

<b>Planning and Resources Committee Meeting</b>	
<b>Meeting Date</b>	27th November 2024
<b>Report Title</b>	Cellar Hill & Greenstreet Conservation Area Review
<b>EMT Lead</b>	Emma Wiggins - Director of Regeneration and Neighbourhoods
<b>Head of Service</b>	Joanne Johnson – Head of Place
<b>Lead Officer</b>	Jhilmil Kishore – Principal Heritage Officer
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To note the updated Cellar Hill and Greenstreet Conservation Area Character Appraisal and Management Strategy (public consultation draft) and representations made by interested parties, set out in the report appendices.</li> <li>2. To agree changes to the Character Appraisal and Management Strategy as identified in consultation response table (Appendix I) and adopt this as planning guidance.</li> <li>3. To amend the boundary of the conservation area as shown in Character Appraisal and Management Strategy document.</li> <li>4. To redesignate the Cellar Hill &amp; Greenstreet Conservation Area</li> <li>5. To consider whether No. 8-40 Station Road and London Road westwards from No.190- 224 be included</li> </ol>

## **1 Purpose of Report and Executive Summary**

- 1.1 To report the updated Cellar Hill & Greenstreet Conservation Area Character Appraisal and Management Strategy; to outline amendments to the conservation area boundary and recommend that the conservation area be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy in line with current best practice for the management of conservation areas. It is recommended that the Policy and Resources Committee supports and agrees the changes to the review document set out in **Appendix I**.

## 2 Background

- 2.1 Cellar Hill Conservation Area was first designated by Swale Borough Council on 22 November 2000. This is the first review of the conservation area since the conservation area was designated. There is a formal requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for Conservation Areas to be reviewed from ‘time to time’.
- 2.2 The Swale Heritage Strategy, adopted in March 2020, committed the Council to more regular conservation area reviews and to consider designating new conservation areas. The review of Cellar Hill & Greenstreet Conservation Area is part of the work programme of the initial 3-year action plan forming part of the adopted Swale Heritage Strategy 2020 – 2032. The focus on conservation areas in the initial action plan has given priority to those conservation areas in the Borough classified locally and nationally as ‘at risk’ – of which there are 8. Cellar Hill & Greenstreet Conservation Area is one of them. An external consultant (Peter Bell Historic Building Consultancy) was appointed to undertake the review.
- 2.3 The proposal is to re-designate and amend the boundary of the conservation area and to equip it with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes. It will be a matter for the Policy and Resources Committee to decide whether to formally adopt the Cellar Hill & Greenstreet Conservation Area Character Appraisal and Management Strategy (as recommended and set out in **Appendix II**, following consultation feedback, or otherwise).
- 2.4 Part of the review process involved an assessment of whether the area should be extended or reduced in size. In this regard particular consideration was given to extending the conservation area. The changes proposed to the boundary are as follows:
- **Proposed boundary changes A, B, C and D** These boundary changes are proposed to more accurately reflect the current plot boundaries, or because the original boundary has no apparent context on the ground. They involve minor changes where the original designation line no longer has relevance, possibly because of changes since the original designation.
  - **Proposed boundary change E** This boundary change is proposed to include the hedgerow which fronts the west side of Cellar Hill. Hedgerows are identified as an important contributor to the character of Cellar Hill so its inclusion within the conservation area is justified.
  - **Proposed boundary change F** This proposed boundary change is to include numbers 4 and 6 Station Road. The semi-detached pair of houses pre-date the 1896 Ordnance Survey map. They are well constructed in local yellow stock brick and include decorative stone detailing in the bay windows and in the

arches above the door and window openings. Front boundary walls include some original decorative cast iron railings.

- 2.5 In addition to the above, careful consideration was also given to the area of London Road which falls between Station Road and Lynsted Lane to the west of the existing conservation area. In the September 2023 appraisal, although there was a clear case for a detailed review, it was not considered to be added as an extension to Cellar Hill and Greenstreet Conservation Area and was recommended to be designated as a new and separate conservation area for this part of Greenstreet.
- 2.6 However, Historic England in their response recommended that this area of London Road be included in the current Cellar Hill & Greenstreet Conservation Area, due to its proximity. This area includes a cluster of eight listed buildings and many others which characterise the development of Greenstreet from a farming community to a commercial centre during the 18th and 19th centuries.
- 2.7 A revised document was produced (in-house) to include details of this particular stretch of London Road including the proposed extended Conservation Area boundary and was re-consulted on to include the properties affected by the proposed inclusion of Greenstreet. The proposed Greenstreet extension includes upto No 188 London Road (south side)
- 2.8 A number of local residents and parish councillors have suggested that nos 8-40 Station Road and further west extension of London Road be included upto no. 224 London Road.
- 2.9 Both these terraces along Station Road and London Road could potentially be included in the extended Conservation Area, however, these properties have been much altered in the past and therefore are considered (by officers) to be of lesser significance compared to the properties that are proposed to be included. If not included, these terraces would form part of the setting of the conservation which is a material consideration in planning decisions. Additionally, Historic England in their response were very vocal about inclusion of Greenstreet stretch of London Road but have not mentioned including nos. 8-40 Station Road.

The inclusion of Nos 4&6 Station Road is a good exemplar of the rest of the terrace on Station Road and is considered significant enough to be included in the Conservation Area. Similarly, the properties up to No 188 along London Road have retained most original features and are a good example with historic significance to be included in the conservation area. This assessment aligns with guidance provided in National Planning Policy Framework (NPPF).

NPPF para 197 advises, *'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, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'*

- 2.10 On 5<sup>th</sup> November 2024, a site visit was undertaken by members of the Policy and Resources committee along with the council officers with a view to assess the two above mentioned terraces at Station Road and London Road. Officers recommended that the two terraces be included in the Local Heritage List, thus giving them a status of non-designated heritage asset, which is what they would have if included in the conservation area. However, it was agreed that further consideration should be given at the Committee meeting to the inclusion or otherwise of the two terraces. A third public consultation will need to be undertaken if the committee votes for both the terraces (Nos. 8-40 Station Road & Nos. 190-224 London Road) to be included.

### **3 Proposals**

3.1 The recommendation is:

1. To note the updated Cellar Hill and Greenstreet Conservation Area Character Appraisal and Management Strategy (public consultation draft) and representations made by interested parties, set out in the report appendices.
2. To agree changes to the Character Appraisal and Management Strategy as identified in consultation response table (Appendix I) and adopt this as planning guidance.
3. To amend the boundary of the conservation area as shown in Character Appraisal and Management Strategy document.
4. To redesignate the Cellar Hill & Greenstreet Conservation Area
5. To consider whether No. 8-40 Station Road and London Road westwards from No.190- 224 be included

### **4 Alternative Options Considered and Rejected**

- 4.1 One option would be to not take this review work any further or suspend the work on this review until some point in the future. Whilst this option would not result in wasted officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Cellar Hill & Greenstreet Conservation Area. This is not recommended because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.
- 4.2 A second option would be to disregard some elements, or all of the feedback received, in terms of the suggested boundary change(s). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community is valuable and to ignore any of this feedback without sound reasons would call the value of the consultation process into question and potentially deliver reputational damage to the Council.

- 4.3 If the members vote to include No 8-40 Station Road and No. 190-224 London Road, then a third public consultation will need to be undertaken.
- 4.4 A fifth possible option would be to adopt the Conservation Area appraisal document upto and including no 196 London Road, add a note within the document to emphasise on contribution of the two terraces on setting of the Conservation Area and nominate no 8-40 Station Road to be designated as Local Heritage. This would provide adequate protection to the two terraces and the Cellar Hill & Greenstreet Conservation Area can be adopted without the need for a third public consultation.

## **5 Consultation Undertaken or Proposed**

- 5.1 The Cellar Hill & Greenstreet Conservation Area review has had two rounds of public consultation. The first 6-week consultation ran from 10th November 2023 until 22nd December 2023 and the second round of 7 weeks public consultation (to cover the summer holidays) ran from 7<sup>th</sup> July 2024 to 18<sup>th</sup> September 2024.
- 5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key stakeholder organisations including Kent County Council and Historic England.
- 5.3 Hard copies of the review document on both instances, were made available at the Teynham Library and with the Parish Council and were also available to view/download on-line via the Council's website for the duration of the public consultation periods.
- 5.4 A total of 12 consultation responses (from both rounds of consultation) have been received. 1 from Historic England, 2 from Lynsted with Kingsdown Parish Council, 1 from Teynham Parish Council, 1 from Kent County Council Highways and the remaining from local residents. The officer response to this consultation feedback (as summarised) is attached as Appendix I.
- 5.5 Historic England's response to the first consultation (see Appendix I), wherein they recommended to include the London Road stretch as part of the current conservation area extension, necessitated the need for the second public consultation.
- 5.6 Kent County Council in its function as the Highway Authority was consulted on the conservation area review, and their feedback is also included in Appendix I.
- 5.7 A presentation was made at Eastern Area Committee on 20th December 2023, that highlighted the main aspects of the Cellar Hill & Greenstreet Conservation Area Review.

## **6 Implications**

Issue	Implications
Corporate Plan	The proposed re-designation of Cellar Hill & Greenstreet conservation area would support the Economy priority from the Corporate Plan: <i>'To develop the borough's second Heritage Action Plan that reflects in-house and partnership capacity, to support and promote our outstanding assets.'</i>
Financial, Resource and Property	<p>Implementing some aspects of the proposed Management Plan may have financial and resource implications for the council, particularly if it is decided to proceed with an Article 4 Direction review or/and Area of Special Control of Advertisement (ASCA) review. These financial impacts will be considered if / when these further reports are brought forward.</p> <p><b>Note:</b> <i>Article 4 review and designating a borough wide ASCA are being considered within Action Plan 2 (2023-2026) of Heritage Strategy.</i></p>
Legal, Statutory and Procurement	The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to <i>"determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance"</i> and, from time to time, to review the functioning existing conservation areas.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment.
Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this review work.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

## **7 Appendices**

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Public consultation – table of representations (in summary form), and the council’s response to them.
- Appendix II: Public consultation version of the 2024 draft Cellar Hill & Greenstreet character appraisal and management plan document.

## **8 Background Papers**

A Heritage Strategy for Swale 2020-2032 Adopted March 2020