



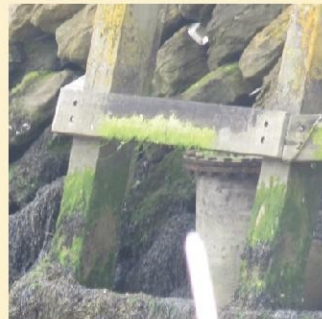
# Princes Parade, Hythe

## Planning Application Y17/1042/SH

Additional Information and Clarification - February 2018

# Appendix 01

## Heritage



## PRINCES PARADE APPLICATION Y17/1042/SH

### Comments on HE's assessment of harm in HE letter dated 26/10/17: MM Dec 17

HE had previously commented on an early version of the proposals as follows:

*'...It is arguable whether harm arising a change of setting can ever be judged as substantial harm, but this has to remain a possibility. For such a large overall monument as the RMC and taking note of the changes that have already occurred at Seabrook, our current view is that more development here is not likely to be substantial harm...'*

Recent case law (University of Bath v North East Somerset Council) has established that 'less than substantial harm' can '*range from limited harm towards the lower end of the spectrum to considerable harm at the upper end*'.

HE now state in their letter of 26<sup>th</sup> October that '*Whilst we can accept that the overall level of harm would be less than substantial within the meaning of the NPPF and its associated guidance, we consider that the overall level of harm would be serious*'

This is based on an analysis that '*the open seaward setting of the canal makes a substantial contribution to its understanding and appreciation to its understanding and appreciation*', and that '*the impact of the proposed development would be to divorce the canal from the shore to greater degree than currently*'.

There is no doubt that overall character of the site will be changed by the proposals from one which is open and undeveloped to one which is developed. The extent of this change will be large. However, it is the degree of harm to the asset's significance rather than the scale of the change that is to be assessed.

To this extent, HE acknowledge elsewhere within their letter that the setting of the Canal has been compromised. However, this is only briefly mentioned and does not fully acknowledge the degree to which it has been compromised.

There is no doubt that, had the road and sea defence of Princes Parade not been constructed, and had the site not been land raised, and had recent buildings not been constructed at the eastern end of the Canal, then its historic setting would have been much

more intact. Within that context, there is no doubt that historic and aesthetic significance of the Canal within its setting would have been seriously harmed by the current proposals.

However, the canal now lies partly in a trench. As the DAS puts it *'the aesthetic relationship whereby it commands an area of open land has been very largely lost'*.

The Canal's ramparts no longer command a view across and over the shore and this functional relationship is no longer obvious or immediately perceivable. Other direct functional relationships between the Canal and other defensive features have also been compromised by modern development- as laid out in detail in the Heritage Statement/ DAS.

It is accepted that the openness that characterises the area and the site allows the RMC to be read as the boundary between two character areas- open on its seaward side, and built up on its landward side and that this open landscape character is a result of the site's history. However, given that the harm to the Canal's significance within its setting has already been compromised, and that there is no longer any readily perceivable direct relationship between the Canal and components of its setting, including the site, the additional harm to its significance caused by the development will be commensurately less.

The design concept of the scheme should also be noted. It requires the retention of large areas of open space for their own value and such that these spaces will split the built components of the development into isolated clumps surrounded by landscape. The concept is of 'buildings within a landscape', rather than buildings which remove a landscape. The development will read as being quite different from that of the suburban development to the north of the canal. The design is therefore bespoke and sensitive to the site such that its harm to the significance of the Canal within its setting is reduced as compared to a less sensitive scheme.

#### **Comments on HE's stance on public benefits: MM Dec 17**

HE state that the heritage benefits and improvements in the condition and management of the RMC should not be discounted in the determination of the application. In justifying this they reference the Planning Practice Guidance (Paragraph 020 Ref ID: 18a-020-20140306). This states that

*'Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However,*

*benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.*

*Public benefits may include heritage benefits, such as:*

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation*

In this case the scheme is driven by leisure and recreational improvements for the entire borough. A key part of the overall concept is large areas of publicly accessible open space between the Canal and the sea. The landscaping design concept for areas of open space is to emphasise connections between the canal and the sea, to delineate lines of fire and to maintain a feeling of openness and thus contribute towards its setting.

This interpretation/ theme is to be extended to adjacent areas of open space- for example at the Canal's terminus where the site of the former drawbridge and canal arm is to be marked out, and is to be further extended by an interpretation strategy to guide the implementation of a) heritage trail between the Canal, Shorncliffe Battery and Martello Towers b) interpretation boards and c) art work/ installation on the kinks of the canal.

All of this work fits into the overall concept for the site and flows from it. It meets the test laid down by the Planning Practice Guidance.

HE state that other benefits, specially the improvement of the condition and management of the RMC, do not flow from the scheme in that they could implemented without it. Whilst the work could in theory be implemented without it, it is a part of the overall concept of enhanced public access and recreational facilities. The scheme would be diminished without it.

It is also worth noting that there is no realistic prospect at present for the improvement of the condition and management of the RMC other than via the scheme. Presumably it was a similar realisation that lead to an interpretation strategy and proposals for the enhanced management of the woodland on Hospital Hill as a key part of Y14/0300/SH: *Shorncliffe Garrison* Permission.

