

Faversham Creek Neighbourhood Plan

Statement of Common Ground and Schedule of Minor Modifications

This Statement of Common Ground and Schedule of Minor Modifications has been drafted in response to concerns raised by English Heritage during consultation on the Publication Version of the Faversham Creek Neighbourhood Plan in December 2014. The schedule provides suggested minor modifications that have been agreed by Faversham Town Council, Swale Borough Council and English Heritage as desirable to ensure the plan provides robust policies that are based on understanding of the area's defining characteristics and represent a positive strategy for the historic environment and therefore conforms with the requirements of the National Planning Policy Framework and National Planning Practice Guidance. Faversham Town Council is the qualifying body responsible for the production of the plan.

It has been prepared as a part of the public consultation response to be forwarded to the appointed independent examiner for their consideration, to determine whether minor modification of the plan should be recommended to ensure it meets the basic requirements, including the requirement to contribute to the achievement of sustainable development.

In conformance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, Swale Borough Council consulted English Heritage on the content of the Publication Version of the Faversham Creek Neighbourhood Plan. The Town Council had posted invitations for English Heritage to participate in earlier stages of consultation, including the Regulation 14 Consultation on the Draft Neighbourhood Plan in May and June 2014. Unfortunately, English Heritage has no record of receiving these invitations and so has not been able to comment prior to the submission of the Publication Version of the plan.

English Heritage had, however, been made aware that the plan was likely to be published imminently in October 2014 and had written to Swale Borough Council, alerting them to the lack of previous comments from them and highlighting several areas where the plan would need to demonstrate particular sensitivity to the historic environment. English Heritage offered to meet with representatives of Swale Borough Council and Faversham Town Council. However, the potential to meet was overtaken by the launch of consultation on the Publication Version for the Regulation 16 Consultation on 7th November 2014.

English Heritage provided a detailed response to the Regulation 16 Consultation, setting out its concerns about the consideration of the historic environment in the plan. Given the stage of consultation, some of these comments would have been more appropriately dealt with at the earlier Regulation 14 Consultation stage. Nevertheless, English Heritage did raise the concern that several issues suggested that, without modification, the plan may not meet the basic conditions. Specifically, the plan needed to provide greater consideration of the potential impacts of development on archaeological remains within allocated sites, including the potential for the presence of remains of national significance and to provide for the necessary special attention to the desirability of preserving and enhancing the conservation area. A number of issues relating to individual sites were also identified as cumulatively representing a potential failure to meet the basic conditions.

Swale Borough Council invited English Heritage to meet with themselves and representatives of the Town Council to discuss the response to the plan in January 2015. Constructive discussions continued in the weeks afterwards.

This Statement of Common Ground and the associated Schedule of Minor Modifications is the product of that meeting and subsequent discussions. It identifies a number of suggested minor amendments that the three bodies have agreed will ensure that the plan presents robust policies and will enable it to demonstrate that it meets the basic requirements. They are to be presented to the independent examiner for their consideration as a series of minor modifications.

Faversham Town Council, Swale Borough Council and English Heritage.

Schedule of Suggested Minor Modifications

The precise location and formatting of the modifications within the layout of the document to be agreed following page layout adjustments. Page numbers may change as a result of revisions. Page numbers below refer to the submission document, dated November 2014.

BACKGROUND TEXT AND SCENE-SETTING

At page 14, the following text will be added:

“All sites allocated for development have been assessed initially through the Strategic Housing Land Availability Assessment 2011 conducted by Swale Borough Council, and in the Strategic Environmental Assessment [date] prepared for the plan by Swale Borough Council. Where special considerations are required due to site conditions or designations that necessitate a sensitive approach to development, these are identified within the individual site allocation policies”

At page 16, the following text will be added:

The Borough Council’s published Conservation Area Appraisal 2004 defines a number of areas of different character within the Neighbourhood Plan area, each of which makes a distinct contribution to the character and appearance of the conservation area and its significance as a whole. In particular, the appraisal highlights the importance of the industrial and maritime past of these areas as their contribution to the special historic and architectural interest of the conservation area and to the character and appearance that is desirable to preserve or enhance. Key character features noted as making a positive contribution in the appraisal for each character area include:

Stonebridge Pond

- The setting of Davington Church;
- Evidence of the 17th century and later Home Works of the Faversham Gunpowder Factory, including the ponds and the archaeological remains of the mills and other buildings that were widely dispersed over the hillside;
- The traditional allotments on the islands within the pond;
- The tranquil character of the area and the ecologically rich self-seeded woodlands.

Brent Hill

- Panoramic views over Stonebridge pond;
- The sinuous route of the road climbing the hill between the high blast walls of the gunpowder works;
- 19th century buildings set directly at the edge of the carriage way, including gunpowder workers’ cottages;
- 18th and 19th century ‘big houses’ set further back from the road in private grounds, including the former 18th century saltpetre and sulphur store at Davington Manor.
- The prominently positioned office building of the BMM Weston works and the associated garden planting.

The Creek above the bridge

- The brick and stone walls of historic wharfs;
- Open wharves and spaces surrounding the large basin at the head of the creek;
- 18th and 19th century industrial buildings and features that reflect the maritime activity of the creek, including those associated with the gasworks, gunpowder works, breweries and boat and shipbuilding;
- The views from this area across the open spaces of Stonebridge pond to the west, including the blast walls climbing the green valley side and dispersed buildings with the landmark of Davington Church;
- Evidence of water-management for the powering of the mills at the creek head and for navigation of the creek including sluices, dams and the swing bridge.

Front Brents

- Modestly proportioned and well preserved 19th century workers' housing along with the Albion Public House;
- The relaxed, low-trafficked character of activity at Front Brents;
- Green spaces, as gaps in the frontages of the creek and the former channel of the creek around 'Crab Island';

Church Road into Upper Brents

- More substantial 19th century brick housing, as well as a weather-boarded former public house;
- The 19th century vicarage, church and former Sunday school.

Grazing Land opposite Standard Quay

- The green space of the redundant channel and pasture east of Waterside Close;
- The shallow excavations that reveal the locations of historic brickfields.

North Lane Conduit Street and Quay Lane (including part of Belvedere Road)

- Open creekside spaces of quays and wharfs, including, but not limited to, Town Quay;
- Historic routes, linking the town centre to the creek, including Quay Lane, Conduit Street, North Lane and Smack Alley;
- Views to the chimney and louvred roof of 19th century buildings at the Shepherd Neame Brewery and Davington Priory;
- The triangular space and disparate mixture of historic creekside buildings and historic surface materials at the junction of Quay Lane and Conduit Street;
- The smells and noises of activity within the brewery.

Belvedere Road, Standard Quay

- The traditional sounds and smells of waterside activity associated with craft alongside the wharfs, as well as the distinctive features of the traditional Thames and Medway sailing barges that visit;
- 17th, 18th and 19th century buildings of locally produced brick or stained weatherboarding with roofs of slate, or even old corrugated iron that illustrate the area's working past including timber/joinery yards, the oyster fishery and the storage and transshipment of the agricultural produce of north Kent;

- Industrial buildings set at right angles to the creek with the more mixed alignments at Standard Quay providing a hub of buildings of different dates with sympathetic industrial character.
- Standard House standing in isolation as a landmark at the creek's edge.

Iron Wharf

- The open character and quiet environment of the creekside east of Standard Quay, with the large structure of Oyster Bay Warehouse standing in isolation at the creek's edge as landmarks;
- Rows of masts seen from the wider landscape, rising up from the hidden creek but revealing its presence;
- Evidence of the Faversham Creek Branch Line, including sections of rails and the historic wagons at Iron Wharf used for storage (lines of rails are also seen in the areas to the west).

Key buildings and structures that contribute positively to the special historic and architectural interest of the conservation area and to its character and appearance lying within the Neighbourhood Plan area and noted in the appraisal or reflecting its analysis, as well as a number of key views of the conservation area described within the Neighbourhood Plan Evidence base (Undesignated Heritage Assets and Values), are shown on Plan: Heritage Issues (page 54). The appraisal also highlights the past failure of development, such as the terraced housing at Belvedere Road to successfully reference the Creekside's historic interest and architectural character in its design.

Plan: Heritage Issues (page 58)

No revisions to be made as this plan is tied to the associated evidence paper and inserted into the neighbourhood plan for reference only. Additional features, annotations and markings as suggested by EH will be added to the current series of "design principles" drawings (or new variations thereof) found throughout the neighbourhood plan. Drawings and plans can also be amended to clearly label each of the buildings referred to in the site descriptions, where appropriate.

Note: Wherever plan text refers to an Undesignated Heritage Asset it will also be described as making a positive contribution to the Conservation Area.

CREEK-WIDE POLICIES

At page 27: Policy HE1 text to be inserted as follows:

HE1. Any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of heritage assets, whether designated or undesignated, and the historic character of the Creekside, and to have regard to the guidance in the Faversham Creek Streetscape Strategy and the borough Council's Conservation Area Appraisal.

At page 28: Design Quality Policies DQ1 text to be inserted as follows:

DQ1. Any new buildings shall be required preserve or enhance the character or appearance of the conservation area and to be appropriate in height, mass and materials. In most cases,

this will mean buildings constructed or clad in materials typical for the area (including stock brick and weatherboarding) with any pitched roofs being of slate or tile (solar panels will may be acceptable depending on their impact on views of the conservation area and other heritage assets) and no more than three storeys in height.

At page 23 text to be inserted as follows:

The Neighbourhood Plan Area has been assessed for its archaeological potential through the Kent Historic Towns Survey Archaeological Assessment [date]. The majority of the plan area (excluding parts of Iron Wharf and land south of Standard Quay) was classified as an area of known archaeological potential, where clarification of the nature of this potential is required. The assessment defines this as containing “archaeological remains, some of which may be of national importance but whose precise extent, quality or level of importance is currently not clear, and where clarification of potential is required.”

The Creek has been an historic focus of activity with an important impact on the development of the town, over many centuries, perhaps at least as far back as the Roman period. As a result the potential for waterlogged ground conditions leading to the probable preservation of organic remains (including timber structures or ship remains), the Creekside has a high archaeological potential. In particular the areas on the south east side of the creek that lay nearest the medieval commercial areas of the town and the site of the historic gunpowder mills in the west of the plan area would be expected to have a particularly high potential for the presence of nationally important archaeological remains or archaeological remains with an important local significance as part of the Faversham Conservation Area.

At page 27 after Policy HE3 text to be inserted as follows:

HE4. New development will be designed to preserve nationally important archaeological remains in-situ. Archaeological remains of local or regional significance will be either preserved in situ or subject to archaeological investigation so as to advance understanding of the significance of archaeological remains that provide evidence of the development of the creek’s historic maritime and industrial uses. The preservation of evidence of the area’s development during the middle-ages and of the development of the Faversham gunpowder and boat building industries will be given a particularly high priority. Development proposals should be informed by discussion with the Council’s archaeological adviser and, where appropriate, by a programme of pre-determination archaeological evaluation in order to determine the nature, condition and extent of archaeological remains that may be present and the appropriate response to these.

At page 29 Policy CLR1 amended text to read:

CLR1. Any new development on any waterfront site shall provide public right of access to the waterfront for leisure and educational activities following the guidance set out in the Faversham Creek Streetscape Strategy.

At page 37 Policy INF2 amended text to read:

INF2. Any new development on any waterfront site shall provide for public pedestrian and disabled access to the waterfront following the guidance set out in the Faversham Creek Streetscape Strategy. Where practically possible, this will be in the form of a waterside footpath of appropriate design and quality.

At page 29 Policy INF5 amended text to read:

INF5. Renewable energy proposals will be permitted unless they would result in harm to the character or special historic or architectural interest of the buildings or the character and appearance of the conservation area or other heritage assets and the amenity of residents.

SITE-SPECIFIC POLICIES

SITE 2 ORDNANCE WHARF

At page 42 paragraph 1 text to be inserted as follows:

A proposed redevelopment scheme in 2003 was dismissed on appeal, partly due to the unknown potential impact on archaeological remains and partly on the grounds that housing residential use on of the site was not in accordance with both the adopted and then emerging 2008 Swale Local Plan's requirement to protect the contribution of the area's employment use to the character of the Creekside area of the town.

Subsequent archaeological investigation did result in identification of a section of stone wharf walling with a timber staircase leading down to the creek and the stone base of a crane, both of which were believed to be evidence of the 18th Century gunpowder wharf.

At paragraph two amended text to read:

The site has vehicle access from Flood Lane off Brent Road over a bridge which is an Undesignated Heritage Asset and is a positive feature of the Faversham Conservation Area. It has original brick and stone wharves to all sides. Parts of these are identified as an Undesignated Heritage Asset and are positive features of the Conservation Area. Therefore, any alterations or changes affecting these should be undertaken with care so as to avoid or minimise harm to their significance.

At bullet point six amended text to read:

Any development scheme needs to have regard to the potential affects upon the sense of enclosure and continuity along Flood Lane; how it would affect views of Stonebridge Pond from the site; and the potential impact on Undesignated Heritage Assets and features that make a positive contribution to the Conservation Area.

After bullet point seven, add bullet point and text to read:

Any new development proposal should be informed by further archaeological investigation, including areas that were not accessible for previous investigations. New development should be designed to preserve and better reveal the significance of archaeological remains that illustrate the historic role of the wharf as a part of the Home Works of the Faversham Gunpowder Works, including the previously identified sections of 18th Century wharf and crane base, which should be included in publicly accessible space where practical.

At Page 43 after Policy OW7 insert additional policy text to read:

OW8 New development should be designed to preserve or enhance evidence of the site's historic role as part of the Home Works of the Faversham Gunpowder Works as wharfs, including provision for conservation of the 18th Century wharf walls and stone crane base with a wharf edge space and revealing identified archaeological remains as publicly accessible space, where practical. New buildings must be designed to avoid the loss of archaeological remains including by the use of appropriate construction techniques.

At page 42 after bullet point one inserted text to read:

New development will be required to contribute to sustaining the maritime and industrial character of the Creekside as an area. The historical uses of the site were industrial, connected with storage and transhipment of goods for the gunpowder works and gas works and the character and appearance of the site reflects the historic interest of these. Change of use of part of the site to, for example, residential use will require justification based on benefits it delivers, including better revealing the archaeological interest of the site or by supporting remediation of the site to provide other uses that protects and enhances that character of the conservation area and is the minimum required to achieve these benefits.

At page 43 amended Policy OW1 text to read:

Change of use for other than B1 Business (including workshops) or D1 Non-residential Institutions (including community halls or training rooms) will require justification to demonstrate that it is necessary to enable remediation of contaminated land within the site and to provide viable employment uses that protect the industrial and maritime character of the Creekside as a part of the Conservation Area. As such, mixed-use proposals including some residential use will be considered favourably where they deliver public benefits that outweigh the harm of the loss of employment use to the character and appearance of the conservation area. In conformity with National Planning Policy Framework and National Planning Practice Guidance, the optimum viable use of the site will be considered as that which best sustains and reveals its historic significance as part of the conservation area, whilst ensuring its future maintenance.

SITE 3 BMM WESTON

At page 43 paragraph three inserted text to read:

The present building replaced a Victorian house. It is a prominent, large white building set within planted grounds with trees and parking. Both the 1940s office building, as well as the associated tree planting, are considered to be positive features of the conservation area.

At page 44 paragraph four inserted text to read:

All new housing needs to be carefully designed for scale, massing and materials as the site is very prominent from West Street, North Lane and from the junction of Abbey Street and Court Street via Quay Lane. Efforts to retain and/or convert the existing office building, where practical, should be made in order to sustain its contribution to the area's character. Any new housing should be located to maintain a suitable landscape setting to this building and allow an attractive approach to it from the historic entrance at Brent Hill. Existing mature trees in the grounds must be retained as far as possible with good-quality landscaping and parking discreetly located.

At page 43 paragraph three insert text to read:

Planning permission was granted in 1994 to replace the offices with a block of housing comprising 28 units, landscaping and parking, which was renewed in 1999. However, this has never been constructed, whilst pre-commencement conditions have not been met and the permission could now be considered to have lapsed.

The site is recorded as the location of a Roman urnfield (a cremation cemetery) discovered

during the 1770s and recorded as including nearly 30 urns arranged in regular rows. It is not clear whether further remains are present.

At page 44 after policy BMMW2 insert policy to read:

Proposals for housing development on the office site will aim to retain the existing tree planting and the existing office building as far as possible to sustain these feature's contributions to the area's character. Sensitive integration of the existing building into new development including the provision of a suitably landscaped setting that sustains an attractive approach to the building from Brent Hill will be required. In conformity with National Planning Policy Framework and National Planning Practice Guidance, the optimum viable use of the site will be considered as that which best sustains and reveals its historic significance.

At page 44 after policy BMMW2 insert new policy text to read

BMMW4 A programme of archaeological assessment, possibly including field investigation, will be required prior to any application for development of the site to clarify the potential presence of significant archaeological remains, including their character, extent and condition. Such actions will inform the design of development, including the potential to preserve any nationally important remains in situ.

SITE 4 AND 5 SWAN QUAY / FRANK AND WHITTOME

At page 47 amended text to read:

This site was formerly used by the Frank and Whittome Joinery Company and comprises four buildings:

The first is a blue two storey building set at right angles to the Creek is listed grade II and is an early 19th century industrial building last used as an office. Attached to the rear of this is a second building, a shed dating from the turn of the 19th and 20th Centuries, which has been re-clad in weatherboarding to the south and west sides. This is currently vacant but as an attached building would require listed building consent for any alterations that would affect its contribution to the listed building's historic or architectural interest.

The third building is an open shed with a metal-trussed roof with a long elevation to Conduit Street with attached modern offices built in the 1990s. As an industrial building illustrating the working history of this part of the Conservation Area, the form, shape and scale of the open sided shed makes a positive contribution to the character of the Conservation Area.

The fourth building is a modern building built for the joinery company (c. 1990) constructed in brick and weatherboard, now occupied by a sail maker. The low level of the building, its sensitive choice of materials (preserving an industrial aesthetic) and its position set back from the Creek's edge creating a wharf space, means this building has integrated well with the Conservation Area and retained a distinct working edge to the Creek with views over it to the surrounding historic buildings.

The site provides a long section of timber wharf fronting the creek with an open space of quay behind, both of which make a positive contribution to the character and appearance of this part of the Conservation Area as part of the historic working Creekside. A slip way within

the site provides one of the few points of access for boat launching in this side of the creek. The site has access for both vehicles and pedestrians off Belvedere Road.

At page 47 paragraph two text to be added as follows:

The site lies adjacent to the medieval Town Quay and close to the Grade II* listed 15th century warehouse that is now referred to as TS Hazard. The site is likely to have formed a part of the abbey wharfs from the medieval period and is known to have included a dock in the late 18th Century. The potential for a waterlogged environment and the likelihood of successive phases of wharf development, as well as development of buildings and structures for associated uses throughout the site's history creates a high potential for remains of archaeological interest and, potentially, those of national importance.

At page 47 text to be amended as follows:

The scale of new development will be given particular consideration when considering its sensitivity to the character and appearance of the Conservation Area and the significance of other heritage assets. Whilst three storeys is considered to be an expected maximum height, it is likely that variation across the site, including lower buildings in some areas, will be required to protect the setting of listed buildings and to provide a suitable architectural character. The upper floors could be in residential use.

At page 48 after policy SWQ1 amended text to read:

SWQ1. The site is considered suitable for a mix of uses that can include retail (A1), restaurant (A3), office and workshops (Class B1) and a gallery (Class D1) with residential (C3) on some upper floors. New development requiring change of use should not result in a reduction in the footprint of employment uses within the site or an overall loss of the site's contribution to industrial and maritime character of the Conservation Area.

At page 48 after Policy SWQ3 amended text to read:

SWQ4. Existing buildings and features identified as making a positive contribution to the character and appearance of the Conservation Area, both within the site and in its surroundings should be retained and where practical enhanced, within proposals for new development through the careful design of new buildings and landscaping and sensitive reuse of historic structures. In conformity with National Planning Policy Framework and National Planning Practice Guidance, the optimum viable use of the site will be considered as that which best sustains and reveals its historic significance as part of the Conservation Area, whilst ensuring its future maintenance.

At page 48 after Policy SWQ3 inserted text to read:

SWQ5. Development proposals will need to be informed by a programme of archaeological assessment, possibly including evaluation, completed according to a written scheme of investigation agreed with the Council. The design and construction method of new development will be required to preserve nationally important remains in-situ. Where it might be agreed that archaeological remains might be removed as part of development this will need to be in accordance with a programme of archaeological works agreed with Swale Borough Council and designed to advance understanding of the significance of the archaeological assets to be lost.

SITE 8 STANDARD QUAY

At page 53 bullet point one amended text to read:

Uses considered particularly suitable for the ground and first floors include retail (Class A1) or workshops (Class B1) and/or small museum (Class D1).

SITE 9 STANDARD HOUSE

At page 54 after paragraph one inserted text to read:

The forecourt and quay to the northwest of the house provides the setting for its principal frontage, which contributes to appreciation of its architectural interest and its prominence in views of the Creekside, whilst the space of its grounds to the east of the building also contribute to the positive character of its isolated position as a feature on the Creek frontage. Nevertheless, the grounds to the south, with a frontage to New Creek Road, provide an area with potential for regeneration with appropriate consideration for the setting of the listed building.

Amended bullet point four to read:

The open character of the curtilage and isolated position of the house must be maintained and enhanced. Parking in front of the building is considered inappropriate.

Amend bullet point five to read:

To the south of Standard House, including the existing later industrial building and vacant land, there is potential for new development to provide housing of two storeys in traditional materials.

At page 54 amended policy text to read:

STH2. As part of any new development, the main house shall be restored in materials to match the existing, including slate roofs and replacement dormers with new stone steps and correct fenestration which will be completed to a satisfactory stage agreed with the Council, in parallel with other development of the site.

At page 54 amended policy text to read:

STH4. Any new housing development must be of no more than two storeys and should be located to preserve the prominence of Standard House as a landmark on the Creekside in views along the creek and from Standard Quay and the footpath.

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ENDS