

**MAIDSTONE BOROUGH COUNCIL**

**LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP**

**8<sup>TH</sup> DECEMBER 2008**

**REPORT OF ASSISTANT DIRECTOR OF DEVELOPMENT AND  
COMMUNITY SERVICES**

**Report prepared by Anne-Louise Broome**

**1. LOOSE ROAD AND LONDON ROAD CHARACTER AREA  
ASSESSMENTS: LESSONS LEARNED**

1.1 Issue for Decision

1.1.1 To consider and agree the recommendations set out within the attached report on "Pilot Studies and recommendations for the future" (Appendix A) and refer comments to Cabinet Member for Regeneration.

1.2 Recommendation of the Assistant Director for Development and  
Community Services

That the Local Development Document Advisory Group:

- a) Considers the attached report on the lessons learned in the pilot Character Area Assessment Supplementary Planning Documents (SPDs).
- b) Refers the report and any comments to the Cabinet Member for Regeneration.
- c) Agrees the following recommendations, as set out within the attached report, numbered 1 – 13, and make comments in relation to recommendation 10:
  1. **Project Planning** – Maintain momentum throughout the project to ensure continuous community engagement and interest through careful project planning and following an agreed format for all future SPDs.
  2. **Engagement Process** – The engagement process used for the Loose Road and London Road SPDs be repeated in the development of future Character Area Assessment SPDs, subject to Recommendations 3-5 below.
  3. **Working Group** – Include as many relevant local groups as possible covering a range of interests e.g. historical groups, Parish Council (where relevant), residents associations, amenity groups, local pressure groups, schools, churches. Individuals, with particular local knowledge or relevant expertise should also

be invited. It is also important that all relevant councillors and Borough Council Officers attend. Aim for a minimum group size of about 8 (excluding consultants/officers) and maximum of about 16, depending on the size of the area, to ensure sufficient representation. Balance the number of representatives from each group to avoid dominance by one interest group. Programme all working group meetings as early as possible to give sufficient notice. (ideally 4 weeks)

4. **Walkabout** – Ideally have at least 2 people in each group who are neither consultants/Borough Council officers. Include one consultant or officer in each group to help keep things on track. Note all relevant features and identify on a map.
5. **Exhibition** - Ensure wide advanced publicity of the exhibition through as many means as possible, particularly through the residents groups, the column for the local area in the newspaper, local notice boards and shops, schools etc.
6. **Priority Areas** - Each part of the “stellar” shape of Maidstone town forms an appropriate area for a Character Area Assessment SPD. Rural Service Centres form appropriate areas for Character Area Assessment SPDs
7. **Conservation Area Appraisals and Character Area Assessment SPDs** - Either a Conservation Area Appraisal or a Character Area Assessment be prepared for each area selected. Dependent on the planning status of the area. In areas containing a Conservation Area(s), surveys and early public engagement for both Conservation Area(s) and character areas to be conducted as one exercise. The information to be used to determine the boundaries of the Conservation Area and the Character Area Assessment as well as the content of the Conservation Area Appraisal and Character Area Assessment SPD.
8. **Industrial and Warehousing Estates** – Exclude extensive purpose built industrial and warehousing estates from Character Area Assessment SPDs.
9. **Content of Character Area Assessment SPDs** – Each Character Area Assessment should comprise: contextual, positive and negative text boxes; annotated photographs; annotated Townscape Maps and policy criteria.
10. **Text Content** – Members are recommended to weigh the advantages and disadvantages of the analytical and “walk-through” styles of textual presentation and conclude on the most appropriate style for future SPDs.
11. **Awareness** - Ensure officers and Members are aware of the purpose and content of the Character Area SPD, once adopted through a joint training event.
12. **Publicity** – Character Area Assessment SPDs be publicised to local agents following adoption.

13. **Use of the SPDs** – Following adoption, Character Area Assessment SPDs be used in negotiations with applicants and referred to in delegated and Committee reports in justifying approval or as a reason for refusal. Similarly, use the SPDs in appeal statements and publicise any successful outcomes.

### 1.3 Reasons for Recommendation

#### 1.3.1 **Policy Context**

1.3.2 National planning policies and the Government's response to the South East Plan (particularly Policy BE1 – Management for and Urban Renaissance, which indicates the importance of improving the built environment based on local character and distinctiveness) confirm strong support for the preparation of Character Area Assessments.

1.3.3 The Character Area Assessment SPDs supplement Structure Plan Policy QL1 (Quality of Development and Design) which stresses the importance of development responding well to the distinct character of each settlement. However the Structure Plan is likely to expire on 9<sup>th</sup> July 2009 subject to the timetable for adoption of the South East Plan.

1.3.4 It has been pointed out by KCC that the QL1 development plan policy basis of the SPD is contained in the Kent and Medway Structure Plan and that it is the current expectation that this will cease to exist from July 2009. It had previously been understood from draft Government legislation and regulation associated with plan making that SPDs could be based on an RSS policy. However, latest indications are that Government has changed this provision although this matter is not settled as yet.

1.3.5 If the Government proceed on the current course then the policy basis of the SPD would be weakened until such time as Core Strategy policy is prepared or Structure Plan Policy QL1 is saved. Either would provide the necessary development plan policy basis for this series of SPDs

1.3.6 The Governments' response to the South East Plan contains a new policy which clearly indicates the importance of improving the built environment based on local character and distinctiveness (Policy BE1- Management for an Urban Renaissance). Should this policy be confirmed, the SPDs will be a key mechanism for its implementation in Maidstone Borough in the future, and the pilot studies will give the Council a head start in achieving improvements in design locally.

#### 1.3.7 **Pilot Studies**

1.3.8 Two pilot Character Area Assessment Supplementary Planning Documents (SPDs) have been prepared for the London Road Area and

the Loose Road Area. Both were subject to a 6 week period of public consultation which ended on 26<sup>th</sup> September 2008. It is intended that the methodology adopted in these pilot studies will be rolled out for further Character Area Assessments.

1.3.9 Lessons have been learned from these pilots and a report on "*Pilot Studies and Lessons for the Future*" is appended for Members' consideration.

1.3.10 The report concludes that:

- The process of developing the draft SPDs has been successful, following an appropriate methodology and good community engagement
- The pilot SPDs have been successful in engaging local stakeholders
- The published documents have been well received by Members and professional officers of the Council
- The draft documents are clear in their presentation and, despite the extent of the areas covered, have been easy to follow for users
- The content is detailed and interesting to local people
- Public response at the exhibitions and to the consultation has generally been supportive, and
- Stakeholders such as resident and amenity groups, as well as development control officers are already referring to the draft documents

1.3.11 **Recommendations**

1.3.12 The report sets out 13 numbered recommendations for the conduct of any future Character Area Assessment SPDs.

1.3.13 The first of these recommendations relates to project planning and the importance of maintaining momentum to ensure continuous community engagement. The engagement process itself, worked very well in the pilots and it is recommended that this process is repeated in any future Character Area Assessments.

1.3.14 With regard to working groups, the report recommends that as many relevant working groups as possible, with a broad range of interests, be included and the report suggests an optimum group size. These groups should meet as early as possible in the process.

1.3.15 It is recommended that for the walkabouts there are at least two people in each group, plus either a consultant or Borough Council Officer.

- 1.3.16 For the exhibitions it is recommended that advanced publicity is given as widely as possible and by as many means as possible.
- 1.3.17 It is recommended that each part of the "stellar" shape of Maidstone forms an appropriate area for a Character Area Assessment SPD. Rural Service Centres also form appropriate areas for assessment.
- 1.3.18 The report gives recommendations for the preparation of Character Area Assessments where Conservation Areas Appraisals have been or are to be prepared, in order to prevent any conflict and duplication issues. It is recommended that each area only has a Conservation Area Appraisal **or** a Character Area Assessment, dependant on the planning status of the area.
- 1.3.19 The report recommends that extensive purpose built industrial and warehousing estates be excluded from Character Area Assessment SPDs.
- 1.3.20 The report sets out the type of content that should be included within the documents.
- 1.3.21 The report seeks Members comments on which textual style to use in future studies. The pilot studies used a "walk-through" style, which has enabled residents to closely identify with the documents. An alternative approach would be more analytical in style. This would be more effective for Development Control and potential developers and would be quicker to produce.
- 1.3.22 In terms of the way forward, it is recommended in the report that Members and officers are made aware of the purpose and content of the SPDs, that once adopted, they should be publicised to local agents, and that following adoption, the SPDs should be used in negotiations with applicants and referred to in delegated and Committee reports and in appeal statements.
- 1.3.23 There are high expectations that once approved, the SPDs will improve the quality of development within the areas studied. It would be helpful if the SPD documents were used promptly after adoption to achieve some "quick wins" to demonstrate the Council's successful use of the documents.
- 1.3.24 **Future Work Programme**
- 1.3.23 National planning policies and the Government's response to the South East Plan (particularly Policy BE1- Management for an Urban Renaissance which indicates the importance of improving the built environment based on local character and

distinctiveness) confirm strong support for the Character Area Assessments. During the streamlining of the planning system, culminating in the revised PPS12 earlier this year, it was anticipated that there would be the opportunity for local planning authorities to supplement national or regional planning policy directly with a Supplementary Planning Document (SPD). This has not materialised in the final regulations.

- 1.3.24 The Character Area Assessment SPDs supplement Structure Plan Policy QL1 (Quality of Development and Design) which stresses the importance of development responding well to the distinct character of each settlement. However, the Structure Plan policies expire on 6 July 2009 unless the South East Plan is adopted before then.
- 1.3.25 Supplementary Planning Documents should provide greater detail on the policies in its DPDs. The Core Strategy is the principal DPD but the timetable for the Borough Core Strategy has been delayed. From the summer 2009 there are therefore no DPDs to provide a 'parent' policy for the Character Area Assessments. A draft Core Strategy with an appropriate design policy would give some policy basis but would at this stage carry little weight.
- 1.3.26 There are only limited links to saved Local Plan Policies in ENV6 (Landscaping, Surfacing and Boundary Treatment) and ENV 21 (Strategic Transport Character) following the loss of Policy ENV2.
- 1.3.27 For the reasons set out above, Character Area Assessment SPDs will have limited weight from July 2009 until a Core Strategy with an appropriate 'parent' policy has been adopted. However, the Council is seeking to persuade Kent County Council and SEERA to "save" Structure Plan policy QL1, and the position on this point will be clearer at the end of January 2009 (prior to a review of the Local Development Scheme) when SEERA is due to submit saved policies to the Secretary of State.
- 1.3.25 The programme of any future Character Area Assessment SPD's should bear this matter in mind.
- 1.3.24 Members will have the opportunity to give consideration to including a proposed work programme for Character Area Assessments, which can be linked to a review of the current programme of Conservation Area Appraisals, in the context of the review of the Local Development Scheme.

1.4 Alternative Action and why not Recommended

1.4.1 It is important to recognise the lessons that have been learned in the preparation of these pilot assessments, in order that further studies can be carried out in the most efficient and resourceful way.

1.5 Impact on Corporate Objectives

The preparation of the SPDs contributes towards the corporate objectives of quality living, and sustainable communities.

1.6 Risk Management

1.6.1 There are no identified risks involved.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	X
3.	Legal	
4.	Social Inclusion	
5.	Environmental/Sustainable Development	X
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.7.2 Financial

1.7.3 There have been planning consultants' costs for the preparation of the SPDs and the lessons learned report. These costs have been met within existing budgets. Depending on the size and complexity of documents, the cost of producing further Character Area Assessments by consultants is likely to be in the region of £12½k to £15k per SPD. Project management, together with resources to steer the documents through the LDF processes, would need to be managed through internal staff resources.

1.7.4 Staffing

1.7.5 The document was produced by planning consultants, due to a lack of the necessary expertise and staffing resources in-house at the time. The publication of future SPDs will be reliant on the availability of staff resources in the context of Members' priorities for document production, which will be determined through the Local Development Scheme review in 2009.

1.7.6 Environmental/Sustainable Development

1.7.7 Local Development Documents must have regard to the effects on social, environmental and economic objectives, which are key indicators in defining sustainability. The principal purpose of Character Area Assessments is to recognise, improve and enhance the character of the local environment.

1.8 Background Documents

1.8.1 Local Development Scheme 2007

1.8.2 Loose Road Character Area Assessment Draft SPD

1.8.3 London Road Character Area Assessment Draft SPD

1.8.4 Report on Pilot Studies and Recommendations for the Future

**NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED**

Is this a Key Decision?    Yes        No   

If yes, when did it appear in the Forward Plan? \_\_\_\_\_

Is this an Urgent Key Decision?    Yes        No   

Reason for Urgency

[State why the decision is urgent and cannot wait until the next issue of the forward plan.]



## Appendices

Appendix A: Maidstone Character Area Assessment Pilot Studies: Report on Lessons to date and Recommendations for the Future