



Mr Matthew Broome
Tonbridge & Malling Borough Council, Planning
Department
Gibson Building, Gibson Drive
Kings Hill
WEST MALLING
Kent
ME19 4LZ

Direct Dial: -

Our ref: P01440149

22 April 2022

Dear Mr Broome

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND REAR OF 182 HIGH STREET TONBRIDGE KENT
Application No. TM/21/01911/FL**

Thank you for your letter of 7 April 2022 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Summary

Historic England in the letter dated 14th October 2021 stated that we still had significant concerns over the impact on the significance of the medieval Town Banks. Part of the significant concern was based around the Conservation Management Plan (CMP) which was designed to mitigate harm to heritage significance caused by the proposal. It was suggested that a revised CMP should be submitted as part of the conditions if the scheme was approved.

The revised CMP was submitted as an amendment. Although the CMP has been adjusted, we do not think it has set out adequate aims or objectives, or prescriptions for how those aims would be achieved. We welcome the improved tree management to reduce the wooded area, but we are still concerned that this does not go far enough. Thus, opportunities are missed to improve the public benefit of the heritage.

It is still our view that the trees on the monument are intrusive elements that severely detract from the monument's significance, and we envisage that future management of the monument would need to involve considerable removal of trees, scrub, and vegetation, such that the monument's visual amenity and legibility may to some degree be restored.

We suggest that your authority do not accept the CMP in its current form, and request



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
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an improved document before weighing any harm to the heritage assets against any public benefits of the proposal.

Historic England Advice

Conservation Management Plan

We welcome the commitment to producing a CMP for the development in order to mitigate the harm the development poses to heritage significance and ensure a longer commitment to good heritage management. It is a detailed document that addresses the legislation, guidance, history, and significance of the site. However, the CMP needs to have clear aims and objectives, include prescriptions of management actions, how those would be achieved, by whom, on what proposed timescale, and detail of funding commitments. The place for the detail of these management actions is in this CMP not a further management plan.

Some of the recommendations of the CMP are encouraging (e.g. installation of interpretation boards, planting of wildflowers to replace harmful woody vegetation on the Banks, the felling of diseased trees, coppicing of other healthy trees to reduce woodland thickness). As the trees and thick vegetation on the monument are intrusive elements that would have not been present during the construction and use of the monument. They thus detract from its significance and, from a heritage management point of view, the preference would be that they are significantly reduced in volume.

The CMP states that the retention of the vegetation is an important environmental consideration and in accordance with Historic England guidance on Tree Management, Consents and Controls (updated June 2021). Whilst there is truth to that, that guidance was specifically prepared for the management of Historic Parks and Gardens where the woodland and planting history play an important part in the heritage of the protected landscape. Trees, particularly upon earthworks, can be considered both a benefit and a detriment to archaeological monument (Trees and Forestry on Archaeological sites in the UK: a review document (2004)) and careful consideration should be taken on the management of trees as they can be incredibly destructive physically to earthworks and visual setting.

We understand there is a need to balance the management of the archaeology with ecological concerns, but we note from the arboriculturally report that the majority of trees are graded C (self-seeded saplings 10 years old or under), and therefore question the approach of their large-scale retention as of ecological value. Additionally, no other habitat ecological assessment has taken place that could give greater weight or significance to retention (such as bat or bird habitat).

We also question whether the proposed limited removal of trees and vegetation on and adjacent to the monument will result in a sufficiently appreciable enhancement to the Banks' archaeological value and visual amenity. As such, the retention of these





trees and vegetation is against the requirements of paragraph 197 of the NPPF which states that developments should aim to enhance the significance of heritage assets, rather than maintain the 'status quo'. We consider that it will necessary to go further to adequately address the banks' national heritage importance and significance.

We note that in addition to keeping the area thick with vegetation, that the CMP still misses the opportunities to further enhance the significance of the monument. For example, the extending the existing footpath to the north of the monument so that it runs along the entire length of the scheduled area and joins up with Lansdowne Road, which was mentioned in the previous letter.

This would enhance appreciation of the monument as a whole and provide greater connectivity between related medieval features across town. Historic England supports this proposal to extend the footpath, and we think the CMP has missed an important opportunity to enhance significance by not including it.

We think the CMP is not adequate for its intended purpose of facilitating improvements to the significance of the archaeology. Once an adequate CMP has been provided and agreed on, we would however, welcome the planned re-evaluation of the CMP periodically throughout the construction process, and ensuring it is adopted and continued to be applied (para. 4.1). This means that it can evolve to fit requirements of the heritage management if it is shown that the CMP is not having an appreciable impact.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that although harm to the scheduled monument would be reduced by the proposed CMP (as required by paragraph 195 of the NPPF), the proposal should still go further to enhance the significance of heritage assets and clearly outline management commitments.

We have concerns that the preservation of the woodland element of the landscape will be overly harmful to the significance of the monument, and despite the reduction of the thickness of the woodland it needs to go further to improve the public appreciation of the monument through more extensive clearance, access and enhancement.

We suggest that your authority do not accept the CMP in its current form, and request an improved document before weighing any harm to the heritage assets against any public benefits of the proposal.

If your council is convinced by the viability arguments put forward, and given that harm has been somewhat, but not completely, reduced, you will need to balance the harm against the public benefits of the scheme as per paragraph 202 of the NPPF.

Your authority should take these representations into account and seek amendments,



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

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safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Liam Delaney

Assistant Inspector of Ancient Monuments

E-mail: liam.delaney@historicengland.org.uk

cc:



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