

## Appendix A - Summary of Representations and Officer Comments

Issue	Representations made	Officer comment
<p><b>General comment by the Parish Council (PC)</b></p>	<p>The PC considered the logic of the proposed changes was not compelling, particularly from the residents perspective. They saw the proposed inclusion of Gravesend and the heavy traffic this area experienced to be in conflict with the aim of preserving a fragile historic environment.</p>	<p>Officers indeed consider Gravesend and the proposed extension to Patmore Heath to be a <i>fragile historic environment</i>. Within the proposed extension are a couple of listed buildings, a number of non- listed buildings which make an important architectural or historic contribution, other buildings, and a visually important village approach which links Patmore Heath and Gravesend. Officers accept the presence of traffic and HGV's to be problematic to residents but consider this factor to be insufficient reason for not proposing a conservation area (CA) in this location. Parts of many other CA's are subject to similar adverse traffic considerations. The simple question set down in legislation is - <i>is the area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i>. The community is advised to make representations to the Highway Authority.</p>



**Picture 1** Pasture land to rear of and north of The Hunting Box which is considered to be part of the wider landscape.



**Picture 2** Land to south of Heath House, proposed to be excluded. Appears as part of the wider landscape.

The PC questioned the inclusion of some modern properties which may not be of sufficient quality.

The PC queried the exclusion of land rear of The Hunting Box (pic. 1) and land to the south of Heath House (pic. 2) and whilst understanding Historic England’s (HE) advice relating to excluding agricultural land questioned whether this was sufficient reason for these exclusions from the Patmore Heath CA.

With regard to the proposal concerning improvements to selective utility services, the PC wanted time to evaluate as this would be a significant task.


These properties were not identified by the PC (but see individual owner’s comments below).

Noted: Historic England (HE) current advice as set out in their 2019 Advice Note *Conservation Area Appraisal, Designation and Management* is that *Conservation area designation is not generally an appropriate means of protecting the wider landscape.*

The principal planning control relating to the location of new development at Patmore Heath is the recently adopted District Plan. The areas identified and indeed the entirety of Patmore Heath is now subject to adopted District Plan policy GBR2 which recognises such areas as *a valued countryside resource.* Additional references to this effect have been included at paragraphs 5.40, 5.41 and 7.14.

It is understood this may be an issue for the PC to consider further.

<p><b>Change for the sake of change/ subjective/no appeal process</b></p>	<p>These comments have been raised.</p>	<p>The council is required by legislation to review its conservation areas and this has been done in compliance with current advice and good practice by an experienced officer. Full consideration has been given to comments raised.</p> <p>Whilst there is no appeal process similar to that relating to refusal of a planning application, there is an option of pursuing a Judicial Review to challenge the lawfulness of a Councils decision.</p>
<p><b>Proposed exclusion of land from the CA - additional comments</b></p>	<p>Land rear of The Hunting Box (Picture 1) and pasture land to the south of Heath House (Picture 3), see above. Various representations received, most being opposed; one owner not objecting. Objections refer to the protective value provided and proximity of excluded areas to the heath; their removal being viewed with some suspicion; land would provide an outer zone of protection; suggestion of a buffer zone of some 500m to defend the natural habitat of Heath from noise and light pollution; include all the fields around the Heath in the CA; its retention within the CA might afford more protection in the future</p>	<p>The designation of land as a conservation area does not in itself prevent development. Whilst the concerns are understood reference is made to the officer response to the Parish Council comments as set out above; namely Historic England's (HE) current advice and the fact that protection is afforded by the adopted District Plan. However and as set out above additional paragraphs have been added to the Appraisal document which should satisfy objectors concerns. Any fear that significant development might occur during the current plan period in this remote rural area is</p>

	<p>against future development.</p>	<p>considered unlikely and as such concerns about a significant increase in light pollution is similarly considered to be most unlikely. District Plan policies EQ2 and EQ3 control Noise and Light Pollution respectively.</p>
<p><b>Proposed exclusion of Heath House from the CA</b></p>  <p><b>Picture 3</b> Heath House set back from Heath and barely visible.</p>	<p>Owner agrees with proposal and accepts the proposal. Others view exclusion as being inconsistent and view the proposal with 'suspicion'.</p>	<p>A combination of Heath House being largely hidden when viewed from the Heath itself (Picture 3) and being of no architectural or historic value and associated with land to its south as forming part of the wider landscape (Picture 2) has led to this recommendation which the field officer continues to support. No information has been provided as to why some view the proposal with 'suspicion' and as such further comment is not possible. The additional references in the Appraisal document at paragraphs 5.40, 5.41 and 7.14 should assist.</p>
<p><b>Proposed inclusion of Gravesend – general</b></p>	<p>Various comments received. Include surprise as Gravesend is separate to and independent of Patmore Heath and properties are listed; conflicting view/properties being of little historic or architectural merit; presence of heavy traffic; object to additional</p>	<p>Most points are covered above in officer response to Parish Council comments (see above). It is true conservation area status does result in additional restrictions principally relating to demolition of most buildings, undertaking works to trees (but not</p>

	<p>restrictions imposed by CA status which one representation viewed as being onerous and would have a negative effect.</p> <p>This negative effect led to discussion and scepticism relating to officer comment about property prices in CA's, a view repeated in one response.</p>	<p>domestic hedges), and different Permitted Development Rights. Owners of one property cited the onerous nature of having to obtain consent to pollard trees. In response to the latter the Council can and does enter into agreements relating to the repeat of annual maintenance works such as removing regrowth from established pollards over time periods greater than the normal 24 months.</p> <p>Officers have no detailed local knowledge of local property prices but simply refer to the generality of an HE associated quote which is set out in italics for information viz: <i>Research by the London School of Economics has found that people value living in conservation areas. This is evidenced by properties in conservation areas having higher prices and greater price appreciation, even after adjusting for location and other factors that affect prices.</i></p>
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**Proposed inclusion of Chestnuts, Gravesend**



**Picture 4** Chestnuts – a modern property of pleasing appearance.

The owners of Chestnuts object to the inclusion of this property which they describe as modern-look house of no architectural interest with UPVC windows (Picture 4).

Also objected to phrase implying Gravesend as being within the extended CA *as though it is already a done deal.*

The Appraisal document advises this is one of two properties on the edge of the proposed new area which are *well designed and attractive*. Whilst it is accepted this property is modern with UPVC windows, its traditional design including the use of tiled roof and render provides a pleasing front elevation. It is visible when approaching the proposed extension from the north and across from the site of a listed building forming the proposed boundary on the opposite side of Albury Road. It is considered appropriate for Chestnuts to remain in the proposed extended conservation area.

The phraseology used in the track changed document being considered has been amended to accommodate the comment made.

**Proposed inclusion of the Mission Hall**



**Picture 5** The Mission Hall – a unique historical

The owners of the Mission Hall supports its inclusion within the CA and advises its *long term retention will require an alternative viable use ...*

The building is an unusual historic asset but in a state of decline and advancing dereliction (Picture 5). A previous application for residential use was refused in 2016. A report accompanying the application advised the building, despite the loss of weather boarding, was generally sound at that time.

asset but one in a state of decline and advancing dereliction.



**Picture 6** The Mission Hall – retention of some features associated with the original use could readily be achieved.

Any appropriate restoration solution must result in the retention of its simple exterior form and retention of key features of its previous use (Picture 6). Any solution resulting in inappropriate change of character would not be acceptable. In the meantime the owner may wish to consider interim measures to arrest ongoing deterioration by replacing lost weather boarding and secure the building. In this respect officers would welcome the opportunity to engage in further discussions. Perhaps some grant assistance is worthy of consideration.

<p><b>Management of the heathland</b></p>	<p>Herts and Middlesex Wildlife Trust (HMWT) submitted a detailed assessment. Essentially they seek added recognition of the high importance of the open acid grass heathland and acknowledgement of the detrimental impact caused by trees.</p> <p>HMWT suggest a number of detailed wording additions and other suggestions.</p> <p>Another representation from</p>	<p>For the avoidance of doubt, the Council recognises the high ecological importance of the heathland.</p> <p>In relation to conservation area legislation and trees, meetings have taken place between EHDC and HMWT and others. The retention of some tree groups as woodland pasture on the main area has now been agreed. A phased removal of other trees has similarly been agreed. The two triangles of woodland to the north of the access road and between the latter and Heath Cottage and Patmore Lodge are to be retained with some thinning.</p> <p>A number of changes have been made to the Appraisal document as track changes in red. Maps have also been annotated thus: <i>'Agreed Management Plan will protect the important acid grassland. This will involve the loss of some trees and the retention of others'</i>.</p> <p>The Council would support</p>
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	another source reflected that HMWT should take a more robust management regime regarding the increasing encroachment of saplings.	this as part of the comprehensive programme to restore the heathland SSSI.
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## Importance of footpaths and views



**Picture 7** Footpath 19 heading west clearly part of open countryside



**Picture 8** Footpath 5 looking towards Patmore Heath across open countryside.

A representation considers local footpaths and public views from them are an integral part of the settlement and should be assessed by a qualified landscape consultant. The representation considers the fields proposed for exclusion are adjacent to public footpaths partially visible during the winter months.

The general overview included in the document advises Patmore Heath is a *combination of historic and modern properties enclosing a large heath*. One of the principal objectives of each CA review is to consider the extent of the designated area within which the extra controls afforded by CA designation should properly apply. The designated area is required to be an area of *special architectural or historic interest...*

The HE document, *Conservation Area Appraisal, Designation and Management* identifies the need to describe settings and views. Some of the latter identified by the Appraisal (at Gravesend and along the link road between Gravesend and Patmore Heath) support the proposal to extend the CA. As previously set out the HE document importantly advises that *conservation area designation is not generally an appropriate means of protecting the wider landscape*. HE also advises to consider whether or not the immediate setting is sufficiently protected by policies in the Local Plan. Several footpaths and a Bridleway link the Heath and



Picture 9 Fields to the west of the CA are protected from inappropriate development being considered *as a valued countryside resource*.

Representations are interpreted that fields to the west of the settlement (pic.9) are important in terms of the landscape setting of nearby houses and as well as providing the historic setting to the Catherine Wheel PH.

traverse the open countryside beyond.

These fields between Arbury Road and the edge of the CA are open pastureland. Whilst it is accepted they provide a setting to this part of the CA they are protected by policies of the adopted plan (see above).

Taking into account HE advice it is considered unnecessary to undertake further assessment of land forming part of the wider landscape which in any event is protected from inappropriate development by the recently adopted District Plan.

<p><b>Front boundaries</b></p>	<p>Several respondents considered the various types of existing front boundaries (hedges, fences etc.) represented individuality which is appropriate to the varied nature of the properties fronting the Heath.</p>	<p>The Appraisal considers that a more common boundary solution of replacing some boundaries with hedging would represent a more rural solution in sympathy with the qualities of the heath itself. The report concluded by advising <i>In the first instance the views of the Parish Council are sought to ascertain the possible level of support for such an idea</i>, The PC did not respond. However to reflect the personal views expressed a much abbreviated reference remains in the document which may trigger action from any future owners sympathetic to the idea.</p>
<p><b>Improvement of selective utility poles</b></p>	<p>One respondent's view that this might 'not be undesirable' nevertheless considered most residents did not notice them and the cost of their removal would be prohibitive.</p>	<p>See above in response to PC view. It is appropriate for this matter to be identified as some selective remedial action would bring positive benefit.</p>