

Gravesham Borough Council

(IP ref: 20035747)

Additional comments on Heritage Matters

Gravesham Borough Council additional comments on applicant's position in respect of Cultural Heritage impacts as stated would be submitted at Deadline 6 at paragraph 26 of REP5-097, having regard to ExAQ2 to applicant and specific questions Q12.1.1 (Follow up to ExQ1 Q12.1.6 – Methodology: Significance of Effects to Heritage Assets) and Q12.1.2 (Waterlogged Organic Deposits).

The following table provides a more detailed response to points made by the applicant in the following documents, having regard to further questions raised by the ExA - **REP4-200: National Highways - Deadline 4 Submission - 9.89 Responses to the Examining Authority's ExQ1 Appx H - 12. Physical Effects of Development & Operation** at <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-003967-'s%20ExQ1%20Appx%20H%20-%2012.%20Physical%20Effects%20of%20Development%20&%20Operation.pdf> and **REP5 – 036: National Highways - Deadline 5 Submission - 5.4.1.3 Statement of Common Ground between (1) National Highways and (2) Historic England v3.0 (Clean) [with particular reference to item 2.1.45 (ED5)]** at [https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-004383-National%20Highways%20-%20Other-%205.4.1.3%20SoCG%20between%20\(1\)%20National%20Highways%20and%20\(2\)%20Historic%20England_v3.0_clean.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-004383-National%20Highways%20-%20Other-%205.4.1.3%20SoCG%20between%20(1)%20National%20Highways%20and%20(2)%20Historic%20England_v3.0_clean.pdf)

Several of the applicant's responses relate to correction of errors and Gravesham takes these as given and does not provide further comments in the table below. Gravesham has also not provided comments on cultural heritage aspects to the north of the River Thames.

PINS ID	Question/response
EXQ1 Q12.1.4	Categorisation of Harm

	<p>Paragraph 6.3.76 of ES Chapter 6 – Cultural Heritage (v.2) [AS-044] sets out the applicant’s position in terms of where the threshold for ‘Substantial Harm’ is met (being total loss of an asset). It adds that in DMRB LA 104 terms this would be described as a major adverse impact and large or very large adverse significance of effect. Can the Applicant clarify its position on what level of impact/significance of effect amounts to “less than substantial harm”? In the same paragraph of Chapter 6, the Applicant states that “the assessment in Section 6.6 of this chapter identifies whether an effect is significant in EIA terms and whether it constitutes substantial harm or less than substantial harm to a designated, or equivalent value, heritage asset.” Table 6.6 within Chapter 6 seemingly identifies those heritage assets that would experience substantial harm, yet there is no corresponding Table identifying heritage assets that would experience less than substantial harm. The Applicant shall provide a corresponding table.</p> <p>National Highways response</p> <p>The Applicant considers ‘less than substantial harm’ to be experienced by any designated asset, or non-designated heritage asset of archaeological interest that is demonstrably of equivalent significance to a Scheduled Monument, where the magnitude of impact is either a moderate, minor or negligible adverse, leading to a large, moderate or slight effect. Designated assets can only experience substantial harm, less than substantial harm or no harm. ‘No harm’ can only be used where there is no change to the designated heritage asset or its setting. A table setting out the heritage assets that would experience less than substantial harm has been provided in Annex A.</p> <p>Gravesham comment</p> <p>No specific comment. It is noted that the applicant accepts the national policy position that harm should be categorised as ‘substantial’ or ‘less than substantial’ unless there is ‘no harm’. Any level of harm, however slight, is therefore to be treated as ‘less than substantial’. The table provided in Annex A therefore illustrates the widespread heritage harm that would be experienced because of the project, which in Gravesham should be understood in context as set out in REP1-232.</p>
ExQ1 Q12.1.5	<p>Categorisation of Harm</p> <p>Paragraph 6.6.9 of ES Chapter 6 – Cultural Heritage (v.2) [AS-044] states that “The Project would result in substantial harm (in NPSNN terms) to a number of designated heritage assets following mitigation, identified in the assessment text below and summarised in Table 6.6 of this chapter. Where the Project would result in less than substantial harm to a heritage asset following mitigation, this has not been stated explicitly in the text.” Why has the Applicant not explicitly identified the assets that are due to experience less than substantial harm? Paragraph 5.134 of the NPSNN 2014 and Paragraphs 199 and 202 of the National Planning Policy Framework are relevant considerations stating that the harm</p>

	<p>should be weighed against the public benefits. The assets experiencing a degree of less than substantial harm (with or without mitigation) therefore need explicitly documenting. The Applicant is requested to provide this information. The Applicant may wish to combine its response with Q12.1.4</p> <p>National Highways response:</p> <p>The Applicant notes that every designated asset experiencing less than substantial harm is described and assessed within Environmental Statement Chapter 6: Cultural Heritage [AS-044], though agrees that these can helpfully be drawn out in a specific table. A table setting out the heritage assets that would experience less than substantial harm has been provided in Annex A.</p> <p>Gravesham comment</p> <p>No specific comment. It is noted that the applicant accepts the national policy position that harm should be categorised as ‘substantial’ or ‘less than substantial’ unless there is ‘no harm’. Any level of harm, however slight, is therefore to be treated as ‘less than substantial’. The table provided in Annex A therefore illustrates the widespread heritage harm that would be experienced because of the project, which in Gravesham should be understood in context as set out in REP1-232.</p>
<p>ExQ1 Q12.1.6</p> <p>And follow up question ExQ2 Q12.1.1 to applicant.</p>	<p>Methodology – Significance of Effects</p> <p>Paragraph 4.5.21 of ES – Chapter 4 – EIA Methodology [APP-142] states that “significance of effects have been determined taking into account the identified value (sensitivity) and impact magnitude, using a matrix approach as set out in DMRB LA 104 (Highways England, 2020c). This matrix is reproduced in Table 4.3 and descriptions of the significance categories in the matrix are provided in Table 4.4.” In table 4.4 the significance category ‘slight’ is classed as an effect that is not material to decision making. These tables have been used to inform the cultural heritage assessment contained in ES Chapter 6 (v.2) [AS-044].</p> <p>However, ‘slight’ adverse significance of effects to heritage assets in the low, medium, high and very high value heritage asset categories would most likely be classed in national planning policy terms as “less than substantial harm” (see judgment James Hall v City of Bradford ([2019] EWHC 2899 (Admin)) which ruled that even minimal harm must fall to be considered within the category of less than substantial harm). As noted in Q12.1.5 above, less than substantial harm needs to be weighed against the public benefits of the proposal. The Applicant is asked to explain and justify why it is considered appropriate to disregard ‘slight’ adverse effects to designated heritage assets as not material to the decision-making process when there would be clear conflict with national policy that gives weight to those impacts?</p>
	<p>National Highways response:</p>

	<p>The Applicant considers that a 'slight' adverse effect to a designated heritage asset is less than substantial harm in accordance with James Hall v City of Bradford ([2019] EWHC 2899 (Admin)). The Applicant has not disregarded 'slight' adverse effects to designated heritage assets as not material to the decision-making process. It is confirmed that all impacts and effects have been taken into account in the assessment in paragraph 6.6.3 of Environmental Statement (ES) Chapter 6: Cultural Heritage [AS-044]: 'All impacts and effects on heritage assets are summarised in Table 6.7 and Table 6.8 of this chapter, apart from those that would experience no change.' The Applicant, in response to ExQ1_Q12.1.3, recognises that there are cross-referencing errors in ES Chapter 6: Cultural Heritage [AS-044]. The errors include references to Table 4.4 of ES Chapter 4: EIA Methodology [APP-142] in paragraphs 6.6.2 and 6.6.4 of ES Chapter 6: Cultural Heritage [AS-044]. Both of these references to Table 4.4 should be references to Table 4.3: Significance Matrix of ES Chapter 4: EIA Methodology. Therefore, the significance category and typical descriptions in Table 4.4 of ES Chapter 4: EIA Methodology, do not apply. The updated corrections to references in ES Chapter 6: Cultural Heritage, have been provided at this deadline (Deadline 4) [Document Reference 6.1 Chapter 6 (3)].</p>
	<p>Gravesham comment</p> <p>Gravesham welcomes the clarification provided by the applicant and that the assessment is obliged to follow established case law. The point made by the ExA in follow up question ExQ2 Q12.1.1 is noted and awaits clarification to be provided by the applicant at Deadline 6 before providing additional comments (if necessary) at Deadline 7.</p>
ExQ1 Q12.1.7	<p>Methodology – Value of Heritage Assets</p> <p>Paragraph 5.131 of the NPSNN 2014 states that the designated heritage assets of the highest value comprise World Heritage Sites, Scheduled Monuments, Grade I and II* Listed Buildings, Registered Battlefields and Grade I and II* Registered Parks and Gardens. The Applicant is requested to explain why it has only given a 'high value' and not a 'very high value' to Grade I and II* Listed Buildings and to the Grade II* Cobham Hall Registered Park and Garden? Heritage Value Table 6.3 contained in ES Chapter 6 (v.2) [AS-044] is clearly at odds with Paragraph 5.131 of the NPSNN 2014. The Applicant is also asked to advise whether the underestimate of the value of such assets could affect the overall magnitude of impact and significance of effect assigned to such assets as a result of the project, and if not, why not?</p>
	<p>National Highways response:</p> <p>Very High value is a category defined in Environmental Statement Chapter 4: EIA Methodology [APP-142] Table 4.1 as 'very high importance and rarity, international scale and very limited potential for substitution'. It is used infrequently in Cultural Heritage Environmental Impact Assessment (EIA) and both Very High value and High value are considered as the highest value in terms of the National Policy Statement for National Networks1</p>

	<p>As stated in the Planning Statement Appendix A [APP-496]:</p> <p>‘While the NPSNN divides designated heritage assets into those of ‘the highest significance’ and those which are therefore of lesser significance (value), guidelines associated with the latest version of DMRB, group these assets together as ‘high value’ regardless of their level of designation. The value of Grade II listed buildings and Registered Parks and Gardens has been assessed on a case-by-case basis, with a presumption of their being high value in DMRB terms and of equivalent value with the higher listing grades unless there is a clear reason against this. This takes a precautionary approach to avoid underrepresenting significance of effects.’</p> <p>The original scoping report from 2017 did not identify any heritage assets as being assessed as Very High value but, following representations from Historic England and Essex Place Services, the Applicant agreed that the international significance of Tilbury Fort (SM13) and Coalhouse Fort (SM14) should be reflected in their value that was changed from High to Very High.</p> <p>All other Scheduled Monuments, Grade I and Grade II* listed buildings and Grade II* Registered Parks and Gardens are assessed as High. This is in line with accepted best practice for EIA methodology that assesses Scheduled Monuments, Grade I and II* listed buildings and Grade I and II* Registered Parks and Gardens as being High Value. The Applicant does not believe this represents an underestimation of the value of such assets as they have been given the highest value within the methodology.</p>
	<p>Gravesham comment:</p> <p>Gravesham welcomes the clarification provided by the applicant that both ‘very High’ and ‘High’ valued heritage assets are treated as being of the highest value when applying national policy. It should be noted that Gravesham remains of the opinion that the overall level of heritage harm resulting from the project is higher than assessed by the applicant, as set out in REP1-232.</p>
ExQ1_Q12.1.8	<p>Maritime Archaeology</p> <p>The draft Archaeological Mitigation Strategy and outline Written Scheme of Investigation (oWSI) [APP- 367] does not consider the river, or any marine or maritime archaeology, nor does the Application identify an inter-relationship with marine biodiversity. Whilst there is a requirement through Requirement 9 of Schedule 2 of the dDCO for the Applicant to produce a detailed archaeological written scheme of investigation, based on the outline scheme, there is no specific consideration of the river, nor any marine or maritime archaeology therein. The Applicant shall explain the strategy for dealing with potential</p>

	<p>marine or maritime archaeological material, particularly during construction of the tunnel and update the oWSI as appropriate</p> <p>National Highways response:</p> <p>Archaeological remains within the River Thames are considered in paragraphs 6.4.196 to 6.4.204 of ES Chapter 6: Cultural Heritage [AS-044], and at Section 5.2 of the Cultural Heritage Desk-Based Assessment [APP-351]. Additionally, some assets located within the foreshore of the River Thames have been considered, depending on their geographical location and extent, within the sections for either North of the River Thames or South of the River Thames in ES Chapter 6 (for example, Asset 412 at paragraph 6.4.240). This baseline information has informed the impact assessment in ES Chapter 6 and the mitigation set out in the draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (AMSOWSI) [APP-367].</p> <p>The only known archaeological asset within the Order Limits that would be impacted by construction activity in the River Thames, is the medium-value, non-designated Roman settlement (ES Chapter 6: Cultural Heritage, Asset 412) which is located in the northern foreshore intertidal zone, possibly extending inland further to the north. This is assessed to receive a permanent slight adverse effect as a result of construction of an outfall, as described at paragraph 6.6.211 of ES Chapter 6, and on page 96 of ES Appendix 6.10: Assessment Tables [AS-052]. Mitigation for the physical impact to Asset 412 is listed in ES Chapter 6 and the Assessment Tables as archaeological excavation and recording'. This mitigation commitment is secured for this asset on page 139 of the AMS-OWSI. The details of the archaeological excavation and recording would be set out post-DCO consent in a Site-Specific Written Scheme of Investigation (SSWSI), with the agreement of Essex Place Services. The SSWSI would also include provision for dealing with unknown marine/maritime archaeological material that could be encountered during the construction of the outfall (or impacted by its operation). The Project would not result in any other physical impacts within the River Thames.</p> <p>With regard to the construction of the tunnel, this would not impact upon riverine/marine/maritime archaeological deposits. Where the tunnel passes below the River Thames, it would be excavated through chalk bedrock. The chalk geology does not contain any archaeological remains as the deposits pre-date human activity in Britain. With regard to marine biodiversity, there is no inter-relationship between this subject and archaeological matters because there is no requirement for intrusive archaeological mitigation works.</p> <p>Gravesham comments</p>
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	No specific comment. Gravesham would wish to defer to KCC, Historic England and those with professional expertise on maritime archaeology.
ExQ1 Q12.1.9	<p>Organic Deposits – Baseline Monitoring</p> <p>Non-designated organic deposits and remains of possible national importance that owe their significance to waterlogging are not adequately considered in the ES nor in the draft Archaeological Mitigation Strategy and oWSI [APP-367]. Historic England require baseline monitoring for the hydrological environment of areas of impact to allow a model to be developed which can be considered in relation to the development proposals and so that appropriate mitigation by design and/or remedial works can be agreed upon. The Applicant shall provide comment on the feasibility of meeting the request of the Historic England and any timeframe for providing the information and/or outline any relevant concerns</p> <p>National Highways response:</p> <p>The Applicant has engaged in extensive discussions with Historic England over the potential for waterlogged deposits of national importance. The archaeological trial trenching has not revealed any significant non-designated organic deposits of possible national importance and the activities of the Project are not likely to cause any dewatering. There is a potential for dewatering at the M25 junction which may affect the Ockendon Channel, although no organic deposits are known from this area.</p> <p>In their Written Representation (WR) [REP1-240] Historic England confirmed that the baseline data provided by the Project was ‘adequate for the purposes of assessment and for presentation at examination’. The Applicant would like to confirm that Historic England has not requested hydrological baseline monitoring or modelling on the Project and has stated that in this case they did not believe it would be appropriate. Historic England has agreed that this will be recorded in the Statement of Common Ground (SoCG) item 2.1.8 [REP1-061] as a ‘matter agreed’ for clarity. For this reason, the Applicant does not therefore propose to provide comment on the feasibility or timeframes for providing further information in relation to this matter.</p>
	<p>Gravesham comment:</p> <p>Gravesham defers to the expertise of KCC and Historic England on this matter. However, attention is drawn to the potential existence of perched water tables at a higher level in and around Inn on the Lake/Thong Lane North and asks whether the potential for deposits in these areas have been taken into consideration.</p>
ExQ1 Q12.1.10	Waterlogged Organic Deposits

<p>And follow up question ExQ2 Q12.1.2 to applicant.</p>	<p>A strategy has been included in the oWSI [APP-367] to address any unexpected finds (Sections 7.1.14 and 7.3.127). Section 7.1.14 adds that if the relevant local authority finds that further investigation is needed that no construction would take place within 10m of the remains until further investigation can take place. However, if waterlogged remains are discovered, a greater stand-off may be more appropriate to ensure that the area is not accidentally dewatered before the mitigation strategy is implemented. Does the Applicant agree to amending the oWSI to allow the relevant local authority to set a greater stand-off distance for unexpected waterlogged finds? Local Authorities and Historic England shall confirm what would be sufficient to address this issue</p> <p>National Highways response:</p> <p>The Applicant agrees to amend Environmental Statement Appendix 6.9: Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-367]. Firstly paragraphs 7.1.14 and 7.3.127 will signpost the reader to paragraph 7.3.36 which sets out the process for dealing with waterlogged material. Paragraph 7.3.36 will be amended to make clear the process set out would also apply to unexpected waterlogged finds. Secondly, both paragraphs 7.1.14 and 7.3.127 refer to the 10m stand-off distance and it is proposed to amend this to read 'a minimum of 10m, where unexpected waterlogged archaeological finds are present'</p> <p>Gravesham comments:</p> <p>Gravesham defers to the expertise of KCC and Historic England on this matter as this appears to be a precautionary provision within the oWSI. The point made by the ExA in follow up question ExQ2 Q12.1.2 is noted and awaits clarification to be provided by the applicant at Deadline 6 before providing additional comments (if necessary) at Deadline 7.</p>
<p>ExQ1 Q12.1.11 and ExQ1 Q12.1.12</p>	<p>Missing Archaeological Fieldwork</p> <p>No archaeological fieldwork appears to have been undertaken in the area immediately east of Thong Lane, to the north of Cascades Leisure Centre. There is potential for the land to contain iron age assets, which may be harmed or lost when the land is subsequently regraded to create Chalk Park. Can Gravesham Borough Council advise when they would like this assessment undertaken and how they would like to see this captured in the oWSI [APP-367]? Can the Applicant explain any constraint to undertaking such fieldwork?</p>
	<p>National Highways response:</p> <p>The area to the east of Thong Lane, to the north of Cascades Leisure Centre includes a range of known and potential heritage assets of archaeological interest identified through desk study, aerial photographic analysis and geophysical survey carried out by the Project. A programme of evaluation has been discussed with Kent County Council as archaeological advisors to Gravesham Borough Council. This builds on the earlier assessments and will include controlled</p>

	<p>metal detecting and fieldwalking. Timing of the archaeological trial trenching here is constrained by the controlled metal detecting and fieldwalking which should be completed prior to any intrusive archaeological work in this area.</p>
	<p>Gravesham comments:</p> <p>Gravesham has provided a response to the ExA at Deadline 4 on this issue (see REP4-290). It remains a concern that the necessary fieldwork has not been undertaken in advance of the application to inform the extent of works that stand to be permitted under the DCO. The issue of archaeology in this area was raised with the applicant several years ago. The response by the applicant that trial trenching here is constrained by the need to undertake metal detecting and fieldwalking does not explain why such work was not undertaken pre-submission. This is particularly the case given the application was withdrawn and resubmitted a year later – a clear window within which such work could have been undertaken. The applicant has indicated that around 200 new trial trenches will be required in this area. However, there would appear to be very little scope to amend the scheme to preserve in-situ should important archaeology be revealed, as the area is required for the southern portal construction compound, spoil disposal and the creation of Chalk Park. There is clearly no prospect of the necessary archaeological fieldwork being undertaken prior to the examination closing, so it would be necessary for this to take place post granting of a DCO. However, sufficient latitude still needs to be built into the DCO to allow for design changes should archaeology be encountered that merits preservation in-situ.</p> <p>Gravesham notes that this issue also relates to points made at ISH9 concerning how the applicant selected candidate sites for ancient woodland compensation/nitrogen deposition woodland planting whereby knowledge of the existing cultural heritage value of sites was extremely limited. On this, REP4-116 (National Highways - Deadline 4 Submission - 6.1 ES Chapter 6 - Cultural Heritage v3.0) states at 6.3.84:</p> <p style="padding-left: 40px;">6.3.84 For the purposes of the Cultural Heritage assessment, it is assumed that standard construction methods will be employed for creation of main works areas, access routes and compounds, utility logistics hubs, working areas and access routes, unless this is otherwise stated in the assessment. Standard construction methods are assumed to cause removal of all near-surface archaeology within the footprint of the works, but no impacts to deeply buried remains. In areas where the only works are those required for ecological or landscape mitigation it is assumed that creation of ponds or areas of tree planting would cause disturbance of all near-surface archaeology.</p> <p>A list of significant permanent effects on known archaeological assets south of the river is provided at paras 6.6.48 – 6.6.68. Particular reference is made to the Fenn Wood nitrogen deposition site (which would be soil stripped) is made at 6.6.67:</p> <p style="padding-left: 40px;">6.6.67 The establishment of the nitrogen deposition compensation site to the south of Shorne (Fenn Wood) would result in the complete removal of the medium-value non-designated barrow, asset (1474). This impact is assessed</p>

	<p>based on the worst-case scenario and it is anticipated that it should be possible to preserve this asset in situ a woodland glade or similar open space. This would be mitigated by archaeological excavation and recording (REAC Ref. CH001; AMS-OWSI No. 4). This would result in a permanent impact of moderate adverse magnitude and a moderate adverse effect, which is assessed as significant.</p> <p>Whilst the applicant has given an assurance here that there may be opportunities to preserve in-situ, there is no guarantee that it will be or that the setting will necessarily better reveal its significance. The position being adopted by the applicant appears to be that irrespective of the multiple harms to individual heritage assets, the benefits of the scheme will always outweigh harms in the planning balance and therefore they don't have to seek to avoid harm even where this is possible.</p> <p>The situation here (and possibly elsewhere) is similar to that at land east of Thong Lane because it begs the question: where advance archaeological investigation has not been undertaken to inform decisions on choice of replacement woodland/nitrogen deposition sites or landscape mitigation, what form of mechanism will be put in place to engage and agree with stakeholders on design, avoidance and mitigation of harm once the result of that archaeological work is available?</p>
ExQ1 Q12.1.17	<p>Undesignated Heritage Assets, Homes for Heroes, Thong</p> <p>Historic England disagrees with the Applicant's assessment of significance for Project IDs 1561, 4401-4403, 4597-4600 (Homes for Heroes), whose setting would be notably altered. They consider that their group value has been overlooked and that the project's impact on the non designated assets would be higher than reported (moderate adverse). The Applicant is asked to revisit their assessment of these non-designated heritage assets with group value in mind and to provide the ExA with an updated position on the level of harm when assessed as a group as opposed to individually.</p>
	<p>National Highways response:</p> <p>The eight properties dating from 1920's land settlement scheme, the 'Homes for Heroes' are an important component of the character of the Thong Conservation Area, and notwithstanding a lack of individual designation were considered as Heritage Assets by the Applicant.</p> <p>The Applicant also considered it appropriate to assess each property individually for the following reasons.</p> <ul style="list-style-type: none"> • The specific siting of the 'Homes for Heroes' within Thong was not part of an overall plan to locate this type of housing within the village or, as is the case in other examples elsewhere in the country, to provide homes for veterans close to their original communities and extended families. Land was required by

London City Council and land was available to purchase in Thong. Therefore the 'Homes for Heroes' in Thong were not designed as a group.

- The properties were developed as individual plots, each intended to support a family, as such there was no functional inter-dependency between the properties.
- The original four blocks of two semi-detached dwellings have been significantly altered, the two blocks furthest south have had substantial extensions and ancillary development to the West. This means that the key components on the 'Homes for Heroes', in particular the smallholders agricultural sheds all built to a standard pattern of the plot are no longer legible for the two blocks to the south.
- The Thong Conservation Area Appraisal Supplementary Planning Document (SPD) 4 states that the London City Council scheme was soon failing and in 1925 the administration was taken over by Kent County Council, and by the 1930s 'the holdings were either untenanted or had been taken over by neighbouring farms'. In effect losing their context and becoming part of the village.
- The Thong Conservation Area Appraisal SPD, stated that 'the significance of these houses lies in the key part they play in the little colony's overall plan. In many respects the semis are not unlike the more common rural council houses of the inter-war period'.

The 'Homes for Heroes' were assessed individually as experiencing a slight adverse effect, reported in Environmental Statement Chapter 6: Cultural Heritage [AS-044]. Drawing on the assessment and the comments made within the Thong Conservation Area Appraisal SPD the Applicant still considers that the assessment for the 'Homes for Heroes' should be made individually, and that the impact assessed as slight adverse was appropriate.

The buildings play a role within the wider settlement of Thong as has been assessed as experiencing a moderate adverse effect during operation of the Project, which is significant.

Following a technical meeting on the 25 August 2023, Historic England agreed that the approach to the assessment of the 'Homes for Heroes' was appropriate and that the Statement of Common Ground (SoCG) [REP1-061] will be updated accordingly.

Gravesham comments:

Although REP5 – 036 (SoCG between applicant and Historic England) states this is a ‘Matter Agreed’ it is unclear from the text whether Historic England has agreed that the assets should be assessed individually or as a group of higher heritage value – i.e. that they have agreed to disagree rather than agree.

Gravesham has already provided extensive evidence to the ExA on the historic development of Thong and the London County Council’s ‘Homes for Heroes’ scheme based on primary research undertaken at the London Metropolitan Archives and elsewhere (see REP1-232).

Gravesham disagrees with the assertion made by the applicant that the smallholdings should not be considered to have a group value and should only be considered as individual assets. This is for the following reasons:

- Whilst the London County Council took advantage of the sale of part of the Cobham Hall Estate in 1918 to acquire land in this area to create a smallholding scheme, this was neither unusual nor unsurprising. County Councils were empowered to provide smallholdings as part of an effort in the late C19th to diversify agricultural production. The introduction of these powers under the Small Holdings Act 1892 (recodified under the Small Holdings and Allotments Act 1908) was a deliberate attempt to counter the consolidation of holdings that had occurred during the C19th and to effectively recreate a class of small yeoman farmers in the public interest. Whilst both Acts contained powers of Compulsory Purchase etc. (see 1908 Act sections 7(2) and 39 and the First Schedule) these would have been powers of last resort should the authority not be able to purchase or acquire land on the open market or through voluntary agreement. The fact that the London County Council purchased the land from the Cobham Hall (Darnley) Estate in 1918 is therefore not determinative of whether the scheme was designed as a group. For background on the 1892 Act see Horace E. Miller LLB *The Small Holdings Act 1892 and the Statutory Provisions Incorporated Therein* (1892) at <https://archive.org/details/smallholdingsact00grea/page/n3/mode/2up>
- The applicant goes on to contend that the properties were developed as individual plots, each intended to support a family and that there was no functional inter-dependency between the properties. On this basis, it is argued, that each property should be considered individually. Gravesham considers that the applicant has missed some basic points here in relation to the Homes for Heroes scheme at Thong (the London County Council Shorne Estate).

To understand this, it is necessary to look at how legislation on small holdings evolved during and immediately after WWI and that they were trying to create colonies of small holdings in the countryside whereby the individual tenants could support each other as a group. This included retaining some land within larger farms and not allocating all of

the land to small holdings, so that the tenants could borrow or hire horses or equipment from the Home Farm or seek paid work there during slack times on their own holdings.

The Verney Report on *The Settlement or Employment on the Land in England of Wales of Discharged Sailors and Soldiers* (1916) considered very carefully how well previous small holding schemes had performed and the benefits of Government promoted schemes (See National Archives, Kew MAF48/26). The benefits of promoting land settlement in this way were considered (amongst other things) to be greater agricultural productivity; health benefits in terms of producing a population in improved condition for enlistment during future conflicts; and an alternative to emigration to the colonies, for those who preferred an outdoor life and did not want to return to the towns.

The Small Holdings Colonies 1916 Act (expanded under the Amendment Act 1918) that resulted from the Verney Report was primarily an experiment in land settlement which allowed for the establishment of a limited number (originally 3) of large Government organised smallholding colonies to establish whether providing opportunities for ex-servicemen (initially disabled or unfit for service but later demobbed) would take up opportunities to work on the land on their own holdings.

For background on the legislation and the principles that underpinned it see Second Reading of the Smallholdings Colonies Bill, HL 10 July 1916 and the Second Reading of the Smallholdings Colonies (Amendment) Bill HC 13 May 1918 and Carol A. Lockwood - From Soldier to Peasant? The Land Settlement Scheme in East Sussex, 1919-1939 in the journal - *Albion: A Quarterly Journal Concerned with British Studies*, Vol. 30, No. 3(Autumn, 1998), pp. 439-462 based on her 1991 University of Sussex DPhil thesis.

The thought was that around 750,000 ex-servicemen might take up the option but only around 24,000 chose to. It was not necessarily the case that such provision was intended to provide homes for veterans close to their original communities and extended families or that they should have been previously employed in agriculture. Because of this, the Verney Report recognised that some of the ex-servicemen would require education and training due to their lack of agricultural or business experience.

In making its recommendations, the Verney Report also recognised that some ex-servicemen would not want to take up holdings on the Government small holding colonies and therefore also recommended that County Councils develop their own schemes based on similar principles. The ability of County Councils to do this, along Verney

principles, was enabled by amendments to the 1908 Act by the Land Settlement (Facilities) Act 1919 [dated 19 August 1919].

Whilst the 1908 Act included provisions in respect of the erection of buildings and refers to dwellings, section 12(1)(a) of the 1919 Act *specifically* included provisions whereby a County Council could:

erect, repair, or improve dwelling houses and other buildings on any land acquired by the council under the principal Act, or to execute any other 'improvement on or in connection with and for the benefit of any such land, or to arrange with the tenant of any such land for the execution of any such improvement of such terms as may be agreed.

This is precisely what happened with the London County Council's 'Shorne Estate' in Thong and Chalk, with the erection of 23 cottages under a contract dated June 1920 and the subsequent repair and adaptation of other buildings in 1922 (see London Metropolitan Archive LCC/Co/Con/02/7250; LCC/CO/CON/03/7250; LCC/CO/CON/02/7472; and LCC/AR/CON/02/0079). Given the contracts were awarded less than one year after the passing of the 1919 Act, it is likely therefore that the Thong Homes for Heroes was one of the earliest schemes of its kind provided under this legislation.

Whilst the 'Shorne Estate' scheme was significantly smaller than the ones promoted by central Government on the pilot schemes, the parallels are clearly evident and demonstrate why it should be accorded group value in terms of heritage impacts.

- Whilst each smallholding may have been run as an individual business unit, the whole estate was intended to operate as a 'colony' in the countryside whereby individual tenants (many of whom did not have a farming background) could benefit from proximity to others, whilst gaining knowledge and experience. The functional relationship between individual units was therefore that each formed part of the wider 'colony'. Whether or not this happened in practice is not the point: this was the intent and a reason why the whole has group value. The records at the London Metropolitan Archives cited by Gravesham in REP1-232 indicate that although the smallholdings were distributed across Thong, Chalk and along the Shorne-Ifield Road, this was a complete scheme with elements designed in groups by the London County Council's Architects Department.

- Whilst individual properties have been subject to alteration and most are no longer associated with agricultural smallholdings, the underlying early 1920's design concept remains strong and significance is enhanced through the survival of evidential records – including those at the London Metropolitan Archive in the form of plans and contracts and photographs of the original completed scheme available on-line in the London Picture Archive at <https://www.londonpicturearchive.org.uk/quick-search?q=Shorne%20Estate&WINID=1695822215539> .
- It is accepted that the London County Council scheme (which was passed on to Kent County Council in around 1924/25) was not a success and that several of the units became used as general housing, with land being returned to the tenanted Cheney's Farm. However, several units did continue as smallholding businesses through the 1930s and into WWII and beyond. The 1939 Register lists James Pope at Gable Cottage as being a market gardener; Herbert Mutton at Woodland Cottage as being a poultry farmer; James Streat at the Ideal Poultry Farm as being a poultry farmer; Sidney Beech at 40 Thong Lane as being a farmer; Daniel Coughlan at 38 Thong Lane as a smallholder; and Edward Canham at 37 Thong Lane as a poultry farmer. The 1941/42 National Farm Survey at the National Archives provides further evidence of continuing small scale agricultural production at Thong associated with the smallholdings (see National Archives MAF32/1037/269). Poultry farming appears to have continued post WWII, with planning permission granted for two poultry houses (150 birds) at Westwood Farm in 2005 (GR/2005/0840). Gravesham would argue that even if the smallholding scheme failed and the dwellings have effectively become part of Thong, the original design intent here remains clear and coherent, representing an important surviving and early example of a post WWI experiment intended to encourage ex-servicemen to go 'back to the land'.
- The applicant's comments, based on the Gravesham Thong Conservation Area SPD, that 'the significance of these houses lies in the key part they play in the little colony's overall plan. In many respects the semis are not unlike the more common rural council houses of the inter-war period' is noted.

However, research undertaken and included in REP1-232 show that the 'Homes for Heroes' at Thong were architect designed and considered to be of sufficient importance to have been photographed on completion. Whilst they may bear similarities in terms of form and architectural style with more common inter-war Council housing, it is also important to remember that these were designed and built relatively early after WWI.

At this time, the London Country Council was concentrating on larger 'cottage' estates built under the Housing and Town Planning Act 1919 to the Tudor Walters standard. Between 1919 – 23, the period when the development at

Thong took place, the main London County Council developments were at Becontree (Essex: 2,589 dwellings); Bellingham (Lewisham: 2,673 dwellings); Roehampton (Wandsworth: 1,212 dwellings) and Castelnau (Barnes: 644 dwellings). Whilst the London Country Council is likely to have undertaken other smaller developments elsewhere, the 'cottage' estates were of a very different character to the 'Homes for Heroes' scheme at Thong.

As they would have been built to the Tudor Walters standard, they would have also been more generous in terms of internal space than those built post 1923/24 under the 1923 Housing Act (Chamberlain) and 1924 Housing Act (Wheatley). It would be wrong therefore to 'downplay' their importance by direct comparison with general inter-war Council housing that came slightly later and was built to a lower standard.

For information, Gravesham has compared the original drawings to the Tudor Walters standards and notes that the floor area of the semi-detached non-parlour houses at Thong is around 82 sqm measured externally compared to 79.4 sqm under Tudor Walters. Internal room sizes also appear to be broadly compliant, although bedroom 3 is marginally substandard. The living room appears to meet the Tudor Walters standard (17 sqm). Whilst the scullery would have been slightly below standard (6.64 sqm compared to 7.4 sqm), the separate larder was more generous (2.5 sqm compared to 2.2 sqm). A separate indoor toilet and bathroom was provided on the ground floor. Upstairs, the main double bedroom was slightly below standard (13.59 sqm compared to 14 sqm), whereas the second double bedroom was larger than standard (10.36 sqm compared to 9.3 sqm). As noted above, the third single bedroom was below standard (5.6 sqm compared to 6 sqm) but this would have been sufficient to accommodate a child under the age of 10 under the later overcrowding standards introduced under the 1935 Housing Act (now under s.324 – 326 1985 Housing Act, unchanged).

Based on the above, Gravesham considers that it would be wrong to only consider the Thong 'Homes for Heroes' on an individual basis as they clearly have a group value, as part of the wider land settlement scheme of which they formed part. The ExA should also note that Historic England has not engaged with Gravesham to discuss the significance of the Homes for Heroes non-designated heritage assets as part of the DCO process and may therefore have reached its conclusions without knowledge of the evidence set out above.