



Heritage Impact Assessment

Land at Four Winds,
Egerton, Kent

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1. Introduction

1.1 This Heritage Impact Assessment has been prepared by Dr Jonathan Edis, Director of HCUK Group, on behalf of Lansdown Asset Management Limited. It relates to an outline planning application for nine dwellings and an access road to New Road at Four Winds (and Orchard Nurseries), Egerton, Ashford. The application (PA/2022/2093) was submitted in 2022 and it is understood that a Heritage Impact Assessment has been requested by Ashford Borough Council in respect of the effect of the proposal on the setting of Egerton Conservation Area and nearby listed buildings.¹

1.2 The author of this assessment has more than forty years of continuous employment in the heritage sector, including ten years as a conservation officer advising local planning authorities on applications affecting heritage assets. A large number of those cases have involved development affecting the settings of conservation areas and listed buildings.

¹ A scheduled Bronze Age barrow to the east of the application site is not discussed in this document.

2. Relevant Planning Policy Framework

- 2.1** The council is required by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building and its setting when exercising planning functions. The council must give considerable importance and weight to the desirability of preserving the significance of the listed building, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.²
- 2.2** For the purposes of this assessment, preservation equates to an absence of harm.³ Harm is defined in paragraph 84 of Historic England's Conservation Principles as change which erodes the significance of a heritage asset.⁴
- 2.3** The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF) as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.
- 2.4** The setting of a heritage asset can contribute to its significance. Setting is defined in the NPPF as follows:
- "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*
- 2.5** Historic England has published guidance on development affecting the setting of heritage assets in *The Setting of Heritage Assets* (second edition, December 2017), better known as GPA3. The guidance proposes a stepped approach to assessment in which Step 1 involves the identification of the relevant heritage assets, Step 2 establishes their significance, and Step 3 describes how the change within the

² Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others [2014] EWCA Civ 137.

³ South Lakeland v SSE [1992] 2 AC 141.

⁴ Conservation Principles, 2008, paragraph 84.

setting of the assets might affect their significance. In cases where there is a resultant loss in significance, amounting to harm, Step 4 is engaged, requiring the discussion of mitigation.

2.6 The NPPF requires the impact on the significance of a designated heritage asset⁵ to be considered in terms of either “substantial harm” or “less than substantial harm” as described within paragraphs 201 and 202 of that document. National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.⁶ The Scale of Harm is tabulated at Appendix 1.

2.7 Paragraphs 201 and 202 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit. Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 of the same NPPG makes it clear that it is important to be explicit about the category of harm (that is, whether paragraph 201 or 202 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”

2.8 Paragraph 199 of the NPPF states that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.

2.9 Local heritage policy has been taken into account in the preparation of this assessment.

⁵ The seven categories of designated heritage assets are World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefield and Conservation Areas, designated under the relevant legislation.

⁶ Bedford Borough Council v SSCLG and Nuon UK Limited [2013] EWHC 4344 (Admin).

3. Statement of Significance

Introduction

3.1 This chapter of the assessment establishes the significance of the relevant heritage assets in the terms set out in the NPPF, and it comments on the contribution of setting to significance. The identification of the heritage assets equates in part to Step 1 of GPA3, and the assessment of significance equates to Step 2 of GPA3. Steps 2 and 3 of GPA3 are closely connected, so this chapter should be read in conjunction with Chapter 4 (Heritage Impact Assessment) and with the tabular methodology at Appendix 2.

Egerton Conservation Area

3.2 Egerton is a nucleated village and historic parish to the north-west of Ashford, the older parts of which are within a conservation area. The following description of Egerton and its church dates from 1798:⁷

"ADJOINING to Charing, south-westward, lies Egerton, which takes its name from its situation on the side of the hill.

IT IS MOSTLY situated on the height of the range of the lower or quarry hills, whence there is a most beautiful prospect over the Weald. The village, with the church, stands on the summit of the hill, the tower is a conspicuous object to the country round it, and is esteemed the boundary of the Weald; at the southern foot of these hills, one of the heads of the river Medway rises exactly in the same manner as the Stour does, at a small distance northward from them, under the down hills, each flowing in different contrary directions. The soil on the hill is both dry and healthy, where the quarry stone abounds pretty near the surface, being thinly covered with a loam, very fertile like the adjoining parishes, in a similar situation for corn, fruit and hops, of which latter there are several plantations, which thrive very kindly. It stretches below the hill southward into the Weald,

⁷ The History and Topographical Survey of the County of Kent: Volume 7. Originally published by W Bristow, Canterbury, 1798, taken from British History Online.

where it is a deep miry clay country, overspread with thick hedge rows and towering oaks; ...

There is a fair held here on August 5, for toys, pedlary, &c. There are three boroughs in it, Greenhill, part of which extends into Pluckley; Sidney, which has within it the further side of the street, and Edgeley, which has in it that side of the street next the church.

THE MANOR of Charing claims paramount over this parish, subordinate to which are THE MANORS OF WARDEN, alias EGERTON, and BRUSCOMBE; the former of which was once the property of a family of the name of Warden, who fixed their name on it; one of whom, John Warden, was possessed of it in the reign of Richard II...

The poor constantly relieved are about one hundred and ten, casually fifty...

The church, which is exempt from the jurisdiction of the archdeacon, is dedicated to St. James. It is a very handsome building, and standing on the summit of the hill, is seen at a great distance both from the north and south. It is built of the sand stone, and has a square tower, with a beacon turret at the west end. It has two isles and a high chancel. In both isles are memorials for the Husseys. On the outside of the tower is a coat of arms, obliterated by time. It is said that the steeples of this church, Little Chart, and Charing, were built by one man, Sir John Darell, of Calehill, in the reign of Henry VII. He might be a considerable benefactor and promoter of the work; but the wills in the Prerogative-office, Canterbury, shew, that the continued different benefactions of others were so necessary for the carrying it on, that the building of them went on by flow degrees for many years, for want of a sufficient fund to complete them. This steeple ^[8] of Egerton seems to have been finished about the year 1476..."

3.3

The extent of the village in 1841 and 1897 appears in the maps in Figures 1 and 2. It has since been enlarged, as can be seen from the modern map base in Figure 3. For present purposes it is relevant that the conservation area boundary takes in all the houses and gardens on the south-east side of The Street, which is the main historic spine of the village (Figure 3). It also includes Church Farm and other buildings which are set back from the frontage, to the south-east of The Street.

⁸ Steeple is word once used interchangeably when describing towers with and without spires. Now becoming an archaic term, its meaning has narrowed to towers that have spires.

3.4 The evidence of the tithe map and apportionment (Figure 1) is that the fields to the south-east of The Street were in use for arable and pasture in the mid-19th century. These fields have a rectilinear shape and character suggesting that they are of comparatively recent (18th or early 19th century) origin. By the 1890s it seems that some of this land had been planted with orchards (Figure 2). There is no direct evidence of hop production here, although that crop was mentioned as being grown in the parish in the account of 1798, above.

3.5 It is self-evident that Egerton is a conservation area of special architectural and historic interest, and that it is within a predominantly agricultural setting that, although changed over time, contributes to its sense of identity and place.

Listed buildings

3.6 There are a number of listed buildings to the north-west of the application site, all of which are within Egerton Conservation Area. They are identified on Figure 4. Most of the listed buildings are vernacular medieval and post-medieval houses lining The Street, listed grade II, and forming a group. Their setting has clearly changed since the 19th century as a result of development to the south-east of The Street, including Stevens Close and new houses to the east and north-east of Church Farm. This development has physically separated the listed buildings from the agricultural land that still surrounds the village as a whole, so their setting (or at least the most visually attractive part of their setting, for most purposes) is now best experienced within The Street, and the immediately adjacent gardens and spaces. It is here that the front elevations of the buildings can readily be appreciated.

3.7 The Church of St James, which stands within a raised⁹ churchyard on the north-west side of the Street, is listed grade I. This is a much larger and more prominent structure than any of the grade II listed buildings described above, and it is older. Listed grade I, and first designated on 14 February 1967, the church is officially described as follows:

"Originally a Chapel of Ease to Charing. Built of Kentish ragstone. Chancel with north chapel (now the vestry), nave with north aisle, south porch and west tower in

⁹ The retaining walls and gatepiers along The Street are independently listed grade II.

3 stages, with an octagonal vice turret in the north-east corner carried up to form a beacon emplacement and buttresses at the other angles of the tower. Gargoyles. The chancel, north chapel and north aisle are C14. The nave, south porch and west tower C15, 3 bay nave with 2 crown posts, piscina and triple sedilia. The churchyard contains some table tombs, oval bodystones and some C18 headstones, with skull, cherub and hourglass motifs. The church stands in a very prominent position and is a land mark for miles around, like the church of Great Chart marking the northern edge of the Weald."

3.8 The list description echoes the comment in the account of 1798, quoted above, that the tower of the church can be seen for a very great distance. This is an innate characteristic of this tower in particular – that it was built with the intention of being seen over a wide area, taking advantage of an elevated site. The building interacts with the topography so that each contributes to the other; the surroundings benefit from the tower as a landmark, and a reminder that this an ancient place of worship that has been part of communal life for centuries, and the tower gets extra impetus from being in a commanding position. These aspects contribute to the intrinsic special interest of the building – historic, architectural, archaeological, and artistic.

3.9 It is important to note that the setting of the church extends in all directions, throughout 360°, including public and private land over considerable distances.

The application site

3.10 The application site is private land to the north-east of Four Winds, which is on New Road. It appears to have been used to cultivate a variety of produce over many years, being a nearly-rectangular enclosure within the former fields here. The site has never been optimised or landscaped as a viewing-place from which to appreciate the surroundings or the significance of any heritage asset.

Summary of significance

3.11 Egerton Conservation Area is a place of special architectural and historic interest. It has a predominantly agricultural setting that, although changed over time, contributes to its sense of identity and place.

3.12 There are a number of grade II listed houses lining The Street, forming a group within the conservation area. Their setting has clearly changed since the 19th century as a result of development to the south-east of The Street, and they are now physically separated from the agricultural land that still surrounds the village as a whole. A more prominent listed building is the Church of St James, which stands within a raised churchyard on the north-west side of the Street. This communal place of worship, which has medieval origins, is listed grade I. It is a building of intrinsic special interest, the tower in particular being built with the intention of being seen over a wide area, taking advantage of an elevated site. It interacts positively with the topography as a landmark in a commanding position, being visible throughout 360°.

4. Heritage Impact Assessment

Introduction

- 4.1** This chapter of the assessment describes how the proposed development will affect the setting and significance of the heritage assets identified in the preceding chapter. It equates in part to Step 3 of GPA3. Steps 2 and 3 of GPA3 are closely connected, so this chapter should be read in conjunction with Chapter 3 (Statement of Significance) and with the tabular methodology at Appendix 2.

The proposed development

- 4.2** The proposed development is an outline planning application for nine dwellings and an access road to New Road at Four Winds.

Effect on listed buildings

- 4.3** There will be no physical effect on any listed building. It is the setting of listed buildings that is susceptible to change.
- 4.4** The proposed development will have very little visual interaction with the grade II listed houses lining The Street, and there will be no material change within their setting, except in the most abstract of senses.
- 4.5** The proposed development will have very little visual or abstract effect on the setting of the grade I listed Church of St James. At its very greatest extent, the arc affected by the built part of the development will occupy no more than 25° of the 360° setting of the church tower, which accounts for only seven per cent of the whole. Further factors must be taken into account, namely:
- The distance of the built part of the development from the listed building, which, at 150m to 200m, allows for good separation between the two.
 - The physical separation arising from existing development.
 - The fact that the application site has never been closely associated with the church, or optimised as a place from which to view the church.

- 4.6** While it could be said that a small part of the historic agricultural surroundings of the church will be changed to housing as a result of the proposed development, the parcel in question is visually and physically contained, and has never been part of the public realm. The change is so minor, by comparison with the extensive setting of the church over “miles” (see the list description, quoted in Chapter 3) that the significance of the listed church will not be reduced or harmed.

Effect on Egerton Conservation Area

- 4.7** The proposed development will have only a small effect on the setting of Egerton Conservation Area. The reasons for this are broadly similar to the reasons relating to the listed buildings, as outlined above (distance, physical separation, never optimised as a place from which to appreciate the significance of the conservation area, and affecting a contained parcel that has never been part of the public realm). While the proposal will be within the setting of the grade I listed Church of St James, the tower of which is a landmark for the conservation area, the relatively small effect of the change will not reduce or harm the significance of the area.

Summary of effects

- 4.8** The proposed development will have only a small effect on the setting of the grade I listed Church of St James and the setting of Egerton Conservation Area. Taking into account the small arc of view that will be affected, together with considerations of distance and physical separation, there will be no harm to the significance of these heritage assets. For similar reasons, there will be no harm to the setting or significance of any other listed buildings.
- 4.9** The absence of harm to significance means that paragraphs 201 and 202 of the NPPF will not be engaged, and the effect will fall off the bottom of the scale in Appendix 1. There will be no conflict with local heritage policy, and there will be preservation for the purposes of the council’s duty under section 66(1) of the Act.

5. Conclusions

- 5.1** Egerton Conservation Area is a place of special architectural and historic interest. It has a predominantly agricultural setting that, although changed over time, contributes to its sense of identity and place.
- 5.2** There are a number of grade II listed houses lining The Street, forming a group within the conservation area. Their setting has clearly changed since the 19th century as a result of development to the south-east of The Street, and they are now physically separated from the agricultural land that still surrounds the village as a whole. A more prominent listed building is the Church of St James, which stands within a raised churchyard on the north-west side of the Street. This communal place of worship, which has medieval origins, is listed grade I. It is a building of intrinsic special interest, the tower in particular being built with the intention of being seen over a wide area, taking advantage of an elevated site. It interacts positively with the topography as a landmark in a commanding position, being visible throughout 360⁰.
- 5.3** The proposed development is an outline planning application for nine dwellings and an access road to New Road at Four Winds.
- 5.4** The proposed development will have only a small effect on the setting of the grade I listed Church of St James and the setting of Egerton Conservation Area. Taking into account the small arc of view that will be affected, together with considerations of distance and physical separation, there will be no harm to the significance of these heritage assets. For similar reasons, there will be no harm to the setting or significance of any other listed buildings.

Appendix 1

Scale of Harm

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

HCUK, 2019

Appendix 2

GPA3 Assessment

In assessing the effect of the proposed development on the setting and significance of heritage assets, it is relevant to consider how the following factors may or may not take effect, with particular reference to the considerations in Steps 2 and 3 of GPA3. The following analysis seeks to highlight the main relevant considerations.

Relevant Considerations

<i>Proximity of the development to the asset</i>	The proposed development is to the south-east of the conservation area, and is some 150m to 200m from the Church of St James.
<i>Proximity in relation to topography and watercourses</i>	There are no particular watercourses to consider. The topography rises towards the church, in the north-west.
<i>Position of development in relation to key views</i>	No key views of any designated heritage assets will be affected.
<i>Orientation of the development</i>	The proposed development is, indicatively, arranged orthogonally within the nearly-rectangular application site.
<i>Prominence, dominance and conspicuousness</i>	The proposed development is not anticipated to be prominent, dominant or conspicuous in relation to any heritage asset.
<i>Competition with or distraction from the asset</i>	It is not anticipated that the proposed development will compete with or distract from any heritage asset.
<i>Dimensions, scale, massing, proportions</i>	The dimensions, scale, massing and proportions of the proposed development can be designed to as to minimise the effect on heritage assets.
<i>Visual permeability</i>	The proposed development will not be visually permeable
<i>Materials and design</i>	Materials and design are for later consideration.
<i>Diurnal or seasonal change</i>	No issues are anticipated in respect of diurnal or seasonal change.
<i>Change to built surroundings and spaces</i>	The built surroundings and spaces around the designated heritage assets will only be slightly affected.

<i>Change to skyline, silhouette</i>	There will be no changes to important skylines or silhouettes.
<i>Change to general character</i>	The change to the general character of the surroundings of the listed buildings and conservation area will be small.



Figure 1 – Extract from the tithe map of Egerton, 1841, rotated so north is approximately at the top. The tithe apportionment (22 September 1843) indicates that all the large rectilinear fields to the south-east of Egerton were in arable or pasture cultivation at that time.

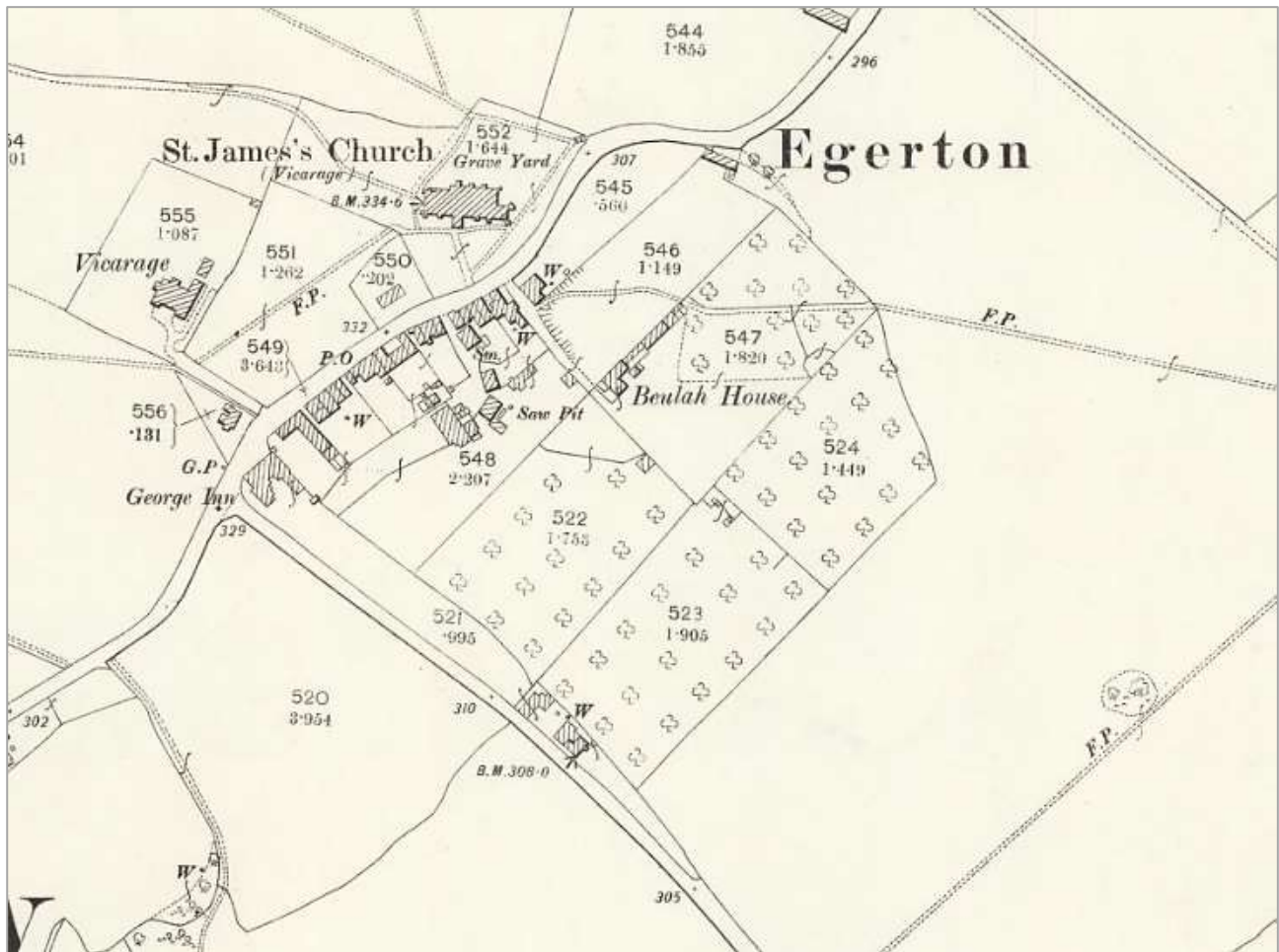


Figure 2 – Extract from the O.S. map of 1897, revised 1896, showing orchards and fields to the south-east of the village of Egerton.

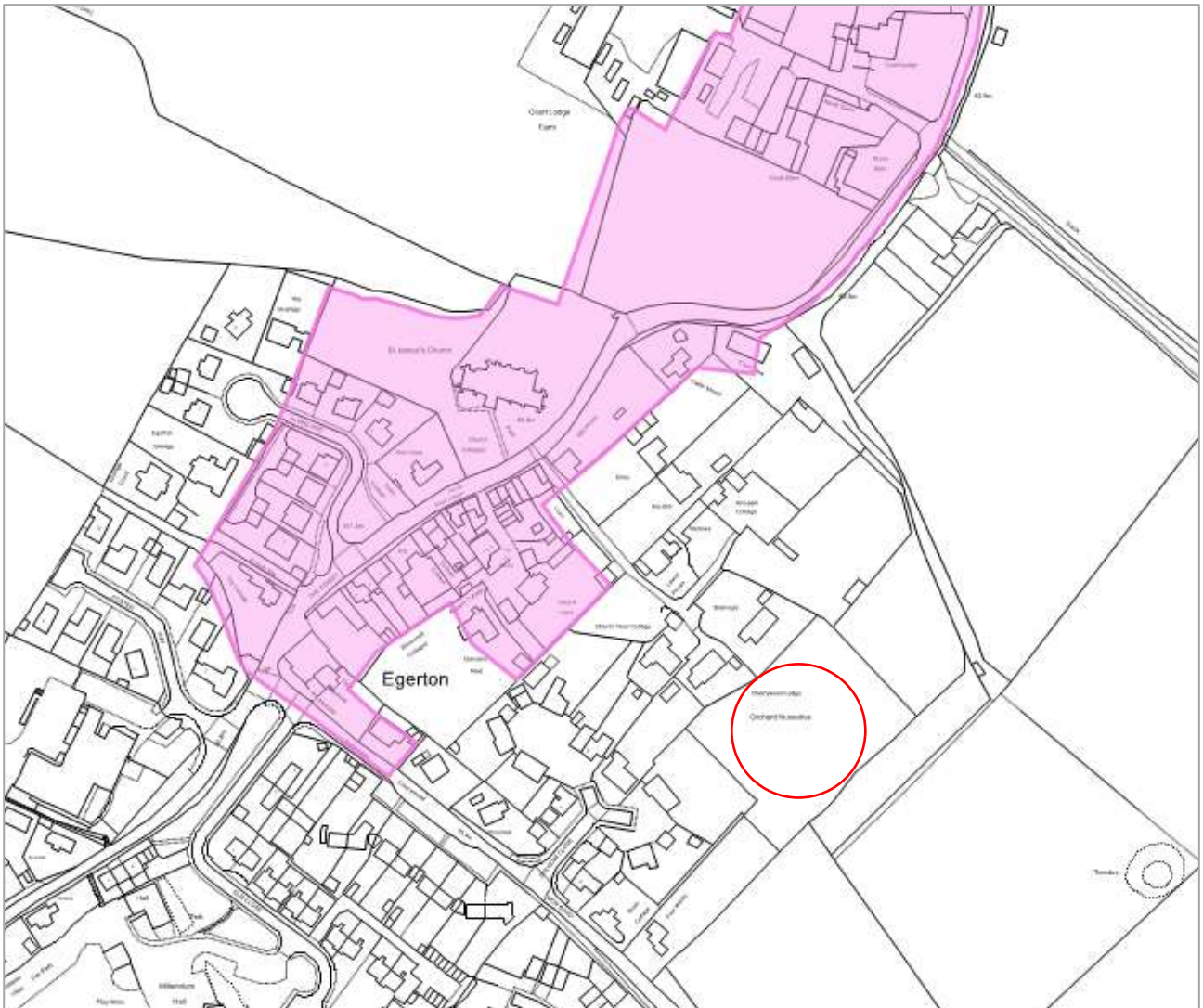


Figure 3 - Egerton Conservation Area (pink wash) in relation to the proposed development (indicative red circle).

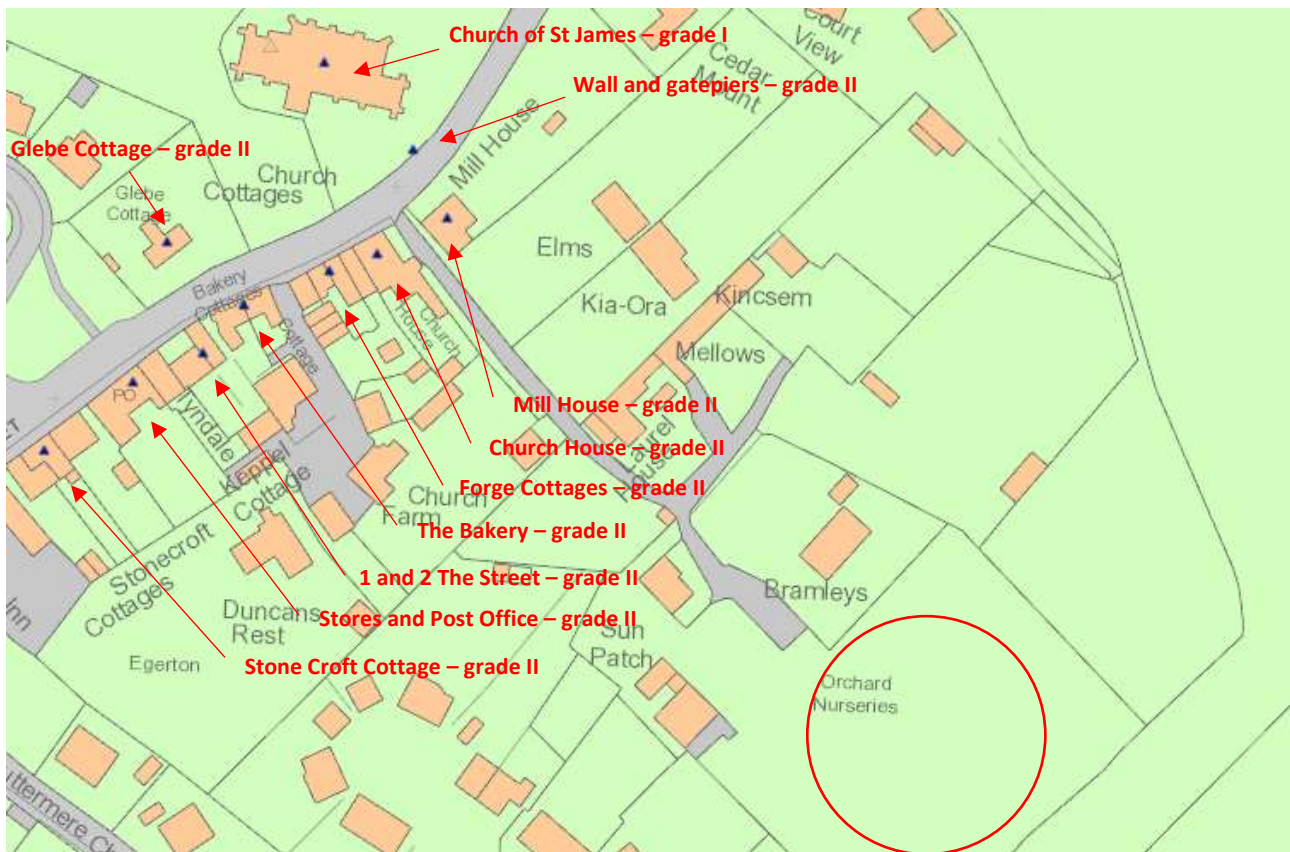


Figure 4 – Extract from the National Heritage List showing the application site (indicative red circle) in relation to listed buildings (annotated).