

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

17 November 2010

Report of the Director of Planning, Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 CHARACTER AREA APPRAISALS SPD (TONBRIDGE, HILDENBOROUGH AND HADLOW) – 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 DPD. This report considers the response to consultation in respect of the first tranche of documents dealing with Tonbridge, Hildenborough and Hadlow 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 to be supported by a Supplementary Planning Document (SPD) which it is intended will ultimately contain, in a series of separate volumes, Character Area Appraisals for the main built-up parts of the Borough.

1.1.2 The principle purpose of the Character area Appraisals 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 seems very much in line with the new 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 or make development proposals. However, they do provide the context for considering any such proposals.

1.2 Consultation Process

1.2.1 Because of the overall scale of the task the Appraisals are being progressed in a series of tranches. The first tranche of documents, which were prepared in liaison

with local Members, Parish Councils and other interest groups include the following:

- The Tonbridge Urban Area
- Hildenborough (which at this stage in the process includes both the original village and Hilden Park, which technically lies within the urban confines of Tonbridge), and
- Hadlow

These three documents were considered by the Board on 28 July 2010 and subsequently approved by the Cabinet Member for the purposes of public consultation.

- 1.2.2 Public consultation on the first three documents took place between 13 September and 22 October 2010. Advanced warning of the consultation was given in the autumn edition of Here and Now and by an article in the Parish magazines for Hildenborough and Hadlow. A statutory notice under Regulation 17 appeared in the local press and a Press Notice was issued. A week long exhibition was mounted in the foyer to the Angel Centre and similar but dedicated exhibitions were mounted for a couple of days each in Hildenborough and Hadlow. The exhibitions were promoted by posters on public notice boards and in local shops. Each exhibition was manned for a specific advertised period. Over 260 consultation letters were sent out to statutory consultees and other potentially interested parties and there was a special interactive page on the Council's Website.
- 1.2.3 In the case of Hildenborough and Hadlow consultation on the Conservation Area Appraisals was undertaken as an integral part of the consultation on the Character Area Appraisals (see separate report).

1.3 Response to consultation

- 1.3.1 Despite our efforts, attendance at the exhibitions was not that successful, though the ones at Tonbridge and Hadlow had the potential to be seen by a significant "passing trade". The overall level of response to consultation has not been that great in terms of numbers, particularly bearing in mind how many dedicated letters were sent out. However, this can be interpreted that respondents were not particularly interested or too busy doing other things or otherwise were satisfied with what the Council is doing. However, the relatively low quantity of responses has been compensated for by the general quality of responses actually received. We will be giving consideration as to how we might improve the level of engagement when we carry out consultation on the next tranche of documents (see separate report).
- 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 Annexes A (for Tonbridge), B (for Hildenborough) and C (for Hadlow). Where substantive changes are proposed the Annexes cross-refer to a separately bound volume entitled "Character Area Appraisals – Recommended Changes". Copies of the comments received will be available to view at the meeting and can be inspected, on request, prior to the meeting. Of particular note are the constructive and useful responses from the Tonbridge Civic Society which has drawn to our attention a number of areas where the Tonbridge Appraisal can be refined, and from Cllr Bolt and local residents arguing that greater recognition should be given to the environmental and historic importance of the moorings in Barden Road. The most significant points raised in Hildenborough come from Fidelity and concern the appropriateness of the character areas in the Coldharbour Lane area. In Hadlow, most of the comments relate to the Conservation Areas (see separate Report) and the more generic parts of the Character Area Appraisals SPD.

1.3.4 Most of the comments we received are exactly the sort of constructive comments we 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, in some cases including complete new sections to be added.

1.3.5 It should be noted that once the Tonbridge and Hildenborough documents are finally adopted they will be restructured so that the Hilden Park part of the Hildenborough Appraisal is incorporated in the Tonbridge Character Area Appraisal document.

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 is that, because of the scale of the overall project, we will not be able to deliver on programme. However, the phased approach means that documents can be adopted in a series of tranches and can therefore start being used at the earliest opportunity. As mentioned in the separate report on the next tranche of documents we have already made a slight adjustment to the overall programme in the light of experience in preparing the first tranche.

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 draft Character Area Appraisals for Tonbridge, Hildenborough and Hadlow, as amended in accordance with the changes set out in Annexes A, B and C 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 Tonbridge, Hildenborough and Hadlow
Managing Development and the Environment DPD

Steve Humphrey
Director of Planning Transport and Leisure

Screening for equality impacts:		
Question	Answer	Explanation
a. Has an equality impact assessment on the policy (to which the activity relates) already been carried out?	No	Whist the Appraisals have not been subject to an assessment the parent policy as part of the MDE DPD was assessed.
b. Is the decision in line with the policy?	Yes	
Note: If the answer is 'no' to either of the above questions, then the activity must be 'screened' for equality impacts using the questions below.		
c. Does the activity 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 Guidance has to be read alongside other LDF polices which specifically address disability and other equality issues. The Tonbridge and Malling Access Group and other similar organisations were consulted on the draft documents and made no

Screening for equality impacts:		
Question	Answer	Explanation
		comment.
d. Does the activity make a positive contribution to promoting equality?	No	The Appraisals simply describe the character of the built environment. The Design Guidance has to be read alongside other LDF policies which specifically address disability and other equality issues. The Tonbridge and Malling Access Group and other similar organisations were consulted on the draft documents and made no comment.
Note: <i>If the answer is 'yes' to any of the above questions, then a full equality impact assessment is required.</i>		