

# GENERAL CONSERVATION AREA MANAGEMENT PLAN



DRAFT - November 2023

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## 1. General Introduction

This document has been designed to offer an overarching management plan for Maidstone Borough Councils existing conservation areas that currently do not have management plans. These are listed in Section 4. This document is not considered to be a substitute for a full appraisal. Where conservation areas have an existing, up to date Management Plan, these will be taken precedent over this document.

As part of the development of this document, brief summaries of the conservation areas without an appraisal will be undertaken which will provide some guidance on the character of the area. These documents do not replace the need for an Appraisal but are there for guidance only.

A separate Non-Designated Heritage Asset (NDHA) list is available via email ([ConservationOfficer@Maidstone.gov.uk](mailto:ConservationOfficer@Maidstone.gov.uk)). It is possible to recommend buildings and built form to be nominated as NDHA, details and the details are available online - <https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/listed-buildings>

Many of these buildings form part of the character and significance of Conservation Areas and, under the National Planning Policy Framework (NPPF - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) NDHA should be given consideration within the planning process.

Where there are retail shops and public facilities, it will be encouraged to retain these to help encourage the sustainability and vitality of the area. They can often provide a positive contribution to the character of the conservation area, and sometimes form a focal point of the smaller settlements. A separate guidance on Shop Fronts is available <https://localplan.maidstone.gov.uk/home/further-guidance> - *Under Additional Studies and Guidance.*

## 2. Conservation Area Appraisals

### 2.1. Introduction

#### 2.1.1. The Definition, Purpose and Effect of Conservation Areas

The concept of conservation areas was first brought into being by the Civic Amenities Act of 1967, but the relevant legislation now is the Planning (Listed Buildings and Conservation Areas) Act of 1990. This Act places a duty on local planning authorities to designate conservation areas where appropriate and defines a conservation area as “an area of architectural or historic interest the character and appearance of which it is desirable to preserve or enhance”.

Designation as a conservation area makes additional controls available to the local planning authority. Briefly these include the control of demolition of unlisted buildings, more restricted permitted development rights for single dwelling houses and protection of trees.

In addition to these enhanced powers, the local authority is also required when dealing with applications for planning permission to have special regard to the question of whether or not the proposed development would preserve or enhance the special character of the conservation area. (Section 72.1 of the Act). There is a presumption that developments which would not preserve or enhance this special character should be refused planning permission.



*Figure 1 - Staplehurst Conservation Area*

### 2.1.2. Background to the document

When designated, many of the conservation areas did not have an appraisal or a management plan provided. It has been raised as a concern that this has left many conservation areas without formal guidance on how to protect and manage them. This document is to provide support and guidance as an overarching general management plan until it is possible to provide an appraisal.

## 3. Article 4 Directives

The character of conservation areas can suffer significantly from the cumulative impact of 'minor alterations' which can be carried out to single dwelling houses as permitted development under the General Permitted Development Order. Permitted development (often referred to as PD rights) allow certain works to be undertaken without the need for planning permission

(<https://www.planningportal.co.uk/permission/responsibilities/planning-permission/permitted-development-rights> ). Such alterations can include replacement windows and doors and re-roofing using inappropriate non-traditional materials.



*Figure 2 - Maidstone Town Centre Conservation Area*

The Local Authority can seek to bring such minor alterations under planning control by the use of Directions under Article 4 of the General Permitted Development Order. Article 4 Directions can increase the public protection of designated and non-designated heritage assets and their settings. They are not necessary for works to listed buildings and scheduled monuments as listed building consent and scheduled monument consent would cover all potentially harmful works that would otherwise be permitted development under the planning regime. However, Article 4 Directions might assist in the protection of all other

heritage assets (particularly conservation areas) and help the protection of the setting of all heritage assets, including listed buildings.

Not all of Maidstone Conservation Areas have Article 4 Directives. A list of Article 4's are listed in Appendix 2. Any review of Article 4 Directives will be undertaken as part of the appraisal process, or where risks have been identified during the Local Plan review or Heritage at Risk assessments.

#### **4. Protecting Conservation Areas**

Maidstone Borough Council's Conservation Areas have considerable historic and cultural interest. They have many listed buildings and many properties that have maintained a continuing use for a significant amount of time. Despite their historic importance, many of the areas have not become fossilised, with the larger settlements remaining vibrant and viable local centres. This often relies on the facilities available, as well as the local parish council.

Listed and unlisted buildings make important positive contributions to the character of the conservation area and in many cases are essential to it. Consideration for new development, both within the conservation areas, and within the setting of the conservation areas is important, both to ensure the character, but also the viability of the area.

Often, the major agent of character loss has not been redevelopment but the cumulative impact of individual relatively minor alterations such as inappropriate siting of external electrical equipment and wiring, replacement windows and doors, changes of roofing materials and works carried out to the boundary treatments with little consideration for the wider character or a lack of awareness of heritage integrity and value. Many conservation areas are generally well-cared for and problems of dereliction; dilapidation and disuse are rare, especially within our rural settlements.

It is important that any future development within the areas respond to the character, such as building typology, spacing, scale, mass, and materials. Where there are taller buildings, these tend to be either two or three storeys, so any proposed developments of less or more than two storeys will generally be considered to be inappropriate. Under the existing Local Plan policies, there is a need for high quality and contextually positive design.



*Figure 3 - Harrietsham Conservation Area*

Some areas have redundant or underused buildings, including ancillary buildings. Conversion/extension of ancillary buildings may be considered acceptable, with special regard to ensuring that they do not become overly domesticated in design. Boundary treatments, together with hard landscaping, including access should be carefully considered, with information provided as part of the application, as these can have a major impact on the character of the area.

The use of boundary treatments, either the loss of these (often to allow for off-road parking) or the creation of new boundaries (often to create privacy and separation from the public realm) can have a detrimental impact on the character of a conservation area. Guidance has been produced on how to consider boundary treatments within a conservation area or the setting of a listed building - <https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/boundary-treatments>



*Figure 4 - Loose Valley Conservation Area*

A loss of character is likely to come about through lack of maintenance or inappropriate repairs or replaced components rather than through any larger scale of intervention for which there is little scope. It is within the public domain that attention is most needed since so many agencies have a call on this resource and the actions of just a few of the many property owners can subvert an otherwise consistent and reasonable policy.

Further erosion of the quality of the streetscape needs to be avoided and opportunities taken to reverse some of the harmful practices that have taken place in the past. This includes retail and commercial buildings and facades, and the use of appropriate shop fronts, signage, and advertising. A Shop Front Guidance has been created to help ensure that these important elements of the street scene are retained.

Surface materials to the public realm can have an impact on the character and use of the space. Where possible, these will be considered within future plans for any development works. Many of the conservation areas are rural settlements, and there will be positive influence to ensure that any changes to boundaries, surface materials, or Highway's requirements do not create an urban appearance.

There is also a high risk that the setting of the conservation area and views into and out of it will be adversely affected by ill-judged or inconsiderate changes to facades, boundary treatments and signage.



*Figure 5 - Yalding Conservation Area*

Trees and landscape are significant contributors to the feel and character of many conservation areas, even in larger towns and Maidstone Town Centre. Separate Landscape guidance has been created to allow for a better understanding of the existing landscape character, and these documents should be considered with any proposed planning works - <https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/landscape>

The conservation areas with existing appraisals and management plans are noted in Appendix 1. This may be subject to change, and therefore it is recommended that Maidstone Borough Councils website ( <https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/conservation-areas> ) is consulted.

## 5. Conservation Area Management Plan

### 5.1. Introduction

Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to formulate and publish proposals for the preservation and enhancement of conservation areas. Section 69 of the 1990 Act also imposes the duty on the local authority to determine from time to time whether any further parts of the borough should be included within a conservation area.

Guidance from Historic England (Conservation Area Designation, Appraisal and Management – 2019) suggests that proposals for the preservation and enhancement of conservation areas should take the form of a mid- to long-term strategy setting objectives for addressing issues and recommendations for action arising from a previously published conservation area appraisal and identifying any further or more detailed work needed for their implementation. Such a strategy is generally given the title of a conservation area management plan.



*Figure 6 - East Farleigh Conservation Area*

It is important to note that a conservation area management plan cannot introduce entirely new planning objectives. Instead, it will need to refer to the original legislation; to government guidance (mainly National Planning Policy Framework for heritage assets); to the adopted local plan policies; and to the emerging Local Development Framework. It can interpret established legislative provisions and planning policies and explain how they will be applied within the conservation area to ensure its preservation and/or enhancement. If any particular issues are identified which do require new policies to be drawn up, the management plan can indicate these and set a programme for their development as part of the Local Development Framework process.

This Management Plan is an overarching plan for conservation areas that currently do not have management plans and/or appraisals, and therefore sets out the general means for addressing the issues identified above.

## 5.2. Policy Context

### 5.2.1. National Policy

National policy and advice regarding conservation area matters is given in National Planning Policy Framework (NPPF 2021) which is available to at the link given below (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>).

The NPPF sets out the benefits that accrue from preserving the historic environment whether it be the wider social, cultural, economic, and environmental advantages, the desirability of new development to make a positive contribution or the opportunities arising from an understanding of the intrinsic character of a place. The Framework (para. 191) further highlights that for an area to be recognised as a designation, the area should hold the status because of its special architectural or historic interest. This also means that if the area has lost its character, it can be considered to be designated.



*Figure 7 – Leeds Conservation Area*

The Historic England guidance document ([Conservation Area Designation, Appraisal and Management – 2016](#)) suggests that designation of a conservation area in itself is unlikely to be effective without the formulation of specific policy guidance, and reminds local planning authorities of the duty imposed on them by Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to formulate and publish proposals for the preservation and enhancement of conservation areas and for these to be submitted to a ‘public meeting’ in the area.

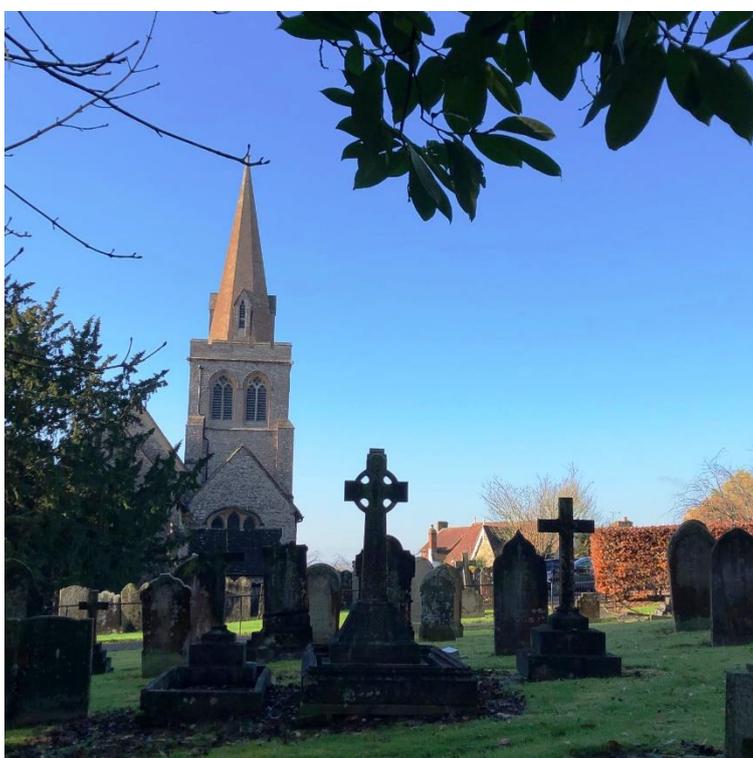
Paragraph 4.16 points out that such proposals cannot realistically seek to prevent all new development and should instead concentrate on the controlled and positive management of

change; indeed, it is suggested that there may be instances where redevelopment will be a means of enhancing character.

### 5.2.2. Local Policy

Maidstone Borough Council published its Local Plan in 2017. ( <http://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/local-plan-information> ). At the time of drafting this management plan, the Local Plan is currently under review.

While this Management Plan indicates how national and local policies will be applied in the on-going management of the conservation area, it is not in itself a planning policy document. Local Plan policy DM4 refers to conservation area appraisals and management plans as supporting documents, so they are material to planning considerations.



*Figure 8 – Linton Conservation Area*

## 6. Principles of Development Management

### 6.1. Planning Considerations

Sensitive and responsive management of development is required in order that new developments do not spoil the character and appearance of the conservation areas or the approaches to it. To this end, the Council will adopt the following principles when dealing with planning applications within the conservation area or on sites affecting its setting.

The Council will apply the principles, guidance and regulations set out by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the further guidance of the National Planning Policy Framework and any subsequent revisions, additions, or replacement government guidance.

The Council will apply the relevant policies from the Maidstone Local Plan 2017 until such time as these policies are replaced by a future Local Plan or by policies in the emerging Local Development Framework.

#### 6.1.1. Information required for Planning

The Maidstone Borough Council website gives advice on the content of a planning application – see [validations checklist](#).

The Council will require all planning applications and applications for listed building consent to be supported by a **Design and Access Statement**. This should be a brief but thorough document setting out the reasons for the development, explaining how the design has evolved and showing how it will preserve or enhance the character of the conservation area; it should also cover any access issues which exist.

There is guidance on preparing a Design and Access Statement produced by CABE (CABE was merged with the Design Council in 2011)

(<https://www.designcouncil.org.uk/resources/guide/design-and-access-statements-how-write-read-and-use-them> ).

In most cases, a separate **Heritage Statement** will also be required. Historic England have published guidance which should be used for more complex or bigger projects

(<https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/>).

A simple template and guidance has been produced by Maidstone Borough Council for smaller domestic proposed works. This can be found (

<https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/heritage-statements#:~:text=Writing%20a%20heritage%20statement&text=The%20statement%20should%20reflect%20the,works%20to%20a%20listed%20building.> )

Where proposed works are to be undertaken that could affect known archaeology sensitive areas, an **Archaeological Desk Based Assessment** should be provided. This information can

be found via the Councils GIS System [link] or via <https://www.heritagegateway.org.uk/gateway/>

Applications must be accompanied by clear and accurate **drawings** showing the proposed development in detail and illustrating how it fits in to its context. Drawings should clearly indicate materials to be used in producing the external finish and architectural details of proposed buildings.

**Site plans** should accurately depict the positions of trees on or adjacent to the site and clearly show those which will need to be removed and those which will be retained. Where trees are affected by the proposals the application should include a survey by a professional arboriculturist to comply with current British Standard BS5837, 'Trees in Relation to Construction – Recommendations'. It should also include details of any proposed works to, and methods for protecting, any retained tree. Photographs and other illustrative media are encouraged. Any applications which fail to provide adequate detail will not be validated.



*Figure 9 – All Saints, Maidstone, Conservation Area*

The Council will make use of technically experienced and qualified officers in guiding the assessment and determination of all applications within the conservation area or affecting its setting.

The council encourages the use of the pre-application process which ensures that planning officers are aware of a proposal at an early stage and can give advice to ensure the appropriateness and quality of any design. See [pre application guidance](#).

Outline planning applications will not be accepted for proposals within a conservation area or on sites affecting its setting.

### **6.1.2. New Development**

The Maidstone Borough Local Plan 2017 states that the conservation area is appropriate for minor residential development as set out in Policy H27 – normally this would be restricted to proposals for one or two houses. It will be necessary for any new housing development proposals to illustrate that it is appropriate within the context of the conservation area and will not harm its special character. It is considered that the scope for new developments within the conservation area is limited, but in dealing with any proposals the Council will have regard to the vernacular or local building materials that dominant that area.

The overriding consideration in dealing with any proposal for development will be whether or not it would either preserve or enhance the special character of the conservation area. Any proposal which fails to do so will be refused.

The Council will not insist on any particular architectural style for new building works, but the quality of the design and its execution will be paramount. The Council encourages the use of high-quality contemporary design, subject to proposals being appropriate to their context in terms of scale and use of materials; however, there may be instances where a traditional approach is appropriate – in such case, designs should be high in quality and well-researched, resulting in a scheme which accurately reflects the design, scale, massing, detail, and materials of local tradition. A mix of architectural styles and design ethos within the area should not be used to create a single dwelling or building as this creates a poor quality, confusing design.

Buildings should respect the predominant scale. Buildings should not generally exceed 3 storeys in height, where there is existing proportion of 3-storey buildings. The social hierarchy of the buildings should be respected, responding to the scale and appearance of the building, together with the prominence or position within the street scene.

### **6.1.3. Layout**

The proposed layout of a scheme should recognise the existing, historical development pattern of the settlement. Where more modern development has introduced new patterns, this will not necessarily be accepted for future development.

Developments should preserve trees and hedges which are healthy and make a significant contribution to the character of the conservation area. All substantial trees within the conservation area are protected and a notice must be served prior to any works to a tree of the prescribed size.

The Council will seek to protect the attractive peaceful environment of the conservation area. Special areas, such as church yards and protected gardens shall have extra consideration for impacts of harm to ensure that these spaces can continued to be enjoyed.

### **6.1.4. Existing Buildings**

Except in the most exceptional circumstances, planning consent will not be granted for the demolition of buildings identified as being 'essential' to the character of the conservation area and is unlikely to be granted for those rated as 'positive'.

Buildings cited as 'neutral' may be considered appropriate for redevelopment, subject to the quality of any replacement scheme constituting an improvement over current circumstance. In most cases, the demolition of neutral buildings for parking, etc., will not be considered to preserve the character of the conservation area. The redevelopment of sites and buildings judged to be 'negative' will usually be encouraged so long as any scheme is appropriate to its context.

In dealing with applications for the redevelopment of existing buildings, the Council will have regard to the detailed building assessments provided within a Heritage Statement.

#### **6.1.5. Non-designated Heritage Assets**

Where recognised, either before or during an application, weight will be given for the retention of non-designated heritage assets (NDHA), as per Policy DM4.

As within listed buildings, a NDHA could be of local interest through archaeological, architectural, artistic, and historic interest. It does not have to have all four areas of interest to be recognised as a NDHA.

#### **6.1.6. Window and Door Replacement**

Replacement windows can have a detrimental impact on the character and appearance of a conservation area. Where there is no Article 4 Directive (refer to Appendix 2), it will be encouraged that traditional, or historic windows and doors are retained, and where there is a need to replace, these will be undertaken with timber (or where appropriate steel/metal), and of a design responding to the dwelling.

Dormer windows may be acceptable, depending on their position, number, scale, and design. No more than one or two dormers per elevation will normally be considered appropriate and as a general rule a dormer should not occupy more than about one third of the overall height of the roof. Depending on circumstances, dormers should either be covered by a pitched clay tiled roof or, in the case of smaller or shallower roofs, a flat lead roof above a traditionally detailed cornice. They should not appear crowded together or be located too close to hip or gable lines. Large 'box' dormers will not be considered appropriate; neither will dormers which extend above the existing ridge height.

Roof lights may be considered acceptable and will be subject to the same considerations as dormers in relation to numbers, position, and scale. 'Conservation' roof lights which sit close to the roof slope should be used. Rooflights should not be placed on principle elevations unless screened by parapet or similar.

#### **6.1.7. Extensions**

Extensions should normally be of sympathetic materials, design and detailing to the host building, and should be subservient in scale. See [Extensions SPD](#).

Any extensions should respect the spacing and character of the street scene, and not look to overcrowd or dominant the street scene.

### **6.1.8. Boundary Treatments**

Boundary enclosures can have a significant effect on the character of the conservation area. The most appropriate forms are considered to be hedging, low brick walls or wooden open fencing.

Close-boarded fences or similar will not be considered appropriate in any situation.

Where there are existing ragstone walls or historic metal railings, these should be retained as they form a significant contribution to the character of the area.

The demolition of boundary walls to allow for off-road parking will be refused where the loss of the boundary treatment will have a negative impact on the character of the conservation area.

Further details can be found in the Boundary Walls Guidance -

<https://maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/heritage-and-landscape/tier-3-primary-areas/boundary-treatments>

### **6.1.9. Commercial and Retail**

Retail and commercial functions within many of the conservation areas offer many advantages and can often help create a vibrant and attractive street scene. The retention of shops and services will be encouraged, though it is recognised that there has been a decline in the use of local shops over recent years<sup>1</sup>. Creative change of these buildings can often find new uses, and by recognising that places need to be adaptable, it will allow to adjust to changing retail and social trends and offer shoppers and visitors the experience they want and need.

Where there is a proposed loss of a shop, evidence must be provided to show that all efforts have been undertaken to retain the shop.

Shop fronts and signage should respect the character of the conservation area and materials and typefaces should be appropriate to its nature. Large scale signage and covering of principle windows will be discouraged as this provides a negative appearance.

Further information can be found in the Shop Front Guidance -

<https://localplan.maidstone.gov.uk/home/further-guidance> under *Additional Studies and Guidance*.

### **6.1.10. Parking**

The creation of parking for both domestic dwellings and for commercial/ retail/ business use can have a detrimental impact on the character of the conservation area. It is acknowledged that for many businesses to survive, especially retail, then ease of parking is important. A

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<sup>1</sup> <https://historicengland.org.uk/advice/planning/historic-towns-and-high-streets/>

balance judgement will be undertaken to ensure that the parking does not have negative impact on the business.

Parking for private dwellings will be considered on a case for case basis. Where conversion of a building is proposed, parking will be taken into consideration for the impact on the harm to the significance and setting of the heritage asset. This will include incremental impact from previous development within the area.



*Figure 10 – Chillington House Conservation Area*

#### **6.1.11. Traffic Management**

The impact of traffic within most conservation areas has a critical impact on the area. The build-up of traffic and congestion at peak times can be significant. However, this needs to be considered with the success of an area retaining a vibrant and viable core and therefore access to the centre should continue to be encouraged whilst looking at ways to reducing the number of cars involved.

The Management Plan alone cannot reduce traffic concerns, but additional consideration for the proposed conversion of buildings into HMO's or flats, and the associated car parking and traffic should be undertaken as part of the consideration for conversion.

The position of the carparking on a proposed scheme should be considered as parked cars (or the open hardstanding) can have a negative impact on the character of the area. It may not always be appropriate to locate the parking to the front of the building.

#### **6.1.12. Public Realm Improvements**

The public realm is often managed by different organisations, including Kent County Council, Maidstone Borough Council, and the parish council.

Where practical and possible, consideration for improvements should be undertaken. These could include items such as:

- Resurface High Streets and key/ main road within the Conservation Area
- Mitigate against urban road schemes in rural areas, or where required, unsure that they are minimal or designed to respond to the character
- Parking controls within more sensitive areas
- Reverse process of inappropriate modifications to buildings
- Measures to ensure that property owners outside the conservation are encouraged to maintain and plant new hedges
- Improve quality and consistency of shop fronts, signage, and lighting
- Improve green and communal spaces
- Reduce clutter in some areas
- Improve Highway's requirements, such as thinner yellow lines, reduction in signage, etc.
- Improve front boundary treatments
- Improve pathways and connectivity.

Historic England provide good guidance on improving public realm -

<https://historicengland.org.uk/advice/caring-for-heritage/streets-for-all/>

#### **6.1.13. Demolition**

Where a building has been recognised as having 'neutral' or 'positive' contribution to the character of the conservation area, there will need to be justification to clarify for the loss of the building or structure.

Buildings cited as 'neutral' may be considered appropriate for redevelopment, subject to the quality of any replacement scheme constituting an improvement over current circumstance. The redevelopment of sites and buildings judged to be 'negative' will usually be encouraged so long as any scheme is appropriate to its context.

#### **6.1.14. Carbon Reduction Incentives and Schemes**

Within conservation areas, it possible to install carbon neutral or 'Green' initiatives, though they will require consideration. A holistic, whole building approach should be undertaken to the building, rather than a presumption of a single solution, such as double-glazed windows.

Where a planning or listed building consent application is submitted, it will be expected that the holistic consideration for the buildings has been undertaken by providing a simple statement, either within the Design & Access Statement or within the Heritage Statement.

There are numerous options available, many will be conservation area and site specific, but the general considerations are:

- Solar panels should not be installed on buildings where visible from the public realm, or if the building is listed. Consideration for any associated plant, including the batteries should be considered, and should not be within the public realm.
- Double glazing is generally not permitted within listed buildings. With other buildings within conservation areas, it is preferred that it is not installed to primary routes or buildings of local or national interest. The installation of double glazing can create a strange reflection, and the additional weight of the glass requires a larger or chunkier frame, both of which can alter the appearance of the building in a negative appearance.

The manufacture of double glazing has a high carbon contribution due to the use of glass and UPVc, and therefore it is recommended that existing windows are overhauled, repaired and secondary glazing installed.

- Secondary glazing can be installed to improve the thermal efficiency of buildings. This often provides a better solution than installing double glazing. The use of shutters on buildings can improve the heat-loss of the building and could be found in many older buildings.
- Awnings to windows are generally associated today with shops, but they have been traditionally used on domestic houses to provide sun screening and to protect the glass from weather. The use of awning could be used, where appropriate, to assist against solar gain within the property.
- Ground and Air Source Heat Pumps can be installed to buildings within the conservation area, with planning permission. The external air source should not be visible from the public realm. Consideration for any potential archaeology should include within an application, with the expectation of where there is deemed to have potential, that a Watching Brief will be conditioned.
- External insulation will not be considered acceptable to a majority of buildings within the conservation area due to the visual impact on the appearance of the property.
- Retrofitting is a wide subject, with some aspects that would not need permission to be undertaken, such as loft insulation. For further details, refer to Historic England <https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/>
- External Electric Car Charging points should be formed via a pole, rather than connected to the wall. Where a pole or freestanding system is not practical, the unit should not be placed on the principle and/or front façade of the building and be positioned as discreetly as possible. The point should be a socket system and not a tethered (ie, with fixed cable). The cable connecting the socket to main supply

should not be run where visible and it should consider the fabric and details of the building.

As these often require dedicated off-street parking, works to create the off-street parking should be considered. The demolition of front boundary walls or treatments will not generally be allowed within a conservation area due to the impact on the character.

#### **6.1.15. Ecology Measures**

Integrated biodiversity enhancements, such as bird/bat bricks/tiles/tubes, and bee bricks, should be included with any new builds or extensions.

With listed buildings, some consideration for these should be undertaken to enhance biodiversity. Alternative positions may offer a more sympathetic solution, such as within the grounds, existing boundary walls (if brick or stone), or associated outbuildings.

Where replacement roof coverings or alterations are proposed, then integrated biodiversity enhancements should be included if the building is not already hosting ecology (such as bats).

#### **6.1.16. Services**

There is a growing demand for services and the associated equipment to domestic houses. Consideration for the character of the area, and the setting of listed buildings should be undertaken.

- Satellite dishes (one per building) will only be considered acceptable when they cannot be readily seen from the streets or other public spaces.
- Air conditioning units (and associated plant) should not be placed where it can be seen from the public realm.
- Meter Boxes should not be placed on the front façade of the building but should be located within the grounds.
- Alarm boxes should be positioned with consideration to ensure that they do not form the main focus of an elevation or cover architectural details.
- Security Cameras will not usually be supported unless a strong business case is provided. Where they are needed, they should be sensitively positioned, with the minimum number of cameras required.
- Security measures, such as grills and shutters will not be permitted where visible from the public realm as these often provide a negative impact on the appearance of the street scene. Where there is a strong business requirement for shutters, these should be internal and open to allow for passive security protection. [Refer to shop guidance].

## **6.2. Enforcement Strategy**

Unauthorised development may seriously harm the character of the conservation area as well as causing other problems. The Council is therefore fully committed to using its powers

under Section 172 of the Town and Country Planning Act 1990 to serve enforcement notices, where expedient, to allay breaches of planning control. [Section 9](#) of the Act sets out the relevant offences.

Parallel powers to serve listed building enforcement notices regarding unauthorised works to listed buildings also exist by virtue of Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and these too will be used to their full. In suitable cases the Council may also exercise the legal provision to seek a prosecution for unauthorised works to a listed building or the unauthorised demolition of an unlisted building.



*Figure 11 – Boxley Church*

## 7. Enhancement Proposals

### 7.1. Buildings in Disrepair

There are numerous powers which the Council can and will use should any building fall into a state of disrepair serious enough for it to affect the character of the Conservation Area significantly adversely or to endanger the future of a listed building.

These powers are:

- **Urgent Works Notices** (Section 54 and 76 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Such notices can be served in respect of any vacant building or, with the prior approval of the Secretary of State, a vacant unlisted building whose preservation is considered important to the maintenance of the character and appearance of the Conservation Area. Works specified can only be the minimum necessary to make the building wind and weathertight and are thus essentially temporary in nature. The owner must be given at least seven days' notice, after which the Council may carry out the specified works and reclaim the costs from the owner.
- **Listed Building Repairs Notices** (Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990. These can only be served in respect of listed buildings. Full and permanent repairs can be specified. If an owner fails to commence work on the specified works within 2 months of the service of a Repairs Notice, the Council may start compulsory purchase proceedings in relation to the building; no other recourse is made available by the legislation.
- **'Untidy Site' Notices** (Section 215 of the Town and Country Planning Act 1990). Such a notice can be served in respect of any land (including a building) which the Council considers to adversely affect the amenity of the surroundings. The necessary steps to remedy the condition of the land and building need to be set out in the Notice and at least 28 days given for compliance. Failure to comply is deemed an offence and is punishable by a fine.

### 7.2. Reinstatement of Original Features

There are examples in conservation areas of damage caused to the character of the conservation area caused by injudicious alterations to properties. Such alterations include re-roofing in inappropriate materials, replacement windows and doors of inappropriate design, signage or materials and discordant surface finishes. The Council would like to see a process of reversal where this has happened. If during the review of the Conservation Area it is considered that due to the piecemeal impacts of the loss of features, then consideration will be undertaken to de-designate a conservation area, or a section of the conservation area.

The reinstatement of features can only be by persuasion as there are no provisions to enforce reinstatement where the alterations are covered by permitted development.

Nevertheless, the Council will encourage property owners to reinstate traditional forms and materials as part of ongoing maintenance.

Where there is a high risk of impact, consideration of an Article 4 Directives could be undertaken.

### **7.3. Trees**

Trees are identified as important contributors to the character of many of Conservation Areas. All trees in a Conservation Area with a stem diameter generally above 75mm at 1.5 metres above ground level are protected under Section 211 of the Town and Country Planning Act 1990 and six weeks formal prior notice to the Council is required for any proposal to cut down or carry out other work to such trees (a Section 211 Notice).

Anyone who carries out unauthorised to protected trees is likely to be guilty of an offence punishable by a fine. There may also be a duty to plant a replacement tree of appropriate size and species in the same place as soon as can reasonably be done. This duty may also apply if the tree has been removed because it was dead or dangerous.

### **7.4. Article 4 Directions**

The General Permitted Development Order (GPDO) enables local planning authorities to make directions to withdraw permitted development rights. The individual permitted development rights which can be removed are limited to specific classes of development. Government guidance on the use of Article 4 Directions is given in Department of the Environment Circular 9/95, which states that permitted development rights should only be withdrawn where firm evidence exists that damage to the character and appearance of a conservation area is likely to take place or is already taking place because of the exercise of such rights.

Appendix 2 provides details of existing Article 4 Directives within conservation areas.



*Figure 12 – Grove Green Conservation Area*

## **8. Review and Practice Procedures**

The Management Plan will be reviewed after an appropriate period of not less than five years and any required amendments will be incorporated.

Where appraisals are undertaken to the conservation areas where there is currently none, these appraisals and the associated management plans will supersede this over-arching management plan.

## **9. Additional Consideration for Specific Conservation Areas**

This section will focus on each Conservation Area that currently does not have a Conservation Area Appraisal. Where an appraisal is produced, the appraisal will supersede this information unless otherwise stated within the appraisal.

### **9.1. Maidstone - Rocky Hill**

### **9.2. Bearsted**

### **9.3. Bearsted Holy Cross**

### **9.4. Boughton Malherbe**

### **9.5. Boxley**

### **9.6. Boxley Abbey**

### **9.7. Broomfield**

### **9.8. East Farleigh, Dean Street**

### **9.9. East Farleigh, Lower Road**

### **9.10. Grove Green**

### **9.11. Hollingbourne, Broad Street**

### **9.12. Hollingbourne, Eyhorne Street**

- 9.13. Hollingbourne, Upper Street**
- 9.14. Leeds, Lower Street**
- 9.15. Leeds, Upper Street**
- 9.16. Lenham, Sandway Village**
- 9.17. Lenham, Liverton Street**
- 9.18. Loose Valley**
- 9.19. Teston**
- 9.20. Wateringbury**
- 9.21. West Farleigh**
- 9.22. Wormshill**

## Appendix 1 – List of Conservation Areas

Description	Designated	Area	No. of Properties*	Density	Summary	CAAMP	CAA	MP	Art 4	Neighbourhood plan
		(hectares)		(properties*/hectare)						
<b>Urban</b>										
<i>(Maidstone)</i>										
All Saints Church	25/01/1974	4.35	92	21.15			2003	2003		
Ashford Road	19/10/1977	2.36	152	64.41		Jan-21				
Chillington House	14/11/1969	2.45	28	11.43		Jan-21				
Holy Trinity Church	29/12/1988	5.91	584	98.82			Oct-07	Mar-10	Yes	
Maidstone Centre	19/10/1977	12.3	1038	84.39		Jan-21				
Rocky Hill	18/07/1974	1.58	135	85.44	Y					
<b>Rural</b>										
Bearsted	03/07/1970	14.73	207	14.05	Y	Mar-10				Yes
Bearsted Holy Cross	09/06/1992	4.88	39	7.99	Y					Yes
Boughton Malherbe	18/07/1974	3.96	13	3.28						
Boughton Monchelsea, Cock Street		1.44	12	8.33			Feb-09	Apr-17		Yes
Boughton Monchelsea, The Green	17/01/1990	1.89	33	17.46			Mar-08	Apr-17		Yes
Boughton Monchelsea, The Quarries	03/07/1970	2.82	32	11.35			2020	Apr-17		Yes
Boxley	19/10/1977	5.91	55	9.31	Y					Yes
Boxley Abbey	19/10/1977	8.99	9	1.00						Yes
Broomfield	07/08/1970	3.54	22	6.21						Yes

Detling	07/08/ 1970	4.22	62	14.69			Ma r- 08	Ma r- 10		
East Farleigh, Dean Street	28/07/ 1972	1.81	48	26.52	Y					
East Farleigh, Lower Road	19/10/ 1977	5.35	69	12.90	Y					
Grove Green	28/05/ 1971	2.14	11	5.14	Y					
Harriets ham, East Street	19/10/ 1977	2.96	41	13.85		Aug -21				Yes
Headcorn	07/08/ 1970	8.26	228	27.60		Jan- 22			Pa rt	Yes
Hollingbo urne, Broad Street	19/10/ 1977	4.99	21	4.21						
Hollingbo urne, Eyhorne Street	25/09/ 1970	4.38	102	23.29					Ye s	
Hollingbo urne, Upper Street	19/10/ 1977	8.21	64	7.80						
Leeds, Lower Street	19/10/ 1977	5.52	36	6.52	Y					
Leeds, Upper Street	19/10/ 1977	3.30	84	25.45	Y					
Lenham, Village	19/10/ 1977					Feb -22			Pa rt	Yes
Lenham, Sandway Village	18/07/ 1974	1.06	24	22.64						Yes
Lenham, Elmstone Hole	19/10/ 1977	2.17	2	0.92		Aug -21				Yes
Lenham, Liverton Street	18/07/ 1974	2.12	32	15.09						Yes
Linton	28/01/ 1972	10.63	68	6.40			Ma y- 19	Ma y- 19		
Loose Valley	21/06/ 2000	97.68	330	3.38					Pa rt	Yes

Marden	19/10/ 1977	7.1	161	22.68	Y					Yes
Otham	09/06/ 1992	17.59	55	3.13			Feb- 09			Yes
Staplehurst	26/11/ 1987	13.82	289	20.91						Yes
Sutton Valence	24/09/ 1971	13.9	201	14.46		Jan- 21				Yes
Teston	19/10/ 1977	62.92	89	1.41	Y					
Wateringbury (MBC part of 2.60 ha)	30/03/ 1994	1.55	50	32.26						
West Farleigh	03/07/ 1970	2.81	19	6.76						
Wormshill	19/10/ 1977	3.66	8	2.19						
Yalding	19/10/ 1977	22.93	231	10.07		Aug- 21				Yes
* Calculated from the number of address points recorded on the Council's GIS software for each conservation area										

## Appendix 2 – Article 4 Directives

Within the Borough there are many Article 4 Directives (often referred to as Art.4’s), and this is not a definitive list of all the Art. 4’s, but is slowly focused on those within Conservation Areas. Art. 4 remove certain aspects of permitted development rights. It is worth noting that Listed Buildings have no permitted development rights, whether they lay inside or outside a conservation area.

### 1. Maidstone Town Centre

Details of Article 4 Directives within Maidstone Town Centre can be found here-

<https://localplan.maidstone.gov.uk/home/adopted-local-plan>

This focuses on change of use, mainly from office to residential.

### 2. Summaries

This list is for guidance only, and not the full wording of the Art.4 but should serve as guidance as to what the Article 4 Direction is. Clarity should be sought from the Council.

<b>CONSERVATION AREA</b>	<b>SUMMARY OF ART. 4</b>
<b>HEADCORN</b>	Enlargement, improvement, or other alteration to the dwelling; alteration to the roof; addition of a porch; building or enclosure within the curtilage of a dwelling; installation of satellites; erection of fences, gates or enclosure; painting of the exterior of the dwelling.
<b>HOLLINGBOURNE – EYHORNE STREET</b>	Enlargement, improvement, or other alteration to the dwelling; alteration to the roof; addition of a porch; building or enclosure within the curtilage of a dwelling; installation of satellites; erection of fences, gates or enclosure; painting of the exterior of the dwelling; creation of hardstanding; installing a container for the storage of oil for domestic heating.
<b>LENHAM</b>	Enlargement, improvement or other alteration to the dwelling; alteration to the roof; addition of a porch; building or enclosure within the curtilage of a dwelling; installation of satellites; erection of fences, gates or enclosure; painting of the exterior of the dwelling; creation of hardstanding; installing a container for the storage of oil for domestic heating.
<b>LOOSE</b>	Enlargement, improvement or other alteration to the dwelling; alteration to the roof; addition of a porch; building or enclosure within the curtilage of a dwelling; installation of satellites; erection of fences, gates or enclosure; painting of the exterior of the dwelling; creation of hardstanding; installing a container for the storage of oil for domestic heating.
<b>MAIDSTONE – HOLY TRINITY</b>	Enlargement, improvement, or other alteration to the dwelling; alteration to the roof; addition of a porch; building or enclosure within the curtilage of a dwelling; installation of satellites; erection of fences, gates or enclosure; painting of the exterior of the dwelling.

3. Maps

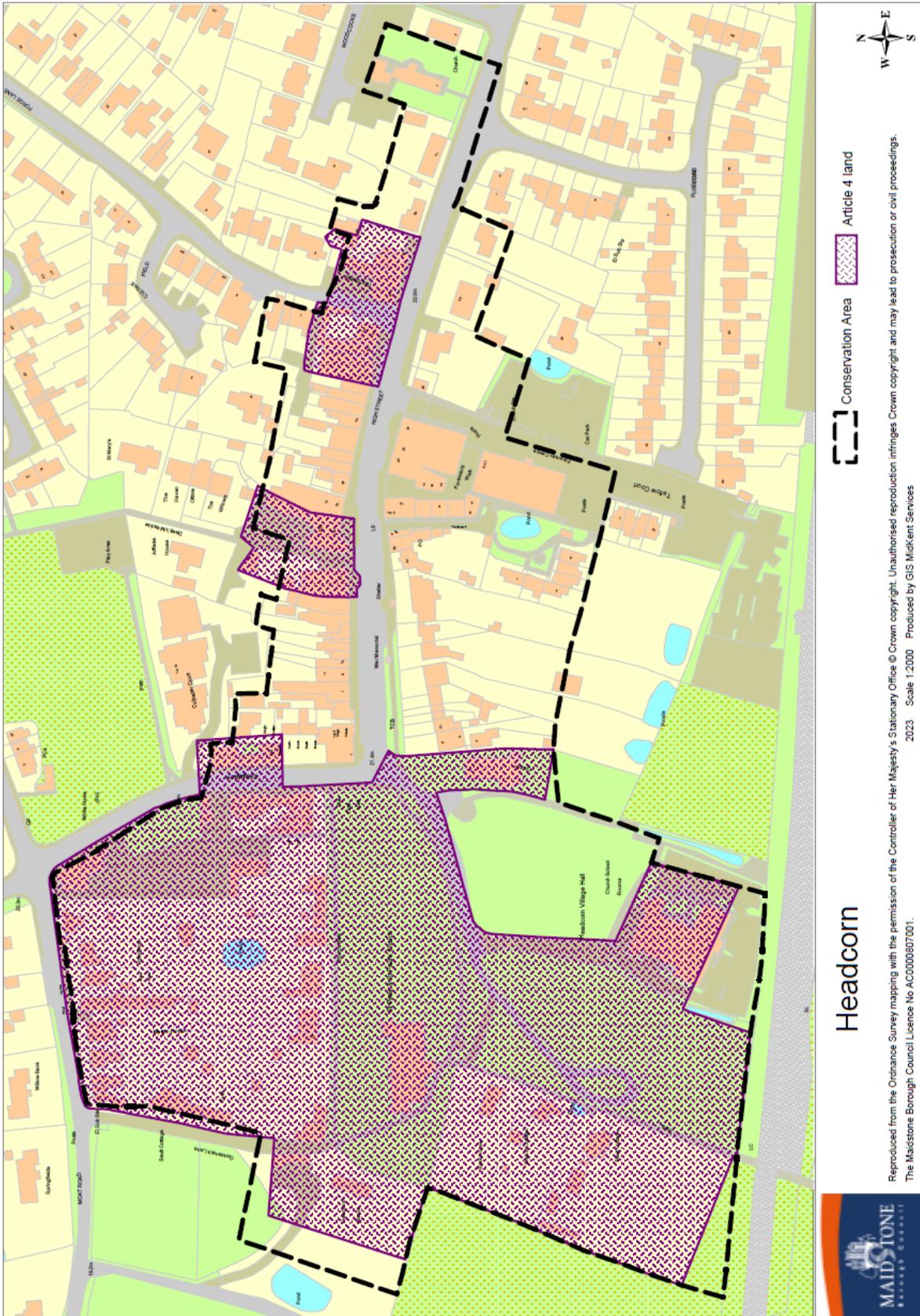


Figure 13 - Headcorn Article 4 Map

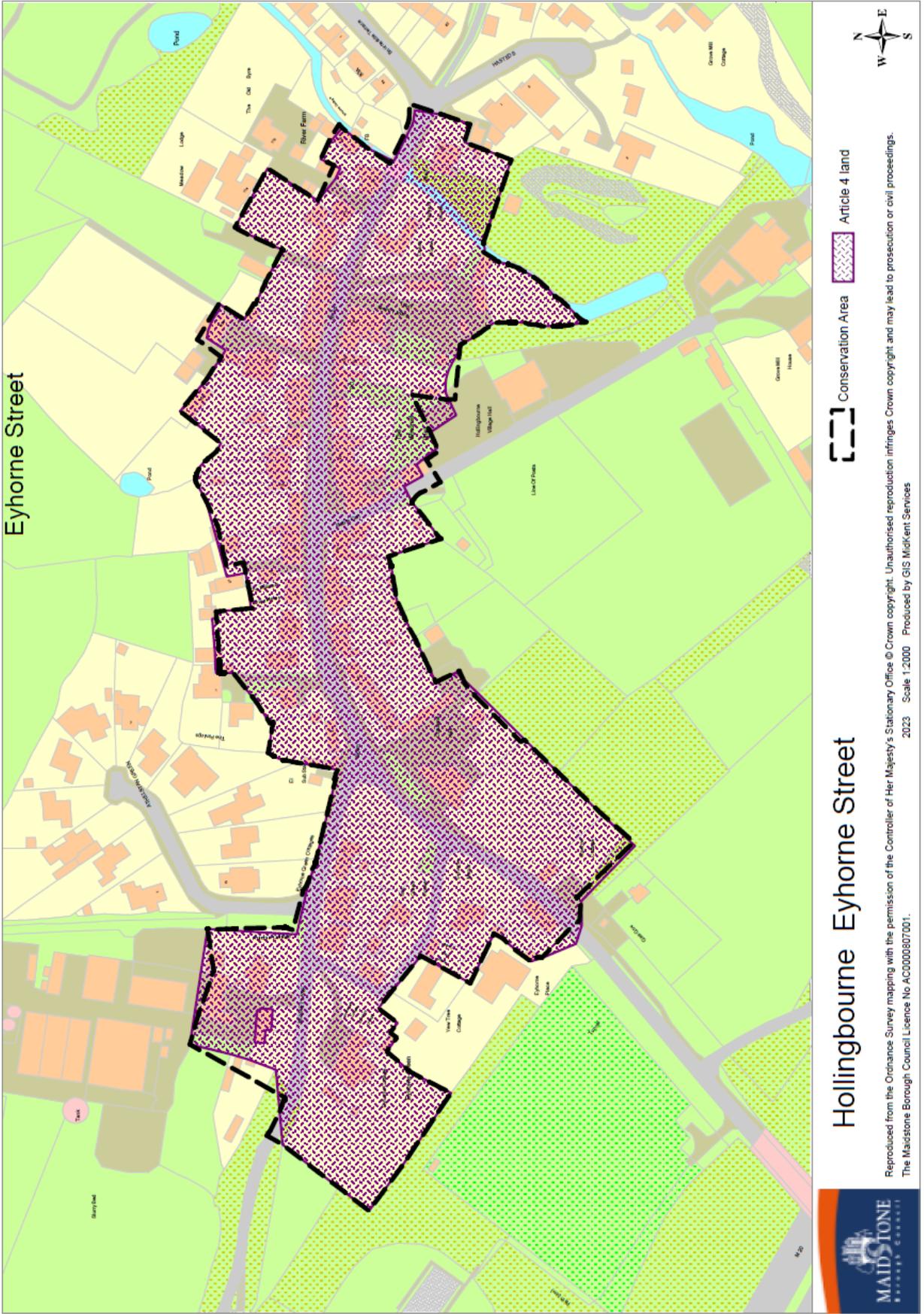


Figure 14 – Eyhorne Street, Hollingbourne Article 4 Map.

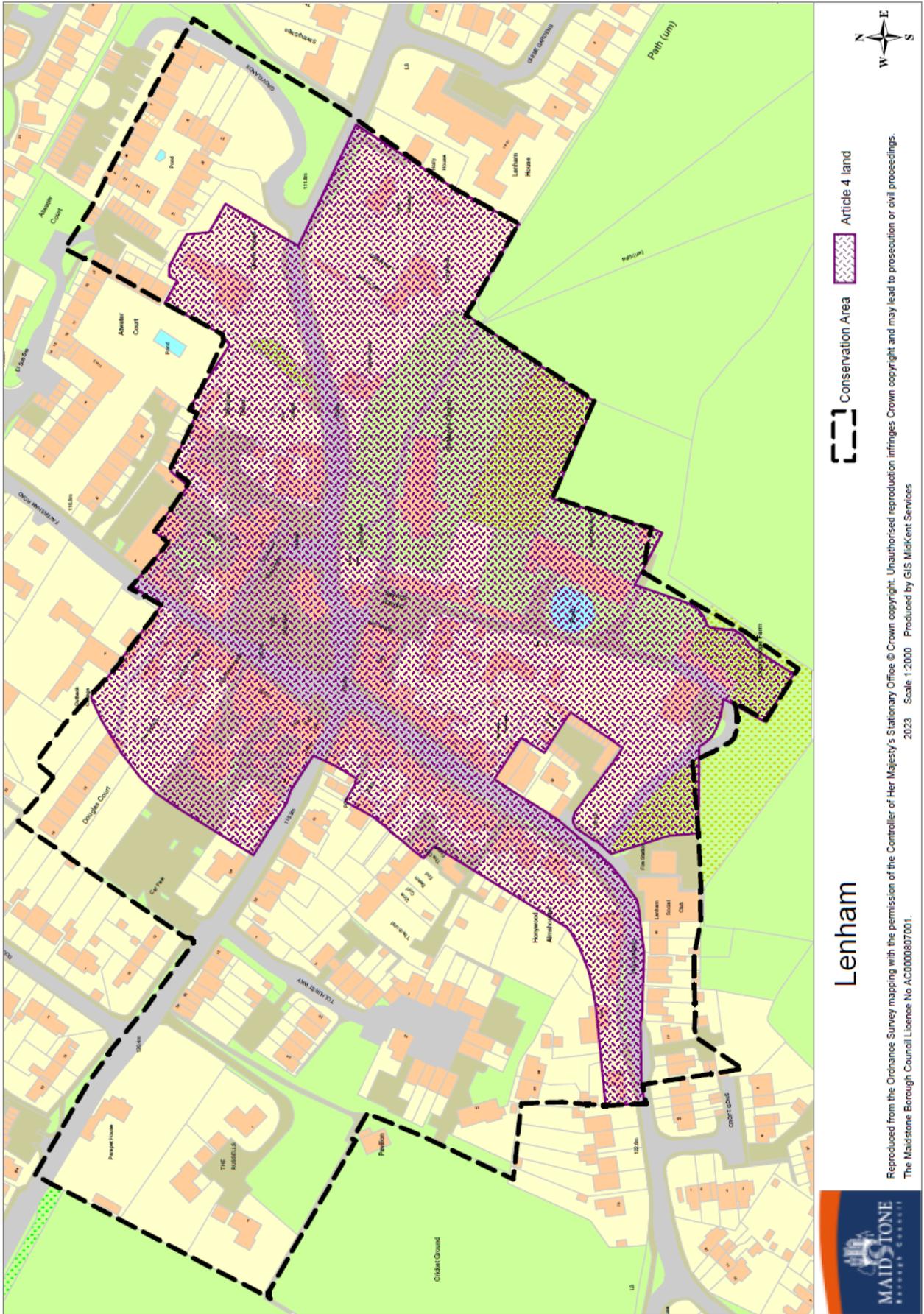


Figure 15 - Lenham village Article 4 Map.

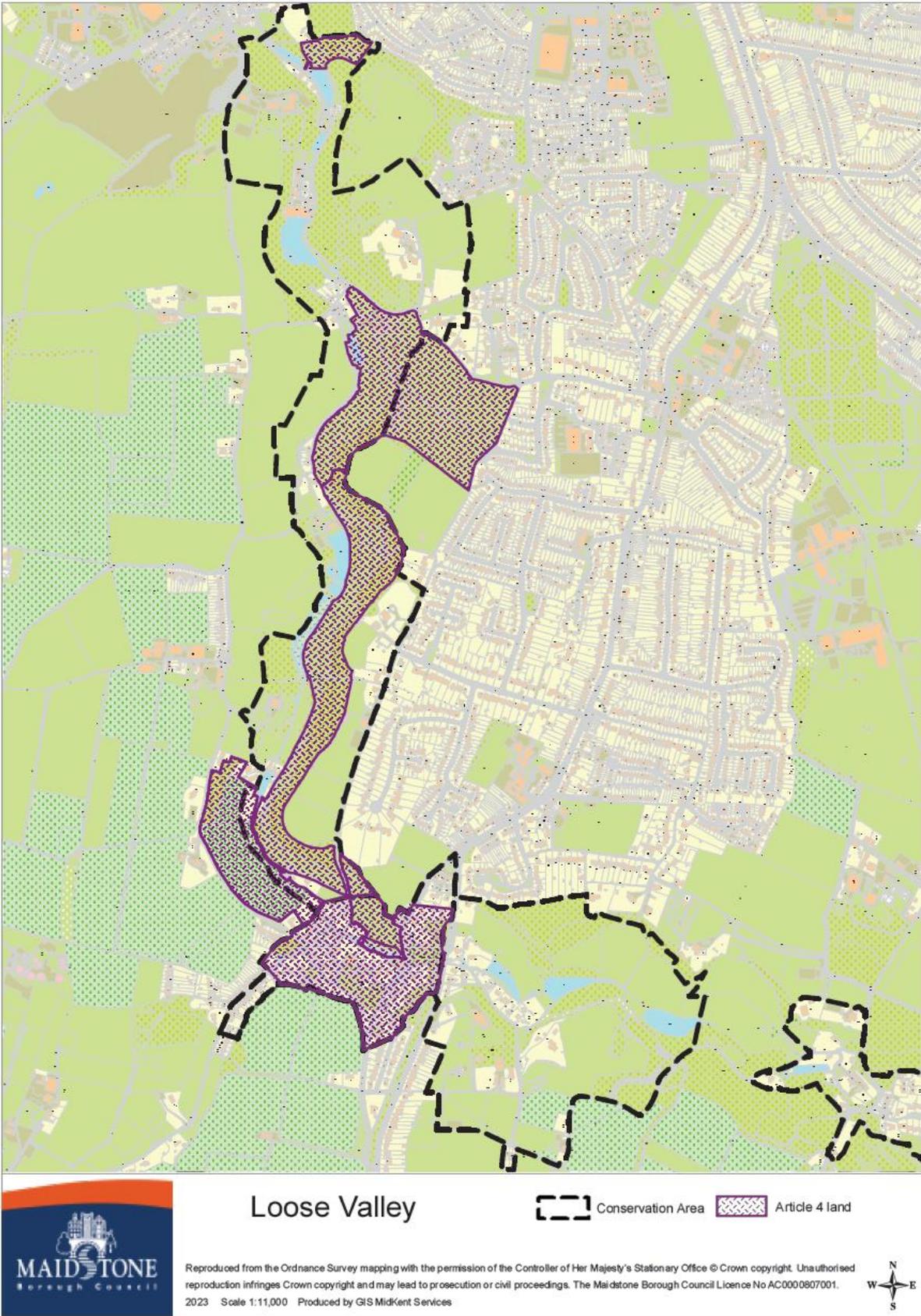


Figure 16 – Loose Article 4 Map.

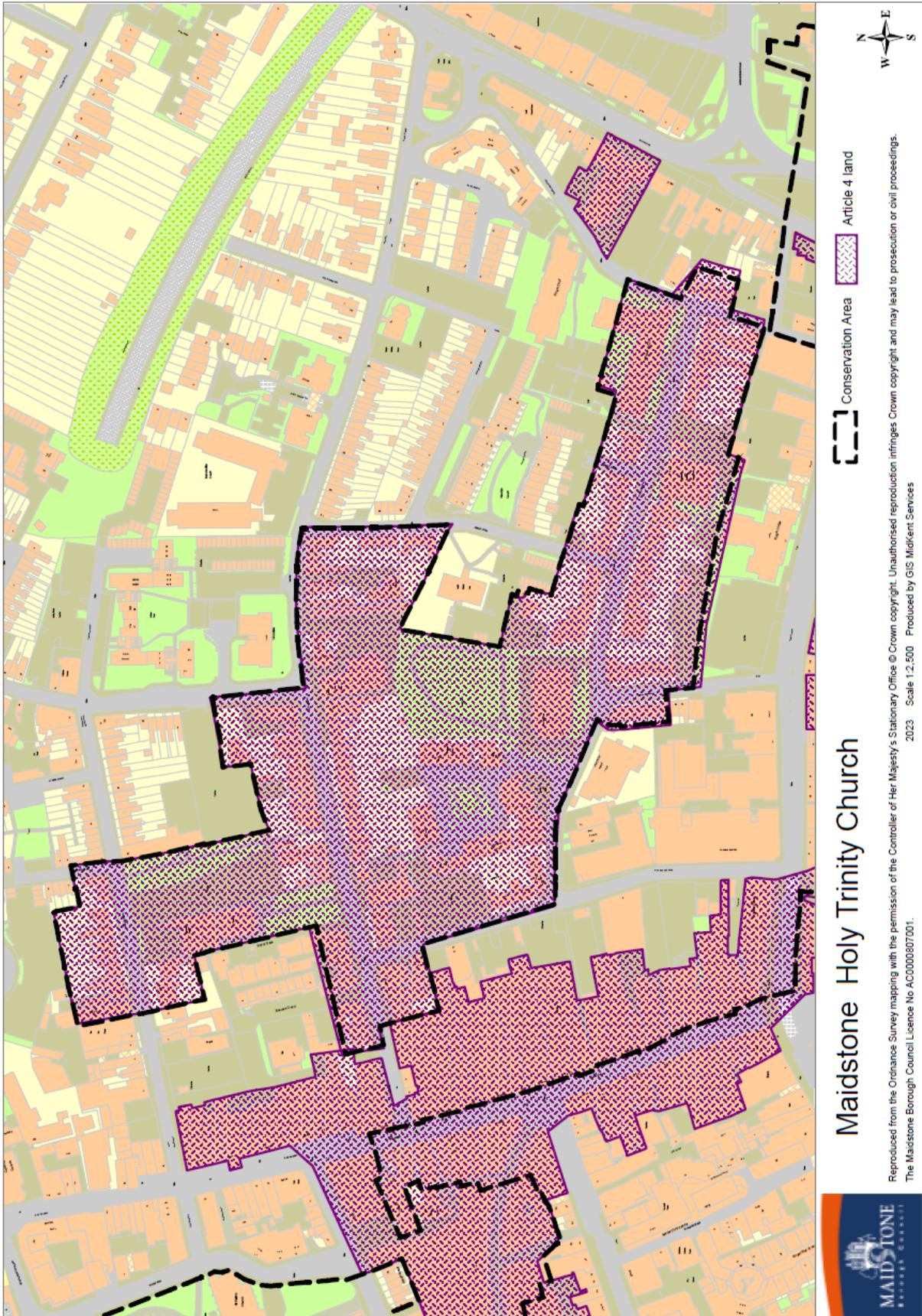


Figure 17 – Holy Trinity Church, Maidstone Article 4 Map.

### Appendix 3 – Useful Contacts

- Maidstone Borough Council (Heritage, Landscape & Design), Maidstone House, King Street, Maidstone, Kent, ME15 6JQ.  
Email: [ConservationOfficer@maidstone.gov.uk](mailto:ConservationOfficer@maidstone.gov.uk)
- Historic England - Cannon Bridge House 25 Dowgate Hill London EC4R 2YA  
[customers@HistoricEngland.org.uk](mailto:customers@HistoricEngland.org.uk)
- Kent County Council (Heritage Conservation Group) Invicta House, County Hall, Maidstone ME14  
Email: [heritageconservation@kent.gov.uk](mailto:heritageconservation@kent.gov.uk)

#### Professional Bodies

- The Arboricultural Association, The Malthouse, Stroud Green, Standish, Stonehouse, Gloucestershire GL10 3DL T: +44(0)1242 522152 Email: [admin@trees.org.uk](mailto:admin@trees.org.uk)
- Institute for Archaeologists, Miller Building, University of Reading, Reading RG6 6AB. T: 0118 378 6446 Email: [admin@archaeologists.net](mailto:admin@archaeologists.net)
- Landscape Institute 33 Great Portland Street, London W1W 8QG T: +44 (0)20 7299 4500 Email: [mail@mail@landscapeinstitute.org](mailto:mail@mail@landscapeinstitute.org)
- Royal Institute of British Architects 66 Portland Place, London W1B 1AD T: +44 (0)20 7580 5533 Email: [info@inst.riba.org](mailto:info@inst.riba.org)
- Royal Institution of Chartered Surveyors, RICS Contact Centre, Surveyor Court, Westwood Way, Coventry CV4 8JE T: +44 (0)870 333 1600  
Email: [contactrics@rics.org](mailto:contactrics@rics.org)
- The Institution of Structural Engineers, International HQ, 47-58 Bastwick Street, London, EC1V 3PS, United Kingdom Tel: +44 (0)20 7235 4535
- The Institute of Historic Building Conservation (IHBC) South East branch [SEBranch-Secretary@ihbc.org.uk](mailto:SEBranch-Secretary@ihbc.org.uk)
- The Society for the Protection of Ancient Buildings (SPAB) 37 Spital Square London E1 6DY [info@spab.org.uk](mailto:info@spab.org.uk)
- Design and Access Statements  
<http://webarchive.nationalarchives.gov.uk/20101121172431/http://cabe.org.uk/files/design-and-access-statements.pdf>