

**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 - Non-Key Decision (Decision may be taken by the Cabinet Member)**

**1 HILDENBOROUGH AND HADLOW CONSERVATION AREA APPRAISALS – RESPONSE TO CONSULTATION**

**Summary**

**Conservation Area Appraisals have been prepared for Hildenborough and Hadlow and subject to public consultation as an integral part of the Character Area Appraisals process. The Appraisals relate to revised Conservation area boundaries, including a proposed new Conservation area at the Freehold, Hadlow. They are recommended for adoption subject to some minor changes.**

**1.1 The Appraisals**

1.1.1 Conservation Area Appraisals are now being prepared as an integral part of the Character Area Appraisal process. However, they are much more detailed than the Character Area Appraisals and are published in a different format and are prepared under different legislation. They are nevertheless produced following a similar process of stakeholder engagement and public consultation which means that it is sensible that they are prepared in tandem with the Character Area Appraisals for a particular community.

1.1.2 This has been the case with Hildenborough and Hadlow. The response to consultation on the Character Area Appraisals for these two settlements is dealt with under a separate item on the agenda. In the Character Area Appraisals SPD the Conservation Areas are left as a hole. It is the purpose of this report to fill those holes by recommending adoption of the two Conservation Area Appraisals subject to some very minor changes.

**1.2 Boundary Changes**

1.2.1 One of the results of the appraisals is a recommendation that the boundaries of the two areas be marginally changed. In addition, as a result of the wider Character Area Appraisal of Hadlow village, it has been concluded that the area known as the Freehold off Carpenters lane should also now be designated as a

Conservation Area. Under the Constitution, Conservation Area boundaries and the designation of new Conservation Areas is a matter for Council having regard to the views of the relevant Area Planning Committee and are not matters for this Board or the Executive. However, Conservation Area Appraisals are a matter for the Executive. Representations relating specifically to the proposed boundary changes will be reported to APC1 on 25 November 2010. Any changes to the boundaries recommended by APC1 will need to be reflected in the detailed content of the Appraisals when they are finally adopted by Council.

### **1.3 Response to Consultation**

- 1.3.1 Public consultation on the two Conservation Area Appraisals and the proposed changes to the boundaries took place as an integral part of the consultation on the Character Area Appraisals of the wider villages. Details of the consultation process are described in the report on the response to consultation on the Character Area Appraisals. Copies of the comments received will be available to view at the meeting and can be inspected, on request, prior to the meeting. The process was identical, except in the case of the two Conservation Areas, leaflets were delivered to every household in the existing and proposed Conservation Areas. This is in line with practice adopted previously for all other Conservation Area Appraisals.
- 1.3.2 Responses to consultation in relation to the Conservation Area Appraisals are summarised under Annex A (for Hildenborough) and Annex B (for Hadlow). Other than comments relating to the boundaries, which are a matter for APC1, most of the comments on the Appraisals are complimentary and supportive and with one exception none of the suggested changes is substantive. There is one objection to the proposed new Conservation Area at the Freehold. Whilst the objection to the proposal is a matter for APC1 to consider, there are also some challenges to the content of the Appraisal itself which are considered under Annex B.

### **1.4 Legal Implications**

- 1.4.1 Conservation Areas are designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- 1.5.1 The cost of preparing the Appraisals has been met from the Housing and Planning Delivery Grant. Best value is achieved by preparing them at the same time as preparing the Character Area Appraisals for the rest of the settlement

### **1.6 Risk Assessment**

- 1.6.1 It is important that there are up-to-date Appraisals of the Conservation Areas in the Borough to provide a firm basis for development control.

## 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 Conservation Area Appraisals for Hildenborough and Hadlow (as amended) be referred to Cabinet with a recommendation that they be adopted as a material consideration for development control, subject to any changes to the boundaries of the Conservation Areas that might be recommended by Area 1 Planning Committee.

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: Brian Gates

Draft Conservation Area Appraisals for Hildenborough and Hadlow

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	
b. Is the decision in line with the policy?	Yes	
<b>Note:</b> 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 Management Proposals have to be read alongside LDF and other 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.

Screening for equality impacts:		
Question	Answer	Explanation
d. Does the activity make a positive contribution to promoting equality?	No	The Appraisals simply describe the character of the built environment. The Management Proposals have to be read alongside LDF and other 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.
<b>Note:</b> <i>If the answer is 'yes' to any of the above questions, then a full equality impact assessment is required.</i>		