

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

22 February 2011

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 KCC CONSULTATION – A STANDARD PALETTE OF MATERIALS FOR USE IN PUBLIC REALM SCHEMES

To report a KCC suggested cost minimisation approach to the use of materials in the public realm especially with the highways for which KCC has long term responsibility.

1.1 The proposition

1.1.1 KCC have published a suggest framework (reproduced in Annex 1 to this report) in an endeavour to limit the cost of long term maintenance in the public realm and to thus limit the range of materials that may be used unless there are further maintenance payments to be contributed.

1.1.2 The document concludes:

“A standard palette of materials for use in development and publicly funded public realm schemes is needed to enable designers to prepare accurately costed proposals that can go forward to construction in the expectation that the streets and spaces will look good, function properly, and be easy to maintain. Higher quality materials may be used if they are fit-for-purpose and if additional funds are made available for the higher cost of maintenance. Alternative maintenance regimes may be considered for such schemes.

The palette will be subject to ongoing review, such that materials can be removed and added if the need arises. It is broad enough to satisfy the requirement that new streets and public spaces should be attractive as well as functional, but it also encourages simplicity. The overall approach to design should seek that the public realm remains subservient to the buildings and spaces it is there to serve, while complementing those features and providing residents, businesses and other users with something that they can be proud of.”

- 1.1.3 Although the document is headed “Kent Design Guide Review” any reading of it does not focus, in any meaningful sense, on the function of good design. Indeed the advice provided in Kent Design itself ask these questions, in unambiguous terms, to decide how acceptable a design solution is:

“Are the materials use in the construction of roads, footways and paths:

- *Robust and fit for purpose*
- *Attractive*
- *Sympathetic to local character*
- *Co-ordinated with the design of buildings within the layout.”*

- 1.1.4 The overriding feel of the document is one of cost reduction rather than being design led and this must be seen as a retrograde move from the high design ideals promoted by most local authorities in the County through Kent Design.

- 1.1.5 The consultation goes on to talk of commuted payments but the approach adopted, that such payments should be made for the use of “non-standard materials, seems to me to be contrary to the guidance given in Circular 05/05. This reads at paragraph B19:

“As a general rule...where an asset is intended for wider public use, the costs of subsequent maintenance...should normally be borne by the body or authority in which the asset is to be vested.”

- 1.1.6 Moreover, it is unrealistic in the current climate to reasonably expect developers to fund increased maintenance costs, bearing in mind other development related costs that are currently faced.

- 1.1.7 I feel that the balance in this consultation is weighted too far in favour of cost imperatives at the expense of a design led approach to the selection of appropriate materials, as expected in Kent Design. The County Council should review this balance to ensure that good quality development is achieved commensurate with design led aims embraced in Kent Design (and that this approach also be endorsed in the current Kent Design review).

- 1.1.8 Whilst it is of course recognised that the financial burden of maintenance must be a significant consideration, the benefit (or impact) on the character and appearance of the use of materials in specific localities is a longer term consideration which is often of key importance to local communities. Notwithstanding current economic conditions local authorities, in this case KCC, have a role in taking a long term and rounded approach to the design and sustainable development of public spaces.

1.2 Legal Implications

1.2.1 There are none for the Borough Council arising from this report.

1.3 Financial and Value for Money Considerations

1.3.1 There are none directly arising from this report for the Borough Council.

1.4 Risk Assessment

1.4.1 The risk of a deteriorating quality of public realm materials may arise if the current approach of KCC is followed.

1.5 Equality Impact Assessment

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

1.6 Recommendations

1.6.1 The points made in this report form the basis of the Borough Council's response to KCC.

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:

contact: Lindsay Pearson

Nil

Steve Humphrey

Director of Planning Transport and Leisure

| Screening for equality impacts: | | |
|---|---------------|--|
| Question | Answer | Explanation of impacts |
| 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 | It is important to retain the maximum flexibility in the use of public realm materials in order to respond to needs of particular groups, such as those with disabilities. |

| Screening for equality impacts: | | |
|---|---------------|-------------------------------|
| Question | Answer | Explanation of impacts |
| b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? | Yes | See a) above. |
| c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above? | | N/A |

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.