

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR REGENERATION

**REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT AND
COMMUNITY STRATEGY**

Report prepared by Mike Parkinson

Date Issued: _____

- 1. BEARSTED CONSERVATION AREAS: DRAFT APPRAISAL AND
MANAGEMENT PLAN DOCUMENTS**
 - 1.1 Key Issue for Decision
 - 1.1.1 To agree the combined Conservation Area Appraisal and Management plan documents for Bearsted and Bearsted Holy Cross Conservation Areas for adoption and publication.
 - 1.2 Recommendation of Assistant Director of Development and Community Strategy
 - 1.2.1 That the Cabinet Member agrees that the text of the Conservation Area Appraisal and Management Plan documents for Bearsted and Bearsted Holy Cross Conservation Areas, attached as **Appendix A** to this report, be approved for adoption and publication subject to minor editorial amendments to be made if necessary by the Assistant Director of Development and Community Strategy.
 - 1.3 Reasons for Recommendation
 - 1.3.1 The original draft of the combined Bearsted Conservation Areas Appraisal and Management Plan documents was approved for consultation purposes by the Cabinet Member on 10th December 2009 and was the subject of consultation in accordance with the aims of the Council's adopted Statement of Community Involvement. This included the following bodies and individuals:-
 - English Heritage
 - Kent County Council
 - Bearsted Parish Council
 - Thurnham Parish Council
 - Ward Member/s
 - The Campaign to Protect Rural England

- Other relevant organizations with an interest in the particular areas, e.g. the Bearsted and Thurnham Amenity Society, Bearsted Woodland Trust

In addition, a copy was placed on the Borough Council's website and a press release placed in the Kent Messenger. Copies were also deposited at Maidstone and Springfield Libraries and at The Gateway, the latter accompanied by an exhibition. Internal consultations were carried out with the development control section. A drop-in session in association with the Gateway display was held on 18th January.

- 1.3.2 A walkabout followed by a discussion in the Village Hall was attended by eleven local residents.
- 1.3.3 Thirteen written responses were received in addition to verbal comments made at the walkabout. Consultees were encouraged to respond using a questionnaire relating to key issues and most respondents did so. Responses may be briefly summarised as follows.
- 1.3.4 All responses were generally supportive of the Appraisal and Management Plan and no significant issue was taken with the character appraisal itself. A number of comments were, however, made in respect of the proposals in the Management Plan and each of these proposals is reviewed below in the light of comments received.
- 1.3.5 Proposed Boundary Changes. No objections were received regarding the minor boundary changes proposed in the Bearsted Conservation Area to reflect physical features on the ground, and neither were any objections received to the proposed extension along Ware Street as far as the golf club access road – indeed four respondents positively agreed with this proposal (and agreement was implicit in some other responses too). However, a number of other suggestions for extensions to the Conservation Areas were received – these, together with my comments, are set out below.
 - Church Lane. Ten respondents suggested that the section of Church Lane linking the two Conservation Areas be designated, largely in response to recent developments granted permission in this area and the perceived threat of further development proposals leading to an intensification of development in the area. The question of the designation of this part of Church Lane has been considered on two previous occasions. In 1975 the Parish Council suggested that the whole of Church Lane, from The Green to Holy Cross Church, be brought within the Bearsted Conservation Area, but the Borough Council's Planning Committee in October 1977 decided not to designate as it was considered to be only of average architectural quality in comparison with the special quality of the area around The Green. In 1992 a further request was received from the Parish Council regarding Church Lane which resulted in the designation of the Bearsted (Holy Cross) Conservation Area; at this time the

first section of the lane was omitted from the designation as it was considered to be of a mixed character with no strong historic or architectural interest. Whilst undoubtedly a pleasant and spacious residential environment, development in this part of Church Lane consists of houses all dating from the middle decades of the 20th Century and not possessing any strong coherence or architectural quality. Central Government advice on the designation of conservation areas is given in PPG15, paragraph 4.3 of which states that "...authorities should bear in mind that it is important that conservation areas are seen to justify their status and that the concept is not devalued by the designation of areas lacking any special interest." Paragraph 4.5 goes on to advise that the "...principal concern of a local planning authority in considering the designation of a conservation area should be to form a judgement on whether the area is of special architectural or historic interest..." The considerations remain essentially the same as in 1977 and 1992 and in my view the area still does not possess the special interest which would justify designation. Development proposals on any of the sites in Church Lane would be likely to affect the setting of one or other of the existing conservation areas; as such, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 puts the same responsibility on the Council to ensure that proposals preserve or enhance the conservation area as would be the case were the site within the conservation area. I do not, therefore, propose to include in the Management Plan an undertaking to designate this linking area, although a small extension to encompass the whole of the former ragstone boundary wall to The Mount and the land immediately behind it is now included and shown on Map 24 because of the importance of this wall and the trees behind it in views into and out of the Conservation Area. Furthermore, an additional recommendation is included within the Management Plan to consider the residential areas around the Conservation Area for inclusion in the Character Area Assessment programme being carried out as part of the Local Development Framework process.

- Extensions to the East side of the Bearsted (Holy Cross) Conservation Area Two respondents specifically ask for the inclusion of the Elizabeth Harvie Field which lies immediately to the east of the churchyard of Holy Cross Church on the basis that views across it, both out of and in to the Conservation Area, are essential to the character of the Conservation Area. This is acknowledged to be the case, but again the question of the inclusion of this recreation ground has been previously considered by Planning and Transportation Committee in June 1999 when it was agreed that it was not appropriate for designation due to its lack of any special historic interest and

lack of significant trees; furthermore, its location outside of the identified urban area boundary in the Maidstone Borough-Wide Local Plan meant that it was unlikely to be considered acceptable for development. These conditions still pertain, and I therefore consider that its addition to the Conservation Area in isolation would not be appropriate. However, three respondents also mention the possibility of including Sutton Street in the Conservation Area; whilst this is quite remote from the existing boundary, the archaeological site of the original Mott Hall lies in the intervening land and given its historical importance in the development of Bearsted, its archaeological interest and the existence of physical earthwork remains its inclusion within the Conservation Area could be justified. As more survey work would need to be done regarding the historical development and quality of buildings in Sutton Street and to identify suitable boundaries if designation was to be considered it is not proposed at this stage to include a map in the Management Plan to show any potential extension of the Conservation Area; however, an undertaking to carry out the necessary survey work has been added.

- Ware Street Two respondents asked that consideration be given to a larger extension along Ware Street to go as far as the railway bridge and also include Chapel Lane and Chapel Farm. This area has been surveyed and analysed, and my view is that this larger designation would be inappropriate. Although there are some buildings of historic interest, they are interspersed with a large number of buildings of late 20th Century date and no architectural merit and it is considered that to extend the Conservation Area to this extent would weaken and devalue it. Some of the historic buildings are already listed buildings and as such enjoy stronger protection than would be given by inclusion in a conservation area. One relatively small area around Stocks House does possess more coherence as a historic group and this may be appropriate for consideration as a separate Conservation Area in due course, and the Management Plan has been amended to take account of this.
- Other Areas One correspondent suggested an extension along Yeoman Lane. Although this is an attractive narrow lane showing evidence of its rural past, it is lined with modern developments and does not have the requisite historic or architectural interest to merit designation. Again, it might be more appropriate to use the Character Area Assessment approach.

1.3.6 Principles for Development Control No objections were forthcoming on this section of the Management Plan proposals.

1.3.7 Enhancement Proposals

- The proposal to introduce an Article 4 Direction was specifically supported by seven respondents and no objections to it were received.
- One respondent referred to the need to manage and preserve the trees on The Green and a reference has been added to the section on trees regarding those in the public realm.

1.3.8 Summary of Key Proposals

Proposals are included for:-

The adjustment of boundaries and the consideration of extensions along a section of Ware Street.

Further consideration to be given to the feasibility of extending the Holy Cross Conservation Area to the east and to the creation of a separate conservation area based around Stocks House in Ware Street.

The introduction of an Article 4 Direction to cover the Conservation Areas.

Enhancement proposals relating to highway works, signs and street furniture and to trees in the public realm.

1.3.9 All of these elements will require separate procedural steps and will be subject to further consultation, with the aim of completing this programme over the next 24 months.

1.4 Alternative Action and why not Recommended

1.4.1 The alternative would be not to approve the Appraisal and Management Plan for adoption and publication. However, following this course of action would mean that the Council was not complying with national guidance and best practice.

1.5 Impact on Corporate Objectives

1.5.1 The appraisal and management plan will result in clear guidance regarding the important features and character of the two Bearsted Conservation Areas for all parties involved in projects, or decision making within them, and should thus assist in the attainment of corporate objectives.

1.6 Risk Management

The key area of risk is managing local expectation. The publication of an up to date management plan sets out an action plan summary, a series of measures to remedy breaches of planning or listed building control, the disrepair of buildings and general environmental improvements, together with a priority list. There is no budget or staffing resource allocated to implement these actions and many are outside of the Council's direct control. Where Maidstone is not the lead authority it needs to be made clear that officers might exert influence but do not have the power to carry out the proposed action. Actions within the Council's powers, where there is no direct cost implication, can be built into next year's revised work programme for Conservation Area Appraisals and Management Plans. This will obviously take into account current staff resources but will clearly not address any financial implications which, as yet, are not fully quantifiable.

There is also a risk that if there is a delay in the production of appraisal and management plan documents for Bearsted and Bearsted Holy Cross Conservation Areas in that the Council would miss an opportunity to provide further robust evidence on the impact of the KIG development proposal on the two Conservation Areas in question. The Inspectors for the KIG Public Inquiry have already received the Consultation Draft but obviously an adopted document would carry far more weight.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement

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9. Asset Management



Environmental/Sustainable Development Implications

- 1.7.2 Conservation Area Appraisals and Management Plans should assist in the attainment of consistent decisions on development proposals and give greater ability to ensure that the high environmental qualities of conservation areas are protected. Management plans will address how sustainability can best be integrated into conservation areas without compromising their special character. The management plans can be instrumental in building partnerships for positive action by the Council with Parish Councils, English Heritage and other parties.

1.8 Relevant Documents

1.8.1 Appendices

- 1.8.2 Appendix 1 – Bearsted Conservation Areas Appraisal and Management Plan.

Appendix 2 – Consultation Responses.

1.8.3 Background Documents

- 1.8.4 609/102/01 – Bearsted Conservation Area

609/102/02 – Bearsted Holy Cross Conservation Area

IS THIS A KEY DECISION REPORT?

Yes

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No

X

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because:

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Wards/Parishes affected:

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How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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