

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

20 October 2008

Report of the Director of Planning Transport & Leisure

Part 1- Public

Matters for Recommendation to Cabinet – Non-Key Decision (Decision may be taken by the Cabinet Member)

1 TONBRIDGE CONSERVATION AREA APPRAISAL – ADOPTION

Summary

Public consultation on the draft Tonbridge Conservation Area Appraisal took place during summer 2008. The response overwhelmingly supported the content of the Appraisal with the exception of proposals to exclude part of the Haydens area from the Conservation Area.

1.1 Introduction

1.1.1 Members will recall that at the last meeting of the Planning & Transportation Advisory Board, approval was granted to consult on a draft of the Tonbridge Conservation Area Appraisal. Consultation took place for 6 weeks ending on 1 August. The final version of the Appraisal incorporates those comments where practicable, and this report explains why other suggested changes are not recommended for inclusion.

1.2 Tonbridge Conservation Area Appraisal

1.2.1 Public consultation on the Tonbridge Conservation Area Appraisal took place between 20 June and 1 August 2008. The consultation was launched a meeting in June, organised and hosted by Tonbridge Civic Society. A presentation was also made to the Tonbridge Forum to which all Members of the Council were invited. Leaflets setting out the proposed boundary changes and details of where the draft Conservation Area Appraisal could be viewed were distributed to every property in the existing and proposed Conservation Area. The Conservation Area Appraisal was also available for inspection at the Council offices and on the Council's website.

1.3 Response to Consultation

1.3.1 Comments were received from the Tonbridge Civic Society, Slade Residents Association, the Vicar of Tonbridge, Tonbridge School and several members of the public including a 27 signatory petition from residents of Haysden Mews. **Annex A** to this report contains a summary of the comments received and the

recommended response. Overwhelmingly, the response to the Appraisal was supportive, with a number of constructive comments to amend minor factual errors, and detailed comments on each sub-area, including small scale minor boundary changes between sub-areas which have been reflected in the revised document.

- 1.3.2 The Conservation Area Appraisal sought to establish merit within Tonbridge Conservation Area based on its special architectural or historic interest. The area has experienced change over the past four decades since the original Conservation Area was designated and the Council has properly undertaken its duty in this review to reassess the boundary.
- 1.3.3 The one controversial proposal was the proposal to delete a large part of the modern Haydens housing estate from the Conservation Area. Although the Haysden estate is an attractive development in its own right, this is not in itself significant enough to necessarily merit Conservation Area designation which requires that the area be of "special architectural or historic interest". When originally designated the Haydens was an area of private open space and this was the reason for its original inclusion. When Members previously considered this matter it was agreed that the remaining open space on the Yardley Park Road frontage should continue to be included in the Conservation Area together with the houses fronting on to it, but that the remainder of the estate should be excluded. This remains the recommended position.
- 1.3.4 Inclusion within a Conservation Area does not in itself prevent development and change. Control over any new development will remain under planning powers and the Haydens area will remain as part of the setting of the Conservation Area and be covered by design guidance in the Appraisal which refers to the importance of the setting of the area. Neither ownership, nor management, of the open space will be affected by the omission of the remainder of the estate from the Conservation Area.
- 1.3.5 As part of the Local Development Framework process, that is completely separate to Conservation Area Appraisals, work on assessing the character of the urban areas outside of the Conservation Area is proposed. This work will identify locally distinctive features that define the character of an area and provide design guidance on the appropriateness of, and potential for, types of development within a number of delineated sub areas. Without pre-empting the content of the Character Area Assessments, it is likely that the Haydens area will be suitably addressed in this respect.

1.4 Future Conservation Area Appraisals

- 1.4.1 In line with the previously agreed programme, and using funds set aside under PDG for this purpose, Tony Fullwood and Associates has now been commissioned to take forward the Conservation Area Appraisal of Aylesford village and work on this will start in the spring of next year. In addition, and to

complement his work on the Tonbridge Conservation Area Appraisal, we have also commissioned him to take forward a review of the Conservation Area Appraisal of the Quarry Hill Area of Tonbridge. He is intending to start this work in November. The benefit of bringing forward this appraisal is that it will mean that all of the Conservation Areas in Tonbridge will be up-to-date. The programme for the review of other Conservation Areas in the Borough will be determined in the context of evolving work on the Managing Development and the Environment DPD.

1.5 Legal Implications

- 1.5.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate as Conservation Areas any areas of special architectural or historic interests the character or appearance of which it is desirable to preserve or enhance. Local planning authorities should also review the overall extent of such areas from time to time and designate additional areas as necessary. Section 71 requires local planning authorities to draw up and publish proposals for the preservation and enhancement of Conservation Areas and to consult the local community about those proposals. Preparation of Conservation Area Appraisals is recommended in PPG15 as the best means of defining and describing the special architectural and historic interest of an area that justifies its designation and provides a context for the special policies and controls that apply within such areas.

1.6 Financial and Value for Money Considerations

- 1.6.1 The costs of the Appraisal are covered by monies set aside in PDG. The adoption of an up-to-date Conservation Area Appraisal for Tonbridge will provide an important tool for Development Control in negotiating the most appropriate schemes and will be important in appeals in cases where applications fail to comply with the advice it contains. It should be noted that the management proposals will require support in the form of staff time to produce further guidance. This would need to be met from existing budget as other priorities allow. Any opportunities to bring forward small improvement and enhancement schemes will similarly need to be assessed against other budgetary priorities. Opportunities to use developer contributions for this purpose will be maximised.

1.7 Risk Assessment

- 1.7.1 There is a risk that without an up to date Conservation Area Appraisal the Council will not achieve the most appropriate form of development in the town and may end up losing appeals if the Council's case is not supported by a robust and up to date Appraisal.

1.8 Policy Consideration

- 1.8.1 The Director of Planning, Transport and Leisure confirms that the proposals contained in the recommendations, if approved, will fall within the Council's Budget and Policy Framework.

1.9 Recommendations

- 1.9.1 The proposed changes to the extent of the Tonbridge Conservation Area (as agreed in June and included in the consultation draft) be reaffirmed.
- 1.9.2 The Tonbridge Conservation Area Appraisal (as amended) be adopted.

The Director of Planning Transport and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Consultation Draft Tonbridge Conservation Area
Appraisal

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