

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**16 November 2011**

**Report of the Director of Planning Transport and Leisure**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Council Decision**

**1 CHARACTER AREA APPRAISALS SPD (MEDWAY GAP AND WEST MALLING) – RESPONSE TO CONSULTATION**

**Summary**

**Character Area Appraisals are being undertaken for the whole Borough pursuant to a policy in the Managing Development and the Environment Development Plan Document (DPD). This report considers the response to consultation in respect of the third and final tranche of documents dealing with the Medway Gap and West Malling and recommends their adoption.**

**1.1 Introduction**

- 1.1.1 Policy SQ1 in the Managing Development and the Environment DPD (MDE DPD) seeks to protect, conserve and enhance the environment and character of the Borough. This policy is supported by a Supplementary Planning Document (SPD) which contains in a series of separate volumes, Character Area Appraisals for all of the main built-up parts of the Borough.
- 1.1.2 The principle purpose of the Character area Appraisal is to provide a comprehensive and consistent approach to assessing the character of localities that will prove a valuable tool in the development control process and in considering other proposed changes or interventions. As such, it is very much in line with the Coalition Government's localism agenda.
- 1.1.3 It must be emphasised that the Character Area Appraisals only appraise the character of an area, drawing out those main elements that distinguish one locality from another and identifying important positive features to be conserved and negative features that are worthy of enhancement when the opportunity arises. The Appraisals do **not** identify development opportunities, allocate land or make development proposals. However, they do provide the context for considering any such proposals.
- 1.1.4 Because of the overall scale of the task the Appraisals have been progressed in a series of tranches. The **First Tranche** of documents dealt with Tonbridge,

Hildenborough and Hadlow. These were adopted on 17 February following public consultation in the autumn of last year.

- 1.1.5 The **Second Tranche** dealt with East Peckham, Borough Green, Snodland and Walderslade. These were adopted by Council on 14 July following public consultation in the spring of this year
- 1.1.6 This **Third** (and final) **Tranche** deals with the Medway Gap and the parts of West Malling outside of the Conservation Area.

## **1.2 Consultation Process**

- 1.2.1 Public consultation on the third tranche documents took place between 2 September and 14 October 2011. Advanced notice of the consultation was given in the summer edition of Here and Now and by articles in local parish magazines. A statutory notice under Regulation 17 appeared in the local press and a Press Notice was also issued. Consultation letters were sent to all households in each of the Appraisal areas. In addition, consultation letters were sent to statutory consultees who had previously registered an interest in the project and to other potentially interested parties. There was also a special interactive page on the Council's Website. Manned exhibitions were mounted in each area. The exhibitions were promoted by posters on public notice boards and in local shops as well as by the advanced publicity referred to above.
- 1.2.2 A stakeholder event for invited local representatives from the Medway Gap area was held on Wednesday 6 September. The stakeholder event for the West Malling Appraisal took place on 23 May prior to Members' consideration of the consultation draft.
- 1.2.3 In the case of the Medway Gap consultation on separate Conservation Area Appraisals for Larkfield Church, Cobdown Farm and Holtwood Conservation Areas was undertaken as an integral part of the consultation on the Character Area Appraisal (see separate report on this agenda).

## **1.3 Response to consultation**

- 1.3.1 Attendance at the exhibitions was reasonable and about the same as for the second tranche consultation – West Malling (38), Medway Gap (49). The overall level of response to consultation has been relatively low and it must be presumed that the majority of people who have taken an interest are generally satisfied with the content of the documents. As previously, there have been some constructive and helpful responses which have generally been supportive of what the Council is doing and complimentary about the content and presentation of the documents.
- 1.3.2 In the letters and at the exhibitions we explained that the main purpose of the consultation was to find out:

- whether the Character Areas and Character Area Types were correctly defined and described;
- whether the detailed appraisals of each area were fair and accurate;
- whether anything had been missed;
- whether the consultees agreed with the Design Guidelines.

1.3.3 The responses to consultation are summarised in the schedules attached to this report under **Annex A** (for Medway Gap) and **Annex B** (for West Malling). Where substantive changes are proposed the Annexes cross-refer to separate Appendices which set out in full revised sections to the Appraisals. Where comments relate to simple typographic errors these will be taken into account but have not necessarily been recorded in the schedules. Copies of all comments received will be available to view at the meeting and can be inspected, on request, prior to the meeting.

1.3.4 In the Medway Gap area the most significant change in response to consultation is the inclusion of a new mixed-use Character Area for the Mill Hall Area of Aylesford. In West Malling there is only one substantive issue which is whether a private access road serving three residential properties as well as commercial uses should be included within the commercial Character Area.

1.3.5 Most of the comments we received are exactly the sort of constructive comments we expected and needed from the local community to make sure that we have got these documents right before they are adopted. The schedules incorporate a number of recommendations for changes to be made to the respective documents.

## **1.4 Legal Implications**

1.4.1 SPD's are prepared pursuant to, and have to follow the procedures set out in, the Town and County Planning (Local Development)(England) Regulations 2004 (as amended).

## **1.5 Financial and Value for Money Considerations**

1.5.1 The cost of this exercise is covered by existing budgets with the external costs being covered by a contribution from the Housing and Planning Delivery Grant.

## **1.6 Risk Assessment**

1.6.1 The greatest risk was that, because of the scale of the overall project, we would not be able to deliver on programme. However, the phased approach has meant that the documents have been adopted in a series of tranches and have therefore been adopted for use at the earliest opportunity.

## 1.7 Equality Impact Assessment

1.7.1 See 'Screening for equality impacts' table at end of report

## 1.8 Recommendation

1.8.1 The Character Area Appraisals for the Medway Gap and West Malling, as amended in accordance with the changes set out respectively in Annexes A and B to this report be referred to Cabinet with a recommendation that they be adopted by Council as part of the Local Development Framework.

Background papers:

contact: Brian Gates

Consultation Drafts of the Character Area Appraisals  
for the Medway Gap and West Malling  
Managing Development and the Environment DPD

Steve Humphrey  
Director of Planning Transport and Leisure

| <b>Screening for equality impacts:</b>  |               |  |
|---|---------------|--|
| <b>Question</b>   | <b>Answer</b> | <b>Explanation of impacts</b>  |
| a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? | No            | The Appraisals simply describe the character of the built environment. The Design Guidelines have to be read alongside LDF and other policies which specifically address disability and other equality issues. |
| b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?   | No            | The Appraisals simply describe the character of the built environment. The Design Guidelines have to be read alongside LDF and other policies which specifically address disability and other equality issues. |
| c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?   |               |  |

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*