

APPENDIX 2

Comments for Planning Application 20/500015/OUT

Application Summary

Application Number: 20/500015/OUT

Address: Land At Abbeyfields Faversham Kent ME13 8HS

Proposal: Outline application for the development of up to 180 dwellings with associated infrastructure including internal access roads, footpaths, cycleways, parking, open space and landscaping, drainage, utilities and service infrastructure works (All matters reserved except Access).

Case Officer: William Allwood

Customer Details

Name: . Faversham Society The Faversham Society

Address: Fleur De Lis Heritage Centre, 13 Preston Street, Faversham, Kent ME13 8NS

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: IN THE MATTER OF LPA REF: 20/500015/OUT A PLANNING APPLICATION
SWALE BOROUGH COUNCIL

FURTHER SUBMISSION MADE ON BEHALF OF
THE FAVERSHAM SOCIETY

30th March 2023

INTRODUCTION

1. This further submission is prepared on behalf of the Faversham Society ("the Society") and in respect of application 20/500015/OUT - Land At Abbeyfields Faversham Kent ME13 8HS - Outline application for the development of up to 180 dwellings with associated infrastructure including internal access roads, footpaths, cycleways, parking, open space and landscaping, drainage, utilities and service infrastructure works (All matters reserved except Access) ("the Application").

2. It has been prepared following the Applicant's submission of a letter from Montagu Evans (dated 17th October 2022) which has been uploaded to the LPA's planning website. These

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submissions should be read in conjunction with the Society's earlier submission of 15th March 2022 and in conjunction with the "Assessment of Harm" carried out by the Society and appended to that submission.

The Society's Position

3. The Faversham Society maintains that the Conservation and Design Team have erred in their assessment of the harm that the proposal set out within the application has upon the former Royal Abbey of St. Saviours ("Faversham Abbey") (a Scheduled Monument), the medieval buildings and the surviving landscape associated with the Abbey and its monastic farm ("Abbey Farm") and the Conservation Area. A number of heritage assets survive locally to the site including a number of Grade I, II and II* buildings - some of which have a direct link with Faversham Abbey and others which are important in understanding the development of the Town.

The Faversham Society considers that the October 2022 letter from Montagu Evans, shows that the application still poses substantial harm to the significance of the Scheduled Monument. This is in addition to the substantial harm posed to the heritage assets within the locality of the site and the Conservation area by the near final erosion of the historic environment. Development of the site, an important area of open farmland, leading out into the open countryside and Thorn Creek (the original Abbey wharf), will isolate the Abbey, and the core of the town, from the environment and setting for which they were created and in which they have been set for centuries.

5. As set out in the previous submission, should the Faversham Society's assessment of harm not be accepted, and it remains felt that the harm posed is "less than substantial" then it is clear that the public benefits of the proposal are not sufficient to outweigh the less than substantial harm identified. The site subject to this application should not be considered to be an "easy way" to assist Swale to deliver 180 homes simply because of its location to the Town. Real care needs to be taken in assessing the proposal's impact on the heritage assets. This is a requirement set out within Statute and the NPPF - and is discussed in what follows.

6. The application should be refused due to the harm it would cause to the historic environment. This is without prejudice to the other cogent and valid reasons for refusing permission advanced by the Faversham Society and others.

Response to the Montagu Evans Letter of 17th October 2022

7. It is clear to the Society that there is a fundamental disagreement between the assessment it has carried out in respect of the impact of the proposal on the setting of the Scheduled Monument and indeed the historic town. Montagu Evans seeks to claim that the Society has "overstated" the impact on the integrity of the setting - and conflated significance and setting, this is not accepted by the Society and it maintains the position set out in the earlier assessment of harm.

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8. Whilst the site is not a designated heritage site, contrary to the claim by Montagu Evans that "it is just a field" is clearly understating the significance of the landscape. The description of the site as set out in the Design and Conservation Team's Addendum Report (see [12] of the previous submission) makes it very clear the significance to be attributed to the site and the "unique special character" of the remaining, essentially medieval, area.

9. Evans Montagu are clearly misguided in the claim that Historic England's "non-objection" should be treated as material. Neither of the responses from Historic England should be considered as a "non-objection", rather both are Historic England advising that advice should be sought from the LPA's own "specialist conservation and archaeological advisors". Presumably this has been done on the basis of costs/resources as both letters from Historic England make it very clear that it is still open to the LPA to seek more detailed advice from it. With respect, these are just standard responses from Historic England and should not be afforded weight as "non-objections" (whatever that should be taken to mean).

10. In all, Montagu Evans' letter takes the matter no further forward. The Society does not seek to resile from its assessment of harm, or indeed, its previous submission and, indeed, at points Montagu Evans seems to take issue with assessments made by the LPA's own Design and Conservation Team.

11. In addition to the points raised in the previous submission, appended to this submission is KCC's Heritage Map. Abbey Field is clearly shown on that map and the LPA will note that KCC have recorded a findspot in the field. Clearly the site, despite how it is portrayed by Montagu Evans is of historical interest and importance, going beyond the role it plays in explaining the setting of the CA and Faversham Abbey.

12. In all, the proposal still represents the threat of the loss of the last remaining physical and visual connection to the once extensive agricultural setting that can currently be seen and that is intrinsic to the understanding of the CA and the site of Faversham Abbey and indeed the setting of the entire historic core of the town.

13. The Society has requested that the LPA (officers and in due course the Committee) consider the drone footage that is provided alongside this submission. The footage can be accessed from this link: <https://favershamsociety.org/wp-content/uploads/2023/03/Faversham-Drone-Video-highlight.mp4>. This footage was shot last month and shows the breath taking views across the site of the Town, in its setting and out into the historic countryside. This is, perhaps, the best way that the LPA can see, and truly appreciate, the role that the site plays in respect of the historic settings concerned here.

Drone Footage

14. To assist the LPA in considering the drone footage, the Society has produced (with the

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assistance of Mr. Harrison) the following narrative that should be considered as the footage is viewed:

"The opening shot looks westwards across the proposed development site for 180 houses towards the medieval core of Faversham. The original medieval track which linked the Abbey core to its farmland, now a road, is seen to the right, with the medieval farmhouse just beyond. Further right, just out of shot, are the brickworks and the Borough Council's pumping station of 1911.

00:24 In for foreground is Abbeyfields Rd, the edge of the Conservation Area, where the Abbey fish pond can be seen to the right and the Grade I and Grade II* Listed Abbey Barns and Grade I medieval Stable in the middle distance. The development site is on what would originally have been the Abbey farmlands stretching out beyond Thorn Creek, which was the Abbey's port and on to the Blean Woodlands, which belonged to the Abbey and probably supplied the timber for the Barns.

00:55 a clear view of the Abbey Barns and to the left the QE Grammar School playing fields, which cover the Abbey ruins, a Scheduled Ancient Monument. In the foreground on the left, archaeologists are digging and revealing a Roman barn. The Roman villa excavated in the 1960's, lies just to the left of the Barns.

1:00 The playing field beyond the second line of trees is the site of the main Abbey building.

1:06 The video swings across the narrow, unadopted road with parking on both sides: this provides the only access to the proposed development.

1:12 The video looks across the proposed development site to Blean Woods, showing the extent of the Abbey's lands and the connection of the agricultural town of Faversham with the countryside. This view, at ground level, will be lost, causing substantial damage to the Conservation Area and the listed buildings and their settings."

Wider Issues

15. In the previous submission, the society Sought to limit its views to that relating to heritage. However, of the recent round of submissions uploaded onto the planning website, the Society has noted with interest the recent comments from Faversham Town Council (appended to this submission) and, indeed, that from Natural England. It seeks to adopt and support the Town Council's comments in particular and urges the LPA to pay particular care and attention to them.

16. In respect of Natural England's comments, as the LPA is tasked with considering whether or not an appropriate assessment is required under the Conservation of Habitats & Species Regulations 2017 (the HRA), the Society considers that the points raised in Natural England's comments (particularly those found in their comments on 29th January 2020) should lead the LPA

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to consider that there is clearly a need for an appropriate assessment to be carried out under the HRA and as such, the LPA should be considering Reg. 63 of the HRA. Given the very real impact that the proposed development of this site will have on the locality (including the protected sites) and the public interest generated by this application (evidenced in the volume of comments) the Society invites the LPA to consult the general public (as per Reg 63(4) of the HRA), specifically, on the points raised by Natural England, as part of its consideration. This may require further time and, indeed, information given the time that has now elapsed since the application was first filed.

17. Further, the South East Rivers Trust is about to complete a report - funded by the Environment Agency - focused on the chalk streams of the North Kent coast, including the one that flows from Clapgate Spring on the eastern edge of the Abbeyfields site, to provide evidence to Natural England to enable it to add the said streams to the national register and map of priority habitats. Another chalk stream - Cooksditch - is located to the west of the site across Abbeyfields Road in the vicinity of the Abbey Barns and medieval Stable. As explained in the Society's earlier submission the application looks to bring forward a development that is within the catchment of internationally rare and important chalk streams and it is not clear to the Society as to whether or not the Applicant, or indeed the LPA, appreciate this or have taken steps to consider and address it. The LPA should seek further information from the Applicant on this issue. The Society has sought a copy of the South East Rivers Trust report and will share it with the LPA and Applicant when available. It may be that this information will be of assistance.

18. In respect of the FRA filed with the Application, having considered it the Society is concerned as to whether or not the Applicant has correctly applied the exception test as required by para 161 of the NPPF, given the site is both in Flood Zone 1 and 3 (see 4.2.2 - 4.2.3 of the Applicant's FRA). There is no consideration within the FRA of any alternative sites that are reasonably available and appropriate for the development. Rather, the approach the Applicant appears to have taken to the exception test is to say that it is enough to "bunch up" the development in Flood Zone 1, rather than develop in Flood Zone 3. With respect, this cannot be the correct approach to the sequential test as there is no discussion/consideration of any alternative sites outside of Flood Zone 1.

19. Finally, the Society seeks to raise with the LPA that as the CA Appraisal is currently being reviewed (and the Society is actively involved in this) and given that the Neighbourhood Plan Reg 14 consultation has now closed, it may be prudent for the LPA to consider deferring the decision on this application until the Town Council has considered and responded to the consultation result and/or the CA Appraisal review has been completed.

SIMON BELL
COUNSEL
CLERKSROOM
30th March 2023