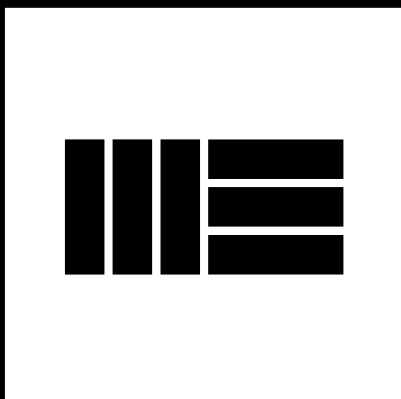


REPRESENTATIONS ON THE DRAFT CONSERVATION AREA APPRAISAL IN RESPECT OF THE BORDEN CHESTNUT STREET CONSERVATION AREA

QUINN ESTATES

NOVEMBER 2020



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1.0 INTRODUCTION

- 1.1 We act on behalf of Quinn Estates who have instructed us to reply to the consultation on the proposed extension to the boundary of the Borden, Chestnut Street Conservation Area.
- 1.2 Whilst we welcome the council's efforts to help better define the significance of the heritage assets in the Borough and we agree that CA Appraisals are a helpful way of understanding and defining the key characteristics of that significance, we write to make representations on the content and recommendations of the Conservation Area Appraisal which are made without evidence and substantiation.
- 1.3 In summary Quinn Estates write on these bases:
- (1) *To comment on the Council's statutory duty of Conservation Area designation under s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that areas designated as Conservation Areas are genuinely of special architectural or historic interest;*
 - (2) *To comment on the appropriateness of the proposed boundary extension in accordance with those statutory duties; and*
 - (3) *To comment on the factual basis of the draft appraisal guidance and to suggest corrections based on alternative evaluation and evidence.*
- 1.4 As set out in s69 of the 1990 Act defines a CA as an area of special architectural character or historic interest, the character of which it is desirable to preserve or enhance'
- 1.5 We have considered the draft Borden Chestnut Street Conservation Area Appraisal Review (2020), inspected the site (that is, the land to be covered by the extended designation), and reviewed relevant guidance. Our conclusion is that the land within the area proposed for extension does not meet the statutory criteria for inclusion within the Conservation Area designation. The boundary of the Conservation Area should not be extended at all to include the area referred to as 'Florence Cottages' – 'Areas 1 and 2' - on the proposed new map of the Conservation Area included at Appendix 1.0 to this representation. This is Map 10 in the draft Conservation Area Appraisal.
- 1.6 This conclusion is based on the inappropriate use of the Council's powers under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as the '1990 Act') and the requirements of the National Policy and Guidance relating to Conservation Area designation.
- 1.7 The Local Planning Authority (LPA) in this case is Swale Borough Council (hereby referred to as 'the Council'). The draft appraisal on the Council's website dates from 2020 and has been written by an independent consultant for the LPA.

Overview of the Representation

- 1.8 Firstly, we submit that there is no good reason set out in the draft Appraisal for the proposed extension to the Conservation area boundary to include the group of properties on the north side of Chestnut Street and the small parcel of land to the south.
- 1.9 Secondly, our review of the documents prepared by the Council in support of the proposed extension to the boundary presents us with none such evidence as to how the Council's assessment of these areas should result in the designation of the land proposed.
- 1.10 Further, our own assessment of these buildings and piece of land to the south of Chestnut Street leads us to the conclusions that the proposed area for extension does not substantiate a claim for 'special architectural or historic interest' as required for designation under Section 69 of the Act. Our assessment of this is presented at **Section 3.0** of this report.
- 1.11 Our own assessment is based upon a thorough an understanding of the area and best practice in historic area assessments as set out in the relevant Historic England guidance, *Conservation Area Designation, Appraisal and*

Management (February 2019) and Understanding Place: Historic Area Assessments: Principles and Practice (2017 edition) as well as the detailed guidance provided on Conservation Area designation in Charles Mynors' publication, *Listed Buildings and other heritage assets fifth edition (2017)*.

- 1.12 Our conclusion is that the extension of Chestnut Street Conservation Area to incorporate land to the north and east of the existing boundary would lead to an inappropriate designation which is not based on any meaningful historic or architectural interest or connection, including land that has no consistent architectural quality and which has been subject to successive change and alteration.
- 1.13 Furthermore, the proposal to extend the conservation area would serve to stifle the future use and effective management of the land, much of which is in agricultural use, by the landowners.
- 1.14 Lastly, we comment on the inadequacies stated in the draft appraisal which go to undermine the reasons for why the extended area is suggested for designation.

Timing of the proposed extension

- 1.15 We are extremely surprised that the Council have now come to consider the extension to the Chestnut Street Conservation Area, given the lengthy and comprehensive consultation exercise our client engaged in with Swale Borough Council and statutory bodies advising on the historic environment in relation to the application for housing at the site known as 'Land at Wisles Lane South West Sittingbourne' (PINS reference APP/V2255/W/19/3233606).
- 1.16 The application proposals for the housing at Wisles Lane will affect the land identified on the Conservation Area map as being the subject of the proposed extension, the parcel of land labelled on the Map as 'Florence Cottages' (albeit this label probably relates to the dwellings on the north side of the road). We include the masterplan showing the Wisles Lane proposals as submitted with the application (Rev 'D') at Appendix 2.0.
- 1.17 The reported importance of this area to be included in the CA boundary was not raised at any time during the pre-application process, the determination of the application nor the public inquiry which sat in November 2019. The public inquiry considered issues of impacts on heritage assets, including the impact on the character and appearance of the Borden Chestnut Street Conservation Area.
- 1.18 Given the scrutiny and level of assessment the site was subject to throughout the course of the planning for the Wisles Lane site, we find the timing of this proposed extension to the Conservation Area to be highly irregular and we request the Council make information on the evidence for this review available to the public.

Summary

- 1.19 A critical review of the proposed extension of the boundary to include this area reveals that the Council has paid little regard to the integrity and quality of the land or the built environment and make unsubstantiated claims as to the interest of the area. We reiterate our clients' strong objection to the proposed extension of the Conservation Area boundary. Given the clear flaws in the Council's proposals that are highlighted in this representation, should the Council proceed with this designation then our clients will need to consider their options in relation to a challenge to that decision.

2.0 THE LPA'S STATUTORY DUTY IN RESPECT OF CONSERVATION AREA DESIGNATION

Statutory Provision

- 2.1 As defined in Section 69 of the 1990 Act, a Conservation Area is an area which has been designated because of its 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.'
- 2.2 In discharging its powers under Section 69 of the Act, the LPA is bound to exercise its discretion reasonably, and to have due regard to the terms of primary legislation and relevant policy. Additionally the LPA must take care to ensure their decision could not be construed as irrational or disproportionate.
- 2.3 The quality and interest of the whole area, as opposed to the individual buildings, should be the prime consideration in identifying conservation areas. The object, therefore, should not be to protect individual buildings or spaces which are not of demonstrable interest.

National Policy and National Guidance on Defining Boundaries

- 2.4 The National Planning Policy Framework (2019) is clear that:

'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.' [our emphasis] (NPPF, para. 186)

- 2.5 This Policy is also engaged when reviewing existing boundaries and the principles of the policy are supported in the National Planning Practice Guidance (NPPG, 2019).
- 2.6 The guidance provided in Understanding Place: Historic Area Assessments: *Principles and Practice* (2017) aims to complement Historic England's previous publications and provide a more detailed level of guidance on the purpose and methods of assessing and the designation of historic areas.
- 2.7 Under the 'Key Issues' to be considered, the guidance states that establishing 'appropriate boundaries' are required to keep historic area assessments 'focused and manageable,' and that the relevance of such boundaries should be examined critically. Assessment should validate any proposed boundaries and, where necessary, their modification.
- 2.8 This guidance is complemented by that of *Conservation Area Designation, Appraisal and Management* (February 2019), which requires an explanation of where and why a boundary is drawn when designating conservation areas.
- 2.9 Pages 27 to 28 of the guidance consider the designation of Conservation Areas. The guidance refers to paragraph 186 of the NPPF and the importance of ensuring that an area justifies designation as a conservation area because of its special architectural or historic interest, so that the concept of conservation is not devalued through the designation of areas that lack special interest.
- 2.10 A page 27 the guidance makes it clear that:
- 'Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.'*
- 2.11 In relation to the status of existing Conservation Areas, the guidance states also that:

'With appropriate management procedures in place, the character and appearance of a conservation area should not change rapidly for the worse and a review might typically result in an addendum to an existing appraisal, recording:

- *what has changed;*
- *confirming (or redefining) the special interest that warrants designation;*
- *setting out any new recommendations; and*
- *revising the management strategy.*

The updated appraisal and related management proposals can then be re-adopted by the local authority.'

2.12 In finalising the Conservation Area boundary, guidance states that it is important to consider 'whether the immediate setting also requires the additional controls that result from designation, or whether the setting is itself sufficiently protected by national policy or the policies in the development plan' (page 4).

2.13 Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.

3.0 IN APPROPRIATE EXTENSION TO THE CONSERVATION AREA

Lack of New Evidence or Reason for Extension

3.1 In this section we set out our review of the evidence base presented by the Council for the proposed extension of the CA boundary in line with Historic England guidance and the requirement at s69 of the 1990 Act. We conclude that there are no evident reasons for the proposed extension to the boundary, contrary to the requirements of statute and interpretative policy and guidance.

3.2 We have reviewed the draft CA Appraisal that has been prepared by the independent consultant to the LPA. The document does not present, as far as our review has shown us, any new information about the area around Chestnut Street than has previously been understood, or uncovered new information on the wider landscape that reveals important connections or historic associations.

3.3 Page 149 offers a brisk characterisation of proposed extension areas (CAA) 1 and 2:

CCA1 – buildings on the north eastern side of the Conservation Area on the northern side of Chestnut Street. Extension to include 19th century settlement pattern on the north side of the road as far as the Tudor Rose Public House. The pub is a building of local importance and consists of two storey brick built public house now all painted with timber sash windows on first floor and concrete tiled roof. A public house has been on this site since at least 1840.

CCA2 land to the east of the Conservation Area boundary - Open area of pasture on the northern side of the Conservation Area consisting of permanent grazing. The field is slightly hollowed, with the evidence of historic gravel quarrying (dating to before AD 1836). This mirrors the open pasture on the western side of the Conservation Area which is included within the Conservation Area.

3.4 The information presented does not go beyond what was understood about the history of the small settlement and the surrounding land at the time of the designation of the Conservation Area in 1977 or at the time of the revisions to the designation in 1999.

3.5 The 1999 Appraisal states that: *'The four timber framed buildings are the focus of this conservation area. Whilst the setting of Chestnut Street has been, to some degree, affected by the new A249 the grouping of these mediaeval buildings remains unusual and of special architectural and historic interest. Historic interest is further supplemented by the site of old mineral workings, which have now become attractively integrated into the adjoining countryside.'* (Paragraph 16).

3.6 At paragraph 11 the Appraisal states: *'The new houses are generally traditional in character; others within the group are late 19th century in date and fairly modest in appearance'* [our emphasis].

3.7 The land to the north east of the listed buildings is not of special quality or to contribute meaningfully to the special interest of the CA.

3.8 The suggestion now that the mixed group of houses to the north of Chestnut Street and the small area of paddock is not supported with reasoned evidence in the Appraisal.

3.9 There is no new evidence for including the land. The line is drawn in an arbitrary manner around the paddock, clearly excluding the agricultural sheds which form an intrinsic part of this area and affects its amenity quality. The contribution made by the open nature of the paddock to the setting and an understanding of the significance of the group of highly graded and picturesque listed buildings is diminished by the presence of the large agricultural sheds within these areas to the south, a point that is recognised in the Appraisal.

- 3.10 The inclusion of more modern dwellings in the village, and areas of incidental open farmland to the east of School Lane would surely serve to dilute the special historic and architectural interest of the CA where this relates specifically to the core group of highly graded Wealden buildings which form a pleasing historic group on the south side of Chestnut Street.
- 3.11 The reference also to the wider setting of the Conservation Area, quoted as follows: ‘... *the main force for change in the parish is the southern expansion of Sittingbourne into the northern edge of the parish particularly around Wises Lane.*’ This statement suggests the designation is to be used as a development control mechanism and to prevent changes to the land and wider area which may be necessary to meet housing need or simply to address field boundaries or agricultural practices. The Council needs to define what it means by this statement. The designation of Conservation Areas is again an entirely inappropriate provision by which this development control function should be exercised.
- 3.12 Historic England guidance is clear and indicates that in reviewing conservation areas, ‘*the character and appearance of a conservation area should not change rapidly for the worse.*’
- 3.13 Historic England further states in the same paragraph that: ‘*A review might typically result in an addendum to an existing appraisal, recording: what has changed confirming or redefining the special interest that warrants designation, highlighting additional aspects that contribute to the area’s significance or features newly identified as desirable to preserve or enhance.*’ (*Conservation Area Designation, Appraisal and Management, February 2019*).
- 3.14 The land proposed for inclusion is not of special interest and the Council has failed to demonstrate in their draft appraisal why the land is considered to merit inclusion in the boundary.
- 3.15 In our judgement, the inclusion of this land, which is undistinguished architecturally and in landscape terms, and has been subject to alteration, therefore going against the original intent of the designation.

Lack of Special Interest: Proposed Extension to Chestnut Street Conservation Area

- 3.16 In the following discussion, we identify the particular areas proposed for inclusion within the Chestnut Street Conservation Area and carry out our own analysis of the same concluding that, in our judgement, these areas lack the special architectural and historical interest that is required to justify their inclusion in the Conservation Area designation.

Summary of Historic Development

- 3.17 The historic mapping reproduced in the appraisal document confirms that in the late 18th century the Chestnut Street hamlet comprised the group of substantial late medieval timber framed houses on the south side of the street, with other houses facing them on the north. In the 19th century individual houses were built along the north side of the street to the west of the earlier houses, followed the mid-20th century what appears to have been a speculative development, largely of bungalows, on the south side of the street west of the CA.
- 3.18 The major development of the A249 motorway in the late 1980s/early 1990s which bypassed the medieval hamlet at Chestnut Street, served to sever the hamlet from the surrounding area – as recognised in the CA Appraisal (page 83).
- 3.19 In addition to the route of the new motorway, the OS Map published in 1989 shows the residential development which took place at Chestnut Street and Borden. At Chestnut Street, the route to Chestnut Wood (as shown on the 1950 OS Map) has been populated with buildings on either side of the road.

Summary of Significance

- 3.20 The Conservation Area designation is focussed on the four medieval buildings on the south side of Chestnut Street, and the significance of the Conservation Area is primarily derived from the quality and composition of these buildings. These comprise two Grade II* and two Grade II listed buildings which are described earlier in this section: Hook’s Hole, Olde Houses, Dumbles and Tudor Rose Cottage, and Olstede. The area also contains an old mineral works which are described in the Conservation Area Appraisal as “attractively integrated into the adjoining countryside”.

- 3.21 The significance of the listed buildings, individually and as a group, is considerable and they form the core of the CA. Two main points should be noted: first, to have four late medieval buildings, largely intact, standing in a linear group, is unusual, and notable. The second point is that all four are listed, two at Grade II*. This identifies that the higher-graded structures have 'more than national special interest' (as defined by Historic England), affording them, and their setting, a high degree of protection as set out in the NPPF. Only 8 per cent of listed structures are included in the higher grade of I and II*. A third point of note is that they form, as noted above, a notable and identified component of the Chestnut Street Conservation Area, fronting onto Chestnut Street itself.
- 3.22 While the buildings are principally experienced front-on from Chestnut Street, there are views from the approaches both from the south-west, and the north-east. These are more side-on, glimpsed, and partially obscured by trees and hedges.
- 3.23 On the north side of Chestnut Street, the later infill makes a limited contribution to the special historic and architectural interest of the conservation area. The listed buildings are set back from the street and so the later buildings appear prominent in the streetscene.

Unsubstantiated Basis for Extension – Areas 1 and 2

- 3.24 The CA Appraisal identifies the group of dwellings that are proposed to be included within the CA boundary, 'Area 1' as shown on Map 10 of the Appraisal and included at Appendix 1.0 of this Appraisal. These are listed as follows:
- *Tudor Rose Public house (Building of Local Importance – see below for more information);*
 - *A pair of historic two storey cottages dating to 1888. They are built of yellow stock brickwork, with replacement windows and doors and a concrete tiled roof;*
 - *A two storey dwelling in render with a slate roof dating to c1880;*
 - *An unattractive area of former highway now used for commuter parking which detracts from the street scene;*
 - *Two modern two storey dwellings;*
 - *Chestnut Cottage and Chestnut House a pair of two storey dwellings (Building of Local Importance – see below for more information);*
 - *A matching pair of modern two storey brick dwellings;*
 - *No's 1 and 2 Milestone Cottages – a pair of modest historic cottages;*
 - *Two modern two storey dwellings; and*
 - *The Homestead, Dun-Traden and Gretchel – originally four but now three late 1880s historic cottages.*
- 3.25 The Appraisal does not set out a full description of significance for these buildings and their inclusion is unsubstantiated.
- 3.26 The fields surrounding the core of the Conservation Area contribute to an understanding of the history and significance of the CA to greater and lesser degrees. The paddock, the land labelled as 'Area 2' that is proposed for extension is an open field used for pasture grazing and, whilst it remains open and in agricultural use and therefore contributes some element to an understanding of the historic activity of farming in this location, it has no meaningful and recognisable relation to the historic core of the CA and their immediate settings which are very much focussed on their garden settings.
- 3.27 As stated above and in the Appraisal, the presence of the large agricultural sheds detract from the amenity and landscape value of the fields. Looking back at the historic development of the area, the fields themselves are not of historic or architectural interest.
- 3.28 The Appraisal sets out a summary of the significance for the Chestnut Street conservation area which is put forward as a justification for the extension. Some of the bases upon which this significance is based is unsubstantiated.
- 3.29 We provide comments on these aspects as follows and ask the Council for the evidence base upon which these claims are made:
- *Historic core of the rural Chestnut Street hamlet focused on the junction of Chestnut Street and School Lane located within the Stockbury valley.*

We agree this is the location of the CA.

- *Area of potential archaeological significance for Palaeolithic, Medieval and Post Medieval archaeology.*

This remains unproven for 'Area 2' as shown on Map 10. This would need to be substantiated with a full-scale archaeological evaluation.

- *Complex history of post-medieval quarrying in and around the Conservation Area including the site of former lime kilns in the chalk pit at Hook's Hole which have archaeological and historic interest.*

This is not an indication of quarrying activity per se. There is much uneven ground in the fields south of Chestnut Street which may relate to quarrying and gravel extraction. 19th century gravel quarrying is noted as an historic activity in the specific area.

While this may have modified the topography, it has little historic significance which is intrinsic to the designation.

- *An outstanding feature of the Conservation Area is a group of four medieval framed timbered houses which stand on the southern side of the road. These have architectural and historic interest epitomising Kentish vernacular building of the period.*

We agree with this statement. The core group have been severed from their original setting and the A249 is a dominant urbanising feature in their immediate setting and a defining (detracting) feature of the CA.

- *A row of later historic 18th and 19th century cottages on the north side of the road.*

These do not form a comprehensive or coherent group of dwellings and are infilled variously with C20 development of no architectural or historic interest. The previous Appraisal identified them as such as referred to them as being 'fairly modest in appearance' (SWB, 1999).

- *Location on the historic toll road between Sittingbourne and Maidstone, evidenced by surviving roadside milestone.*

The milestone stands at a significant distance to the south-west of Area 3. The A249 does not have defining features that mean it is recognisable as a historic through road and does not have the character of a historic thoroughfare.

- *Evidence for Post-Medieval quarrying for chalk and gravel which is of archaeological interest.*

The activity of quarrying in this area does not automatically imbue the area with archaeological interest in this respect.

- *Areas of grazed pasture to the east and west of the group of timber framed Listed Buildings. These separate the cluster of Chestnut Street's older building from other residential development, and consequently help to maintain the integrity of the historic area.*

This description fails to mention the negative impact of the large agricultural buildings abutting the present southern boundary of Area 2, and within what was its historic boundary. This is especially in terms of open views across Area 2 from Chestnut Street.

- *Views out of the Conservation Area on its western side to the wider countryside beyond which rises to a ridge to the south and forms an attractive visual feature and views from this ridge towards the Conservation Area.*

We comment on the selected views in the Appraisal later in this representation.

3.30 There is no single defined character or quality of architecture that justifies the designation of the Areas 1 and 2.

3.31 To reiterate again Historic England's guidance on the same:

'Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.'

Other Issues Explained in the CA Appraisal Related to the Boundary Extension

- 3.32 The Appraisal identifies a series of views in the document. It is not clear on what basis these have been identified and what it is the Council considers they add to an understanding of the special interest of the area. We provide comments on the views as relevant.

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

The photograph demonstrates this view is not of particular quality. It comprises a view predominantly of an open pastureland with modern agricultural buildings and settlements visible in the middle ground. The viewer would be aware of the busy activity of the A249 behind this view from where it is taken.

View 2b - *Local views along School Lane*

The photographs demonstrate this view is not of particular quality and in fact is predominantly of Chestnut Street which is the principal element in the view. The group of special listed buildings are visible set back behind the pavement and glimpsed views are afforded when moving along the pavement of the A249 south west to north east.

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

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

These two views comprise fairly pleasing, but plain views of the surrounding countryside but are not of high value in terms of visual amenity or landscape value. View 6a in particular includes clear views of settlements and agricultural buildings which, although part of the character of the surrounding rural area, are not of special interest nor do they contribute to the particular character of the conservation area.

- 3.33 Overall we are of the view that the key views identified in the Appraisal do not add to an understanding of the intrinsic value of the area and should not be given weight.

- 3.34 The CA Appraisal identified key Negative Characteristics that are identified as detracting from the character and appearance of the CA and we quote as follows:

- *Unsympathetic design of 20th century houses infilling the streetscape on the northern side*

We question why the Council seeks to include these buildings in the CA designation when they are identified as negative features.

- *An unattractive area of former highway now used for parking which detracts from the street scene.*
- *Commuter parking within the Conservation Area.*

This is not an issue that is relevant to assessing the historic character and appearance of the Conservation Area.

- *Area of unsympathetic land use to the south of the Listed Buildings.*
- *Potential loss of Limekilns within the large chalk quarry.*
- *Pond in poor condition.*

- *Large modern sheds/barns within the northern setting of the Conservation Area. This is an incongruous element in the landscape.*

Summary on the Appropriateness of the Proposed Boundary

- 3.35 A critical review of the proposed extension of the boundary to include this area reveals that this has paid little regard to the integrity and quality of the land or the built environment.
- 3.36 In the above analysis, we have highlighted that the land proposed for designation comprises a small parcel of standard agricultural land which is not of particular landscape or agricultural quality.
- 3.37 As established in **Section 2.0** of this report, Historic England's *Understanding Place: Historic Area Assessments: Principles and Practice* (2017) refers to the importance of establishing 'appropriate boundaries' which enable historic area assessments to be 'focused and manageable'.
- 3.38 The Council's appraisal fails to provide any rationale for the details and intricacies of the boundary as drawn (reproduced in Appendix 1.0 of this report), which, in some areas, appears to cut directly through the middle of fields.
- 3.39 The landscape and architectural qualities of the land proposed for inclusion is indistinct and it does not contribute in a meaningful way to an understanding and appreciation of the significance of the core significance of the Conservation Area.
- 3.40 In our judgement, the boundary is not intuitive and proposes to include landscape and built form which does not contribute meaningfully to an understanding and appreciation of the existing conservation area. The designations of these areas would serve to dilute the special interest of the Conservation Area.

4.0 INAPPROPRIATE USE OF STATUTORY DESIGNATION

4.1 The latter sections of the draft appraisal, Section 6.5. Conservation Area Objectives and Priorities for Management and Action, set out recommendations for protection and enhancement of the Conservation Area.

4.2 The objectives include the following statements which require further explanation to fully demonstrate the meaning and implications of these recommendations.

5. Protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.

6. Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area

4.3 The Council has not described on what basis the landscape around the CA possesses 'heritage' interest. This needs to be explained in the evidence base with clear grounds for genuine architectural or historic interest.

4.4 Given we have been able to discredit the claims in the report that the field to the north east of the existing boundary is not of the requisite special interest, the land management techniques to ensure the farmland functions as it should, need to be allowed to continue unhindered by the CA designation. It is concerning the effect the CA designation may have on the ability to continue necessary land management practices given the designation is based on unsound evidence.

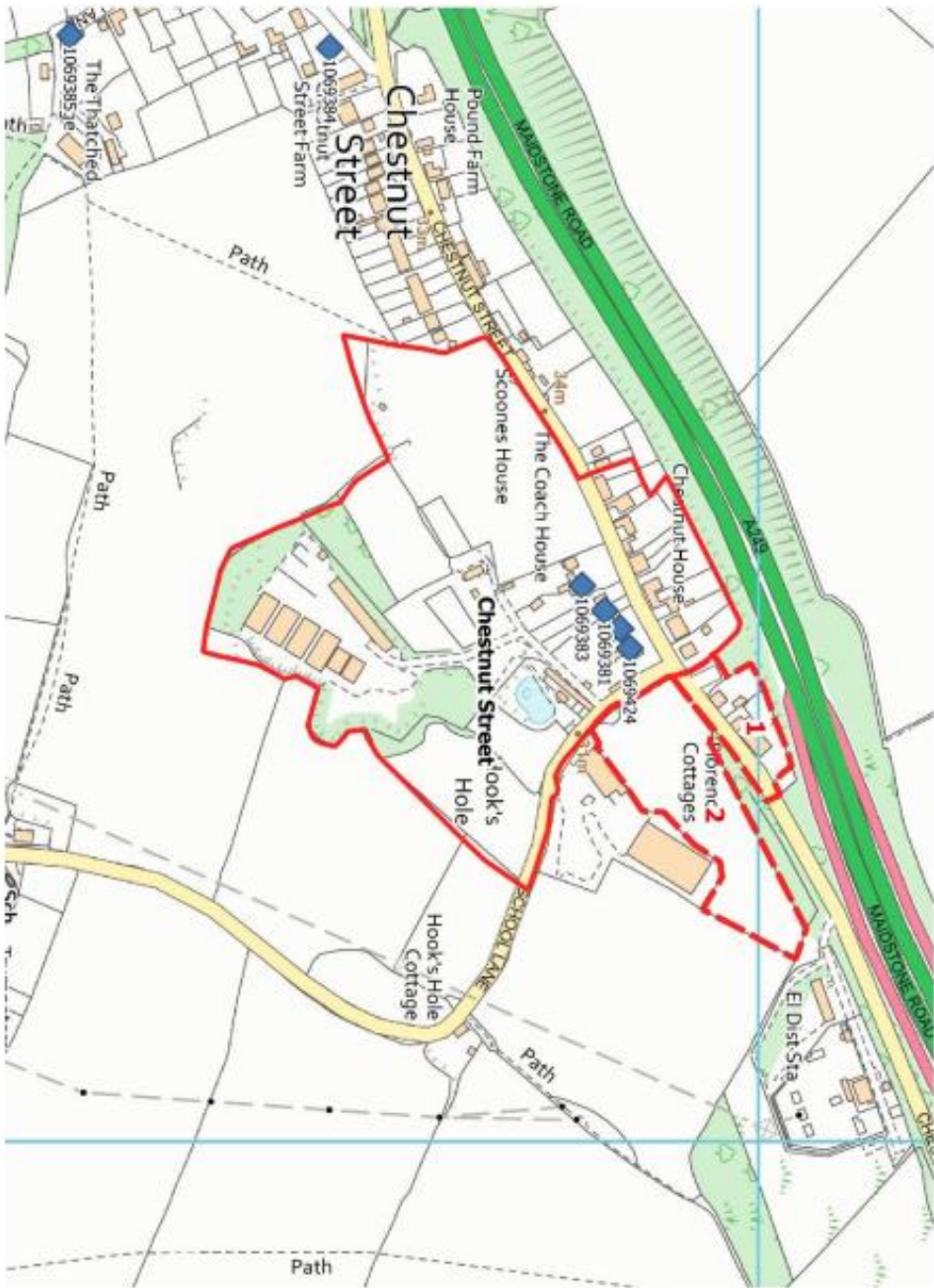
4.5 The Council has not identified what these non-designated heritage assets are within the Conservation Area. We politely request these are made available as part of the evidence base.

5.0 CONCLUSIONS

- 5.1 This report has been produced on behalf of Quinn Estates in reply to the proposed extension to the Borden, Chestnut Street Conservation Area.
- 5.2 This report presents a reasoned objection to the proposed extension, based upon the inappropriate use of the Council's powers under Section 69 of the Act.
- 5.3 We consider this to manifest in the lack of new evidence to justify the review of the Conservation Area boundaries.
- 5.4 The area proposed for extension does not substantiate a claim for '*special architectural or historic interest*' as required for designation by s69 of the Act.
- 5.5 The draft appraisal (2020) completed in support of the Conservation Area extension does not provide any justification for the proposed boundary extension and needs to be updated and re -consulted on before any decisions are made with regards to the designation extension.
- 5.6 The extension of the Conservation Area as proposed to incorporate the land would lead to a restrictive designation inconsistent with the correct management of the agricultural land which the land in the extended area comprises.
- 5.7 We would reiterate that it is the quality and interest of the whole area, as opposed to the individual buildings, should be the prime consideration in identifying conservation areas. The object, therefore, should not be to protect individual buildings or spaces which are not of demonstrable interest, in line with Historic England's guidance (2019).
- 5.8 We submit this strong objection to the proposed extension of the Conservation Area boundary to include the land indicated in the map included at Appendix 1.0 for the reasons presented above.
- 5.9 Given the clear flaws in the Council's proposals that are highlighted in this representation, should the Council proceed with this designation then our clients will need to consider their options in relation to a challenge to that decision. We also reserve the right to comment further following the Council's response to this representation.

APPENDIX 1.0

Map indicating the areas considered in the representation



Legend

- Conservation Area boundary
- Conservation Area Extension
- Listed Buildings

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

APPENDIX 2.0

Illustrative masterplan for the proposals at 'Land at Wises Lane South West Sittingbourne'
(PINS reference APP/V2255/W/19/3233606).



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Notes:

Please report all discrepancies, errors and omissions.

Verify all dimensions on site before commencing any work on site or preparing shop drawings.

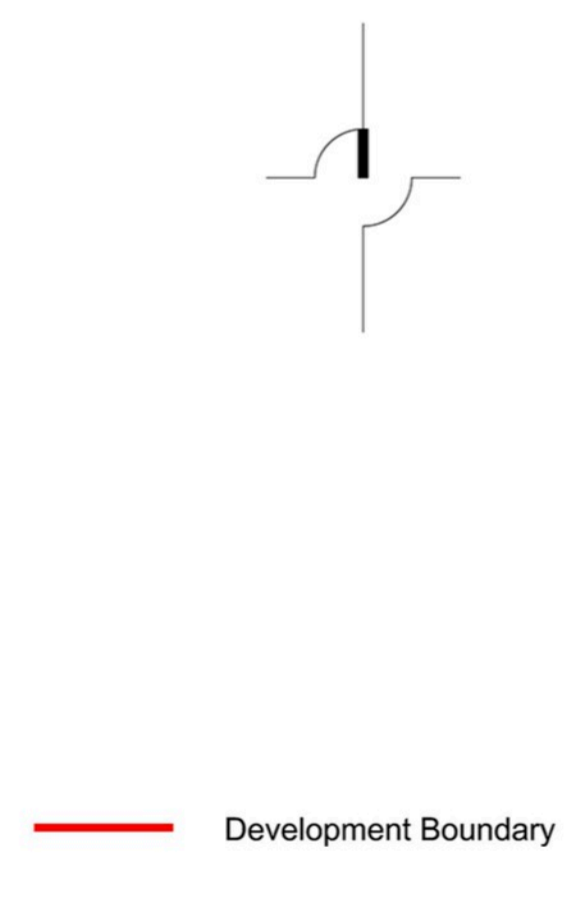
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For all specialist work, see relevant drawings.

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Revisions :
 rev date revision

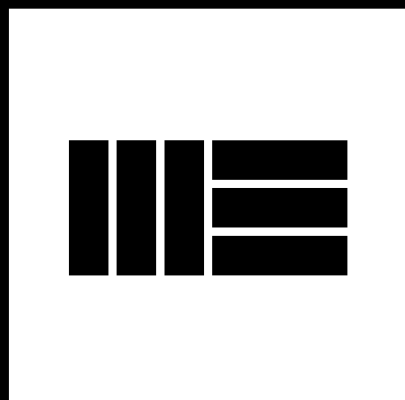


design
bdb

Church Barn, Milton Manor Farm, Ashford Road, Canterbury, Kent, CT4 7PP
 t: 01227 456699 www: bdb-design.co.uk

Project title		
Proposed Development, Land at South West Sittingbourne, Kent.		
Drawing title		
Masterplan		
Scale	Drawing number	Revision
1:2500 @ A1	2574 - 401	D
Date		
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MONTAGU EVANS
5 BOLTON STREET
LONDON
W1J 8BA



WWW.MONTAGU-EVANS.CO.UK

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.