

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

14 June 2011

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 CHARACTER AREA APPRAISALS SPD (EAST PECKHAM, BOROUGH GREEN, SNODLAND AND WALDESLADE) – 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 Development Plan Document (DPD). This report considers the response to consultation in respect of the second tranche of documents dealing with East Peckham, Borough Green, Snodland and Walderslade 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 all of 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 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.

- 1.1.4 Because of the overall scale of the task the Appraisals are being progressed in a series of tranches. The **First Tranche** of documents dealt with Tonbridge, Hildenborough and Hadlow. These were adopted on 17 February following public consultation in the autumn of last year.
- 1.1.5 The **Second Tranche** deals with East Peckham, Borough Green, Snodland and Walderslade. East Peckham and Walderslade were approved for the purposes of public consultation by the Cabinet Member for Planning and Transportation following the Board meeting on 17 November 2010. Walderslade and Snodland were approved for the purposes of public consultation following the Board meeting on 22 February 2011.
- 1.1.6 The **Third Tranche** will deal with West Malling (outside the Conservation Area) and the Medway Gap urban area. Consultation drafts of these documents will be reported to your next meeting with a view to public consultation in the autumn.

1.2 Consultation Process

- 1.2.1 Public consultation on the second tranche documents took place between 11 March and 21 April 2011. Advanced notice of the consultation was given in the spring edition of Here and Now and by articles in the local parish magazines. A statutory notice under Regulation 17 appeared in the local press and a Press Notice was also issued. Due to the relatively poor response to consultation on the first tranche of documents it was agreed that this time consultation letters would be sent to **all households** in each of the Appraisal areas. In addition, consultation letters were sent out to statutory consultees who had previously registered an interest in the project and to other potentially interested parties. There was also a special interactive page on the Council's Website. Manned exhibitions were mounted in each area, including one under cover in the market at Snodland. The exhibitions were promoted by posters on public notice boards and in local shops as well as by the advanced publicity referred to above.
- 1.2.2 In the case of East Peckham, consultation on a Conservation Area Appraisal for the Bullen Corner Conservation Area was undertaken as an integral part of the consultation on the Character Area Appraisal (see separate report on this agenda).

1.3 Response to consultation

- 1.3.1 Probably as a result of the greater level advanced publicity, attendance at the exhibitions was much better than for the first tranche – East Peckham (60), Borough Green (78), Snodland (approx 180 - over two days) and Walderslade (45). Despite the much better attendance at the exhibitions, the overall level of response to consultation has been variable in number, particularly bearing in mind how many dedicated letters were sent out. However, it has been compensated for by the general quality of constructive and helpful responses which have, with one or two notable exceptions, generally been supportive of what the Council is doing and complimentary about the content and presentation of the documents.

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 East Peckham), B (for Borough Green), C (for Snodland) and D (for Walderslade). Where substantive changes are proposed the Annexes cross-refer to separate Appendices which set out in full revised sections to the Appraisals. Where comments relate to simple typographic errors these will be taken into account but have not been recorded in the schedules. Copies of all comments received will be available to view at the meeting and can be inspected, on request, prior to the meeting.

1.3.4 Of particular note are the constructive and useful responses from one resident of East Peckham who was, in fact only one of two people to respond to the consultation on the Character Area Appraisal (more people responded to the Conservation Area Appraisal – see separate report). Most comments were supportive of the content of the Borough Green Appraisal or suggested minor changes to it. Comments were received about various aspects of the process and the relationship of the SPD and the LDF with the Parish Plan and these are addressed in the annex. Many responses related to traffic and parking matters which are not directly relevant to the Appraisal.

1.3.5 There was more interest in Snodland, where some very detailed and useful comments have been made which, overall, will help to improve the content of the document. One particular issue raised is whether the Conservation Area at Snodland should be extended. Unlike the Character Area Appraisals for Hadlow, for example, the Conservation Area at Snodland has a relatively recent Conservation Area Appraisal when the boundaries of the area were last reviewed. It was, therefore, not part of the brief for the preparation of the Snodland Character Area Appraisal that the boundaries of the Conservation Area should be reviewed at this stage. However, the results of the Character Area Appraisal and the views of the respondents can be taken into account when the Conservation Area is next reviewed. A reasonable level of response was received from Walderslade which again is generally complimentary and constructive.

1.3.6 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.

1.4 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.

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 East Peckham, Borough Green, Snodland and Walderslade, as amended in accordance with the changes set out respectively in Annexes A, B, C and D 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 East Peckham, Borough Green, Snodland and
Walderslade
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 |

| Screening for equality impacts: | | |
|---|--------|---|
| Question | Answer | Explanation |
| | | 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 policies which specifically address disability and other equality issues. |
| 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. |
| Note: If the answer is 'yes' to any of the above questions, then a full equality impact assessment is required. | | |