

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**27 July 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 CHARACTER AREA APPRAISALS SPD (WEST MALLING AND THE MEDWAY GAP) AND CONSERVATION AREA APPRAISALS FOR LARKFIELD CHURCH, COBDOWN FARM (DITTON) AND HOLT WOOD - ADOPT FOR 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 (DPD) which itself forms part of the Local Development Framework (LDF). Where appropriate, Conservation Area Appraisals are being undertaken at the same time. This report recommends approval of Character Area Appraisals for West Malling and the Medway Gap (and three of the Conservation Areas within the Medway Gap) for the purposes of public consultation which will take place in the autumn of 2011.**

**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 supported by a Supplementary Planning Document (SPD) which will contain, in a series of separate volumes, Character Area Appraisals for the main built-up parts of the Borough. The purpose of this report is to introduce the next set of Character Area Appraisals dealing with West Malling and the Medway Gap, drafts of which accompany this agenda (PTAB and local Members only). Together, these form the third and final tranche of consultation documents.
- 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 have been progressed in a series of tranches:-

- The **First Tranche** of documents dealt with Tonbridge, Hildenborough and Hadlow. These were adopted on 17 February 2011 following public consultation in the autumn of last year.
- The **Second Tranche** dealt with East Peckham, Borough Green, Snodland and Walderslade. These were adopted on 12 July 2011 following public consultation in the spring.
- The **Third Tranche** deals with West Malling (outside the Conservation Area) and the Medway Gap urban area. Public consultation will be in the autumn (see below).

## 1.2 The Process

1.2.1 The first task is to determine, in consultation with local Members, Parish Councils and other local interest groups the general extent of each discrete character area. This was done at initial Stakeholder Meetings. This was mainly a desktop exercise using maps and aerial photographs but checked on site where necessary. However, any such sub-division was provisional and dependent upon the next task which was the detailed, street-by-street appraisal of each area, the boundaries of which may have been refined as a result. Local Members, Parish Councils and other local interest group were invited to join the technical assessors on a walkabout, so that features regarded as important locally could be identified.

1.2.2 Once the initial appraisals were complete a Second Stakeholder Workshop has normally been arranged in each settlement or area at which the initial findings of the Appraisals were discussed and refined before the draft set of Appraisals were finalised. A second stakeholder meeting did take place for West Malling, but unfortunately, because of the scale of the overall task there has not been time to have a second stakeholder meeting for the Medway Gap Parishes. We therefore intend to arrange such a meeting as an integral part of the public consultation exercise in the autumn.

1.2.3 Formal consultation under Regulation 17 will start on 2 September with a closing date for comments of 14 October. As before, this will involve a press release, posters, and a small scale, manned, public exhibition which will be promoted in each location as well as direct consultation with statutory consultees, local stakeholders and other parties who have confirmed their continuing interest in the project. A letter will also be sent to all properties in each area. The response to

consultation will be reported back to this Board on 17 November, which will then recommend, via Cabinet, adoption of the revised Appraisals by Council on 16 February 2012. This will then complete the Character Area Appraisal SPD.

### **1.3 Conservation Area Appraisals**

- 1.3.1 In the case of the Medway Gap, the opportunity has also been taken to prepare Conservation Area Appraisals for the Larkfield Church, Cobdown Farm (Ditton) and Holt Wood Conservation Areas. Draft Conservation Area Appraisals for these areas accompany these papers. Conservation Areas appear as holes in the Character Area Appraisal work so Conservation Area Appraisals have been prepared as an integral part of the Character Area process.
- 1.3.2 Conservation Area Appraisals are much more detailed than the Character Area Appraisals and are published in a different format and 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 locality. However, they are only being prepared where there is not already a Conservation Area Appraisal or where the existing Appraisal is very out of date. This is why we have not undertaken a review of the West Malling and Ditton Conservation Area Appraisals which are relatively recent documents.

### **1.4 Other Villages**

- 1.4.1 For resource reasons, we do not intend to carry out Character Area Appraisals of every village in the Borough, though it has previously been indicated through the Parish Partnership Panel that we will be able to provide support to any Parish Council which wishes to take forward its own character area assessment in the form of a **Village Design Statement**. If this were to be the case, they would need to be produced to a format compatible with the rest of the character area appraisal work and prepared with full public consultation for them to be adopted as part of the SPD. Action with Rural Communities in Kent has indicated its willingness to assist any Parish Council that wishes to take this matter forward, and we would be relying to a great extent upon that assistance. Such initiatives should in no way be confused with Neighbourhood Plans, prepared under the Localism Bill once it is enacted, because those will be about promoting new development.

### **1.5 Legal Implications**

- 1.5.1 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).

## 1.6 Financial and Value for Money Considerations

- 1.6.1 The cost of this exercise is covered by existing budgets with the external costs having been covered in part by a contribution from the Housing and Planning Delivery Grant.

## 1.7 Risk Assessment

- 1.7.1 None.

## 1.8 Recommendation

- 1.8.1 The draft Character Area Appraisals for West Malling and the Medway Gap and draft Conservation Area Appraisals for Larkfield Church, Cobdown Farm (Ditton) and for Holt Wood be approved for the purposes of public consultation. Conservation Areas appear as gaps in the Character Area Appraisal work.

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

Core Strategy and MDE DPD

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     | 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. |
| b. Does the decision being made or recommended through this paper 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 polices which specifically address disability and other equality issues. |

*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.*