


HERITAGE REPORT



PROPOSED DATA STORAGE
FACILITY AT;
FORMER RAF MAST SITE
COURTENAY ROAD
DUNKIRK
KENT ME13 9LH

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1. INTRODUCTION

- 1.1. Robinson Escott Planning has been instructed by Origin Power Limited to advise in relation to a proposed Data Storage Facility and associated parking, and also to prepare a Heritage Report, relating to land associated with the Former RAF Site, Courtenay Road, Dunkirk, ME13 9LH.
- 1.2. We are familiar with the site and its planning history having advised the owner of the site in respect of a previous permission granted by Swale Borough Council on the 9th November 2018 under Council reference 16/507586/FUL.
- 1.3. The current application is, in effect, for a renewal of this previous planning permission which has now expired.
- 1.4. In preparing this Heritage Report, we have had full regard to the planning history, to relevant national planning and heritage policy as set out in the National Planning Policy Framework 2021 and also to Development Plan policy set out in the Swale Borough Local Plan (Bearing Fruits) 2031.
- 1.5. Regard has also been had to the statutory duty imposed by Section 66 (1) of the Planning (Listed Building & Conservation Areas) Act 1990 to have special regard to the desirability of preserving a Listed Building and its setting when exercising planning functions.

2. THE SITE & SURROUNDING AREA

- 2.1. The application site forms the southern and south western part of a much larger, essentially, rectangular area of land comprising the former RAF Radar Mast, Dunkirk. The former RAF Radar Mast is a Grade II Listed Structure and lies within a secure compound within land designated as Countryside but adjacent to the built up area boundary of Dunkirk.
- 2.2. The southern and south western part of the overall site is a fenced off compound which fronts onto Courtenay Road and is adjoined by existing residential development on its southern side and faces residential development on the eastern side of Courtenay Road.
- 2.3. To the north west of the Mast and mostly beyond the immediate fenced compound, is a larger area of land that once formed the RAF Dunkirk Chain Home Radar Station, featuring a range of buildings and groundworks and the remains of other former Masts. This land is protected as a Scheduled Ancient Monument.
- 2.4. The former RAF Mast was built in 1937 and was used during the second world war as it had a clear line of sight to central London and is close to high capacity cables under the old A2.
- 2.5. Following the demise and decommissioning of the site by the RAF, the United States Air Force (USAF) used 30 telecommunications stations across the UK, including Dunkirk as microwave relay stations to provide a comprehensive voice and data service until 2006.
- 2.6. Following cessation of use by the USAF, the site was sold by the Ministry of Defence in 2006.

3. PLANNING HISTORY

- 3.1. Planning permission was refused contrary to the Officer recommendation in 2013 for a building to be used as a Data Centre located within the south eastern corner of the site close to the boundary with No. 7 Courtenay Road.
- 3.2. An appeal against the Council's decision was dismissed on 13th November 2013. The Inspector rejected the scheme purely because of the impact of the mass of the building on the adjacent bungalow to the south. He also made it clear in paragraphs 15 & 16 of the decision that the proposal was appropriate in the countryside location. He stated that;

"The Council suggests that the location of the appeal site outside the defined built up area of the village renders the proposal unacceptable in principle and has negative implications for sustainability. However, this is a tenuous and somewhat spurious argument.

As previously indicated, the site immediately abuts the built up area and this, necessarily, tempers concerns that might otherwise arise regarding the effects of development on the wider countryside or the drawing of vehicular traffic into the rural area in contravention of sustainability principles. In any event, in respect of the latter it must be borne in mind that the definition of sustainable development proposed in the NPPF encompasses a much wider range of considerations, including the protection of the historic environment and contributing to the economy, which the appeal proposal would help to fulfil. Indeed, a presumption in favour of sustainable development is inherent in the NPPF. I note that there is a bus service in close proximity, albeit described by the Council as infrequent, that would be likely to reduce reliance on the private car for transport. It is also pertinent that the site is underutilised brownfield land which the proposal would help to bring back into active use. I therefore find no serious conflict with saved LP Policies SP1, SP3, SP5 or T5, draft RLP Policy CP1 or the NPPF in this particular regard.

I acknowledge that a data storage and exhibition facility does not necessarily demand a rural location. However, such a simplistic approach pays insufficient regard to the particular attributes of the appeal site, as the radar tower itself dictates the logic of the locational choice. The height of the tower is such that it provides a clear line of sight to London that would facilitate wireless data transfer. The scheme would also take advantage of the high quality underground fibre optical network that already serves the site. Moreover, it would not only highlight the historic role of a significant heritage asset but would

also provide a means of funding its maintenance. The availability of an alternative site with similar attributes in the wider locality strikes me as most unlikely.

The Appellant builds a very strong case on the basis for departing from saved LP Policies E6, SP5 and SH1 and the NPPF in this regard and I am satisfied that there is no sound reason for taking issue with the arguments thus presented. Indeed, I find that there would be good reasons for the project to go ahead somewhere on this site even if the financially based 'enabling' argument pursued by the Appellant were to be disregarded. I therefore conclude that the unique set of circumstances associated with the appeal scheme provides solid grounds for departing from locational policies in the development plan and the NPPF.

This being so, the proposal would not set a precedent for widespread development outside village confines to the cumulative detriment of the countryside or undermine sustainability objectives."

- 3.3. A further appeal in March 2015 for a subsequent revised application was also dismissed on heritage grounds because of the location of the building much closer to the base of the Mast. The Inspector noted;

"I note the earlier appeal decision (ref 2197279) found unique circumstances that the principle of a data storage and exhibition facility within the appeal site was acceptable; I see no reason to take a contrary view in this case. Moreover, I accept that the location of the appeal site is restricted by the desire to use the existing mast for secure communications with both London and the continent. In this respect, I have also taken into account the fact that the use of the site for a data storage facility may assist the continued use and maintenance of the mast, which would help secure the listed building for future generations."

- 3.4. A further application was submitted in 2016 for the erection of a two storey building to be used as a data storage facility with associated parking. The proposed building was now proposed to be located in the south western corner of the site with car parking and a turning area provided to the front of the building and accessed from an existing access onto Courtenay Road. A basement was proposed which was intended to contain all of the necessary plant.
- 3.5. The application was amended during the course of processing to address issues relating to noise, ecology, heritage and archaeology.

3.6. Historic England were consulted and they commented that;

“We do not object to the proposal as we do not think it poses harm to the heritage significant of the nearby listed mast or scheduled World War II Chain Home Radar Station. We think that the new development has been carefully positioned to avoid any encroachment into key views of the listed tower or the associated (and scheduled) transmitter group.

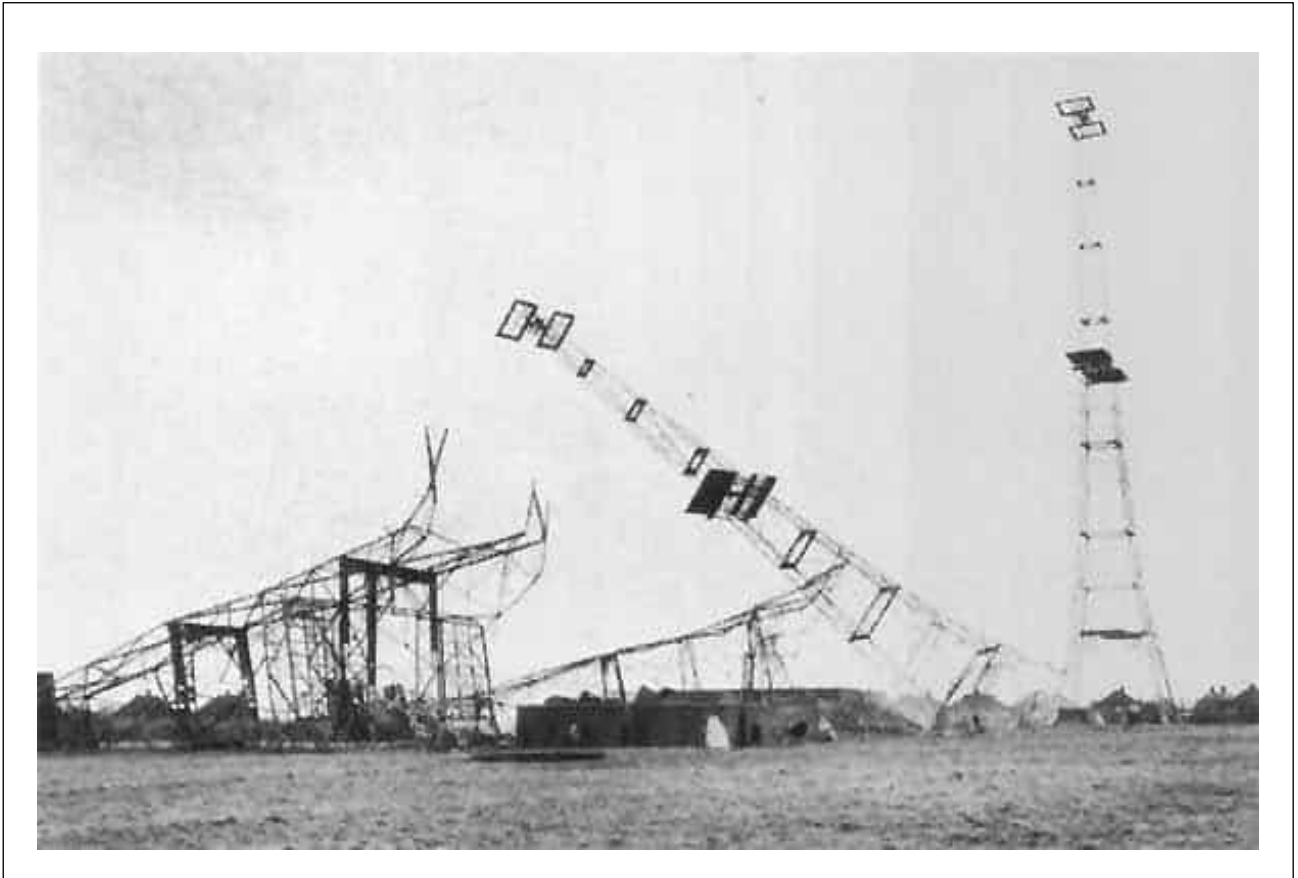
We note that the amended proposal does not include a maintenance/repair schedule for the listed mast. If carried out in accordance with a sensitive methodology, maintenance and repair of the mast should preserve the listed structure’s historic fabric and conserve its heritage significance. We are therefore supportive of this aspect of the proposal, and note that it complies with paragraph 193 of the NPPF, i.e. that “great weight should be given to [a heritage asset’s] conservation.”

We are also supporting of the additional proposal to provide information boards to inform the public of the heritage significance of the site.

We understand that it is the intention of the KCC Heritage Conservation Team to recommend a programme of archaeological work to ensure that any features of archaeological interest are properly examined and recorded. We are supportive of this recommendation.”

3.7. In reporting the application to Committee it was made plain by Officers that, because previous Inspectors had raised no objection to the principle of development it was not necessary to consider the proposal as enabling development. The application was recommended for approval and, following a Committee resolution to grant, the permission notice was issued on the 9th November 2018.

3.8. The permission expired on the 9th November 2021. This application seeks, in effect, to renew this permission.



Dunkirk – 3 of the 4 Type 55 radar transmitter towers being demolished in January 1959

4. **RELEVANT HERITAGE POLICY CONSIDERATIONS**

- 4.1. 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.¹
- 4.2. For the purposes of this assessment, preservation equates to an absence of harm.² Harm is defined in paragraph 84 of Historic England’s Conservation Principles as change which erodes the significance of a heritage asset.³
- 4.3. 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. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF. The setting (surroundings) of a heritage asset can contribute to its significance, and it can be affected by change. 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.”

- 4.4. Historic England has published guidance on development affecting heritage assets in *The Setting of Heritage Assets: Good Practice Advice in Planning Note 3* (second edition, December 2017) usually known as GPA3.

¹ Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and other [2014] EWCA Civ 137

² South Lakeland v SSE [1992] 2 AC 141

³ Conservation Principles, 2008, paragraph 84

- 4.5. Paragraph 200 of the NPPF encourages the better understanding and appreciation of the settings of heritage assets, where possible, thus:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

- 4.6. The NPPF requires a harmful impact on the significance of the 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.⁴

- 4.7. 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. Paragraph 18a-018-20190723 of National Planning Practice Guidance (NPPG) online 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.”

⁴ Bedford Borough Council v SSCLG and Nuon UK Limited [2013] EWHC 4344 (Admin)

5. STATEMENT OF SIGNIFICANCE

- 5.1. The Dunkirk Radar Tower is a Grade II Listed Building. The official listing entry is as follows;

“21607/0/10002 Dunkirk Radar Tower 12-Sep-02

GVII

Chain Home transmitter tower, 1937. Galvanised steel transmitter tower, now truncated. The radar station at Dunkirk in Kent comprised one of the front-line links in the series of Chain Home radar stations that extended from the south coast of England to the east of Scotland. Dunkirk is one of only five sites to have retained any of their original towers. The transmitter tower is the best preserved in situ example in England after the listed examples at Bardsey (Suffolk) and Stango (Lincolnshire), and relates to one of the best preserved and most historically important radar sites in England. Dunkirk played a vital role in Britain’s air defence throughout the Second World War, most famously during the Battle of Britain. The Bofors Tower is Listed Grade I, and other elements of the complex are protected as a Scheduled Ancient Monument. See description of the Bofors Tower and the Scheduled Monument Assessment for further historical details on the site.”

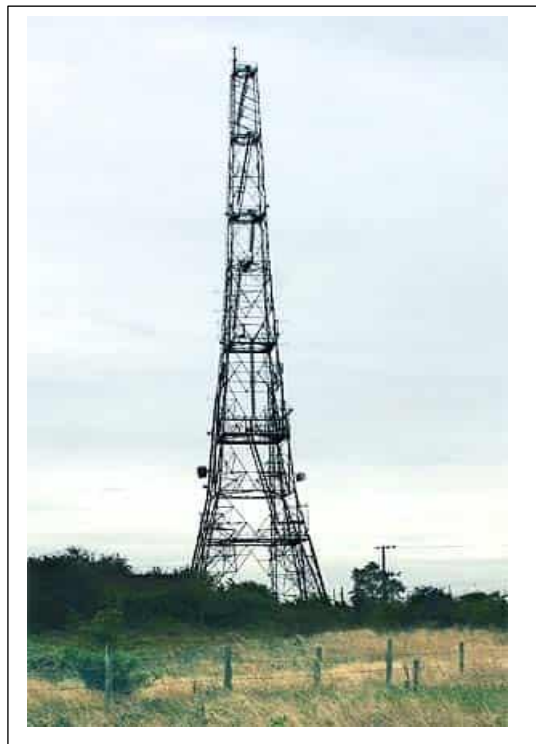


Photo by Nick Catford

- 5.2. The World War II Chain Home Radar Station to the north west of the RAF Tower which is now the Scheduled Ancient Monument is identified on the List as;

“A World War II Chain Home Radar Station at Dunkirk, 200m north east of Christ Church”

- 5.3. It is clear from the listing entry that the significance of the radar tower is the rarity of the mast itself and the importance it played in Britain’s air defence throughout the Second World War. However, the mast was only one part of a much larger radar station comprising a number of masts together with associated buildings. None of these other masts have survived. But during the war the site housed a line of four transmitter towers and four receivers towers together with rectangular buildings built to withstand bomb blasts and other associated structures.
- 5.4. The current mast site lies in what was the south east corner of the much larger radar station which extended across farm land northwards and running parallel with Courtenay Road. This wider site is protected by its Scheduled Ancient Monument status, the significance of which relates also to the role it played during World War II.
- 5.5. It is clear, therefore, that the significance of the Heritage Asset lies chiefly in its historical interest rather than its architectural, archaeological or artistic interest.

6. HERITAGE IMPACT

- 6.1. This section of the assessment describes the changes that will arise from the proposed development, and the way in which this might affect the significance of the Heritage Asset as required by the NPPF.
- 6.2. The proposed development consists of a two storey detached building located to the south west of the radar mast together with a parking area to the front of the building accessing onto Courtenay Road.
- 6.3. The new building is located as far to the south west from the radar tower as can be achieved within the compound. The mast itself is unaffected by the construction of the new building. The mast is currently set within a generous compound with only a few small simple buildings within close proximity. The erection of the fence line has resulted in the surviving mast becoming a self-contained unit now separated visually from the remainder of the site. The siting of the building in the south west corner against the boundary of the site leaves a clear separation between the mast and the building.
- 6.4. Historic England has previously commented that the new development has been carefully positioned to avoid any encroachment into key views of the Listed Mast or the associated and scheduled transmitter group.
- 6.5. Whilst the development would introduce a larger structure within the setting of the Listed Building and would remove, to a degree, some of the open setting that is an existing characteristic of the site, no important views would be affected by this slight reduction in openness and there would be no adverse effect on the appreciation of the mast or its setting from public viewpoints.

- 6.6. Importantly also, the proposed development has a direct connection with the function of the mast and employs a style of architecture which seeks to blend sympathetically with the utilitarian form of both the existing and former buildings within the overall radar station site.
- 6.7. The preservation of the setting of the Listed Building will lead, logically, to the conservation of the significance of the Listed Building. The Listed Building will be no less significant after the completion of the proposed development than it is now. There will be no erosion of significance and, therefore, no harm. As the impact of the proposed development on the significance of the Listed Building will be nil, paragraphs 201 & 202 of the NPPF are not engaged.
- 6.8. Indeed, the repair and maintenance of the Listed Mast will preserve the listed structure's historic fabric and conserve its heritage significance in compliance with paragraph 199 of the NPPF which states that great weight should be given to the assets conservation.
- 6.9. To augment understanding of the Mast, it is proposed to provide information boards which would be readily visible through the existing permeable fencing from the public highway. Whilst details of the exact form of the information boards could be the subject of a planning conditions, examples of information boards which might be suitable set out in the illustrations below.

Examples of Information Boards



7. ASSESSMENT AGAINST LOCAL HERITAGE POLICY

- 7.1. Policy CP8 of the Swale Local Plan relates to conserving and enhancing the historic environment. The policy states that development should sustain and enhance the significance of Swale's heritage assets. This include bringing assets into sensitive and sustainable use.
- 7.2. Statement 7 in the Local Plan sets out a strategic overview of Swale's heritage assets, and indicates that Swale's assets include those structures and features relating to pioneer aviators and the establishment of airfields. It further refers to World War II defensive structures, including those of strategic importance in the Battle of Britain.
- 7.3. Policy CP8 also looks to ensure development proposals promote the enjoyment of heritage assets through education, accessibility, interpretation and improved access. As part of the proposals, information boards are to be provided explaining the mast's history which can be read and appreciated by passing members of the public as well as those visiting specifically to view the World War II Listed Mast.
- 7.4. Policy DM32 concerns development involving Listed Buildings. The policy states that development which includes any change of use affecting a Listed Building and/or its setting will be permitted provided that its features are preserved paying special attention to the design, scale, details and appropriateness of the proposed use.
- 7.5. The design of the proposed building has been chosen specifically to reflect the age of the mast itself and the proposed use would also enable data transfer as a modern equivalent to the mast which transferred data from the coast to London (and in reverse) during World War II. The mast does enable satellite transfer of data currently. However, there is no storage of data and this plainly would complement the current use of the site.

8. CONCLUSIONS

- 8.1. It is proposed to build a two storey building as a data storage centre together with associated car parking on land to the south west of the Grade II Listed Former RAF Dunkirk Radar Tower. The Listed Radar Tower is the only one out of four radar towers/transmitters previously at the site that survives, three of the towers having been demolished in 1959.
- 8.2. The heritage significance of the Listed Building lies in its historical interest and its rarity as a surviving reminder of the air defence of Great Britain during the second world war.
- 8.3. The proposed new building is sited well away from the Listed Building in the south west corner of the site and, as Historic England have commented, is well separated from the Listed Mast such that no key views of the mast would be affected by the proposed building.
- 8.4. The proposed building would cause no harm to the significance of the Listed Mast and would have no adverse impact on the appreciation and setting of the mast. Paragraphs 201 & 202 of the NPPF are not engaged.
- 8.5. There will be no harm to consider in the overall planning balance and there will be preservation of the setting of the Listed Building, conservation of its significance and thus discharge of the duty imposed by Section 66 (1) of the Planning (Listed Buildings and Conservation) Act.