

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**23 February 2010**

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

**Part 1- Public**

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

**1 SOVEREIGN HOUSE – DRAFT DESIGN GUIDELINES**

**Summary**

**To report back on the response to consultation and recommend the adoption of the Design Guidelines to assist potential redevelopment of this important site in Tonbridge Town Centre.**

**1.1 Introduction**

1.1.1 Members will recall that this document was adopted for consultation purposes at the last meeting subject to some amendments requested by the Board. It is the modified version that has been the subject of public consultation.

1.1.2 The design guidelines are intended to deal with matters to do with external appearance, massing and scale of development particularly when compared with earlier scheme designs that have come forward for the site. Members will recall that the purpose of the design guidelines is to set out some parameters for the development of the site in physical terms and to point to key aspects that are important in the context of the town centre. This will then serve as a clear basis for discussions with potential developers.

1.1.3 There are other matters such as related to flooding, accessibility, sustainable design, development mix and traffic generation that are dealt with by other documents that either cover this site or provide context. The design guidelines deal primarily with the scale and mass of any future development.

1.1.4 The key documents are:

- the LDF Core Strategy
- the Tonbridge Central Area Action Plan (TCAAP)
- the Managing Development and Environment DPD (MDEDPD)
- the Tonbridge Town Centre Master Plan

- the Botany Planning Brief
- the Strategic Flood Risk Assessment (SFRA) and
- Planning Policy Statement (PPS) 4 – Planning for Sustainable Economic Growth and other national planning guidance

## 1.2 The process

1.2.1 The draft document was publicised on the Council’s website both on the homepage and the planning landing page. In addition 213 letters/emails were despatched inviting inspection and comment including those parties who had expressed an interest in the previous planning application and appeal. Local organisations were also invited to comment. Provision was made for response by online form, email and post.

1.2.2 By 8 February, the closing date for comments, 20 responses had been received. The table below sets out the headline conclusions of those responses:

| Comment   | Mentioned |
|---|-----------|
| Building too tall   | 10        |
| Design Acceptable   | 3         |
| Important for town’s future – well-thought out  | 2         |
| Recognition of importance of public open space and footpaths – Botany Stream frontage etc   | 5         |
| Concerns about flooding   | 4         |
| Concerns about parking and road networks  | 3         |
| Ideal opportunity to create an art gallery/cinema/cafes                                     | 3         |
| Concern about viability of retail element given problems experienced already in High Street | 4         |

1.2.3 These responses deserve closer analysis. For instance, the range of respondents includes local residents, local organisations, the operators of nearby commercial property interested in the site itself and at least one from a person residing outside the Borough but near to the town.

1.2.4 The analysis above should also be seen in the context of a wide range of emphasis in the written text from which the following are samples:

- *“there should be more respect for the Medieval core of the town”*
- *“five storeys for this development is too much”*
- *“take the previous application and remove anything above 10 storeys and say job done”*

- *“at least the two blocks could be linked say by high walkways over the proposed street to give the sense of one development”*
- *“overall an acceptable design, but I do question the need for a 10-storey block – too tall and out of keeping”*
- *“To me it appears to be well thought-out and I am excited at the prospect of some really imaginative and attractive plans being submitted. It’s an important site and this could make am major difference to the centre of Tonbridge – my home for nearly 50 years”*
- *“I like the idea of having a pedestrian walkway through the development”*
- *“thoroughly approve the design of the building and its setting”*
- *“the height of any building should be restricted to that of the surrounding buildings so that a monstrous tower block does not dwarf the castle and Parish Church when viewed from Quarry Hill and Somerhill as you approach the town”*
- *“perhaps 8 stories should be set as a maximum”*
- *“...providing a pedestrian linkage between Sovereign Way and the Botany Stream may be capable of being achieved perfectly satisfactorily without the creation of anew internal street and the consequent sub-division of the site into two”*
- *“If the two block concept and massing is left in, an applicant might present a truncated version of the rejected scheme.”*
- *“We think that the reference to a tower should be removed, as a landmark feature can be created in many ways other than a tower.”*
- *“I strongly recommend that references to a landmark building are removed.”*
- *“In my opinion, the Council should set its sights on a maximum of six storeys. Certainly the ten storeys suggested in the guidelines for the “Landmark building” are out of the question.”*

1.2.5 Other matters raised include the need to respond to the fact that the site floods and that this must be taken into account in design solutions and in particular impact on any new pedestrian and cycle routes through the site. Other concerns are that it is unrealistic, in the current and anticipated economic climate, to expect retail development to occur and that consideration should be given to wider opportunities than those identified in TCAAP. Such matters will need to be assessed in the context of the documents listed in 1.1.4 above.

1.2.6 There has been a variety of comments on the descriptive and other text of the document and that it utilises some out of date background data to illustrate the town. These points are recognised and the finally adopted version will be grounded in the most up to date data. These factors have not affected the development of the design advice itself.

### **1.3 Analysis**

1.3.1 In terms of the visual and aesthetic design aspects of the responses there appear to be two clear main factors that have raised comment:

- The appropriateness of the two block format with the 10 storey element and
- The appropriateness of the north-south pedestrian link through the site

1.3.2 The height of the development, and the requirement in the draft guidelines to make the tallest part a slimmer feature than that refused permission in the appeal case had been devised, following the appeal Inspector's comments. The objective was to ensure that any redevelopment scheme makes a strong visual statement especially when viewed from the area around Ave du Puy/Sovereign Way junction without being overwhelming or overly bulky to the extent that it would dominate the local scene in a negative way. From a planning and design viewpoint it is entirely appropriate that the development at the eastern end of this site signals the existence of a new element to the town centre. This may not necessarily require a very tall feature but neither do I feel that there is automatically an objection to an element of relatively small proportion of development to a 10 storey height provided that it is acceptably proportioned, scaled and detailed.

1.3.3 An important factor in selecting the ultimate solution for this feature is the one raised by one of the respondents. It is suggested that the focus on a slim tower may raise questions as to economic viability and that in some circumstances to adopt such an approach would lead to pressure to provide more units in order to cross-subsidise an expensive slim tower design. I consider that the best way to deal with this particular factor is to accept that there could be a variety of design solutions allied to a variety of development scenarios but recognising that if the design solution of a landmark feature (which could be a slim tower of up to 10 storeys) were to be adopted this could be acceptable only in the context of an appropriate scale of overall development which is both visually acceptable and viable. I suggest that the document be reworded to reflect this.

1.3.4 The two block format was not faulted in itself by the appeal Inspector and is really a result from the policy decision to introduce the pedestrian route from Botany to the Angel area across Gasworks Stream as identified in the Botany Area Planning Brief. The TCAAP identifies this link specifically in Policy Annex PA/TCA1. As such it would be inappropriate to do other than anticipate compliance with this policy and the document should not be modified in this respect.

1.3.5 Other aspects of the matters raised by respondents can be dealt-with in other ways. The flooding aspects will need to be assessed in the context of the SFRA and any subsequent information that updates this factual study. The proposed uses for the site, if any is subsequently proposed beyond those anticipated in the TCAAP policy TCA11 (i.e. housing, retail, restaurant ,office), will have to be considered in the context of the very recently published Government guidance in Planning Policy Statement 4 – Planning for Sustainable Economic Growth which deals with town centre uses and development.

#### **1.4 Legal Implications**

1.4.1 None, providing that any changes do not deviate from TCAAP.

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

1.5.1 None.

#### **1.6 Risk Assessment**

1.6.1 None other than the need to ensure that the development is subsequently properly assessed both in terms of design and the economic viability implications of the design approach adopted should this prove necessary.

#### **1.7 Recommendations**

1.7.1 **I RECOMMEND** that the Document **BE ADOPTED** for the purposes of Development Control, subject to:

- Modification of the wording of the document as identified in paragraph 1.3.2 and 1.3.3 above.
- The document being updated to reflect the current position and locality as referred to in paragraph 1.2.7.

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: As described in the report

contact: Lindsay Pearson

Responses to consultation: As described in the report

Steve Humphrey

Director of Planning Transport and Leisure