

MAIDSTONE BOROUGH COUNCIL

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

8TH DECEMBER 2008

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

Report prepared by Anne-Louise Broome

**LOOSE ROAD AND LONDON ROAD CHARACTER AREA
ASSESSMENTS: PROPOSED CHANGES FOLLOWING PUBLIC
CONSULTATION AND ADOPTION OF SUPPLEMENTARY
PLANNING DOCUMENTS**

1.0 Issue for Decision

- 1.1 The Loose Road and London Road Character Area Assessment SPDs were published for public consultation between 15th August and 26th September 2008 in accordance with Local Development Framework regulations.
- 1.2 The issue for decision is to consider proposed changes to the documents in the light of the representations received and to make recommendations to the Cabinet Member for Regeneration for the adoption of the amended document.

NB. This report should be read in conjunction with the draft SPDs attached as Appendices 1 & 2 (circulated separately)

2.0 Recommendation of the Assistant Director for Development and
Community Services

- 2.1 That the proposed amendments to the Loose Road and London Road Character Area Assessment Supplementary Planning Documents (SPD), made in response to representations are considered, together with the proposed responses to the representations received. See appendices 1 – 4.
- 2.2 That the documents as amended, and table of responses to the representations, are recommended to the Cabinet Member for Regeneration as the basis for the finalising of appropriate documentation and the formal process of adopting and publishing the Supplementary Planning Documents at the earliest opportunity.

3.0 Reasons for Recommendation

3.1 For the London Road document a total of 74 comments were received and for the Loose Road area, 63 comments were received. An exhibition was also held within each Character Area, and over 30 residents attended the London Road exhibition and over 60 attended the Loose Road exhibition. On the whole, the response to these documents, both at the exhibitions and to the consultation has been supportive. Appendices 1 & 2 attached to this report contain the Consultation Draft SPDs for the London Road and Loose Road areas. Appendices 3 & 4 contain a table showing details of all valid representations received, with consideration of each representation under the headings "Officers Response" and "Officers recommendation".

4.0 Proposed Changes to the Documents

4.1 In brief summary the main issues arising in the representations comments related to:

- widening the aims of the SPDs to include:
 - 'raising awareness' in order that the SPDs may be seen to influence changes which do not require planning consent, and
 - ensuring improved designs on the ground which enhance the character of the area.
- clarifying the status and role of the SPDs in the planning framework following consultation.
- adding further positive features to the SPDs, together with proposals to omit reference to some of the visual detractors.
- enhancing Loose Road by the addition of tree planting, where feasible, and the introduction of quiet road surface material to reduce the noise impact of traffic.
- adding the Southern Anti-coalescence Belt and Area of Landscape Importance to the Townscape Analysis Maps to the Loose Road CAA in addition to the Conservation Area boundaries already included.
- detailed amendments to both documents to add factual updates, wording/typographical corrections and additions of useful and more locally-specific (often historical) information into the document
- general suggestions to provide clarity, such as starting each character area on a new page.

- a variety of comments that fall outside the scope of the SPDs including the desire to extend the area covered by the SPDs, a number of concerns that the Borough Council would not use the SPDs in making decisions on planning applications, and seeking solutions to wider traffic issues.

5.0 Alternative Action and why not Recommended

5.1 Whilst Members have an option not to adopt the SPDs, the documents contribute towards achieving corporate objectives and will improve design quality in new development within the defined character areas.

5.2 The 2004 Town and Country Planning (Local Development)(England) Regulations set out how SPDs should be prepared. This document makes it clear that sound LDD production requires that consultation is conducted with stakeholders and the public and that consideration is given to the representations received.

2.1 Regulation (18)(4)) states: "A local planning authority shall not adopt an SPD until – (a) they have considered any representations made in accordance with paragraph (2) [made within the period and sent to the Council]; and (b) [they] have prepared a statement setting out (i) a summary of the main issues raised in these representations, and (ii) how these main issues have been addressed in the SPD which they intend to adopt".

6.0 Impact on Corporate Objectives

6.1 The documents will contribute towards the two objectives of Sustainable Communities and Quality Living, by encouraging developers to respect the recognized character of the areas, by identifying the locally distinctive features that define these areas.

7.0 Risk Management

7.1.1 One comment made by KCC is 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.

7.1.2 If the Government proceed on the current course then the policy basis of the SPD would be deeply weakened until such time as Core Strategy policy is prepared that can provide the necessary development policy

basis for this series of SPDs. This matter is addressed further in the lessons learned report that is attached to the agenda for the meeting of this Group.

8.0 Other Implications

8.1.1

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

8.1.2 Officers (particularly from Development Control) will benefit from some form of training as the SPD comes into force.

8.1.3 One of the principal aims of the document is to improve the quality of new development by ensuring that it fits in with the identified character of the area.

Appendices

1. The Loose Road Character Area Assessment SPD (draft)
2. The London Road Character Area Assessment SPD (draft)
3. Schedule of Representations and Recommended responses to the Loose Road Character Area Assessment SPD
4. Schedule of Representations and Recommended responses to the London Road Character Area Assessment SPD

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? October 2008

Is this an Urgent Key Decision? Yes No

Reason for Urgency

N/A