



# Land off Dover Road, Deal

## Built Heritage Statement



Gladman Developments Ltd.

A101293

April 2017

100 St John Street, London, EC1M 4EH

Tel: +44 (0)20 7250 7500 Fax: +44 (0)20 7250 7501 Website: [www.wyg.com](http://www.wyg.com)



## Document control

Document:	Built Heritage Statement	
Project:	Land off Dover Road, Deal	
Client:	Gladman Developments Ltd.	
Project Number:	A101293	
Revision:	D	
Date:	April 2017	
Prepared by: Daryl Page	Checked by: Jason Clemons	Approved By: Jason Clemons

Ordnance Survey Data © All rights reserved. License no. 100020449



## Contents

1.0 Introduction ..... 1

2.0 Legislation and National Planning Policy and Guidance ..... 3

3.0 Architectural and Historical Appraisal ..... 5

4.0 Assessment of Significance ..... 10

5.0 Development Proposals and Impact Assessment ..... 15

6.0 Summary of Findings ..... 16

### Appendices

- Appendix A: Kent Historic Environment Record (HER) (Kent County Council)
- Appendix B: Upper Walmer Conservation Area Map (Dover District Council)
- Appendix C: Statutory List Description (Historic England, 2016, NHLE)
- Appendix D: Legislation, Planning Policy and Guidance
- Appendix E: References

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY



## 1.0 Introduction

### 1.1 Background

- 1.1.1. This Built Heritage Appraisal ('report') has been prepared on behalf of Gladman Developments Ltd. to assess the built heritage sensitivities for future development proposals at Land off Dover Road, Deal, Kent (the 'Site') (Figure 1.1).
- 1.1.2. The Site is located to the south of Deal town centre in the parish of Walmer (comprising Lower and Upper Walmer); a former village that was incorporated into Deal's as expansion of development occurred in the nineteenth and twentieth centuries, as well as more recently into the twenty-first century. Access to the Site is off Dover Road (A258), which abuts the western Site boundary. To the south of the site is additional ribbon development along the A258, with undulating countryside of agricultural fields to the south and west beyond.

### 1.2 Heritage Assets

- 1.2.1. In accordance with National Planning Policy Framework (NPPF) Paragraph 128 the Kent Historic Environment Record (HER) has been consulted to determine what built heritage assets are proximate to the Site (Appendix A). It has been identified on the National Heritage List for England (NHLE) that the Grade II listed Ripple Windmill is located to the south-west of the Site.
- 1.2.2. In addition, it has been identified that the Upper Walmer Conservation Area, and scheduled monument and Registered Park and Garden of Walmer Castle, are located to the north and north-east of the Site, respectively (Appendix B & C). Nonetheless, it is considered that the Site does not fall within the respective settings of these identified heritage assets as outlined in Section 4 of this report.
- 1.2.3. There is a requirement under the NPPF for the applicant to ascertain what constitutes the significance of the heritage assets identified, what potential effects that development proposals will have upon that significance, and how these effects would be mitigated.
- 1.2.4. The significance of a heritage asset can be contributed by their 'setting'. Separate from the concepts of curtilage, character and context, setting is defined in Annex 2 of the NPPF as:

*"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve."*



- 1.2.5. While a heritage asset's setting is itself not designated, all heritage assets, whether designated or non-designated, have a setting. Its importance, and therefore the degree of protection it is offered in decision-making, depends entirely on the contribution it makes to the significance of the heritage asset or the ability to appreciate the heritage asset. This contribution can thus be positive, neutral, or negative.
- 1.2.6. The nearest heritage assets to the site are the Upper Walmer Conservation Area and the scheduled monument and Registered Park and Garden of Walmer Castle. Whilst the Site does not fall within their respective settings, due to the intervening development, an assessment of these heritage assets is provided in Section 4 of this report for completeness.

### 1.3 References

- 1.3.1. To ascertain what constitutes the respective setting and significance of the heritage assets identified above, this report's assessment will be based on Steps 1 & 2 of the 5-step process set out in Historic England's *Historic Environment Good Practice Advice in Planning Note 3 (GPA 3): The Setting of Heritage Assets* (March 2015), in addition to the heritage values outlined in Historic England's *Conservation Principles, Policies, and Guidance* (April 2008). The assessment of these heritage assets has informed Steps 3 & 4 of the 5-step process on identifying what potential effects that future development proposals could have on their respective setting and significance, and ways to maximise enhancement and avoid or minimise harm where possible.
- 1.3.2. Where relevant, additional national planning guidance, such as Historic England's *Seeing the History in the View* (May 2011), and Dover District Council's local planning policy and guidance documents have been utilised as part of this assessment. Reference has therefore been made to the relevant legislation, and planning policy and guidance at national and local levels, with special regard to policies that relate to built heritage (Appendix D).
- 1.3.3. The findings attained within this report are also based on a detailed architectural and historical appraisal of the Site and its surroundings, archival research, an on-site visit from accessible locations, and an application of professional judgement.



## 2.0 Legislation and National Planning Policy and Guidance

### 2.1 Overview of the decision-making process

- 2.1.1. The decision-making process of planning applications is within the role of the Local Planning Authority (LPA), and in certain cases the Secretary of State, which will have consideration of relevant legislation and planning policy at both national and local level. As such, this section will examine the relevant built heritage legislation and planning policies and guidance, in relation to development proposals at the Site. A comprehensive assessment of these are outlined in Appendix D.
- 2.1.2. The current regime recognises that planning applications should consider the potential impact of development proposals upon 'heritage assets'. This term includes: designated heritage assets, which have a statutory designation (e.g. Listed Buildings and Conservation Areas); and non-designated heritage assets, typically compiled into a Local List by LPAs.

### 2.2 Legislation

- 2.2.1. Legislation regarding Listed Buildings and Conservation Areas is set out in the *Planning (Listed Buildings and Conservation Areas) Act 1990* (the 1990 Act).
- 2.2.2. Section 16 of the 1990 Act states that, in considering whether to grant listed building consent for any works the LPA shall have special regard to the desirability of preserving the Listed Building, or its setting, or any features of special architectural or historic interest, which it possesses.

### 2.3 National Planning Policy Framework

- 2.3.1. In Section 7 *Requiring good design*, NPPF Paragraph 58 states that local planning policies should aim to ensure that development proposals: function well respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
- 2.3.2. NPPF Paragraphs 126-141 of the National Planning Policy Framework (the NPPF) relate to the conservation of the historic environment. These paragraphs set out an approach for decision-making, taking into account the harm to a heritage asset's significance, the extent of such harm, and, in the case of designated heritage assets, the need to weigh harm against public benefit. NPPF Paragraph 128 outlines the requirement for applicants to proportionately describe the significance of an identified heritage asset, including any contribution made by



their setting, to understand the potential impact that development proposals will have upon that significance.

2.3.3. The NPPF therefore requires a thorough assessment of any impact that proposals may have upon the significance and setting, which needs to be proportionate to both the heritage asset's significance, and the degree to which the proposals will enhance or detract from that significance and the ability to appreciate it.

2.3.4. The meaning and effect of these duties have been considered by the courts in recent cases, including the Court of Appeal decision relating to *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA civ 137*. The Court agreed with the High Court's judgment that Parliament's intention in enacting Section 66(1) was that decision-makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings.

2.3.5. The Court of Appeal Judgment of *Mordue v South Northamptonshire Council [2015] EWBC 539* in examining the compliance of the approach for decision-making set out in the NPPF with the requirements set out in the 1990 Act, found that:

*"a decision-maker who works through those paragraphs [NPPF Paragraphs 131-134] in accordance with their terms will have complied with the Section 66(1) duty".*

2.3.6. Thus, the approach set out in the NPPF for assessment and decision-making relating to heritage assets complies with the special regard for the desirability of preserving a statutorily listed building or its setting.





## 3.0 Architectural and Historical Appraisal

### 3.1 Development of Walmer and Deal

#### Origins of Walmer

- 3.1.1. At the southern extent of Deal is the village of Walmer, situated on rising ground at the ending of chalk downs at the coast, close to which is a long beach onto the English Channel, rising steeply to the south and west from Upper Walmer to form the undulating farmland.
- 3.1.2. There are at least three possibilities to the exact origin of the name 'Walmer': '*Wahl Meré*', for an ancient settlement around a pool; '*Vallum Mare*', meaning a fortress against the sea; or 'the sea coast of the *Weallas*', slaves of the Jutish invaders around 450-500AD (Source: The Walmer Design Statement Group, *Walmer Design Statement*, August 2003).
- 3.1.3. It is probable that Julius Caesar and his legions landed at Walmer during the 55-54BC invasions of Britain (Source: Walmer Web, 2014, *Walmer's Past: A Brief History*, North Downs Web [www.walmerweb.co.uk](http://www.walmerweb.co.uk) 16 Jan 2017).

#### Medieval development

- 3.1.4. The settlement that constitutes Upper Walmer today was established in the early twelfth century around a manor house with an associated farm (Walmer Court), and St Mary's Church (Source: Walmer Web, 2014).
- 3.1.5. The local population became increasingly engaged in fishing and other occupations related to the sea. This process of change from agriculture was speeded up, and consolidated, as changes in the coastline rendered it increasingly difficult for shipping to use the harbours at Dover and Sandwich (Source: The Walmer Design Statement Group, 2003).

#### Tudor development

- 3.1.6. Walmer Castle was built on instructions of King Henry VIII in 1539, coinciding with the coastal fortifications in neighbouring Deal and Sandown to protect the Downs from invasion; the sheltered area of water between the shore and the Goodwin Sands (Source: English Heritage, 2017, *History of Walmer Castle and Gardens*, [www.english-heritage.org.uk/](http://www.english-heritage.org.uk/) Accessed 16 January 2017).
- 3.1.7. Comprising a low, circular keep surrounded by a narrow courtyard, protected by a concentric outer wall from which four curved bastions projected, Walmer Castle was to a state-of-the-art design. A gatehouse leading to a drawbridge over a moat was incorporated into the western bastion. The castle's low height made it a difficult target to attack from the sea, and its curved



walls were well equipped to deflect gunfire. Despite later alterations, the plan and structure of the Tudor design are still largely intact and appreciable today (English Heritage, 2017).

- 3.1.8. To coincide with the military build-up, a brewery was also established in the Tudor period, which probably had the most significant impact on the area in terms of local employment (Source: Walmer Web, 2014).

### **Seventeenth century development**

- 3.1.9. Only once was the Walmer Castle used in action during the English Civil War, when the Downs was occupied by Royalists in 1648 and Parliamentarian forces besieged Walmer for about four weeks before the garrison surrendered.

### **Eighteenth century development**

- 3.1.10. From 1708 Walmer Castle became the official residence of the Lords Warden of the Cinque Ports, a life appointment in the gift of the Crown. The first resident Lord Warden was the 1<sup>st</sup> Duke of Dorset (1703-13 and 1727-65), who arranged for the construction of a brick-built, battlemented block to Walmer Castle.
- 3.1.11. By the end of the eighteenth century, the population of Walmer was about 350, concentrated on St Mary's church and Walmer Castle. From the early-nineteenth century, with the threat of invasion from the French during the Napoleonic Wars, a series of developments occurred in the Deal area. This included the addition of the Cavalry Barracks and North Barracks sites at Walmer, the turnpike road through Deal to Sandwich, and construction of windmills to increase local agricultural production (Source: East Kent History, 2010).

### **Nineteenth century development**

- 3.1.12. In the nineteenth century, Upper Walmer predominately comprised cottages for workers and tradesmen, along with facilities such as a school, shops, inns, the brewery, and a convent with a chapel. The introduction of steam-powered vessels greatly reduced sailing ships to wait for favourable winds and tides in the Downs, resulting in a decline in demand for servicing shipping in Deal. Nonetheless, the town would instead turn to tourism to attract Victorian day-trippers and holiday visitors, an industry that was supplemented by the arrival of the railway in 1847 (English Heritage, 2017).
- 3.1.13. The gardens at Walmer Castle were originally laid out for William Pitt the younger, who was Lord Warden from 1792-1805.
- 3.1.14. The 1851 census shows that the population of Deal was 2,616, which then increased to 3,275 by the 1861 census. Such growth in the area continued throughout the nineteenth century as



houses were built for retired military personnel, and with speculative housing development complemented by some commercial development and retail shops situated along the Strand.

- 3.1.15. The Duke of Wellington died as Lord Warden of the Cinque Ports at Walmer Castle in 1852 (Source: The Walmer Design Statement Group, 2003). Walmer Castle underwent extensive alterations by Lord Granville in the late-1860s; increasing the Tudor gatehouse height with a suite of thirteen rooms above and developing William Pitt the Younger's gardens to the west.
- 3.1.16. The brewery that had existed since the Tudor period was acquired by Edmund Thompson in 1816, operating under the name Thompson & Sons until 1867 when the business was bought by John Matthews, who would go on to expand and modernise the brewery, yet retain the name 'Thompson'. This purchase included the workers houses in Dover Road for use as offices and to accommodate staff, with a long terrace of brick cottages built in Belmont for more workers (Source: Walmer Web, 2014). The maltings, bottling plants, brewhouse, and stables with smithy, occupied a large area in the village; offering local employment.
- 3.1.17. The Convent of the Order of the Visitation of Holy Mary relocated to the Roselands estate in 1875; fleeing from persecution in Poland and Germany, occupying a large, late-eighteenth Century Georgian house on the eastern side of Dover Road. The main convent building was then completed in 1881, followed by the Sisters' Choir and the Gothic Chapel of the Sacred Heart in 1890, which was designed by Augustus Welby Pugin (1812-1852) (Source: Walmer Web, 2014).

### **Twentieth century development**

- 3.1.18. Three large detached Edwardian Houses known as Bradfield, Alderden and Hawksdown House, were all built on Hawksdown Road in the early-twentieth century. Although both Bradfield and Alderden still survive today, the latter was pulled down when the Hawksdown estate was built in the early 1920s (Source: Walmer Web, 2014).
- 3.1.19. Post-war construction in Hawksdown Road, as well as council housing in Churchill Avenue and the Lord Warden Estate, meant that the population of Walmer increased through the twentieth century with estates (Source: The Walmer Design Statement Group, 2003).
- 3.1.20. Production at the brewery ceased in 1974 and was later demolished in 1981 to make way for the residential development at Downlands. An old bell, which was formerly located in the brewery belfry tower, was moved to the last remaining public house in Walmer, The Thompson Bell, located on Dover Road (Source: Walmer Web, 2014).



- 3.1.21. The Convent left Walmer in 1971, with much of their associated buildings subsequently demolished in 1982 and the land used for residential development on Roselands and Poet's Walk. Only the walls and chapel were retained. The chapel's tower, immediately beside Dover Road, is a distinctive local landmark (Source: Walmer Web, 2014).
- 3.1.22. The growth of Walmer and Deal in general has continued into the twenty-first century, with additional residential development at the Hawksdown estate and the development of the Barracks after its closure in 1996. Unsurprisingly, much of the historic development in Upper Walmer shows evidence of successive alterations over the centuries. Some of the shops, the schoolhouse and two of the inns have since been converted into residential dwellings, and Walmer Court, with its small flint gatehouse and long tree-lined drive, has been converted into flats. Following the closure of the Royal Marines School of Music, the site was also converted into private housing in 2003-2004 (English Heritage, 2017). Despite these successive alterations and changes to the overall townscape, the core of Upper Walmer was designated a Conservation Area. The ruins of their original manor house are now designated as a scheduled monument.
- 3.1.23. Today, Walmer represents a predominantly built up residential area, with a concentration of shops on Dover Road. St Mary's Church also retains its communal value at the centre of Upper Walmer. In the latest 2011 census, the population of Walmer was 7,434.

## 3.2 Historic Map Progression

- 3.2.1. Unlike today, the Site comprised part of a much larger agricultural field in the late-nineteenth century. Indeed, the 1871 OS Map shows that two buildings existed at the western Site boundary off Dover Road. There also appears to be semi-detached properties opposite. This suggests that ribbon development had been established in this location at the time. Dover Road appears to narrow further to the south where the junction with Ripple Road is now located. A large plan form further north likely indicates the Thompson brewery.
- 3.2.2. Indicated in the 1898 OS Map is additional buildings within the Site boundary that are labelled 'King's Barn'. The Site boundary is largely demarcated, as the large agricultural field has been subdivided into small plots. A building previously located on the western Site boundary has been removed by this time, suggesting that it had a temporary use as part of the farm complex. In the Site's vicinity, the brewery to the north appears to have expanded, with additional built forms off Dover Road. A reservoir and associated building has been established adjacent to the southern Site boundary and owned by Deal Water Works. On the opposite side of Dover Road are additional semi-detached properties and short terraces. While the surrounding land



remains predominately agricultural, a built-up character is nonetheless starting to form in the area by this time.

- 3.2.3. The 1938 OS Map shows that King's Farm still existed in the Site boundary, comprising a large farmhouse with several ancillary buildings forming a courtyard from Dover Road and to the rear. There is evidence of detached and semi-detached properties being constructed at the Hawksdown estate to the north-east of the Site, coinciding with other Interwar development in the area. To the south of the reservoir, now owned by the Deal Corporation, shows additional detached properties along this stretch of Dover Road. There is also a single building at the junction between Dover Road and Ripple Road.
- 3.2.4. The Site appears to remain unchanged in the 1957 OS Map, albeit with a row of trees indicated along the western Site boundary. Other development in the Site's surroundings is minimal, while the brewery has been renamed simply as 'Works'.
- 3.2.5. Indicated in the 1986 OS Map and to the south of the Site, the Water Board reservoir has since been covered with a new reservoir established to the east. Also, Walmer Court Farm exists to the south of ribbon development off Dover Road. The development at the junction of Dover Road and Ripple Road is labelled as 'Mill Filling Station' which is extant today.
- 3.2.6. In the 1990-1993 OS Map the buildings at King's Farm is no longer present, suggesting that the farm complex was demolished by this time. Meanwhile, the land to the north of the Site, which had been predominately undeveloped, features modern residential development of Downlands. A prevailing residential character has thus been established within the Site's vicinity by the late-twentieth century.

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY



## 4.0 Assessment of Significance

### 4.1 The Site and Surroundings

- 4.1.1. Located on the eastern side of the north-south Dover Road, the Site comprises a roughly square-plan paddock area for horse grazing (Plate 4.1). The land is generally flat while Dover Road adjacent gradually rises southwards.
- 4.1.2. Defining the Site boundary is dense vegetation, particularly concentrated at the Site's south-eastern extent, while the western Site boundary also features a brick and stone wall. This dense vegetation ensures that from the footpath on Dover Road, views into the Site are not attainable. Nonetheless, the rooftops of modern residential development located in the Hawksdown estate to the north of the Site can be appreciated from Dover Road (Plate 4.2).
- 4.1.3. Close to the main access point and northern Site boundary are modern outbuildings, which are considered to be of no architectural or historic interest (Plate 4.3). As identified in the Historic Map Progression in Section 3.2 of this report, there is no evidence of the buildings associated with King's Barn, which had previously existed at the Site's north-western extent.
- 4.1.4. Due to the intervening development along Dover Road and in Downlands to the north, views further north towards the Upper Walmer Conservation Area are obscured. The proximity of the Hawksdown estate to the north-east ensures that views towards Walmer Castle are also obscured. This means that these heritage assets are not appreciable or experienced from within the Site boundary.

### 4.2 Upper Walmer Conservation Area

- 4.2.1. St Mary's Church, which comprises rough flint walls with a single aisle, nave, and chancel, acts as a local landmark in Upper Walmer. This is where development in the Conservation Area includes local shops in Georgian and Victorian buildings, albeit with certain examples showing modern alterations.
- 4.2.2. The bulk of the statutorily listed buildings located in the Conservation Area are concentrated in the Church Street area. Gothic House, which features elaborate detailing, and The Rattling Cat, a former coaching inn, are both on Dover Road at the eastern extent of Church Street. In Church Street are some fine eighteenth century houses with typical Georgian features such as wrought-iron railings, multi-paned sash windows and grand door cases. Off Church Street is Green Lane, a narrow country byway with small Victorian cottages with variously shaped



hedges defining their front plot boundaries. The ruins of the original manor house at the Conservation Area's western extent constitutes a scheduled monument. Walmer Court features a small flint gatehouse and long tree-lined drive, although the building has since been converted into flats.

- 4.2.3. The Conservation Area is typically characterised by large terraced and detached properties dating to the Georgian and Victorian periods, with the scale predominately consistent at two and three-storeys (Plate 4.4). As indicated in the architectural and historical appraisal of the area outlined in Section 3 of this report, there is evidence of successive development in Upper Walmer since its origins in the twelfth century. As such, an eclectic mix of architectural features can thus be found in the Conservation Area boundary. This provides an interesting townscape when experienced along the street scene (Plate 4.5). Elevations feature red, brown, and painted brick, or are rendered and painted with pastel colours pitched, hipped or half-hipped roofs with either slate or plain clay tiles. There is one example with a Dutch gable (Plate 4.6). Windows are typically multi-paned Georgian and Victorian sashes, as well as shop display windows. There has however been a consequent loss of such windows on many properties in the Conservation Area, replaced with uPVC equivalents. Such aspects are considered to detract from the heritage asset's significance. There are few examples of gardens as most properties front directly onto the footpath.
- 4.2.4. The overall road layout of the Conservation Area contrasts somewhat with the early-twentieth century planned road layout that occurred to the north and north-west. Dover Road is a busy trunk road whereas outlying streets are more tranquil, and rather narrow and tree-lined.
- 4.2.5. In terms of what contribution that the Conservation Area's setting has upon its significance, the outlying development in all cardinal directions is considered to be neutral, which emphasises the successive expansion of Upper Walmer constructed to a consistent bulk, scale, and massing with comparable palette of materials. Due to the contour of Dover Road, in addition to intervening development and landscaping, it is not possible to appreciate or experience the Site from the Conservation Area boundary. As such, the Site makes no contribution to the heritage asset's significance.

### **4.3 Walmer Castle**

- 4.3.1. Walmer Castle comprises a coastal artillery fortification situated on the low-lying east Kent coast in the modern town of Walmer. The castle is one of three, including those at Deal and Sandown, that make up a distinctive and well-known group of coastal artillery fortifications on the East Kent coast.





- 4.3.2. Originally designed around a near-circular, symmetrical plan that incorporated thirty-nine heavy gun positions, with many smaller hand-gun embrasures on four tiers the castle is constructed of Kentish ragstone, brick, and reused Caen stone from nearby disused religious orders that were demolished during the Dissolution. At its centre is a three-storeyed circular-plan citadel, which provided accommodation for the permanent garrison. While the citadel and bastions were originally capped by broad rounded parapets, these features have since been largely removed and replaced by later eighteenth and nineteenth century battlements, and so only survive on the south-western bastion. The central newel staircase has since been removed. A stone-lined dry moat today forms part of the castle gardens. A series of bulwarks (earthen ramparts) no longer survive. The castle continues to form part of the Crown Estate in the care of the Secretary of State, and now houses a museum open to the public.
- 4.3.3. The castle constitutes a scheduled monument, although the NHLE stating that much of the castle fabric not related to the Tudor period is excluded from the scheduling. These include all parts of the castle in use as the Lord Warden's apartments and the castle museum, the modern surfaces of all paths and the causeway, all modern fixtures, fittings, railings, signs, the modern wooden footbridge that spans the south-western side of the moat and the modern wooden ramp which leads down into the western side of the moat just to the south of the causeway, although the structures and ground beneath all these features are included.
- 4.3.4. Surrounding the castle are its associated park and gardens, which are statutorily listed on Historic England's Register of Parks and Gardens at Grade II (Plate 4.7). This comprises about 6.5ha of formal and wooded ornamental gardens with an additional 6.5ha of parkland and meadows. Parkland exists at its north-east extent on the narrow, level coastal strip, and defined by a continuous wrought-iron fencing.
- 4.3.5. The significance of Walmer Castle is considered to derive from its evidential value due to its association as the official residence of the Lords Warden of the Cinque Ports, with many famous public figures, including William Pitt the Younger, and the Duke of Wellington residing at the castle.
- 4.3.6. The castle's aesthetic value derives its original fabric, which comparatively survives in good condition, despite substantial subsequent alterations and repairs to have occurred over the centuries.
- 4.3.7. The castle is one of the surviving twenty-one artillery castles, out of the original thirty-six, that were built along the east, south, and south east coasts of England. Together with the other two castles at Deal and Sandown, these illustrate the strategic role assigned to this stretch of



the Kent coastline during the sixteenth century. The historical value can thus be attributed to its construction at a specific date and function within a relatively short time span in English history, which represents an important aspect of the development of defensive structures in general. In addition, the castle is representative of some of the earliest such structures built exclusively for the new use of artillery in warfare.

- 4.3.8. In terms of what contribution that the castle's setting has upon its significance as a heritage asset, the direct association with the beach to the east has a positive contribution to understanding its historical function as a coastal artillery fortification. The Grade II Registered Park and Garden also has a positive contribution upon its significance as it successively developed since the late-eighteenth century by residing Lord Wardens. Nonetheless, views further west and south-west that are confined by the existing landscaping and topography ensure that development beyond, and in the direction of the Site, does not form part of the heritage asset's setting, and thus makes no contribution to its significance.

#### **4.4. Ripple Windmill**

- 4.4.1. Ripple Windmill was originally constructed in the late-eighteenth century at Drellingore, a village in south-east Kent. The building was relocated and rebuilt in 1807, which today comprises a single-storey, tarred, octagonal-plan brick base with a two-storey octagonal-plan weatherboarded smock tower (Figure 4.1). The building ceased being used for agricultural purposes in the Interwar period, and later used as a television relay station until the last decade of the twentieth century when supporters converted the building back into use. Indeed, there appears to be some inaccuracy with this heritage asset's statutory list description as the sweeps, and cap and fan tail, have all been restored since its listing in October 1963 (Appendix C). It appears that the buildings that formed part of the Ripple farm complex have since been subdivided into separate residential dwellings.
- 4.4.2. In accordance with Historic England's Conservation Principles, Policies, and Guidance (Apr 2008), it has been ascertained that the heritage asset's significance derives from its evidential, historical, aesthetic, and communal values as typical Kentish, late-eighteenth century smock mill relocated in the early-nineteenth century restored with later sweeps and cap and fan tail.
- 4.4.3. With the building and the nearby residential buildings only accessible from a private road, it is not possible for the public to appreciate its immediate setting. Nonetheless, being located at an elevated position on the periphery of Ripple village, this three-storey building and its characteristic smock tower, cap and fan tail, and sweeps, remain appreciable in the wider countryside. In terms of what contribution that the heritage asset's setting has upon its



significance, the immediate setting is considered to be defined by the other buildings within the former farm complex, whereas the wider setting is predominately defined by the surrounding agricultural fields. These aspects have a positive contribution upon the heritage asset's significance and its understanding as a rural windmill. The visual and audible proximity of busy traffic and activity on Ripple Road and Dover Road nonetheless detracts from its significance somewhat.

- 4.4.4. Despite not being possible to gain access to the former farm complex, development in nearby Upper Walmer and Mill Hill is likely to be appreciable in its wider setting. This includes the ribbon development along Dover Road to the north-east. As Upper Walmer has successively expanded southwards along Dover Road since at least the nineteenth century, in addition to the visual distances and the existing topography involved, it is considered that this development has a neutral contribution upon the heritage asset's significance.
- 4.4.5. A small portion of this wider setting would likely include the brick and stone wall and dense vegetation that defines the Site's western boundary. Nonetheless, as these landscaping features would obscure views of the flat land within the Site boundary, this would not be appreciable or experienced from Ripple Windmill or the former farm complex. With no shared intervisibility it is therefore considered that the Site's overall contribution upon the heritage asset's significance is neutral.

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY



## 5.0 Development Proposals and Impact Assessment

### 5.1 Development Proposals

- 5.1.1. The Site's development proposals include up to 85 residential dwellings with associated landscaping, parking, and public amenity space.

### 5.2 Assessment of Impact

- 5.2.1. As outlined in Section 4 of this report, the Site does not lie within the respective settings of Walmer Conservation Area or Walmer Castle, and makes no contribution to their significance. The proposed development will not change this situation and therefore there will be no impact upon the significance of these heritage assets.
- 5.2.2. The western Site boundary lies within the wider setting of the Grade II listed Ripple Windmill. However, due to the distances involved and the low level of intervisibility between the site and asset, the Site makes no material contribution to the heritage asset's significance. Furthermore, the Site is seen in the same context as the existing ribbon development along Dover Road, including a petrol filling station at the junction of Dover Road and Ripple Road. The proposal will not impact upon the setting of the Windmill or the contribution that its setting makes to its significance.
- 5.2.3. The development proposals constitute a natural and logical extension to the developed area of Deal; providing the opportunity to develop a good quality environment which will make a positive contribution to the area without causing any harm to the identified heritage assets.
- 5.2.4. The development proposals will therefore preserve the significance of the heritage assets identified above.

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY



## **6.0 Summary of Findings**

### **6.1 Conclusions**

- 6.1.1. This assessment has been undertaken in accordance with Historic England's guidance in respect to the identification of heritage significance and the impact of development upon the setting of heritage assets.
- 6.1.2. The proposed development will cause no harm to the significance of the identified heritage assets.

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY



## Figures



**Figure 1.1:** Aerial map of Land off Dover Road, Deal, Kent with the Site boundary indicated in red (Source: Google Maps, 2017, *Dover Road, Deal, Kent*, Google, [www.google.co.uk/maps/](http://www.google.co.uk/maps/) Accessed 16 January 2017).



**Figure 3.1:** 1871 1: 2,500 County Series OS Map.

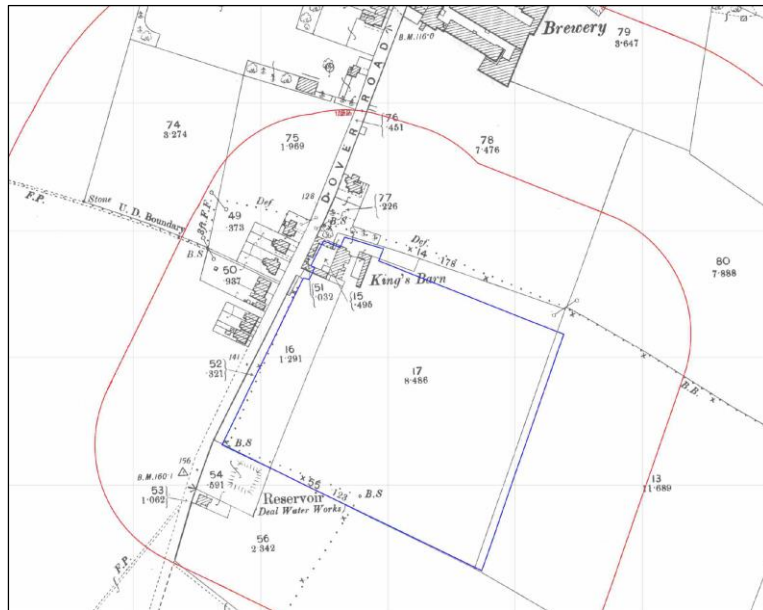


Figure 3.2: 1898 1: 2,500 County Series OS Map.

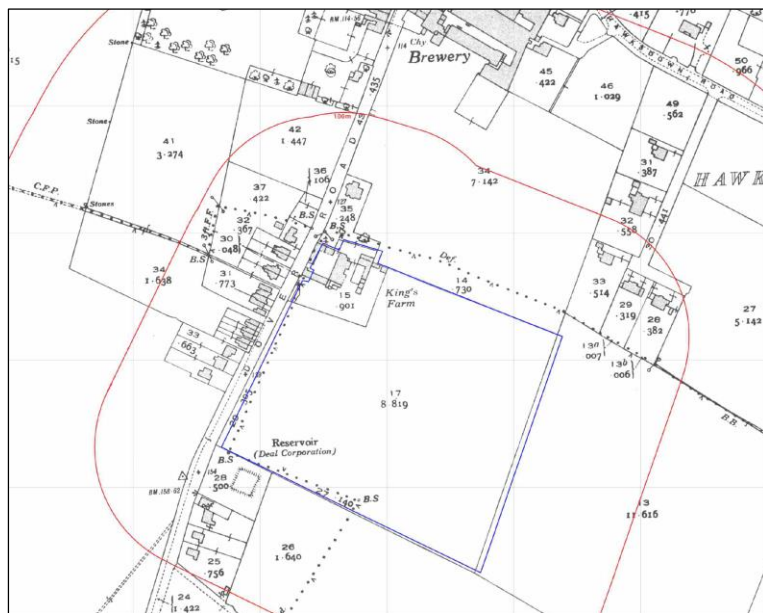
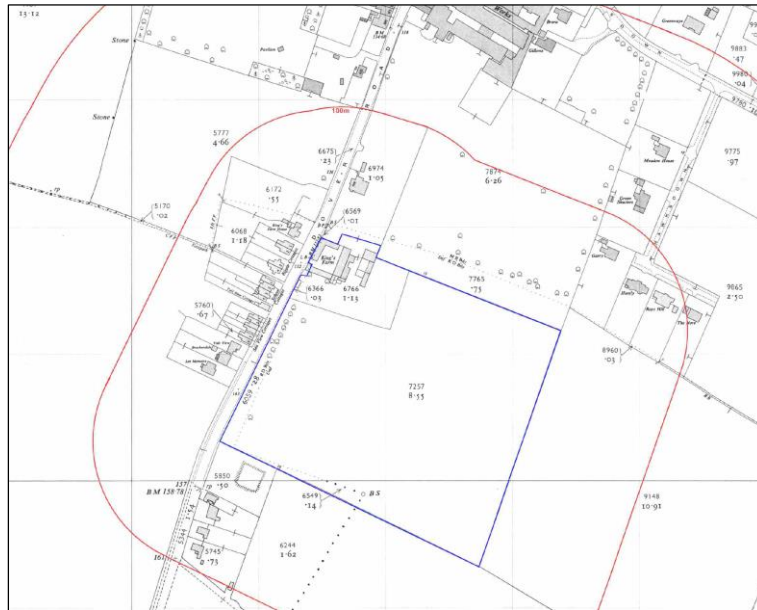
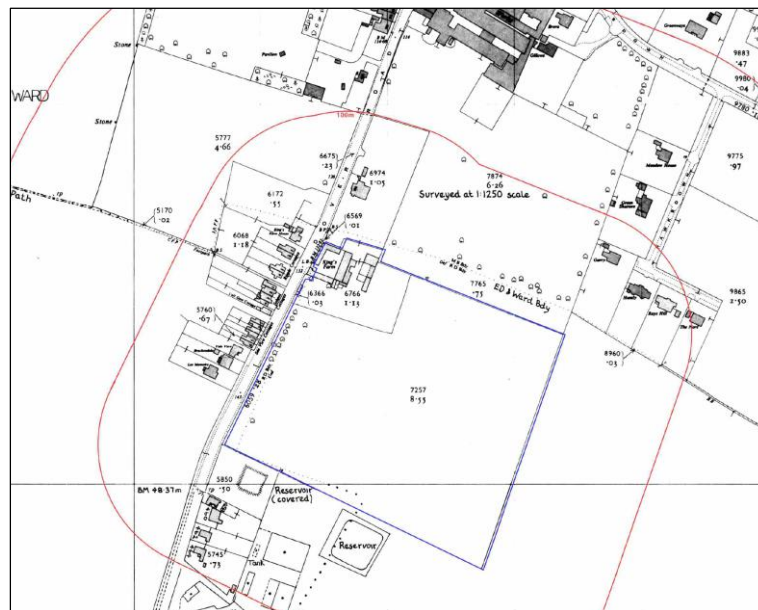


Figure 3.3: 1938 1: 2,500 County Series OS Map.



**Figure 3.4:** 1957 1: 2,500 National Grid OS Map.



**Figure 3.5:** 1986 1: 2,500 National Grid OS Map.



**Figure 3.6:** 1990-1993 1:2,500 National Grid OS Map.



**Figure 4.1:** View looking south towards the Grade II listed Ripple Windmill from the western Site boundary. Due to the distances involved and the low level of intervisibility between the Site and heritage asset, the Site makes no material contribution to the heritage asset's significance (Source: Google Maps, *Dover Rd, Kingsdown, England*, Street View photo taken Jul 2015, Google, [www.google.co.uk/maps/](http://www.google.co.uk/maps/) Accessed 23 January 2017).



## Plates



**Plate 4.1:** View looking south-east into the Site from the main access point off Dover Road.



**Plate 4.2:** View looking north-east towards the western Site boundary. Dense vegetation ensures that views in to the Site from the public realm are obscured although the roofline of modern development in Hawksdown estate is appreciable.



**Plate 4.3:** View looking east from the Site boundary access point off Dover Road. The Site contains modern outbuildings that are of no architectural or historic interest.



**Plate 4.4:** View looking north from Dover Road towards the centre of Walmer Conservation Area.





**Plate 4.5:** View looking north towards the Catholic Church of the Sacred Heart. Development in the Conservation Area is typically Georgian and Victorian, albiet with later alterations evident.



**Plate 4.6:** View looking north-west from Dover Road towards an example of a Dutch gable found in the Conservation Area boundary.



**Plate 4.7:** View looking east from within Walmer Castle Gardens towards Walmer Castle scheduled monument.



**Plate 4.8:** View looking south from the Walmer Castle entrance. Views looking south and south-west encompass the Grade II Registered Park and Garden, with views beyond in the direction of the Site obscured by existing landscaping and topography.

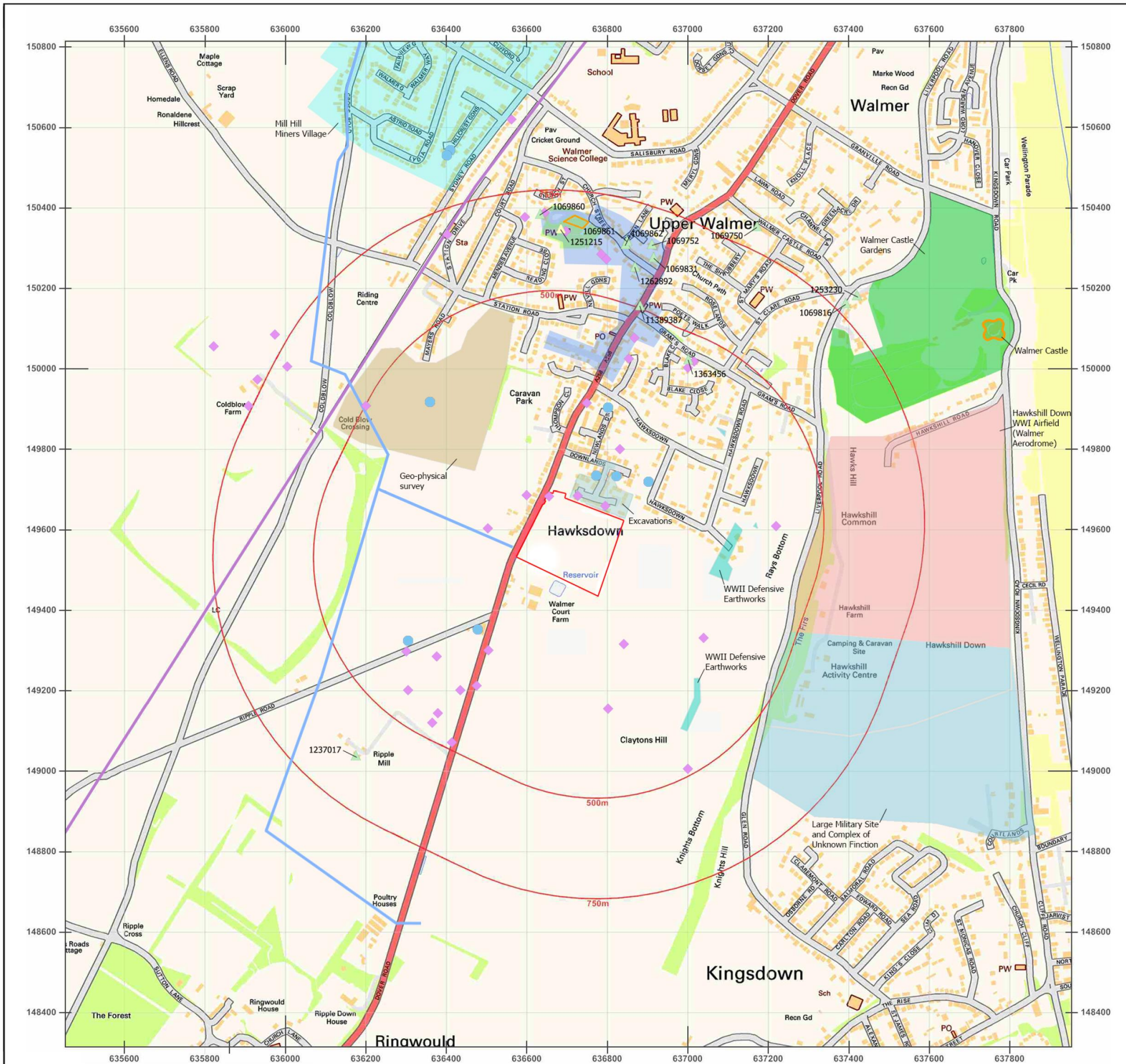




## **Appendices**

### **6.2 Appendix A: Kent Historic Environment Record (HER) (Kent County Council)**





WYG Environment Planning Transport Ltd.  
Arndale Court, Otley Road, Headingley, Leeds, West Yorkshire LS6 2UJ

Title: HER data (Kent HER)  
Client: Gladman Developments Ltd.

Project: Land off Dover Road, Deal  
Project No: A101293

**The Site**

Site boundary

**Designated Heritage Assets**

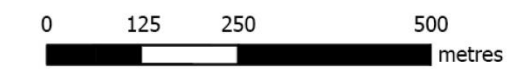
- Historic Park and Garden
- Conservation Area boundary
- Grade II\* Listed Building
- Grade II Listed Building
- Scheduled monument

**Non-designated Heritage Assets**

- Coal fields settlement
- Monument

**Previous Archaeological Work**

Event Record



Scale 1:10,000 @ A3

Revision: A Date: Feb 2017

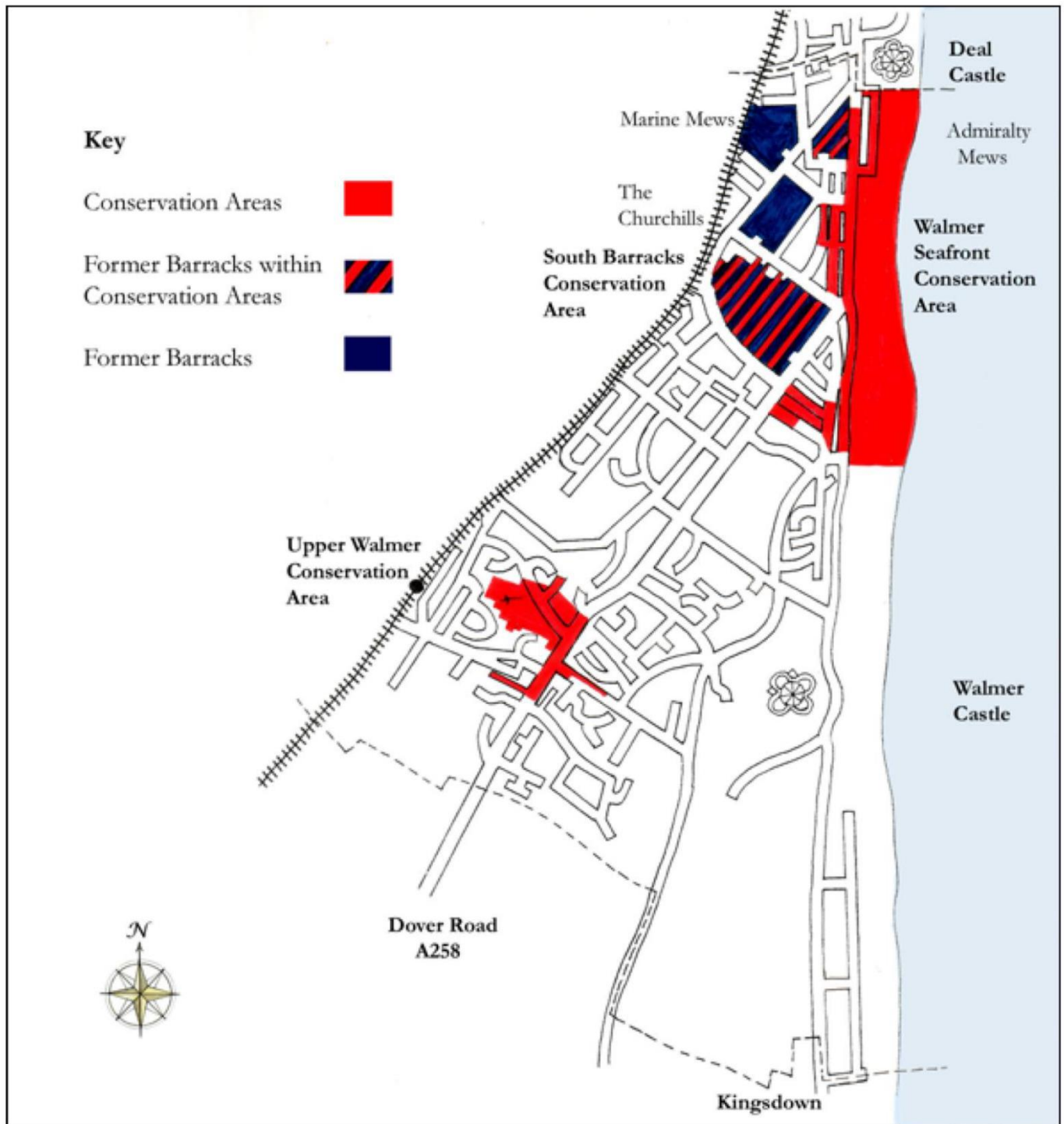
Prepared by: DP Checked by: JC Approved By: JC

© Ordnance Survey Data reproduced with the sanction of the controller of HM Stationery Office. Licence no. 100020449  
© English Heritage 2017. Contains Ordnance Survey data © Crown copyright and database right 2017  
The Dataset contained in this material was obtained on 12 Jan 2017



## **Appendix B: Upper Walmer Conservation Area Map (Dover District Council)**





(Source: Walmer Environment Study Group, *The Environment of Walmer*, Jan 2014)



## **Appendix C: Statutory List Description (Historic England, 2016, NHLE)**

## **Walmer Castle**

List entry Number: 1000291

Grade: II

Date first registered: 01-May-1986

### **Details**

A late C18, C19, and C20 formal and ornamental garden associated with a C16 moated castle, with features designed by William Pitt and by the C19 horticulturalist, William Masters and set in C19 parkland.

### **Description**

#### **LOCATION, AREA, BOUNDARIES, LANDFORM, SETTING**

Walmer Castle lies between the eastern edge of Walmer village and the B2057 north/south coast road from Deal to Kingsdown. The registered area comprises 6.5ha of formal and wooded ornamental gardens and 6.5ha of parkland and meadows. The north-east half of the site lies on the narrow, level coastal strip, the land rising gently to the south-west onto the edge of the dip-slope of the North Downs and, beyond the site boundary, an open landscape of rolling, arable farmland. The iron-fenced parkland is bounded to the north-west and north by minor roads and the housing of Walmer village. To the south, the fenced woodland belt within the site is bounded by a public footpath and the rear gardens of properties on Hawks Hill Road, with the open countryside of Hawkshill Down beyond. To the east, the partly wooded, iron-fenced boundary abuts the coast road, which is separated from the beach by a bank of shingle.

#### **ENTRANCES AND APPROACHES**

The site is approached from the B2057, Kingsdown Road. A gravelled drive enters through wrought-iron gates hung on brick piers with stone ball finials, then swings c 60m south-westwards to the Castle. The entrance, which remains in its original C16 position, is through the gatehouse in the north bastion, which is approached across the moat on a bridge and drawbridge (Campbell 1984) although in the C19 the principal approach drive was from the north-west across Castle Meadow (Tithe map, 1844). The present double avenue of holm oak lining this route was planted in 1866 by William Masters (1796-1874) of Exotic Nurseries, Canterbury, for the second Earl of Granville, some trees subsequently being felled at various times in the C20 (Campbell 1984) and replacement planting being carried out in the late 1980s. The avenue remained the principal approach until superseded by the present drive, also shown on the Tithe map, in the 1950s.

## PRINCIPAL BUILDINGS

Walmer Castle stands at the extreme eastern edge of the site, on level ground and looking out over the coast road and the shingle beach to the sea. It is set within a deep, circular moat and is built of stone to a quatrefoil plan in which a central, circular keep is surrounded by an open courtyard protected by a concentric curtain wall from which four bastions project. The first alterations to adapt the Castle to a residence were during the various periods of tenure of the Duke of Dorset, from 1708 until his death in 1765. He built out from the keep over the bastions to increase the number of first-floor rooms (illustration by J and N Buck, 1735, reproduced in guidebook) and in c 1730 added a two-storey weatherboarded house for a Gunners' Lodging at the rear of the south bastion. Interior alterations were made in 1746 to create the East and West Lounges and in 1874 the second Earl of Granville commissioned George Devey (1820-86) to build extra rooms over the gatehouse bastion using stone from Sandown Castle, then being demolished.

## GARDENS AND PLEASURE GROUNDS

The formal gardens and pleasure grounds extend south-westwards from the Castle and also lie within the moat. The moat, divided into four sections by walls and the drawbridge, is laid out to a broad continuous ribbon of lawn, flanked by serpentine beds of banked shrubbery against the inner curtain wall. The moat appears on the Buck engraving of 1735 (guidebook) and is first recorded as being gardened in 1852 when described as the Duke of Wellington's kitchen garden (Campbell 1984). It was extensively planted ornamentally in the second half of the C19 on the advice of George Devey but the greater part of this planting and the central path shown on the 1863 plan had been removed by 1937. The moat garden was replanted after the Second World War, but largely cleared again in 1980 before the present shrubbery was laid out.

The gardens are approached across a timber bridge spanning the moat from the south-west side of the south bastion. A gravel path flanked by yew hedging and shrubbery follows the curve of the moat wall 15m northwards to the Broad Walk, which forms the north-east section of the principal axis of the gardens. The wide, gravelled walk, lined with 3m wide herbaceous borders and backed by high, massive sculpted yew hedges, was designed, and planted in 1866 by William Masters, the borders originally containing annuals and standard roses and the yew hedges being formally clipped (photograph of 1898, in Campbell 1984). Altered c 1916 to the present herbaceous planting, by 1959 the clipped hedges had adopted their present naturalistic, loose form. North of the Broad Walk, the axis extends over two terraces, defined by grass banks and framed by mature trees to north and south. The lower terrace is broadly rectangular and laid out to a croquet lawn, while the upper one, planted as a parterre with annuals and with a central sundial, is semi-circular in shape and enclosed on the south-west side by a clipped hedge, replanted in the late 1980s. The terraces were cut from the former Paddock by Masters in 1867 (Campbell 1984) and are shown on the 1st edition OS map surveyed in 1872. Their two axial

flights of connecting stone steps were built in the 1920s by Lord Beauchamp, who also modified the shape of the lower terrace for tennis and croquet. An iron gate set within the enclosing hedge leads the axis south-westwards out into the Paddock.

South of the Broad Walk, the path around the outer wall of the moat leads south-westwards on to the c 100m long Oval Lawn, the shape of which is first shown on the Tithe map of 1844, although its design is attributed to William Pitt (*ibid*). The lawn, now (1997) used for concerts and as an informal picnic area, is enclosed by 2m tall yew hedges, shown as a double line of trees on an estate plan of 1863 (Beresford 1995), and is dotted with trees of mixed age and species including yew, a large central lime (its planting attributed to Pitt), sweet chestnut, and holly. East of the Oval Lawn, immediately south of the moat wall and enclosed on its north, east, and south sides by high, castellated red-brick walls, is the Queen Mother's Garden. Opened in 1997, it is laid out with a central, 28m long lily pool, overlooked at the north end by an arcaded summerhouse and flanked with broad panels of lawn, surrounded by gravelled walks and broad mixed borders. At the south end, facing the summerhouse, is a turf mount, crowned with yews clipped to form a castle. The rectangular outline of the present garden is first shown on a conveyancing plan of 1810 (*ibid*) and was probably laid out by Pitt. By 1844 (Tithe map) it had become a formal garden, divided into quadrants, although the brick walls are not clearly depicted until the plan of 1863. In the 1920s, although still referred to as the Kitchen Garden, it was turned into tennis courts, the hard surface of which was grassed over in 1959 (Campbell 1984).

Between the Oval Lawn and the Queen Mother's Garden, the Woodland Walk leads around the entire southern and western perimeter of the grounds through a belt of mixed-age trees and an understorey of shrubbery and drawn-up yews. The tree belt, which was first planted in the late C18 by Pitt as a shelter belt on newly leased open parkland, had become dense woodland by 1863 (estate plan) and is now (1997) dominated by beech, ash, and chestnut. It suffered extensive damage in the storm of 1987 and was replanted in the 1990s. The tree belt forms the southern and western boundary of the Paddock, an oval-shaped open meadow dotted with several groups of trees and first shown on the 1844 Tithe map. In the 1860s, it was recommended by William Masters as the site for a pinetum and was planted with pines, cypresses, and holm oak, a few of which survive (1997). In the 1920s, Lord Beauchamp added shrub planting to integrate the Paddock with the garden and the axis on the Broad Walk was given a focus by a statue of Mercury (100m south-west of the terrace), replaced in 1968 by the present cherub on a pedestal (Campbell 1984). In the north-west corner of the gardens, the Woodland Walk leads past The Glen, a former chalk pit, now (1997) heavily overgrown with trees and understorey, laid out in c 1805 by Lady Hester Stanhope as a natural garden of 'creepers, furze and broom' (Lady Stanhope's correspondence, quoted in Campbell 1984). It is intended to restore the planting and path system of The Glen.



## PARK

The grounds north of the gardens, named as Castle Meadow on the Tithe map of 1844, are open in character and mostly grazed. They are enclosed to the north-west, north, and east by iron-railed estate fencing and, on the Granville Road boundary to the north, by Meadow Plantation which is shown on the 1844 Tithe map and which was largely replanted after the 1987 storm. There is a scattered line of pines along the eastern boundary and the meadows are screened along their southern boundary from the Paddock by ribbon shelter belts planted during Lord Granville's tenure in the late C19 (Campbell 1984). The land now forming Castle Meadow was purchased by Lord Liverpool from the Leith Estates in the early C19 and placed in a trust for the use of future Lords Warden. The area immediately to the north of the kitchen garden and yards forms the present (1997) car park.

## KITCHEN GARDEN

The kitchen garden lies on the north side of the Broad Walk and is divided by a secondary, south-westerly, grassed axial path. It is enclosed along its north side by lean-to glasshouses, built against the red-brick stable block, which are shown established by 1906 (OS) and which were enlarged and extended in the 1930s. The eastern half of the garden is divided into two rectangles, edged along the axial path by dwarf box and espaliered fruit trees and laid out to vegetables and cut flowers, while the western half is laid to grass with orchard trees. The kitchen garden is first recorded on a plan of 1725 as the Governor's Garden and was laid out during Pitt's tenure as Lord Warden (Campbell 1984). By 1844 (Tithe map), the stables and sheds had been built and by 1863 (estate plan) the garden was divided into four quadrants by paths edged with trees. It was reduced to its present size in the 1860s by the establishment of the Broad Walk on its southern edge.

## **Artillery castle at Walmer**

List entry Number: 1013381

Date first scheduled: 09-Oct-1981

Date of most recent amendment: 28-Jun-1996

### **Reasons for Designation**

Artillery castles were constructed as strong stone defensive structures specifically to house heavy guns. Most date from the period of Henry VIII's maritime defence programme between 1539 and 1545, though the earliest and latest examples date from 1481 and 1561 respectively. They were usually sited to protect a harbour entrance, anchorage or similar feature. These monuments represent some of the earliest structures built exclusively for the new use of artillery in warfare and can be attributed to a relatively short time span in English history. Their architecture is specific in terms of date and function and represents an important aspect of the development of defensive structures generally. Although documentary sources suggest that 36 examples originally existed, all on the east, south and south east coasts of England, only 21 survive. All examples are considered to be of national importance.

The history and development of the artillery castle at Walmer is documented by many contemporary records and illustrations, providing evidence for the changing function of the monument over five centuries, and its association with many famous public figures as the official residence of the Lords Warden of the Cinque Ports. Despite substantial subsequent alterations, the monument survives comparatively well, retaining the greater part of its original fabric within the later additions. The castle is one of three making up a distinctive and well known group of coastal fortifications. Together these illustrate the strategic role assigned to this stretch of coast during the 16th century.

### **Details**

The monument includes an artillery castle situated on the low-lying east Kent coast in the modern seaside town of Walmer. The castle is one of a group of three, the other two being located at Deal 2km to the north and Sandown 4km to the north, built between 1539-40 by Henry VIII in order to protect the shallow semi-sheltered anchorage between the Goodwin Sands and the coast, known as the Downs. This was of great strategic importance because, by the 16th century, there were few other safe places of refuge for ships along the channel coast between Kent and Portsmouth. The castles of the Downs were built in the face of the political crisis and consequent fear of invasion occasioned by the king's divorce of Catherine of Aragon in 1533. They were financed from the proceeds raised by the Dissolution of the Monasteries.

The castle, which has been the subject of substantial alteration and repair over the centuries, is built of Kentish ragstone from local quarries and the sea shore, brick, and Caen stone reused from nearby

disused religious houses. It was designed around an essentially circular, symmetrical plan and originally incorporated 39 positions for heavy guns and many smaller hand-gun embrasures on four tiers, although many have been altered over the centuries to form window openings. At the centre of the original castle is a three-storeyed circular citadel, or tower, originally with a central newel staircase, which no longer survives. This provided accommodation for the permanent garrison, originally a captain, deputy, porter, ten gunners and four soldiers, with the officers' accommodation on the first floor. The ground floor contained the kitchen. The rib-vaulted, brick-lined basement originally housed the well and was used to store ammunition and supplies. Surrounding the citadel, beyond a narrow circular ward, are four low semicircular bastions connected by a curtain wall. These provided platforms on their upper levels for heavy guns, now represented by 18th century cast-iron guns mounted on carriages. Within the outer wall of the basement of the bastions, facing into the moat, is a continuous gallery pierced by 32 hand-gun ports which gave enfilading coverage of the bottom of the moat. Vents over the ports were designed to draw off the gun smoke, and at irregular intervals in the wall behind are L-shaped ammunition lockers. Contemporary illustrations show that the citadel and bastions were originally capped by broad rounded parapets pierced by gun embrasures. These survive on the south-western bastion, but, elsewhere, have been removed and replaced by battlements during alterations carried out in the 18th and 19th centuries.

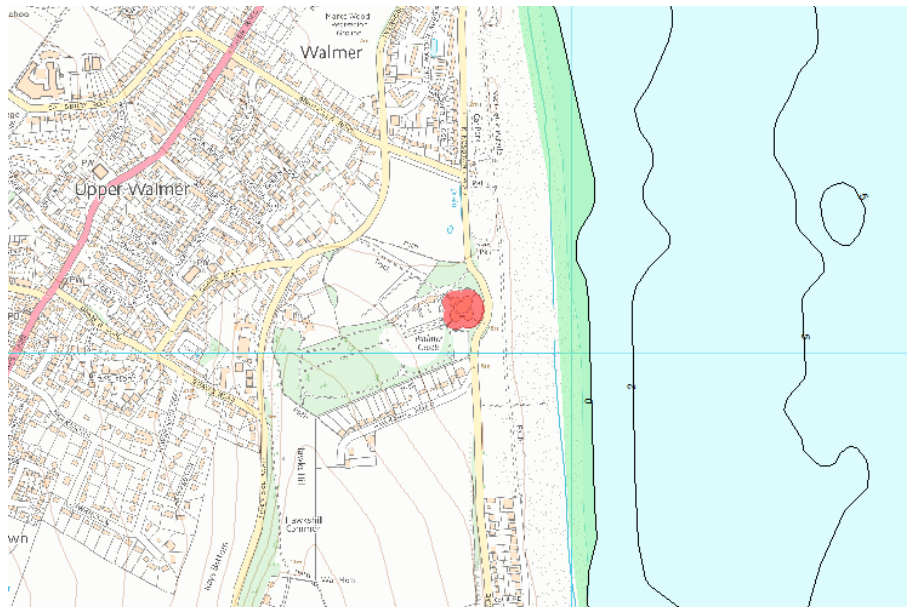
The castle buildings are further protected by a stone-lined dry moat, now forming part of the castle's gardens, up to 25m wide and 5m deep, originally crossed on its western, landward side by a wooden drawbridge, giving access to the gatehouse within the north-western bastion. The drawbridge has been replaced by a stone causeway. Defensive features incorporated within the gatehouse include eight murder holes, or vents (through which offensive materials could be dropped on attackers) set in the ceiling of the entrance passage, and a staggered approach to the ward and citadel. The outer defences were originally augmented by a series of bulwarks, or earthen defences, built along the coast between the castle and its sister castles at Deal and Sandown, although these defences no longer survive.

The castle saw no action until the Civil War when, during the Royalist revolt in Kent in 1648, the castles of the Downs were captured and held out against Parliamentary forces for several weeks. The garrison's accommodation was improved at the beginning of the 18th century by the construction of a two-storeyed, rectangular timber and weather-boarded block, known as the Gunners' Lodgings, across the upper level of the southern bastion. This building now houses part of the castle's collection of heirlooms.

Since the early 18th century, Walmer Castle has been the official residence of the Lords Warden of the Cinque Ports, a life appointment in the gift of the Crown. Subsequent alterations during the 18th and 19th centuries were designed to create a residence perceived to be commensurate with the dignity of the largely honorary office. The first resident Lord Warden was the 1st Duke of Dorset (1703-13 and 1727-65) who arranged for the construction of a brick-built, battlemented block which extended at first floor level from the exterior wall of the citadel out onto the north-eastern bastion. The most extensive

alterations were carried out by Lord Granville, Lord Warden between 1865-91, who added to the height of the Tudor gatehouse by building a suite of 13 rooms above it in the late 1860s. He also continued to develop the late 18th century gardens to the west of the monument originally laid out for William Pitt the younger, Lord Warden from 1792-1805. The castle gardens are Listed in the English Heritage register of parks and gardens of special historic interest at Grade II. Another famous resident Lord Warden was the Duke of Wellington (1829-52) who died at the castle, Queen Victoria stayed at the castle in 1835 and 1842. The castle continues to form part of the Crown Estate and now houses a museum displaying the furniture and heirlooms accumulated over the years. The castle is in the care of the Secretary of State and open to the public.

Excluded from the scheduling are all parts of the castle in use as the Lord Warden's apartments and the castle museum, the modern surfaces of all paths and the causeway, all modern fixtures, fittings, railings, signs, the modern wooden footbridge which spans the south-western side of the moat and the modern wooden ramp which leads down into the western side of the moat just to the south of the causeway, although the structures and ground beneath all these features are included.



## Ripple Windmill

List Entry Number: 1237017

Grade: II

Date first listed: 11-Oct-1963

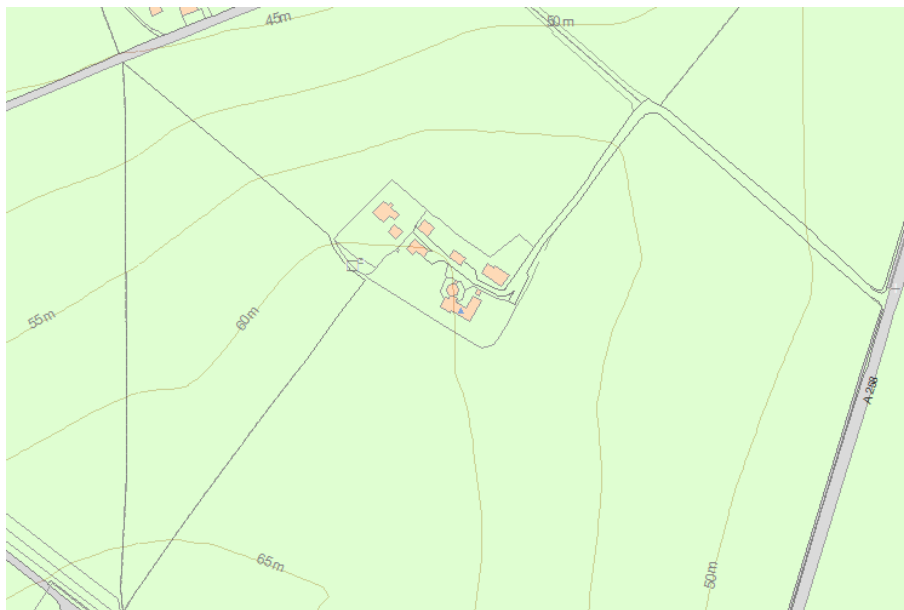
### Details

RIPPLE DOVER ROAD TR 34 NE (West side)

8/70 Ripple Windmill 11.10.63 II

Windmill. Late C18, rebuilt 1807. Weather boarded on tarred brick base. Two storey on brick base with wooden smock over. Upper row of cogs on smock survive, otherwise sweeps, cap and fan all missing. Entry by boarded door recessed in octagonal base platform built out around mill site. Originally erected at Drellingore, near Hawkinge, re-erected here 1807, continued in use as mill to 1930's and now used as television relay station.

Listing NGR: TR3617649033





## **Appendix D: Legislation and Planning Policy and Guidance**



## Legislation

### ***Planning (Listed Buildings and Conservation Areas) Act 1990***

General duty as respects listed buildings in exercise of planning functions.

Section 66(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## National Planning Policy

### ***National Planning Practice Framework (NPPF) (DCLG, March 2012)***

The National Planning Policy Framework (NPPF), published 27 March 2012, sets out the Government's planning policies for England and how these are expected to be applied.

When determining Planning Applications, the NPPF directs LPAs to apply the approach of presumption in favour of sustainable development; the 'golden thread' which is expected to run through the plan-making and decision-taking activities. However, it should be noted that this is expected to apply except where this conflicts with other policies contained within the NPPF, inclusive of those covering the protection of designated heritage assets, as set out in paragraph 14 of the NPPF.

Section 7 *Requiring good design* (NPPF Paragraphs 56-68), reinforces the importance of good design in achieving sustainable development by ensuring the creation of inclusive and high quality places. This section of the NPPF affirms, in NPPF Paragraph 58, the need for new design to function well and add to the quality of the area in which it is built; establish a strong sense of place; and respond to local character and history, by reflecting the built identity of the surrounding area.

Section 12 *Conserving and Enhancing the Historic Environment* (NPPF Paragraphs 126-141), relates to developments that have an effect upon the historic environment. This is the guidance to which local authorities need to refer when setting out a strategy in their Local Plans for the conservation and enjoyment of the historic environment. This should be a positive strategy and should include heritage assets which are most at risk through neglect, decay, or other threats. It is also noted that heritage assets should be conserved in a manner appropriate to their significance. For clarification, the NPPF provides definitions of terms relating to the historic environment. For the purposes of this report, the following are important to note:



*Heritage Asset* is a building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions. These include designated heritage assets and assets identified by the local planning authority; and

*Significance* is the value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment, and when determining planning applications:

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation;
- the wider social, cultural, economic, and environmental benefits that the conservation of the historic environment can bring;
- the desirability of new development in making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

NPPF Paragraph 128 states that LPAs, when determining applications for development, should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. Adding that the level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance.

According to NPPF Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

NPPF Paragraphs 132-136 consider the impact of a proposed development upon the significance of a heritage asset. Paragraph 132 emphasises that when a new development is proposed, great weight should be given to the asset's conservation and that the more important the asset, the greater this weight should be. It is noted within this paragraph that significance can be harmed or lost through the alteration or destruction of the heritage asset or by development within its setting.

NPPF Paragraph 134 advises that where a development will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.





The NPPF, therefore, continues the philosophy of that was upheld in PPS5 in moving away from narrow or prescriptive attitudes towards development within the historic environment, towards intelligent, imaginative, and sustainable approaches to managing change. English Heritage characterised this new approach, now reflected in the NPPF, as 'constructive conservation'. This is defined as:

"a positive and collaborative approach to conservation that focuses on actively managing change.... the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment"

(English Heritage, *Constructive Conservation in Practice*, 2009).

## National Guidance

### ***Planning Practice Guidance (PPG) (DCLG, March 2014)***

This guidance has been adopted in support of the NPPF. It reiterates the importance of conserving heritage assets in a manner appropriate to their significance as a core planning principle.

It also states, conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach.

Furthermore, it highlights that neglect and decay of heritage assets is best addressed through ensuring they remain in an active use that is consistent with their conservation.

Key elements of the guidance relate to assessing harm. It states, an important consideration should be whether the proposed works adversely affect a key element of the heritage asset's special architectural or historic interest. Adding, 'it is the degree of harm, rather than the scale of development that is to be assessed'. The level of 'substantial harm' is stated to be a high bar that may not arise in many cases. Essentially, whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the NPPF.

Importantly, it is stated harm may arise from works to the asset or from development within its setting. Setting is defined as 'the surroundings in which an asset is experienced, and may be more extensive than the curtilage'. A thorough assessment of the impact of proposals upon setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

The guidance states that if 'complete or partial loss of a heritage asset is justified, the aim should then be to capture and record the evidence of the asset's significance, and make the interpretation publicly



available.'

### ***Conservation Principles, Policies, and Guidance (English Heritage, April 2008)***

Outlining Historic England's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in their own advice and guidance through the planning process, the document is commended to LPAs to ensure that all decisions about change affecting the historic environment are informed and sustainable. This document was published in line with the philosophy of PPS5, yet remains relevant with the NPPF and PPG, the emphasis placed upon the importance of understanding significance as a means to properly assess the effects of change to heritage assets. Guidance within the document describes a range of 'heritage values' that constitute a heritage asset's significance to be established systematically; the four main heritage values include: aesthetic, evidential, communal or historical. The document emphasises that 'considered change offers the potential to enhance and add value to places...it is the means by which each generation aspires to enrich the historic environment' (Paragraph 25).

### ***Seeing the History in the View (Historic England, April 2015)***

This document presents a method for understanding and assessing the significance within views. The method can be applied to any view that is significant in terms of its heritage values. Such views may be selected by a developer, or LPA (perhaps in consultation with Historic England), as part of the Environmental Impact Assessment (EIA) of specific development proposals.

The method has been designed to provide a consistent and positive approach to managing change. This approach has been tested and refined through a number of worked examples.

The guidance is designed to be used as part of the suite of other assessment and characterisation tools whose function is to help understand the contribution made by setting to the significance of a heritage asset.

This document is currently in the process of revision to comply with the NPPF and other Government initiatives, as well as to incorporate new information and advice based on recent case law and Public Inquiry decisions.

### **Overview: Historic Environment Good Practice Advice in Planning**

In March 2015, Historic England withdrew the PPS5 Practice Guide document and replaced with three Historic Environment Good Practice Advice in Planning Notes (GPAs).

These GPAs provide supporting guidance relating to good conservation practice. The documents



particularly focus on how good practice can be achieved through the principles included within national policy and guidance. As such, the GPAs provide information on good practice to assist LPAs, planning and other consultants, owners, applicants, and other interested parties when implementing policy found within the NPPF and PPG relating to the historic environment.

### ***GPA 1: The Historic Environment in Local Plans (March 2015)***

This document stresses the importance of formulating Local Plans that are based on up-to-date and relevant evidence in relation to the economic, social, and environmental characteristics and prospects of an area, including the historic environment, as set out by the NPPF. The document provides advice on how information in respect of the local historic environment can be gathered, emphasising the importance of not only setting out known sites, but in understanding their value (i.e. significance).

This evidence should be used to define a positive strategy for the historic environment and the formulation of a plan for the maintenance and use of heritage assets and for the delivery of development, including within their setting, which will afford appropriate protection for the heritage asset(s) and make a positive contribution to local character and distinctiveness.

Furthermore, the Local Plan can assist in ensuring that site allocations avoid harming the significance of heritage assets and their settings, whilst providing the opportunity to 'inform the nature of allocations so development responds and reflects local character'.

Further information is given relating to cumulative impact, Section 106 agreements, stating 'to support the delivery of the Plan's heritage strategy it may be considered appropriate to include reference to the role of Section 106 agreements in relation to heritage assets, particularly those at risk.' It also advises on how the heritage policies within Local Plans should identify areas that are appropriate for development as well as defining specific Development Management Policies for the historic environment. It also suggests that a heritage Supplementary Planning Document (SPD) in line with paragraph 153 of the NPPF can be a useful tool to amplify and elaborate on the delivery of the positive heritage strategy in the Local Plan.

### ***GPA 2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)***

This document provides advice on the numerous ways in which decision-making in the historic environment can be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged, stating that 'application proposals that affect the historic environment are much more likely to gain the necessary permissions and create



successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.'

The advice suggests a structured staged approach to the assembly and analysis of relevant information, this is as follows:

- Understand the significance of the affected assets;
- understand the impact of the proposal on that significance;
- avoid, minimise, and mitigate impact in a way that meets the objectives of the NPPF;
- look for opportunities to better reveal or enhance significance;
- justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change; and
- offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

The advice reiterates that direct physical change may affect heritage assets, or by change in their setting. Assessment of the nature, extent, and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process resulting in informed decision-taking.

This document sets out the recommended steps for assessing significance and the impact of application proposals upon a heritage asset, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change.

### ***GPA 3: The Setting of Heritage Assets (Historic England, March 2015)***

This document assesses the potential impact of development proposals upon the setting and significance of the heritage assets identified.

#### **Step 1: Identification of built heritage assets and their settings**

A search of the Historic Environment Record (HER), together with the National Heritage List for England (NHLE) and the Council's Website provides an initial list of potential heritage assets to be considered,



including listed buildings, conservation areas, and other national or local heritage designations which may need to be considered. This is augmented with a site visit and additional research, where other buildings and structures not included in any of the above, but potentially considered as non-designated heritage assets, can be identified. Each heritage asset is visited, as far as public access allows, and its surroundings are examined to understand the degree to which elements of the surroundings allow for the building to be experienced or better understood, therefore identifying its setting, as defined within the NPPF.

Step 2: Assess whether, how and to what degree that these settings contribute to a heritage asset's significance

To undertake this stage, the significance of the heritage assets must be understood, whether designated or non-designated. Although there is no proscriptive method for assessing significance, this Appraisal utilises the heritage values<sup>1</sup> set out in Conservation Principles, Policies, and Guidance (English Heritage, 2008), and considers each heritage asset against these values. Whilst the British Standard suggests a variety of additional potential values, the ones set out by in Conservation Principles are generally recognised as appropriate and proportionate values to assess. Once each heritage asset has been assessed against the five heritage values, and its significance is understood, an assessment of the contribution of setting to this significance can be undertaken. This is achieved through assessing each element of setting against the heritage values of the asset, and identifying whether it a positive, negative, or neutral contribution, if any—and if so, identifying which heritage values it contributes to and how. The final stage is to identify the relative extent of significance arising from setting, in comparison to other sources of heritage value.

Step 3: Assess the effect of the proposed development on the heritage asset's significance

GPA 3 sets out suggested, although non-exhaustive, potential attributes of a development which may affect the setting of heritage assets, which include location and siting of the development; the form and appearance of the development; other effects such as planting, lighting, noise, change to general character, and changes to skylines or built surroundings and spaces; permanence of the development; and longer term or consequential effects of the development. These are used as a guide and a basis from which to assess how a development may alter a particular element of setting, and to understand which heritage values the proposed development may impact upon. Details of the design of the proposed development will often vary, and will range from initial concepts through to detailed plans and elevations, verified photographs and photomontages. Where details are lacking, assumptions based on professional judgement and knowledge can be used to undertake assessment—where this is the case, this will be set out clearly in the report, and caveated accordingly. Where harm is identified to the significance of a designated heritage asset, the nature of harm is explained, and the extent of harm to significance is set



out in terms of substantial harm, or in degrees of less than substantial harm, as appropriate. Where harm is identified to the significance of a non-designated heritage asset, the nature of harm is set out in terms of high, moderate, low, or negligible. This is in recognition that the NPPF differentiates the extent of weight to be afforded to the conservation of a heritage asset, dependant on its status of designation. Where benefit is identified, this is identified in terms of substantial, moderate, low, or negligible, for the purpose of clarity.

#### Step 4: Maximising enhancement and minimising harm upon the heritage asset's significance

Although this Step generally relates to identification and assessment of potential impact during design, and the subsequent mitigating harm through re-design, for the purposes of this assessment, this Step will be used to identify areas of where there is heritage benefit within the scheme, and/or elements of mitigation integral to the design (for instance, landscaping, or repairs to a listed building). In order to be able to undertake a quantitative balancing exercise between heritage benefit and heritage harm in the next Step, benefit is referred to in terms of substantial, moderate, low, or negligible.

#### Step 5: Making and documenting the decision and monitoring the outcomes

As this final stage is explicitly for the decision-maker, this Step is not undertaken within this assessment. However, as any decision will be based on the compliance of the proposed scheme with legislation and policy at both national and local level, this Step is used to assess whether the scheme is in line with the requirements stemming from such. A synopsis of the identified impacts on each heritage asset is provided, followed by an assessment of cumulative harm on the surrounding historic built environment. Where both heritage harm and heritage benefits are identified, a balancing exercise of these is undertaken. Finally, the assessment will identify whether the proposed scheme is compliant with relevant legislation and policy, and whether any additional balancing of harm against public benefit is required. This final Step will take account of all relevant and up-to-date case-law as it pertains to the scheme, as well as the planning history of the site where relevant, including (but not exclusively) any previous applications, appeals, together with any formal or informal pre-application advice from both the Local Planning Authority and from Historic England.

The appendices contain background information and reference material, including list descriptions, and all relevant paragraphs of legislation and relevant policies. This should all be referred to throughout these five Steps.

Crucially, the nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation, and any recording which may be necessary. This document also provides guidance in respect of neglect and unauthorised works.



## **Overview: Historic England Advice Notes in Planning**

In addition to the above documentation, Historic England has published three core Heritage Advice Notes in Planning (HEAs) that provide detailed and practical advice on how national policy and guidance is implemented.

### ***HEA 1: Understanding Place: Conservation Area Designation, Appraisal, and Management (February 2016)***

This document forms revised guidance which sets out the ways to manage change to ensure that historic areas are conserved. In particular, information is provided relating to conservation area designation, appraisal, and management. Whilst this document emphasises that 'activities to conserve or invest need to be proportionate to the significance of the heritage assets affected,' it reiterates that the work carried out needs to provide sufficient information to understand the issues outlined in NPPF Paragraph 192, relating to the assessment of any heritage assets that may be affected by proposals.

There are different types of special architectural and historic interest that contribute to a Conservation Area's significance. These include:

- Areas with a high number of nationally designated heritage assets and a variety of architectural styles and historic associations;
- those linked to a particular industry or individual with a particular local interest;
- where an earlier, historically significant, layout is visible in the modern street pattern;
- where a particular style of architecture or traditional building materials predominate; and
- areas designated on account of the quality of the public realm or a spatial element, such as a design form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those included on the Historic England's Register of Parks and Gardens of special historic interest.

Change is inevitable; however, this document provides guidance in respect of managing change in a way that conserves and enhances areas, through identifying potential within a conservation area. This can be achieved through historic characterisation studies, production of neighbourhood plans, confirmation of special interest and setting out of recommendations.

NPPF Paragraph 127 states that 'when considering the designation of conservation areas, local planning



authorities should ensure that an area justifies such status because of its special architectural or historic interest,' this document reiterates that this needs to be considered throughout this process.

Section 71 of the 1990 Act places on LPAs the duty to produce proposals for the preservation and enhancement of Conservation Areas. This document provides guidance for the production of management plans, which can 'channel development pressure to conserve the special quality of the conservation area'. These plans may provide policies on the protection of views, criteria for demolition, alterations and extensions, urban design strategy and development opportunities. Furthermore, it includes information relating to Article 4 Directions, which give the LPA the power to limit permitted development rights where it is deemed necessary to protect local amenity or the well-being of an area.

## **Local Policy**

The Dover District Proposals Map replaces the Local Plan proposals map (adopted 2002). In the Local Plan Written Statement, some of the policies remain 'saved', whilst some have now been superseded with the adoption of the Core Strategy. There are no saved policies that are considered to be relevant to the Site and any future development proposals in built heritage terms.

## ***Core Strategy***

The Core Strategy is the principal document in the Council's Local Development Framework (LDF). This document contains the Council's overall ambitions and priorities for the District and will be used to decide what the District should be like in 2026. The Core Strategy contains Core Policies that are applicable District-wide and a separate section on Development Management policies. In terms of future development proposals at the Site, the following policies would need to be taken into account:

### *CP4 Housing Quality, Mix, Density, and Design*

*Housing allocations in the Site Allocations Document and planning applications for residential development for 10 or more dwellings should identify the purpose of the development in terms of creating, reinforcing, or restoring the local housing market in which they are located and develop an appropriate housing mix and design taking account of the guidance in the Strategic Housing Market Assessment and the need to create landmark, foreground and background buildings, vistas, and focal points. Density will be determined through this design process at the maximum level consistent with the design. Density should wherever possible exceed 40 dwellings net per hectare and will seldom be justified at less than 30 dwellings net per hectare.*

### *Policy DM 1 Settlement Boundaries*





Development will not be permitted on land outside the urban boundaries and rural settlement confines shown on the proposals map unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

#### *Policy DM 19 Historic Parks and Gardens*

Permission will not be given for development proposals that would adversely affect the character, fabric, features, setting, or views to and from the District's Historic Parks and Gardens.

## **Local Guidance**

### ***Kent Design Guide (Kent County Council, April 2008)***

The Kent Design Guide seeks to provide a starting point for good design while retaining scope for creative, individual approaches to different buildings and different areas. It aims to assist designers and others achieve high standards of design and construction by promoting a common approach to the main principles which underlie LPAs' criteria for assessing planning applications. It also seeks to ensure that the best of Kent's places remain to enrich the environment for future generations. The Guide does not seek to restrict designs for new development to any historic Kent vernacular, rather, it aims to encourage well-considered and contextually sympathetic schemes that create developments where people want to live, work and enjoy life.

### ***Dover District Heritage Strategy (Dover District Council, Heritage Conservation Group, Kent County Council, and English Heritage, 2013)***

This Heritage Strategy was commissioned to ensure that the heritage of the District plays a clear role in shaping any future regeneration, development, and management decisions. It is intended that the strategy provides a strategic and clear approach to dealing with Dover's heritage and that the document might act as a pilot exemplar for similar schemes elsewhere in the country.

The document contains recommendations to ensure that any future policies and approaches to the District's heritage are based on a clear understanding of the place, its significance, and its value. The aim of the Dover District Heritage Strategy is therefore to enable Dover District Council to achieve their objectives for the protection and enhancement of the historic environment as set out in the District's Core Strategy.



## **Appendix E: References**



Department for Communities and Local Government (DCLG), *National Planning Policy Framework (NPPF)*, March 2012

DCLG, *National Planning Practice Guidance (PPG)*, March 2014

English Heritage, *Conservation Principles, Policies and Guidance*, April 2008

English Heritage, *GPA 1: The Historic Environment in Local Plans*, March 2015

English Heritage, *GPA 2: Managing Significance in Decision-Making*, March 2015

English Heritage, *GPA 3: The Setting of Heritage Assets*, March 2015

English Heritage, 2017, *History of Walmer Castle and Gardens*, [www.english-heritage.org.uk/](http://www.english-heritage.org.uk/)

Historic England, 2017, *National Heritage List for England (NHLE)*

Historic England, *HEA1: Understanding Place: Conservation Area Designation, Appraisal and Management*, February 2016

*Planning (Listed Buildings and Conservation Areas) Act 1990*

The Walmer Design Statement Group, *Walmer Design Statement*, August 2003

Walmer Web, 2014, *North Downs Web* [www.walmerweb.co.uk/](http://www.walmerweb.co.uk/)