

# Heritage Impact Assessment

## Land at Church Road, Otham, Maidstone, Kent

### Introduction

1. This Heritage Impact Assessment has been prepared by HCUK Group on behalf of Bellway Homes Ltd (Kent). It relates to an application for new signage advertising the recently consented (and still under construction) residential development at Church Lane, Otham which is to be known as Parsonage Place. Maidstone Borough Council (MBC hereafter) are the determining authority.
2. Temporary consent is sought for the signage (a maximum of 5 years or less if no longer required) and the individual elements of signage, corresponding to the locations as shown on **Figure 1**, can be summarised as:
  - 12x Flagpole with 'Bellway' signage (A);
  - 1x 5m high 'Coming Soon' signage board (B);
  - 1x 2.4m high mounted single sided sign (C);
  - 1x 1.7m high mounted single sided sign (D); and
  - 1x 3m high double sided sign (E).
3. Adjacent to the application site is the grade I listed Church of St Nicholas and three further grade II listed buildings (two monuments in the churchyard and Church House) which are also shown on **Figure 1**.
4. In accordance with the requirements of Paragraph 194 of the National Planning Policy Framework (2023) this statement describes the significance of the identified heritage assets.



Figure 1: Location of the proposed signage in conjunction with the identified heritage assets and consented residential development

5. The purpose of this Heritage Impact Assessment is to assist with the determination of the application by informing the decision takers on the effects of the proposed development on the historic built environment. Value judgements on the significance of the identified heritage assets is presented and the effects of the proposals upon that significance are appraised. Particular regard is given to the provisions of the Planning (Listed Building and Conservation Areas) Act, 1990. The report also sets out how the proposal complies with the guidance and policy of the National Planning Policy Framework (NPPF) 2023 and local planning policy.

## Relevant Planning Policy Framework

6. The decision maker is required by sections 16(2) and 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.

7. 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.
8. 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.
9. 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.*
10. 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.
11. 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**.
12. 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-020-20190723 of National Planning Practice Guidance (NPPG)

online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 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.*

13. 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.
14. Local planning policy comprises the Maidstone Borough Local Plan which provides a framework for development until 2031. The Local Plan was adopted in 2017 and relevant policies are discussed below.
15. **Policy SP18 The Historic Environment:** This policy notes that heritage assets will be protected and, where possible, enhanced. It notes that this will be achieved through the sensitive restoration, re-use, conservation and/or enhancement of heritage assets.
16. **Policy DM4 Development affecting designated and non-designated heritage assets:** This policy notes that applicants will be expected to ensure that new development affecting heritage assets incorporates measures to conserve and where possible enhance the significance of a heritage asset and its setting. Where appropriate development proposals will be expected to respond to the value of the historic environment and a Heritage Statement should be produced. Part 4 of the policy notes that the council will apply the relevant tests and assessment factors specified in the NPPF when determining applications.

## Statement of Significance

17. This chapter of the report establishes the significance of the relevant heritage assets in the terms set out in the NPPF, and comments on the contribution of setting to significance. In accordance with paragraph 194 of the NPPF, the descriptions are proportionate to the asset's significance and are sufficient to

understand the nature of any impact the proposals may have upon that significance. With regards to matters of setting, the identification of the heritage assets equates to Step 1 of GPA3, and the assessment of significance equates to Step 2 of GPA3.

18. It is recognised that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain aspects or elements could accommodate change without affecting the Government's objective, which includes the conservation of heritage assets and which seeks to ensure that decisions are based on the nature, extent and level of significance of heritage assets. Change is only considered to be harmful if it erodes an asset's significance. Understanding the significance of any heritage asset affected is therefore fundamental to understanding the scope for and acceptability of change.

#### Church of St Nicholas (grade I)

19. The parish church of St. Nicholas (UID: 1250738) was first designated as a grade I listed building in May 1967. It dates to the later 12th, 13th and 14th centuries, with 19th century restorations.
20. The church is of exceptional interest (as demonstrated by its high grade of listing) and it is a building with very high architectural and historical value, illustrated by its surviving historic fabric, materiality, design and plan form. Like many churches it has been added to and altered throughout its history and its historical development illustrates the changes to worship and religious practices over time, and a growing population. This is reflected in the increase in the graveyard area, with the southern part of the graveyard an addition to the original, tightly defined churchyard. The building has archaeological and artistic interest bound up in its age and surviving detailing.
21. These heritage values are best experienced at close range, when standing within the building and within its graveyard from where its fabric and features can be appreciated and understood. The graveyard surrounding the building is enclosed by green boundaries on the west and southern sides and the east side is bounded by a low rubble stone wall, allowing views directly from Church Road toward the church building with some vegetation offering a limited filtering effect. To the north the fence defining the northern boundary of the access to Church House beyond and the pavement beyond indicate the suburban character of the housing

estates abutting the appeal site northern boundary. A close boarded fence is also evident as the southern boundary of Church House.

22. The heritage values of the Church of St Nicholas are also experienced from further afield, most appreciably from footpaths running east toward Otham village centre and from the south. While the Bellway site now has consent for housing which has changed the setting of the listed building, the fields to the east contribute to the sense of the church once having a more rural setting and forms part of the historic setting of the building.

### Other Listed Buildings

23. Within the church yard are two monuments which are both grade II listed:
- **The Monument to Thomas Carter located about 16 metres south-west of nave of Church of St. Nicholas** (UID: 1263092, first listed February 1987); and
  - **Monument located about 11½ metres north-west of nave of Church of St. Nicholas** (UID: 1250769, first listed February 1987).

24. The list descriptions of these assets, respectively, read:

*Chest tomb. Early C19. Stone, on rectangular stone base. Quirked bead to plinth, corniced lid, broad fluted and reeded side panels. Reeded border to inscription. To Thomas William Carter, d.1838.*

*C18. Stone, on rusticated stone base. Pedestal with rock-faced chamfered rustication to 3 sides, surmounted by obelisk. Ashlar panel to east side of pedestal. Inscription illegible at time of re-survey. Surrounded by formerly railed stone kerb.*

25. The significance of these assets relates to their architectural and historic interest as 18th and 19th century monuments which provide evidence as to funerary practices of the period. Their settings are fairly localised, mainly confined to the graveyard in which they stand. It is from within this location that the heritage significance of the listed structures can best be experienced and appreciated relative to the church and other funerary monuments and graves located nearby.

26. To the west of the churchyard is a further grade II listed building, **Church House** (UID: 1250722, first listed February 1987). The building is formed from a row of 16th century (or earlier) cottages combined into a single dwelling. It is not clear when this conversion took place, but the evidence of the 1838 Tithe apportionment is that the (three) cottages were still in existence until at least the early 19th century. The apportionment names the owner of the cottages at that time as the Reverend William Horne. It is apparent from the historical OS mapping that the three cottages did not survive as individual properties into the 1860s.
27. The significance of Church House lies in its well-preserved timber-framed and plastered exterior which was rebuilt and restored during the 20th century, and its close proximity to the church from which it takes its name.
28. The heritage significance of Church House is best experienced and appreciated from within its own grounds, which are separated from the adjacent churchyard by a tall hedged and tree-lined boundary, and from the application site by a tall wooden fence. The historical, spatial and visual relationship of Church House with the adjacent church can be glimpsed from Church Road. The land to the west and north of Church House currently acts as a physical and visual buffer between both the house (and church) and the modern residential development of Maidstone to the north.

## Heritage Impact Assessment

29. The setting of the identified heritage assets has been affected by the residential development of Parsonage Place (consented and under construction) and the proposed signage advertising the development needs to be viewed within this context.
30. The proposals also need to be considered in the context that the signage is temporary (proposed for a period of no more than 5 years) related to the promotion of the new housing development only. As such, after this period has expired (if not before), the signage would be removed.
31. A variety of CGIs have been produced demonstrating what the signage would look like in context of the residential development and the identified heritage assets. These are replicated at **Figures 4-7**.



32. The view where the signage will be most appreciable in context of the grade I listed church is from the junction of Church Road and the access road (**Figure 4**).
33. While the proposed signage would result in a notable change within this view, this would not obscure views of the church spire or cause any distraction from the spire which would remain prominent in the view due to its scale (rising considerably above the signage and tree cover present) and significance.



*Figure 4: View from the junction of the access road and Church Road showing signage B and two flagpoles, A, and the spire of the Church of St Nicholas*

34. It is also relevant to note that this view (as replicated by **Figure 4**), is just a single stationary view from the south and views along Church Road are more likely to be transitional in nature as people and vehicle move travel both north and south. Travelling north once level with the signage it would not be visible at all while in views from the north (travelling south) the signage would not be readily appreciable until the church was behind the viewer (due to the dense planting present south of the church).
35. Key views of the church are possible from Church Road on the east directly adjacent to the churchyard and from the churchyard itself where the church can be seen in full and its architectural and historic interest can be best appreciated. These views would not change in any way due to the dense boundary planting around the churchyard which would obstruct views of the signage (and indeed views of the consented development).



36. Signage further within the site on the access road, as demonstrated by **Figures 5 and 6**, would be viewed in conjunction with the site’s residential development only and there would be limited ability to appreciate this signage in context with the identified listed buildings (which are located further north and concealed by planting).



*Figure 5: View from the junction of the access road and Church Road showing signage C and two flagpoles, A, and the residential development beyond*



*Figure 6: View along the access road showing various flagpoles, A, and the residential development*

37. The consented development’s car park adjacent to the church and church house is also proposed to have signage introduced (as per the CGI at **Figure 7**). As part of the application the car park was found to represent a clear benefit to the church supporting its ongoing use. The introduction of a single modestly scaled sign in this location would sit comfortably against the much taller car park gates (and height restrictions) and would not cause harm to the significance or setting of the listed buildings, or erode the heritage benefit the car park provides to the church.



*Figure 7: View of the car park showing signage D*

38. Key views of the assets (and their skylines and silhouettes) would be unaffected and the general character of the application site, as a recently consented residential scheme, would not be affected in any way. The proposed temporary signage would not be prominent or dominant within the settings of the listed buildings, even in leafless conditions when a greater intervisibility between the application site and listed buildings can be expected, and the signage itself would not compete with or cause distraction from the assets. Importantly, significant elements of the surroundings of the listed buildings which contribute to their significance (for example the rural land to the east, church yard, group value and private curtilage of Church House) would all be entirely preserved as a result of the proposals.

39. On this basis, the proposed temporary signage is not found to be capable of resulting in any effect upon the significance or setting of the identified heritage assets.

## Summary and Conclusions

40. This Heritage Impact Assessment presents an assessment of significance of the grade I listed Church of St Nicholas, two monuments in the churchyard (grade II) and Church House (also grade II). This is followed by an appraisal of the effects of the proposals upon these heritage assets with consideration given to local and national policy and guidance.
41. The proposed development relates to the introduction of various elements of signage associated with promoting the recently consented (and under construction) residential development at Parsonage Place. Due to the promoting nature of the signage, it is proposed to be temporary and for a maximum of 5 years (or removed sooner if no longer required).
42. As identified above, while amounting to a change within the setting of the listed buildings, the proposed signage is found to preserve the significance of the assets insofar as:
- The proposals would not affect key views of the assets (or their skyline or silhouettes);
  - The general character of the application site and the setting of the listed buildings would not be altered over and above the consented position;
  - The proposed signage would not be prominent or dominant within the settings of the listed buildings and would not compete with or cause distraction from the assets;
  - Key aspects of the listed buildings settings which contribute to their significance would be unaffected; and
  - The signage would be removed after a period of 5 years (maximum).
43. As such, it is the findings of this report that the proposed advertisements would fall outside of the remit of paragraphs 201-202 of the NPPF insofar as they will

not result in any harm to, or loss of significance. There would be preservation for the purposes of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

44. The proposed development is also found to accord with the relevant local planning policies namely:

- **Policy SP18 The Historic Environment:** In accordance with the requirements of this policy, the proposed signage would protect the significance and setting of the identified listed buildings.
- **Policy DM4 Development affecting designated and non-designated heritage assets:** This proposed development would be in keeping with the requirements of this policy insofar as the signage would entirely conserve the significance of the heritage assets and their settings.

Sara Davidson BSc MSc IHBC

24 November 2023

# Appendix 1

## *Scale of Harm (HCUK, 2019)*

The table below has been developed by HCUK Group (2019) based on current national policy and guidance. It is intended as simple and effect way to better define harm and the implications of that finding on heritage significance. It reflects the need to be clear about the categories of harm, and the extent of harm within those categories, to designated heritage assets (NPPF, paragraphs 201 and 202, and guidance on NPPG).<sup>1</sup>

<b>Scale of Harm</b>	
Total Loss	Total removal of the significance of the designated heritage asset.
Substantial Harm	Serious harm that would drain away or vitiate the significance of the designated heritage asset
Less than Substantial Harm	High level harm that could be serious, but not so serious as to vitiate or drain away the significance of the designated heritage asset.
	Medium level harm, not necessarily serious to the significance of the designated heritage asset, but enough to be described as significant, noticeable, or material.
	Low level harm that does not seriously affect the significance of the designated heritage asset.

HCUK, 2019

<sup>1</sup> See NPPG 2019: “*Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.*” Paragraph 018 Reference ID: 18a-018-20190723.