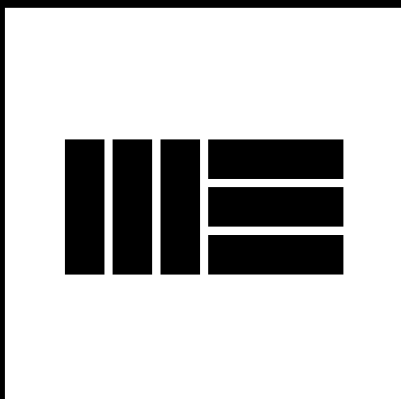


REPRESENTATIONS ON THE DRAFT CONSERVATION AREA APPRAISAL IN RESPECT OF THE TONGE CONSERVATION AREA

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 Tonge Conservation Area ('CA').
- 1.2 Quinn Estates retain an interest in the area around and as part of the Tonge Conservation Area designation, promoting it as part of the new Garden Village proposals known as 'Highsted Park.' Montagu Evans LLP are engaged as planning consultant and heritage advisers on the redevelopment of the Garden Village.
- 1.3 Whilst we welcome the council's efforts to help better define the significance of the heritage assets in the Borough and we agree that CA Appraisals are a helpful way of understanding and defining the key characteristics of that significance, we write to make representations on the content and recommendations of the Conservation Area Appraisal which are made without evidence and substantiation.
- 1.4 In summary Quinn Estates write on these bases:
- (1) *To comment on the Council's statutory duty of Conservation Area designation under s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that areas designated as Conservation Areas are genuinely of special architectural or historic interest.*
 - (2) *To comment on the factual basis of the draft appraisal guidance and to suggest corrections based on alternative evaluation and evidence.*
- 1.5 As set out in s69 of the 1990 Act defines a CA as 'an area of special architectural character or historic interest, the character of which it is desirable to preserve or enhance.'
- 1.6 We have considered the draft Tonge Conservation Area Appraisal Review (2020), inspected the site and reviewed relevant guidance. Our conclusion is that the Council makes unsubstantiated claims about the significance of the land within the Conservation Area, and the land which comprises its setting, and needs to revisit the assertions made in the Appraisal.
- 1.7 The extent of the Conservation Area and the land contained within it is shown at Appendix 1.0 to this representation.
- 1.8 This conclusion is based on the inappropriate use of the Council's powers under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as the '1990 Act') and the requirements of the National Policy and Guidance relating to Conservation Area designation.
- 1.9 The Local Planning Authority (LPA) in this case is Swale Borough Council (hereby referred to as 'the Council'). The draft appraisal on the Council's website dates from 2020 and has been written by an independent consultant for the LPA.

Overview of the Representation

- 1.10 We have carried out our own assessment of the character and appearance of the Conservation Area based on our own site visits undertaken in April 2019 and November 2020 and find that the Appraisal makes numerous unsubstantiated claims to significance based on asserted historical associations or the suggestions of 'possible' connections without evidence presented as part of this consultation exercise. It is on that basis that the Appraisal makes recommendations for key views in the area, the contribution made by setting to the overall character of the area, and the conservation and maintenance of the area.
- 1.11 It is our view that these recommendations should not be supported by the Council and we set out the reasons why in this representation.
- 1.12 Our own assessment is based upon a thorough 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).

- 1.13 Our analysis draws on the expertise of Dr Paul Stamper, an acknowledged historic landscape expert and who has assisted in the preparation of this report.

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

Statutory Provision

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

National Policy and National Guidance on Defining Boundaries

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

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

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

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

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

- *revising the management strategy.*

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

- 2.11 In finalising the Conservation Area boundary, guidance states that it is important to consider '*whether the immediate setting also requires the additional controls that result from designation, or whether the setting is itself sufficiently protected by national policy or the policies in the development plan*' (page 4).
- 2.12 Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.

3.0 CRITIQUE OF THE DRAFT CONSERVATION AREA APPRAISAL

Accuracy of the Tonge Conservation Area Appraisal and Suggestions for Modification

3.1 In the following discussion, we identify the particular areas where claims of significance have been overstated in the CA Appraisal and give our own assessment of the issues.

3.2 The issues we have assessed and request the Council review and formally respond to as part of the next round of the consultation exercise are as follows:

- Historic interest and age of the landscape features identified in the Appraisal;
- The Council's assessment of the significance of different features in the CA;
- The Council's overall assessment of significance of the CA
- Our assessment of the 'key views' identified in the CA Appraisal; and
- Our overall summary of significance and contribution made by setting.

3.3 We begin with our own description of the historic development of the area with input from the research of Dr Paul Stamper.

The Historic Development of the Landscape

3.4 In 1798 Edward Hasted, the historian of Kent, characterised the parish of Bapchild as follows:

'It contains about 1300 acres of land, of which not more than ten acres in the southern part of it are wood; that part of the parish on the northern side of the road is a flat and low country, almost on a level with the marshes, and is equally unhealthy as Bapchild, perhaps more so, even to a proverb, as lying lower, and rather more exposed to the marsh vapours; however the lands are exceedingly fertile for corn, being the same kind of round tilt land which extends along this plain. There is no village, the church stands about a mile northward from the road; the scite of the old castle is three fields only from the north side of the road, and is plainly seen from it.'

3.5 The maps we have included below, covering 150 years from the late 18th century (almost exactly when Hasted was writing), show how the landscape around the Conservation Area has gradually evolved, with substantial changes to its character. In 1796 there were still traces of the medieval landscape, notably in strip-field field boundaries. By the 1870s these had been removed entirely. By 1897 there had been a radical change to the character of the landscape with the large-scale planting of orchards across the whole area. These remained a widespread feature of the countryside around Bapchild until at least the late 1960s. There are fewer today - there is a well-tended orchard which forms part of the area referred to in the draft Appraisal as the 'country park. That term has no historic basis and we comment on that later in this representation.

3.6 This is important to note: the landscape around the historic core site which comprises the mill buildings and the waterways in the northern part of the CA, where it is still possible to appreciate the historic arrangement of these buildings in their historic setting, has changed considerably since the construction of those buildings and as a result contributes much less to an understanding of the intrinsic significance of the CA.



Figure 1 – Ordnance Survey in 1796. Indication that the ornamental grounds on the castle site seen in 1872 are already established. Occasional orchards stand around Bapchild and the castle site. An irregular pond appears to lie south of the spring head. On the north-east edge of Bapchild, and east of it, are what appear to be enclosed open-field strips. Source: BL OSD 113.

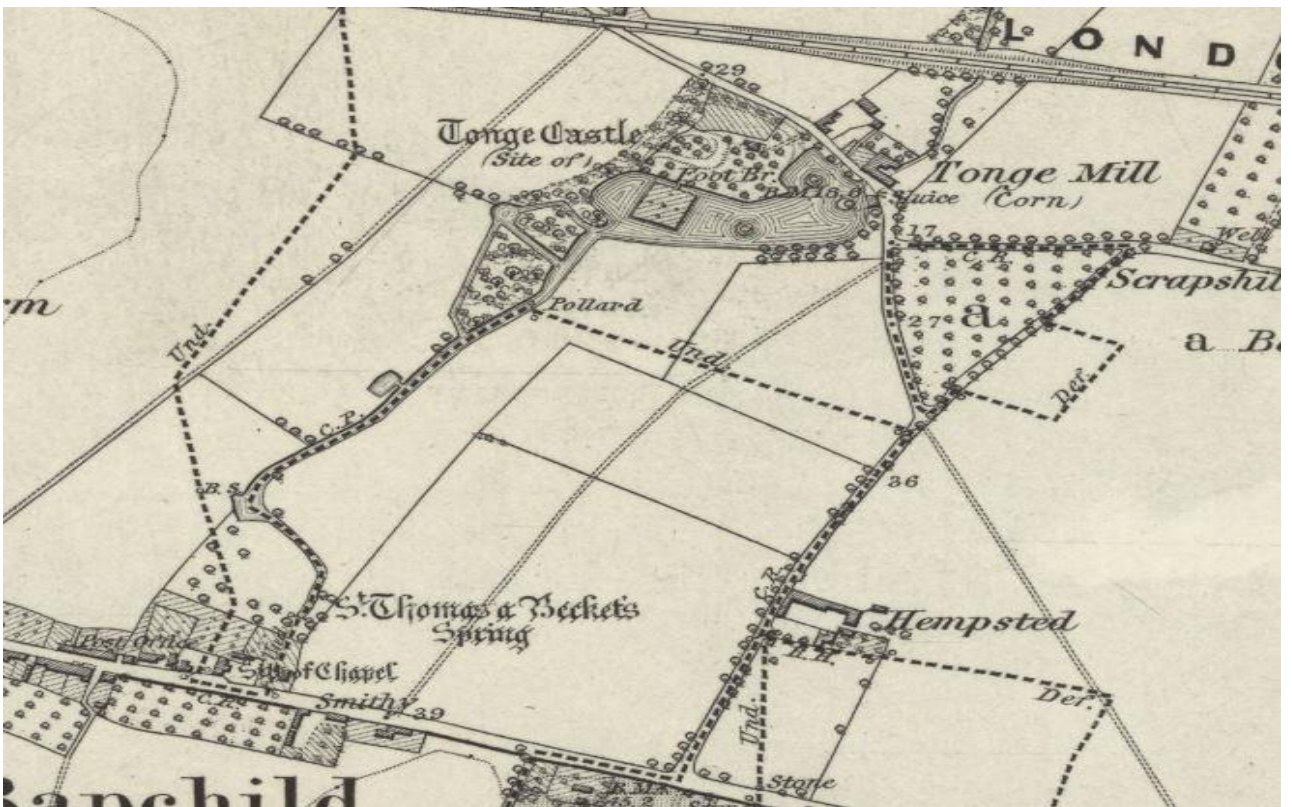


Figure 2 – By 1872 the softly curving field boundaries have been straightened, and north of the village the narrow east-west fields have been removed. The castle site appears to be laid out as ornamental grounds, with an island forming a probable formal garden in the mill pond. Source: OS 25 inch map, Kent sheet XXXIII.2.

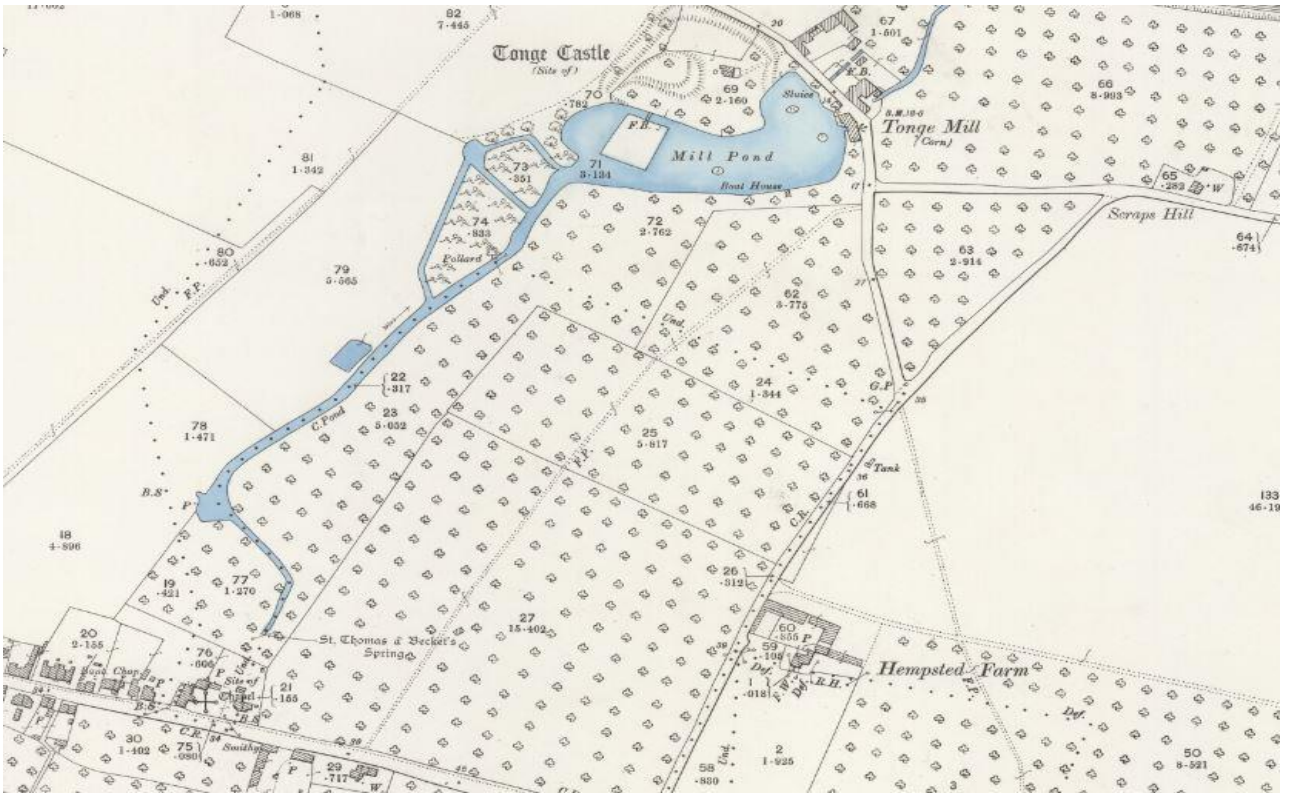


Figure 3 – The landscape in 1897. The hospital site and spring are marked. East of the mill stream, and south of the Watling Street, much of the land has been planted as orchards which are now the dominant land-use. Source: OS 25 inch map, Kent sheet XXXIII.2.

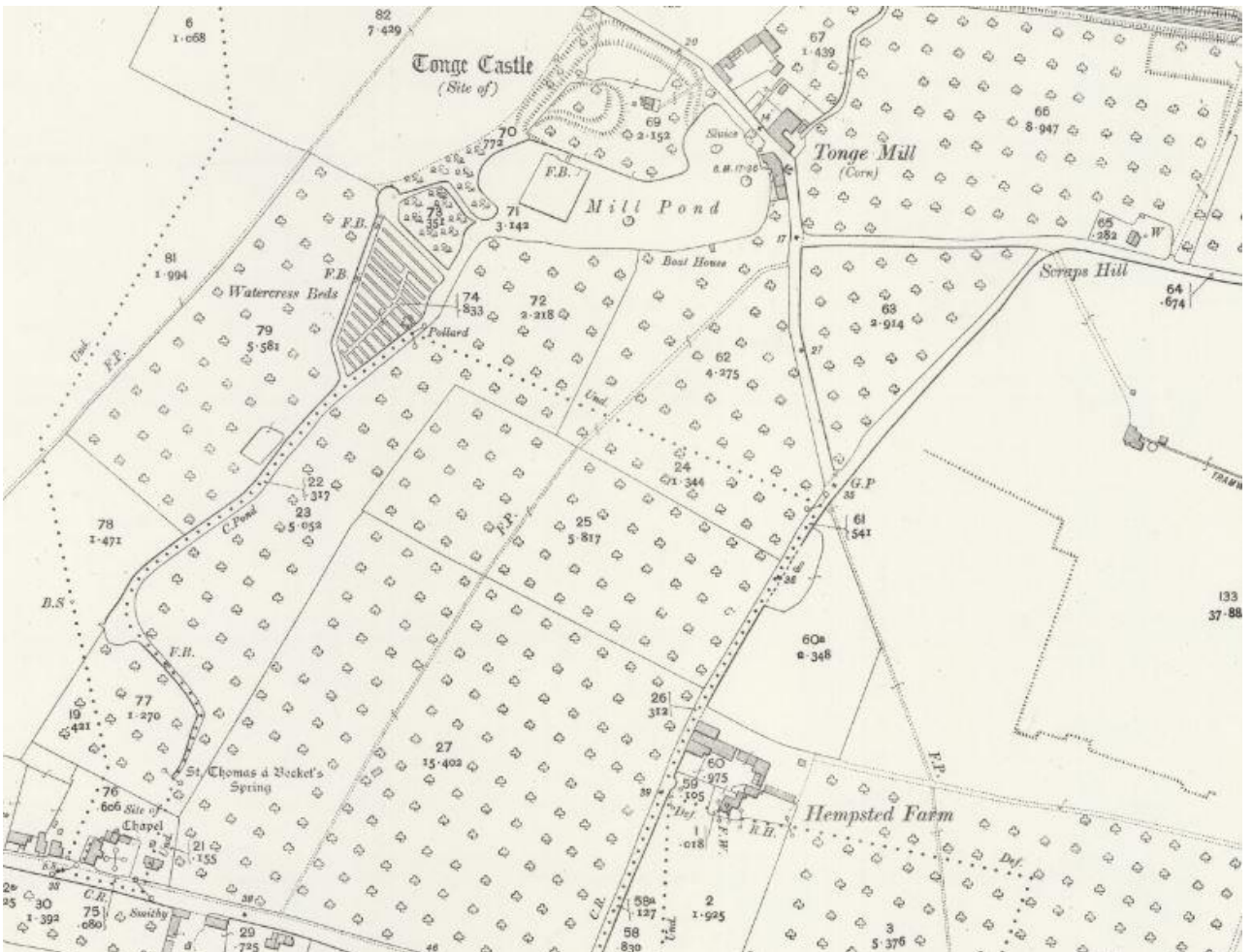


Figure 4 – An orchard has been planted west of the mill stream, and watercress beds established. Source: OS 25 inch map, Kent sheet XXXIII.2.

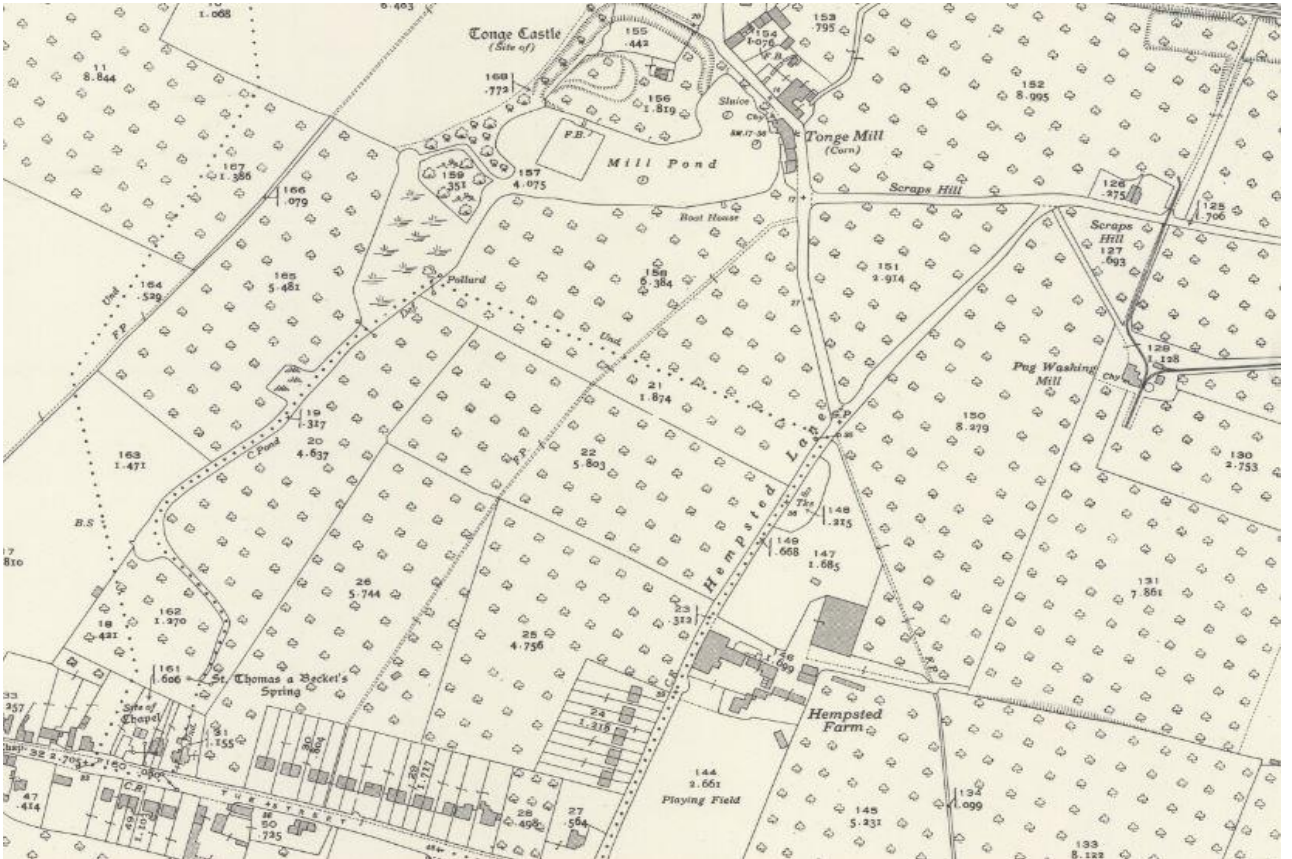


Figure 5 – By 1946 even more orchards have been planted. The square island in the mill pond remains. Source: OS 25 inch map, Kent sheet XXXIII.2.

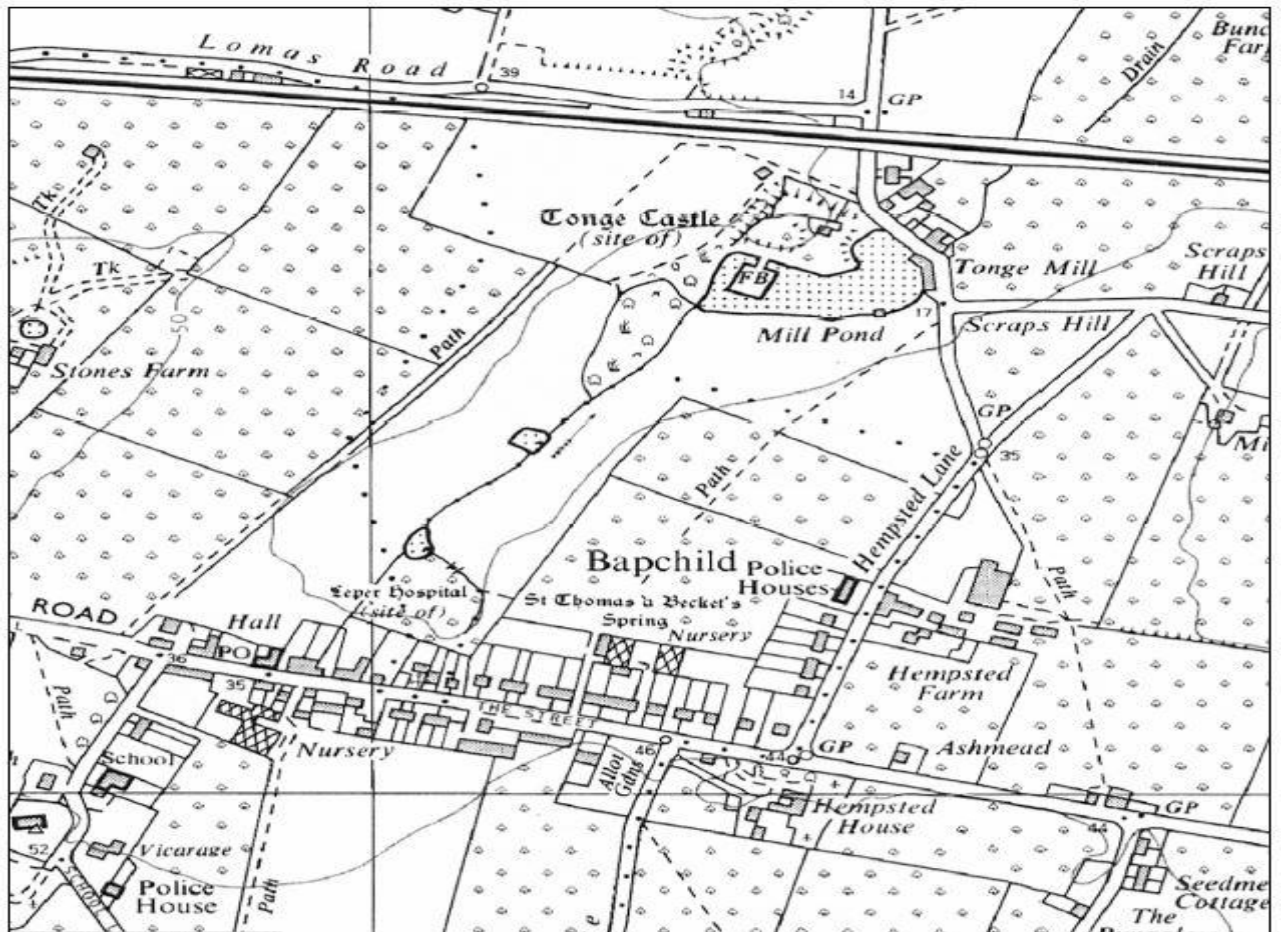


Figure 6 – By 1967 orchards have been cleared from south of the mill pool. Fruit trees remain on the PDA, with a nursery and glasshouses behind the houses fronting the A2, 'The Street'. The square garden island remains in the mill pool. Source: Promap.



Figure 7 – ‘Modern Aerial photograph’ – taken from page 19 of the CA Appraisal.

Historic Interest and Age of the Landscape Features Identified in the Appraisal

- 3.7 Map 5 provided on Page 18 of the document is inaccurate on the basis of the historic map progression and photograph provided from the Appraisal above and needs to be corrected.
- 3.8 The age of the landforms and landmarks are not accurately represented and we provide comment as follows.
- 3.9 We would agree that the watercourse leading south from the millpond has associations with the historic spring in this area, but it is not of special landscape or identifiable historic significance to warrant a designation. There may have been a record of a stream here from the C12 but it is inaccurate to label it as dating from that time since it is a natural water feature. The labels as shown ascribe too much importance to the watercourse.
- 3.10 Similarly it is inaccurate and misleading to label the area of land to the north of the CA, encompassing the former Tonge Castle which has now been built over with a C20 bungalow, as dating ‘from the C12 to C16.’ This should be corrected to reflect the fact it has been built over and is barely recognisable as a medieval feature and more readily appreciated as a C20 dwelling.
- 3.11 Later, on page 25 of the Appraisal it is acknowledged that the former Tonge Caste ‘... consists of a very degraded and altered motte and bailey and later fortified manor. The site is now occupied by a bungalow built c1970s replacing 19th

century cottages. The whole of the castle site is now a garden and tree planting now screen its ditch and banks on the northern side.'

- 3.12 This is wholly inconsistent with Map 5 and the map needs to be corrected.
- 3.13 The area referred to as the 'Country Park' is not an area of landscape that dates from the C17/C18. This is significantly overstating any historic interest this area might have and needs to be revised to make it clear the area was laid out as orchards in the C19 – when the former character of the land was swept away - and modern field boundaries put in from the mid-1940s. We comment further on this over the page of this representation.
- 3.14 We would question the inclusion of so much land within the CA which bears little resemblance to its original arrangement and which thereby limits its contribution to the significance of the core of the special area. Historic England guidance makes it clear, that: '*Conservation area designation is not generally an appropriate means of protecting the wider landscape (agricultural use of land falls outside the planning framework and is not affected by designation as a conservation area) but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates.'*

The Council's Assessment of the Significance of Different Features in the CA

- 3.15 We have also completed a review of significance of the key features identified in the Appraisal as contributing to the special interest of the area. That is the former **Tonge Castle**, the **Tonge Hospital** and the **Thomas a Beckett Spring**.
- 3.16 *Tonge Castle*. The supposed castle site is not scheduled, which would identify it as a site of national importance.
- 3.17 In this case were scheduling to be considered, taking the HE selection guide to 'Pre-1500 Military Sites' as a guide, in our professional view and on the recommendations of Dr Paul Stamper, it is unlikely that such a designation would be supported. That is because there is little real understanding of the original date and character of the site, because it is much degraded, and has a substantial modern house and its garden on its interior.
- 3.18 Some remains are visible from the public realm. At best these might be assessed as having 'local list' quality.
- 3.19 *Tonge Hospital*. Again, the supposed hospital site is not scheduled. If the traditional identification of the hospital's location is correct, its site was likely to have been already built over by the end of the 19th century. As noted above, there were some 700 hospitals in the Middle Ages meaning this is not a rare site-type, although the location of this example on a major pilgrim route would add to its interest.
- 3.20 The site will be on the Kent HER, and at best is assessed as having 'local list' quality.
- 3.21 The label of the 'Site of St. Thomas Hospital?' on page 9 of the Appraisal needs to be updated. There is no evidence to suggest a hospital in this location.
- 3.22 *St Thomas Becket's Spring*. The area has a long history of settlement related to the presence of the water source - the spring and associated stream - which runs through the area along its western boundary and feeds the mill pool. The built heritage now present in the area is focussed at its northern edge and comprises the earthworks of Tonge Castle as well as 19th century examples of Kentish vernacular industrial architecture. Most prominent, and with a landmark quality, is the grade II listed Tonge Mill, a 19th century steam mill on the site of an earlier water mill.
- 3.23 To the south, the CA boundary extends to include the line of the stream and the spring known as Thomas a Becket's Spring. The spring is likely to have been the water source for the hospital of St. James, 'Pokeleshal,' in the parish of Tonge, the supposed site of which, to the south of the spring head, is likely to be under the modern housing now fronting the A2. While a natural feature, this has been an important water source since at least the late 11th century and is only of local interest.
- 3.24 *The 'Country Park.'* The Appraisal considers the character and value of the area known as the 'Country Park on page 26 to page 27.

- 3.25 Firstly, the definition of this area as a Country Park is misleading and is a reflection only of the former use of the area as a recreational amenity area. This area has not been landscaped or planned in a way that would suggest it is of historic or architectural significance as a 'country park.'
- 3.26 Further, the land does not have particular historic or architectural significance. The present configuration of the land to the south of the mill pond dates from following the Second World War, when the orchard landscape started to be cleared to the south of the mill pond.
- 3.27 This needs to be corrected on Map 5 on page 18 as discussed.
- 3.28 There are not clear views of the significant mill group to the north of the millpond, views are restricted from this area looking north by the tree bunding and orchard layout.
- 3.29 The land remains privately owned and the only 'secure' access is the public right of way which leads from the mill along the southern side of the mill pond and exits the Conservation Area through a traditional style orchard.
- 3.30 The Appraisal states that '*Nonetheless this land remains a locally valued and much used asset,*' but this is not an accurate statement.
- 3.31 The area is of course a pleasant area with rural associations but it does not retain historic significance as the title of 'Country Park' would suggest.
- 3.32 In conclusion, this area does not comprise an area of formal parkland as the name would suggest, but is an area of leftover orchard plantations. There are no man made features which would denote a landscape of particular value. The country park title reflects the Council's reference to an area with former recreational value, as opposed historic or architectural significance. The label should be removed.

The Council's overall assessment of significance of the CA

- 3.33 The Appraisal sets out a summary of the main facets of significance which lend the area its special character and we comment with our own assessment under each.

- *Surviving earthworks of Tonge Castle, and fortified manor – the earthwork and its environs have high potential for Medieval and Post Medieval archaeology.*

Later, on page 25 of the Appraisal it is stated that the former Tonge Castle '*... consists of a very degraded and altered motte and bailey and later fortified manor. The site is now occupied by a bungalow built c1970s replacing 19th century cottages. The whole of the castle site is now a garden and tree planting now screen its ditch and banks on the northern side.*'

The area is evidently hugely degraded and should not be ascribed significance. We urge the Council to review our own assessment of the earthwork. This element of the statement of significance should be revised to reflect this.

- *Archaeological potential for prehistoric and Roman activity in the landscape and perhaps focused on the spring.*

This is an assertion. The Council need to explain what it meant by 'perhaps.' Extensive archaeological evaluation work would be needed to corroborate this claim.

- *The spring and stream have paleo-environmental potential.*

Again, this may be correct but the Appraisal needs to identify specifically where this potential lies and explain what the implications of that are. Archaeological interest is not a reason for CA designation.

- *Association with legend of Vortigern, Hengist and Horsa.*

The Appraisal confirms on page 13 that the story of Hengist and Vortigern has no archaeological evidence to support it.

The Appraisal goes on to say that *'It is however likely that there was some form of fortified settlement at Tonge from the 7th century onward. Due to its strategic position on coastal lands and the ready supply of water from the springs at Bapchild.'*

This is simple assertion and should be substantiated with evidence. Significance to the area should not be attributed on this basis.

- *Association between the spring, the cult of Thomas Becket and grounds of former leper hospital.*

The Appraisal has limited information on the provenance and interest of the location of a hospice in this area. It is stated on page 17 that *'A Mediaeval leper hospital was developed alongside the stream, and it is possible that the stream become a popular stopping point for pilgrims on their way to Canterbury.'* [our emphasis].

This is conjecture. The association with the pilgrimage activity needs to be substantiated before significance is attributed to this.

The map on page 9 is in error. The label showing the location of the hospital is not correct and needs to be accurate.

- *The historic mills include rare and attractive examples of Kentish vernacular industrial architecture and history.*
- *History of milling dating from 1086 to the 20th century utilising wind, water, and steam power.*
- *The stream and millpond and their relationship to the castle and mills.*

We agree with these statements.

- *Area of informal recreation and varied natural habitat to the south of the millpond*

This is a more accurate description of the area labelled as the Country Park and that label should therefore be removed.

Our Assessment of the 'Key Views' Identified in the CA Appraisal

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

- **View 1a** *Local view from outside of Conservation Area at Scraps Hill towards the mill.*
- **View 1b** *View eastward across area of historic grazing up to Scraps Hill from adjacent to the Old Mill. The railway embankment is screened by the trees on the left hand side of the picture.*
- **View 1c** *View from just north of the junction of Scraps Hill and Church Road looking northwest*

3.35 We do not see what these add to the understanding of the character and appearance of the CA.

3.36 The contribution made by the surrounding fields as seen from the core of the interest of the CA, and views to the surrounding landscape, are limited by the rise of the landform to the north east and the vegetated boundary of the railway embankment which forms the CA's northern boundary.

3.37 To the south and east, the visitor has no sense of the qualities which give this area its special architectural and historic interest warranting its designation; views from The Street and Hempstead Lane are prevented by modern housing and dense hedgerows respectively. From the west, while views towards the CA are obtained from the public footpath towards

the stream and spring, there is no visual indication that the watercourse is of any historic interest or has value beyond its quality as a natural feature.

View 3a – *Southwards from edge of meadow towards Spring Head and Watling Street*

- 3.38 This is not an accurate description of this view and is not of particular amenity or heritage value. It is in fact quite an enclosed view across the heath, bounded by the low hedge tree line. Suburban housing can be seen to the left and a hedge to the right.

View 5a – *180 degree view northwards towards chimney from outside of the Conservation Area where public right of way exits the settlements on the north side of Watling Street. From here you can appreciate the relationship of the spring, stream, and mill.*

- 3.39 It is not possible to see the significant relationship between the historic mill buildings and the waterways and should be reworded to reflect this.

View 6a – *180 degree westwards over stream out of Conservation Area [towards future countryside gap].*

View 6b – *View from Public Right of way to the west of the Conservation Area looking east across stream and up the eastern side of the valley.*

- 3.40 We do not see that these view adds to an understanding of the historic significance of the Conservation Area. These views are long distance views with no particular features which make a material contribution. The scraped farmland detracts from the amenity quality of the view in view 6b.

- 3.41 Overall we are of the view that the key views identified in the Appraisal do not add to an understanding of the intrinsic interest of the area.

Overall Summary of Significance and Contribution Made By Setting

- 3.42 The Appraisal sets out at Section 2.4, an overview of the significance of the Conservation Area, concluding that: *'The area's long standing history, the spring head, stream, unspoilt rural land to the east and the grouping of Kentish buildings in a picturesque situation alongside an attractive mill pond, together results in an area of special architectural, archaeological, and historic interest'* [our emphasis].

- 3.43 The historic map progression and our analysis shows that the land to the east is not 'unspoilt' as stated in the Appraisal; it has clearly changed in use overtime. This language needs to be updated to reflect that.

- 3.44 The Tonge CA is unusual in its form and character. It comprises a number of disparate elements set within a small recreational area whose form, particularly to the east, follows land boundaries largely established in the later 20th century.

- 3.45 It is clear from historic maps and the history of the area that the evolution of the CA's landscape and its landscape setting has undergone significant change, both in terms of its boundaries and its use.

- 3.46 In relation to the land to the west of the CA the Appraisal states:

'The land on the western side is now in arable use and virtually devoid of features such as hedgerows and trees; the absence of these features has undoubtedly spoilt the intimacy of the valley.[Note this will soon become a countryside gap as part of the new development to the west with the potential to greatly enhance the appearance of this area.]'

- 3.47 We would agree with this assessment; the land to the west of the CA is not of particular landscape or historic importance and adds little to the intrinsic core value of the group of historic buildings and their relationship with the waterways.

- 3.48 We note that the 'countryside gap' referenced by the Appraisal is not a historic feature and will be created by the new development.
- 3.49 Similarly with regards to views looking across the land to the west of the Conservation Area:
- 'The eastern boundary of the Conservation Area is screened by mature trees and the sunken road at the top end of Church Road, meaning there are no views of the Conservation Area looking due east from the area of Scraps Hill. The railway embankment, aligned east-west along the northern edge of Tonge, is an important feature in the local landscape, especially where the banks are covered with tree growth. This embankment has, in effect, severed Tonge visually from the wide sweep of low lying land to the north including the marshes so that it now forms a well-defined northern edge to the Conservation Area.'*
- 3.50 We agree that there are limited views of historic or amenity value across the land forming the setting of the CA to the west.
- 3.51 We welcome the Council's recognition that modern infrastructure can be incorporated sensitively within the setting of the Conservation Area.
- 3.52 Overall it is clear that the historic evolution of the CA's landscape and its landscape setting has undergone significant change, both in terms of its boundaries and its use. The historic map regression suggests the land to the north east of Bapchild to have been characterised by enclosed open-strip fields, which had been removed by the time of the 1872 OS. The 19th century saw the rapid expansion of orchards on a commercial scale, which extended to meet the banks of the both the mill pond and the stream.
- 3.53 The present configuration of the land to the south of the mill pond - known as the country park - dates from following the Second World War, when the orchard landscape started to be cleared to the south of the mill pond. Thus, the boundary of the CA, while it undoubtedly encompasses features of historic and architectural interest, also includes areas of landscape - the 'country park' - whose form and character is of recent derivation.
- 3.54 The inclusion of these areas, it is assumed, relates to their recreational rather than historic value.

4.0 INAPPROPRIATE USE OF STATUTORY DESIGNATION

- 4.1 The latter sections of the draft appraisal, Section 3.4 Management Objectives and Approach and Section 3.5. Conservation Area Objectives and Priorities for Management and Action, set out recommendations for protection and enhancement of the Conservation Area.
- 4.2 Section 3.4 states in relation to 'New Development Opportunities' that: *'Any new buildings or renewal of existing sites need to consider the management priorities set out below. Development within the settings of the Conservation Area should conserve the historic grain of the mill and avoid the infilling of the remaining rural countryside setting to the east and south of the Conservation Area.'*
- 4.3 The objectives include the following statements which require further explanation to fully demonstrate the meaning and implications of these recommendations.
5. *Protection of the landscape around the Conservation Area and the important role this plays in providing it with an attractive and contextually appropriate rural setting, which focuses on the heritage interest which informs the significance of the Conservation Area.*
 6. *Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area*
- 4.4 The Council has not described on what basis the landscape around the CA possesses 'heritage' interest. This needs to be explained in the evidence base with clear grounds for genuine architectural or historic interest.
- 4.5 Given we have been able to discredit the claims in the report that the fields to the west of the existing boundary does not make a special contribution to the interest of the CA, the land management techniques to ensure the farmland functions as it should, need to be allowed to continue unhindered by the CA designation. It is concerning the effect the CA designation may have on the ability to continue necessary land management practices given the designation is based on unsound evidence.
- 4.6 The Council has not identified what these non-designated heritage assets are within the Conservation Area. We politely request these are made available as part of the evidence base.

5.0 CONCLUSIONS

- 5.1 This report has been produced on behalf of Quinn Estates in reply to the proposed adoption of the Tonge Conservation Area Appraisal.
- 5.2 This report presents a reasoned rebuttal to the statement of significance and recommendations for management as they are set out in that document, based upon the inappropriate use of the Council's powers under Section 69 of the Act.
- 5.3 The draft appraisal (2020) completed in support of the Conservation Area extension does not provide any justification for the designation and assessment of significance as it is presented now and needs to be updated and re -consulted on before any decisions are made with regards to the designation extension and the contribution the surrounding land makes to the special interest of the area.
- 5.4 We submit this strong objection to the proposed Appraisal for the reasons presented above and request the Council review and correct the statement for re-consultation. We also reserve the right to comment further following the Council's response to this representation.

APPENDIX 1.0

Map indicating the areas considered in the representation



Map 1: Conservation Area boundary with proposed additions and Listed Buildings

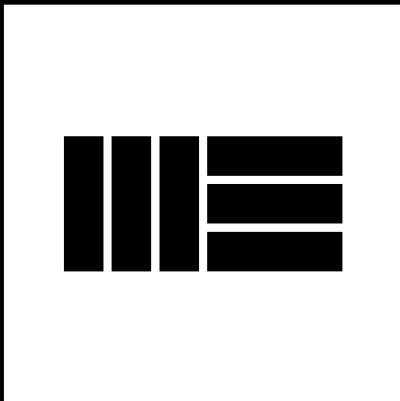
0 0.25 0.50 0.75 1 km

Legend

- ▭ Tonge Conservation Area
- ▭ Proposed boundary extension(s)
- ◆ Listed Buildings

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