Mr Brian Gates Chief Planner (Policy) Policy & Conservation Tonbridge and Malling Borough Council Gibson Building, Gibson Drive Kings Hill, West Malling Kent ME19 4LZ Housing & Planning Directorate

Bridge House 1 Walnut Tree Close Guildford GU1 4GA

Switchboard:01483882255Tel:01483882266Fax:01483882489

e-mail: John.Cheston@gose.gsi.gov.uk www.gose.gov.uk

24 September 2007

Our Ref: Your Ref: PTLS/P&C/04-05

Dear Mr Gates

#### PLANNING AND COMPULSORY PURCHASE ACT 2004 TONBRIDGE AND MALLING BOROUGH LOCAL PLAN 1998 SAVED POLICIES APPLICATION

I am writing with reference to your application on behalf of Tonbridge and Malling Borough Council of 27 March for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Tonbridge & Malling Borough Local Plan 1998.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 27 September 2007.

The Secretary of State's assessment of whether saved policies should be extended is based upon the criteria set out in Planning Policy Statement 12: *Local Development Frameworks* and the Department for Communities and Local Government protocol on saving policies. The Secretary of State's decisions concern some policies where there have been representations from a third party expressing views that differ from those of the local authority. Also, her decisions in respect of some policies have the effect of saving policies that an authority requested should not be extended. For clarity, where either or both of these two circumstances apply, the Secretary of State's reasons are set out in the table at the end of this letter.

The extension of saved policies listed in this Direction does not indicate that the Secretary of State would endorse these policies if presented to her as new policy. It is intended to



ensure continuity in the plan-led system and a stable planning framework locally, and in particular, a continual supply of land for development.

Local planning authorities should not suppose that a regulatory local plan-style approach will be supported in forthcoming development plan documents (DPDs). LPAs should adopt a positive, spatial, strategy-led approach to DPD preparation and not seek to reintroduce the numerous policies of many local plans.

The exercise of extending saved policies is not an opportunity to delay DPD preparation. LPAs should make good progress with local development frameworks according to the timetables in their local development schemes. Policies have been extended in the expectation that they will be replaced promptly and by fewer policies in DPDs. Maximum use should be made of national and regional policy especially given the development plan status of the regional spatial strategy.

Following 27 September 2007, the extended policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions. In particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 *Housing* and the Housing Green Paper – *Homes for the future: more affordable, more sustainable* in relevant decisions.

| Policy<br>Ref | Reason | Extended | Not<br>Extended |
|---------------|--------|----------|-----------------|
|               |        |          |                 |
|               |        |          |                 |
|               |        |          |                 |
|               |        |          |                 |

Yours sincerely

John Cheston Senior Planning Officer



# DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE PLANNING AND COMPULSORY PURCHASE ACT 2004

## POLICIES CONTAINED IN THE TONBRIDGE AND MALLING BOROUGH LOCAL PLAN ADOPTED DECEMBER 1998

The Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 directs that for the purposes of the policies specified in the Schedule (1) to this direction, paragraph 1(2)(a) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 does not apply.

Signed by authority of the Secretary of State

John Cheston Senior Planning Officer Housing and Planning Directorate Government Office for the South East

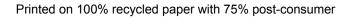
24 September 2007



### SCHEDULE

### POLICIES CONTAINED IN TONBRIDGE AND MALLING BOROUGH LOCAL PLAN 1998

| Policy<br>Number | Policy Title/Purpose                       |
|------------------|--|
| P2/1             | Sustainability                             |
| P2/2             | Development allocations at Kings Hill      |
| P2/3             | Quality of Development at Kings Hill       |
| P2/6             | Development allocations at Peters Pit      |
| P2/7             | Peters Pit                                 |
| P2/8             | Bushey Wood                                |
| P2/10            | Tonbridge Town Centre sites for mixed uses |
| P2/11            | Tonbridge Town Centre                      |

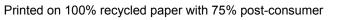




| <u>т</u> |  |
|----------|--|
| P2/12    | Tonbridge Upper High Street                |
| P2/13    | Pedestrian Priority, Tonbridge High Street |
| P2/16    | Countryside Protection                     |
| P2/17    | Safeguarded Land                           |
| P2/18    | Strategic Gap                              |
| P3/1     | Sites of Special Scientific Interest       |
| P3/2     | Sites of Nature Conservation Interest      |
| P3/5     | Areas of Outstanding Natural Beauty        |
| P3/15    | Flood Protection                           |
| P3/17    | Noise                                      |

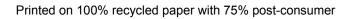


| P4/6  | Historic Parks and Gardens    |
|-------|-------------------------------|
| P4/7  | Areas of Historic Character   |
| P4/8  | Areas of Special Character    |
| P4/9  | Low Density Residential Areas |
| P4/10 | Important Green Spaces        |
| P4/11 | Quality of New Development    |
| P4/12 | Residential Extensions        |
| P4/13 | Shopfront Design              |
| P4/16 | Environmental Enhancements    |
| P5/1  | Housing allocations           |



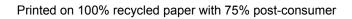


| P5/2  | Sites suitable for residential development |
|-------|--|
| P5/5  | Affordable Housing on Large Sites          |
| P5/7  | Site for Travelling Showpeople at Snodland |
| P5/9  | Employment Areas                           |
| P5/12 | Constrained employment sites               |
| P5/13 | Bad Neighbour Sites                        |
| P5/14 | Open Storage Sites                         |
| P5/15 | Sites Suitable for Business Use            |
| P5/18 | New Retail Development                     |
| P5/19 | Retail Warehousing                         |



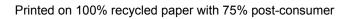


| 1     |   |
|-------|---|
| P5/20 | District Shopping Centres                           |
| P5/21 | Development in areas adjoining District Centres     |
| P5/23 | Urban Local Centres                                 |
| P6/1  | RS2 Settlements                                     |
| P6/4  | Infill Villages within the Green Belt               |
| P6/5  | Rural Settlements with a linear street character    |
| P6/7  | Rural Affordable Housing                            |
| P6/10 | Householder Development in Rural Areas              |
| P6/12 | Recreation, Leisure and Tourism Uses in rural areas |
| P6/13 | Horses and Stables                                  |





| P6/14 | Conversion of Rural Buildings to Employment Uses           |
|-------|--|
| P6/15 | Conversion of Rural Buildings to Dwellings                 |
| P6/16 | Converted Rural Buildings                                  |
| P6/17 | Major Developed Sites within the Green Belt                |
| P6/18 | Sites in the Green Belt suitable for Redevelopment         |
| P6/19 | Rural Lanes  |
| P6/20 | Rural Local Centres and Village Shops                      |
| P6/21 | Development in area adjoining West Malling Local Centre    |
| P6/22 | Local Community Facilities outside confines of settlements |
| P6/25 | Beltring Hop Farm  |





| P7/6  | Buses and Taxis  |
|-------|--|
| P7/7  | Adopted Road Schemes                                     |
| P7/8  | Development-related Road Schemes                         |
| P7/15 | Riverside Footpath                                       |
| P8/1  | Service and Community Infrastructure in new developments |
| P8/2  | Provision of Open Playing Space                          |
| P8/3  | Sites suitable for Open Playing Space                    |
| P8/6  | Sites for Informal Recreation                            |
| P8/9  | Safeguarding of land for new educational facilities      |
| P8/10 | Allotments   |



| P8/12 | Land safeguarded for new reservoirs |   |
|-------|-------------------------------------|---|
|       |                                     | 1 |

