

Heritage Statement

Full Planning application for Erection of 9
Dwellings.

at

Land at Hayle Place Cripple Street Maidstone
Kent. ME15 6D

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1 Introduction

- 1.1 This Heritage Impact Assessment has been prepared on behalf of the Applicant. It relates to a proposal for nine houses and associated garages and access on land east of Hayle Place
- 1.2 This report should be read in conjunction with the full suite of submitted documents, including the drawings and site layout prepared by APX Architecture.
- 1.3 The closest designated heritage assets to the application site at Hayle Place (Grade II), located 100m to the north west. Hayle Place was designated a Grade II listed building on 31 July 1951 (listing 1273759). The listing reads as follows:

CRIPPLE STREET 1. 5278 (North Side) Hayle Place TQ 75 SE 11/164 30.7.51. II

A large mid C18 house. 3 storeys red brick. Hipped tiled roof with wooden modillion eaves cornice. Brick stringcourse above the ground floor. 6 sashes in moulded architrave surrounds, those on the 1st floor with bolection moulded architraves and projecting cornices over, the 2 centre ones with pediments also. Glazing bars intact except on the ground floor where 4 windows have been converted into large French windows. The doorway is at the side in a porch with pilasters, pediment, semi-circular fanlight and door of 6 fielded panels, L-wing of 2 storeys added behind circa 1830.

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- 1.4 This statement has been prepared to provide Maidstone Borough Council (MBC) with a proportionate assessment of effects of the proposed development on the historic built environment. It is based on a site visit in fine weather in February 2023 and informed by desk based historical research and an assessment of heritage significance. As such the report complies with the requirement within paragraph 196 of the National Planning Policy Framework, 2021.

2 Relevant Planning Policy Framework

- 2.1 The decision maker is required by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building and its setting when exercising planning functions. The decision maker must give considerable importance and weight to the desirability of preserving the significance of the listed building, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.
- 2.2 There is a broadly similar duty arising from section 72(1) of the Act in respect of planning decisions relating to development within conservation areas. For the purposes of this statement, preservation equates to an absence of harm. Harm is defined in paragraph 84 of Historic England's Conservation Principles as change which erodes the significance of a heritage asset.
- 2.3 The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF) as being made up of four main constituents:
 - architectural interest;
 - historical interest;
 - archaeological interest; and
 - artistic interest.
- 2.4 The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.
- 2.5 The setting of a heritage asset can contribute to its significance. Setting is defined in the NPPF as follows: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 2.6 Historic England has produced guidance on development affecting the setting of heritage assets in The Setting of Heritage Assets (second edition, December 2017), better known as GPA3. The guidance encourages the use of a stepped approach to the assessment of effects on setting and significance, namely (1) the identification of the relevant assets, (2) a statement explaining the significance of those assets, and the contribution made by setting, (3) an assessment of the impact of the proposed development on the setting and significance of the assets, and (4) consideration of mitigation in those cases where there will be harm to significance.
- 2.7 The NPPF requires the impact on the significance of a designated heritage asset to be considered in terms of either "substantial harm" or "less than substantial harm" as described within paragraphs 201 and 202 of that document. National Planning Practice Guidance (NPPG)

makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset. The Scale of Harm is tabulated at Appendix 1.

- 2.8 Paragraphs 201 and 202 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit.⁶ Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 180 of the same NPPG makes it clear that it is important to be explicit about the category of harm (that is, whether paragraph 201 or 202 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

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

- 2.9 Paragraphs 199 and 200 of the NPPF state that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.
- 2.10 One of the overarching objectives of sustainable development, as expressed in paragraph 8 of the NPPF, is mitigating and adapting to climate change, including moving to a low carbon economy. Historic England has a Climate Change Strategy, and has published Mitigation, Adaptation and Energy Measures. More specifically, Historic England has published a Heritage and Climate Change Carbon Reduction Plan (March 2022). These and similar strategies run in parallel with heritagespecific methodologies relating to the assessment of significance, and the effect of change on significance.

Maidstone Borough Local Plan (2011-2031)

Relevant policies are:

DM4 Development affecting designated and non designated heritage assets.

- 1 *Applicants will be expected to ensure that new development affecting a heritage asset incorporates measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting.*
- 2 *Where appropriate, development proposals will be expected to respond to the value of the historic environment by the means of a proportionate Heritage Assessment which assesses and takes full account of:*
 - i. *Any heritage assets, and their settings, which could reasonably be impacted by the proposals;*

ii. The significance of the assets; and

iii. The scale of the impact of development on the identified significance.

- 3. Where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, applicants must submit an appropriate desk-based assessment and, where necessary, a field evaluation.*
- 4. The Council will apply the relevant tests and assessment factors specified in the National Planning Policy Framework when determining applications for development which would result in the loss of, or harm to, the significance of a heritage asset and/or its setting.*
- 5. In the circumstances where the loss of a heritage asset is robustly justified, developers must make the information about the asset and its significance available for incorporation into the Historic Environment Record*

3. Heritage Significance Context

- 3.1 The application site is located on land outside the settlement boundary of Tovil and Loose villages on land that was previously a former local cricket pitch and pavilion.
- 3.2 The footpath toward along the northern boundary of the site connects with Postley Road where there is a former lodge house.
- 3.3 Little change occurred over the later part of the 19th and early 20th centuries. New housing had started to appear north of the site. Most recently housing was added to the east of the site on allocated land.

4. Heritage Impact Assessment

- 4.1 This chapter of the report assesses the impact of the proposed development on the significance of the heritage assets identified in the previous chapter, including effects on the setting of those assets. It equates to Step 3 of GPA3, which has a close connection with Step 2. This chapter should be read in conjunction with the preceding chapter,

Proposed Development

- 4.2 It is proposed to build nine houses with garaging and associated works at the application site. The houses will be situated to the eastern side of the site the furthest point away from Hayle Place. The housing will be alongside existing houses and village to the southwest of the site. A set back front building line is proposed, enabling the mature vegetation at the west and northwest corner of the site to be maintained. An access road is to be located off Teasaucer Hill giving access to the site. A footpath would be maintained along the north boundary of the site.
- 4.4 The detached houses are proposed to be a combination of four and five bedroom units. The car garaging to the rear would be subordinate structures, forming an agricultural edge to the development. The northwest corner of the site will be green open space.
- 4.5 The houses are proposed to be vernacular in character and architectural detailing, using local precedents and materials (flint, black weatherboarding, white render)

Impact on Hayle Place

- 4.6 There will be no anticipated impact on the heritage values of Hayle Place resulting from the proposed development of housing. The houses themselves will be set back from the listed building, which is over 100m at its closest point. Views toward the site would only change as one approached the site. Mature vegetation along the road boundary will preserve the rural character of the area.
- 4.7 Views possible from the footpath travelling north from Loose toward the application site would change, with the inclusion of a small number of houses which follow the established pattern of development. This change would not affect the ability to appreciate the heritage values of the conservation area.
- 4.8 The following photographs show the site and surroundings. While the new houses are likely to be more visible in winter months when the leaves are off the trees, the distance and separation between the site and the conservation area mean there would be no impact on key views into or out of the area and no impact on significance.
- 4.9 The development is modest in scale and located away from the listed building. It would not affect the rural setting of Hayle Place. As described in section 3 the setting of Hayle Place is defined by its

immediate setting. While its former function means the wider agricultural setting forms part of its significance the application site itself does not contribute to its heritage value, nor the heritage value of the building itself.

- 4.10 The new houses and garaging will be appreciable from upper floor windows on the east side of the listed building. The visibility of these new houses will not affect an appreciation of the heritage values of the listed building or affect its relationship with its setting or the listed building.
- 4.11 The site is at such a distance, and separated from the listed building by landscaping and open space development that it would not affect the setting of either listed building. No harm would occur as a result of the development,

5 Conclusions

- 5.1 Taking into consideration the specific site circumstances and the heritage significance of Hayle Place (grade II*) this report concludes no harm would occur to the historic built environment.
- 5.2 Paragraphs 201 and 202 of the NPPF, 2021 are not engaged by the proposal. Granting planning permission for this development would not cause conflict with the statutory duty in s.66 or 72 of the Planning (listed building and conservation areas) Act, 1990. All the designated heritage assets in the vicinity of the site would be preserved.
- 5.3 The proposed development is a small, locally influenced form of development that can be accommodated on the edge of Loose without harm heritage significance.

Appendix I: Hayle Place (Historic England Listing)

Statutory Address:

HAYLE PLACE, CRIPPLE STREET

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

County:

Kent

District:

Maidstone (District Authority)

Parish:

Tovil

National Grid Reference:

TQ 75827 53814

Details

CRIPPLE STREET 1. 5278 (North Side) Hayle Place TQ 75 SE 11/164 30.7.51. II

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Legacy

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Legacy System number:

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