

Our ref: HER-01042

Date: 23rd September 2024

Land north of Possingham Farmhouse, Ashford Road, Great Chart, Kent, TN26 1JR

Introduction

1. This Built Heritage Technical Note has been prepared by RPS Consulting Services Ltd in relation to the proposed residential development of Land north of Possingham Farmhouse, Ashford Road, Great Chart, Kent, TN26 1JR, henceforth referred to as the 'Appeal Site'.
2. The proposed development comprises:
Outline application for the development of up to 655 residential dwellings (including 30% affordable dwellings) to consider access only (excluding internal circulation routes)
3. The proposed development was refused planning permission by Ashford Borough Council in December 2023 (ref. 22/00571/AS). Reason for refusal 6 relates to Built Heritage Matters:
6. The applicant has failed to demonstrate that public benefits would be delivered by the development that would outweigh the less than substantial harm to the setting of an adjacent listed building (Possingham Farmhouse).
4. The Applicant has submitted an Appeal to the Planning Inspectorate (PINS), ref. APP/E2205/W/24/3345454. In the course of the Appeal, a Built Heritage Briefing Note (September 2024) has been provided by Tor&Co on behalf of a third party (the Tor&Co Briefing Note). The Tor&Co Briefing Note is described as a review of the Application and Appeal documentation relevant to Built Heritage matters, including the submitted Built Heritage Statement (RPS, May 2021) and the Report of the Assistant Director-Planning & Development Planning Committee (December 2023). The Tor&Co Briefing Note concludes that the proposed development will give rise to a moderate level of less than substantial harm to the significance of the Grade II Possingham Farmhouse.
5. The conclusion offered in the Tor&Co Briefing Note differs from the conclusions of both i) the submitted Built Heritage Statement, which identifies a very low level of less than substantial harm; and also ii) the similar conclusion offered in the Report of the Assistant Director-Planning & Development Planning Committee.
6. It is also important to note that the Local Planning Authority's Statement of Case acknowledged that the public benefits of the proposed development outweigh the very low or low level of less than substantial harm to the Grade II Possingham Farmhouse. As such, the Local Planning Authority has withdrawn Reason for refusal 6, relating to Built Heritage matters.
7. This Built Heritage Technical Note reviews the Tor&Co Briefing Note and considers whether its conclusions are sustainable in light of the available Built Heritage information and evidence.
8. In summary, it is considered that i) the Tor&Co Briefing Note affords somewhat greater value to the Appeal Site's contribution to the significance of the listed farmhouse as an element of its setting than is proportionate; ii) the Appeal Site can be demonstrated to form only a minor element in the way in which the architectural and historic interest of the listed building is appreciated and understood; and, therefore, iii) the agreed position of the Appellant and Local Planning Authority is valid, robust and fully justified (i.e. that any potential harm to the significance of the Grade II Possingham Farmhouse would be at the 'very low' or 'lower' end of the spectrum of less than substantial harm respectively).

Discussion

Planning and Built Heritage Assessment Context

9. The Possingham Farm Site was assessed as part of the “Strategic Housing & Employment Land Availability Assessment (SHELAA)” (ref.GCS5), which stated that the Appeal Site has potential for residential development. Furthermore, the northernmost end of the Site falls within the boundary of the Chilmington Green outline planning permission granted for residential use (application ref. 12/00400/AS). The existing Chilmington Green strategic expansion outline planning permission also extends along much of the eastern boundary of the Site, coming close to the northeast of the grounds of the Grade II Possingham Farmhouse. This planning context demonstrates the in-principle acceptability of built development within and across the immediate-wider vicinity of Possingham Farmhouse.
10. The NPPF and Historic England’s guidance is clear that harm does not occur to the setting of an asset, but to its significance, a setting may only undergo a change, which may have a harmful, beneficial or neutral impact on significance. Historic England’s guidance further specifies that setting is not itself a heritage asset, nor a heritage designation and its importance lies only in what it contributes to the significance of a heritage asset, or to the ability to appreciate that significance (paragraph 9, GPA3, 2017). Potential impacts to a heritage asset’s significance, arising through the change of its setting, should be understood therefore as a judgement of how far that change in visual, environmental and experiential terms enhances or diminishes the ability to appreciate or understand the significance of the heritage asset, or is neutral in that regard.
11. In May 2021, a comprehensive Built Heritage Statement was produced by RPS (the Built Heritage Statement). The Built Heritage Statement (and associated assessment) was produced and undertaken in accordance with relevant legislation, policy and guidance in place at the time of writing. It identified that the immediate setting of the listed building appears largely unchanged since the late 19th Century, and contributes to its significance by representing the historical and functional character context of the listed building¹. However, this contribution to significance is a minor one; the listed building is not readily seen or experienced from any part of these agricultural surrounds. The listed building’s significance lies primarily with the architectural and historic interest of its built fabric, which is understood within the confines of the building’s close, enclosed setting that is formed by its private grounds. The specific functional relationship of the listed building to particular plots of nearby land is not part of the experience of the listed building within its close setting, but rather is most legible through reference to historical cartographic sources. The Appeal Site affords no opportunities by which the architectural and historical interest of the listed building can be appreciated and does not form part of the experience of being within the enclosed space where those interests are understood and appreciated. The contribution of the Appeal Site to significance is therefore considered to be very minor in nature.
12. In effect, no element of the listed building’s intrinsic architectural or historic interest would change, nor would the way in which that interest is currently best appreciated. The listed building’s grounds would continue to be approached from the south-southeast on Ashford Road through an extensive agricultural landscape, that includes a substantial arable field to the immediate south that is closer in proximity to the listed building than the Appeal Site. It is considered that the listed building’s wider rural setting would remain legible as a result of this southern approach, which will remain largely unchanged. Changes to the experience of the listed building are considered to be limited only to the way in which those private spaces within which its significance can be appreciated are approached from the north on Ashford Road. Ashford Road itself does not afford any opportunities to appreciate the significance of the building.
13. Nevertheless, it is acknowledged that the proposed development represents an erosion of the wider agricultural landscape within which this designated built heritage asset is located and approached. In this regard, the proposed development, in causing an erosion of the general rural-agricultural character of the area, will result in a very low degree of harm to the significance of this listed building, which falls at the lowest end of the spectrum of less than substantial harm. The degree of harm is not considered to be greater than very low on the spectrum of less than substantial harm because there is no existing opportunity to appreciate the architectural and historical interest of the listed building that will be lost or changed and the wider rural-agricultural setting will clearly remain legible.

¹ Built Heritage Statement, p.13 (RPS, 2021)

14. It is relevant to note that, in considering the nature of potential built heritage impacts, the Local Planning Authority identified in the Report of the Assistant Director-Planning & Development Planning Committee (December 2023, ref. 22/00571/AS) as follows:

99. Given the distances of separation to the nearby heritage assets, as well as the presence of the intervening landscaping and the A28, I broadly concur with the applicant's assessment of the impacts of the proposed development on the heritage assets. Whilst the impact is on the lower spectrum of less than substantial harm, in accordance with the requirements of policy ENV13 of the Local Plan and the NPPF, this harm would need to be weighed against the public benefits of the development, which would need to be assessed to that end.

15. The Local Planning Authority did not initially consider that the public benefits of the proposed development outweighed the low or very low degree of less than substantial harm that it considered would arise to the significance of the Grade II Possingham Farmhouse, which resulted in Reason for refusal 6 being included in the Decision Notice. Subsequently, however, the Local Planning Authority has withdrawn Reason 6 for Refusal.

Review of Tor&Co Built Heritage Briefing Note

16. The Tor&Co Briefing Note was produced on behalf of a third party in September 2024. It identifies its purpose as:

to review the application and available appeal documentation and consider whether the conclusion of an impact of 'less than substantial harm' is fair and valid, or whether it could be concluded that the proposed development in fact results in 'substantial harm' to the significance of the designated heritage asset.

17. The Tor&Co Briefing Note appears to be generally undertaken in accordance with relevant policy and guidance. However, some of the assertions made within the Tor&Co Briefing Note are, with reference to the photography and analysis presented alongside them, considered to be overstated. The overstated impacts give rise to a different conclusion being reached in respect of the degree of impact to the significance of Possingham Farmhouse in the Tor&Co Briefing Note (i.e. moderate level of less than substantial harm) when compared to the broadly agreed conclusions of the Appellant and Local Planning Authority (i.e. very low or low level of less than substantial harm respectively).
18. Firstly, the difference in the three assessments on the degree of impact to the significance of the listed building are not substantially different. All parties agree that any potential harm to significance is less than substantial. The highest level of impact identified, by Tor&Co, is only 'moderate' on the spectrum of less than substantial harm. Although discussion of the proposed development's public benefits are for the evidence of others, I would note that with regard to the planning balance test required by paragraph 208 of the NPPF, the Appellant and Local Planning Authority agree that the less than substantial harm incurred is outweighed by the public benefits of the scheme, hence the withdrawal of Reason 6 for refusal by the Local Planning Authority.
19. Second, with regards to the analysis of the Appeal Site as an element of the setting of the listed building as set out in the Tor&Co Briefing Note, it is agreed that the Appeal Site and other parts of its agricultural surrounds form part of the listed building's setting and that these have a historical and functional relationship with the listed building. As such, it is agreed that these elements of setting contribute to the significance of the listed building because they inform an understanding of the agrarian function and history of the Farmhouse.
20. Third, the Tor&Co Briefing Note acknowledges that the setting of the listed building has changed over time, with the Farmhouse becoming set within an enclosed space formed of private garden grounds and adjoining paddocks. However, the Tor&Co Briefing Note suggests that the consented (and allocated) Chilmington Green development should be considered as an element of the setting of the listed building, arguing that the absence of such a consideration is an omission of the submitted Built Heritage Statement. The Tor&Co Briefing Note argues that the cumulative effects of the Chilmington Green consent/allocation, in conjunction with the proposed development, should be taken as representing a wider erosion of the agricultural landscape around the listed building. In my view, this conjectural point about cumulative impacts does not affect the validity of the Built Heritage Statement's conclusions in any way. The wider Chilmington Green strategic development has not been built out and while very large areas of the landscape to the northeast of Possingham Farm are subject to an outline planning consent for development, it is not possible to make a reliable or detailed judgement on the extent to which future, but as yet undesigned proposed development within that space may affect the significance of the Possingham

Farmhouse listed building specifically. While there may be a wider erosion of the agricultural landscape, conjectural judgements about the possible impacts of future development proposals of an unknown nature should not be a consideration in the assessment of impacts occurring through delivery of a development proposal that has known design parameters, and an understandable future relationship to the relevant listed building.

21. Fourth, the Tor&Co Briefing Note reproduces a photograph (Figure 1, Tor&Co Built Heritage Briefing Note) of the Possingham Farmhouse within its private, domestic grounds. This photograph demonstrates the particularly and clearly enclosed nature of the space within which the architectural and historic interest of the building's built fabric is understood and in respect of which its significance is derived, understood and appreciated. The Tor&Co Briefing Note reproduces as its Figures 2 and 3, two views looking in the direction of the Farmhouse over intervening agricultural land, including one view looking across the Appeal Site and one view taken from the south of the listed building, looking north. These views, like those presented in the submitted Built Heritage Statement, demonstrate that there is no ready appreciation of the presence or significance of the Possingham Farmhouse from its wider surrounds, including the Appeal Site. The role of these elements of setting can therefore only be described as being representative of the listed building's historical character context, rather than as spaces from which its significance is understood, or even appreciable. The minor contribution of these wider setting elements to the significance of the building is fully recognised in the submitted Built Heritage Statement.
22. Fifth, and connected to the above point, the Tor&Co Built Heritage Briefing Note specifically acknowledges that "*the Farmhouse itself is now mostly concealed from views outside the property by mature tree boundaries*", but continues to state that "*there remains a strong visual connection with the countryside from the immediate grounds of the farmhouse, notably from the paddocks and drive*". The Tor&Co Briefing Note further sets out that "*The views towards the site from the wider vicinity enable this connection to be understood and appreciated, where both the front- and backdrop are undeveloped agricultural fields.*" In support of these assertions, the Tor&Co Briefing Note includes several photographs showing views looking north toward the Appeal Site from each of the two substantial, largely enclosed paddocks lying north of the listed building. The Tor&Co Briefing Note asserts that housing would be visible in some places through intervening treelines in each of these views.
23. Although I do not dispute that the proposed development may be visible in these two views northwards from the two paddocks to the north of the listed building, no notable view to new built development would occur from within the enclosed domestic grounds of the listed building, which is not now a functioning Farmhouse, and is separated from the adjoining paddock to the north by intervening ancillary buildings and a dense tree-hedge line. It is agreed that limited, partial views to the proposed built development would arise from within the two paddocks north of the listed building's grounds, but such views would not be taken in conjunction with any view to the listed building itself or from any space within which its architectural and historic interest is most readily appreciated. In views northwards from the grounds of the listed building, where such views allowed filtered, limited appreciation of the paddocks to the north, the view from this close proximity of the listed building would not be to new development, but to the over 70-100m of intervening agricultural character space that lies between the Farmhouse and the Appeal Site. Such glimpsed or partial views of new development as may occur from within the paddocks to the north of the listed building could be addressed through the provision of an adequate landscaping treatment along the southern boundary of the Site (as illustrated in drawing ref: D04010_001_F), which could be secured by condition.
24. Finally, in reaching a conclusion on potential impacts to the significance of Possingham Farmhouse, the Tor&Co Briefing Note is consistent with the position of the Appellant and Local Planning Authority in identifying the degree of harm as less than substantial, but differs in that it is asserted that such harm will be 'moderate' on that spectrum of impact. Specifically, this moderate degree of harm is identified as a result of the:

loss of all the undeveloped agricultural land to the immediate north of Possingham Farmhouse, which, considered with the consented allocation at Chilmington Green, will result in a highly significant erosion of this contributory agricultural setting. The visual experiences towards and from the farmstead across the application site, together with the proximity of built development to the boundaries of the farm, will result in a heightened perception of this change. The scale of the proposed development adjacent to the Possingham Farmhouse boundary, which is shown on the building heights parameter plan (Clague Architects drawing no. 29892A_51H) as from 2.5 to 3 storeys, will exacerbate this effect, especially given the diminutive scale (1.5- storey) of Possingham Farmhouse.

25. In my view, this conclusion does not align with the evidence and analysis presented within the Tor&Co Briefing Note. The photographs presented in the briefing note as Figures 2 and 3 demonstrate that there are no appreciable 'visual experiences' toward the listed building from these elements of its setting. Furthermore, the assertion that the proximity of built form will heighten this perception of change does not appropriately acknowledge the fact that there will remain 70m and 100m of intervening agricultural space, demarked by dense visual barriers between the listed building and the boundary of the Site. From within these adjoining spaces, specifically the two paddocks north of the listed building's grounds, limited views to the proposed development will likely be possible. However, such views would not be taken in conjunction with the listed building, nor form part of the experience of being within its garden grounds where its significance primarily appreciated. Such limited visual change, not to the space within which the listed building is appreciated, but to these adjoining spaces could be addressed through the requirement for an enhanced boundary treatment at the southern end of the Site, secured by condition.
26. A review of the Tor&Co Briefing Note indicates that the identification of a 'moderate' degree of less than substantial harm represents an overstated interpretation of the actual experiential relationship between the Grade II Possingham Farmhouse and the Site. The degree to which the experience of the listed building would change is demonstrably limited to the alteration of the wider area through which it is approached from the north and not the alteration of any space within which the significance of its built fabric is appreciable. There has been no substantive evidence or analysis presented in the Tor&Co Briefing Note that would change the validity of the agreed position of the Appellant and Local Planning Authority on Built Heritage matters.

Conclusions

27. This Built Heritage Technical Note has been prepared by RPS Consulting Services Ltd in relation to the proposed residential development of Land north of Possingham Farmhouse, Ashford Road, Great Chart, Kent, TN26 1JR.
28. A review of the Tor&Co Briefing Note indicates that the reason for its different conclusion in respect of the degree of less than substantial harm to the significance of the Grade II Possingham Farmhouse (as compared to the broadly agreed position of the Appellant and the Local Planning Authority) is that the experiential relationship between the Site and the listed building is overstated, and by extension the contribution of the Appeal Site to the significance of the building is overstated. This has resulted in Tor&Co identifying a 'moderate' degree of less than substantial harm, which is not believed to be justified given the available evidence. It is considered that the position of the Appellant and Local Planning Authority that potential harm to the significance of the Grade II Possingham Farmhouse would be at the 'very low' or 'lower' end of the spectrum of less than substantial harm respectively better reflects the limited experiential relationship of the Site to this designated built heritage asset.
29. The conclusions of the May 2021 submitted Built Heritage Statement are considered to remain valid, and no information has been introduced that would warrant a revision of those conclusions.

Yours sincerely for RPS Consulting Services Ltd



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