

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: 01483 882 255  
Tel: 01483 882 266  
Fax: 01483 882 489

e-mail: [John.Cheston@gose.gsi.gov.uk](mailto:John.Cheston@gose.gsi.gov.uk)  
[www.gose.gov.uk](http://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 Ref	Reason	Extended	Not 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 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

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

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
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