

# Linton Conservation Area Management Plan



## Maidstone Borough Council

Adopted 22 March 2010

### **UPDATE 2019 - PLEASE NOTE:**

- The Linton Conservation Area boundary was extended on 21 May 2019.
- The Conservation Area Appraisal, Management Plan and appendices maps have not been yet been updated to reflect the new boundary.
- Please see [Maidstone Conservation Areas webpage](#) for up to date boundary map.
- Also see 'Boundary Alterations report' dated October 2016 for further information.

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# **Linton Conservation Area Management Plan**

## **I Introduction**

Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities, from time to time, to formulate and publish policies and proposals for the preservation and enhancement of conservation areas. Section 69 of the 1990 Act also imposes the duty on the local authority to determine from time to time whether any further parts of the borough should be included within a conservation area.

Recent guidance from English Heritage (Guidance on the Management of Conservation areas) published in February 2006 suggests that proposals for the preservation and enhancement of conservation areas should take the form of a mid- to long-term strategy setting objectives for addressing issues and recommendations for action arising from a previously published conservation area appraisal and identifying any further or more detailed work needed for their implementation. Such a strategy is generally given the title of a conservation area management plan.

It is important to note that a conservation area management plan cannot, of itself, introduce entirely new planning policies. Instead it will need to refer back to the original legislation; to government guidance (mainly Planning Policy Guidance Note 15 for listed buildings and, to a lesser extent, Planning Policy Guidance Note 16 relating to archaeology); to approved structure plan and local plan policies; and to the emerging Local Development Framework. It can interpret established legislative provisions and planning policies and explain how they will be applied within the conservation area to ensure its preservation and/or enhancement. If any particular issues are identified which do require new policies to be drawn up, the management plan can indicate these and set a programme for their development as part of the Local Development Framework process.

The Management Plan for Linton Conservation Area sets out the means proposed for addressing the issues identified in Section IV of the Linton Conservation Area Appraisal, adopted by the Council on 26<sup>th</sup> March 2008, and outlines the proposals for boundary changes as also suggested by the Appraisal.

## **II The Conservation Area Appraisal**

The Linton Conservation Area Appraisal sought to establish the key elements which combine to produce the special architectural and historic interest of the Conservation area, to explain how it has developed into its present form, and to identify pressures and developments which threaten its special character or sites and features which detract from its appearance.

The Appraisal's analysis of character provides a basis from which to make consistent and informed development control decisions and to frame design guidance; it also indicates areas of concern which require attention outside of the development control process. It forms the springboard for the proposals of this Management Plan.

The Appraisal finds a number of positive elements which contribute to the special character of the Conservation Area. These may be summarised as follows:-

- The hill top location with extensive views to open countryside in the Weald approaching the main village centre from the north.
- The setting of the whole area defined by Linton historic park to the east and open countryside to the west.
- The built form of the village is influenced by its relationship with Linton Park. The historic centre of the village is marked by buildings that aggregate together with the parish church close to the hill top, the church almost being sited within Linton Park. The linear pattern of development down the hill towards the Low Weald Special Landscape Area occurs only on one side of the main A229 trunk road and has a marked "estate village" character with many similarly-designed semi-detached pairs of cottages; the eastern side of the road is open parkland to Linton Park with important boundary planting of trees.
- The survival of a high proportion of historic buildings (both listed and unlisted).
- Little modern redevelopment – that which does exist is of appropriate scale and materials.
- A consistent scale of buildings.
- The dominant use of a limited palette of largely local building materials.
- The importance of trees both within the Conservation Area and as a backdrop to it on both sides of the road.
- The importance of the open landscape setting, particularly to the west and east of the Conservation Area.
- A predominance of steeply-pitched roofs.
- A largely residential character, but with social facilities such as the village hall, the Bull pub and the parish church adding to its vitality.

Conversely, the Appraisal identifies a number of features which detract from the special character of the Conservation Area. These can be summarised as follows:

- The heavily trafficked A229 road bisecting the village on a north-south alignment with noise and light pollution as a result of this dominating environmental influence.
- The cumulative impact of "minor" alterations such as replacement windows and doors (often in uPVC) or re-roofing in inappropriate materials to unlisted dwelling houses where such alterations currently enjoy permitted development.
- Telegraph poles and overhead wiring in the upper village near the church.
- The visual intrusion of traffic signage.
- The weak character of the approach and entrance to the Conservation Area from both the upper hill top north end and the lower south end.

The Appraisal also suggests that it may be appropriate to consider the extension of the Conservation Area to include Linton Park, its grounds and outbuilding. Consideration is also given to a wider setting of the church yard to include the village and church car park, and an extension northwards beyond the existing north boundary up to Hill Farm and beyond to the junction of the A229 and the east-west Heath Road. This is studied in more detail in Section 4 of this Management Plan together with other proposals for rationalising the boundary.

### **III Policy Background**

#### Planning Policy Guidance Note 15

National Policy and advice regarding conservation area matters is given in Planning Policy Guidance Note 15 – Planning and the Historic Environment (PPG15). Paragraph 4.2 of PPG15 points out that the quality and interest of areas rather than individual buildings is the prime consideration in identifying conservation areas and that conservation policy should address the quality of the townscape in its broadest sense as well as the protection of individual buildings. It suggests that a wide range of factors can contribute to the special character of conservation areas – for example, the historic layout of property boundaries and roads/streets/paths; the mix of uses; characteristic materials; appropriate scaling and detailing of new buildings; the quality of advertisements, shopfronts and street furniture; the nature of hard and soft surfaces; vistas along streets and between buildings; and the impact of traffic.

Paragraph 4.3 of PPG15 goes on to identify the importance of keeping the boundaries of existing conservation areas under periodic review to ascertain whether any changes are required.

Paragraph 4.5 of PPG15 suggests that designation of a conservation area in itself is unlikely to be effective without the formulation of specific policy guidance, and paragraph 4.9 reminds local planning authorities of the duty imposed on them by Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to formulate and publish proposals for the preservation and enhancement of conservation areas and for these to be submitted to a “public meeting” in the area. Paragraph 4.16 points out that such proposals cannot realistically seek to prevent all new development and should instead concentrate on the controlled and positive management of change; indeed, it is suggested that there may be instances where redevelopment will be a means of enhancing character.

#### The South East Plan

The approved Strategic Plan is the South East Plan Structure Plan, published in May 2009. Policies within it which are relevant to all conservation areas in the region are:-

- Policy BE1 – This policy applies generally, not just within conservation areas. It requires local authorities to promote and support design solutions for new developments which are relevant to their context and respect local character and distinctiveness; it also encourages the sensitive re-use of redundant or under-used historic buildings.
- Policy BE6 – This policy requires local authorities to adopt policies which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local distinctiveness.

## The Maidstone Local Development Framework

Maidstone Borough Council has begun the preparation of its Local Development Framework which will form the successor to the Maidstone Borough Wide Local Plan 2000. A supplementary planning document to cover conservation areas has not yet been produced, and whilst this Management Plan indicates how national and local policies will be applied in the on-going management of the conservation area, it is not in itself a planning policy document and does not form part of the Local Development Framework. Only some of the policies in the Maidstone Borough Wide Local Plan 2000 continue to form part of the Development Plan since 28<sup>th</sup> September 2007 – these are known as “Saved Policies”. No policies specific to conservation areas are included within these Saved Policies, but Policy ENV33 relating to special landscape value is – this policy essentially reflects Policy EN4 of the Kent and Medway Structure Plan but also states that any new buildings should reflect the traditional character of buildings in the area insofar as their design, siting and materials is concerned.

### **IV Proposed Boundary Changes**

The Conservation Area Appraisal suggests that one significant extension to the designated area to be considered is to include Linton Park including all the grounds and outbuildings around the main Grade I listed house. The park itself is included in the national Register of Historic Parks and Gardens – the boundaries of the designated area are shown on Map5

The justifications for this suggested extension are:-

- The historical quality and interest of the whole park which is readily visible approaching Linton from the south with the house set in its midst dominating the area from its prominent hillside location. The white external finish to the house set amongst a matured and well treed landscape makes a striking scene.
- The influence of Linton Park on the formation of the village.
- The physical and functional links with the core of the village via direct connection by footpaths from the manicured grounds around the house to the church and its setting including the church yard and the farm meadows associated with this area.
- The contribution which views of the landscaped open grounds make to the character of the village and the importance of trees along the eastern boundary which line the A229.
- An improvement to the controls provided by conservation area designation over the matured landscaped screening on either side of the A229 as it enters the area from the north before descending down into the hill top position. This existing screening on both sides sets the visual character of the whole area and should be protected.

The suggested boundary extension does not coincide exactly with the boundary of the registered historic park. It includes areas outside it which formerly fell within the park and have buildings associated with it; it also excludes some modern farm buildings which fall within the registered area. It also includes Loddington House and the

adjacent former farm buildings, which were all previously associated with Linton Park and form an attractive Victorian group.

A case might also be made for a small westward extension along Wheelers Lane to include some additional estate cottages and The White House, a detached house in spacious grounds designed by G.M. Adie, the architect of the listed "Charters" at Sunningdale and Stockwell Bus Garage.

A detailed description of all buildings and sites within this suggested extension follows. These descriptions are based on examination from the existing particulars and aerial photographs and by historic map analysis. Buildings have not been examined internally or from non-public viewpoints.

In addition to a physical description, buildings and structures have been assessed according to their potential value to the character of the Conservation Area. They have been graded as follows:-

- Essential - buildings/sites which, because of their high historic or architectural interest or townscape function must be retained.
- Positive - buildings/sites which would make a positive contribution to the character and interest of the Conservation Area and whose retention should be encouraged wherever possible. Some buildings in this grade may have suffered from unsympathetic alteration but could be restored to their original appearance relatively easily.
- Neutral - buildings/sites which do not harm the character of the area but whose retention is not necessary.
- Negative - buildings/sites which harm the area's character and where redevelopment would be advantageous.

<b>Address</b>	<b>Listed/Unlisted</b>	<b>Description/Comments</b>	<b>Value to Character</b>
Linton Park	Listed Grade I	Built in the 1730s with additions and alterations in 1825 replacing an earlier house called Capell's Court. This important and prominent Grecian style country house with a stucco finish is set in the midst of an extensive and finely wooded park. Around this architecturally dominant building are a number of lesser buildings scattered around the park which are described below.	Essential
Linton former Stables and Paved Yard	Listed Grade II	Stables now garages built circa 1825. Painted brick with slate roof, buff brick to rear. The main range with 3 taller pavilions is 2 storeys on a painted brick plinth. Clock and	Essential

		bell tower with elaborate fenestration. Associated with the stables is a paved yard with stone setts.	
Folly	Listed Grade II	Mid to late 18 <sup>th</sup> Century. brick built with rendered finish and channelled stucco under a slate roof in a gothic style and single storey	Essential
Sundial	Listed Grade II	This sundial is early to mid 18 <sup>th</sup> Century in stone with metal dial set on a vase pedestal with ionic capital.	Essential
Flight of Steps	Listed Grade II	An imperial flight of steps in stone leading to the south from a lower terrace to the house comprising 30 steps 4 metres broad separated by landings including stone retaining walls and balustrading and stone urns associated with the landings of the lower most southern flight.	Essential
Ice House	Listed Grade II	A spheroidal late 18 <sup>th</sup> - Century underground brick lined chamber with a vaulted brick entrance tunnel.	Essential
Azalea Cottage, Magnolia Cottage and Wisteria Cottage, Linton Park	Unlisted	3 detached houses dating from the mid 20 <sup>th</sup> Century. Red/brown brick with pantile roofs. Neo-Georgian design	Neutral
Walled garden to rear of The Stables, Linton Park	Unlisted	Tall curved brick walls, probably early 19 <sup>th</sup> Century date enclose a former kitchen garden. Northernmost wall retains lean-to greenhouse, potting sheds, etc.	Positive
Cuckoo Fields, Linton Park	Unlisted	Large brick and tile-hung house with tiled roof in vernacular neo-Georgian style. Mid 20 <sup>th</sup> Century.	Neutral
Home Farm, Linton Park	Unlisted	Victorian model farm yard. Single storey brick buildings with tiled roofs form 3 sides of a courtyard, southern side enclosed by brick wall. Larger-scaled buildings on north side have exposed half timbering to gable ends, triangular dormers and tiled roof vent structure.	Positive
Keepers Cottage, Linton Park	Unlisted	Later 19 <sup>th</sup> Century. Detached ragstone house of one storey with rooms in roof. Clay tiled	Positive

		roof. Gables with decorative bargeboards. Modern extensions to rear in reconstituted stone.	
The White Lodge, Loddington Lane	Unlisted	Former laundry to Linton Park. Early 19 <sup>th</sup> Century. 2 storeys, white painted stucco with slate roof. Pedimented gables to each end and in centre of south and north fronts. Major alterations and extensions in 1972.	Positive
The Paddocks, Loddington Lane	Unlisted	Semi-detached pair of estate cottages, late 19 <sup>th</sup> Century. Ragstone with plain clay tiled roof. Gables with decorated bargeboards. Central clustered chimney stacks. Casement windows.	Positive
East Lodge, Loddington Lane	Unlisted	Probably early 19 <sup>th</sup> Century. 2 storeys white-painted brick with gabled slate roof. Modern "sash".	Positive
Loddington Lane Cottages, Loddington Lane	Unlisted	Stuccoed with pyramidal slate roof. Central chimney stack. Probably early 19 <sup>th</sup> Century. Modern uPVC fenestration.	Positive
Rose Cottage, Loddington Lane	Unlisted	Probably late 19 <sup>th</sup> Century. Ragstone with tiled roof. Single storey with rooms in roof. Two gabled dormers rising from eaves.	Positive
Loddington House, Loddington Lane	Unlisted	A large mid Victorian house of ragstone construction	Positive
Loddington Cottage, The Stables and Loddington Oast, Loddington Lane	Unlisted	An attractive vernacular group of 19 <sup>th</sup> Century date including converted agricultural buildings	Positive
1 & 2 Wykeham Cottages, Heath Road	Unlisted	Probably late 19 <sup>th</sup> Century. Brick with clay tile roof. Casement windows.	Positive
3-6 Wykeham Cottages, Heath Road	Unlisted	Probably early 20 <sup>th</sup> Century. Brick terrace with tile-hung gable ends and clay tile roof. End wings project. Altered casement windows. Simple Arts and Crafts influenced design.	Positive
Stone House, Heath Road	Unlisted	Probably early/mid 19 <sup>th</sup> Century. Ragstone with hipped clay tile roof. Sash windows.	Positive

North Lodge, Heath Road	Listed Grade II	Early 19 <sup>th</sup> Century cruciform single storey former lodge to Linton Park. Stucco with slate roof. Round-headed windows.	Essential
Willow Court, Wheelers Lane	Unlisted	Late 20 <sup>th</sup> Century. Bungalow of red brick with tiled roof.	Neutral
Fieldfares, Wheelers Lane	Unlisted	Late 20 <sup>th</sup> Century bungalow, stone cladding and brick with tiled roof.	Neutral
The White House, Wheelers Lane	Unlisted	1939/40, architect G.M. Adie. White painted brick, pantile roof – a good example of its period.	Positive
Weald House, Wheelers Lane	Unlisted	Late 20 <sup>th</sup> Century. Brown brick with some applied timbering. Tiled roof.	Neutral
1-4 Redwall Cottages, Wheelers Lane	Unlisted	2 pairs of estate cottages, late 19 <sup>th</sup> Century. Rendered with clay-tiled roofs, paired gables facing street. Casement windows. Nos 3 and 4 have Gothic doorways.	Positive
The Old Forge House, Wheelers Lane	Unlisted	Late 20 <sup>th</sup> Century house, red brick and tile hanging with tiled roof.	Neutral
The Old Granary, Wheelers Lane	Unlisted	Brick with weatherboarding to first floor. Clay tiled hipped roof. Probably early 19 <sup>th</sup> Century, converted to house in 20 <sup>th</sup> Century	Positive

Other more minor adjustments to the boundary of the Conservation Area are also suggested, such as the car park area north of the church and the cottages north of The Bull public house. At the moment the boundary separates Forge House and Forge Cottage just north of The Bull from The Old Forge; although not a listed building The Old Forge is integral to the built form of development approaching the village centre down the hill and forms a visual link to a historic village service. This boundary extension as Map 1A illustrates needs to include the wooded area south of Hill Farm which in itself provides an important dense green screen on the west side of Linton Hill setting the landscape ambience of the area so important to its character. This dense framing of the road is in complete contrast to the incredibly breathtaking views of the Low Weald Down away to the south as the upper village area is entered.

Further minor boundary changes are considered appropriate along the western side of the Conservation Area so that the boundary line better coincides with physical features and plot boundaries on the ground. The most significant of these is the inclusion of the whole of Vicarage Field, only part of which falls within the current Conservation Area. As regards the wider landscape setting of the Conservation Area to the west it is considered that existing planning controls are adequate to protect these open areas and that they do not have the necessary special architectural or historic value to merit inclusion.

These proposals for boundary changes will be the subject of further consultations with affected residents, landowners and other interested bodies as part of the designation process and will be subject to Member approval. The boundary changes are considered to be of high priority.

## **V Principles for Development Control**

Sensitive and responsive management of development pressure is required in order that new developments do not spoil the character and appearance of the Conservation Area. To this end, the Council will adopt the following principles when dealing with planning applications within the Conservation Area or on sites affecting its setting:-

1. The Council will apply the principles, guidance and regulations set out by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the more detailed guidance of PPG15 and any subsequent revisions, additions or replacement government guidance.
2. The Council will apply the relevant policies of the Kent and Medway Structure Plan and any relevant saved policies from the Maidstone Borough-Wide Local Plan 2000 until such time as these policies are replaced by policies in the emerging Local Development Framework.
3. The Council will require all planning application and applications for listed building consent to be supported by a Design and Access Statement. This should be a brief but thorough document setting out the reasons for the development, explaining how the design has been evolved and showing how it will preserve or enhance the character of the Conservation Area; it should also cover any access issues which exist. In some cases a separate Heritage Statement will also be required.
4. Applications must be accompanied by clear and accurate drawings showing the proposed development in detail and illustrating how it fits in to its context. Drawings should clearly indicate materials to be used in producing the external finish and architectural details of proposed buildings. Site plans should accurately depict the positions of trees on or adjacent to the site and show clearly those which will need to be removed and those which are to be retained. The application should include a survey by a professional arboriculturist to comply with current British Standard BS5837, 'Trees in Relation to construction – Recommendations'. It should also include details of any proposed works to, and methods for protecting, any retained tree. Photographs and other illustrative media are encouraged. Any applications which fail to provide adequate detail will not be registered.
5. Outline planning applications will not be accepted for proposals within the Conservation Area or on sites affecting its setting.
6. The Council will make use of technically experienced and qualified officers in guiding the assessment and determination of all applications within the Conservation Area or affecting it setting.
7. The overriding consideration in dealing with any proposal for development will be whether or not it would either preserve or enhance the special character of the Conservation Area. Any proposal which fails to do so will be refused. The Council will not insist on any particular architectural style for new building works, but the quality of the design and its execution will be paramount. The Council encourages the use of high quality contemporary design, subject to proposals being appropriate to their context in terms of scale and use of materials; however, there may be instances where a traditional approach is appropriate – in such case, designs should be high in quality and well researched, resulting in a

- scheme which accurately reflects the design, scale, massing, detail and materials of local tradition.
8. In dealing with applications for the redevelopment of existing buildings, the Council will have regard to the detailed building assessments as set out in the Conservation Area Appraisal and in this Management Plan. Except in the most exceptional circumstances, Conservation Area Consent will not be granted for the demolition of buildings identified as being "essential" to the character of the Conservation Area, and is unlikely to be granted for those rated as "positive"; buildings cited as "neutral" may be considered appropriate for redevelopment, subject to the quality of any replacement scheme constituting an improvement over current circumstances; the redevelopment of sites and buildings judged to be "negative" will usually be encouraged so long as any scheme is appropriate to its context. Conservation Area Consent will not normally be granted to demolish buildings in the absence of an approved scheme of redevelopment.
9. The Maidstone Borough – Wide Local Plan 2000 does not include any of the Conservation Area within an area identified as appropriate for residential development. It is therefore considered that the scope for new developments within the Conservation Area is very limited, but in dealing with any proposals the Council will have regard to the following considerations in addition to those set out in point 8 above:
- a) Development should respect the essentially linear form of the existing village.
  - b) New developments should utilise building materials appropriate to the Conservation Area, which are:-
    - i. Red or yellow stock bricks
    - ii. Painted brick
    - iii. Ragstone
    - iv. Render
    - v. Clay plain tiles for roofs or tile-hanging
    - vi. Painted timber windows

In the case of red stock bricks and tiles it will be important for them to be made of Wealden Clays or Clays of similar geological formation. Similarly, yellow stock bricks should be made from Thames Valley clays or clays of similar geological formation, or of Gault clay.
  - c) Buildings should respect the predominant scale of village buildings, which is modest. Buildings should not exceed 2 storeys in height (although attic accommodation may be acceptable). Bungalows will not be considered to be appropriate to the character of the Conservation Area.
  - d) Developments should preserve trees which are healthy and make a significant contribution to the character of the Conservation Area, whether or not they are protected by a Tree Preservation Order.
10. The Council will seek to protect the attractive open setting of the Conservation Area, particularly to its southern and western sides, and will protect the registered historic park of Linton Park from development detrimental to its appearance and interest.
11. In dealing with proposals for extensions and other alterations to existing buildings, the Council will have regard to the following considerations:-
- a) Extensions should normally be of matching materials, design and detailing to the host building, and should be subservient in scale.

- b) Dormer windows may be acceptable, depending on their position, number, scale and design. No more than one or two dormers per elevation will normally be considered appropriate and as a general rule a dormer should not occupy more than about one third of the overall eave of the roof. Depending on circumstances, dormers should either be covered by a pitched clay tiled roof or, in the case of smaller or shallower roofs, a flat lead roof above a traditionally-detailed cornice. They should not appear crowded together or be located too close to hip or gable lines. Large "box" dormers will not be considered appropriate; neither will dormers which extend above the existing ridge height.
- c) Rooflights may be considered acceptable and will be subject to the same provisos as dormers in relation to numbers, position and scale. "Conservation Rooflights" which sit close to the roof slope should be used.
- d) Porches can have a disruptive effect on the appearance of regularly designed terraces and semi-detached buildings, and on all buildings if too large or poorly designed. The Council will consider all proposals for porches carefully and where necessary will resist them. Where appropriate in principle, porches should be of modest size and be of appropriate design for the building to which they are to be attached.
- e) Garden outbuildings and garage should be small-scale and discretely sited. They should be built of materials appropriate to the Conservation Area as set out above. The siting of garages in positions in advance of the front walls of houses will not be appropriate in most cases. Garage doors should ideally be of traditional timber framed, ledged and braced design, but up-and-over doors of vertically-grooved design may be acceptable in certain locations; double garages should preferably be accessed by two single doors. Elaborate door designs of spurious historical detail (e.g. neo Tudor) should be avoided.
- f) Satellite dishes will only be considered acceptable when they cannot be readily seen from the streets or other public spaces.
- g) Boundary enclosures can have a significant effect on the character of the Conservation Area. The most appropriate forms are considered to be hedges, walls of brick or ragstone, or picket fences. Close-boarded fences have an unfortunate suburban character and will not normally be considered appropriate except in rear gardens where they are not readily visible from the streets or other public spaces.

## **VI Enhancement Proposals**

### Article 4 Directions

The Conservation Area Appraisal revealed that significant damage to the character of the Conservation Area had been occasioned by alterations to unlisted single dwelling houses carried out under permitted development rights granted by the Town and Country Planning (General Permitted Development) Order (GPDO). Such alterations include re-roofing in inappropriate materials and replacement windows and doors of inappropriate design or materials (they are often in uPVC). Whilst individually such alterations may be minor, their cumulative impact is substantial. This is particularly

the case with the estate cottages at the lower end of the village, which share common details of fenestration and other design features.

Articles 4(1) and 4(2) of the GPDO enable local planning authorities to make directions to withdraw such permitted development rights. Directions under Article 4(1) can be applied to any land and any type of building and can remove any permitted development right specified in the Direction; a Direction under Article 4(1) needs to be approved by the Secretary of State. Article 4(2) Directions can only be made within Conservation Areas, and can only apply to single dwellings houses and ancillary buildings. The individual permitted development rights which can be removed are limited to specific classes of development and only parts of buildings which front onto highways, waterways or open spaces can be covered by an Article 4(2) Direction – however, there is no need to obtain the approval of the Secretary of State.

Government guidance on the use of Article 4 Directions is given in Department of the Environment Circular 9/95, which states that permitted development rights should only be withdrawn where firm evidence exists that damage to the character and appearance of a conservation area is likely to take place or is already taking place because of the exercise of such rights. Such evidence has been obtained in the production of the Conservation Area Appraisal.

Within Linton Conservation Area there are a large number of listed buildings which are protected from unsuitable alteration by listed building legislation. In addition, non-residential buildings enjoy little in the way of permitted development rights. Nevertheless, there are a large number of unlisted single dwelling houses which have either already been unsympathetically altered or which are vulnerable to further such alteration. The Council will, therefore, as a matter of priority, consider the making of an Article 4 Direction to cover appropriate parts of the Conservation Area.

### Enforcement Strategy

Unauthorised development may seriously harm the character of the Conservation Area as well as causing other problems. The Council is therefore fully committed to using its powers under Section 172 of the Town and Country Planning Act 1990 to serve enforcement notices, where expedient, to allay breaches of planning control. Parallel powers to serve listed building enforcement notices regarding unauthorised works to listed buildings also exist by virtue of Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and these too will be used to their full. In suitable cases the Council may also exercise the legal provision to seek a prosecution for unauthorised works to a listed building or the unauthorised demolition of an unlisted building.

### Buildings in Disrepair

This is currently not a significant issue in Linton Conservation Area. However, there are numerous powers which the Council can and will use should any building fall into a state of disrepair serious enough for it to significantly adversely affect the character of the Conservation Area or to endanger the future of a listed building. These powers are:

- i. Urgent Works Notices (Section 54 and 76 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Such notices can be served in respect of any vacant building or, with the prior approval of the Secretary of State, a vacant unlisted building whose preservation is

considered important to the maintenance of the character and appearance of the Conservation Area. Works specified can only be the minimum necessary to make the building wind and weathertight and are thus essentially temporary in nature. The owner must be given at least seven day's notice, after which the Council may carry out the specified works and reclaim the costs from the owner.

- ii. Listed Building Repairs Notices (Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990). These can only be served in respect of listed buildings. Full and permanent repairs can be specified. If an owner fails to commence work on the specified works within 2 months of the service of a Repairs Notice, the Council may start compulsory purchase proceedings in relation to the building; no other recourse is made available by the legislation.
- ii. "Untidy Site" Notices (Section 215 of the Town and Country Planning Act 1990). Such a notice can be served in respect of any land (including a building) which the Council considers to adversely affect the amenity of the surroundings. The necessary steps to remedy the condition of the land and building need to be set out in the Notice and at least 28 days given for compliance. Failure to comply is deemed an offence and is punishable by a fine.

### Trees

Trees are identified as important contributors to the character of the Conservation Area. All trees in a Conservation Area with a stem diameter generally above 75mm at 1.5 metres above ground level are protected under Section 211 of the Town and Country Planning Act 1990 and six weeks' formal prior notice to the Council is required for any proposal to cut down or carry out other work to such trees (a Section 211 Notice). Some trees are already protected by Tree Preservation Orders and the Council will endeavour to ensure that these are kept so long as they are healthy and pose no threat to life or property. The Council will consider the making of further Tree Preservation Orders where appropriate and expedient. If a tree is considered to be dead, dying or dangerous, the person proposing to remedy the problem is advised to give the Council 5 day's prior notice to establish whether a notice or consent under tree Preservation Order legislation is required.

New developments will be expected to retain existing trees of merit and, where appropriate, suitable new tree planting may be required as a condition of the grant of planning permission. A full planning permission which details works to protected trees overrides the requirement to give notice or obtain consent separately for such work.

However, anyone who otherwise carries out work to a tree in a Conservation Area without giving the necessary notice or obtaining the necessary consent where the tree is subject to a tree preservation order, is likely to be guilty of an offence punishable by a fine. There may also be a duty to plant a replacement tree of appropriate size and species at the same place as soon as can reasonably be done. This duty may also apply if the tree has been removed because it was dead, dying or dangerous.

### Wirescape

The intrusive nature of overhead wiring and associated poles is apparent in the upper part of the Conservation Area. The Council will therefore negotiate with the relevant statutory undertakers to seek improvements to or the removal of such wiring, subject to the identification of a suitable budget to carry out such works.

## Traffic Management

The intrusive impact of heavy traffic along Linton Hill is identified in the Conservation Area Appraisal. Given that the road forms part of the A229 it is unrealistic to seek the exclusion of through traffic. However, steps could be taken to try and reduce the speed of traffic through the village and the Council will liaise with the Highway Authority to identify suitable ways of achieving this which are appropriate in both highway safety terms and their visual impact on the character of the Conservation Area. These might include stronger visual "signing" of the entrances to the village to reinforce the perception of "gateways" which would define the importance of the "place" being entered into, and which would indicate a change in highway priorities and driving attitudes.

The southern part of the Conservation Area is subject to a 40 mph speed limit, with the 30-mph restriction not occurring until half way up the hill. There is a temptation to maintain speeds in preparation for the ascent ahead, particularly for heavy vehicles, and consideration of extending the 30 mph limit to the Redwall Lane junction might be appropriate.

Increasingly one of the critical management tasks that local authorities are becoming involved with in the management of conservation areas is the visual and functional improvement of streets. English Heritage has published regional "Streets for All" guides in conjunction with the Department for Transport which give advice on the design of streets. More recently English Heritage has published a set of case studies covering a wide range of improvements that have been achieved in a variety of areas, such as guardrails and crossings, signage, clutter reduction and so forth.

The Council will therefore liaise with the Highway Authority to seek to implement the advice given in "Streets for All". The plan should be to take English Heritage's advice, i.e. on a "less is more" approach to reduce the practice of over using poles and columns, which can devalue a street scene. Some of the infrastructure can be attached to walls and buildings where appropriate to minimise street clutter. Other aspects worthy of further study are:-

- Parking Restrictions without Yellow Lines – The removal of yellow lines combined with zonal signage is a goal for conservation areas but if essential they should be marked only 50mm wide and cream in colour.
- Historic Surfaces – Over the years the historic surfaces to the street and pavements have changed; particularly at the "gateway" positions changes to road surfaces could be investigated.
- Non Standard Signs – Under the Traffic Signs Regulations and General Directions 2002 smaller signs with smaller lettering can be allowed in suitable circumstances lessen what is often regarded as unnecessary visual dominance.
- Reducing Sign Clutter – Excessive use of direction signs, street furniture and parking signs combine to create a confused foreground. The plan is to offer a rationalisation of signage to lessen its visual intervention into the area.
- Use of White Lines – Overuse of white lines is often visually detrimental and can affect the areas character. A plan of white line management could also be considered.

## **VII Review and Practice Procedures**

The Conservation Area Appraisal and Management Plan will be reviewed after a period of five years and any appropriate amendments will be made.

A comprehensive photographic survey of the Conservation Area will be carried out every four years at least, in order to monitor changes and identify unauthorised works.

## **VIII Action Plan Summary**

Measures to remedy breaches of planning or listed building control and the disrepair of buildings will be pursued in an ongoing fashion whenever appropriate. A summary of action to be taken on specific issues follows:-

<b>Issue</b>	<b>Action</b>	<b>Responsibility</b>	<b>Priority</b>
Suggested boundary extensions and amendments	Research and propose appropriate changes to the boundary for approval of Cabinet Member for Regeneration. Conduct public consultation.	Heritage, Landscape and Design Team (HLD) Cabinet Member for Regeneration	High
Introduction of Article 4 Direction	Submit report for approval of Cabinet Member for Regeneration. Conduct public consultation.	HLD Cabinet Member for Regeneration	High
Intrusive wirescape	Liaise with public utilities to encourage more sensitive approaches.	HLD Utilities	Low
Traffic management	Liaise with Kent County Council Highways to determine approach.	HLD Kent County Council Highways	Medium

### Key:

DC = Development Control

HLD = Heritage, Landscape & Design Team