as environmental considerations, critical infrastructure capacity and availability of housing supply and would involve duty to cooperate discussions not only with neighbouring authorities but also across the wider region.
- 2.10 The I&PO sought views on the grounds that could be put forward to justify not accommodating the full level of LHN. There was support for not meeting the LHN in full from residents who considered that the constraints referenced in the I&PO (natural environment, flood risk, infrastructure limitations) justified taking such an approach.
- 2.11 Unsurprisingly such an approach was not supported by those promoting development sites. The issues mentioned as to why such a course of action should not be followed included: the constraints referenced are not unique to Swale; environmentally sensitive areas are not excessive and there is unconstrained land available as demonstrated by the SHLAA; not meeting housing needs in full would increase the affordability problem and would hinder economic growth aspirations and delivery of infrastructure.
- 2.12 It is also important to note the comments from a number of respondents including from one neighbouring authority (Maidstone), that the Council will need to present additional, robust evidence as to why meeting needs wholly within the Borough is now no longer possible if this is the case.
- 2.13 If the Council were to argue a case of unmet need any Local Plan Inspector would be forensic in their examination of the evidence put forward to justify this. It would be necessary to demonstrate: that all potential sources of housing supply had been robustly explored and tested; that whether meeting the full housing needs in another way, including looking at all parts of the Borough, had been considered;

the level of housing that could be achieved base on deliverable infrastructure improvements; and evidencing the efforts of constructive collaboration made with other authorities on accommodating the unmet need, the outcome of this and the arrangements for continuing cooperation and engagement if the issue is not successfully resolved by the time the local plan is submitted for examination.

#### Distribution of growth

- 2.14 There was no clear support from respondents in terms of support for the preferred growth option or indeed any of the other options. Responses largely fell into two categories. Those from residents or other groups who opposed one or more of the options because they did not wish to see development in a particular part of the borough, or more specifically a particular town or village, and those (landowners, developers and their agents) who were promoting a particular location or site for development who supported an option(s) as they saw it as being the 'best fit' to achieve their aim of securing development of their site.
- 2.15 Where respondents raised concern about the preferred option identified in the I&PO, common themes (which also applied equally to other options) were the capacity of infrastructure (highways, wastewater, health, education) to accommodate demands placed upon them by future development and mitigating the impacts of development on air quality, settlement and landscape character, the loss of agricultural land and countryside.
- 2.16 Statutory consultees commented that there would be a need to clearly demonstrate and evidence why Option 3 was preferred, and Kent County Council highlighted that this option appeared, based on the currently available evidence, to have a significant detrimental impact on traffic and air quality and had implications in being able to achieve the aspiration of modal shift within the Borough (see paragraph 2.17). There are no obvious alternative options that could deliver the quantum of development required by the standard method within the timescale of the LPR period without creating a significant impact on traffic and air quality. It is also important to note that there may be options/ a combination of options that are satisfactory in traffic and air quality terms but are unacceptable for other reasons, for example, significantly harmful impacts on heritage assets

#### Next steps

- 2.17 As reported to the Local Plan Panel on the 17 February there is ongoing transport modelling work to assess in more detail the implications of the preferred growth option on identified problem junctions and enable potential solutions to mitigate the impact of cumulative allocations to be found.
- 2.18 This piece of work sits alongside other ongoing technical work streams including infrastructure delivery (through dialogue with infrastructure providers and updating of the Infrastructure Delivery Plan) and the assessment of submitted potential development sites. In respect of the latter, a number of new sites for housing and/or employment were submitted through the I&PO consultation and the previous Regulation 19 consultation. To ensure the net is cast as wide as possible in identifying potential housing sites a new 'call for sites' is also being undertaken.



All sites will be assessed on a comparative basis through the preparation of an updated SHLAA and against more detailed Local Plan site selection criteria.

- 2.19 These work streams, together with ongoing conversations with neighbouring authorities and with statutory consultees, will inform the direction of travel in respect of accommodating the LHN, the preferred distribution of growth and allocation of specific sites. Progress on taking this forward will be reported to Members at future meetings.

### **3 Proposals**

- 3.1 The proposal is for the main issues raised in representations to the Swale Local Plan I&PO to be noted.

### **4 Alternative Options**

- 4.1 None have been considered as this item is for information only. However, the Council are legally required to take account of the main issues raised through the Regulation 18 consultation in preparing the Local Plan.

### **5 Consultation Undertaken or Proposed**

- 5.1 The consultation undertaken is set out under paragraph 2.2. The timing of future consultations will be set out in a revised Local Development Scheme (LDS), which will be brought before Members for approval at a future meeting.

### **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	The Swale Local Plan supports the Council's corporate priorities of: Building the right homes in the right places and supporting quality jobs for all (Priority 1) Investing in our environment and responding positively to global challenges (Priority 2) Tackling deprivation and creating equal opportunities for everyone (Priority 3)
Financial, Resource and Property	The costs for the Local Plan preparation can be met from existing budgets.
Legal, Statutory and Procurement	The Council has a statutory duty to prepare and maintain a Local Plan and to ensure that requirements of preparing that Local Plan, as set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Regulations, are met. Procurement of further evidence to inform the Local Plan Review will be undertaken in line with the Council's procurement procedures.

Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	In developing the Local Plan there will be continuing regard to the Council's declared climate and ecological emergency as part of the policy formulation. To be legally compliant, the Local Plan must include policies designed to ensure that the development and use of land contributes to the mitigation of, and adaptation to, climate change. The preparation of the Local Plan is subject to Sustainability Appraisal and Habitat Regulations Assessment at key stages, the findings of which inform any necessary changes to the Plan policies.
Health and Wellbeing	The Local Plan supports the health and wellbeing of communities through the provision of green infrastructure and encouraging active travel.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The continued progression and implementation of the Local Plan is required to manage and mitigate the risks of potential speculative or uncoordinated development across the Borough.
Equality and Diversity	The Pre-Submission Local Plan (Regulation 19) will be subject to an Equality Impact Assessment.
Privacy and Data Protection	The preparation of the Local Plan and handling of representations has complied with privacy and data protection legislation and regulations as required.

## 7 Appendices

- 7.1 Appendix 1 – Summary of main issues raised by representations to the Swale Issues and Preferred Options

## 8 Background Papers

Report to Local Plan Panel on 17 February 2022 - Swale Borough Local Plan Review: Strategic Transport Modelling Evidence

<https://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=216&MId=3609&Ver=4>

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

<p><b>Long term vision</b></p>
<p><i>Q1 - How do you think the Local Plan should be amended to address the NPPF requirement for Local Plans to set larger scale developments within a 30 year vision?</i></p>
<ul style="list-style-type: none"> <li>• General public and conservation groups advocated long term view (e.g. to address climate change and infrastructure issues) whilst also being concerned that this may lead to more large scale development</li> <li>• <b>KCC</b> welcomed recognition in Vision and Objectives for some allocations to deliver housing and development beyond the Local Plan period and highlighted need for close working with infrastructure providers to ensure right infrastructure is delivered alongside growth, at the right timer</li> <li>• Developers were split between those with large sites advocating long term strategic approach (30 year vision) and those with smaller sites arguing that their sites could come forward soon to help achieve 5 year housing land supply. PPG has clarified this issue since the I&amp;PO was published and number of responses highlighted that the answer depends on what strategy is advocated by Swale</li> <li>• LDS timetable was challenging and that the plan period would need to be extended to allow for 15 year time-frame</li> </ul>
<p><b>Sustainability Appraisal</b></p>
<p><i>Q2 - Do you have any comments on the interim Sustainability Appraisal? Please explain the reasons for your comments.</i></p>
<p><i>Do you think any changes to the interim Sustainability Appraisal are necessary? If so, please set out these changes and the reasons why you think they are needed.</i></p>
<p>Page 11</p> <ul style="list-style-type: none"> <li>• Number of respondents argued that SA is based on an incomplete evidence base, relies on (sometime subjective) assumptions and is incomplete in itself (e.g. on transport and rural roads, brownfield land analysis, air quality, water resources, water quality, education, health, soils, biodiversity, heritage, energy, cultural and recreational facilities) or incorrect (e.g. settlement hierarchy, agricultural land). As such SA conclusions can't be relied on.</li> <li>• Some respondents argued SA was difficult to understand e.g. mismatch between Option 5 performing well and Council's preferred option; Option 5 contains a variety of different sites making headline conclusions difficult and skewing results; SA scoring system insufficiently granular to be used in decision making; SA biased to favour preferred option</li> <li>• SA doesn't test growth options against Local Plan objectives, and this should be done for next Regulation 19 Plan, and justification for preferred level of growth at Sittingbourne is needed. SA should also test option of reduced quantum of housing</li> <li>• General public concern about unsustainable development particularly large-scale and in rural areas and lack of upfront infrastructure.</li> <li>• Site promoters disagree with certain conclusions regarding their sites and subsequent conclusions. Comments made included concern about heavy reliance on windfalls; Rushenden South site skewing assessment results for whole of Isle of Sheppey; SA doesn't sufficiently consider role of small and medium sites in contributing to sustainable development</li> <li>• SA needs to demonstrate how mitigation hierarchy has been followed and that less damaging options are not available (<b>Natural England</b>)</li> <li>• <b>KCC</b> had particular concerns around air quality and highways impacts for many options, preferring Option 5. Also concern about the way in which the 'community' objective is dealt with as well as waste. Disappointed that health and well-being is not an SA objective.</li> <li>• <b>Kent Wildlife Trust</b> had concerns with Highsted Park as an element of Option 5. SA should also consider carbon sequestration and habitat creation to address climate and ecological crises</li> <li>• <b>CPRE</b> stated that the SA needs to address whether new road delivery is entrenching car dependency.</li> <li>• <b>Kent Downs AONB Unit</b> reiterated their concern regarding AONB impacts in respect of Strategic Development Sites and the impact of a major development comprising a new motorway junction within the AONB itself</li> </ul>
<p><b>Key Issues and Challenges</b></p>
<p><i>Q3 - Do you agree with the key issues and challenges that we have identified? If not, what other issues do you think need to be considered further and addressed by the Local Plan Review?</i></p>
<p>There was general agreement with the issues and challenges identified. The following were identified as issues/challenges to be addressed:</p> <ul style="list-style-type: none"> <li>• Diversification of housing market through allocation of broader range of sites/locations including smaller sites to support SME housebuilders</li> </ul>

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Provision of right quantum and type of employment land in locations where most required to fully meet employment land needed over plan period
- Improving the Borough's road network, including mitigation strategy to manage traffic on A2 and roads that feed into it and achieving modal shift
- Reducing health inequalities and deprivation (**KCC**)
- Converting unused office, retail and commercial space to housing to encourage town centre regeneration and brownfield development
- Ensuring that the right quantum and typologies of employment land are provided at locations where it is most required to fully meet need for additional employment land over the Plan period

A number of general points were also made:

- Issues and challenges listed are generally vague and must be made more specific to Swale, so purpose of the Council's planning policies is clear
- There is a conflict between identified key issues and preferred option in terms of transport (i.e. locations are not close to main employment) and climate change
- Should demonstrate how the mitigation hierarchy has been followed and can demonstrate with confidence that any alternative, less damaging options are not available prior to allocation (as per NPPF para 32) (**Natural England**)

### Vision and Objectives

*Q4 – Do you agree this is the right Vision for the borough? If not, please explain what changes you would like to see made to the Vision and why.*

The main elements for greater emphasis/consideration in the vision are:

- Page 12
- Combating air quality issues from all sources
  - Protecting and supporting rural communities
  - Protection of Grade 1 agricultural land
  - Improved health and wellbeing for our communities
  - Encompass the desire to conserve and enhance natural environment (**Kent Downs AONB Unit**)
  - **Natural England** suggested the following should be referenced: climate change mitigation, reference to a Green Infrastructure Master Plan and a requirement to recover nature, AONB protection, place making and good design
  - Maintaining a predominantly rural character
  - Delivery of the infrastructure required to support sustainable communities
  - Tackling congestion
  - Supporting and creating jobs and employment (**Kent Science Park**)
  - Include commitment to action the Kent Local Nature Recovers Strategy (LNRS) (**Kent Wildlife Trust**)
  - Mix of housing types to meet needs of all sectors of the community
  - Greater focus for development at Sittingbourne as the principal town in the borough
  - Specifically reference key characteristics of the three settlements, e.g. arts and culture at Faversham
  - Brownfield development as a priority
  - Include reference to existing vision for regeneration of Queenborough and Rushenden (**Peel Ports**)
  - Reference to smaller and medium sizes sites as well as strategic sites to deliver the borough's future development needs (developers)
  - Various requests for vision to be revisited to support the promotion of individual sites/ broad locations (development community)

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

*Q5 – Do the draft Objectives support the Vision and set appropriate goals for the Local Plan? Please give your reasons, identifying the objectives that you support or objectives that you oppose, explaining any changes you would like to see and why.*

Comments on the proposed objectives:

- Objectives adequately support the vision and are clear
- Objective 4
  - Objectives are likely to contribute to development of sustainable lifestyles by residents and employees working within Swale, reducing overall vehicle trips and the need to travel, consistent with national policy, ‘transport hubs’ in Objective 4 should be defined and include all modes of travel (**National Highways**)
  - Objective 4 assumes (wrongly) that all railway stations are transport hubs
  - Objective 4 could constrain development and would therefore be contrary to national policy
- Objective 5
  - Greater emphasis needed in Objective 5 for the provision of low cost starter and affordable homes for families
- Objective 6
  - Support for objectives, particularly Objective 6 (**Kent and Medway CCG**)
- Objective 7
  - Concerns that Objective 7 cannot be achieved because of the harm large sites have on small villages and settlements

Additional objectives suggested

Additional objective should be included – “To enhance the natural environment by developing and implementing a Swale Nature Recovery Strategy to reduce habitat fragmentation and increase ecological connectivity” (**Faversham Society**)

Additional objective needed to include measurable recovery for nature (**Natural England**)

Additional objective that protects the nationally important landscape of the Kent Downs AONB

An objective to inform, agree and action the Kent LNRS must be included, committing the Borough to embedding local nature recovery within the planning system.

- Objectives are supported but amendments suggested to include waste in the list of infrastructure. More emphasis should be included to emphasis Swale’s environment and heritage in the objectives and reference to public health should be more explicit (**KCC**)

General comments regarding objectives

- Active travel is only applicable to urban areas
- Concerns around safety for cycling on existing network making it an unrealistic choice
- Investment needed at transport hubs in sustainable locations, e.g. increased car parking provision at Sheerness station
- Objectives not adequately evidenced and not specific enough to Swale
- Objectives need to cover significant issues such as transport and delivering affordable housing
- Climate change mitigation by any reasonable means, including buildings and how they are constructed and powered should be included in an objective
- Objectives need to include reference to the key role of small and medium sites needed to comply with the NPPF and to support a five year housing land supply and support town centres
- Would like information provided on how the objectives will be achieved
- Larger sites should not be supported because they do not integrate with existing communities
- The role of the agricultural sector should be acknowledged in the objectives

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

<b>Spatial strategy</b>
<b>Local housing need</b>
<p><i>Q6 – Do you think that the council should attempt to justify not complying with the Government’s Standard Method for calculating the borough’s housing need figure (due to the constraints of Swale, such as the natural environment, flood risk, infrastructure), which means that the council would not fully meet the housing target? Please explain why and say what you believe the “exceptional circumstances” would be for Swale not to meet the figure.</i></p>
<ul style="list-style-type: none"> <li>• Support for a departure from the Standard Method from members of the public and town and parish councils with suggestion that alternative data sets (i.e. more up to date ONS figures) should be used</li> <li>• Agreement that landscape, infrastructure and highway capacity constrain the ability of the borough to deliver its local housing need as determined by the Standard Method.</li> <li>• Development community cited that there were no exceptional circumstances to depart from the Standard Method</li> <li>• Some respondents suggested that should be seeking to deliver above the Standard Method figure to deliver more affordable housing</li> </ul>
<p><i>Q7 – Do you believe that if we do not fully meet our target, we should consider asking our neighbours to provide for our unmet development needs? If so, what reasons would the council give, who would we ask and why would they be well placed to help? Likewise, if asked by a neighbouring council to consider meeting their unmet development needs, what should be our response and why?</i></p>
<p>Respondents who supported not fully meeting the Borough’s housing need cited the following:</p> <ul style="list-style-type: none"> <li>• Government targets should be challenged</li> <li>• Constraints in the borough are so great that we cannot meet our own “needs” without significant damage to cherished areas and we cannot take unmet needs from other areas</li> </ul> <p>Housing should be concentrated in other areas to deliver the ‘levelling up’ agenda</p> <p>Areas that are in need of regeneration and investment should take the housing development</p> <p>Respondents who thought there were no grounds not to fully meet the Borough’s housing need referenced that:</p> <ul style="list-style-type: none"> <li>• The constraints in Swale are no greater than neighbouring boroughs and do not amount to 'exceptional circumstances' to justify a reduced housing target, expect Swale to meet objectively assessed need in full and to fully explore the capability of the borough to meet the unmet needs of neighbouring authorities as required</li> <li>• There are enough suitable sites in the borough to deliver Swale’s development needs and more</li> </ul>
<b>Rolled forward allocations</b>
<p><i>Q8 – Do you agree that the allocations listed in Appendix 2 should be rolled forward into the reviewed Local Plan? If not, please explain why you think this, supporting your response with reference to any evidence.</i></p>
<ul style="list-style-type: none"> <li>• Responses confirmed the list of sites should or should not be rolled forward without explanation</li> <li>• Arguments were made against rolling forward the remaining allocations on the basis that they had been allocations since 2017 and were not likely to come forward</li> <li>• Arguments were made in support of rolling forward the remaining allocations on the basis that the sites were still deliverable but specific circumstances had impacted the timing of bringing forward development</li> <li>• Developers of some sites wish to see amendments to the initial allocations to increase site size and/or amend the type of development set out by the initial allocation policy.</li> </ul>
<b>Windfall allowance</b>
<p><i>Q9 – Do you agree with the proposed windfall allowance rate of 250 dwellings per annum? If not, what evidence do you have to support a different windfall allowance rate.</i></p>
<ul style="list-style-type: none"> <li>• Respondents supported the inclusion of a windfall allowance on the grounds that it has always provided a constructive contribution to address housing need and should remain so</li> <li>• A number of specific comments were made about the proposed windfall allowance rate of 250 dwellings per annum             <ul style="list-style-type: none"> <li>○ Makes a mockery of a plan-led system, does not provide for certainty of delivery</li> <li>○ Insufficient evidence to justify proposed windfall allowance</li> <li>○ Windfall allowance should be lower with more allocations made to meet the housing need numbers</li> </ul> </li> </ul>

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Windfall allowance should be a representative percentage of new development needs
- Windfall allowance of this number is unlikely to come forward because most of the opportunities will already have been taken up through historic delivery

### Development in villages

Q10 - Do you agree that the strategy for allocating future development needs in the borough should include small scale development at thriving villages? If not, please explain why you think this?

- A large number of respondents felt that a definition of ‘small scale’ and ‘thriving villages’ was needed to be able to answer this question.
- Members of the public generally did not support this as an approach because:
  - It would open the floodgates for rural development and leave these communities with uncertainty.
  - They could not identify any thriving villages.
  - Government and council policy has seen the withdrawal of village services, leaving them unsustainable locations.
  - It would result in the use of greenfield sites.
  - It would harm the rural character of the Borough’s villages.
  - The towns should be prioritised first.
  - Villages often have constraints such as rural lanes, congestion and flooding issues.
- A significant proportion of respondents made specific reference to Teynham and Lynsted in their disagreement with this strategy because:
  - Teynham cannot be described as a thriving village – services have been declining for some 30 years and the remaining GP is due to retire soon.
  - It would be a strategy of building for cars.
  - The train station has a small car park and is not a highly serviced stop. It was not considered likely that additional population would increase this service.
  - Services would not be increased or enhanced by the additional population, as evidenced by closing of a GP service on the Isle of Sheppey.
  - Evidence suggests that the preference is moving towards health centres being located in main towns. Placing large new populations away from these is unsustainable.
  - The primary school’s OFSTED rating is in decline.
  - The infrastructure cannot take further population without enormous investment.
  - It is considered to be one of the least sustainable locations for significant growth in Swale.
  - The only significant employment is just outside the village and does not contribute to its identity and culture.
  - Generally, new homes here would be isolated from the economic and service hubs of the Borough – the main towns.
- Developers were more supportive, citing a need to help maintain the existing services and facilities. It was also felt that villages with more services and facilities closer to higher order settlements could take more than small scale growth. This was used as an opportunity to promote sites; locations included (but were not limited to) Dargate, Eastchurch, Graveney, Minster, Teynham, Queenborough, Faversham, Iwade and Dunkirk.
- Some parish councils and members of the public felt that they may be able to support this strategy subject to:
  - The key point being small scale, and what this would be defined as.
  - Proportionate increases being no more than 10% of the village size.
  - Developments being carefully planned.
  - Having used brownfield land first.
  - Neighbourhood plan agreement.
  - The strategy still being in accordance with the settlement hierarchy.
  - The focus not just being on thriving villages – development could also help declining villages recover.
  - It being accepted that some villages, such as Newington, are at the point of being unable to take further development.
- Some respondents made more general comments as follows:

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- **Natural England** would seek a strategy which has the lowest environmental and landscape impact.
- The **Kent and Medway CCG** will need to consider the health infrastructure needs of any strategy/option carefully.
- There is a great need to protect the character of villages, and they should only take high quality infill development.
- The **Kent Downs AONB Unit** felt that village development should be considered on a case by case basis only and if any were to be placed in the AONB, it must be small scale.
- **KCC** said that the Council will need to consider the sustainability of locations, heritage matters, and where a critical mass can be achieved to support services and facilities.
- **The Woodland Trust** objects to any strategy/option resulting in the loss of ancient woodland.
- If growth in the towns has been exhausted, the Council should identify one suitable rural location for growth on low quality agricultural land only.

### Growth Options

#### Option 1

*Q11 - Do you agree that the broad locations shown above will help to deliver this development option? If not, why not?*

A very significant number of respondents felt that the maps were not clear or specific enough to be able to answer this, or the other related questions. The pins were not considered to give a sense of spread, scale or balance of the development options described.

As such, the question was largely not answered in the way intended. Instead, comments on the Option itself were given. These have not been listed here because they all also feature in the summary to Question 12 below.

*Q12 - Do you agree with the potential advantages and disadvantages listed above for this development option? Can you think of any others that you would add?*

A small number of respondents felt that a fair assessment of the advantages and disadvantages of Option 1 has been made. However, a number of additional points, as well as more general comments were made.

Additional disadvantages/comments:

Additional disadvantages mainly came from members of the public and parish/town councils, but also included some developers who were promoting alternative sites. These can be summarised as:

- For the Isle of Sheppey, only identifying growth at Rushenden which is a very complex site would result in the slow delivery of housing here, particularly affordable housing.
- It would also mean no investment in the eastern end of the Island and more generally, would fail to address deprivation and improve access to community services and facilities where it is required.
- Extensive loss of high-quality agricultural land.
- Biodiversity loss.
- An overreliance on windfalls resulting in uncertainty and unplanned developments.
- There is no evidence to suggest the required infrastructure could be delivered (includes the full range of infrastructure such as transport, community, water etc.).
- The mitigation of transport and air quality issues not possible here.
- Relies on a strategy which has failed thus far and will result in continued pressure in the Borough's most constrained areas.
- Does not realise the vision and objectives.
- Loss of character of surrounding villages, including points of cultural, historical and landscape interest.
- Relies on a small number of large sites.
- Draws investment away from villages.

General comments:

There were also a lot of comments more general to this option and indeed any strategy that is taken forward. These can be summarised as:



## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Viability issues in Sittingbourne and on the Isle of Sheppey will still result in pressure for sites elsewhere, leading to unplanned growth in sensitive locations. Some developers felt that Faversham can take more growth as a more sustainable location in the Borough requiring investment.
  - The advantages and disadvantages appear to contradict each other in places.
  - Infrastructure around Faversham cannot take further growth without major investment.
  - Overall housing figures should be dramatically reduced, Swale is too constrained.
  - Development should remain in the west of the Borough where there has been significant investment in infrastructure.
  - A new junction on the M2 would be more sustainable.
  - Concern re-iterated about the lack of scale and clarity in the options maps, making it hard to answer the subsequent questions.
  - Teynham and Lynsted are unsuitable locations for any option.
  - The disadvantages of Option 1 far outweigh the advantages.
  - J5 improvements should not be seen as a catalyst for further growth here as the additional capacity will quickly be used up and no results seen. It would also put pressure on J7 of the M20.
  - By admitting it is not the most effective way to deliver infrastructure, Option 1 should be eliminated at the outset.
  - All options should avoid development along the A2 corridor. KCC does not support Option 1 for this reason.
  - Smaller developments should be evenly throughout the Borough, provided the issues of the adopted Plan are mitigated adequately.
  - This is all based on pre-pandemic data.
  - CIL should be used to deliver infrastructure.
- Continuing to put the majority of growth in Sittingbourne is becoming a burden.
- The concept of the Thames Gateway is no longer relevant.
- All options should prioritise brownfield land.

### Option 2

Q13 - Do you agree that the broad locations shown above will help to deliver this development option? If not, why not?

Main issues raised in respect of the identified broad locations:

- More even distribution of development requirements across the borough's main urban centres and rural areas will support meeting a wider range of housing needs and support long-term viability of smaller rural communities
- Reduces reliance on Grade 1 agricultural land and takes advantages of highway improvements (M2 J5)
- Does not support growth across the whole of Sheppey
- Largely focusing on A2 corridor does not take advantage of opportunities offered by other sustainable rural settlements with access to public transport
- Would not bring forward significant infrastructure other than what is already in the pipeline
- Objection to identification of some locations (Faversham, Teynham, Selling, Minster) for proposed development on grounds of: unsustainable scale of development, coalescence of settlements and erosion of individual character, traffic congestion, inadequate infrastructure, few local services, loss of green spaces, loss of best and most versatile agricultural land

Q14 - Do you agree with the potential advantages and disadvantages listed above for this development option? Can you think of any others that you would add?

Comments on the potential advantages and disadvantages included:

- As does not present a spatial strategy that seeks to deal with the existing issues of traffic and air quality along the A2 question why even considered as cannot deliver Vision and Objectives
- Omits number of villages in north of Borough, each village should be assessed on their own sustainability credentials and settlement hierarchy and appropriate and proportionate levels of growth attributed to each

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Assessment will be required of impacts associated with any additional allocations reflecting this option including justification of how sustainable modes will be prioritised, including how public transport routes and services will be supported and maintained over time, as pattern of distribution poses potential risks in terms of car dependency (**National Highways**)

Other advantages/disadvantages identified:

- Loss of opportunity to reduce dependence of private vehicles, promote modal shift and ability to comply with the proposed net-zero vision. There is also concern regarding highway capacity within central and eastern Sheppey (and particularly the constraints along the A250 and the A2500 corridors). Additionally, there is no indication of improvements to highway infrastructure (**KCC**)
- Harm to heritage assets and their setting, and valued landscapes (**Bredgar, Rodmersham and Milstead Parish Councils**)

### Option 3

*Q15 - Do you agree that the broad locations shown above will help to deliver this development option? If not, why not?*

Main issues raised in respect of the identified broad locations:

- Distribution of some growth across Borough recognises role of delivery across different locations to meet localised need and reflecting local conditions, services and facilities
  - Reliance on 35% windfalls makes nonsense of strategic planning, will not give rise to certainty of delivery, place significant burden on existing infrastructure and that funded by allocations
  - Development should be of sufficient scale to support delivery of required investment (**KCC**)
  - Locations to east of Sittingbourne along A2 corridor have significantly more landscape impact than focusing some development to west of Sittingbourne
- No evidence to support case for rebalancing distribution of growth – east and west of Borough are very different and no justification for treating them the same
- Sittingbourne should be centre for growth as robust infrastructure and better accessibility to road network and motorway links
- Capacity constraints of road network will lead to delays in sites in eastern part of Borough coming forward, will result in need for sites to west of Borough being identified
- Proportionate development at smaller settlements, particularly Rural Service Centres (RSCs) would provide more balanced distribution of development as currently skewed by omitting number of sustainable locations in west of Borough. Each village should be assessed on their own sustainability credentials. may be best placed to deliver allocations and ensure a range of smaller-scale sites early in the plan period whilst strategic sites are in their preparation phase
- Option is polarised between being focused on settlements located within the A2 corridor or at the coastal fringe, with key intervening, rail-linked settlements such as Teynham and satellite communities such as Iwade, omitted from consideration
  - Faversham is a sustainable location for growth but has greater capacity for growth and should not just focus on East Faversham urban extension; need for sufficient small and medium sized sites to be allocated to meet short term housing need
  - Objection to identification of some locations (Faversham, Teynham, Selling) for proposed development on grounds of: unsustainable scale of development, resultant traffic congestion, inadequate infrastructure with specific reference to concern about deliverability of growth in light of challenges around funding/delivery of highway infrastructure, few local services, loss of green spaces, loss of best and most versatile agricultural land
  - Does not recognise lack of infrastructure on Sheppey (worsening traffic conditions on Lower Road A2500, children will be required to attend school off the Island) and rural nature of Warden and Eastchurch

*Q16 - Do you agree with the potential advantages and disadvantages listed above for this development option? Can you think of any others that you would add?*

Comments on the potential advantages and disadvantages included:

- Provides more realistic and achievable quantum of development at Sittingbourne but rebalancing has focussed too much growth at Faversham at expense of other parts of Borough
- Does not allow for investment in western side of Borough
- Potential for traffic to be diverted from the A2 corridor to the M2 will require evidence to be produced to quantify any such changes, including their impacts at M2 Junctions 5, 6 and 7 (**National Highways**)
- Increase in population through housebuilding that has happened over past 25 years has not helped to sustain or improve village facilities

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Question whether 5 year housing land supply would be sustained. Experience of large/strategic allocations in Bearing Fruits has meant delivery has stalled whilst infrastructure improvements are completed – similar infrastructure improvements necessary to support high percentage of growth in Faversham likely to result in further stalled growth

Other advantages/disadvantages identified:

- Loss of opportunity to reduce dependence of private vehicles, promote modal shift and ability to comply with the proposed net-zero vision. There is also concern regarding highway capacity within central and eastern Sheppey (and particularly the constraints along the A250 and the A2500 corridors). Additionally, there is no indication of improvements to highway infrastructure (**KCC**)
- Little commercial development at Faversham and due to no interest in existing commercial consents/allocations these sites are now coming forward for housing, therefore, insufficient employment provision in Faversham to support population growth

### Option 4

*Q17 - Do you agree that the broad locations shown above will help to deliver this development option? If not, why not?*

Reflecting the similarity between Options 3 and 4, the issues raised by respondents about Option 4 were very similar, if not the same, to those made about Option 3. Only additional issues raised are included here.

Main issues raised in respect of the identified broad locations:

- Significant development at eastern end of the borough likely to have impact on services provided by a neighbouring authority unless opportunities for infrastructure developments are considered, particularly around access to general practice services (**Kent and Medway CCG**)

*Q18 - Do you agree with the potential advantages and disadvantages listed above for this development option? Can you think of any others that you would add?*

Comments on the potential advantages and disadvantages included:

- Limited development on Sheppey will restrict much needed infrastructure and undermine vitality and viability of existing services and facilities
- Approach fails to address important regeneration objectives in other parts of the Borough not least Queenborough and Rushenden
- Question whether 5 YHLS would be sustained given imposition of Grampian conditions delaying delivery of development without necessary improvements to M2 to unlock growth.

Other advantages/disadvantages identified:

- Disadvantages around highway capacity and air quality issues for Faversham Town Centre and the A251. There is also concern regarding highway capacity within central and eastern Sheppey (and particularly the constraints along the A250 and the A2500 corridors) (**KCC**)

### Option 5

*Q19/21<sup>1</sup> - Do you agree that the broad locations shown above will help to deliver this development option? If not, why not?*

Main issues raised in respect of the identified broad locations:

- Only approach where plan to meet housing target rather than relying on significant windfall but need for delivery timescales and associated infrastructure requirements/phasing to be fully understood from the outset
- No evidence to support claim that only two Strategic Development Opportunity (SDO) sites could be delivered due to market conditions
- Question why not tested SDO options at Regulation 18 stage, particularly as spent two years assessing garden communities in detail. Option should be refined via SA ahead of Reg19 and choosing preferred option to allow for most sustainable sites to be selected
- Would allow for more strategic approach to provision of new infrastructure (**Kent and Medway CCG**)

<sup>1</sup> Questions 19 and 21 asked the same question and the responses have been combined

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Strategy could provide additional highway infrastructure such that may be required to support the additional growth in the borough, however, it would depend on the sites chosen and the infrastructure that they would provide. Advantages therefore could include expected improvements to traffic-related air quality compared to the other options put forward. There would be employment land availability in close proximity to proposed housing and reduced dependence of private vehicles. It is however essential that the sites either include, or can easily access, existing community amenities, employment and transport hubs (**KCC**)
- One dimensional approach by focusing on strategic sites and contrary to NPPF (para 68) that supply of specific and deliverable sites should be identified for years 1 – 5 of plan period

*Q20 - Do you agree with the potential advantages and disadvantages listed above for this development option? Can you think of any others that you would add?*

Comments on the potential advantages and disadvantages included:

- High risk strategy as relies on complex proposals
- Would not address regeneration objectives or support investment in infrastructure in other parts of Borough, therefore not benefitting existing communities
- Would have greater impact on rural areas
- Only very largest schemes would be self-sustaining
- Developments at this scale risks destroying the ecological integrity of the Borough unless masterplanning of proposals considers locally, nationally and internationally important ecological features from the start and biodiversity net gain is planned, delivered and managed to deliver maximum gains for biodiversity for the duration of its term (**Kent Wildlife Trust**)

Other advantages/disadvantages identified:

Implementation of option would require a very significant amount of works to the Strategic Road Network (SRN). Type of new SRN infrastructure or upgrades and impacts will need to be assessed as part of comprehensive modelling exercise to enable further comment (**National Highways**)

### Alternative options

*Q22 - Do you think that we have considered all of the suitable alternative development options? If no, please explain and set out the details of an alternative option that you feel we have missed. (If you have a single site to submit please do so under the next question.)*

- All options have been considered
- Evidence base is insufficient to make a judgement on whether all options are reasonable or not
- Evidence base for landscape and biodiversity has not been used to effectively appraise impacts of the different options (**Natural England**)
- Only brownfield sites should be considered or built on before green field development can be allowed
- Local housing need numbers are not achievable and the Council should test options using a lower number
- Options should reflect the impacts of Covid and the decline in demand for commercial space in town centres creating more capacity for residential development.
- Options should further explore the potential for the town centres, including densification
- Options should include sites for housing for older people and sites for park homes
- More smaller and medium sized sites should be allocated in all potential options
- Should consider relocation of employment uses, particularly those that generate heavy goods vehicle movements and redevelop those brownfield sites for homes
- Various suggestions from site promoters that their sites present suitable alternatives for development strategy options and/or support approaches

*Q23 - Do you have a site that would be suitable for housing development. If so, please state where it is (and include a location plan if possible) and how many dwellings/quantum of employment floorspace it could provide.*

19 sites that had not previously been submitted were put forward for housing and two for mixed development. These included sites in Faversham, Leysdown, Dunkirk, Sittingbourne, Graveney, Newington, Teynham, Sheerness. Oare, Tunstall and Iwade. All sites will be assessed on a comparative basis with previously submitted sites as part of an updated SHLAA.

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

### Preferred Option (Option 3)

Q24 - Do you think the Preferred Development Option (option 3) for meeting our housing target is the most suitable and meets our vision, objectives and the principles of sustainable development? If not please identify how the preferred option could be changed or if you believe one of, or a mixture of the other options, are more suitable, please say why.

Reasons for supporting preferred option included:

- Will deliver investment to Sheppey, securing regeneration and economic growth and housing where there is local need
- Significant number of large developments in recent years in western area parishes, which has placed considerable pressure on the quality of life for the residents

Some respondents caveated their support by the following issues:

- Allocation of rural sites should consider and mitigate impacts on valued landscapes, countryside and separation of settlements, biodiversity, loss of BMV agricultural land, increased traffic congestion and air pollution
- Approach should include short term allocation of sites around Faversham to meet housing need and provide immediate expenditure in the town centre

There were also a number of general comments identifying issues to be addressed should this option be taken forward:

- Need to clearly demonstrate and evidence why option is preferred (**Natural England, National Highways**) and address impacts on heritage that may arise from the proposed expansion of Faversham (**Historic England**)
- Wide variety of sites in terms of size and location should be allocated as would have greater potential to deliver wide mix of housing types/style and ensure homes come forward consistently across whole plan period with smaller sites identified to support housing delivery in the early part of the plan period
- Need for appropriate buffer to ensure delays in delivery of allocated sites will not prevent needs from being met in full

Reliance on high windfall allowance undermines fundamental importance of providing certainty through making allocations, to offset reduction in windfalls existing housing allocations should be optimised and/or additional residential development sites should be identified

Changes to options suggested

More urban centric approach should be considered (Sittingbourne and Bobbing/Iwade were specifically referenced) because of existing infrastructure, access to motorway/strategic road network, existing economic hub

- Combination of options 3 and 5 (replacing development along the A2 with development at Bobbing)
- Combination of options 2 and 4 with development to north and west of Sittingbourne and Sheppey given current ongoing improvements to SRN whilst also realising development concentrated on Faversham to rebalance growth given existing allocations concentrate development mostly within Sittingbourne (**Bredgar, Rodmersham and Milstead PCs**)
- Widen scope for growth at RSCs and settlements further down settlement hierarchy to reflect sustainability
- Same spatial distribution as Option 5 but with reduced windfall allowance and compensatory provision through extensions to those rural settlements which already have access to primary public transport or have a good functional existing relationship with a nearby main urban centre which can be strategically improved as part of any additional new development
- Delivery of key services (particularly employment, industrial and retail provision) should align with the analysis of demand in ELR - emphasises Sittingbourne as a key location for future development. Wider distribution of development could allow Borough to benefit from key infrastructure improvements that are planned in the long-term. More 'clustering' of development could be promoted along key transport connections (i.e. M2 and A249) to make Swale a key location for alternative employment provision.

Respondents who did not support the preferred option cited the following issues:

- Option does not come out as best performing option in SA
- Ability of Sittingbourne or other sustainable locations to make greater contribution to growth should be recognised

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Option is not the most suitable as on the evidence presented appears to have significant detrimental impact on traffic, air quality and the ability for sustainable modal shift within the borough. The option reduces the ability of the Local Plan to deliver necessary highway infrastructure, exacerbating the already heavily congested and polluted network in the Borough (KCC)
- Evidence base does not necessarily suggest Faversham would be viable location for new housing and house prices/cost of living comparatively higher than other parts of Borough. Limited demand for retail/employment at Faversham could lead to it not having capacity for number of future occupants
- Concerns relating to impacts on infrastructure capacity, environmental, landscape and townscape impacts, traffic congestion and air pollution, lack of employment/commercial development to support increase in number of residents

### Areas of Opportunity

*Q25 - Do you think that any of the areas identified for potential development should be progressed as 'Areas of Opportunity' to enable a more comprehensive approach to master planning for their development and infrastructure needs? If not, please say why.*

- Quite a few respondents, both developers and members of the public, answered no for a number of reasons:
  - It would not be cost effective.
  - "Areas of Opportunity" have no evidenced definition.
  - Site allocation for areas should be applied instead.
  - It encourages developers to assume that speculative planning applications relating to those areas are highly likely to succeed.
  - The use of broad locations increases uncertainty to both the local community, infrastructure providers and development industry as to when such sites will come forward and the infrastructure required to support this development. Hence whilst in the later years of the plan, the NPPF allows for such broad locations for development to be identified, people considered it to be preferable for sites to be allocated to meet development needs in full rather than identifying broad locations for development.
  - It is more important that the Strategic Development Areas are planned holistically to grow and should be master planned.
- **Historic England** would welcome the principle of developing an SPD or masterplan to guide future development to guide planning and development rather than an “area of opportunity.”
- **CPRE** do not support the "Areas of Opportunity" idea.
- **Natural England** answered ‘yes’ as they felt that understanding the bigger picture of an area could be useful when integrating aspects of their advice because they are more effective when implemented on a larger scale. The biodiversity and green infrastructure network they encourage benefits from connectivity because it allows mobile species to migrate and this increases stability of populations. This increases their resilience to threats such as climate change. And this also could be a measure against some of the shortcomings identified in a Sustainability Appraisal.
- One respondent suggested an interesting idea that some areas could be identified as 'Areas of Opportunity' for rewilding and climate change mitigation.
- There were a number of general, but related, comments including:
  - All planning should be given a comprehensive approach to meet development and infrastructure needs.
  - Any locations identified for growth need to be site specific in order to ensure deliverability and to understand which sites will deliver when.
- The **Kent Downs AONB Unit** note that decisions on allocating sites within the AONB should be 'landscape led' and allocations should be small scale.
- A number of respondents suggested other areas that they felt were suitable as “Areas of Search.” These included:
  - Brenley Corner in conjunction with Canterbury City Council.
  - Site south of A2 between Ospringe and Faversham
  - The vision of ‘East Faversham’ must qualify as an Area of Opportunity because of its scale and requirement for significant infrastructure needs.
  - Upchurch as it is a Tier 4 Service Centre.
  - Both Warden and Leysdown as it would enable the existing settlements to benefit from improved infrastructure and help to secure the viability of the existing centres.

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- The town centres.
- Rushenden Marshes area and how it can contribute to the wider objectives of the LPR; potentially through an Area of Opportunity.
- The residential development of current employment areas such as the area to the north west of Faversham as it would reduce pressure on local roads by heavy good vehicle movements.
- Garden Hotel, Boughton as its relatively sustainable location with good access to services and facilities.

### Teynham Area of Opportunity (AoO)

- There were a number of respondents, mostly developers and landowners but some residents, that supported Teynham's identification as an AoO. This was because:
  - It already has some valuable assets (train station, bus routes, pubs, shops, doctor, primary school)
  - It could provide sites coming forward in the next 1 to 5 years.
  - It would be a sustainable development.
  - It could deliver the final part of the Northern Relief Road which will provide an easier route to the employment and port areas and will ease air quality issues on the A2 corridor.
- **KCC** would support comprehensive master-planning requirements for strategic sites and would welcome early engagement as key infrastructure provider to ensure that infrastructure can be funded and delivered in a timely manner over the long term.
- One respondent felt that a defined site allocation/AoO at Teynham would deliver a greater quantum and range of social, economic and environmental benefits, and also provide far greater benefits to the local community and economy. A larger site area would help enable the creation of a more holistic urban to rural built and landscaped transition which is an aspiration of the Council for this part of the Borough.

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There were a large number of very specific and detailed points that did not support a Teynham AoO which are summarised below but which can be viewed in full at <https://swale-consult.objective.co.uk/kse/event/36546/peoplesubmissions/section/s162996595290622?consultation=ID-5894203-1202>

- It would increase traffic congestion and cause gridlocks throughout the Borough, in towns and villages, the A2 from Faversham to Newington, and the A249 southbound from Bobbing to the M2 and M20 interchanges.
- The proposed link road would cut the village of Lynsted in half and cross best and most fertile land, destroy the narrow rural lanes and destroy footpaths. There is no economic argument for it.
- There is inadequate local rail and bus services.
- Any suggestion that those buying the new houses will use walking, cycling and public transport is foolish at best.
- There is no traffic modelling or pollution modelling to support the Teynham Area of Opportunity.
- The primary school in Teynham is full and although there is some capacity at Lynsted and Norton Primary this is limited by the problems of access/parking by car and on foot. Expansion of either of these schools would be problematic due to location and accessibility.
- Faversham Secondary Schools are full.
- Need to preserve and enhance the character of the open countryside within Teynham and neighbouring parishes and the locally important countryside gaps.
- The value of the soil itself should be regarded as part of our natural wealth.
- The dominant grading of agricultural land where both housing and/or a 'movement corridor/bypass' would be built is Grade 1 (excellent). The Fruit Belt, Best and Most Versatile (BMV) agricultural land is being threatened and cannot be restored or 'mitigated'.
- Brownfield sites should be identified and prioritised over green spaces.
- The area under consideration in Teynham has subterranean water issues.

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Teynham wastewater treatment works is already at capacity so further development should be restricted at least until the sewage treatment authority can demonstrate it has the capacity.
- Water supply in Kent is subject to significant levels of stress and will continue to be in the future.
- Poor air quality is a particular concern along the A2 – with four AQMAs on the A2. The new Environment Act 2021 requires Local Authorities to tackle air quality. This Local Plan (reg 18) doesn't sufficiently address these new requirements.
- There are no supermarkets or major shopping facilities in Teynham, other shops are closing and the doctors are full and retiring – it lacks services and facilities.
- Teynham is specifically identified in paragraph 5.1.97 and is referred to as a 'rural service area' which it is not.
- The principle of large-scale growth in Teynham has not been sufficiently justified through evidence at this stage of plan making.

### Climate change

*Q26 - Do you agree with the view that the targets for climate change and active travel are too ambitious, inconsistent with national policy on sustainability standards and may lead to deliverability/viability issues*

- Respondents were split between those arguing for keeping to national standards and national Building Regulations for reasons of viability and deliverability (majority of developers, although some supported higher standards and others suggested their sites could deliver net zero and should therefore be allocated) and the community and organisations who believed the Council should be more ambitious.
- Should be more viability testing (**Kent SME Network**)
- Higher standards laudable but should be too high as to deter investment (**Ospringe Parish Council**)
- Swale's Climate and Ecological Declaration should be setting context for the Local Plan – prioritising environmentally sustainable growth over economic growth. Swale must be more ambitious (on climate, water, sustainable transport etc) as national targets are not enough. Planning has a key role. Current standards will be outdated soon and inadequate for the task.
- price of not mitigating and adapting now will be higher in long term; forward thinking developers include required measures and economies of scale will bring prices down (**Friends of the Earth**)
- Nature Based Solutions essential, Environment Act is strengthening national policy (**Kent Downs AONB, Woodland Trust**)
- Views of developers should not be given greater weight than those of community (**CPRE**)
- Many respondents used this question to voice general environmental concerns:
  - loss of agricultural land (at odds with net zero ambition/loss of food security)
  - congestion and air pollution
  - threats to historic environment
  - poor public transport
  - scarce water resources and lack of sewerage capacity.
  - uncertainties around carbon offsetting and reluctance of some developers to deliver 20% BNG
  - protection of nature and landscapes for climate and wildlife

*Q27 - Do you think the council should accept this view or seek to be more ambitious and continue to aim to embed sustainable/active travel measures across new developments? What are the reasons for your answer?*

- Several developers argued that viability is an issue and that costs need to be considered to ensure deliverability with evidence of transport impacts and costs needed
- Several respondents argued that current infrastructure (poor public transport, poor quality cycle network, road/junction capacity) does not support growth and will lead to negative environmental impacts. North South connections in Swale particularly tricky. Some used this as a reason for reduced housing numbers.



## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Others argued that the starting point is to ensure the right development is in the right place. Then sustainable transport/active travel principles should be embedded at design/master-planning stage. Integrating this from the start will ensure it will not be an extra cost and it is more expensive to attempt retrofit.
- Should be more ambitious as costs of not mitigating will be higher – especially if include health and climate impact costs such as flooding (**Friends of the Earth**)
- Active travel has benefits for health, tourism, carbon reduction, air quality and economy and funds need to be made available. Suggestions made to achieve this included: 20mph for new development and town centres; mixed use developments; more car and bike parking at stations; car-pools; reduced parking in new developments; improved bus infrastructure; electric shuttle buses; more EV and hydrogen infrastructure; A2 to become a ‘street’; school buses; culture change away from cars
- Developers of larger/strategic sites argued for these to be intensified/promoted as more deliverable and would include active travel measures.
- Rural sites should be avoided as will be dependent on private car
- Cycling and walking infrastructure should be separate from busy roads and integrated into green/wildlife corridors and recreational spaces as has benefits for health, biodiversity and air quality (**Natural England**)
- Provision of cycle/multi-user (reduced traffic) routes in rural areas to enable access to AONB and promote recreation (**Kent Downs AONB Unit**)
- New technologies should be considered as part of wider green infrastructure strategy to enable active transport to connect people to nature (**Kent Wildlife Trust**)

### Place shaping and design

*Q28 - Do you think the policies on design (as contained in the Pre-Submission Local Plan, February 2021) should be updated to reflect the changes in the NPPF?*

*If you answered yes, what changes do you think need to be made to the policies?*

- A number of respondents felt that further requirements for better designed developments can only be a positive benefit and that anything that can be done to enhance and add a natural setting to developments should be implemented.
- Most respondents felt that policies should be designed as necessary to meet the needs of the updated NPPF/NPPG’s.
- **KCC** drew attention to the consultation underway on the refresh of the Kent Design Guide, which should be captured in any revisions around design, to ensure that all development is of high quality.
- Some respondents suggested that the policies will need to be looked at regularly in order to check that they are currently viable.
- One respondent did point out that Paragraph 129 goes on to note that there is no requirement for design policies unless Councils wish to set specific policies to safeguard local distinctiveness.
- It was noted by a few respondents that SBC must be mindful that their policy is not ambiguous or overly restrictive to ensure high quality development proposal can come forward.
- Some respondents suggested that ‘good design’ should not just be defined in terms of aesthetics but also in terms of sustainability and tangible environmental improvements (e.g. eco-design / zero carbon design that reduces or minimises carbon emissions) in order to help to meet SBC’s ambitious carbon reduction targets for the borough.
- **National Grid** advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around high voltage overhead lines, underground gas transmission pipelines, and other National Grid assets. Future Design Policy must be consistent with national policy and requested inclusion of text in any policy to reference to site constraints including utilities
- The **Kent Downs AONB Unit** stated that design that enhances sense of place is a most important matter to support sustainable development in the context of the AONB.
- There were many other general design points made such as that trees should be mandatory, design and architectural standards should reflect local styles, high quality design should be a requirement in all new development and redevelopment schemes.

*Q29 - Do you think the policies on trees (as contained in the Pre-Submission Local Plan, February 2021) should be updated to reflect the changes in the NPPF?*

*If yes, what changes do you think need to be made to the policies?*

- Most respondents felt that the policy should be updated to reflect the changes in the NPPF but some commented that local policy should not just reword national policy.

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Lots of respondents felt that we should favour native species but should consider avoiding water-demanding trees.
- Support NPPF objectives for tree-lined streets as it achieves benefits to health and wellbeing alongside economic benefits of helping nature to manage temperature changes.
- Opportunities taken to incorporate trees elsewhere in developments (such as parks and community orchards).
- Need for enforcement to ensure trees are maintained, and measures needed to ensure their long-term maintenance.
- Detailed and prescriptive policy on how trees are provided in new development can be a barrier to both new development and the most effective approach to onsite delivery of trees, adding to costs and prevent the flexible delivery of trees whether this be on streets, in public open space or in front and rear gardens. Other requirements regarding lighting, parking, signage, vehicle charging will also impact on a sites ability to deliver trees, in particular street trees. It is essential that policy relating to trees in new development should consider the whole site.
- Flexibility is needed to enable developers to meet the requirement to provide trees without compromising other aspects of the scheme, including viability. Future costs of maintaining and managing street trees in addition to other policy costs, could render some development unviable.
- For new development, the **Woodland Trust** advocates for a minimum 30% canopy cover. This level, and higher, has been shown to have significant health and wellbeing benefits. Delivering new and enhancing access to green spaces, including woodland should also be supported through design codes.

### Protecting and enhancing environment and heritage

*Q30 - Do you agree that the council should be ambitious in its requirement for biodiversity net gain on new developments and that 20% is justified even though the emerging Environment Bill 10% is "a minimum"?*

Wide ranging support from the public, parish and town councils and national and local organisations for implementing a 20% target, citing biodiversity decline and the need to reverse it as appropriate justification.

Conversely, large proportion of developers and planning agents felt that a 20% target has not been justified, would not be compliant with national policy and viability would be impacted to the detriment of matters such as affordable housing.

- Some respondents were supportive but felt that the target should allow for flexibility on a case-by-case basis

### New homes

*Q31 - Do you agree that the Local Plan should be clearer on how the needs of older people will be met?*

- Support from most developers, the community and KCC that Local Plan should address this on grounds that would meet needs and free up existing large houses for families.
- Any policy requirements i.e. specifying number of specialist units, needs to be evidenced with monitoring of need and supply to ensure delivery
- Housing should be better designed from the start to avoid need for later adaptation
- Specific types of housing that were identified as being needed included: bungalows, adaptable housing, housing for disabled people, dementia-friendly housing, sheltered housing, multi-generation housing, retirement villages i.e. more than just care homes and retirement flats
- Importance of good access to services and a variety of social infrastructure highlighted as well as need for high quality pedestrian environment to facilitate access. A developer of Chalet and Park Homes argued that this could help meet needs.
- Several respondents took the opportunity to stress the need for more affordable housing for local people and **Faversham Community Land Trust** wanted Community Land Housing to be recognised and included within the Local Plan

*Q32 - Do you agree with the view that new dwellings should be built to the Nationally Described Space Standards? What evidence do you have to support your answer?*

- Majority support for inclusion of Nationally Described Space Standards (NDSS). Several developers pointed out that their schemes already meet these standards so continuing to do this would not impact viability

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Some developers pointed out that evidence on need and viability is required by the PPG although reference was made to the SBC Viability Study that already proves these standards are viable
- Some respondents were more cautious and while welcoming improved standards, were concerned that this may hinder development of smaller, high density units which might be appropriate for first homes/downsizing.
- Some respondents pointed out that high quality design was more important than space standards and others suggested that gardens should be big enough to allow self-built extensions rather than rely on space standards.
- Number of respondents identified space/other design issues that are not covered by the NDSS including: storage; good ventilation; accessibility (including for disabled users); space for home working; garages big enough to park cars, bike storage and appliances; bin storage and decent sized gardens.

*Q33 - Do you agree that the current Local Plan approach is the most appropriate or should we have a specific policy for self build homes?*

*If we were to have a specific policy, should we allocate sites and/or require a percentage of self build plots on development allocations, for people wanting to build their own homes? If you think we should allocate sites, can you suggest any sites suitable for self build we should consider allocating? If submitting a site, please provide a location plan and brief details about the site.*

- Some members of the public and developers felt that leaving the delivery self-build to the market is appropriate,
- Majority of respondents, including the **Home Builders Federation**, felt the following, or a mixture of the following, is necessary:
  - Allocating sites using council owned land.
  - Allocating sites by working with willing landowners, which is the best way to achieve the kind of sites that people really want.
  - Requiring a % of residential/mixed-use allocations to be set aside for self-build plots, but after the 2 points above have been exhausted.
  - Wording a supportive policy which allows sites to come forward in appropriate locations, such as on the edge of settlements, and acknowledging that the need cannot be met by brownfield sites alone.

*Q34 - Do you agree with the view that a lower site threshold should apply to sites within the Kent Downs Area of Outstanding Natural Beauty? What evidence do you have to support your answer?*

Support for lower threshold as need to sustain local communities and increase access to affordable homes where they are currently in limited supply (**Kent Downs AONB Unit, CPRE, Bredgar, Rodmersham, Milstead, Boughton under Blean Parish Councils**)

- Need for caution in using a landscape designation to determine the level of affordable homes that should be provided in an area (**Tunbridge Wells BC**)
- Need to protect AONB and ensure any development is justified, sensitive and of a high quality.

*Q35 - Do you think that the Local Plan should continue to use a criterion-based policy only to deal with the accommodation needs of Gypsies, Travellers and Travelling Showpeople?*

*If not, do you agree with the view that the council should re-consider allocating sites to meet this need? Please say why.*

*If you answered yes, do you think this should be done via individual site allocations, or by requiring provision to be made within larger mixed use/residential allocations?*

- The **Showmen's Guild of Great Britain** supported the continued use of a criterion-based policy, accepting that site allocations have not worked, both in Swale and elsewhere in the country. It was stressed that equal consideration should be given to members of travelling community from the wider area who seek to settle within the Borough, as to those already within the Borough.
- Whilst a significant number of contributors supported the continued use of a criterion-based policy, a number of additional and alternative points of view were given as follows:
  - Planning agents, bodies such as **CPRE** and the **Kent Downs AONB Unit**, and some parish councils believed that site allocations are necessary to avoid unauthorised sites.
  - Requiring site provision as part of housing/mixed-use allocations would be hard to see through to fruition, with no examples of this having successfully worked elsewhere.
  - Large sites do not tend to work.
  - Concern with the accuracy of the most up to date GTAA.

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

*Q36 - Do you have a site that you think would be suitable for Gypsy, Traveller and Travelling Showpeople accommodation? If so, please state where it is (and include a site location plan if possible) and how many pitches/plots it could provide.*

Only one site was suggested (by member of public) but an agent who has submitted planning applications for these communities commented that a high level of need remains in the Borough, and that the Council should re-consider the suitability of sites with temporary permission and/or those that are occupied with appeals pending.

### Economy and town centres

*Q37 - Do you agree that the Local Plan should not allocate specific locations for the creative industries but instead draft the development management policies to provide flexibility to allow these businesses to set up, establish and grow.*

- The majority of respondents felt that the creative industries should be allowed to grow organically and that they should not be allocated specific locations and should be governed instead by the development management policies applicable to other commercial uses and activities, rather than afforded special treatment.
- People felt that creative industries in themselves depend on flexibility, adaptability and the need for decisions to be responsive to often immediate needs.
- One respondent suggested that "creative industries" are not evidenced to require any specific locations. Apart from the possibility of gaining some government funding, there appears scant case to distinguish "creative industries" from any other given their scope, size, and diversity.
- It was noted that at present there is no creative/cultural strategy for Swale.
- A member of the public suggested that the Council could take opportunities to promote the re-purposing of vacant and hard-to-let space in town centres and thus also improve the vitality and viability of the borough's town centres.

A number of respondents felt that the creative industries need to be encouraged with real opportunities, not Arts Council based so called initiatives that give nothing back to local artists or the community in terms of skill sharing or the passing of knowledge.

A number of members of the public suggested that Swale needs small skills centres, educational centres and low rents.

A couple of respondents felt that by not identifying specific sites or locations for creative industries the Local Plan may miss an opportunity to support and enhance this sector that may underpin the revitalisation and regeneration of some locations within the borough.

*Q38 - Do you agree with our assessment of what we need to provide to ensure that the economy is sustained in Swale and that we can provide the right environment to attract new businesses to Swale and new employees? How else can Swale ensure that its current positive economic forecasts and ambitions come to fruition and are sustained?*

- The majority of respondents agreed in principle with our assessment, but a number said that this needs to be reassessed in light of the pandemic and new working practices.
- **KCC** agreed with the recognition that planning for long-term prosperity goes well beyond just finding employment land, but also requires having access to an appropriately skilled work force in place. The County Council agrees that a strong quality of place is fundamental to achieving a fit and strong economy – which will be achieved through ensuring that sites are well connected and that high quality communities are delivered. Detailed consideration will need to be given to access and movement requirements across the Borough.
- A number of developers and business owners noted that insufficient land was proposed to meet the need identified in the Employment Land Review.
- Many respondents thought that we should grow and support micro businesses - in town centres, housing estates, domestic homes, defunct churches, empty offices, public parks, street corners and laybys. Offer free or subsidised combined residence and shop outlet for first year of creative start-ups.
- There was support from a variety of respondents for green businesses to be given preference. They felt that the Plan needs more on how Swale Borough Council can encourage the use of the borough as a future hub for 'green' business investment and local employment to promote a green, sustainable and diverse local economy. This is not set as a priority when identifying development in the draft and risks Swale missing out on the huge opportunities for our younger generations from a 'green industrial recovery'.
- There were mixed views around our existing industrial estates and any future ones with some people feeling that large businesses parks are not the answer due to problems with their transport links - all business centres in Swale are accessible by car only as they tend to be on the outskirts of town. Others pointed out that distribution and warehousing operations are expensive in terms of land, and create fewer high value jobs. Whilst others noted how much success and employment they have brought to Swale over the years.
- **TWBC** queried whether the Retail and Leisure Needs Assessment from December 2018 can be wholly relied upon and whether it requires a refresh given the changes in the retail market as a consequence of COVID.

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

- Many respondents stressed the importance of horticulture and agriculture making sure we retain our Best and Most Versatile agricultural land.
- There was some support for supporting and growing the two major strategic employment locations of Port of Sheerness and Kent Science Park as it would ease pressure on other areas of the borough and has the potential to create centres of excellence.
- Some members of the public pointed out that consideration needs to be given to the intensity of employment development within the Boroughs existing employment sites, which would ensure the land is used efficiently and provide more employment opportunities.
- A number of local employers noted that the Council should recognise the role SMEs can make in delivering local jobs for local people with local suppliers, etc.

*Q39 - Where should we be locating the next generation of employment sites? For example, as extensions to existing sites? Close to the strategic road network? Adjacent to existing and/or new housing sites?*

- There was a wide range of responses to this question and ideas as to where to locate new employment sites. They included:
  - Close to strategic railway lines/bus network and road network and adjacent to new housing sites.
  - Everywhere - micro business will employ more people if allowed to flourish with minimal interference.
  - Sheppey provides scope for manufacturing given its location and network access to sea freight.
  - As extensions to existing sites.
  - In proximity to new housing sites to achieve the three strands of sustainable development at the heart of the NPPF.
  - On brownfield sites before greenfield.
  - Depends on type of industry. Large delivery/service buildings to be near wide main roads for easy access by lorries. Offices could be near to town centre. Noisy, smelly, 24hour operations away from residential. These should be closer to the motorway network in order to reduce the amount of commercial transport on our poor local infrastructure.
  - Preferably as extensions to existing sites.
  - The **AONB Unit** noted that within the AONB the focus should be on facilitating smaller, workshop type units or conversion of existing redundant buildings that can be achieved without compromising AONB objectives.
  - Possible new town with good rail and road network but needs new schools and infrastructure to support it.
- A number of general comments were made which didn't suggest a location but which are relevant. These included:
  - Avoid new homes with overly restrictive policies on the types work occupants are allowed to do from home. In 10 years' time there may even be types of home working we are not aware of now.
  - Re-adapting old buildings creating hot desking centres.
  - Provision of Electric Charging Points, provision of cycle ways, ensuring highspeed broadband as a requirement to any and all developments.

*Q40 - Do you have an alternative site that hasn't been considered before that could be suitable for employment use? If so, please provide a site location plan and some key details about the site such as how much and what type of employment it could provide.*

- Three new sites were put forward for commercial development (Sittingbourne, Dargate, Newington) and two for mixed use (Tunstall, Faversham)
- There were some other useful suggestions made for finding new sites such as:
  - Existing retail sites could be converted.
  - Consider an audit of all office buildings and employment sites to assess vacancies and suitability for 21st century before building on green fields. If units are empty and out of date consider rebuilds.

## Appendix 1 – Summary of main issues raised in representations to the Issues and Preferred Options consultation

*Q41 - Should there be a more flexible development management approach to building uses at ground and second floor and above in our town centres, to encourage occupation by a range of business types?*

- An overwhelming number of respondents agreed that there should be a more flexible development management approach as people felt that:
  - More people living locally means greater footfall and would certainly give them a much needed boost.
  - Better to have town centre buildings in use than preserved in aspic.
  - It must be subject to appropriate design measures being in place.
  - A sensitive and flexible development management approach to town centres which supports and encourages a range of uses and activities might assist in keeping and enhancing their vitality.
  - All for creative use of town centres. As long as there is consultation and review important to try new approaches. Need to be cautious with some types of retail e.g. betting shops, vape shops and aspects that may not enhance people's wellbeing.
  - With fewer people commuting to city based offices daily, internet/shared office facilities would be useful.
  - Making our town centres more viable and vital, which in turn will make them more sustainable - reducing out-of-town shopping and road transport and encouraging more walking and cycling and the viability of small, independent retailers who produce locally (e.g. lower food miles).
  - It was suggested that impact assessments should be required.
- **KCC** would support a more flexible approach, to include the provision of libraries, cultural uses, youth, adult education and the full range of community services.
- One respondent felt that it would be appropriate to consider greater flexibility in some town centres where appropriate, e.g. outside primary retail frontages, and to encourage diversification of uses and sectors; the cultural sector could play a significant role in revitalising town centres as seen elsewhere (e.g. Margate, Ramsgate, Hastings).
- The **NHS** said that this approach could support more flexible considerations regarding provision of services.
- A couple of respondents felt that there should be a more flexible development at first and second floor but not at ground floor level.
- **CPRE** agrees in principle that there should be a flexible approach to uses in the town centre, provided that such uses can co-exist and won't adversely impact each other.

*Q42 - How can we adapt and improve town centre environments to make them more attractive places to dwell and spend time and to encourage greater investment and activity?*

- A large number of respondents mentioned parking and felt that free or much cheaper parking would attract more visitors into the town centres.
- There were also a lot of comments on traffic free areas/pedestrianisation being implemented which would allow people to eat and drink outside, weekly markets and pop up events to take place, more seating could also be provided. It was felt that this would all attract more activity.
- A number of respondents felt that the planning process needed to ensure that repairs to existing buildings are sensitive to the area and respect the history of the location.
- Both the public and businesses suggested that we should create town plans/town centre strategies for the main town centres, in consultation with local business and users, to increase their attraction as places to visit by both residents and tourists, and try and make the town centres more of an 'experience', whilst also improving the quality of the shopping/leisure experience.
- There were comments by a variety of respondents about the general appearance of our town centres and the need to remove clutter and unnecessary street signs, the required enhancement of the public realm, the need for more trees and landscaping to improve the attractiveness and air quality of the area, improved lighting to encourage the night-time economy, improvements required to the general condition/appearance of existing buildings and the need to find uses for empty shops (e.g. displays, tourist information, local crafts or galleries).
- Respondents felt that more cycle racks and safe routes for active travel were required both into and within town centres with better connectivity/signage/designated routes.
- **Tunbridge Wells BC** felt that Swale should adopt a flexible approach to commercial uses within the town centre to ensure long term adaptability and resilience as a mix of commercial, leisure, community and cultural uses alongside residential are considered key to sustaining town centres in the future.

<b>Local Plan Panel Meeting</b>	
<b>Meeting Date</b>	24 March 2022
<b>Report Title</b>	Local Plan review next steps
<b>Cabinet Member</b>	Cllr Mike Baldock, Cabinet Member for Planning
<b>SMT Lead</b>	James Freeman, Head of Planning
<b>Head of Service</b>	James Freeman, Head of Planning
<b>Lead Officer</b>	Jill Peet, Planning Policy Manager
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. That the Panel notes the content of this report, including the revised timetable for Regulation 19 consultation on the Local Plan Review.

## 1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to set out the current position for the local plan review and identify next steps in light of the challenges facing the borough as it seeks to progress to the Draft Plan stage (Regulation 19 consultation). This includes a new timeline that will inform a revised Local Development Scheme to be brought to Members for consideration later this spring.

## 2 Background

- 2.1 The government's Planning White Paper (2021) proposed a raft of major changes that would deliver a brand new planning system. While many of these changes have been introduced via amendments to secondary legislation and guidance, e.g. the introduction of 'First Homes' and a revised National Planning Policy Framework (NPPF), the long delayed Planning Bill is yet to be presented and local planning authorities are required to press on with preparing local plans under the current system, the aim to adopt by the end of 2023.
- 2.2 Members will recall the Council chose to undertake further consultation on Issues and Preferred Options late last year. The main issues raised in that consultation are the subject of a separate report to this panel tonight. The Council will need to demonstrate how these main issues have been addressed at the next stage of plan-making, i.e. in the Regulation 19 consultation that was initially programmed to take place this spring.
- 2.3 A considerable amount of evidence to support the LPR has already been undertaken and reported along the way to this Panel. All of this is available on the local plan pages on the council website. Amongst the vast array of evidence, are high level transport modelling reports. This has been a particularly critical

area of evidence in light of the Inspector's Report on the adopted local plan, Bearing Fruits. In her final report, the inspector identified capacity deficiencies in the local and strategic road network that would need to be mitigated and accepted that solutions would be found through continued working with the key organisations responsible for delivering the necessary highway improvements.

- 2.4 As a result of this, the council had undertaken a considerable amount of high-level traffic modelling in collaboration with both KCC as the highways authority and with National Highways prior to the Regulation 19 consultation (spring 2021) and the more recent Regulation 18 Issues and Preferred Options consultation. This had included testing a range of high level options. The conclusions of these studies at that time were that there were no 'show stoppers' to development in highway terms in the borough and that a range of options would likely be acceptable on highway grounds (including various mitigation measures including the improvement works at M2 J5).
- 2.5 The results of the finer grained modelling run that included the preferred option sites (as identified in the Regulation 19 consultation, spring 2021) produced surprising results. In essence, the results showed that there are significant impacts at key junctions within the borough and that without major improvements, these junctions are unable to accommodate the level of growth expected to be delivered by the Local Housing Need (standard method).
- 2.6 Given the specific characteristics of the road network in the borough, i.e. that a significant proportion of traffic within the Borough filters to the A249, A2 and M2, there are no obvious development strategy options that could deliver the Local Housing Need number without adversely affecting these transport corridors.
- 2.7 This challenge will require further transport modelling work to be undertaken because the council is expected to leave no stone unturned in its efforts to try to deliver its Local Housing Need number. Further work will need to be undertaken to assess what capacity exists within the network as this will provide the key evidence required to confirm the quantum of development that can be delivered within the LPR timeframe (up to 2038).
- 2.8 The published Local Development Scheme (LDS) sets out the programme for the Local Plan Review (LPR) and identifies a Regulation 19 consultation to be held around this time. This is no longer possible for the reasons set out above. It is anticipated that the Regulation 19 consultation can take place in early autumn and this will be confirmed in late spring.

### **3 Proposals**

- 3.1 Given the additional work that needs to be undertaken, it is necessary to delay the next stage of the LPR until after this has been completed. While this work is being undertaken, an open-ended 'call for sites' will have commenced. This provides the opportunity to invite submissions of site for consideration as development allocations in the LPR. In preparing the LPR the council is required



to ensure it does all that it can to meet identified development needs so a further 'call for sites' will allow for sites not previously submitted to be considered.

- 3.2 As well as assessing any additional sites, it is prudent to take the opportunity to update current evidence. As part of an update to the Strategic Housing Market Assessment (SHMAA) work will be undertaken to investigate whether or not there are 'exceptional circumstances' that would justify the council departing from the government's standard method for calculating housing need. The work was previously undertaken in 2019 and concluded that there were no exceptional circumstances but since then, a new set of household projection data has been released and it is appropriate to revisit the work in this context. Retail data provider Experian has now issued their updated retail projection/ expenditure data which takes into account and forecasts the impact of Covid 19. This will also be taken into account in evidence updates. Other evidence will also be updated at this time.
- 3.3 As a result of the above, the Regulation 19 consultation is likely to take place in early autumn. Precise dates and times will be confirmed following the full council meeting of 18 May that will discuss changes to the governance model for Swale.
- 3.4 Members are asked to note the next steps and revised timescales for progressing to Regulation 19. It is anticipated that submission to the Secretary of State would then take place in the new year, early in 2023.

## 4 Alternative Options

- 4.1 The Council could choose not to undertake the additional work in relation to the transport modelling but it would not be possible to progress with a sound plan without it. Therefore, there are no realistic alternatives.

## 5 Consultation Undertaken or Proposed

- 5.1 Not required at this stage although the LPR itself will be subject to full consultation at Regulation 19 stage in due course.

## 6 Implications

Issue	Implications
Corporate Plan	<p>The Swale Local Plan supports the Council's corporate priorities of:</p> <ul style="list-style-type: none"> <li>Building the right homes in the right places and supporting quality jobs for all (Priority 1)</li> <li>Investing in our environment and responding positively to global challenges (Priority 2)</li> <li>Tackling deprivation and creating equal opportunities for everyone (Priority 3)</li> </ul>

Financial, Resource and Property	The costs for the Local Plan preparation can be met from existing budgets.
Legal, Statutory and Procurement	The Council has a statutory duty to prepare and maintain a Local Plan and to ensure that requirements of preparing that Local Plan, as set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Regulations, are met. Procurement of further evidence to inform the Local Plan Review will be undertaken in line with the Council's procurement procedures.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	In developing the Local Plan there will be continuing regard to the Council's declared climate and ecological emergency as part of the policy formulation. To be legally compliant, the Local Plan must include policies designed to ensure that the development and use of land contributes to the mitigation of, and adaptation to, climate change. The preparation of the Local Plan is subject to Sustainability Appraisal and Habitat Regulations Assessment at key stages, the findings of which inform any necessary changes to the Plan policies.
Health and Wellbeing	The Local Plan supports the health and wellbeing of communities through the provision of green infrastructure and encouraging active travel.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The continued progression and implementation of the Local Plan is required to manage and mitigate the risks of potential speculative or uncoordinated development across the Borough.
Equality and Diversity	The Pre-Submission Local Plan (Regulation 19) will be subject to an Equality Impact Assessment.
Privacy and Data Protection	The preparation of the Local Plan and handling of representations has complied with privacy and data protection legislation and regulations as required.

## 7 Appendices

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

- None

**8 Background Papers**

None

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**Local Plan Panel**

**Agenda Item: n/a**

<b>Meeting Date</b>	24 <sup>th</sup> March, 2022
<b>Report Title</b>	Rodmersham Green Conservation Area Review
<b>Cabinet Member</b>	Cllr. Mike Baldock - Cabinet Member for Planning
<b>SMT Lead</b>	James Freeman – Head of Planning Services
<b>Head of Service</b>	James Freeman – Head of Planning Services
<b>Lead Officer</b>	Simon Algar – Conservation & Design Manager
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To note 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 appendices.</li> <li>2. To support the changes to the review document proposed by officers in response to the representations received during the course of the public consultation, and also following a re-evaluation of the conservation area boundary by officers following the close of consultation, to support a recommendation to Cabinet that a further 3-week period of public consultation be carried out (referencing the additional proposed boundary changes)</li> <li>3. To support a recommendation to Cabinet that delegated authority be given to the Head of Planning Services (in liaison with the Cabinet Member for Planning) to make a decision on re-designating the conservation area and adopting the amended appraisal and management plan review document for development management purposes, unless the reconsultation results in the receipt of significant objections to the proposed additional boundary changes.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Local Plan Panel 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. It is recommended that the Local Plan Panel supports the changes to the review document set out in **Appendix i** and as reflected in **Appendix ii**: Public consultation version of the 2021 draft character appraisal and management plan document, showing alterations recommended by officers (as tracked changes) **and Appendix iii**: Proposed further changes to the conservation area boundary above and beyond those included in the public consultation document (see paragraphs 3.2 to 3.4 in this specific regard).

## 2 Background

- 2.1 Rodmersham Green Conservation Area was first designated in September 1973. The conservation area has, according to the available records, not been subject to any systematic review since that time. 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 The Council is now in receipt of two linked speculative major development applications (refs. 21/503906/EIOUT and 21/503914/EIOUT) for what amounts in combination, to a new settlement proposal to the east and southeast of Sittingbourne, referenced by the applicants, Quinn Estates Ltd, et al, as 'Highsted Park'. The application for the larger application site area on the south side of the A2 (which also extends south beyond the M2 and includes a new motorway junction) has the potential to impact on a large number of designated and non-designated heritage assets, including to the wider setting of Rodmersham Green Conservation Area. It is therefore considered that 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.
- 2.3 This review work is part of a wider range of conservation area review work requested by the Western Area Committee (also including the review of Milstead and Tunstall conservation areas, and a proposed new conservation around Rodmersham parish church). As the existing level of officer resource did not allow

for this review work to be carried out in-house, the Western Area Committee agreed to fund the use of an external consultant to carry out the work. The same consultancy practice (Wyvern Heritage and Landscape) which carried out the Tonge Conservation Area and Borden Parish Conservation Areas last year was re-appointed to undertake the review of the Milstead, Rodmersham Green and Tunstall conservation areas. In the event, Wyvern produced only 1 of the 3 review documents commissioned due to the consultancy practice in effect being a sole practitioner and the individual in question suffering some serious health problems which meant she was unable to continue with the work. This resulted in a significant delay in taking forward the review work and the necessary appointment of a replacement consultant to carry out the Rodmersham Green and Tunstall review work.

- 2.4 The review work on Rodmersham Green and Tunstall conservation areas has since been completed and the subsequent public consultation on this concluded on the 5<sup>th</sup> December 2021. It is anticipated that it will be possible to re-designate and adopt the appraisal and management plan documents for the Rodmersham Green and Tunstall conservation areas ahead of the Council reaching its decision on the Highsted Park planning applications. Also, that a decision can be made on whether to designate a new conservation area at Rodmersham Church ahead of determining the aforementioned major development scheme applications.

### **3 Proposal**

- 3.1 The proposal is to re-designate and amend the boundaries of the Rodmersham Green 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. It will be a matter for the Cabinet to decide whether to formally adopt the Rodmersham Green Conservation Area Character Appraisal and Management Strategy (as recommended with the changes set out in Appendices ii and iii, following consultation feedback, or otherwise), but Local Plan Panel Members are requested to provide feedback as part of the process of reaching a decision in this respect.
- 3.2 Officers have identified 6 additional changes to the boundary of the conservation area over and above the 2 proposed in the conservation area review consultation document. These 6 changes are considered appropriate to put in place to ensure that the boundary wherever possible relates to altered property boundaries and does not cut through the middle of buildings or garden areas. Neither of the 2

proposed boundary changes referenced in the review consultation document have been challenged/questioned through the public consultation exercise, but there has been a suggestion of one further boundary change to include the property to the north of Fruiterers Close currently used as car parking and allotments. The considerations relating to this have been clearly set out in **Appendix i** to this report.

- 3.3 Officers recommend that the Local Plan Panel support, and recommend to Cabinet, the proposed changes to the review document as set out in **Appendix i** and as reflected in **Appendices ii and iii**. It should be noted that the version of the document provided at **Appendix ii** is set out purely to show how the changes to the document (which officers consider should be made) are to be 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.
- 3.4 In view of the proposed 6 extra changes to the conservation boundary which were not included within the review consultation document, and having taken legal advice on this matter, officers are proposing to go back out to public consultation for a further period of 3 weeks to ascertain whether there are any concerns in relation to those 6 additional boundary changes. This will also allow interested parties to comment on the relatively modest number of changes made to the review of the initial review consultation document.
- 3.5 To eliminate unnecessary to-ing and fro-ing and further delay in taking this work forward, it has been agreed in liaison with the Cabinet Member for Planning that delegated authority should be sought from the Cabinet at its final meeting in April to allow officers to make any further changes to the boundary or appraisal & management plan document, following the further 3 week consultation period, without the need to report back to the Local Plan Panel again, or the Policy & Resources Committee which will take on the role of making decisions on conservation area designation/re-designation instead of the Cabinet. This would be on the basis that no significant objections are received in relation to the additional boundary changes in the re-consultation. Should significant objections be received, then the matter of re-designation would be referred to the Policy & Resources Committee for determination.
- 3.6 It should be noted that one of the six boundary changes recommended by officers, and as shown at Appendix iii, overlaps to some degree with the consultation feedback referenced at paragraph 3.2 (above), but is materially different, as *inter-alia*, there is no valid justification for including the parking area



to a modern housing development otherwise to be (appropriately) excluded from the conservation area.

## **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. It would also hinder the Council in forming an overall properly informed view of the level and nature of overall heritage impact harm arising from the Highsted Park development proposal for the application site area south of the A2.
- 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) the Highsted Park (south/main site) application being determined without a full understanding of heritage impact, which depending on which way the outcome goes, could either result in the Council not having the strongest possible heritage case to defend in the event of an appeal, or missing out on the opportunity to negotiate some important mitigations to limit visual harm to setting.
- 4.3 A third possible option would be to ignore some elements, or all of the feedback received, in terms of the suggested boundary change(s) and suggested corrections to factual information (dates and place names, etc). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community in good faith and in a constructive vein is valuable and to ignore any of this feedback without sound reasons to do so would call the value of the consultation process into question and potentially deliver a reputational blow to the Council.

## **5 Consultation Undertaken or Proposed**

- 5.1 As agreed in advance with the relevant Cabinet Member, Councillor Baldock, a 6-week public consultation exercise ran from Monday the 25<sup>th</sup> October, 2021 until Sunday the 5<sup>th</sup> December, 2021.
- 5.2 All those parties with property within, immediately outside, or overlapping the current conservation area boundary and within or overlapping the proposed

extensions to it, 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. Rodmersham Parish Council and the relevant ward councillor (West Downs Ward – Cllr. Bonney) were also consulted.

- 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 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 7-week public consultation period. Hard copies of the review document were made available to view at Sittingbourne Library, and at the more local level, on request via the Rodmersham Parish Council Clerk. In addition, officers designed a public consultation poster, copies of which were placed on the Swale House public notice board, public notice boards at Rodmersham and on the notice board at Sittingbourne Library in order to help further publicise the review work.
- 5.4 A total of 9 consultation responses have been received. Six of these have been from local residents. Their responses have largely focussed on some factual corrections within the draft document, but a few have expressed concerns about the current state of the village green.
- 5.5 In addition to the 6 local resident consultation responses referred to above, Rodmersham Parish Council has responded to the consultation advising that it fully supports the recommendations for changes to the conservation area boundary and also that it believes the review document to be accurate and fit for purpose, and it thus hopes to see it adopted at the end of the consultation period. The parish clerk, who is the author of a number of local history books, together with another long-established and knowledgeable local resident have also helpfully provided an altered hard copy of the review document showing some minor corrections and suggested minor changes. These have proved to be very useful, and as such, are reflected in the tracked changes version of the review document at **Appendix ii**.
- 5.6 Bredgar Parish Council has commended the quality of the review document.
- 5.7 Historic England has responded advising that:
- all views identified should include a detailed description of the views and their constituent parts, alongside clear photographs, outlining the contribution the views make to the character and appearance of the conservation area.
  - Positive Contributors: as identified in a map on page 7 of the document, should be listed in a separate table and described to ensure their qualities are fully explained and transparent.

- The appraisal states ‘...a handful of buildings within the proposed Rodmersham Green Conservation Area would be eligible for inclusion within the Swale Local Heritage List’. It may be appropriate to list those that merit inclusion.
  - Historic England supports the production of this statement and the associated management plan for the Rodmersham Green Conservation Area. However, we recommend your council takes the necessary steps to address the points made above to ensure the statements will facilitate sustainable development as set out in the NPPF and finally it says, that the comments provided do not address unscheduled archaeology. Please seek comments on these matters from your Council’s own Archaeology Officer
- 5.8 Finally, 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. No response was received either from the county’s Ecology Team (which was also consulted).
- 5.9 As per the commentary at paragraphs 3.4 and 3.5, it is planned to go back out to public consultation for a further period of 3 weeks to ascertain whether there are any concerns in relation to the 6 additional boundary changes not shown in the original review document. This will also allow interested parties to comment on the relatively modest number of changes made to the review of the initial review consultation document.
- 5.10 It is proposed that the re-consultation would take place following the final meeting of the Council’s Cabinet in April, and that the parties consulted would be as per the original consultation.

## 6 Implications

Issue	Implications
Corporate Plan	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>(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 2020, 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	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.
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:** Public consultation – table of representations (in summary form), and the council’s response to them
- **Appendix ii:** Public consultation version of the 2021 draft character appraisal and management plan document, showing alterations recommended by officers (as tracked changes)
- **Appendix iii:** Proposed boundary changes

**Note:** these include two of the proposed boundary changes shown in the review consultation document, and as included unchanged in Appendix ii to this report – see page 27. The conservation area boundary map shown at Appendix iii will effectively replace the equivalent map within Appendix ii, and form the basis on which the proposed reconsultation takes place.

## 8 Background Papers

None.

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**APPENDIX i: TABLE OF REPRESENTATIONS, AND THE COUNCIL'S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE REVIEW DOCUMENT IN RELATION TO THEM – FOR RODMERSHAM GREEN CONSERVATION AREA**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
1	Rodmersham Parish Council (RPC)	RPC has been involved in the discussions around and production of the conservation area (CA) review document and very much welcomes this update. The proposed conservation area boundary changes are fully supported, and the document is considered to be accurate and fit for purpose. RPC hopes to see it adopted.	Noted and welcomed.	No change to review document needed.
2	Historic England	<p>Attention is drawn to the following aspects:</p> <p>View: all views identified should include a detailed description of the views and their constituent parts, alongside clear photographs, outlining the contribution the views make to the character and appearance of the conservation area.</p> <p>Positive Contributors: as identified in a map on page 7 of the document, should be listed in a separate table and described to ensure their qualities are fully explained and transparent.</p> <p>The appraisal states '<i>...a handful of buildings within the proposed Rodmersham Green Conservation Area would be eligible for inclusion within the Swale Local Heritage List</i>'. It may be appropriate to list those that merit inclusion.</p>	<p>Noted and welcomed</p> <p>Noted</p> <p>Noted. A list can be provided for buildings which on the face of it, would appear to meet the approved Swale Local List criteria, but this would nevertheless need to be subject to the building(s) in question being formally considered by the assessment panel to be set up to make decisions on what to include on the</p>	<p>Document to be updated to incorporate these revisions</p> <p>Document to be updated to provide a table of positive contributors with their qualities explained.</p> <p>Separate list of buildings (within the proposed new conservation area) to be considered for Swale Local List inclusion to be provided in an amendment to the assessment document.</p>

**RODMERSHAM GREEN CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
2 (cont')	Historic England	<p>Historic England supports the production of this statement and the associated management plan for the Rodmersham Green Conservation Area. However, we recommend your council takes the necessary steps to address the points made above to ensure the statements will facilitate sustainable development as set out in the NPPF.</p> <p>The comments provided do not address unscheduled archaeology. Please seek comments on these matters from your Council's own Archaeology Officer</p>	<p>Swale Local List given that an element of subjectivity will inevitably apply.</p> <p>Noted and welcomed. The recommended steps are being taken as far as practically possible, as per the recommendations set out in this table.</p> <p>SBC does not have its own Archaeology Officer, but the advice of KCC's Principal Archaeologist was sought at the outset and his feedback is incorporated into the public consultation draft.</p>	<p>To make changes to the assessment document in line with those referenced above.</p> <p>No change to the assessment document needed.</p>
3	Bredgar Parish Council	Commended the work done in the Rodmersham Green Area Review, cited it as an excellent document setting out in clear terms the importance of these settlements as considered from multiple perspectives: historical, topographical, geological, in relation to their buildings, the local building materials, their highways, and so on. This kind of thorough analysis is of great significance, providing not only a clear-eyed picture of the character of Rodmersham Green as it is currently, which will be available for consultation in perpetuity, but also programmes of management, improvement and in some cases, extension.	Noted and welcomed.	No change to review document needed.
4	Local resident	4 pages of detailed notes and suggested changes provided regarding various areas.	Noted and welcomed.	Document to be updated to incorporate these revisions.



**RODMERSHAM GREEN CONSERVATION AREA – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
5	Local resident	Attention is drawn to current conditions and issues regarding the village green within the conservation area.	Noted and acknowledged.	No change to review document needed.
6	Local resident	Comments regarding factual corrections within the document.	Noted and welcomed	Document to be updated to incorporate these revisions.
7	Local resident	Comments on the current state of the wider conservation area and advise on possible distracting elements within the conservation area.	Noted and acknowledged	No change to review document needed.
8	Local resident	Comment regarding factual correction within the document	Noted and welcomed	Document to be updated to incorporate these revisions.
9	Local resident	<p>The proposed designation is supported, and emphasised the need to preserve the historic significance of the CA.</p> <p>Recommendation to include the property to the north off Fruiterers Close currently used as car parking and allotments.</p>	<p>Noted and welcomed</p> <p>This particular plot of land neither contributes to, nor is historically significant in its own right to warrant inclusion in the conservation.</p>	<p>No change to review document needed</p> <p>No change to review document needed.</p>

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# Rodmersham Green Conservation Area Character Appraisal and Management Strategy

PUBLIC CONSULTATION DRAFT October 2021  
WITH AMENDMENTS FOLLOWING PUBLIC CONSULTATION March 2022



Page 51

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## FOREWORD

“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 Rodmersham Green 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 one 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.”



Councillor Mike Baldock,  
Cabinet Member for Planning and  
Swale Borough Council Heritage  
Champion

*Mike Baldock*

## 1.0 INTRODUCTION

### 1.1 Rodmersham Green Conservation Area

Rodmersham Green Conservation Area was originally designated by Swale Borough Council on 26 September 1973. It has not been systematically reviewed since its original designation and until now there has been no character appraisal or published management strategy.

### 1.2 The Purpose of Conservation Areas

Conservation Areas were first introduced in the Civic Amenities Act 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”<sup>1</sup>.

It is the responsibility of individual local planning authorities to designate and review conservation areas from time to time using local criteria to determine and assess their special qualities and local distinctiveness<sup>2</sup>.

The aim of conservation area designation is to protect historic places and to assist in positively managing change, so that their special character is safeguarded and sustained. Areas may be designated for their architecture, historic layout, use of characteristic or local materials, style, or landscaping.

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

Conservation area designation provides extra protection in the following ways:

- Local planning authorities have control over most demolition of buildings.
- Local planning authorities have extra control over householder development.
- Special provision is made to protect trees in conservation areas.
- When assessing planning applications, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of a 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.

<sup>1</sup> Section 69 (1)(a) Planning (Listed Buildings and Conservation Areas) Act 1990.

<sup>2</sup> Section 69 (2) Planning (Listed Buildings and Conservation Areas) Act 1990

### 1.3 The Purpose and status of this Character Appraisal and Management Strategy

The purpose of this Conservation Area Character Appraisal and Management Strategy is:

- To identify the significance of the heritage asset – i.e. the value that the conservation area has 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 the preservation and enhancement of the area.
- To provide a framework for making planning decisions, to guide positive change and regeneration.
- To review the conservation area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 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 an assessment and a record 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. In some cases, significance may only be fully identified at such time as a



feature, a building or site is subject to the rigorous assessment that an individual planning application necessitates.

A fundamental part of this review of Rodmersham Green Conservation Area is to assess whether the area still possesses the special architectural and historic interest which merits its continued designation. It also provides an opportunity to review the effectiveness of the designation over the last 48 years and whether the extent of the area should be either extended or reduced.

The appraisal includes a management strategy to help the Borough Council and other stakeholders positively manage the conservation area. A management strategy may include action points, design guidance and site-specific guidance where appropriate: It can identify potential threats to the character of the area and can, where appropriate, identify the potential for Article 4 Directions or local heritage listing.

An appraisal serves as a basis for 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 individual's in design choices.

This Conservation Area Character Appraisal has been compiled in consultation with local organisations, elected representatives and council officials. It is to be the subject of public consultation and is prepared with a view to being formally adopted for development management purposes.

The map on page 7 shows the current extent of the conservation area as it was designated on 26 September 1973. It also shows listed

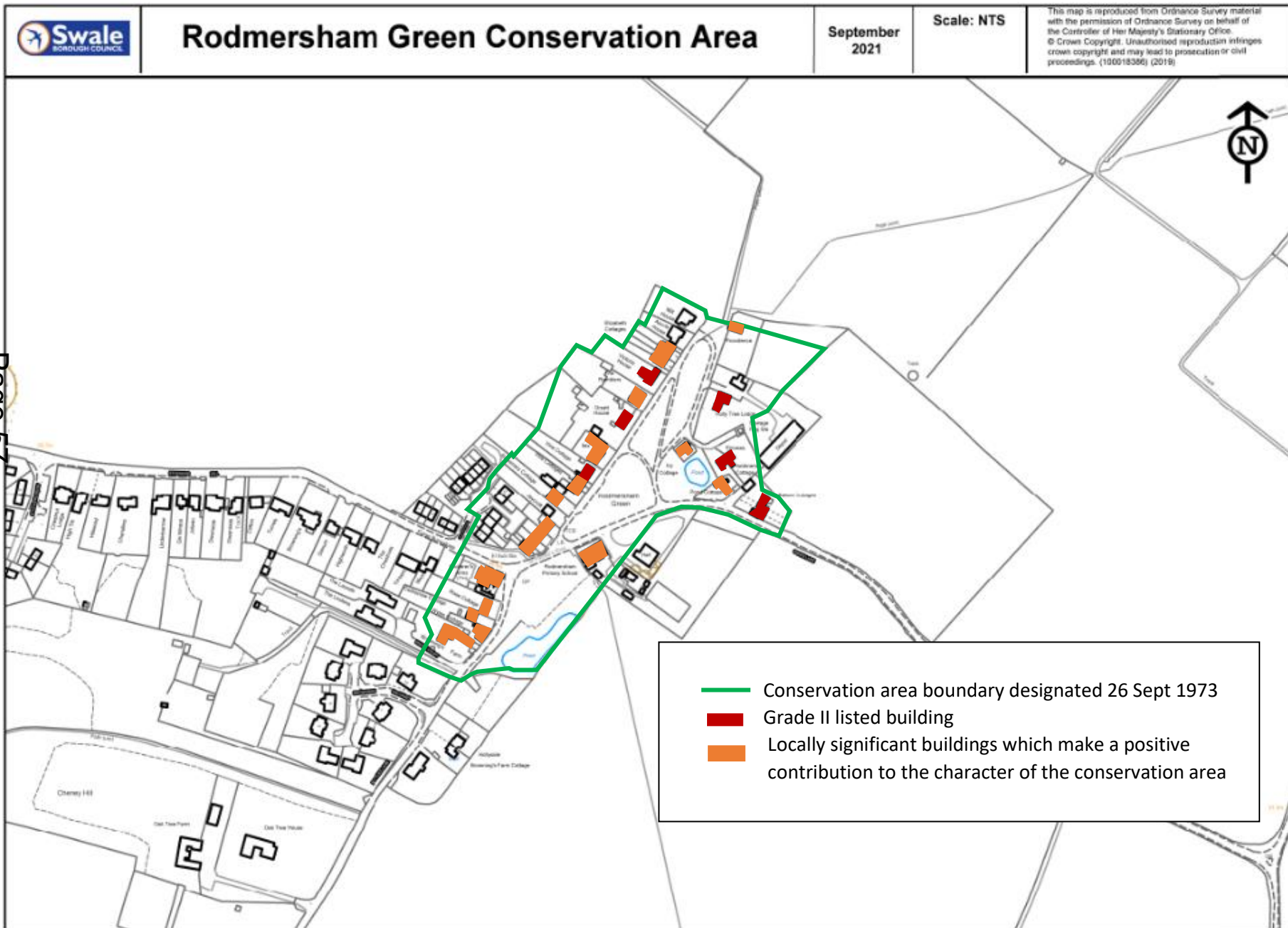
buildings which appeared on the National Heritage List in September 2021 and other buildings which have been assessed as having local heritage interest.

The author would like to thank all those who contributed the production of this character appraisal.



Early 20<sup>th</sup> century photograph of the Fruiterers Arms





## 2.0 CHARACTER APPRAISAL

### 2.1 The History of Rodmersham Green

Rodmersham Green is part of the civil parish of Rodmersham. The name is derived from Anglo Saxon 'Hrothmaer's Ham' meaning Hrothmaer's settlement or village. Perhaps surprisingly, there is no mention of Rodmersham in the Domesday survey of 1086.

In medieval times the settlement fell under the Manor of Milton and consisted primarily of dispersed farmhouses and cottages. The parish church, located some 1km to the east of the green, dates from the 13<sup>th</sup> century and is dedicated to St. Nicholas. The only surviving medieval houses on the green today are Holly Tree Lodge, Pardoners Cottage and Baker Cottage. If other houses existed at that time they would have been of poor construction or they have been replaced or rebuilt during later centuries.

A handful of houses and cottages were built around the green during the 17<sup>th</sup> and 18<sup>th</sup> centuries at which time owners would have benefited from commoners' rights to graze cattle on the green, courtesy of the Lord of the Manor.

In 1798 Edward Hasted described the Parish as: "The land in the lower or northern part of this parish is rich and fertile for corn, and is let at a high rent, but higher up among the hills it becomes chalky and light, and much of it very poor. It is not an unpleasant situation, and considering its nearness to a very unwholesome country, is not so unhealthy as might be expected."<sup>3</sup>

<sup>3</sup> Edward Hasted. *The History and Topographical Survey of the County of Kent* (1798).



Early 20<sup>th</sup> century photograph of the former windmill

A tower windmill was built to the north of the green in 1835, grinding corn from local arable farming to produce flour. The windmill was a local landmark seen for miles around from all points of the compass but it fell into disuse during the 20<sup>th</sup> century. ~~It suffered a disastrous fire in 1969 after which it was demolished and the site was redeveloped with two detached houses.~~

Terraced housing for farm workers and their families, was added to the north-west side of the green during the 19<sup>th</sup> and 20<sup>th</sup> centuries.

Today, Rodmersham Green comprises a vibrant small community served by a public house, a primary school, a shop and a village hall.



## 2.2 Topography, Geology, Landscape and Setting

Rodmersham Green lies 3 kilometres (2 miles) south of Sittingbourne town centre, on the northern edge of the North Downs dip slope and to the east of Highsted Valley. It has always been a small, distinctly separate settlement, in a characterful countryside setting. The topography is characterised by undulating chalk downland and dry valleys supporting productive farmland on loamy soils.



Aerial view showing the extent of fruit orchards in 1960

For a large part of the 20<sup>th</sup> century Rodmersham Green was surrounded by fruit orchards but by the turn of the 21<sup>st</sup> century many of the orchards had been grubbed out and turned over to arable farming. The local landscape is identified in the Swale Local Landscape Designation as the Rodmersham Mixed Farmlands<sup>4</sup> and described as “a rural landscape, much opened up for intensive arable farmland, although locally valued elements are present including a sense of openness and long views”.

The green itself has a strong identity and sense of place. Its extent is well defined, mainly by buildings, but also by trees, particularly along its southern edge. Trees make a significant contribution to the special character of the area.



2

<sup>4</sup> in the Swale Local Landscape Designation LUC October 2018 and the Swale Landscape Character and Biodiversity Appraisal, Jacobs 2011

Grassy verges are a defining feature of the roads on the green (plate 2). Where concrete kerbs have been introduced (such as outside the school) they have a harsh and uncharacteristic urbanizing effect.

The entrances to the village from Bottles Lane (plate 3) and Green Lane are well defined by trees, vegetation and roadside banks which provide a pleasing counterpoint to the openness of the green itself.



Two ponds collect water from the fields and the roads and form part of the natural water course which eventually passes Rodmersham Court through Bapchild and into Tonge millpond. As well as being picturesque and a valuable local amenity, the ponds are host a variety of flora and fauna so they make an important contribution to local biodiversity. The duck house is a recent installation by the Parish Council to encourage wildlife (plate 4).



The aerial photograph on page 12 illustrates the strong relationship which exists between Rodmersham Green and its surrounding landscape.



## 2.3 Buildings

It is the green itself that is the defining feature of the village of Rodmersham Green but it is the buildings that give definition to the green.

The earliest houses are of medieval date and include Holly Tree Lodge (5), Pardoners Cottage (6) and Baker Cottage (7). They are located close to each other on the south-east side of the green or, in the case of Baker Cottage, on Green Lane. The oldest and most significant of the early buildings is Holly Tree Lodge, a classic Wealden hall house dating from the 15<sup>th</sup> century. It is regrettable that today it is largely hidden from public view behind an overly tall hedge.



All three early buildings are of timber-framed construction and all have characteristic steeply-pitched Kent peg tile roofs with prominent chimney stacks. Holly Tree Lodge and Baker Cottage have had their jetties under built in brickwork whereas at Pardoners Cottage the timber frame is concealed behind painted render.



Other significant houses facing the south-east side of the green include Ivy Cottage (8), a restrained yellow stock brick house with an unexpected semi-octagonal north-west elevation, and the former Providence Chapel, built in 1848, now converted to a house (9).



The north-west side of the green is more tightly knit, with an interesting mix of buildings which provide a richness in their variety

of dates, styles and building materials. Vine Cottage (10) is the earliest, the statutory list suggesting an early 18<sup>th</sup> century date, although there may be earlier fabric concealed within.



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The Georgian period also saw the construction of Rosemary Cottage (11), Vine Cottages (12), Orsett House (1832) (13) and Victoria House (dated 1752 but said to include earlier work) (14). Interestingly, the five houses which were built within roughly 130 years of each other are all of different materials and in distinctly different architectural styles. The elegant wrought iron railings at Orsett House are particularly noteworthy (1).



The Victorian and Edwardian periods saw further additions to the north-west side of the green. St Patrick's Row (circa 1860) (15) is a terrace of former farm workers' cottages constructed in yellow stock brickwork: It has always housed the village shop, but in different locations. Elizabeth Cottages (16) date from 1904 and a detached house at The Ramblers (17) is of similar date. The spearhead railings at The Ramblers are another good example of their kind (see p17).







17

1970s detached houses at the northern end of the green are a little more universal in their style and materials so contribute little to the special character of the place.

Jaycroft and Ilex (18 and 19) are two 21<sup>st</sup> century rebuilds in distinctly modern styles. Some would say that they are a little over-scaled but their use of traditional forms and building materials were clearly intended to reference their traditional surroundings.



18



19

The Fruiterers Arms, circa 1835, (21) occupies a strategic location at the junction of Bottles Lane and Green Lane but its tarmac forecourt and prominent bottle banks provide scope for improvement. Rose Cottage (20), Wyles Cottage and Brownings Farm all provide a pleasant frontage to the west side of Bottles Lane.



20



21

It is Rodmersham Primary School, built circa 1869 and later, (22) which provides the visual focus to the south of the Green. Constructed in yellow stock brick with red brick dressings under a steep Kent peg tile roof, it is a good example of a Victorian village school. The village Hall to its south is modern and rather ordinary; it is set behind trees and a car park so it features little in views from the green.



universally fashionable during the 17<sup>th</sup> and 18<sup>th</sup> centuries. Brick was used extensively for new buildings and to over-clad old buildings to give them a more fashionable appearance. Kent peg tiles were the preferred choice for roofing in the 17<sup>th</sup> and 18<sup>th</sup> centuries but they gave way to slate during the early 19<sup>th</sup> century, particularly once the railway came to Sittingbourne in 1848. Modern concrete roof tiles and uPVC windows are less sympathetic materials introduced during the mid to late 20<sup>th</sup> century.

**Timber frame:** Oak framing was commonly used in building construction during the medieval period when local woodlands offered an ample supply of good and durable building materials. Several historic buildings in Rodmersham Green are constructed of timber framing and others have had their frames concealed behind later facades or cladding. The timber-framed tradition continued in softwood framing well into the Georgian period and even later in farm and utility buildings.

## 2.4 Building Materials

The distinct character of Rodmersham Green owes much to the variety of architectural styles, materials and details displayed in its buildings. Building materials were used to express architectural aspirations as well as changing fashions. Until the transport revolution of the mid-19<sup>th</sup> century, virtually all building materials were locally sourced and manufactured. Consequently they are often a true expression of the locality and its natural resources. Even materials that were in common use at the time make a valuable contribution to local character and distinctiveness.

The earlier domestic buildings of Rodmersham Green were of timber-framed construction and are important survivals because of their age and type. As oak for building became harder to source, brick became



**Brick:** Brick earth was in plentiful supply in North Kent so, not surprisingly, brickwork is a familiar building material in Rodmersham Green. There is a wide variety in the size, bond, colour and character of the bricks, depending on their age, style or function.

Earlier examples are irregular clamp-fired red bricks used during the 17<sup>th</sup> century. In the centuries that followed, the shape, size and coursing of brickwork became more regularised and uniform. Yellow stock brickwork was commonly used from the Regency period onwards and the combination of yellow and red brick achieved the polychromatic effect that was associated with the High Victorian era and the Arts and Crafts Movement. There is an interesting example of burr brickwork (over-fired bricks which fused together in the kiln) in the wall attached to Orsett House.



Rodmersham Primary School



Victoria House



Elizabeth Cottages

**Kent peg tiles:** The name 'peg tile' refers to a plain clay tile suspended from the top edge of a tiling lath. Traditionally peg tiles were held in place by a small wooden peg or latterly an aluminium 'drop', wedged into, or passed through one of the two holes in the head of the tile. Simple firing methods and local clays produced strong, durable and light peg tiles in warm orange/red terracotta colours. Imperfections in the raw clay and the hand manufacturing process resulted in a richness and variety in colour and shape. They

are renowned for their warm and varied colours and rich texture which cannot be replicated in modern machine-made tiles.

Until the 19<sup>th</sup> century, hand-made clay peg tiles were the preferred roof covering for buildings throughout Kent. Tiles continued to be handmade from local clays well into the 20<sup>th</sup> century and there are still a handful of manufacturers today. They are a characteristic roofing material of the south-east of England and dominate the roofscapes of many towns, villages and small settlements including Rodmersham Green. Kent peg tile roofs are visually prominent because of the steep pitch of the roofs on which they are laid (typically steeper than 35 degrees).



**Slate:** Slate roofs rarely appear before the turn of the 19<sup>th</sup> century. However, they became very widely used in the area after rail transport made it more easily accessible. Slate was imported, mainly from Wales, and gave rise to shallower roof pitches of between 30 and 35 degrees. Slate appears on a handful of buildings in Rodmersham Green.

**Weatherboarding:** Painted feather-edged weatherboarding is a traditional walling material in the south-east of England. There are several examples on the green.

**Modern building materials:** In recent decades mass produced concrete roof tiles and uPVC windows have been used within Rodmersham Green but they do not generally sit comfortably within the context of the historic village.

## 2.5 Boundary fences, railings and walls

Boundary treatments are an important aspect of the character of Rodmersham Green. Railings, picket fences, walls and hedges all help to define spaces in a pleasing way. Modern close-boarded fences are less sympathetic and less pleasing to the eye.



Vine Cottages



The Ramblers



Orsett House



Orsett House

## 2.6 Archaeology

The Kent Heritage Environment Record (HER) notes little of archaeological significance at Rodmersham Green, most likely due to the lack of investigation. Most of its entries relate to prehistoric flints dating from the Palaeolithic age.

There are earthworks in Highsted Wood to the west of the village and findings during nearby quarrying show rich Iron Age and Roman remains as well as Bronze Age and Neolithic.

## 2.7 The Public Highway

The winding geometry and the inclination of the highway as it approaches Rodmersham Green adds to the experience and the sense of arrival.

For as long as there has been a green it has been bisected not only by Green Lane but by a network of roads, tracks and footpaths. They are a defining feature of the village. The pleasant informality of the unmade track along the south-east boundary contrasts with the more formal tarmac surfaces of the other roads. Fortunately any temptation to add concrete kerbs to the green itself has been resisted in favour of simple timber posts which appear to serve their purpose well.

Soft margins, grassy verges and tree/hedge-lined banks are a defining feature of the highway. Where concrete kerb lines have been introduced in the recent past on Green Lane and Bottles Lane they generally detract from the rural character of the place.

Highway signs are typically utilitarian and uncoordinated.

Frequently used public footpaths radiate from the green to the north and the south across farmland.



### 3.0 SUMMARY AND CONCLUSION

Rodmersham Green is a place with a strong and distinctive identity based on the manorial history of the green and the buildings which surround it. The variety of building styles, spanning the last seven centuries, and their relationship to green and to the surrounding countryside are a defining feature of the village.

Local building materials are strongly in evidence, including timber framing, yellow and red brickwork, Kent peg tiles, slate and feather-edged weatherboarding. Fences, railings, hedgerows and trees also make a distinct contribution to the special character of the place.

The mix of buildings and spaces, intersected by footpaths and roads, continue to make Rodmersham Green an area of special architectural or historic interest the character or appearance of which it is desirable to preserve.

The conservation area has served its purpose well over the 48 years since it was first designated. The key characteristics that gave rise to its designation in 1973 appear to have been well managed by local owners, the Parish Council and the Local Planning Authority. That is not to say that there have not been changes because there have, but they have typically been made with respect to the distinct character of the place and have integrated well into their historic context.

There is no doubt that Rodmersham Green should continue to be designated as a conservation area.

There are some areas where the line of the boundary has become less relevant over time or where circumstances dictate that the boundary should be changed. Proposed changes are detailed in appendix 1 below.

#### Summary of significance

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

- A small settlement which originated as a farming community in the medieval period.
- The manorial history which gave rise to the green which provided grazing rights for the commoners.
- The architectural contribution made by several listed buildings as well as some notable non-designated buildings.
- The eclectic mix of traditional building styles, forms and building materials.
- Boundary walls, railings and fences are a defining feature.
- The strong historic, visual and functional link between the settlement and its surrounding landscape, in particular the views which connect Rodmersham Green to Rodmersham and the parish church and the more distant views across the landscape.
- The green spaces between and around buildings which bring the countryside into the village.
- The contribution which mature trees make to the character and appearance of the village.

## Summary of Key Characteristics

### Key Positive Characteristics:

- The strong sense of visual identity provided by the green.
- The historical significance of the green and its manorial connection.
- The mix of building styles exhibiting buildings from seven centuries. Key historic buildings such as the village school, the Fruiterers Arms, Holly Tree Lodge and Orsett House play an important role in defining the character of the village.
- The use of vernacular building materials: in particular timber-framing, brickwork, weather boarding, Kent peg tile and slate.
- The character of Green Lane, its soft verges and highway banks.
- The contribution made by mature trees, hedgerows and planting.
- The strong relationship between the village and the surrounding landscape, experienced through views and vistas and through the public footpath network.
- Despite its close proximity to suburban Sittingbourne, it retains a strong and independent sense of identity and place.

### Key Negative Characteristics:

- The occasional use of non-indigenous building materials such as uPVC windows or concrete roof tiles.
- Overhead cables and utility poles.
- Concrete highway kerbs and signs which detract from the rural character of the village.

## 4.0 CONSERVATION AREA MANAGEMENT STRATEGY

Conservation Area designation is not an end in itself. It is a way of recognising the special architectural or historic character of an area so that appropriate steps can be taken to preserve or enhance it.

Conservation is not about preventing change; Rodmersham Green Conservation Area is part of a living community and change is needed to sustain and meet its future needs. It is about positively managing change so that what the community cherishes today can be properly looked after and passed on to future generations in good condition.

This management strategy is intended to encourage active involvement in the future management of Rodmersham Green Conservation Area. It provides the opportunity for the Borough Council, the Parish Council, local amenity groups, Kent Highways, Kent County Council, individual householders and local businesses to take part in positively managing the area.

### 4.1 Statutes and policies

When a conservation area is designated there are statutes, planning policies and regulations which govern which types of development require planning permission and the way that the local planning authority undertakes plan making and decision taking. The statutes and policies that directly affect designated conservation areas are outlined in appendix 4 below.

It is those statutes and policies which provide the framework for managing change in conservation areas. Most significantly, 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 in the exercise of all its planning functions.

The Swale Borough Local Plan aims to ensure that the significance of Rodmersham Green Conservation Area is sustained and enhanced through:

- Preserving or enhancing the area's special character or appearance.
- Preserving or enhancing the setting of the conservation area and of other designated heritage assets.
- Safeguarding and better revealing the significance of any archaeology.
- Protection and enhancement of landmarks, views and vistas within and without the conservation area.
- Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area.
- Safeguarding significant spaces.
- Safeguarding significant trees.
- Promoting high quality design in new development which responds positively to context and the distinct character of the conservation area.
- Continued sensitive management of the public realm.
- Requiring new development to respond positively to the Conservation Area Character Appraisal,

### 4.2 Published guidance

There is a wealth of published guidance on positively managing change in conservation areas. Historic England has published a

range of guidance and advice notes which are listed in the bibliography at appendix 5 below. Swale Borough Council has adopted supplementary planning documents which are listed in appendix 3 below.

### 4.3 Householder alterations

Where householder alterations are proposed which require planning permission the Council will typically seek to ensure that those alterations enhance the special character and appearance of the conservation area.

Opportunities to reinstate missing architectural features (such as sash windows, panelled doors or original 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 Conservation Area Character Appraisal has identified some householder alterations which have involved the removal of historic features such as period windows, doors, roof coverings and chimney stacks.

Even in conservation areas, some householder alterations to unlisted buildings can be undertaken without the need for planning permission. The cumulative impact of ill-considered alterations to traditional properties can have a harmful effect on the character and appearance of a conservation area. Such alterations have, and could continue to erode the character of Rodmersham Green Conservation Area over time.

In light of the above, Swale Borough Council may consider the use of an Article 4 Direction in order to bring some householder

alterations (which are currently classed as permitted development) under planning control, to ensure that all alterations are positively managed through the planning system.

Householder alterations which could be brought under control by an Article 4 Direction at Rodmersham Green include the following:

- Replacement windows and doors.
- Changes to roof coverings.
- Removal of chimney stacks.
- The installation of solar and photovoltaic panels on the front wall or roof slope.
- Alterations to fences, railings and boundary walls.
- Adding a front porch.
- Installing rooflights in the front roof slope.
- Replacing a front garden with a hard surface.

### 4.4 Swale local heritage list

Arising from Swale's adopted Heritage Strategy 2020-2032, the Borough Council is compiling a Local Heritage List in order to identify heritage assets which are not formally designated.

The Local Heritage List:

- raises awareness of an area's local heritage assets and their importance to local distinctiveness;
- informs developers, owners, council officers and members about buildings within the local authority boundary that are desirable to retain and protect;
- provides guidance and specialist advice to owners to help protect the character and setting of those buildings, structures, sites and landscapes;



- helps the council in its decision making when discussing proposals and determining planning applications; and
- records the nature of the local historic environment more accurately.

The impact of any development on a building or site included within the Local Heritage List will be a material consideration when the council considers an application for planning permission.

Several unlisted buildings in Rodmersham Green Conservation Area would be eligible for inclusion within the Swale Local Heritage List.

#### 4.5 Public realm

The public realm (that is those areas which fall between the buildings and are enjoyed by the public) makes a significant positive contribution to the special character of Rodmersham Green Conservation Area. The green, the highway, public footpaths, signage and the ponds, all fall within the public realm and provide opportunities for enhancement.

In rural conservation areas, it is especially necessary to guard against standard highway ‘improvements’ which do not necessarily respect the special character of the place. The injudicious use of concrete kerbs and off-the-shelf road signs in Rodmersham Green has detracted from its special character and rural charm.

The retention of soft verges (without concrete kerbs) and roadside banks is fundamental to the future sensitive management of the highway.



Restrained use of highway signing and road markings is also critically important. Where signs, road markings, street furniture, salt bins or rubbish bins are necessary they should be located and designed carefully.

Future highway maintenance, improvements and alterations will be carried out in accordance with *Streets for All*, Historic England (2018) and *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets*, KCC and KCOG (2011). Both provide advice on good practice for highway and public realm works in historic places. Early consultation with all stakeholders (including Swale Borough Council’s Conservation and Design Team and Rodmersham Parish Council) will be fundamental to achieving appropriate standards in future changes.

In the past it is clear that there has been pressure to park on the green, or for vehicles to turn on or pass over the green. This clearly needs to be positively managed in order to prevent damage and to resist visual harm caused by parking. The existing timber stumps and raised grass verges appear to work well but may well need to be extended in future in order to prevent increasing pressure from more determined drivers.

Rodmersham Green has more than its fair share of overhead cables and poles. Despite some very recent rationalisation to the number of cables they are still visually intrusive. Where possible, opportunities should be taken to investigate removal of redundant overhead cables, reducing the number of poles and undergrounding of services.

The ponds provide valuable amenity as well as biodiversity and ecology. Future management is likely to involve a light touch but may require removal of leaf litter (during the winter to avoid hibernation times) and tree canopy reduction to improve photosynthesis of pond plants.

The Parish Council, Swale Borough Council and Kent County Council will seek to ensure that the public realm continues to be sensitively managed.

Opportunities for enhancement in the public realm:

- An audit of public signage (including highway signage) to establish whether all current signage and road markings are necessary, well designed and appropriately located.
- An audit of street furniture (bollards, benches, dog waste bins, salt bin etc.) to establish whether street furniture is necessary, well designed and appropriately located.
- An audit of overhead supply lines and poles with the statutory undertakers to establish whether there is scope to remove any overhead cables or poles or to underground services.
- The removal of concrete highway kerbs and their replacement with grassy verges.
- The grass area to the west of 6 St Patricks Row (1) is poorly designed and would benefit from better design and landscaping.
- The forecourt to the Fruiterers Arms (2) and the bottle bank offer considerable scope for improvement.
- Ongoing 'light touch' management of the ponds.



## 4.6 Trees and planting

Trees and hedgerows play a vital role in the special character of Rodmersham Green.

The retention and active management of trees and hedgerows should be encouraged. Opportunities for new planting should be considered. Planting which contributes to the form and structure of the local environment in and around Rodmersham Green 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 to the Borough Council in writing before any works are undertaken to trees within conservation areas.

Where hedges have been removed on Bottles Lane consideration should be given to replanting in order to conceal the close boarded fence (3).



Opportunities for enhancing landscape and ecology:

- An audit of trees, hedgerows, green spaces and orchards may be undertaken to establish whether there is any scope for better management or for further planting.
- Positive management may occasionally involve the removal of trees to preserve, restore or open up significant views. The reduction in height of the tall hedge in front of Holly Tree Lodge has been identified as a potential enhancement.

## 4.7 New development opportunities

Potential for new development within the Rodmersham Green Conservation Area is extremely limited. If proposals for development come forward they will be considered against local and national planning policies which attach great weight to the conservation of designated heritage assets and their settings.

Development within the setting of the conservation area may affect its heritage significance. The local planning authority is required to pay special attention to preserving the setting of the conservation area (or any listed buildings) in any plan making or decision taking.

## 4.8 Heritage at risk

There are no designated heritage assets within Rodmersham Green on Historic England's Heritage at Risk Register or on the Swale Borough Council's Heritage at Risk Register. Neither has this appraisal identified any heritage assets which are currently at risk.

However, if any of the identified locally significant features or buildings become at risk in the future, these may be added to the Heritage at Risk Registers if their significance is threatened by their condition or lack of appropriate use.

In such cases the Council will notify respective owners and, where appropriate, work with them and other stakeholders to investigate opportunities for removing the risk and securing the asset's future.



St Patrick's Row 1930s

## APPENDIX 1

### Proposed amendments to Rodmersham Green Conservation Area boundary

As part of the review of Rodmersham Green Conservation Area, consideration has been given to whether the current boundaries accurately reflect the area which has special architectural or historic interest.

In large part, the area covered by the current boundaries 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 alterations proposed, as follows:

#### **Boundary adjustment 1 (please refer to map on page 27)**

Currently the boundary follows the middle of Fruiterers Close, so the bungalows to the east of the close are included within the conservation area and those to the west are not. As none of the bungalows are of architectural or historic significance, the proposal is to exclude numbers 12 to 17 (consecutive) from the conservation area and to redraw the boundary line along the back gardens of numbers 1 to 6 St. Patrick's Row.

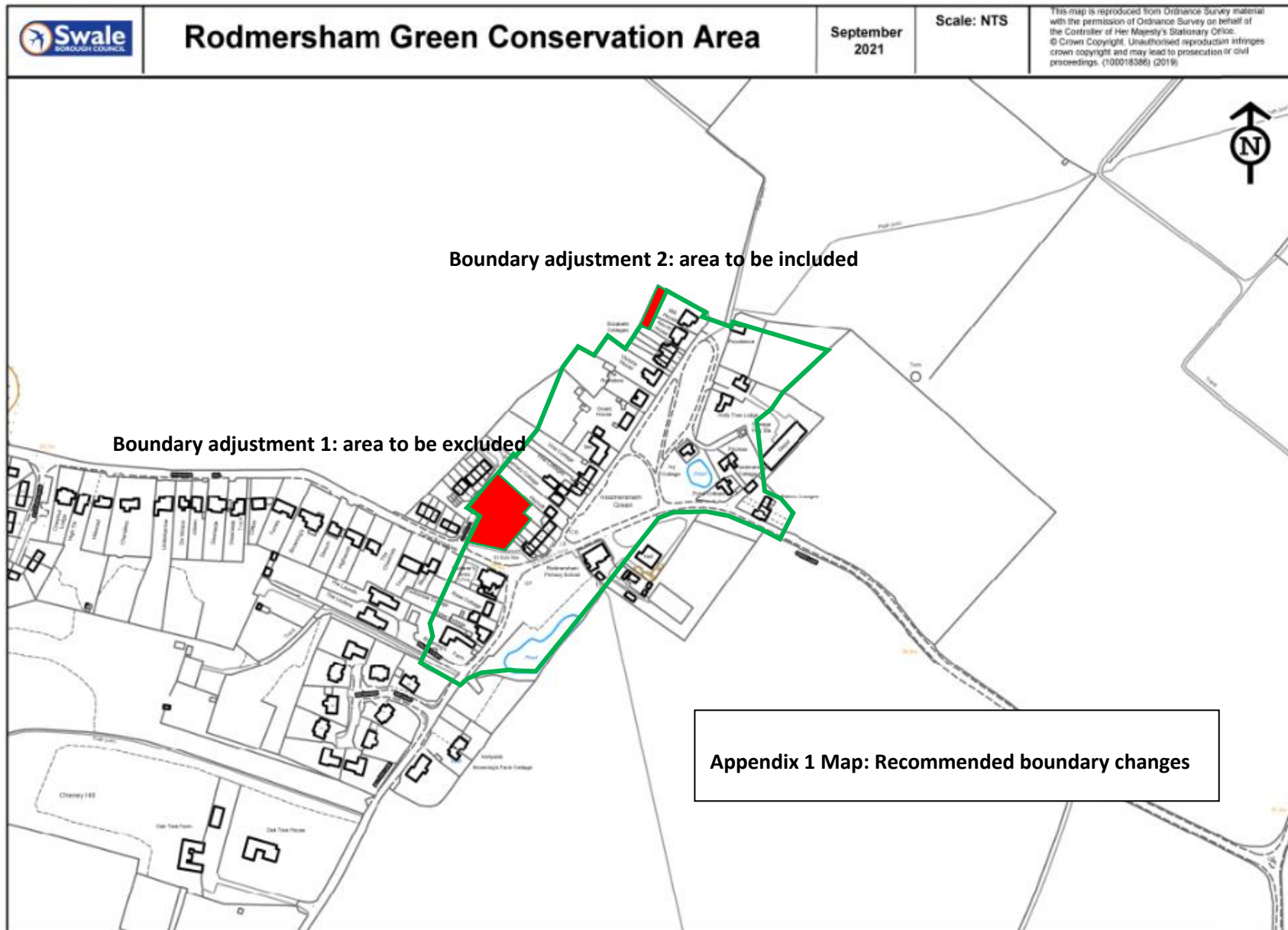
#### **Boundary adjustment 2 (please refer to the map on page 27)**

There is a minor irregularity in the line at the rear of Mill House and Ainslie House where the current boundary does not follow the line of the current gardens. The adjustment is proposed simply to reflect current circumstances.

#### **Other areas**

Consideration has been given to extending the conservation area to the south along Bottles Lane to include the area of the former farm, now The Barn. However, most of the historic farm buildings and the farmhouse have long been demolished. The Barn is visually and spatially separated from the green by modern development at Hollyside and Brownings Orchard on the west side of Bottles Lane and a pair of modern houses on the east. On balance it was decided that, despite the fact that The Barn is of some architectural and historic interest, the extension to the conservation area could not be justified.

Consideration was also given to Church Road and the cluster of buildings around St Nicholas Church in Rodmersham itself. This area has a good concentration of listed buildings and other heritage assets. It also forms part of the civil parish of Rodmersham and there has always been a strong connection between Rodmersham Green and Rodmersham. However, Court Farm is 0.6km from Rodmersham Green and St. Nicholas Church is 1km away. The character of the hamlet is also distinct and very different from that of Rodmersham Green. Consequently it is recommended that Rodmersham be the subject of a separate conservation assessment and appraisal to determine whether it should be designated as a conservation area in its own right.



## APPENDIX 2

### Map regression

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Saxton's map of Kent 1575



Captain William Mudge's map of Kent of c.1800



Andrews topographical map of the county of Kent 1769



Ordnance Survey First Series 1816

Tithe map 1838 (Kent Archives)





1871 Ordnance Survey map



1896 Ordnance Survey map



## APPENDIX 3

### Extracts from the National Heritage List for England (the Statutory List of Buildings of Special Architectural or Historic Interest)

The statutory list for Rodmersham Green is compiled by the Secretary of State for Digital, Culture, Media and Sport and is altered and amended from time to time as buildings are added or removed from the list. The list descriptions below are taken from the statutory list and were current in September 2021. For more detailed and up to date information please refer to the National Heritage List for England at [www.historicengland.org.uk/listing/the-list](http://www.historicengland.org.uk/listing/the-list).

Features and structures which are not specifically mentioned in the statutory list are not necessarily excluded from statutory protection which extends to the listed building as well as to any object or structure fixed to the building and to any object or structure within the curtilage of the building which predates July 1948.

The omission of a building from this list should not necessarily be taken to indicate that it is not listed without first referring to the National Heritage List.

#### **VINE COTTAGES, RODMERSHAM GREEN. Grade II**

House, sometime cottage pair. C18. Timber framed and exposed with plaster infill on red brick ground floor. Plain tiled roof. Two storeys and hipped roof with gabled dormer and stack to right. Four wood casements on first floor and 3 on ground floor, with glazed door in glazed sloping porch to left.

#### **ORSETT HOUSE, RODMERSHAM GREEN. Grade II**

House. Circa 1830. Yellow stock brick and slate roof. Two storeys and hipped roof with 2 stacks at end right and 1 at end left. Regular fenestration of 3 glazing bar sashes on first floor and 2 on ground floor all with gauged heads. Central door of 6 raised and fielded panels with semi-circular fanlight in Doric porch.

#### **VICTORIA HOUSE, RODMERSHAM GREEN. Grade II**

House. C18, dated 1752, and extended early C19. Chequered red and grey brick with plain tiled roof. Originally 2 cell lobby entry, with later bay to right. Two storeys and brick cornice to hipped roof with stacks to end left and end right. Regular fenestration of 2 wood casements with central window space and glazing bar sash added to right on first floor, and 2 segment headed wood casements with central door of 6 raised and fielded panels and flat hood, with segment headed glazing bar

sash added to right. Wood and glass conservatory to left. Plaque in window space over door reads: M. 1752. I. E.

**HOLLY TREE LODGE, RODMERSHAM GREEN.** Grade II

Wealden hall house now house. C15. Timber framed and exposed with plaster infill and underbuilt in red brick, with plain tiled roof. Four framed bays. Two storeys, originally jettied to left and to right, now underbuilt. Recessed hall bays with flying wall plate on arched braces. Hipped roof with gablets and stacks to centre left and projecting end right and end left. Four wood casements to each floor and boarded door to left.

**PARDONERS COTTAGE, RODMERSHAM GREEN.** Grade II

House, now cottage pair. C15. Timber framed and plastered with plain tiled roof. Two bay lobby entry plan. One storey and attic in hipped roof with gablets, 1 gabled dormer and central stack. Two wood casements on ground floor and 2 central boarded doors. Catslide outshot to right in yellow stock bricks.

**BAKER COTTAGES, RODMERSHAM GREEN.** Grade II

House, sometime cottage row. C16. Timber framed and exposed close studded with brick nogging and plaster infill and part underbuilt with red brick. Plain tiled roof. Five framed bay range and projecting wing. Two storeys and hipped roof with gablets, and projecting wing right with wavy bracing and return hip. Roof steps up at centre point to right. Stacks to centre, and projecting end left and end right. Five wood casements on first floor and 4 on ground floor, with boarded doors to centre in hipped porch with side lights, and to right in projecting wing.



Pardoners Cottage, Pond Cottage and Baker Cottage

## APPENDIX 4

### Legislation, national policy and local policy

#### Planning (Listed Buildings and Conservation Areas) Act 1990

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 (NPPF)

The NPPF sets out the government's planning policies and how they should be applied. It provides the national framework for conserving and enhancing the historic environment, including conservation areas.

### National Planning Practice Guidance (NPPG)

The NPPG sets out government's guidance on how the act and national planning policy should be applied.

### Adopted Local Plan- Bearing Fruits 2031: The Swale Borough Local Plan (2017)

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:..... 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 (including historic landscape

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 Key Supplementary 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.

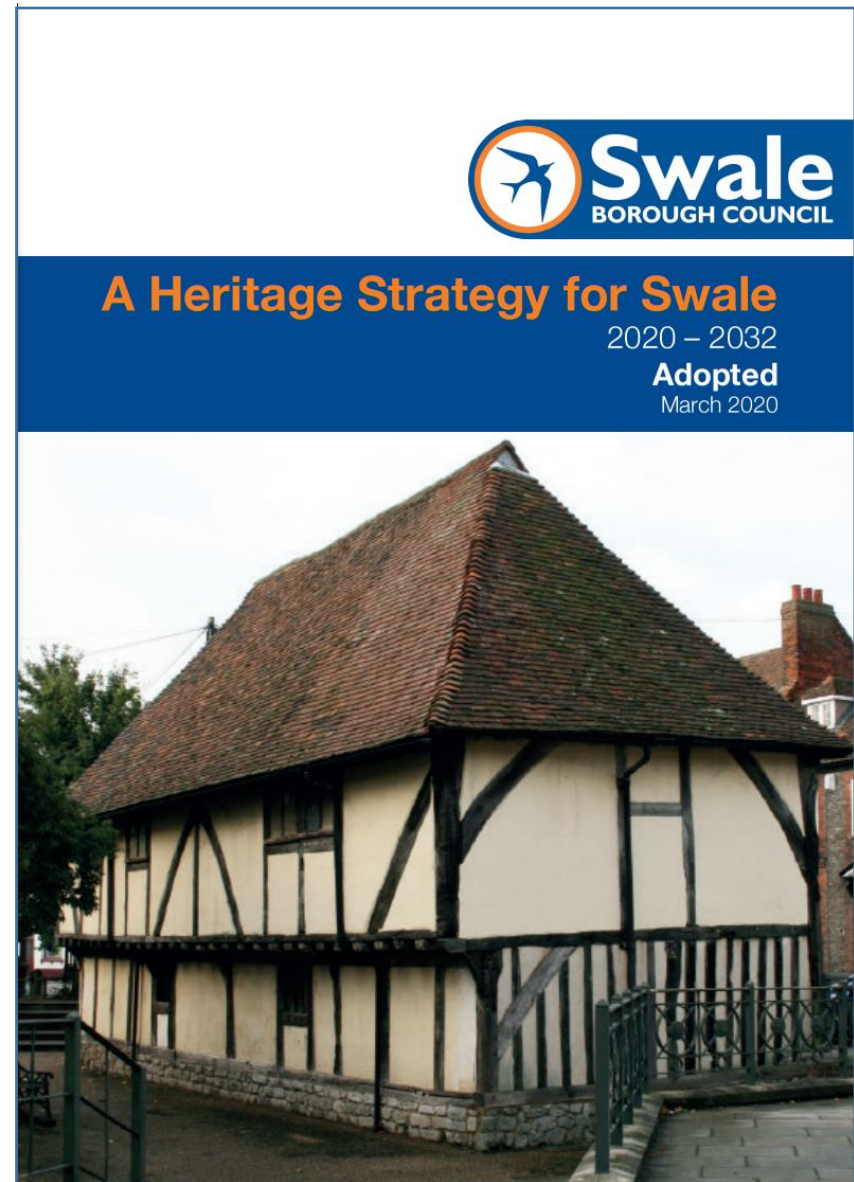
### **Swale Borough Council Heritage Strategy 2020-2032**

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 setting out the Council's overall vision and 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.



## APPENDIX 5

### Bibliography

Edward Hasted *The History and Topographical Survey of the County of Kent* (1798).

R. Muir *The New Reading the Landscape. Fieldwork in Landscape History* (2000)

John Newman *The Buildings of England North East and East Kent* (2013)

Kent County Council *South east Archaeological Research Framework* [www.kent.gov.uk](http://www.kent.gov.uk)

Kent County Council *Historic Environment Record* [www.kent.gov.uk](http://www.kent.gov.uk)

Kent County Council *Exploring Kent's Past* [www.kent.gov.uk](http://www.kent.gov.uk)

Kent County Council and Kent Conservation Officers Group, *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets* (2011)

LUC Swale *Local Landscape Designation* (October 2018)

Jacobs Swale *Landscape Character and Biodiversity Appraisal* (2011)

Rodmersham 2000, *The Storey of a Village* (2000)

#### Historic England Guidance, Advice and Publications

Historic England Good Practice Advice Notes (GPAs) provide advice on good practice and how national policy and guidance should be applied.

GPA1: *The Historic Environment in Local Plan Making* (March 2015)

GPA2 - *Managing Significance in Decision-Taking in the Historic Environment* (March 2015)

GPA3 – *The Setting of Heritage Assets* (December 2017)

Historic England Advice Notes (HEANs) include detailed, practical advice on how to implement national planning policy and guidance.

HEAN 1: *Conservation Areas: Designation, Appraisal and Management* (Feb 2019)

HEAN 2: *Making Changes to Heritage Assets* (February 2016)

HEAN 9: *The Adaptive Reuse of Traditional Farm Buildings* (October 2017)

HEAN 10: *Listed Buildings and Curtilage* (February 2018)

HEAN 12: *Statements of Heritage Significance* (October 2019)

HEAN 16: *Listed Building Consent* (June 2021)

*Streets For All* (May 2018)

## APPENDIX 6

### Assessment of significant views

Views make a valuable contribution to the way in which the character or appearance of a place is experienced, enjoyed and appreciated. Identifying significant views allows the contribution they make to be protected and enables the effective management of development in and around those views. Significant views are annotated on the aerial photograph on page 12 and described below:

**View 1:** Panoramic outward-looking views across the landscape provide a strong connection between the village and its historic farmland setting. They provide visual links to reference points such as Rodmersham Church tower and Rodmersham Court as well as further afield. The contrast between the enclosure experienced within the Green and the openness of the landscape views adds to the experience. As such they are of high heritage significance.



View looking north from Stockers Hill



View looking north-east from Green Lane

**View 2:** All views along and across the Green are of high significance. They epitomise the history and the unique spatial character of Rodmersham Green where settlement grew up along the perimeter but not on the Green itself.



View looking across the green from the north-east





**View 3:** Views on entering the conservation area by road or by footpath provide an interesting ‘gateway experience’. The contrast between the tree or building-lined approaches and then the sudden openness of the Green provides contrast and drama to the experience.

**View 4:** Views created between buildings, such as the view towards Pardoners Cottage, Pond Cottage and Baker Cottage, illustrated on page 32, have picturesque as well as heritage value. Glimpsed views of buildings through vegetation or across one of the ponds can also have delightful effect.

For further information contact:

Swale Borough Council Planning Services 01795 417850

[www.Swale.gov.uk](http://www.Swale.gov.uk)



This Conservation Area Character Appraisal was prepared by:

**Peter Bell Historic Building Consultancy** Peter@Bell.uk.com

on behalf of:

**Swale Borough Council**

**Swale House, East Street, Sittingbourne, Kent ME10 3HT**



C.A. Boundary extensions 1-6 

C.A. Boundary retractions 1-2 

(See justification for these  
in text at Appendix 1)


20 m  
100 ft




Page 91

Ordnance Survey - data derived from OS Premium

Public Rights of Way 

Tree Preservation Orders 

Existing boundary 

Conservation Area boundary 

Listed Buildings 

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**Local Plan Panel**

**Agenda Item: n/a**

<b>Meeting Date</b>	24 <sup>th</sup> March, 2022
<b>Report Title</b>	Tunstall Conservation Area Review
<b>Cabinet Member</b>	Cllr. Mike Baldock - Cabinet Member for Planning
<b>SMT Lead</b>	James Freeman – Head of Planning Services
<b>Head of Service</b>	James Freeman – Head of Planning Services
<b>Lead Officer</b>	Simon Algar – Conservation & Design Manager
<b>Key Decision</b>	No
<b>Classification</b>	Open
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To note 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 appendices.</li> <li>2. To support, and recommend to Cabinet that the changes to the review document proposed by officers in response to the representations received during the course of the public consultation, are agreed.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Local Plan Panel 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 Local Plan Panel supports the changes to the review document set out in **Appendix i** and as reflected in **Appendix ii**: Public consultation version of the 2021 draft character appraisal and management plan document, showing alterations recommended by officers (as tracked changes). Furthermore, that the Local Plan Panel recommend the proposed changes to Cabinet.

## 2 Background

- 2.1 Tunstall Conservation Area was first designated in April 1973. The boundary was reviewed and amended on 27 February 2003 when the conservation area was redesignated. At that time a summary conservation area character appraisal was published which also included proposals for its continuing preservation and enhancement. However, 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, and hence the genuine need for review of conservation areas from time to time, which is also a best practice recommendation by Historic England.
- 2.2 The Council is now in receipt of two linked speculative major development applications (refs. 21/503906/EIOUT and 21/503914/EIOUT) for what amounts in combination, to a new settlement proposal to the east and southeast of Sittingbourne, referenced by the applicants, Quinn Estates Ltd, et al, as 'Highsted Park'. The application for the larger application site area on the south side of the A2 (which also extends south beyond the M2 and includes a new motorway junction) has the potential to impact on a large number of designated and non-designated heritage assets, including to the wider setting of Tunstall Conservation Area. It is therefore considered that 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.
- 2.3 This review work is part of a wider range of conservation area review work requested by the Western Area Committee (also including the review of Milstead and Rodmersham Green conservation areas, and a proposed new conservation around Rodmersham parish church). As the existing level of officer resource did not allow for this review work to be carried out in-house, the Western Area Committee agreed to fund the use of an external consultant to carry out the work. The same consultancy practice (Wyvern Heritage and Landscape) which carried out the Tonge Conservation Area and Borden Parish Conservation Areas last year was re-appointed to undertake the review of the Milstead, Rodmersham Green and Tunstall conservation areas. In the event, Wyvern produced only 1 of the 3 review documents commissioned due to the consultancy practice in effect being a sole practitioner and the individual in question suffering some serious health problems which meant she was unable to continue with the work. This

resulted in a significant delay in taking forward the review work and the necessary appointment of a replacement consultant to carry out the Rodmersham Green and Tunstall review work.

- 2.4 The review work on Rodmersham Green and Tunstall conservation areas has since been completed and the subsequent public consultation on this concluded on the 5<sup>th</sup> December 2021. It is anticipated that it will be possible to re-designate and adopt the appraisal and management plan documents for the Rodmersham Green and Tunstall conservation areas ahead of the Council reaching its decision on the Highsted Park planning applications. Also, that a decision can be made on whether to designate a new conservation area at Rodmersham Church ahead of determining the aforementioned major development scheme applications.

### 3 Proposal

- 3.1 The proposal is to re-designate and amend the boundaries of the Tunstall 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. It will be a matter for the Cabinet to decide whether to formally adopt the Tunstall Conservation Area Character Appraisal and Management Strategy (as recommended with the changes set out in Appendix ii, following consultation feedback, or otherwise), but Local Plan Panel Members are requested to provide feedback as part of the process of reaching a decision in this respect.
- 3.2 There are no proposed changes to the boundaries of the conservation area over and above the one recommended by the Council's heritage consultant in the public consultation document (which is to include a locally important distinct green space known as Shooting Meadow). None of the proposed boundary changes have been challenged/questioned through the public consultation exercise, but there has been a suggestion of one extension to the boundary alignment to include the area of open land between Cedar House (the former rectory) and Tunstall Primary School. It is not recommended that this suggestion is taken forward however, and the considerations relating to this have been clearly set out in **Appendix i** to this report.
- 3.3 Officers recommend that the Local Plan Panel support, and recommend to Cabinet, the proposed changes to the review document as set out in **Appendix i** and as reflected in **Appendix ii**. It should be noted that the PDF version of the document provided at **Appendix ii** is set out purely to show how the changes to

the document (which officers consider should be made) are to be 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 Tunstall Conservation Area.
- 4.3 A third possible option would be to ignore some elements, or all of the feedback received, in terms of the suggested boundary change(s) and suggested corrections to factual information (dates and place names, etc). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community in good faith and in a constructive vein is valuable and to ignore any of this feedback without sound reasons to do so would call the value of the consultation process into question and potentially deliver a reputational blow to the Council.

## **5 Consultation Undertaken or Proposed**

- 5.1 As agreed in advance with the relevant Cabinet Member, Councillor Baldock, a 6-week public consultation exercise ran from Monday the 25<sup>th</sup> October, 2021 until Sunday the 5<sup>th</sup> December, 2021.
- 5.2 All those parties with property within, immediately outside, or overlapping the current conservation area boundary and within or overlapping the proposed extensions to it, 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. Tunstall Parish Council and the relevant ward councillors (West Downs Ward – Cllr. Bonney and Woodstock Ward – Cllrs P. Stephen and S. Stephen) were also consulted.

- 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 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 7-week public consultation period. Hard copies of the review document were made available to view at Sittingbourne Library, and at the more local level, on request via the Rodmersham Parish Council Clerk. In addition, officers designed a public consultation poster, copies of which were placed on the Swale House public notice board, public notice boards at Rodmersham and on the notice board at Sittingbourne Library in order to help further publicise the review work.
- 5.4 A total of 15 consultation responses have been received, and 12 of these have been from local residents. The responses have principally been to welcome the review and support the conclusions, but a number of factual corrections to the draft document have been suggested, as have some modest changes to the management plan recommendations.
- 5.5 In addition to the 12 local resident consultation responses referred to above, Tunstall Parish Council (TPC) has responded to the consultation advising that it fully supports the recommendations for changes to the conservation area boundary. TPC has confirmed it is pleased to see Shooting Meadow included in a proposed amendment to the boundary and this historic importance of the Grove End Farm complex recognised, although not being included within any amendment to the boundary. It has also helpfully pointed out planned improvement works to the village pond which Kent County Council is leading on and financing.
- 5.6 Bredgar Parish Council has commended the quality of the review document.
- 5.7 Historic England has responded advising that:
- all views identified should include a detailed description of the views and their constituent parts, alongside clear photographs, outlining the contribution the views make to the character and appearance of the conservation area.
  - Positive Contributors: as identified in a map on page 7 of the document, should be listed in a separate table and described to ensure their qualities are fully explained and transparent.
  - The appraisal states '*...a handful of buildings within the proposed Tunstall Conservation Area would be eligible for inclusion within the Swale Local Heritage List*'. It may be appropriate to list those that merit inclusion.

- Historic England supports the production of this statement and the associated management plan for the Tunstall Conservation Area. However, we recommend your council takes the necessary steps to address the points made above to ensure the statements will facilitate sustainable development as set out in the NPPF and finally it says, that the comments provided do not address unscheduled archaeology. Please seek comments on these matters from your Council's own Archaeology Officer
- 5.8 Finally, 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. No response was received either from the county's Ecology Team (which was also consulted).

## 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 2020, 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	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.
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:** Public consultation – table of representations (in summary form), and the council’s response to them
- **Appendix ii:** Public consultation version of the 2021 draft character appraisal and management plan document, showing alterations recommended by officers (as tracked changes)

## 8 Background Papers

None.

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**APPENDIX i: TABLE OF REPRESENTATIONS, AND THE COUNCIL'S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE REVIEW DOCUMENT IN RELATION TO THEM – FOR TUNSTALL C.A. REVIEW**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
1	Tunstall Parish Council	<p>Commended and fully support the Review, the continuation of this Conservation Area and the boundary changes/extensions.</p> <p>In particular, we welcome the recognition of the importance of the setting of the historic buildings which includes important green spaces as shown on page 11 diagram. It is these green spaces, trees and hedgerows, woven in amongst the historic buildings which give Tunstall its unique character and setting, flowing through to important views across adjacent fields.</p> <p>We are pleased that the key views in and out across the corner field to the south of School View houses have been recognised and marked as such on the page 11 image, aiding protection of this field for the future as part of the Tunstall street scene. Approaching the Conservation Area from the south and west, it is the sweeping view across this meadow, usually with grazing sheep, which is distinctive and defines the character of the Area on entry.</p> <p>Although not included in the Conservation Area, we are pleased to see the historic importance of the Grove End Farm complex recognised and noted.</p> <p>We welcome and support the inclusion of the meadows (shown as Shooting Meadows on page 30 in the Review) to the east of the 2003 Conservation Area as important parts of Tunstall history and more recent community use by Tunstall residents.</p>	Noted and welcomed	No change to review document needed.

**TUNSTALL C.A. REVIEW – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
1 (cont')	Tunstall Parish Council	We welcome the management plan in the Review to help focus management for the future. We note the suggestions on Coffin Pond, for example, as a key site. Tunstall Parish Council is already working with KCC in a major review of this site with a committed project from KCC to rectify the drainage problems there and replace the pond above. The site can then play both its dual roles of land drainage and wildlife pond.	Noted and welcomed	Section 4.5 of the review document to be updated to reflect this project, the works for which are already scheduled.
2	Bredgar Parish Council	Commended the work done in the Tunstall Conservation Area Review, cited it as an excellent document setting out in clear terms the importance of these settlements as considered from multiple perspectives: historical, topographical, geological, in relation to their buildings, the local building materials, their highways, and so on. This kind of thorough analysis is of great significance, providing not only a clear-eyed picture of the character of Tunstall as it is currently, which will be available for consultation in perpetuity, but also programmes of management, improvement and in some cases, extension.	Noted and welcomed	No change to review document needed.
3	Historic England	Attention is drawn to the following aspects:  View: all views identified should include a detailed description of the views and their constituent parts, alongside clear photographs, outlining the contribution the views make to the character and appearance of the conservation area.  Positive Contributors: as identified in a map on page 7 of the document, should be listed in a separate table and described to ensure their qualities are described to ensure their qualities are fully explained.	Noted and welcomed  Noted	Document to be updated to incorporate these revisions  Document to be updated to provide a table of positive contributors with their qualities explained.

**TUNSTALL C.A. REVIEW – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
3 (cont')	Historic England	<p>The appraisal states '<i>...a handful of buildings within the Tunstall Conservation Area would be eligible for inclusion within the Swale Local Heritage List</i>'. It may be appropriate to list those that merit inclusion.</p> <p>Historic England supports the production of this statement and the associated management plan and proposed boundary changes for the Tunstall Conservation Area.</p> <p>The comments provided do not address unscheduled archaeology. Please seek comments on these matters from your Council's own Archaeology Officer</p>	<p>Noted. A list can be provided for buildings which on the face of it, would appear to meet the approved Swale Local List criteria, but this would nevertheless need to be subject to the building(s) in question being formally considered by the assessment panel to be set up to make decisions on what to include on the Swale Local List given that an element of subjectivity will inevitably apply.</p> <p>Noted and welcomed.</p> <p>SBC does not have its own Archaeology Officer, but the advice of KCC's Principal Archaeologist was sought at the outset and his feedback is incorporated into the public consultation draft</p>	<p>Separate list of buildings (within the proposed new conservation area) to be considered for Swale Local List inclusion to be provided in an amendment to the assessment document.</p> <p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p>

**TUNSTALL C.A. REVIEW – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
4	Local Resident	<p>Supports proposals to include Shooting Meadow within the conservation area boundary</p> <p>Pond requires major work to restore it after several botched repairs over many years. Puddled clay base as original. The wall needs restoring to its original height</p> <p>Village sign would be better with a wrought iron one</p> <p>Traffic calming would be better if removed. Causes noise over bumps and encourages road rage</p> <p>Remove excessive street signs. i.e. Ducks, haven't seen any for over 10 years! Deep water signs, water less than a metre deep!</p> <p>The flint wall ending at the church carpark next to our garden steps is damaged every few months requiring continual repair. A suitable rural bollard is needed to prevent tails of lorries swinging and causing damage.</p>	<p>Noted</p> <p>Noted. See comments on this in relation to Rep. No. 1 from Tunstall Parish Council.</p> <p>Noted. Consideration could be given to this when the current (perfectly adequate) sign needs replacing</p> <p>Noted. This is a matter for KCC.</p> <p>Noted. Management recommendations already include an audit of street signage</p> <p>Noted.</p>	<p>No change to the review document needed</p> <p>No further change to the review document needed over and above those recommended in relation to Rep. No. 1.</p> <p>No change to the review document needed.</p> <p>No change to the review document needed.</p> <p>No change to the review document needed.</p> <p>Management plan recommendation updated to include provision of protective bollard.</p>



**TUNSTALL C.A. REVIEW – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
4 (cont')	Local Resident	In the Northeast of the existing Conservation area there may be merit in including the rectangular field next to the corner paddock in the proposals.	The area of arable field in question is of no particular interest or importance.	No change to review document needed.
5	Local Resident	Fully support the consultation document, in favour of the proposed amendment to adjust the boundary to include the land known as "Shooting Meadows"; Commended the document as a very well-produced and impressive piece of work which really highlights the special character and charm of this ancient little Kentish village.	Noted and welcomed	No change to review document needed.
6	Local Resident	<i>'Extremely well written and clearly set out document'</i> . In summary, I SUPPORT adoption of the draft Tunstall Conservation Area Appraisal & Management Plan.  I would ask that consideration should also be given to auditing/reviewing the traffic calming throughout the conservation area, which is not fit for purpose, as well as consideration of a width restriction for vehicles for 'other than access' purposes, so as not to interfere with the haulage business in Grove End farm.	Noted and welcomed  Noted, but this is a matter for KCC Highways to consider (see also the comments and officer response in relation to Rep. No. 12)	No change to review document needed.  No change to review document needed.
7	Local Resident	Fully support and commend the recognition of the historical significance of Shooting Meadow in Tunstall,  Queried exclusion of Grove End Farm within the current appraisal and suggested could Tunstall not have a second CA that specifically encompasses that location, or an Article 4 direction placed?	Noted and welcomed  There is a large gap between Grove End farm and the current CA boundary, it might be prudent to apply Article 4 direction on the properties that fall within the setting of the Designated Grove Farm House cluster of buildings. To be explored.	No change to review document needed.  No change to review document needed.

**TUNSTALL C.A. REVIEW – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
8	Local Resident	Having been a resident of Tunstall for many years, I was delighted that Swale were able to undertake a Conservation Area review and the special character of Tunstall has been recognised.  I fully support the report and its recommendations.	Noted and welcomed	No change to review document needed.
9	Local Resident	Tunstall and its surrounding area has a special character to it that is essential that it is preserved. The Tunstall Conservation Area Appraisal and Management plan document that has been produced has accurately captured the special qualities of this historic village, its buildings, its Trees and hedgerows, and surrounding land. Definitely an area that requires care and attention to maintain for future generations.	Noted and welcomed	No change to review document needed.
10	Local Resident	This comprehensive study emphasises the value and unique character of the village I have known all my life. The proposed changes to the boundary seem sensible and I would urge you to adopt the review.	Noted and welcomed	No change to review document needed.
11	Local Resident	Commended the document as a first-class piece of work and strongly supported and endorsed its conclusions regarding this very special village.	Noted and welcomed	No change to review document needed.
12	Local Resident	Raised concerns regarding high traffic through Tunstall	Noted, but outside the scope of this work. A matter for KCC Highways to consider at a more strategic level.	No change to review document needed.
13	Local Resident	Support the Conservation Area review and proposed boundary extensions and commend the special character of Tunstall described and recognised in this Review.	Noted and welcomed	No change to review document needed.

**TUNSTALL C.A. REVIEW – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
14	Local Resident	Support the appraisal document and have raised concerns regarding escalating costs of upkeep of listed buildings and the advice available.	Noted	No change to the review document needed.
15	Local Resident	Tunstall is a unique and beautiful village and should be preserved for future generations to enjoy	Noted and welcomed	No change to the review document needed.

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# Tunstall Conservation Area Character Appraisal and Management Strategy

Public consultation draft October 2021 with amendments following public consultation March 2022

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Front cover: Tunstall House (Historic England Archive 1964)

**FOREWORD**

“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 Tunstall 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 one 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.”

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Councillor Mike Baldock,  
Cabinet Member for Planning  
and Swale Borough Council  
Heritage Champion

*Mike Baldock*

## 1.0 INTRODUCTION

### 1.1 Tunstall Conservation Area

Tunstall Conservation Area was originally designated by Swale Borough Council on 20 April 1973. The boundary was reviewed and amended on 27 February 2003 when the conservation area was redesignated. At that time a summary conservation area character appraisal was published which also included proposals for its continuing preservation and enhancement.

### 1.2 The Purpose of Conservation Areas

Conservation Areas were first introduced in the Civic Amenities Act 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”<sup>1</sup>.

It is the responsibility of individual local planning authorities to designate and review conservation areas from time to time using local criteria to determine and assess their special qualities and local distinctiveness<sup>2</sup>.

The aim of conservation area designation is to protect historic places and to assist in positively managing change, so that their special character is safeguarded and sustained. Areas may be designated for their architecture, historic layout, use of characteristic or local materials, style or landscaping.

<sup>1</sup> Section 69 (1)(a) Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Conservation area designation provides extra protection in the following ways:

- Local planning authorities have control over most demolition of buildings.
- Local planning authorities have extra control over householder development.
- Special provision is made to protect trees in conservation areas.
- When assessing planning applications, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of a 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.

<sup>2</sup> Section 69 (2) Planning (Listed Buildings and Conservation Areas) Act 1990



### 1.3 The Purpose and Status of this Character Appraisal and Management Strategy

The purpose of this Conservation Area Character Appraisal and Management Strategy is:

- To identify the significance of the heritage asset – i.e. the value that the conservation area has 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 the preservation and enhancement of the area.
- To provide a framework for planning decisions, to guide positive change and regeneration.
- To review the conservation area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 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 an assessment and a record 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. In some cases, significance may only be fully identified at such time as a feature, a building or a site is subject to the rigorous assessment that an individual planning application necessitates.



A fundamental part of this review of Tunstall Conservation Area is to assess whether the area still possesses the special architectural and historic interest which merits its continued designation. It also provides an opportunity to review the effectiveness of the designation over the last 47 years and whether the extent of the area should be extended or reduced.

The appraisal includes a management strategy to help the Borough Council and other stakeholders positively manage the conservation area. A management strategy may include action points, design guidance and site-specific guidance where appropriate: It can identify potential threats to the character of the area and can, where appropriate, identify the potential for Article 4 Directions or local heritage listing.

An appraisal serves as a basis for 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 individual's in design choices.

This Conservation Area Character Appraisal has been compiled in consultation with local organisations, elected representatives and council officials. It is to be the subject of public consultation and is prepared with a view to being formally adopted for development management purposes.

The map on page 7 shows the current extent of the conservation area as it was designated on 27 February 2003. It also shows listed buildings which appeared on the National Heritage List in September

2021 and other buildings which have been assessed as having local heritage interest.

The author would like to thank all those who contributed the production of this character appraisal.

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Homewood tomb and Church of St. John the Baptist

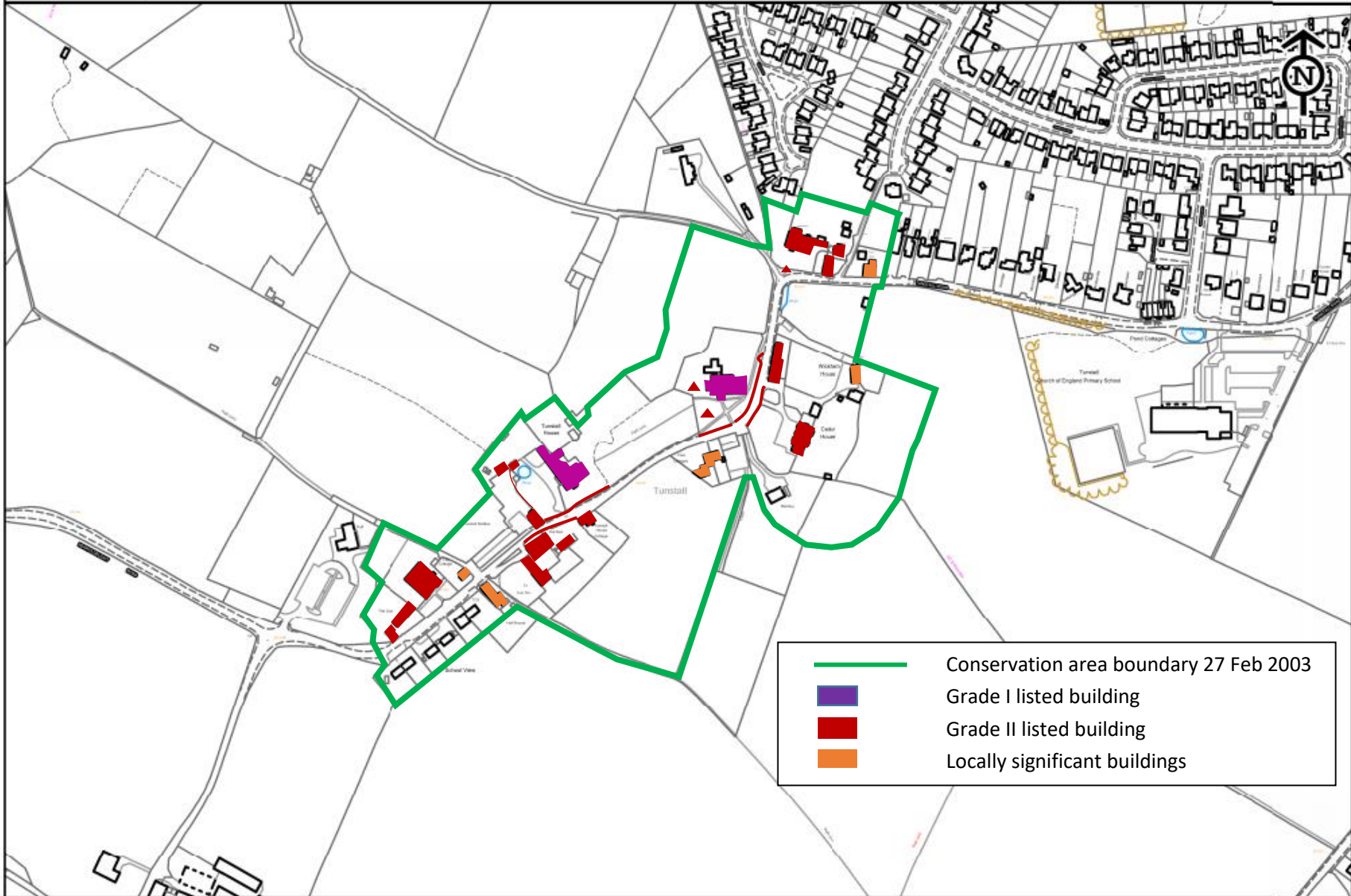


# Tunstall Conservation Area

September 2021

Scale: NTS

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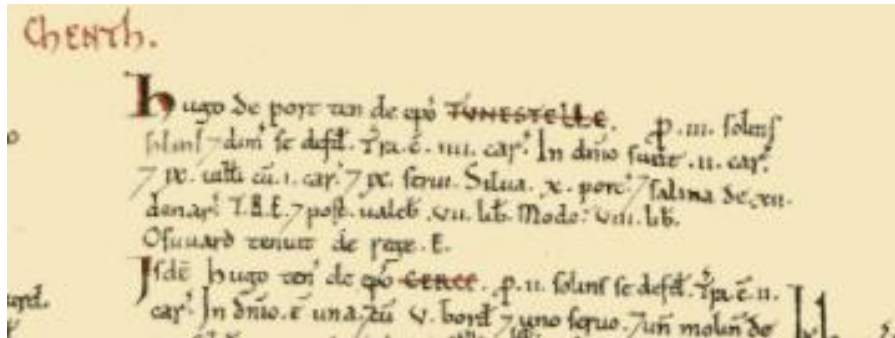


## 2.0 CHARACTER APPRAISAL

### 2.1 The History of Tunstall

In 1798 Edward Hasted recorded that Tunstall was called Dunstall 'by the common people'<sup>3</sup> and that the name derives from the Saxon *dun* or *dune* meaning a hill and *stealle* meaning place.

It appeared in the Domesday survey as Tunestelle in 1086 which records that it had 18 households (9 villagers and 9 slaves), 4 ploughlands (the area of land that could be ploughed by eight oxen in a year), 2 lords plough teams and 1 men's plough team. It also referred to woodland 10 swine render and one salthouse.



The manor was held by Oswald in the 11<sup>th</sup> century and then by Odo, Earl of Kent. It eventually passed to Sir William Cromer in 1413 and stayed in his family until 1613 when it was carried in marriage to John Hales.

Its early history would have been that of a small farming community answering to the lord of the manor, although few farm buildings survive in the village today with the exception of the oast house at its southern extreme. The closest working farm today is Grove End, located some 250m to the south-west of the village.

Given the existence of the church in the 13<sup>th</sup> century (some suggest there may have been a church on the site as early as Saxon times) it is likely that there were domestic buildings in the village at that period but none survive today. The oldest standing fragments of building in Tunstall are contained within the church whereas the oldest domestic property is The Den, where the rear part of the house is timber-framed and dates from the late-medieval period.

The village grew slowly and sporadically during the 17<sup>th</sup> to the 21<sup>st</sup> centuries to include a school in 1846, a village hall in 1920, and a new village hall in circa 2000. Unusually, the village never had a pub a post office or a village shop.

### 2.2 Topography, Geology, Landscape and Setting

The village of Tunstall lies approximately 2 kilometres (1.25 miles) south of Sittingbourne town centre, on the northern edge of the North Downs dip slope. Tunstall has always been a small, distinctly separate settlement set in countryside a discrete distance from Sittingbourne, but at the beginning of the 21<sup>st</sup> century it finds itself on the very edge of post-war housing development which now defines a new southern edge to Sittingbourne, following the town's rapid outward growth onto farmland, including the Gore Court estate.

<sup>3</sup>Edward Hasted. *The History and Topographical Survey of the County of Kent* (1798).

Despite the southwards expansion of Sittingbourne up to its very northern edge, Tunstall's identity continues to remain remarkably rural in character and distinct from Sittingbourne's suburbs.

The area is identified in the Swale Local Landscape Designation as the Tunstall Farmlands<sup>4</sup>, part of the gently undulating chalk downs which extend across the southern part of the Borough. Historically the village was surrounded by fruit orchards but they have declined in recent decades. Some of the orchards remain, derelict, but others have been turned over to mixed arable or pastoral farming.

Whilst Tunstall is characterised by a strong sense of enclosure created by buildings, trees and hedgerows, the gaps between building groups are equally important to its character. Significant green gaps between the buildings provide a strong connection with the countryside and are a key feature of the village. They complement and provide a setting for the buildings and in certain key respects are as important as the buildings themselves because of the resulting interplay. These gaps and the strong connection the village has with the surrounding landscape are consequently an integral part of the character of the place and their preservation in their current form is critical to the special character of Tunstall.

Significant green spaces are identified on page 11. They exist between the former school and Tunstall House, and also between Tunstall House and the church (plate 1). Both of these are embraced within the curtilages of the adjoining properties. By contrast the larger gaps between Tunstall House Cottage and Flint Cottages, and between the church and Hales House both continue to be used as grazing meadows so that the character of the surrounding Kentish countryside is here attractively interwoven with the built environment of Tunstall. The paddock opposite Hales House and the fields

between Hales House and the church provide an important and defining green gap between suburban Sittingbourne and Tunstall village.



Trees and hedgerows also make a significant contribution to the appearance and character of Tunstall. In the vicinity of the church the tree canopies meet across the Tunstall Road, and the strong presence of evergreen trees results in a dark and somewhat mysterious character (plate 2). Huge cedar and Wellingtonia are particularly noteworthy, but native species make an important contribution also and ancient yew trees are prominent in the churchyard. Hedgerows, trees and roadside banks abutting the carriageway give important form and definition, at intervals, along the length of Tunstall Road.

<sup>4</sup> Swale Local Landscape Designation LUC October 2018 and the Swale Landscape Character and Biodiversity Appraisal, Jacobs 2011



The pond, situated opposite Hales House (plate 3) is hidden behind an over-engineered encircling low brick wall and in some respects is visually isolated so limiting its value as a local amenity. However, the village sign and seat, positioned immediately to the south, have helped to reinforce the local importance of this feature (plate 4).





### 2.3 Buildings

Tunstall is comprised of three small groups of properties interspersed with parcels of undeveloped green space. The buildings are set along Tunstall Road for a distance of some 500 metres.

The largest group of buildings is situated at the south-western end of the village and includes the former school and Tunstall House. The second group embraces the church and Cedar House (formerly The Rectory). The third and smallest group of properties marks the northern edge of Tunstall and is centred on Hales House.

The (new) village hall sits comfortably alongside the historic village and defines a new south-western edge to Tunstall, but on approach from the south it is the yellow brick oast roundel and thatched oast house (plate 5) prominently situated on a bend in the road on the very edge of the carriageway that marks the start to the village. The



former oast retains a pleasingly authentic character. Oast Cottage, a thatched single-storey cottage with dormer windows (plate 6), lies to the north where red brick cladding hides the 17<sup>th</sup> century timber framing within.



The former Tunstall Primary School (plate 7) built in 1846, is a delightful building faced with knapped flints and with details executed in contrasting red brick; the gabled roof is covered with Kent peg tiles. The flintwork is distinctive and an excellent example of the skillful and sensitive use of a locally sourced building material. White-painted diamond-paned windows and a studded central door complete the picturesque architectural composition of the front elevation. The



building makes an important contribution to Tunstall's distinctive identity. It is currently undergoing conversion to residential use.



To the north is a pleasant cottage (plate 12) built in 1863, originally occupied by the coachman to the Rectory. Next is Tunstall House (plate 8) built circa 1660 either for Sir Edward Hales or John Grove, gentleman steward to Sir Edward. It stands behind a high, buttressed boundary wall. John Newman refers to it as “a delightful 17<sup>th</sup> century house”<sup>5</sup>. Viewed from the south the peg-tiled roofs and lead-capped and louvred cupola can be seen above the boundary wall attractively silhouetted against the high trees in the nearby churchyard. The warm colours of the red and blue chequered brickwork are especially appealing. Writing at the end of the 18<sup>th</sup> century Hasted observed:

<sup>5</sup> John Newman *The Buildings of England, North East and East Kent* (1983) p481

‘Tunstall House which although not large yet has the look of some respectability’<sup>6</sup>.



Public views of the house are restricted to glimpses through gates positioned between high brick pillars topped with ball finials. A simple gravelled and grassed forecourt lies to one side attractively enclosed by a converted stable building, brick-built dovecot, store buildings and boundary walls which all complement the setting of the house. The buttressed high brick wall along the front boundary is a distinct feature and gives a clue to the stature of the house. The proximity of the wall to the carriageway markedly narrows and focuses the street scene. A small Victorian post box inserted into the wall creates an additional point of interest (plate 23).

<sup>6</sup> Edward Hasted. *The History and Topographical Survey of the County of Kent* (1798)

Tunstall House Cottage (plate 9) is situated on the opposite side of the road; it also dates from the seventeenth century and is built in a red brick. Lead-light windows on the ground floor, small mullioned windows on the upper floor and a steep tiled roof all contribute to its special character.



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Tunstall House Cottage is linked to the south-west by a high brick boundary wall which markedly squeezes the width of the road. 'The Den' (plate 10) then faces squarely onto the road. The front portion of the house dates from the eighteenth century; it is proudly symmetrical and built of grey bricks with red brick dressings, unusually laid in header bond. The section to the rear is older, being timber framed and dating from the late medieval period. A range of outbuildings includes stables, a coach house and a dairy, creating a good group with the main house.



A public footpath separates The Den from the former village hall (now Hall House) built in 1920 (plate 11). Following the construction of the new village hall it has been converted to residential use. There is a pleasing resonance between the gabled frontage of the former village hall and that of cottage on the opposite side of Tunstall Road (plate 12).



To the south again are two pairs of semi-detached houses built in the 1940s plus a pair of linked detached former police houses which were completed in 1952. These buildings are relatively ordinary and restrained in appearance, but they are prominently positioned at the southern end of Tunstall and occupy a substantial length of road frontage.

The second group of buildings is centred on the parish church of St John The Baptist (plate 13). The church dates from the 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> centuries with extensions in 1655. It was heavily restored by architect R.C. Hussey in 1848-56, including the addition of the west tower with its distinct saddleback roof. Built mainly of knapped flint with stone dressings, and with Kent peg tiled roofs, the church has a distinctive appearance and is another fine example of the use of local building materials. Despite the tower at the western end of the building, the church is relatively modest in size and is consequently rather hidden behind a screen of encircling trees which virtually fill the surrounding churchyard.

The graveyard is bounded on the highway frontage by a long length of knapped flint wall, topped partly with stone copings and partly with red brick. This boundary is important in the street scene and plays a key role in defining the shape of Tunstall Road.

The churchyard contains a number of noteworthy monuments and headstones including the chest tomb of George Smeed, brick-maker and self-made entrepreneur.

A red brick vestry building with pre-cast stone detailing, completed in 1987, stands immediately behind the church. Each of the three pedestrian entrances into the churchyard is nicely framed by a wrought iron overthrow supporting Victorian style lanterns.



On the opposite side of the road the former rectory (plate 16) now known as Cedar House, is set well back within its own grounds. This is a restrained, regular fronted yellow brick house which dates from the 1830s (Hasted refers to the earlier rectory, built in 1712, as a 'small modern house'<sup>7</sup>). The front boundary walls marking the entrance into the grounds are built of flint; they nicely echo the flint wall around the churchyard and also play a key role in defining the shape of Tunstall Road.



16

Two houses, Wickham House and a The Rectory (plate 17), have been built in the grounds of the former rectory within the last fifty years, but being set well back from the road and screened by trees they have little direct impact on the street scene. A tarmac parking area for the church has been formed in front of the new rectory.

Flint Cottages (plate 18) to the west of Cedar House, use dark knapped flint with decorative red brick dressings and banding in a picturesque architectural composition. Steeply pitched roofs with decorative tile bands feature prominent gables with enriched bargeboards.



17



18

The third group of buildings is centred on Hales House (plate 19) which was built for Sir Edward Hales' grandson which is, in effect, a rather plainer and reduced version of Tunstall House. Also built in the seventeenth century, and also in red brick under a Kent peg tile roof, it has prominent gables and large mullion and transom windows. Its position on the right-angled bend in Tunstall Road is especially important in the street scene as the house closes the view on approach from the south.

<sup>7</sup> Edward Hasted. *The History and Topographical Survey of the County of Kent* (1798).



Stables (plate 20) in matching brickwork are situated alongside to the east; the flank wall projects southwards to create a pinch-point in the road, and is consequently important in defining the form of the street. Hales Cottage (plate 21) also dating from the seventeenth century, is tucked in behind the stable building. A brick and stone mounting step adjoining the front boundary wall to Hales House is an interesting historical survival.



Orchard Cottage (plate 21) was a late 18<sup>th</sup> century former dovecote which served Hales House. It has been extensively modernised and extended to the extent that much of its character has been lost. Nevertheless, the building forms part of the historic Hales House complex and relates to Tunstall's history rather than the expansion of suburban Sittingbourne.

## 2.4 Building Materials

The distinct character of Tunstall owes much to the variety of architectural styles, materials and details displayed in its buildings. Building materials were used to express architectural aspirations as well as changing fashions. Until the transport revolution of the mid-19<sup>th</sup> century, virtually all building materials were locally sourced and manufactured, so they are frequently a true expression of the locality and its natural resources. Even materials that were in common use at the time make a valuable contribution to local character and distinctiveness.

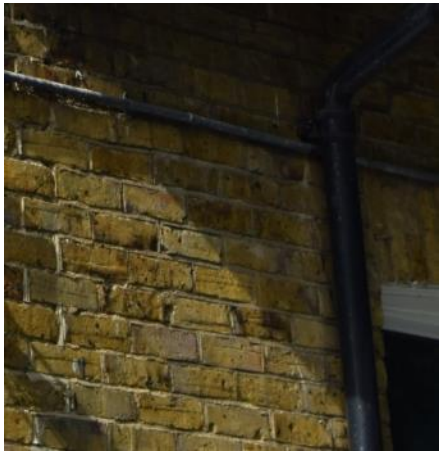
The earlier domestic buildings in Tunstall were timber-framed but any framing that survives today is now concealed behind later elevations. As oak for building became harder to source during the 17<sup>th</sup> century, brick became universally fashionable. Brick was used extensively for new buildings and to over-clad old buildings to give them a more fashionable appearance. Thatch may once have been more widespread in Tunstall but Kent peg tile were the preferred choice in the 17<sup>th</sup> and 18<sup>th</sup> centuries but they gave way to slate during the early 19<sup>th</sup> century, particularly once the railway came to Sittingbourne in 1848. Modern concrete roof tiles and uPVC windows are less sympathetic materials introduced during the mid to late 20<sup>th</sup> century.

**Stone:** Building stone was not readily available in this part of Kent with the exception of flint which was the only naturally occurring building stone available around Tunstall. Flints appear in seams within the chalk bedrock and were either brought to the surface naturally by farming or uncovered as a by-product of lime quarrying which took place locally. Flints were either laid as field flints in lesser buildings or split and knapped with a hammer in order to reveal the dark shiny inner surface in more polite architecture.

Flint is the main walling material on several buildings in Tunstall where it is used to great aesthetic effect. Field flints appear in some boundary walls with stone or brick cappings. Split flints appear in more prestigious buildings such as the former school and Flint Cottages, whereas fine quality knapped and squared flints are found in the porch of the parish church.

**Brick:** Brick earth was readily available in north Kent so, not surprisingly, brickwork is a familiar building material in Tunstall. There is variety and richness in the size, bond, colour and character of the bricks, depending on their age, style or function. Earlier examples are irregular clamp-fired red bricks used during the 17<sup>th</sup> century in buildings such as Tunstall House and Hales House.

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In the centuries that followed, the shape, size and coursing of brickwork became more regularised and uniform. Yellow stock brickwork was commonly used from the Regency period onwards.

Tunstall has a particular connection with George Smeed of Smeed Dean brickworks. The brickworks developed during the second half of 19<sup>th</sup> century and it was renowned for its yellow stock bricks which were exported to London and around the world.

**Thatch:** Longstraw thatch was a bi-product of arable farming and was widely used across Kent, often on lesser buildings or farm buildings but also for its picturesque effect. It has a very characteristic appearance which makes a particular contribution to local distinctiveness.



**Kent peg tiles:** The name ‘peg tile’ refers to a plain clay tile suspended from the top edge of a tiling lath. Traditionally peg tiles

were held in place by a small wooden peg or latterly an aluminium ‘drop’, wedged into, or passed through one of the two holes in the head of the tile. Simple firing methods and local clays produced strong, durable and light peg tiles, many in warm orange/red/terracotta colours. Imperfections in the raw clay and the hand manufacturing process resulted in a richness and variety in colour and shape. They are renowned for their warm and varied colours and rich texture which cannot be replicated in modern machine-made tiles.

Until the 19<sup>th</sup> century, hand-made clay peg tiles were the preferred roof covering for buildings throughout Kent. Tiles continued to be handmade from local clays well into the 20<sup>th</sup> century and there are still a handful of manufacturers today. They are a characteristic roofing material of the south-east of England and dominate the roofscapes of many towns and villages including Tunstall. Kent peg



tile roofs are visually prominent because of the steep pitch of the roofs on which they are laid (typically steeper than 35 degrees).

**Slate:** Slate rarely appears on roofs before the turn of the 19<sup>th</sup> century. However, it became very widely used in the area after rail transport made it more easily accessible. Slate was imported, mainly from Wales, and gave rise to shallower roof pitches of between 30 and 35 degrees. Slate appears on a handful of buildings in Tunstall.

**Modern building materials:** In recent decades mass-produced concrete roof tiles and uPVC windows have been used within Tunstall but they do not generally sit comfortably within the context of the historic village.

### 2.5 Boundary fences, railings and walls

Boundary treatments in Tunstall make a particularly important contribution to the character and appearance of the street scene, almost to the extent of there being an observable order: brick boundary walls associated with prestigious properties, flint walls for other important situations, close-boarded fences, diamond chestnut spile fences and paling fences for cottages, and post-and-rail and estate railings for agricultural land. Boundary treatments here might be said to reflect, albeit unconsciously, the character and standings



of the buildings and uses to which they relate. These boundaries all help to define and shape the street scene in crucial ways.

It is unfortunate that the wrought iron estate railings which were noted in the 2003 Conservation Area Character Appraisal fronting Tunstall Road between Tunstall Cottage and Flint Cottages have been replaced by standard post and rail fencing.

### 2.6 Archaeology

There has been limited archaeological investigation in Tunstall but detectorists are highlighting Roman, medieval and post-medieval findings in the surrounding fields, including a 17<sup>th</sup> century gold coin hoard east of the village. There is an Iron Age and Roman focus around Highsted Wood to the east. It is possible that a Roman road, suggested by cropmarks, runs south of the village between Sutton Barron and Highsted but more investigation is required.

Brick making evidence (clamps used in the manufacture of handmade bricks) were found during the construction of the new school. The former site of Cromers Mansion lies in a field alongside Ruins Barn Road to the east of the village.

### 2.7 The Public Highway

The alignment of the Tunstall Road is notable for its sequence of sharp turns and pinch points which are an integral part of the form and character of the place. The changing shape to the road gives rise to constantly changing views and vistas which are a special feature of Tunstall.



Sections of the road are kerbed in concrete whilst other parts have soft margins. Discontinuous lengths of footways, some extremely narrow, are present alongside the carriageway, but so limited is the road space that in places the footway is forced to divert through the churchyard and behind hedgerows in order to thread its way through. This all adds to the individuality of the place, although pedestrian safety is a continuing problem.

Concrete haunching formed at the base of the churchyard boundary wall effectively deters pedestrians from straying into a dangerous section of carriageway, but detracts markedly from the character of the flintwork and the general appearance of the road.

Traffic calming measures introduced in the early 2000s are, in places, visually obtrusive and their effectiveness is questionable.

Tunstall is served by a good network of public footpaths which allow it to be appreciated from the surrounding countryside where glimpses

of the church tower, the oast kiln or the gables of Tunstall House or The Den are a delight (plate 22).



22



Tunstall Road circa 1900

### 3.0 SUMMARY AND CONCLUSION

Tunstall is a place with a strong and distinctive identity, bound together by Tunstall Road which winds with pleasing eccentricity through the historic settlement. It is comprised of an attractive mix of historic buildings interspersed with pockets of countryside. Local materials are strongly in evidence, including yellow and red brickwork, Kent peg roofing tiles, longstraw thatch and flint. The sequence of brick walls, rustic flint walls, paling and chestnut spile fences and hedgerows make a good contribution to the character of the place.

The mix of historic Kentish buildings interspersed at intervals with pockets of countryside, linked together by the winding form of Tunstall Road, continue to be an area of special architectural or historic interest the character or appearance of which it is desirable to preserve. The conservation area has served its purpose well over the over the 47 years since it was first designated. The key characteristics that gave rise to the designation in 1974 appear to have been well managed by local owners, the Parish Council and the Local Planning Authority. That is not to say that there have not been changes because there have, but they have typically been made with respect to the distinct character of the place and have integrated well into their context.

There is no doubt that Tunstall should continue to be designated as a conservation area.

#### Summary of significance

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

- A small settlement historically centred on the Medieval Church of St. John the Baptist, Tunstall House and Hales Place.
- The winding eccentricity of Tunstall Road.
- The architectural contribution made by several listed buildings as well as some non-designated buildings and structures.
- The eclectic mix of traditional building styles, forms and building materials. The frequent occurrence of flint and 17<sup>th</sup> century brickwork is particularly noteworthy.
- Frontage boundary walls, railings and fences are a defining feature.
- The strong historic, visual and functional link between the village and its surrounding landscape.
- The green spaces between and around buildings which bring the countryside into the village.
- The contribution which mature trees make to the character and appearance of the village.
- The historical connections with the Cromer and Hales families.

## Summary of Key Characteristics

### Key Positive Characteristics:

- The mix of building styles exhibiting buildings from the last eight centuries. Key buildings such as the parish church, the former village school, Tunstall House and The Den play a key role in defining the character of Tunstall.
- The use of vernacular building materials: in particular brick, flint, weather boarding, Kent peg tile, slate and thatch.
- The distinct geometry of Tunstall Road, accentuated by the pinch points and the variety and inconsistency in boundary walls and fences.
- The abundance of mature trees, hedgerows and planting both inside and outside of the conservation area.
- The strong relationship between the conservation area and the surrounding landscape, experienced through views and vistas and through the public footpath network.
- Green gaps and spaces between buildings are particularly significant within the village.
- The survival of traditional roadside features such as the post box.
- Despite its close proximity to suburban Sittingbourne it retains a strong individual sense of identity and place.

### Key Negative Characteristics:

- The occasional use of non-indigenous building materials such as uPVC windows or concrete roof tiles.
- Overhead cables and utility poles which can be visually intrusive.
- Highway kerbs, highway traffic management measures, signs and bollards.
- Unsympathetic pebble and concrete haunching alongside the graveyard wall.



## 4.0 CONSERVATION AREA MANAGEMENT STRATEGY

Conservation area designation is not an end in itself. It is a way of recognising the special architectural or historic character of an area so that appropriate steps can be taken to preserve or enhance it.

Conservation is not about preventing change; Tunstall Conservation Area is part of a living community and change is needed to sustain and meet its future needs. It is about positively managing change so that what the community cherishes today can be properly looked after and passed on to future generations in good condition.

This management strategy is intended to encourage active involvement in the future management of Tunstall Conservation Area. It provides the opportunity for the Borough Council, the Parish Council, local amenity groups, Kent Highways, Kent County Council, individual householders and local businesses to take part in positively managing the area.

### 4.1 Statutes and policies

When a conservation area is designated there are statutes, planning policies and regulations which govern which types of development requires planning permission and the way that the local planning authority undertakes plan making and decision taking. The statutes and policies that directly affect designated conservation areas are outlined in appendix 4 below.

It is those statutes and policies which provide the framework for managing change in conservation areas. Most significantly 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 in the exercise of all its planning functions.

The Swale Borough Local Plan aims to ensure that the significance of Tunstall Conservation Area is sustained and enhanced through:

- Preserving or enhancing the area's special character or appearance.
- Preserving or enhancing the setting of the conservation area and of other designated heritage assets.
- Safeguarding and better revealing the significance of any archaeology.
- Protection and enhancement of landmarks, views and vistas within and without the conservation area.
- Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area.
- Safeguarding significant spaces.
- Safeguarding significant trees.
- Promoting of high quality design in new development which responds positively to context and the distinct characteristics of the conservation area.
- Continued sensitive management of the public realm.
- Requiring development to respond positively to the Borough Council's Conservation Area Character Appraisal.

### 4.2 Published guidance

There is a wealth of published guidance on positively managing change in conservation areas. In particular, Historic England has produced a range of guidance and advice notes which are listed in the appendix 5 below and Swale Borough Council has adopted supplementary planning documents which are listed in appendix 4.

### 4.3 Householder alterations

Where householder alterations are proposed which require planning permission the Council will typically seek to ensure that those alterations enhance the special character and appearance of the conservation area.

Opportunities to reinstate missing architectural features (such as sash windows, panelled doors or original 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 Conservation Area Character Appraisal has identified some householder alterations which have involved the removal of historic features such as period windows, doors, roof coverings and chimney stacks.

Even in conservation areas, some householder alterations to unlisted buildings can be undertaken without the need for planning permission. The cumulative impact of ill-considered alterations to traditional properties can have a harmful effect on the character and appearance of a conservation area. Such alterations have, and could continue to erode the character of Tunstall Conservation Area over time.

In light of the above Swale Borough Council as the local planning authority may consider the use of an Article 4 Direction in order to bring some householder alterations (which are currently classed as permitted development) under planning control, to ensure that all alterations are positively managed through the planning system.

There is already an Article 4 Direction in place at Flint Cottages which has been effective in maintaining the special character and

appearance of this building. Such measures could usefully be employed elsewhere in the Tunstall Conservation Area.

Householder alterations which could be brought under control by an Article 4 Direction include the following:

- Replacement windows and doors.
- Changes to roof coverings.
- Removal of chimney stacks.
- The installation of solar and photovoltaic panels on the front wall or roof slope.
- Alterations to fences, railings and boundary walls.
- Adding a front porch.
- Installing rooflights in the front roofslope.
- Replacing a front garden with a hard surface.

### 4.4 Swale local heritage list

Arising from Swale's adopted Heritage Strategy 2020 - 2032, the Borough Council is compiling a Local Heritage List in order to identify heritage assets which are not formally designated.

The Swale Local Heritage List:

- raises awareness of an area's local heritage assets and their importance to local distinctiveness;
- informs developers, owners, council officers and members about buildings within the local authority boundary that are desirable to retain and protect;
- provides guidance and specialist advice to owners to help protect the character and setting of those buildings, structures, sites and landscapes;

- helps the council in its decision making when discussing proposals and determining planning applications; and
- records the nature of the local historic environment more accurately.

The impact of any development on a building or site included within the Local Heritage List is a material consideration when the council considers an application for planning permission.

A handful of buildings within Tunstall Conservation Area would be eligible for inclusion within the Swale Local Heritage List.

**4.5 Public realm**

The public realm (that is those areas which fall between the buildings and are enjoyed by the public) makes a significant positive contribution to the special character of Tunstall Conservation Area. The highway, including the footway, public footpaths, signage and the pond, all fall within the public realm and provide opportunities for enhancement.

In rural conservation areas, it is especially necessary to guard against standard highway ‘improvements’ which do not necessarily respect the special character of the place.

The form and appearance of Tunstall 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 soft edges, verges and roadside banks; the choice of materials used and the manner of their use; and the restrained use of signing and road markings.

Pedestrian safety, the speed of traffic, and the vulnerability of buildings/walls to physical damage at carriageway pinch-points present particular problems in Tunstall. The highway environment is of such fundamental importance to the special character of the conservation area that conventional traffic engineering solutions to these and other problems are unlikely to be appropriate. Off-the-shelf bollards, signs, lamp posts, planters, bins and standard road markings all dilute the special character of Tunstall.



Future highway maintenance and improvements will be carried out in accordance with *Streets For All*, Historic England (2018) and *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets*, KCC and KCOG (2011) both of which contain specific provisions for works in conservation areas. Early consultation with all stakeholders (including Swale Borough Council's Conservation and Design Team and Tunstall Parish Council) will be fundamental to achieving appropriate standards in future changes.

Coffin pond offers considerable opportunity for enhancement in order to improve its appearance and its contribution to local ecology and biodiversity. Any enhancement to the pond will start with a detailed understanding of its water quality and its water regime, whether the pond liner is necessary and how pollutants can be filtered and biodiversity improved. Kent Countryside Partnerships ([www.kentcountrysidepartnerships.org](http://www.kentcountrysidepartnerships.org)) may be able to provide assistance and advice.

Tunstall Parish Council, Swale Borough Council and Kent County Council will seek to ensure that the public realm continues to be sensitively managed.

#### Opportunities for enhancement in the public realm:

- An audit of public signage (including highway signage) to establish whether all current signage and road markings are necessary, well designed and appropriately located.
- An audit of street furniture (bollards, benches, bins, dog waste bins) to establish whether street furniture is necessary, well designed and appropriately located.
- An audit of street lighting to establish whether existing lighting is appropriate, well positioned and well designed.

- An audit of overhead supply lines and poles with the statutory undertakers to establish whether there is scope to remove any overhead cables or poles.
- The replacement of concrete road kerbs with granite as and when the opportunity arises.
- Improvements to the concrete/pebble haunching alongside the flint boundary wall to the parish church.
- A review of Coffin Pond including its potential for improved biodiversity, its visual appearance and its immediate surroundings.

## 4.6 Trees and planting

The established pattern of trees and hedgerows plays a vital role in the special character of Tunstall. Features of particular importance in the Tunstall landscape include: trees and hedgerows which define and enclose the undeveloped gaps within the built environment; areas of dense and distinctive planting such as around the church, Tunstall House and Cedar House; and roadside trees, hedges, hedgerows and vegetated embankments alongside Tunstall Road.

The retention and enhancement of all these features of local distinctiveness in the Tunstall landscape will be important for the continuing preservation and enhancement of the character of the place and the positive management of these planting areas will be essential to ensure their future well-being.

However, occasionally consideration may be given to the removal of trees in order to maintain significant views or spaces (such as the self-set sycamore trees on the fence line between Tunstall Cottage and Flint Cottages or those in front of Flint Cottages). There may even be a case to be made for thinning the amount of trees around

the parish church to restore some views which have disappeared over time.

Planting which contributes to the form and structure of the local environment in and around Tunstall 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 to the Borough Council in writing before any works are undertaken to trees within conservation areas.

#### Opportunities for enhancing trees and planting:

- An audit of trees, hedgerows, green spaces and orchards could be undertaken to establish whether there is any scope for better management or for further planting or for felling or thinning.
- Positive tree management may occasionally involve the removal of trees in order to preserve, restore or open up significant views.

### 4.7 New development opportunities

Potential for new development within the Tunstall Conservation Area is extremely limited. If proposals for development come forward they will be considered against local and national planning policy which requires great weight to be given to the conservation of designated heritage assets and their settings.

Development within the setting of the conservation area may affect its heritage significance. The council is required by to pay special

attention to preserving the setting of the conservation area (or any listed buildings) in any plan making or decision taking.

### 4.8 Heritage at risk

There are no designated heritage assets within Tunstall Conservation Area on Historic England's Heritage at Risk Register or on the Swale Borough Council's Heritage at Risk Register. This appraisal has not identified any heritage assets which are at risk.

However, if any of the locally significant features or buildings identified in this appraisal become at risk in the future, they may be added to the Heritage at Risk Registers if their significance is threatened by their condition or lack of appropriate use.

In such cases the Council will notify respective owners and, where appropriate, work with them and other stakeholders to investigate opportunities for removing the risk and securing the asset's future.



## APPENDIX 1

### Proposed amendments to Tunstall Conservation Area boundary

As part of the review of Tunstall Conservation Area, consideration has been given to whether the current boundaries accurately reflect the area which has special architectural or historic interest.

In large part, the area covered by the current boundaries 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 is one proposed amendment to the conservation area boundary, as follows:

#### **Boundary adjustment 1 (please refer to appendix 1 map below)**

The field known as ‘Shooting Meadows’ is located to the south of the Rectory and Flint Cottages.

The story that Sir Edward Hales was shot by Cromwell’s soldiers and died at Shooting Meadows is not founded on fact. However, the field does have strong historical connections as the venue for obligatory archery practice in Tudor times.

In 1840 Shooting Meadow is referred to as ‘pasture’ in the tithe apportionment. At that time it was owned by the ‘Trustees of Edward Hales viz Edward Darrell’ and tenanted by George Baker.

In the 20<sup>th</sup> century what was historically one field was split into two, the southern part being used as the playing field for Tunstall Primary School. As such it has communal value for the recent generations of children who used it for exercise and sporting activities.

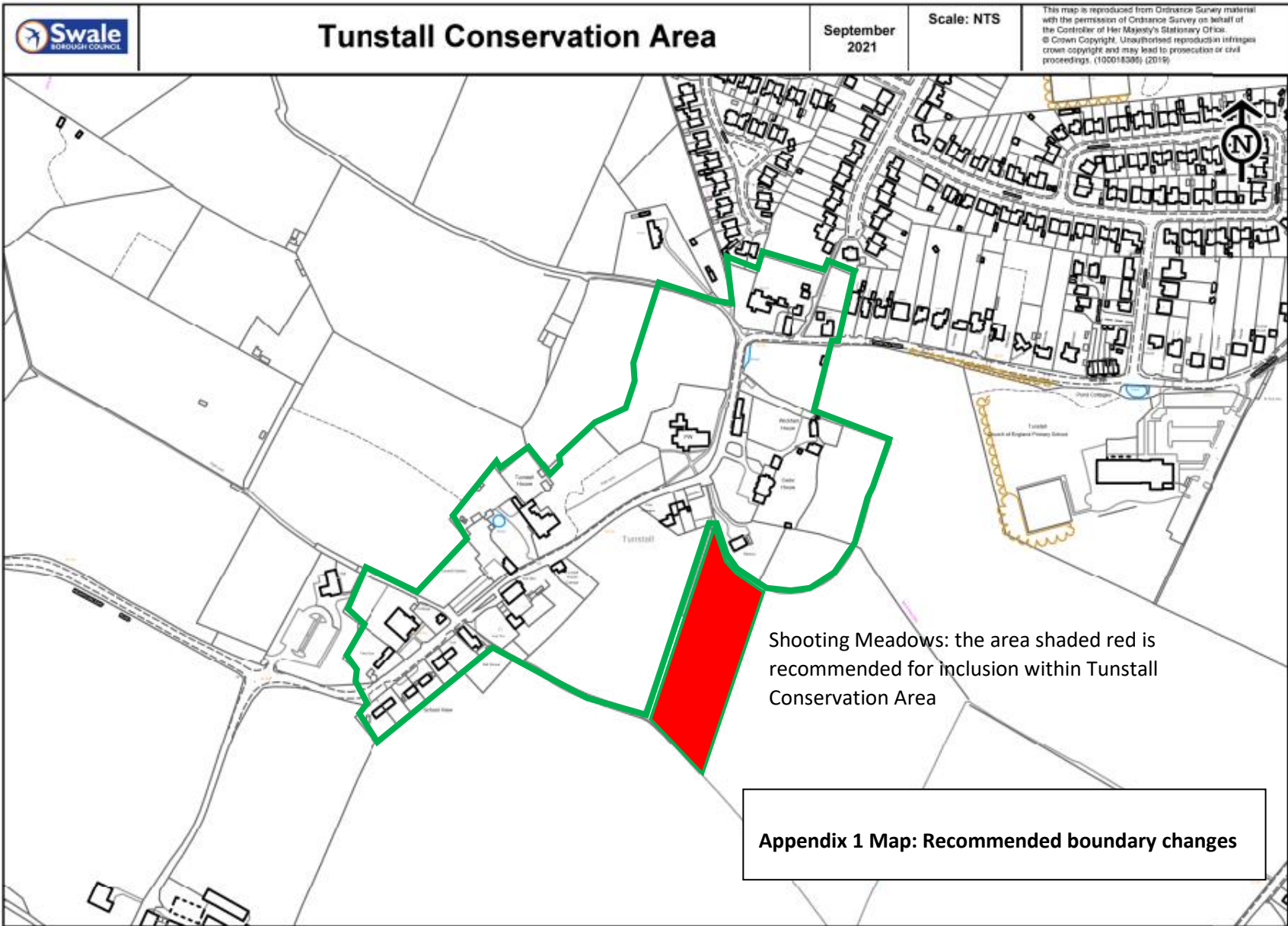
Given this level of historical and communal value, and its close visual and physical proximity to the centre of the village, its inclusion within the conservation area is justified.

#### **Other areas**

Consideration was given to extending Tunstall Conservation Area to include the Grove Farm complex which lies some 300m south-west of the existing conservation area. The historic farm complex includes a significant historic farmhouse as well as two barns and a brick-built stable, all dating from the 16<sup>th</sup> and 17<sup>th</sup> centuries and all Grade II listed buildings.

However, after careful consideration it was decided not to recommend their inclusion within the conservation area because:

- They are physically separated from the conservation area by a field, by a poplar tree belt and by a range of sizeable modern agricultural buildings.
- There is no intervisibility between the existing conservation area and the historic farm complex at Grove Farm.
- There are few locations where the conservation area can be seen in the same views as the historic buildings at Grove Farm.
- The heritage significance of the Grove Farm complex is already highly protected by statutory listing.



APPENDIX 2

Map regression



Saxton's map of Kent 1575



Captain William Mudge's map of Kent of c.1800



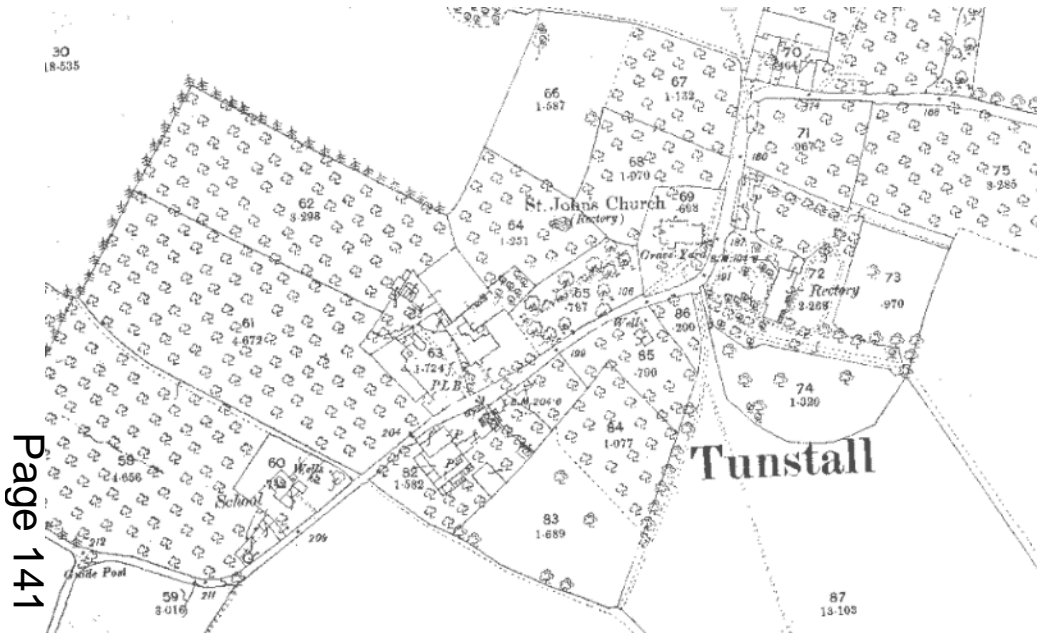
Andrews topographical map of the county of Kent 1769



Ordnance Survey First Series 1816

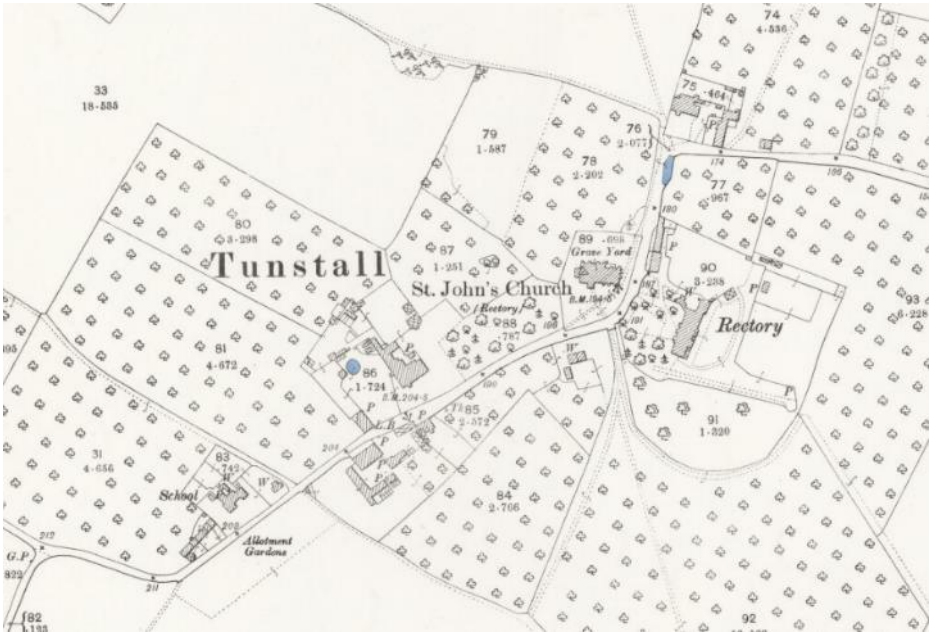


Tithe map 1840 (Kent Archives)

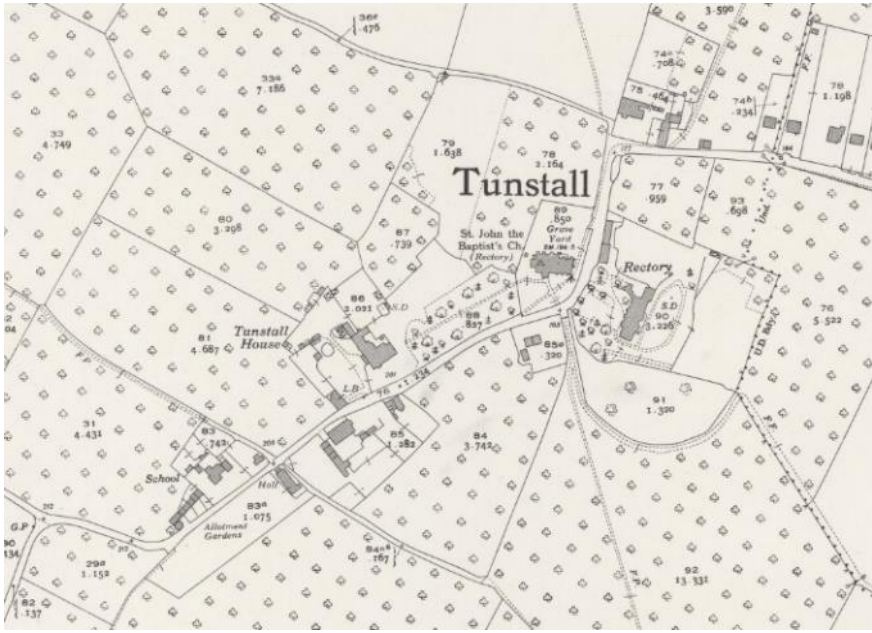
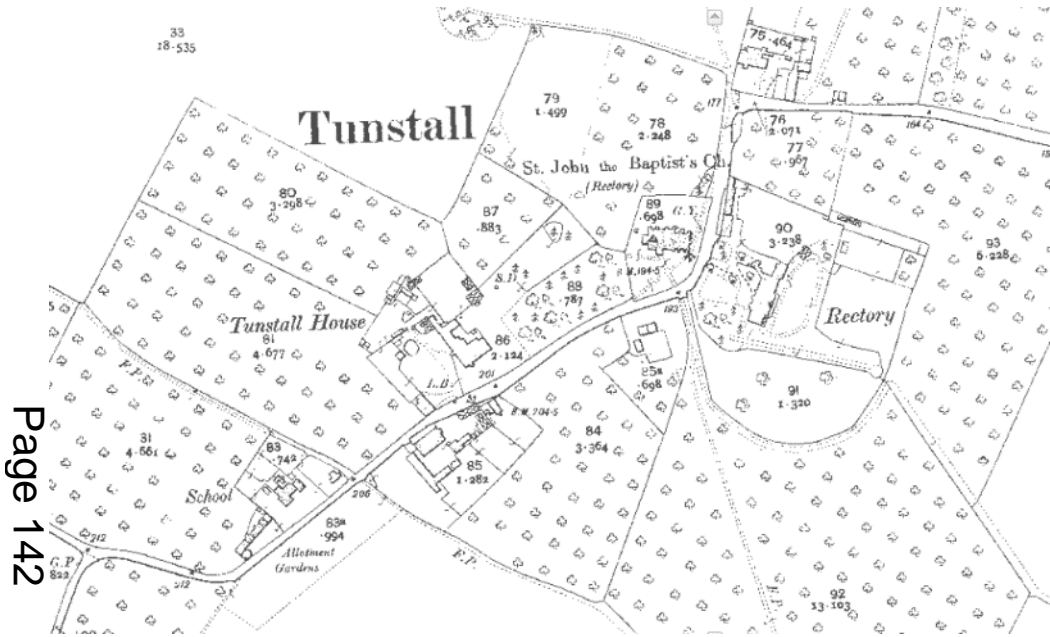


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1871 Ordnance Survey map



1897 Ordnance Survey map



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1907 Ordnance Survey map

1938 Ordnance Survey Map

## APPENDIX 3

### Extracts from the National Heritage List for England (the Statutory List of Buildings of Special Architectural or Historic Interest)

The statutory list for Tunstall is compiled by the Secretary of State for Digital, Culture, Media and Sport and is altered and amended from time to time. The list descriptions below are taken from the statutory list and were current in September 2021. However, for more detailed and up to date information please refer to the National Heritage List for England at [www.historicengland.org.uk/listing/the-list](http://www.historicengland.org.uk/listing/the-list).

Features and structures which are not specifically mentioned in the statutory list are not necessarily exempt from statutory protection which extends to the building as well as to any object or structure fixed to the building and to any object or structure within the curtilage of the building which predates July 1948.

The omission of a building from this list should not necessarily be taken to indicate that it is not listed without first referring to the National Heritage List.

#### **THE OAST, TUNSTALL ROAD.** Grade II

Former cottage pair, now house. C17 and clad C18, C19, dated on brick 1791 E by door to right. Timber framed and clad with red C.B. brick, with thatched roof and plain tiles around dormers. One storey and attic, with 3 gabled dormers and stacks to centre right and right. Six wood casement windows on ground floor, and board door to left in gabled porch, and board door at end right. Left return front with exposed timbers.

#### **FORMER OAST, 10 YARDS SOUTH OF THE OAST, TUNSTALL ROAD.** Grade II

Oast. Early C19. Buff brick with plain tiled conical oast, and rendered oast house with plain tiled and thatched roof. The oast house of 1 storey and attic, with 1 gabled dormer, and garage doors on north front. Included for group value only.

#### **THE VILLAGE SCHOOL, TUNSTALL ROAD.** Grade II

School. 1846. Knapped flint with red brick dressings and plain tiled roof. Central block with 2 projecting wings. Two storeys on plinth, with brick quoins, string course, and gables left and right with pierced barge-boards and pendants. Two gabled dormers to centre and stacks to left and at end left. Regular fenestration of 4 transomed leaded lights on each floor with red brick surrounds, and niches in each gable. Central plank and stud door in brick arched surround with 2 large inscribed plaques over.

#### **TUNSTALL HOUSE, TUNSTALL ROAD.** Grade I

House. C17 (pre-1678). Chequered brick in Flemish bond and plain tiled roof. Two storeys and attic on plinth with plat band, 4 corniced

gables, and projecting gabled porch of 2 storeys and garret to left, with large stacks of 4 panels to right and 2 panels to left, and wood turret to end left capped with lead cupola. Regular fenestration of 5 wood casements in gables with segmental heads except in porch, the end left window blocked by lozenge-shaped clock face. Four mullioned and transomed windows to first and ground floors, with cross-window in porch. Multi-panelled door. Porch entry round arched on imposts with panelled soffits, fluted Doric pilasters, frieze, bolection cornice, and pediment with bust of Shakespeare. Built either for Sir Edward Hales d. 1654, or his steward John Grove, d. 1678. (See BOE Kent II, 1983 481-2).

**WALL, STABLES AND DOVECOT SOUTH OF TUNSTALL HOUSE, TUNSTALL ROAD. Grade II**

Garden wall, dovecot and stables. C17. Chequered red and blue brick in English bond and plain tiled roofs. The wall extends approx 70 yards along road to east of Tunstall House, and returns to enclose courtyard approx. 50 yards with series of weathered but- tresses (22 to road front), 2 sets of gate piers with cornices and ball finials to east, and one set to west (rear wall of courtyard). In the south-east corner, the stables, 2 storeys on plinth, with plat band and hipped roof with stacks to rear right and centre. 3 leaded wood casements on first floor, 2 segment headed wood case- ments on ground floor and boarded door to left. Double door and tiled pentice to centre and board door right. In the south- west corner, a dovecot, 1 storey on plinth with plat band, hipped roof and lantern, 1 hipped dormer, and central board door.

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Tunstall House Stables



Tunstall House Dovecot, 1972, Historic England Archive



**CHURCH OF ST JOHN THE BAPTIST, TUNSTALL ROAD. Grade I**

Parish Church. C13 chancel, C14 nave, chapel C15, extended 1655, restored 1848-56 by R.C. Hussey. Knapped and coursed flint some brick and plain tiled roofs. Chancel, south-east chapel, nave and aisles, west tower, south porch. Exterior: C14 west doorway, with roll-mould and double hollow chamfer, and crocketed ogee hood. South aisle with diagonal buttresses, cornice and parapet and C19 decorated-style windows. C14 door with strap hinges and 2 grilles; doorway with roll and billet moulding and attached shafts in south porch. South east chapel of flint and rubble, extended 1 bay east in brick, with brick parapet and repairs to buttresses. Two 3-light C15 windows, 1 C17 4 light Perpendicular survival window (i.e. uncusped). Restored 5-light east window, originally of c. 1510 Chancel north wall with 3 lancet windows. North aisle with plinth string course blocked chamfered doorway, and 3 C-19 windows. Interior: tower arch and 4 bay nave arcade with double hollow chamfer and octagonal piers, wooden tunnel roofs, plastered in aisles. Wide channel arch on corbels. Double chamfered arches without responds from chancel and south aisle to south chapel and roll and hollow- chamfered four-centred arch from chancel to chapel and remains of one lancet in chancel wouth wall. Panelled and bossed chancel roof. Fittings: C13 double piscina in chancel with solid cusped heads and chamfered pier, and C15 piscina with fernleaf spandrels in south chapel. Monuments: in the south east (or Hales') chapel. Sir James Crowmer d. 1613, fragments re-erected 1935, an armoured knight and his lady kneeling with 3 daughters, obelisks left and right, deaths heads and achievement over. Late medieval alabaster tomb chest, with 5 panels with shields. Sir Edward Hales, d. 1654, signed W. Sweet and M. Miles 1655. Recumbent knight in white marble resting on his arm, on black and white marble sarcophagus with achievements and inscription on parchment rolls, with cornice, and helm and gaunt- lets over. Chancel south wall, monument to Robert Cheke d. 1647, black and white marble. Doric columns on plinth support frieze and broken segmental pediments and frame semi-circular niche with half-bust of man holding book with hand on heart. To east of it white marble monument to Rev. Edward Mores, d. 1740, a bewigged divine in keyed niche with open pediment over. Wall plaque in south aisle to

John and Catherine Grove, d. 1755 and 1758, a white plaque on scrolled base with medallion and frieze and floral cornice over with draped urn on plinth. Brasses: Ralph Wulf d. 1525 (17 in), a priest; a lady, probably Dame-Francis Crowmer, d. 1597 (18 in). Hanging rood: in chancel given by artist Martin Travers 1968. Glass: mid C19, the east window by Ward and Nixon 1850. Victorian Royal Arms over north door, 4 lozenge achievements in south chapel. (See B.O.E. Kent II 1983, 480-481, and also church guide).

**MONUMENT, HOMEWOOD CHILDREN, 25 YARDS SOUTH WEST OF TUNSTALL CHURCH TOWER, TUNSTALL ROAD. Grade II**

Tomb. Homewood children, 1828. Stone. A square base with square, coved sarcophagus on ball feet, with an urn over.

**LAW FAMILY MONUMENT 15 YARDS WEST OF TUNSTALL CHURCH TOWER, TUNSTALL ROAD. Grade II**

Tomb. Law family, 1838-42. Stone. Large urn on elliptical octagonal plinth with cornice, with slab to fore engraved "Entrance".

**HALES HOUSE, TUNSTALL ROAD. Grade II**

House. Mid C17, restored C19. Red brick and plain tiled roof. Two storeys and attic on plinth with discontinuous plat band and cornice, with 2 gabled projections, C17 stack to left and C19 stack to right. Irregular fenestration of 5 large segment-headed wood casements on each floor. Plank and stud door to left in gabled porch of 2 storeys and attic. Similar to Tunstall House, and indeed built for Sir Edward Hale's grandson c.1640. (See B.O.E. Kent II 1983, 482)

**THE COACH HOUSE, TUNSTALL ROAD, TUNSTALL, SITTINGBOURNE, ME10 1YQ** Grade II

GV II Stables. C17. Red brick in English bond and plain tiled roof. One storey on plinth and hipped roof with stack to rear. Garage doors to left, boarded door and rectangular fan-light to centre left, and boarded door to centre right, both with segmental heads, and double board doors to end right. Included for group value only.

**HALES COTTAGE, TUNSTALL ROAD.** Grade II

House. C17 and early C19. Red brick part in English bond with plain tiled roof. Originally square plan, possibly a dovecot with C19 extension. Two storeys and hipped roof with hipped extension and central C19 stack. One wood casement with shutters and glazed porch to left, and 2 wood casements on each floor on right return front.

**CEDAR HOUSE, TUNSTALL ROAD.** Grade II

Former Rectory. c. 1830. White brick and slate roof. Two storeys and eaves cornice to hipped roof. Central canted projection. 5 glazing bar sashes to first floor, segmented bays to left and right on ground floor, with central double doors of 2 fielded panels and narrow sidelights, with cornice hood on consoles.

**TUNSTALL HOUSE COTTAGE, TUNSTALL ROAD.** Grade II

House. C17. Red brick in English bond with plain tiled roof. Lobby entry plan. Two storeys on plinth with plat band and roof hipped with gablet to left and with end stack right, and 2 stacks to rear left on C19 rear wing. Two 3-light brick mullioned windows on first floor with single light end right, and 2 metal casements on ground floor with basket arched heads. Door of 2 panels with bolection mouldings and moulded architrave to right in segment headed opening.

**THE DEN, TUNSTALL ROAD.** Grade II

House. C16 and C18. Front range (C18) grey brick with red brick dressings and plain tiled roof, rear (C16) range timber framed and clad with red brick on ground floor, plaster on first floor and plain tiled hipped roof with gablets. Two parallel ranges. Front elevation: 2 storeys on plinth with plat band, moulded wood eaves cornice and stacks at end left and end right. Regular fenestration of 2 tripartite sashes with central glazing bar sash on first floor, and 2 tripartite sashes on ground floor with gauged heads. Central door of 6 raised and fielded panels with traceried rectangular fanlight, and broken pediment on pilasters. One storey, 1 window extension to left.

## APPENDIX 4:

### Legislation, national policy and local policy

#### Planning (Listed Buildings and Conservation Areas) Act 1990

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 (NPPF)**

The NPPF sets out the government’s planning policies and how they should be applied. It provides the national framework for conserving and enhancing the historic environment, including conservation areas.

**National Planning Practice Guidance (NPPG)**

The NPPG sets out government’s guidance on how the act and national planning policy should be applied.

**Adopted Local Plan Bearing Fruits 2031: The Swale Borough Local Plan 2017)**

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:..... 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 (including 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 Key Supplementary 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

### **Swale Borough Council Heritage Strategy 2020 - 2032**

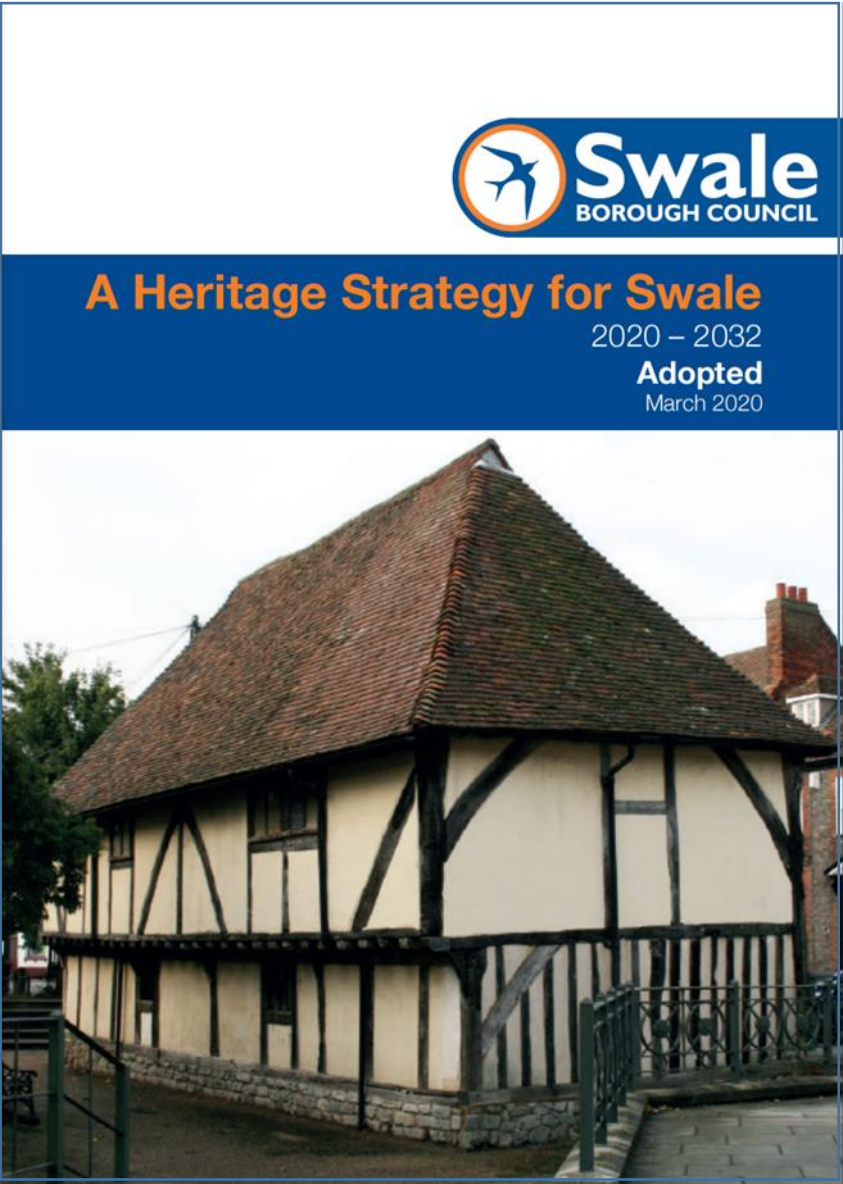
The Council has developed a borough-wide heritage strategy to help it, along with key stakeholders and other interested parties, to protect and manage the historic environment in Swale in a positive and sustainable way, on a suitably informed basis.

A key element of the strategy is setting out the Council's overall vision and 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.

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## APPENDIX 5:

### Bibliography

- Helen Allinson and Brian Turner, *Tunstall the History of a Kentish Parish* (2015)
- Edward Hasted, *The History and Topographical Survey of the County of Kent* (1798).
- Arthur Midwinter, *The Church and Village of Tunstall, Kent* (1992)
- R Muir, *The New Reading the Landscape. Fieldwork in Landscape History* (2000)
- John Newman, *The Buildings of England North East and East Kent* (2013)
- Kent County Council, *South east Archaeological Research Framework* [www.kent.gov.uk](http://www.kent.gov.uk)
- Kent County Council, *Historic Environment Record* [www.kent.gov.uk](http://www.kent.gov.uk)
- Kent County Council, *Exploring Kent's Past* [www.kent.gov.uk](http://www.kent.gov.uk)
- Kent County Council and Kent Conservation Officers Group, *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets* (2011)
- LUC, *Swale Local Landscape Designation* (October 2018)
- Jacobs, *Swale Landscape Character and Biodiversity Appraisal* (2011)

### Historic England Guidance, Advice and Publications

Historic England Good Practice Advice Notes (GPAs) provide supporting advice on good practice and how national heritage conservation policy should be applied.

- GPA1: *The Historic Environment in Local Plan Making* (March 2015)  
 GPA2: *Managing Significance in Decision-Taking in the Historic Environment* (March 2015)  
 GPA3 : *The Setting of Heritage Assets* (December 2017)

Historic England Advice Notes (HEANs) provide detailed, practical advice on how to implement national planning policy and guidance.

- HEAN 1: *Conservation Areas: Designation, Appraisal and Management* (Feb 2019)  
 HEAN 2: *Making Changes to Heritage Assets* (February 2016)  
 HEAN 9: *The Adaptive Reuse of Traditional Farm Buildings* (October 2017)  
 HEAN 10: *Listed Buildings and Curtilage* (February 2018)  
 HEAN 12: *Statements of Heritage Significance* (October 2019)  
 HEAN 16: *Listed Building Consent* (June 2021)

*Streets for All* (May 2018)

**APPENDIX 6:**

**Assesment of Significant views**

Views make a valuable contribution to the way in which the character or appearance of a place is experienced, enjoyed and appreciated. Identifying significant views allows the contribution they make to be protected and enables the effective management of development in and around those views. Significant views are annotated on the aerial photograph on page 11 and are described below.

**View 1:** All views from the village to its historic farmland setting are of high heritage significance. They have provided the context and setting to the village for centuries. They are visually pleasing and they contribute to the distinct local identity and character of Tunstall.



View from the public footpath looking south-west



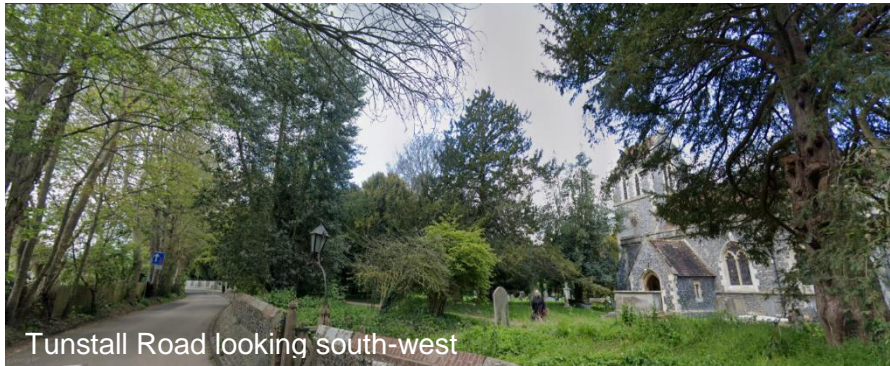
View from the public footpath looking north-east

**View 2:** Occasional views of surrounding farmland from Tunstall Road provide a strong sense that the countryside is never far away. This close visual connection between the village and the countryside is a defining feature of the conservation area and so these views are of high heritage significance (see plate 1 on page 9).

**View 3:** Many people experience Tunstall as they walk or drive along Tunstall Road or footpath. The changing geometry of the road and the frequent occurrence of historic buildings interspersed with trees and boundary walls results in picturesque views with an abundance of architectural and historic interest. All linear views along Tunstall Road are of high heritage significance (see plates 2, 3 and 4 and below).



Tunstall Road looking north-east



Tunstall Road looking south-west





**View 4:** The Church tower is surrounded by trees so it is less visible than one might expect. However, it is the focus of some views from the north-east. These, and other glimpsed views of the larger buildings, particularly Tunstall House (see plate 22), The Den and Hales House, all add to the way in which the conservation area is enjoyed and experienced. They are of heritage significance.

For further information contact:  
Swale Borough Council Planning Services 01795 417850

[www.Swale.gov.uk](http://www.Swale.gov.uk)



Tunstall Road circa 1900

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**PUBLIC CONSULTATION DRAFT October 2021 with  
amendments following public consultation March 2021**

