

GREAT Comments about Traffic at Issue Specific Hearing 6 on 11 September 2019 on
Environmental Matters

- Comments by GREAT (Lut Stewart) to Mark Turner, Heritage Assessor for the applicants.

“When you assessed Sparrow Court, you stated that you would take a lead from Historic England in your conclusion. Your opinion being that the proposed development would be harmful to the principal heritage buildings in Graveney.

When asked what you would do if the developers asked you to change your opinion, you replied that your profession has a Code of Conduct and in any case you would ensure that you complied with Historic England's advice. Should things progress to a judicial hearing then you would have to appear as a witness and therefore have to tell the truth.

Clearly, you now have taken the position that you have more expertise than Historic England as you disagree with their findings. That is surprising.”

- A finding of ‘less than substantial harm’ should not be equated with a ‘less than substantial planning objection’, meaning that even when the harm is ‘less than substantial’, the balancing exercise required by paragraph 134 of the NPPF is still subject to the statutory duty imposed by Section 66 (1).4.8. In such circumstances there can only be a strong presumption against the grant of permission.
- The additional heritage assets identified by GREAT as being harmed by the development and put in a submission for deadline 4 were Oyster Bay House in Faversham, Saint Peter's Church in Oare, Church House in Oare and Pheasant Farmhouse in Oare.
- An additional asset identified during the hearing is Pheasant Barn (grade II). Its conversion was televised. The owners have installed scrapes and created a meadow to run down to the Creek to encourage birds, including lapwing.
- It is regrettable that the above assets, and Harty Church and the Shipwrights Arms, were not identified as receiving significant harm from the proposed development as the heritage assessor had been asked to consider listed buildings within 5 km from the development for assessment by Historic England and Kent County Council.