

LUDDESDOWN COURT BOUNDARY WALL
LUDDESDOWN, GRAVESEND, KENT, DA13 0XE

HERITAGE STATEMENT



Ref: 2504.1717| 17 June 2025

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HS1 LISTING DESCRIPTIONS

REVISION SCHEDULE					
Rev	Date	Details	Prepared by	Reviewed by	Approved by
1	17/06/2025	For Submission	Shaun Moger Senior Heritage Consultant		Client
2					



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1.0 INTRODUCTION

- 1.1. This Heritage Statement has been produced by Heritage Unlimited to support a planning application at Luddesdown Court with regards to repositioning of a wall adjacent to the site entrance.
- 1.2. It is understood that due to recent incidents at the client's property, they want to close the gates overnight. However, the pedestrian access around the gates forms part of an existing public right of way and as such KCC's public right of way team have requested the pedestrian access to the rear of the gates is widened to 2m to enable people with mobility issues to use the public right of way. To facilitate the enlargement, it is necessary to reposition the modern flint and brick wall to the east of the gates.
- 1.3. Luddesdown Court is a grade I listed building and the adjacent Parish Church of St Peter and St Paul is grade II* listed. The boundary wall and entrance gates have been identified as modern, possibly constructed in the 1990s, and are not considered to be curtilage listed fabric, though do form part of the setting of the listed buildings.
- 1.4. Listed buildings are defined by the National Planning Policy Framework (2024) (NPPF) as designated heritage assets. As the proposed development affects one or more heritage assets, paragraph 207 of the NPPF requires a Heritage Statement to support a planning application. This document has been prepared in accordance with the requirements of the NPPF.
- 1.5. The purpose of a Heritage Statement is to identify the significance of any heritage asset affected by the proposed development, the impact the proposed development will have upon the identified significance and justification for the proposed development. The Heritage Statement also needs to assess the proposed work in accordance with the statutory tests provided in the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.6. This Heritage Statement should be read in conjunction with architectural plans and other supporting documents, which form this planning application.
- 1.7. This report has been compiled by Shaun Moger MSc Historic Building Cons and is based on desk-based research and a site visit carried out in May 2025.

2.0 SITE LOCATION AND CONTEXT

- 2.1. The application site is located to the south of the triangle junction of Luddesdown Road and Oakenden Road, forming the entrance to the Luddesdown Court and adjacent to the own driveway entrance and parking area of the Parish Church of St Peter and St Paul. A public right of way crosses through the site, continuing eastwards through a wooded area.

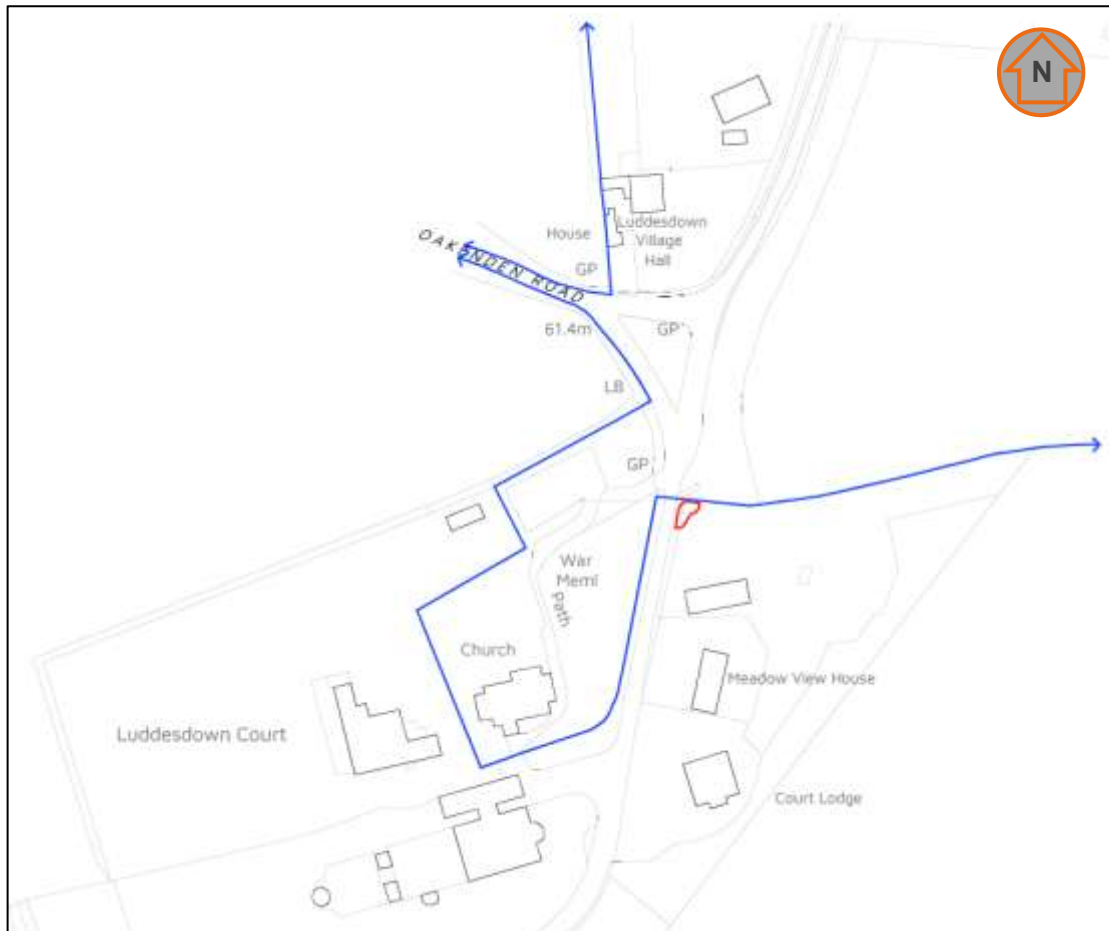


Fig.1: Site location outlined in red.

- 2.2. The entrance to Luddesdown Court is formed by red brick and flint walls and timber gates and the driveway is laid with stone setts. Whilst these are traditional materials and are consistent with historic walls found elsewhere at the site, such as along the boundary with the church, on-site assessment identified that the walls and gates are modern, possibly constructed in the 1990s, with the brick piers including hatches that may allow access to electric gate operation.
- 2.3. The walls have a curved shape and increase in height from the outer piers to the gate piers, both of which are surmounted by domed stone finials. The application concerns the easternmost wall which is (in part) a retaining wall and bounds the path rather than the gate. The existing path and northern opening (external side) is approximately one metre in width and includes a pinch point formed by the apex of the curve whilst the southern opening (internal side) is approximately 3.5 metres in length.



Fig.2: The entrance to Luddesdown Court, looking south from the road, with separate entrance to the Parish Church of St Peter and St Paul to the right and public path to left.



Fig.3: The entrance gates and wall seen together, application walls to the left.



Fig.4: The eastern walls seen in context with the public path and driveway of Luddesdown Court.



Fig.5: The walls seen from the public path with the entrance to the church seen beyond to the right. The wall proposed for repositioning is the low wall to the left.



Fig.6: The curved layout of the walls and inner and outer access openings with the public path running between the two.



Fig.7: The northern (outer) opening is approximately one metre in width, flanked by modern brick piers.



Fig.8: The southern (inner) opening is approximately 3.5 metres in width from pier to pier.

- 2.4. Approximately 25m south of the gates is a traditional style barn of timber frame, weatherboard, and thatch construction which is open fronted and used as sheltered parking. The barn was constructed at the site c.1988 in conjunction with application 19880429 and is understood to be a re-erection of a 300 year old Kentish barn (plus other works), though it is neither independently listed nor mentioned in the descriptions of Luddesdown Court or the Church, due in part to these having been listed in 1952 and 1966 respectively.



Fig.9: The open-fronted parking barn to the south of the application site.

- 2.5. The Parish Church of St Peter and St Paul is located approximately 50m southwest, separated and screened by mature boundary hedges, trees, and the churchyard. The Church has its own separate entrance, driveway, and parking area adjacent to the application site to the west with its fence and gates comprising of black ironwork which appear, in part, to have historic context, possibly 19th century.



Fig.10: The entrance gates to the church. The vehicular gates appear to have historic context whilst the pedestrian gates are modern. The flint wall to the right does not form part of the application.

- 2.6. Luddesdown Court itself is located approximately 90m southwest of the application site with the Church and numerous mature trees and hedges sited in between such that there is no intervisibility with the entrance gates.



Fig.11: The church seen from the churchyard entrance, adjacent to the application site. Luddesdown Court is positioned behind, screened by the church and mature trees.

3.0 IDENTIFIED HERITAGE ASSETS

- 3.1. The National Planning Policy Framework (NPPF) requires that all heritage assets affected by the proposed development are identified and their significance, which includes setting, are described. The level of 'harm' the proposed works will have to the identified heritage assets also needs to be determined within the context of a Heritage Statement.
- 3.2. As identified above, the application site forms the entrance gates to the wider grounds of Luddesdown Court (grade I) and is adjacent to the separate entrance gates of the Parish Church of St Peter and St Paul (grade II*). Whilst not considered to be curtilage listed, due to their modern fabric, the application site forms part of the setting of the listed buildings.
- 3.3. Due to the limited scope of the application and screening between the site and nearby heritage assets, description and assessment of the listed buildings will be kept brief as their special interest and setting will not be impacted by the proposal.

Luddesdown Court

- 3.4. Luddesdown Court is a grade I listed building, designated in 1952. Its high grade makes it of *exceptional interest* with grade I listed buildings accounting for only 2.5% of listings. A description of the property (at the time of listing) can be found in the appendix **HS1**.
- 3.5. Whilst there are claims that Luddesdown Court is amongst the oldest, if not oldest, domestic buildings in England, citing 11th century ties to William the Conqueror's half-brother Odo, the Earl of Kent, the earliest elements of the existing building are said to largely be of 13th century origin, plus 17th century and 19th century additions and alterations to the east and a modern tile roof. Nevertheless, the property is of exceptional interest with regards to both its architectural and historic merit.
- 3.6. Notable features of the building are understood to include its stone and flintwork; sizeable exposed oak beams; great hall which is overlooked by a minstrel's gallery; and unique murals on the walls of the hall and some bedrooms. Its wider setting also includes outbuildings constructed of similar materials to the main house, orchard, and walled gardens.
- 3.7. The existing driveway leading to Luddesdown Road appears to have served as the access route to the property since at least the Tithe Map of 1841, though an earlier map of 1797 indicates (in lesser detail) that this may also have been the case. Whilst a boundary line crosses the driveway at the application site from the 1895 Ordnance Survey map onwards, it is unclear what gate, if any, was present at this time. All available historic maps also show an additional boundary closely encircling the domestic garden of the house, separating it from other neighbouring developments. For this reason, and the fact that the existing gates and walls forming the application are clearly of modern construction (replicating traditional design and materials), the application wall is not considered curtilage listed.





Fig.12: East elevation of Luddesdown Court seen over the wall and hedge boundary with the church. Note that the materials of the wall were used to inform the design of the application wall, though variation in condition marks a clear distinction in construction date.

Parish Church of St Peter and St Paul

- 3.8. The Parish Church of St Peter and St Paul is a grade II* listed building, designated in 1966. Its second tier high grade makes it of *more than special interest* with grade II* listed buildings accounting for only 5.8% of listings. A description of the property (at the time of listing) can be found in the appendix **HS1**.
- 3.9. The church is thought to be of similar context to Luddesdown Court, with the earliest elements of the existing building thought to largely comprise of 19th century rebuilding and re-casing of structures of 13th century origin, plus additions and alterations from subsequent periods.
- 3.10. Despite their close proximity and relationship, the Church and Luddesdown Court have had historically separate access points, with that of the church appearing to have been in a consistent location since 1797 or earlier. The cast iron driveway gateposts appear to have historic context, possibly Victorian, whilst the adjoining pedestrian gate appears to be a modern replacement.



Fig.13: The Parish Church of St Peter and St Paul, seen looking south through the churchyard.

Historic Map Regression

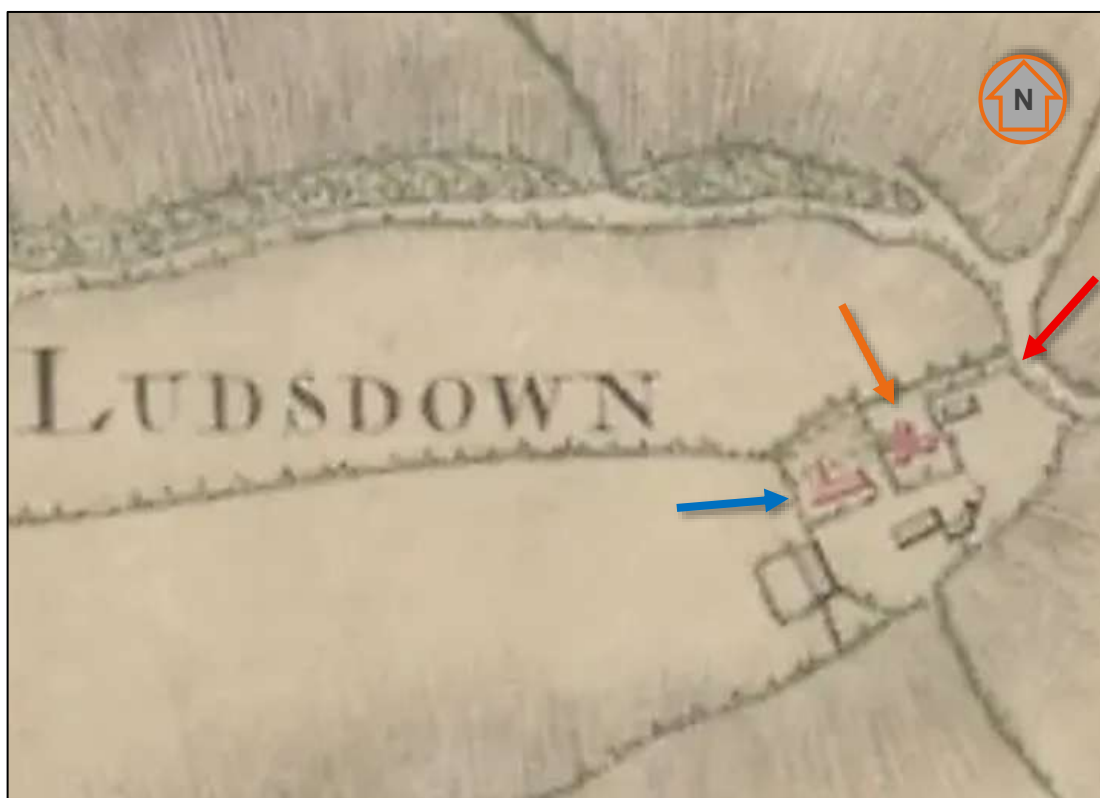


Fig.14: 1797 Map of the Cobham area of Kent, showing 'Ludsdowm' including Luddesdown Court (blue), Parish Church (orange), and approximate application site (red).



Fig.15: 1841 Tithe Map. Note the continuity of the driveway entrances to the church and Luddesdown Court, with the latter also including a separate boundary closely encircling the house.

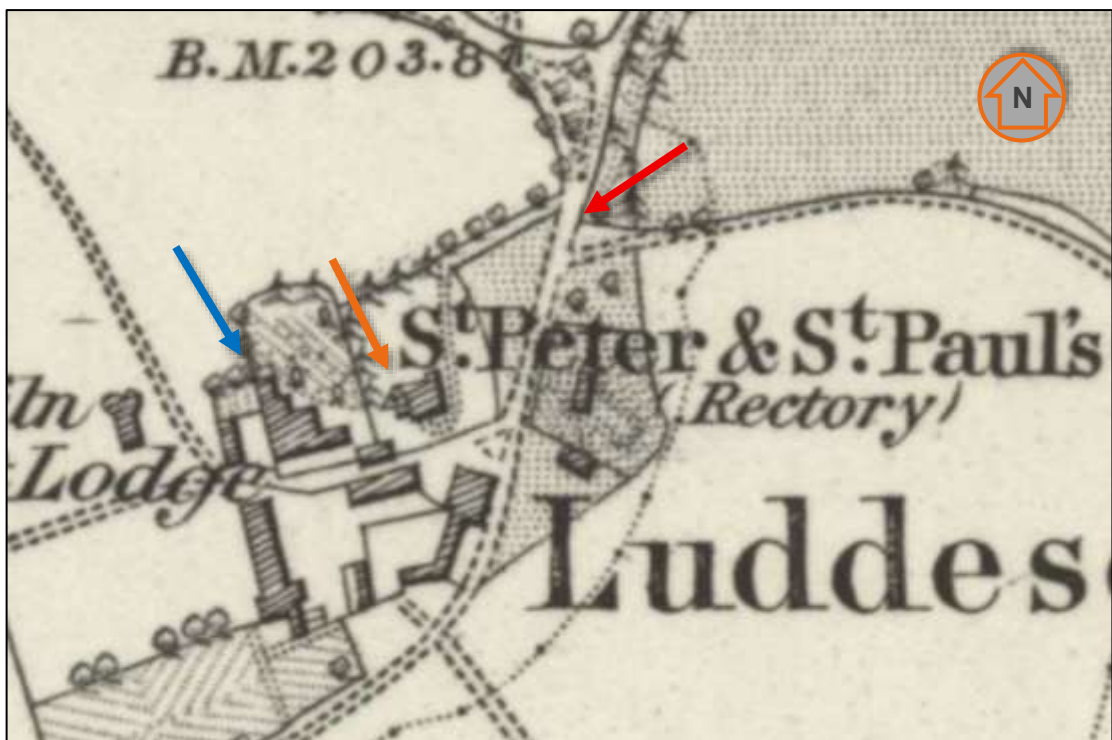


Fig.16: Ordnance Survey map surveyed 1864, published 1869.

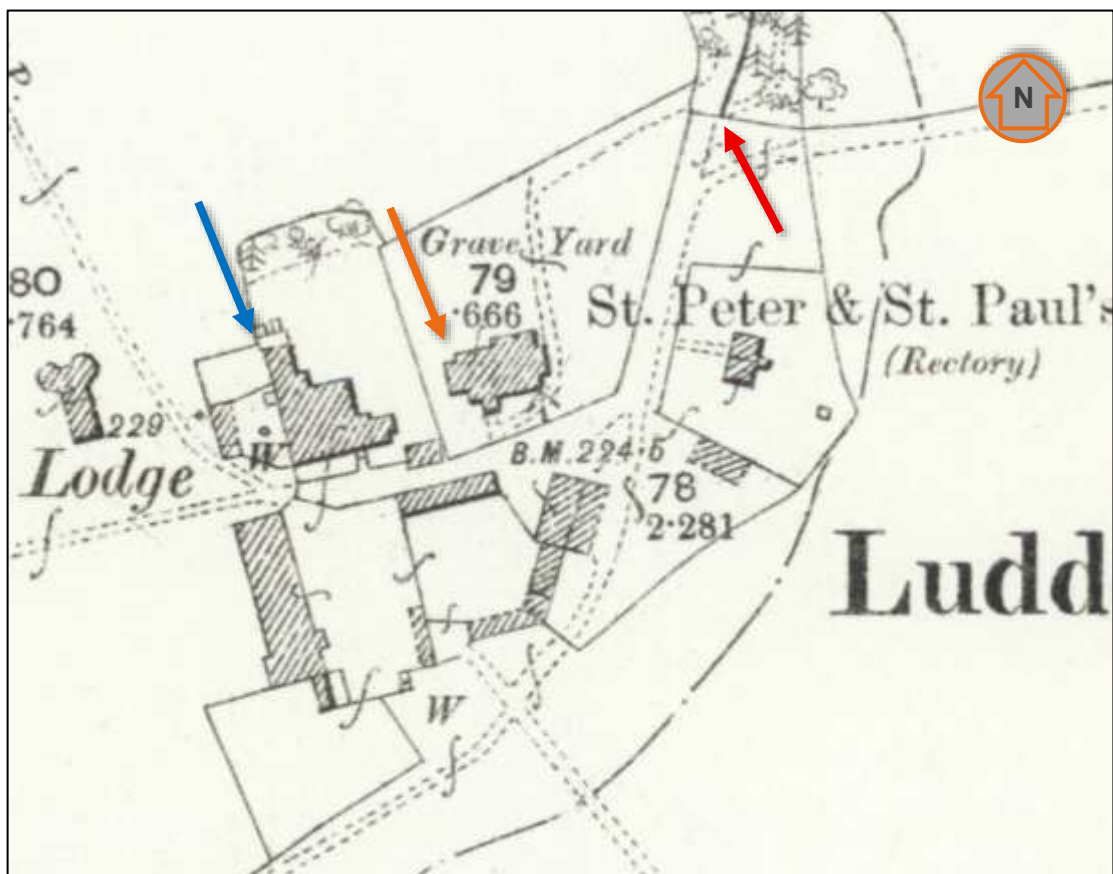


Fig.17: Ordnance Survey map revised 1895, published 1896. The first map to clearly show a boundary crossing the road at the application site, though it is unclear if this relates to an earlier form of gate.

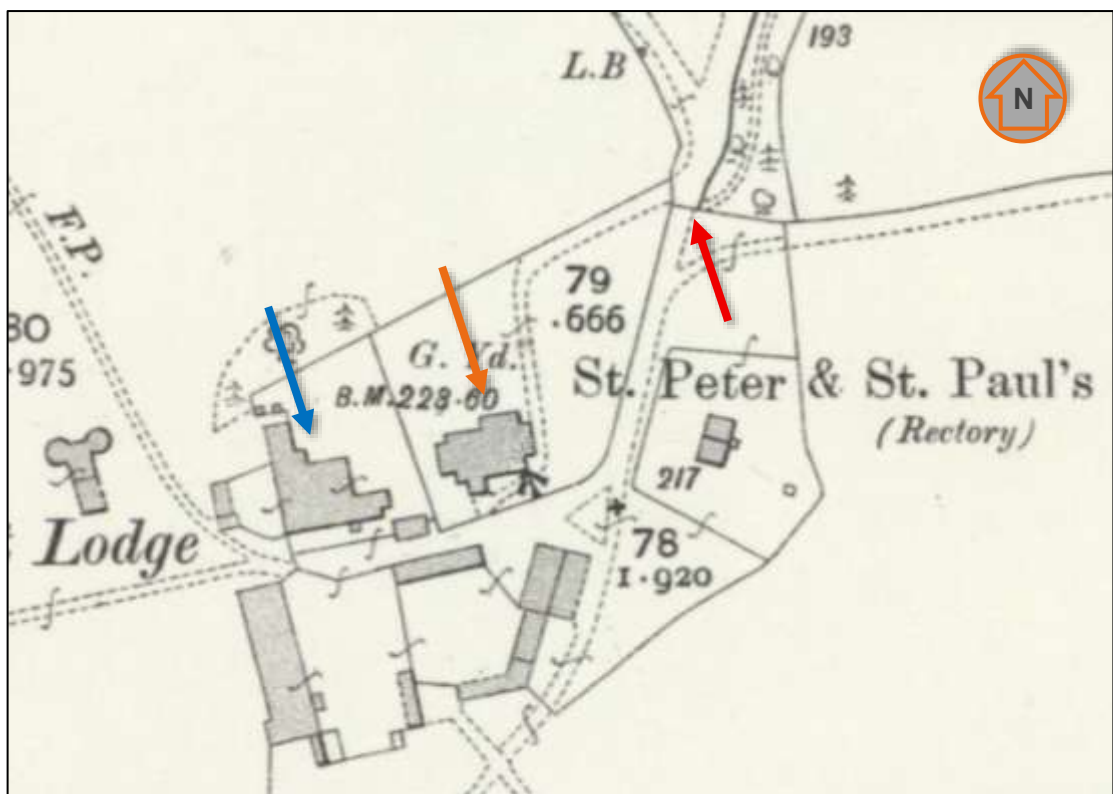


Fig.18: Ordnance Survey map revised 1907, published 1908.

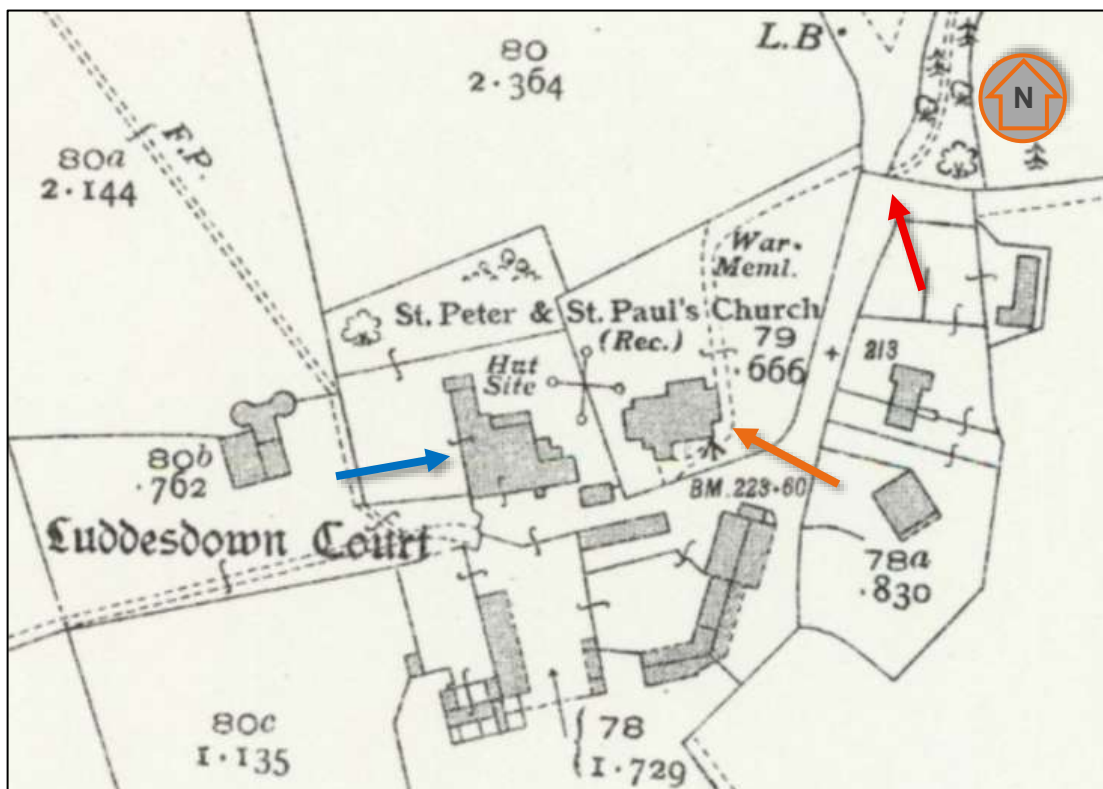


Fig.19: Ordnance Survey map revised 1936, published 1938.

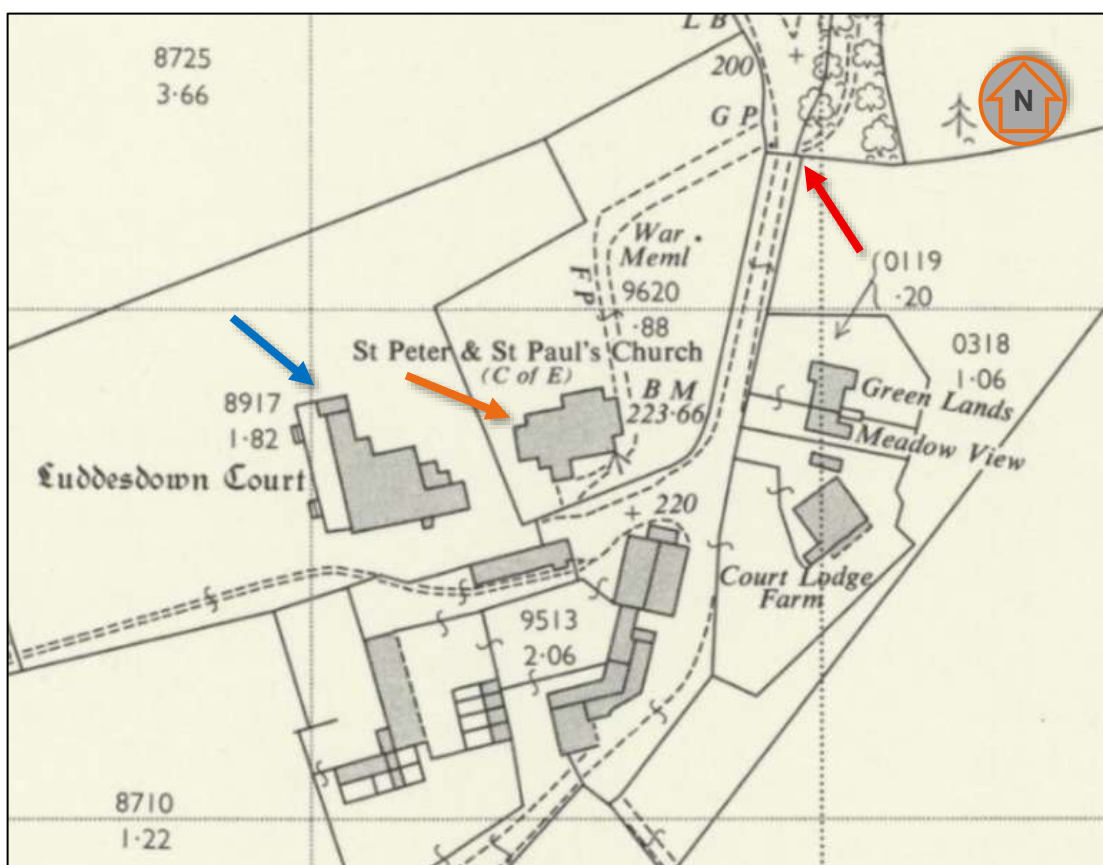


Fig.20: Ordnance Survey map surveyed 1962, published 1963, showing the domestic curtilage enlarged following the demolition of the oast. The application site are still indicates a linear boundary.

4.0 PLANNING LEGISLATION AND POLICIES

Planning Legislation

- 4.1. The legislative framework for the preservation and enhancement of listed buildings and conservation areas are set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. Historic England, defines preservation in this context, as not harming the interest in the building, as opposed to keeping it utterly unchanged.
- 4.2. In 2014, a ruling by the Court of Appeal (Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and the National Trust) made clear that to discharge this responsibility, decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings (and by implication other heritage assets) when carrying out the balancing exercise of judging harm against other planning considerations, as required under the National Planning Policy Framework.
- 4.3. Another ruling made in May 2017 by the Court of Appeal (Barwood Strategic Land II LLP v East Staffordshire Borough Council and the Secretary of State for Communities and Local Government), upheld a High Court ruling, that subordinates National Planning Policy Framework development presumptions to the statutory authority of an up-to-date local plan, as the NPPF is no more than ‘guidance for decision-makers, without the force of statute behind it. Paragraph 13 of the decision states, *‘The NPPF is the Government’s planning policy for England. It does not have the force of statute, and, ought not to be treated as if it did. Indeed, as one might expect, it acknowledges and reinforces the statutory presumption in favour of the development plan, and it also explicitly recognizes and emphasizes its own place in the plan-led system of development control. Its “Introduction” acknowledges that “[planning] law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”, and that “[the NPPF] must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions”. Paragraph 12 recognizes that the NPPF “does not change the statutory status of the development plan as the starting point for decision making”. Paragraph 13 describes the NPPF, correctly, as “guidance for local planning authorities and decision-takers”, which, in the context of development control decision-making, is “a material consideration in determining applications”. Paragraph 215, in “Annex 1: Implementation”, says that “due weight should be given to relevant policies in existing plans according to their degree of consistency with [the NPPF] (the closer the policies in the plan to the policies in [the NPPF], the greater the weight that may be given)”*, but this too is guidance for decision-makers, without the force of statute behind it’.
- 4.4. Therefore, by implication, this judgment again emphasises the relative importance of sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in making planning decisions in relation to development that affects listed buildings and conservation areas.

- 4.5. Section 66(1) relates to planning applications and states, ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.
- 4.6. As a minimum, the test requires the works to preserve the listed building and its setting. Historic England defines preservation in this context as not harming the interest in the heritage asset(s), as opposed to keeping them utterly unchanged.

National Planning Policy Framework (2024)

- 4.7. As mentioned above, there is a need to carry out a balancing exercise of judging harm against other planning considerations as required under the NPPF. The NPPF sets out the Government’s planning policies for England and how these are to be applied. The guiding principle of the document is a presumption in favour of sustainable development and the protection and enhancement of the historic environment is embedded in this approach.
- 4.8. Sustainable development is defined as meeting the needs of the present without compromising the needs of the future. Paragraph 8 of the NPPF breaks down this definition into three objectives: economic, social, and environmental. Within the environmental objective, sustainable development needs to contribute to ‘protecting and enhancing our natural, built and historic environment’.
- 4.9. Paragraph 20 of the NPPF contains Strategic Policies, which provide an overall strategy for the pattern, scale and quality of development and make sufficient provision for the conservation and enhancement of the natural, built, and historic environment.
- 4.10. Section 16 of the NPPF contains policies relating to conserving and enhancing the historic environment. Within this section (paragraph 207), the Local Planning Authority requires the applicant to describe the significance of any affected heritage asset including any contribution made by their setting as part of an application.
- 4.11. Significance is defined in Annex 2 of the NPPF, as the value of a heritage asset to this and future generations because of its archaeological, architectural, artistic, or historical interest. Significance also derives not only from the asset’s physical presence but also from its setting. Setting of a heritage asset is the surroundings in which the heritage asset is experienced, the extent of which is not fixed and can change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to significance of an asset.
- 4.12. Impact from a proposed development to the significance of a designated heritage asset needs to be evaluated, NPPF paragraph 212, states, ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to

substantial harm, total loss or less than substantial harm to its significance'. NPPF paragraph 213 identifies that alteration, destruction, or development within the setting of a designated heritage asset can result in harm to, or loss of, the significance of the asset and that such loss requires a clear and convincing justification. Substantial harm to or loss of a grade II listed building should be exceptional and substantial harm or loss of grade I and grade II* listed buildings should be wholly exceptional.

- 4.13. NPPF Paragraphs 214 and 215 define the levels of harm as substantial or less than substantial. The National Planning Practice Guidance (PPG) provides useful guidance on assessing harm in relation to these definitions and gives the following example, 'In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting'. The PPG quantifies substantial harm (NPPF paragraph 214) as total destruction while partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all. Anything less than total destruction needs to be evaluated on its own merits, for example, the removal of elements to an asset which themselves impact on its significance may therefore not be harmful to the asset. The PPG advises works that 'are moderate or minor in scale are likely to cause less than substantial harm (NPPF paragraph 215) or no harm at all'. However, it is important to consider each development in its own context as the PPG also identifies that minor works have the potential to cause substantial harm to the significance of an asset.
- 4.14. Paragraphs 214 and 215 refer to 'public benefit' as a means to outweigh the loss of or harm to a designated heritage asset. The PPG identifies that public benefit may follow many developments and as such this benefit could be anything that delivers economic, social or environmental progress which are the dimensions to sustainable development defined by NPPF Paragraph 8. The PPG states, 'Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to 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 benefit'. 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 risk to heritage asset.
 - Securing the optimum viable use of a heritage asset in support of its long- term conservation.

4.15. The three points above relate to NPPF Paragraph 210, which requires the Local Planning Authority to take these points into account when determining applications. Although, there is no defined list of public benefits, examples of public benefit for a designated heritage asset may include:

- The restoration of a listed building.
- The improved setting of a listed building.
- The enhancement of a conservation area.

Local Planning Policy

4.16. As well as legislation and national planning policies, Gravesham Local Plan Core Strategy (2014) and Gravesham Local Plan First Review (1994) - Saved Policies (2014) contain policies relating to the historic environment. Relevant policies include:

4.17. Gravesham Local Plan Core Strategy (2014):

Policy CS20: Heritage and the Historic Environment

The Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk through neglect, decay or other threats. Securing viable, sustainable and appropriate futures for such assets at risk will need to be reconciled with the sensitivity to change that many present.

Proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough. These include:

- Gravesend Town Centre, its development as a heritage riverside town, and its setting;
- The Borough's urban and rural conservation areas; and
- Surviving built features and archaeology relating to the Borough's maritime, military, industrial and transport history.

When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

4.18. Gravesham Local Plan First Review (1994) - Saved Policies (2014)

Policy TC2: Policy for Listed Buildings

The Borough Council will adopt the following approach to applications affecting listed buildings:-

- i. Proposals which involve the demolition of listed buildings will not be granted consent unless the applicant is able to demonstrate substantial and overriding reasons why such consent should be forthcoming. In those few cases where the Borough Council is satisfied that there is no alternative but to grant consent for such demolition, all available means will be used to secure early and appropriate redevelopment.
- ii. In the case of applications for development involving alterations or extensions to listed buildings or affecting the setting of listed buildings, the primary consideration of the Borough Council will be the maintenance of the integrity of the original listed building. Proposals will also need to be sympathetic to the listed building in terms of massing, scale, appearance and materials.
- iii. Applications for the change of use of listed buildings will be considered on their merits, in relation to the land use policies set out in this Written Statement. A major consideration will be whether the character or appearance of the listed buildings will suffer as a result.

5.0 ASSESSING SIGNIFICANCE

- 5.1. Significance of a heritage asset is defined by the NPPF (2024) as the value of a heritage asset placed on it by current and future generations because of its heritage interest. This interest may be archaeological; architectural; artistic or historical. The setting of a heritage asset also contributes to its significance and is defined by the NPPF as the surrounding in which a heritage asset is experienced. In comparison, Historic England's Conservation Principles (2008) uses evidential; aesthetic; historical and communal values to define significance. These different set of values have been combined for the purpose of this report.
- 5.2. Part 4 of British Standard 7913:2013 Guide to Conservation of Historic Buildings provides information on heritage values and significance. In context, this document states, 'A wide range of factors can contribute to the significance of a historic building. As well as physical components, significance includes factors such as immediate and wider setting, use and association (e.g., with a particular event, family, community or artist and those involved in design and construction)'.
- 5.3. Identifying the values of an asset allow us to understand the degree of significance and inform us of the potential impact the proposed works will have to the heritage asset and its setting. These values may be tangible, the physical fabric of the building, capable of being touched, or viewed such as its landscape. Also, the value may be intangible through a past event or an association with a person.
- **Evidential (archaeological) value** relates to physical aspects of the site which provide evidence from the past. This can be with built form or below ground archaeology.
 - **Historical value** is the extent to which the asset is associated with or illustrative of historic events or people.
 - **Aesthetic (architectural/artistic) value** includes design, visual, landscape and architectural qualities.
 - **Communal value** includes social, commemorative, or spiritual value, local identity, and the meaning of place for people.
- 5.4. The assessment of significance draws upon information contained in the section on Heritage Assets and uses the values defined above to establish the level of significance detailed below:
- Features of the asset which contribute to the principal historical and architectural interest are considered to be of **high significance**.
 - Features of the asset which noticeably contribute to the overall architectural or historical Interest and may include post construction features of historic or design interest are considered to be of **medium significance**.



- Features of the asset which make a relatively minor contribution to the historic and architectural interest are considered to be of **low significance**.
- Features which do not contribute to the historic and architectural interest of the asset, and in some cases may even detract from the significance are therefore considered to be either **neutral or detracting**.

Assessing Setting

- 5.5. The primary guiding document for assessing setting is The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (2017), produced by Historic England.
- 5.6. Setting varies from asset to asset and cannot be generically defined. Changes to the setting of heritage assets may be positive such as replacing poor development which has compromised the assets setting. It is likely that the setting of an asset has changed over time from the dynamics of human activity and natural occurrences such as weather.
- 5.7. The importance setting makes to the contribution to the significance of the heritage asset is often related to how the heritage asset is seen in views. This can include views looking towards the heritage asset or from the heritage asset looking outwards and may include relationships between the asset and other heritage assets, natural or topographical features. Assets may also be intended to be seen from one another in designed landscapes for aesthetic reasons.
- 5.8. Historic England's Good Practice Advice 3, The Setting of Heritage Assets (2017), notes a staged approach to proportionate decision-taking, with relevant NPPF paragraphs along with guidance contained in the National Planning Practice Guidance (PPG) for their implementation, providing the framework for the consideration of changes affecting the setting of heritage assets which should be assessed proportionately and based on the nature, extent, and level of the heritage asset's significance.
- 5.9. The Guidance recommends a five-step approach to the assessment of the effect of development on the setting of heritage assets as follows:
 - Step 1:** identify which heritage assets and their settings are affected;
 - Step 2:** assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
 - Step 3:** assess the effects of the proposed development whether beneficial or harmful, on that significance;
 - Step 4:** explore ways of maximising enhancement and avoiding or minimising harm;
 - Step 5:** make and document the decision and monitor outcomes.

Significance of Luddesdown Court

- 5.10. The significance of Luddesdown Court is derived from its high degrees of historic, evidential, and architectural value, claiming to be amongst the oldest residential properties in England with ties to many important historical figures and events since the Norman period. Despite rebuilding, addition, and alteration, the property includes many notable historic features including a great hall, minstrel's gallery, stonework, oak beams, and murals.
- 5.11. As a grade I listed building, which account for only 2.5% of designations, and an excellent example of type, Luddesdown Court is classified as being of *exceptional interest* and thus of **very high significance**.

Significance of Parish Church of St Peter and St Paul

- 5.12. The significance of the Parish Church of St Peter and St Paul is derived from many of the same factors as its close neighbour, Luddesdown Court, having high degrees of historic, evidential, and architectural value relating to its age and morphology, plus further communal/social value as a historic place of worship since the 13th century. Despite rebuilding, addition, and alteration, the property includes many notable historic features such as its quality historic stone and flint work.
- 5.13. As a grade II* listed building, which account for only 5.8% of designations, the Parish Church of St Peter and St Paul is classified as being of *more than special interest* and thus of **very high significance**.

Significance of the Application Site Boundary Wall

- 5.14. Whilst the flint and brick style of the wall is consistent with historic walls in the vicinity, it is clear that this is through design inspiration only and the structure is entirely modern, likely 1990s. For this reason and the positioning and groupings of other developments and boundaries in the area, the walls and gates are not considered to be curtilage listed in relation to either Luddesdown Court or the Parish Church and are of **no significance**.

Setting

- 5.15. As described above, the setting is defined by the grounds of Luddesdown Court and the churchyard, which, though historically distinct have a close interrelationship and shared experience. For this reason, both sites also have group value. Due to proximity, the application site is considered to make a positive, though small, contribution to both settings on a visual character basis and through its role as an entrance point.

6.0 PROPOSED WORKS AND ASSESSMENT

Current Context

- 6.1. It is understood that due to recent incidents at the client's property, they want to close the gates overnight. However, the pedestrian access around the gates forms part of an existing public right of way and as such KCC's public right of way team have requested the pedestrian access to the rear of the gates is widened to 2m to enable people with mobility issues to use the public right of way. To facilitate the enlargement, it is necessary to reposition the modern flint and brick wall to the east of the gates.

Proposed Works

- 6.2. The proposed works relates to the demolition of the retaining wall to the east of the gates and replacement with a new repositioned wall, constructed of reclaimed materials to match existing. The new position and form is derived from the existing curved style but will allow for the requested 2m wide path for access to Public Right of Way.
- 6.3. The wall is to be constructed with reclaimed flint and brickwork (or new to match existing, if required) plus appropriate pointing and mortar to match existing. A brick skin is proposed to the retaining side of the wall. Capping is to comprise of reclaimed clay rounded capping blocks on chamfered clay brick capping course to match existing.
- 6.4. The gates and adjoining walls are not included in the proposed rebuilding.

Assessment and Impact

- 6.5. As identified in previous sections of this report, the walls and gates are not considered to be curtilage listed and are entirely modern in construction. Consequently, demolition and rebuilding will not result in **no impact or harm** to historic or significant fabric.
- 6.6. As the materials and style are to match existing, the character and appearance of the wall and its contribution to the setting of the nearby listed buildings will be **preserved**.
- 6.7. Whilst **no harm** will be caused and therefore public benefit is not required, it is nevertheless considered that **public benefit** is provided by the improved accessibility of the public right of way.

7.0 CONCLUSION

- 7.1. Paragraph 208 of the NPPF advises Local Planning Authorities that the particular significance, including setting of any heritage asset is assessed. This document has concisely described the heritage asset affected by the proposed works and its significance.
- 7.2. As described in detail in previous sections of this report, the wall forming the application is modern and not considered to be curtilage listed. Therefore, demolition and rebuilding/repositioning will not result in harm to historic and/or significant fabric or to the setting of the nearby listed buildings. Instead, as the materials and character are to be replicated, the contribution to the setting will be preserved. Moreover, there is public benefit through the improved accessibility of the public right of way.
- 7.3. With regards to the development meeting the statutory tests provided by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the minimum aim is to preserve the setting; building; features of special architectural or historic interest of listed buildings. As described above, it is concluded that the proposal satisfies this test and preserves the special interest and setting of the listed buildings.
- 7.4. It should be remembered that Historic England defines preservation in this context as not harming the interest in heritage assets, as opposed to keeping them utterly unchanged.
- 7.5. With regards to NPPF paragraphs 212 to 215, as **no harm** will be caused to the designated heritage assets, no public benefit is required. Benefit is nevertheless provided by the improved accessibility of the public path.
- 7.6. In regard to local policies CS20 and TC2, as discussed above, the proposal preserves the setting of the listed buildings as a result of the high regard given to the character of the wall and significance of the heritage assets during the design process.
- 7.7. In conclusion, the proposed development meets the requirements of the Planning (Listed Buildings and Conservation Area) Act 1990, the NPPF, and local planning policies. It is therefore, requested that the proposed development be approved.

8.0 SOURCES

Ministry of Housing, Communities & Local Government (2024), *National Planning Policy Framework*.

Planning (Listed Buildings and Conservation Area) Act 1990

Ordnance Survey Maps (various dates)

Ministry of Housing, Communities & Local Government (2018) <http://planning.guidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/> / National Planning Policy Framework (NPPF 2019 revision) / National Planning Policy Guidance (PPG 2019) / National Design Guide (2019)

Historic England (2017) *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (Second Edition)*

Historic England (2008) *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*

Historic England Advice Note 10 on Listed Buildings and Curtilage (2018)

Old Maps Online

Gravesham Local Plan Core Strategy (2014)

Gravesham Local Plan First Review (1994) - Saved Policies (2014)

HS1

Listing Descriptions

Heritage Category	Listed Building
Listed Building Name	Luddesdown Court
Address	Luddesdown Court, Luddesdown Road
List Entry Number	1096343
Grade	I
Date First Listed	27 August 1952
Date Amended	N/A
District	Gravesham (District Authority)
Parish	Luddesdown
National Grid Reference	TQ 66913 66164

Listing Description

TQ 66 NE 5/59

LUDDESDOWN LUDDESDOWN ROAD Luddesdown Court

27.8.52 I Probably early C13. Flint and stone dressings. C17 brick extension to east. Tiled roof (modern). L-shaped. Two storeys.

Hall and service wing. The hall is on the first floor supported on massive oak joists on a medial beam standing on two oak posts. Five windows to south and five to west. No original fenestration except narrow loops to west and fragment of two-light window with central column in south-west corner. Hall originally entered by door in north external wall. Now by late C13 door in east wall. Service wing ends in recently restored garderobe, later a dove cot. A chamber is formed at the east end of the hall by a wooden partition. It has a C14 hooded fireplace with stone bressummer. There are wall paintings and graffiti in the chamber. There are C19 additions in the north-east angle of the house.

Heritage Category	Listed Building
Listed Building Name	PARISH CHURCH OF ST PETER AND ST PAUL
Address	PARISH CHURCH OF ST PETER AND ST PAUL, LUDDESDOWN ROAD
List Entry Number	1096342
Grade	II*
Date First Listed	21 November 1966
Date Amended	N/A
District	Gravesham (District Authority)
Parish	Luddesdown
National Grid Reference	TQ 66955 66177

Listing Description

TQ 66 NE LUDDESDOWN LUDDESDOWN ROAD 5/58 21.11.66 Parish Church of St Peter and St Paul

II*

C13 but all rebuilt or re-cased in 1866 by R P Pope except west tower. Flint and stone. Tufa for quoins of tower. Cotswold stone for C19 work. Comprises chancel nave, south aisle, tower, porches and vestry. Interior has 2 bay arcade C13, south aisle and chancel arch rebuilt. Furnishing all C19 with wall paintings all over by Heaton.



understanding
informs change