

## **CABINET**

**24 OCTOBER 2023**

### **CHATHAM CENTRE DESIGN CODE – REQUEST TO COMMENCE PUBLIC CONSULTATION**

Portfolio Holder: Councillor Simon Curry, Portfolio Holder for Climate Change and Strategic Regeneration

Report from: Adam Bryan, Director of Place

Authors: Dave Harris, Chief Planning Officer  
Lisa Maryott, Head of Business Development & Specialist Service

#### **Summary**

This report seeks Cabinet approval to commence public consultation on the Chatham Centre Design Code.

Medway was awarded £120,000 from the Department of Leveling Up Housing and Communities (DLUHC) in 2022 to produce an exemplar design code and design code process for Chatham Centre.

The Chatham Centre Design Code establishes a vision and associated design coding to deliver a connected network of distinctive routes and spaces and high-quality, contextual development that contributes to vibrant and urban streetscapes.

#### **1. Recommendation**

1.1 The Cabinet is requested to approve commencement of public consultation on the draft Chatham Centre Design Code.

#### **2. Suggested reasons for decision**

2.1 To allow the public and any other interested parties/stakeholders to review the Design Code in greater detail and provide their feedback for consideration by the project team, in line with statutory requirements for engagement on Supplementary Planning Documents (SPD) as set out in national legislation and the Council's adopted Statement of Community Involvement.

2.2 To allow the project to progress to this important milestone and ensure that the project remains aligned with a programme which sees adoption of the Chatham Centre Design Code in line with the funding grant extended by the Department for Levelling Up, Housing and Communities (DLUHC).

### 3. Budget and policy framework

3.1 The costs of producing the document have been met from within the externally funded Design Code Pathfinder programme with an additional £75,000, from the Local Plan budget as approved by the Directorate Management Team in August 2022.

3.2 Local Authority wide Design Codes and production of smaller area/site specific Design Codes is an integral part of the Levelling Up Regeneration Bill (LURB) and is being carried through towards regulation as part of the proposed changes to the Local Plan process. It was therefore considered that the additional £75,000 funding should come from the Local Plan budget, which was supported by allocations from reserves in 2022-23. The Design Code work supports production of the emerging Local Plan, as well as being very likely to be a requirement of future Local Plans, building on the master plan work that has already been adopted, as well as assisting in the determination of the many planning applications that are coming forward for Chatham.

3.3 The adoption of the Design Code will help to deliver sustainable, inclusive, and accessible development in Chatham Centre and aims to diversify the scale of investor and developer engagement through a diversity in scale of available land lots that can encourage a greater number of SMEs to take part alongside larger institutional operators and the Council itself.

### 4. Background

4.1 The government has made the creation of beautiful places and improving environmental outcomes a key aim of its Levelling Up and Regeneration Bill (LURB). This has included the introduction of Design Codes, that will act as a framework to help ensure new development meets clear design standards which reflect community views, a strengthened framework of environmental outcomes and expanded protection for places people value. The intention is to encourage Local Planning Authorities (LPA's) to take action to make sure good design, which reflects community preferences, is a key objective of the planning system.

4.2 The National Model Design Code (NMDC) expands on ten characteristics of good design, which reflects government priorities / perspectives and provides a common overarching framework for design.

4.3 In January 2021, the government proposed to test the application of the NMDC. A pilot program consisting of 16 Local Authorities undertook initial testing with a further 25 Local Authorities awarded funding to further develop a

design code as part of the DLUHC pathfinder program. Medway was awarded funding to undertake the Chatham Centre Design Code.

- 4.4 The codes aim to secure the highest possible design quality outcomes, speed up the process to planning permission and influence land prices to secure development opportunities through a clear deliverable vision. The aim is to secure a local culture of design quality, systematically raising expectations so that developers and communities know what is expected of change within their town.
- 4.5 Engagement is at the heart of the NMDC model and the LPA has worked with internal Medway colleagues and local communities. Wide engagement has focused on digital approaches, while deep engagement has been facilitated using face-to-face techniques including Chatham walkabouts, co-design workshops and community drop in events.
- 4.6 BPTW have been appointed as external consultants and have been excellent in co-leading the project with Medway's Specialist Team as the hybrid approach agreed at Departmental Management Team (DMT) in August 2022. The advantage of a hybrid approach is being able to fill the skills gap by using consultants who have vast experience leading on master planning and leading on the NMDC testing programme, but also having Local Authority project leads to drive the process forward, getting participants enthused, engaged, and involved and who will therefore own and be committed to the Design Code output. This has put Medway in control of getting ahead of national policy changes and avoids having to rely on national guidance when negotiating design. Medway has as a result been developing best practice local design codes that serve as an example for others through the DLUHC programme. The team have had excellent feedback from DLUHC and the Design Council Review Panel who consider the design code work to be exemplar and as a direct result further financial support is now offered by DLUHC to take the design code and related activity to the next level.

## 5. Options

- 5.1 The options available are:
  - a) Approve the request for public consultation of the draft Chatham Centre Design Code (**this is the recommended option**);
  - b) Reject the request for public consultation: or
  - c) Refine the request for public consultation.

## 6. Advice and analysis

- 6.1 The proposed public consultation for the Design Code will meet the requirements of Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for the formulation, publication, and public consultation of supplementary planning documents.

- 6.2 Following the public consultation, should it be approved, the adopted Design Code will provide a decision-making tool that sets out in some detail what is expected of developers and others in a clear and visual manner, which will lead to more beautiful, sustainable and successful places.
- 6.3 Failure to undertake the required public consultation would result in being unable to meet the legislative requirements.
- 6.4 The draft Design Code has been prepared in partnership with BPTW and DLUHC, with guidance from Council officers across the organisation, to ensure it meets the requirements of national planning policy and guidance.
- 6.5 The adoption of the Design Code will help to deliver sustainable, inclusive, and accessible development in Chatham Centre. Diversity Impact Assessment document is appended to this report.
- 6.6 The Design Code builds on and takes to a much more detailed level, the adopted Chatham Master Plan. As such the Design Code will inform the emerging Local Plan, will inform policy development and will be a material consideration in the determination of Planning Applications.

## 7. Risk management

- 7.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
<b>Not adopting the Chatham Centre Design Code.</b>	This is a requirement associated with DLUHC funding for the Design Code.  Risk of Council not achieving objectives of the Design Code and regeneration of the town centre as a result.	Ratifying the stated project programme to achieve adoption in line with DLUHC funding, ensuring key milestones are achieved, delays minimized and no showstoppers exercised for Chatham's regeneration.	CII
<b>Lack of community involvement in the development of the Code.</b>	The public and key stakeholders/groups are apathetic towards the code and do not get involved in public consultation.	Considerable consultation events have already been carried out. This stage of public consultation will	CIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
		be coordinated by the Council who will advertise the consultation prior to and during the event on Council media.	
<b>Landowners not being supportive of the proposals within the Code.</b>	Landowners and developers could oppose the proposals/guidance set out in the Chatham Centre Design Code SPD. This could give rise to development coming forward which is not aligned with the principles and content of the SPD.	Landowners have been engaged with previously for their thoughts and views. If development comes forward which is not aligned with the SPD, Planning Officers will be able to negotiate with Applicants, with refusal of planning permission being a last resort, but a potential, option.	CIII

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

## 8. Consultation

- 8.1 Consultation has been progressively undertaken on both a deep (face-to-face) and wide (electronic) basis as part of the design code process. This report now seeks Cabinet approval to release the current Chatham Centre Design Code Draft in full, for wide consultation with the general public and stakeholders, as required by the first stage of the process towards formal adoption of the Chatham Centre Design Code.
- 8.2 More specifically, engagement has included a range of local community groups, including Arches Local, Medway Urban Greenspaces Forum, Medway Plus, Fort Amherst, St Johns Rochester Anglican, Parkinson's Group and Create Medway as well as Network Rail, Ellandi and a range of landowners within the town centre.

- 8.3 From the start of the process, there has been significant engagement with Medway officers across several departments. Liaison with Medway Council's interdisciplinary Specialist Team within the planning Service, Planning Policy and Development Management (DM) Officers. Also a range of other relevant officers from wider services including Highways, Green Spaces, Climate Change, Public Health, Child Friendly Medway, Culture and Events, Regeneration, Town Centres, Communications and Medway Housing Company. This continues to shape the emerging draft Design Code and is fully coordinated with other adopted policy guidance / SPD's. covering Planning (Policy and DM), An additional series of one-to-one interviews have also been held with a range of Medway Council teams to focus on Child Friendly City and Youth Services.
- 8.4 Engagement has also taken place with and through students from the School of Architecture & Planning (KSAP) at the University of Kent. They were presented with an overview of an earlier stage draft of the Design Code and over the past year have been invited to speculate about how the area could potentially develop in the future. Their involvement in consultation on the emerging Design Code will continue through 2024 and hopefully beyond (through an Urban Room, currently being explored as an initiative to support Chatham Town Centre as well as Chatham Intra).
- 8.5 The public consultation is planned to be for a minimum 6-week period between November 2023 and December 2023, and will follow the requirements set out for Supplementary Planning Documents in the adopted Statement of Community Involvement (SCI).
- 8.6 Electronic copies of the draft Code will be available through the Council website and paper copies will be made available for inspection at public buildings (such as local libraries).
- 8.7 Statutory consultees will also be consulted, as well as the Town Centre Forum.
- 8.8 Consultation responses will be gathered through a snap survey, accessed via Medway's website.
- 8.9 Responses to the consultation will be collated and responded to in a summary table at the close of the consultation.
- 8.10 Following the consultation, a final draft Design Code will be brought back to DMT and Cabinet to seek adoption.
9. Climate change implications
- 9.1 The Council declared a climate change emergency in April 2019 - item 1038D refers, and has set a target for Medway to become carbon neutral by 2050. These priorities sit at the heart of the Chatham Centre Design Code.

9.2 The information and guidance within the Chatham Centre Design Code SPD will support existing and emerging planning policies within the Council's Development Plan and the National Planning Policy Framework (NPPF), including those relating to sustainability, sustainable development, and mitigating the effects of climate change as well as more compact and urban development set within a centre that is more pedestrian and cycle-friendly and based on a greater modal shift to public transport.

9.3 The Chatham Centre Design Code is based on an area-wide vision of how Chatham may develop by 2050. This vision forms a series of qualities as defined in the NMDC characteristics of a Well-Designed Place. These characteristics form the basis of the design codes. This 2050 vision also addresses a wide range of aspects that can guide a number of Council departments to deliver a more sustainable Chatham that achieves:

- Movement

Chatham as a place with better streets and spaces for people to walk whilst streets will be designed to encourage cycling and wheeling. The public transport network will be designed with increased frequency and quality whilst car parking will be provided in mobility hubs to link to active and more sustainable transport.

- Open Space and Nature

Chatham's open space network will celebrate local heritage within streets and spaces whilst also integrating nature and biodiversity to tackle among other things the urban heat island effects and comfortable street usage through greater canopy cover from trees. Spaces will promote intuitive legibility and streets and public spaces will be designed for greater activity and animation. Wider green links will create stronger links to the River Medway whilst opportunities will be provided to encourage greater use and activity along the riverfront.

- Built Form

New and enhanced buildings will create a place of vibrant streetscapes, where new and existing landmarks will be celebrated and key views framed. New buildings will be of high quality with distinctive design that responds to human scale and promotes qualities of delight, joy and beauty. Sustainability will be promoted, including shading from trees within projects and passive to active principles to define buildings that are low energy and are built to last.

- Use

Chatham centre will develop such that local neighbourhoods have their daily needs within a short walk or cycle. Buildings will promote flexibility in form to enable long life, loose fit principles. New uses will include affordable mixed-uses and incubator spaces to promote local entrepreneurship, whilst meanwhile and temporary uses will help to drive local innovation and creative

uses. A new, mixed series of neighbourhoods within the centre will cater to a range of types and tenures to support a diverse community.

- 9.4 These ambitions are being coordinated with the emerging Chatham Cultural Placemaking Strategy to ensure joined-up action is easier than it might otherwise be following adoption of the Chatham Centre Design Code SPD.

## 10. Financial implications

- 10.1 The costs of producing the document have been met from within the £120,000 external funding received under the Design Code Pathfinder programme along with a contribution of £75,000 from the Local Plan budget in 2022/23 funded from the Local Plan reserve. There are no further financial implications to the Council, other than the printing costs for a limited number of paper copies of the Design Code and officer time, which can be accommodated from within existing revenue budgets.

## 11. Legal implications

- 11.1 The Design Code document is a proposed Supplementary Planning Document. On adoption, it will be a material consideration in the determination of planning applications. The Council has followed the legal requirements for producing Supplementary Planning Documents, including the Town and Country Planning (Local Planning) (England) Regulations 2012.

## Lead officer contact

Duncan Berntsen  
Senior Urban Design Officer  
[duncan.berntsen@medway.gov.uk](mailto:duncan.berntsen@medway.gov.uk)  
01634 331705

Lisa Maryott  
Head of Business Development and Specialist Service  
[Lisa.Maryott@medway.gov.uk](mailto:Lisa.Maryott@medway.gov.uk)  
01634 331102

## Appendices

Appendix 1 Draft Chatham Design Centre Code  
Appendix 2 Diversity Impact Assessment

## Background Papers

None