

**Tonbridge and Malling Borough Council**  
**LOCAL DEVELOPMENT FRAMEWORK**

**Compendium of  
Saved Policies**

April 2010



# **TONBRIDGE AND MALLING BOROUGH LOCAL PLAN**

## **SAVED POLICIES COMPENDIUM**

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# **1. Introduction**

## **1.1 Background**

- 1.1.1 The Core Strategy, the Development Land Allocations Development Plan Document (DPD) and the Tonbridge Central Area Action Plan were submitted to the Secretary of State on 1 September 2006. The Managing Development and the Environment DPD was submitted to the Secretary of State on 31 July 2009.
- 1.1.2 The Council adopted the Core Strategy on 25 September 2007. The Development Land Allocations DPD and the Tonbridge Central Area Action Plan were both adopted by Council on 22 April 2008. The Managing Development and the Environment DPD was adopted by Council on 20 April. The adoption of these four LDF documents now almost entirely replaced the Saved Policies in the Tonbridge and Malling Borough Local Plan adopted in 2008.
- 1.1.3 The Development Plan now comprises the following documents:
- The Regional Spatial Strategy
  - The Core Strategy;
  - The Development Land Allocations DPD;
  - The Tonbridge Central Area Action Plan;
  - The Managing Development and the Environment DPD
  - The saved policies of the Tonbridge and Malling Borough Local Plan which have not been superseded (as set out in this Compendium.)
  - The saved policies of the Kent Minerals Local Plan; and,
  - The saved policies of the Kent Waste Local Plan.

## **1.2 Saved Policies**

- 1.2.1 The Planning and Compulsory Purchase Act 2004 provides for the saving of policies in adopted local plans for a period of 3 years from the commencement date of the Act, which was 28 September 2004. Policies in adopted local plans at the commencement date expired on 27 September 2007, unless extended by the Secretary of State beyond that date.
- 1.2.2 Local Planning Authorities were invited by the Department for Communities and Local Government to make an application to the Secretary of State to issue a direction to save selected local plan policies beyond the 3-year period.

- 1.2.3 The Department for Communities and Local Government set out in a protocol the broad principles to save selected local plan policies. Local Planning Authorities needed to demonstrate that the policies to be saved reflected the principles of Local Development Frameworks; were consistent with prevailing national policy; and that it was not feasible or desirable to replace them by 27 September 2007.
- 1.2.4 The schedule of those policies in the Tonbridge and Malling Borough Local Plan that required saving in accordance with the protocol, was approved by the Local Development Framework (LDF) Steering Panel on 26 March 2007. The Saved Policies Schedule was submitted to the Secretary of State for consideration on 27 March 2007. Cabinet ratified the Saved Policies Schedule on 4 April 2007.
- 1.2.5 Between April and September 2007 the Secretary of State assessed and evaluated the Council's Saved Policies Schedule. In a "Direction" letter from the Government Office of the South East (GOSE) dated 24 September 2007, the Secretary of State approved the submitted Saved Policies Schedule with one exception: Policy P3/6 - Special Landscape Areas. This was in line with the recommendation of the Inspector who held the Public Examination into the Core Strategy. The Secretary of State's Direction came into effect on 28 September 2007 and accordingly all Local Plan policies not saved expired on 27 September 2007 and can no longer be used. These are set out under **Annex B**.
- 1.2.6 **Annex A** is a list of all saved Local Plan policies showing, as highlighted, those saved policies which have been replaced by policies in either the Core Strategy, Development Land Allocations DPD, Tonbridge Central Area Action Plan or Managing Development and the Environment DPD..

## **1.3 Saved Policies Summary**

### **1.3.1 In summary:**

- Of the 136 Local Plan Policies, 69 (51%) were saved and 67 (49%) were not saved.
- Of the 69 saved policies, 16 have been replaced by the adoption of the Core Strategy, 20 by the adoption of the Development Land Allocations DPD, 5 by the adoption of the Tonbridge Central Area Action Plan and a further 21 by the adoption of the Managing Development and the Environment DPD.
- This means that only 7 (21%) of the original Local Plan Policies remain saved.

The policies relating to Kings Hill and to Peters Pit refer to land which now has planning permission. They have been retained to provide a context for the consideration of reserved matters or revision to the original permissions. They will effectively expire once the developments are fully implemented.

## **1.4 Compendium of Saved Policies**

- 1.4.1 The Compendium of Saved Policies, **Annex C**, effectively replaces the Tonbridge and Malling Borough Local Plan. It includes only those saved policies that have not been replaced by the Core Strategy, the Development Land Allocations DPD, the Tonbridge Central Area Action Plan and the Managing Development and the Environment DPD. It reproduces all the saved Local Plan policies that have not been superseded together with their immediate reasoned justification. There has been no attempt to update the text and the words are taken directly from the Local Plan as adopted in 1998.
- 1.4.2 The policy, section and paragraph numbers of policies that have been saved are the same as in the published Local Plan. The Policies and paragraph numbers relating to policies that have not been saved, or which have been saved and now superseded, are annotated in the text in brackets, thus [.....].





# **ANNEX A**

## **SAVED POLICIES**



## SAVED POLICIES

**Local Plan Policies in this schedule are saved unless superseded by a policy in the Core Strategy, Development Land Allocations DPD (DLA DPD),**

**Tonbridge Central Area Action Plan (TCAAP) or  
Managing Development and the Environment DPD (MDE DPD)**

**Saved Policies that are superseded are highlighted.**

**Note:** The policies marked with an asterisk will remain a material consideration for Development Control until such time as the Character Area Appraisals SPD prepared pursuant to MDE DPD Policy SQ1 is adopted (see **Annex C**)

<b>Policy Number</b>	<b>Policy Title/Purpose</b>	<b>Current Status</b>
P2/1	Sustainability	Superseded by Core Strategy Policy CP1.
P2/2	Development allocations at Kings Hill	Superseded by DLA DPD Policies E1, E3 and R1.
P2/3	Quality of Development at Kings Hill	
P2/6	Development allocations at Peters Pit	
P2/7	Peters Pit	
P2/8	Bushey Wood	Superseded by Core Strategy Policy CP16.
P2/10	Tonbridge Town Centre sites for mixed uses	Superseded by TCAAP Policies TCA10.3(e), TCA11(d), TCA11(e) and TCA11(f).
P2/11	Tonbridge Town Centre	Superseded by TCAAP Policies TCA3, TCA4 and TCA5.
P2/12	Tonbridge Upper High Street	Superseded by TCAAP Policy TCA5.
P2/13	Pedestrian Priority, Tonbridge High Street	Superseded by TCAAP Policy TCA13.
P2/16	Countryside Protection	Superseded by Core Strategy Policies CP3, CP11, CP12, CP13 and CP14.
P2/17	Safeguarded Land	Superseded by Core Strategy Policy CP4.
P2/18	Strategic Gap	Superseded by Core Strategy Policy CP5.
P3/1	Sites of Special Scientific Interest	Superseded by Core Strategy Policy CP8.
P3/2	Sites of Nature Conservation Interest	Superseded by MDE DPD Policy NE1
P3/5	Areas of Outstanding Natural Beauty	Superseded by Core Strategy Policy CP7.

P3/15	Flood Protection	Superseded by Core Strategy Policy CP10.
P3/17	Noise	Superseded by MDE DPD Policy SQ6
P4/6	Historic Parks and Gardens	Superseded by MDE DPD Policy SQ3
P4/7*	Areas of Historic Character	Superseded by MDE DPD Policy SQ1
P4/8*	Areas of Special Character	Superseded by MDE DPD Policy SQ1
P4/9*	Low Density Residential Areas	Superseded by MDE DPD Policy SQ1
P4/10*	Important Green Spaces	Superseded by MDE DPD Policies SQ1 and OS1
P4/11	Quality of New Development	Superseded by Core Strategy Policy CP24.
P4/12	Residential Extensions	
P4/13	Shopfront Design	
P4/16*	Environmental Enhancements	Superseded by MDE DPD Policy SQ1
P5/1	Housing allocations	Superseded by DLA DPD Policies H1, H2 and H3.
P5/2	Sites suitable for residential development	Superseded by DLA DPD Policy H4.
P5/5	Affordable Housing on Large Sites	Superseded by Core Strategy Policy CP17.
P5/7	Site for Travelling Showpeople at Snodland	Superseded by DLA DPD Policy S3.
P5/9	Employment Areas	Superseded by DLA DPD Policies E1, E2 and E3.
P5/12	Constrained employment sites	Superseded by DLA DPD Policies E1, E2 and E3.
P5/13	Bad Neighbour Sites	Superseded by DLA DPD Policies E1, E2 and E3.
P5/14	Open Storage Sites	Superseded by DLA DPD Policies E1, E2 and E3.
P5/15	Sites Suitable for Business Use	Superseded by DLA DPD Policies E1, E2 and E3.
P5/18	New Retail Development	Superseded by Core Strategy Policy CP22.
P5/19	Retail Warehousing	Superseded by DLA DPD Policy R1.
P5/20	District Shopping Centres	Superseded by DLA DPD Policy R1.
P5/21	Development in areas adjoining District Centres	Superseded by DLA DPD Policy R1.
P5/23	Urban Local Centres	Superseded by DLA DPD Policy R1.
P6/1	RS2 Settlements	Superseded by Core Strategy Policies CP12 & CP13.
P6/4	Infill Villages within the Green Belt	Superseded by Core Strategy Policy CP13.
P6/5*	Rural Settlements with a linear street character	Superseded by MDE DPD Policy SQ1

P6/7	Rural Affordable Housing	Superseded by Core Strategy Policy CP19.
P6/10	Householder Development in Rural Areas	Superseded by Core Strategy Policy CP 14.
P6/12	Recreation, Leisure and Tourism Uses in rural areas	Superseded by MDE DPD Policy DC5
P6/13	Horses and Stables	Superseded by MDE DPD Policy DC4
P6/14	Conversion of Rural Buildings to Employment Uses	Superseded by MDE DPD Policies DC1 and DC3
P6/15	Conversion of Rural Buildings to Dwellings	Superseded by MDE DPD Policy DC1
P6/16	Converted Rural Buildings	Superseded by MDE DPD Policy DC1
P6/17	Major Developed Sites within the Green Belt	Superseded by DLA DPD Policy M1.
P6/18	Sites in the Green Belt suitable for Redevelopment	Superseded by DLA DPD Policy M1.
P6/19	Rural Lanes	Superseded by MDE DPD Policy DC6
P6/20	Rural Local Centres and Village Shops	Superseded by DLA DPD Policy R1.
P6/21	Development in area adjoining West Malling Local Centre	Superseded by DLA DPD Policy R1.
P6/22	Local Community Facilities outside confines of settlements	Superseded by MDE DPD Policy DC7
P6/25	Beltring Hop Farm	
P7/6	Buses and Taxis	
P7/7	Adopted Road Schemes	Superseded in part by DLA DPD Policy S1 and in part by TCAAP Policy
P7/8	Development-related Road Schemes	Superseded in part by Core Strategy Policy CP26 and in part by TCAAP Policy TCA12.4.
P7/15	Riverside Footpath	Superseded by MDE DPD Policy OS5
P8/1	Service and Community Infrastructure in new developments	Superseded by Core Strategy Policy CP25.
P8/2	Provision of Open Playing Space	Superseded by MDE DPD Policy OS3
P8/3	Sites suitable for Open Playing Space	Superseded by MDE DPD Policy OS4
P8/6	Sites for Informal Recreation	Superseded by MDE DPD Policy OS4
P8/9	Safeguarding of land for new educational facilities	Superseded by DLA DPD Policy S1.
P8/10	Allotments	Superseded by MDE DPD Policy OS2
P8/12	Land safeguarded for new reservoirs	Superseded by DLA DPD Policy S1.



## **ANNEX B**

### **LOCAL PLAN POLICIES WHICH WERE NOT SAVED**





**POLICIES CONTAINED IN THE TONBRIDGE AND MALLING BOROUGH  
LOCAL PLAN WHICH WERE NOT SAVED**

**The following Local Plan Policies can no longer be used.**

<b>Policy Number</b>	<b>Policy Title/Purpose</b>
P2/4	Phasing of Development at Kings Hill
P2/5	East of Wouldham Village
P2/9	Development at the Botany, Tonbridge
P2/14	Service Access Tonbridge High Street
P2/15	Tonbridge Town Centre Parking Area
P2/19	Green Wedges
P3/3	Ancient Woodland
P3/4	Impact of Development on Nature Conservation
P3/6	Special Landscape Areas
P3/7	Areas of Local Landscape Importance
P3/8	Trees and Woodlands
P3/9	Agricultural Land
P3/10	Treatment of damaged land
P3/11	Adverse Ground Conditions
P3/12	Hazardous Installations
P3/13	Water Supply
P3/14	Water Quality
P3/16	Outputs to Air, Land and Water
P3/18	Light
P3/19	Energy Efficiency through Building Design
P3/20	Renewable Energy
P4/1	Listed Buildings

P4/2	Scheduled Ancient Monuments
P4/3	Non-scheduled Archaeological Sites or Monuments
P4/4	Development affecting Conservation Areas
P4/5	Development within Conservation Areas
P4/14	Riverside Environment
P4/15	Refuse Storage, Collection and Recycling
P5/3	Maximising residential accommodation
P5/4	Residential Conversions
P5/6	Special Needs Housing
P5/8	Travelling Show People
P5/10	Expansion of existing firms
P5/11	Small Firms
P5/16	Areas and Buildings Suitable for Conversion to Business Use
P5/17	New Employment Development Outside Existing Employment Areas
P5/22	Improvements to Snodland Shopping Centre
P5/24	Areas for conversion to Tourist accommodation
P5/25	Tourist facilities at Tonbridge Castle
P6/2	RS3(a) Settlements
P6/3	RS3(b) Settlements
P6/6	Kits Coty
P6/8	Development of new permanent agricultural or forestry dwellings
P6/9	Removal of agricultural or forestry occupancy conditions
P6/11	Gypsy Accommodation
P6/23	Castle Lake, Leybourne
P6/24	Mereworth Woods Visitor Centre
P7/1	Passenger facilities and car parking at railway stations
P7/2	Car Parking at Barming, Snodland and West Malling Stations
P7/3	Rail Sidings on employment sites

P7/4	Light Rail Depot and Park and Ride site at Holborough
P7/5	Coach-based Park and Ride Facility at Blue Bell Hill
P7/9	Roadside and Motorway Services
P7/10	Roadside facilities west of Hale Street Bypass, East Peckham
P7/11	River Transport
P7/12	Cycling
P7/13	Access for Pedestrians in development proposals
P7/14	Public Rights of Way
P7/16	Telecommunications
P7/17	Remedial measures to combat traffic impacts
P7/18	Vehicle Parking
P7/19	Residents' Parking
P8/4	Loss of Open Playing Space
P8/5	Expansion at Larkfield Leisure Centre
P8/7	Leybourne Lakes
P8/8	Marina proposal at Tonbridge
P8/11	Medway Crematorium



## **ANNEX C**

# **COMPENDIUM OF SAVED POLICIES THAT HAVE NOT BEEN SUPERSEDED**



## 2. DEVELOPMENT STRATEGY

*[Section 2.1: Not saved.]*

*[Section 2.2: Not saved.]*

*[Section 2.3: Superseded by Core Strategy Policies.]*

*[2.3.1 – 2.3.8 and **POLICY P2/1**: Saved Policy but superseded by Core Strategy Policy CP1.]*

*[Section 2.4: Not Saved.]*

### 2.5 Kings Hill

2.5.1 The redevelopment of the former West Malling Airfield as a mixed commercial, business and residential development is now firmly established. Structure Plan Policy MK2 identifies Kings Hill for the phased development of a substantial campus-style business park of high environmental quality, including housing and education uses. The guidelines in Structure Plan Policy ED1 allow for up to 260,000 sq.m of business use on the site within the Plan period. Structure Plan Policy MK3(b) confirms that the site is considered strategically suitable for continued major new housing provision in the post 2001 period.

2.5.2 The Medway Gap and Vicinity Local Plan established the full extent of the Kings Hill Policy Area, which includes most of the former Airfield and the adjacent area of Kate Reed Wood (now known as Lords Walk). It is the purpose of this Local Plan to firm up the land use allocations within this Policy Area in the light of the Structure Plan commitment and the outline planning permissions that exist. In this respect, the broad distribution of uses on the site pay regard to the content of a Development Brief prepared in 1992, which was adopted in principle by the Borough Council subject to the outcome of the Structure Plan review.

2.5.3 The majority of the former Airfield has outline planning permission (Reference TM/89/1655 - as amended) for a mixed use development comprising business, residential and other ancillary uses. This permission established the range of acceptable uses on the site and the scale of development. The first phase was originally limited by condition to 93,000 sq.m of business use and 550 houses. This has subsequently been increased to 1,850 dwellings. The outline planning permission also limits the amount of retail development to no more than 4,645 sq.m, and controls the density of commercial development by reference to both floorspace (470 sq.m/ha) and footprint, and by requiring a minimum of 40% of the overall site to be left open for amenity, recreation and landscaping purposes. General industrial, special industrial, and warehousing uses are specifically precluded. The development of 177 dwellings at Lords Walk lies immediately adjacent to the area covered by permission TM/89/1655.

2.5.4 In addition to the areas with permission for residential development (as at mid 1998), there is scope within the allocated area to provide for about an additional 100 dwellings on two marginal sites outside the extent of the original outline planning permission. The total dwelling capacity of the entire Kings Hill area, including Lords Walk, therefore amounts to some 2,127 dwellings, including those houses completed prior to mid 1998. The provision of this level of housing will go some way to balance the amount of business development on the site, thereby reducing its employment and traffic impact on the wider area, and will provide a regular supply of housing throughout the Plan period. Furthermore, it is a level of development which can sustain a reasonable range of local services and facilities complementary to others in the locality, thereby reducing the need to travel and minimising any adverse impacts on other local centres and facilities.

2.5.5 In the longer term, market circumstances may dictate that a different mix of uses is appropriate. The site has potential to accommodate more housing, which would further enhance the sustainability of the project. Any possible change to the balance of uses at Kings Hill for the post 2006 period will be considered at the next review of the Local Plan in the context of the fourth review of the Structure Plan and in the light of market conditions and other circumstances prevailing at that time.

2.5.6 Kings Hill, as the largest single development proposed in the Borough, is one of the few areas that offers the prospect of planning comprehensively for a more sustainable form of development. There is the potential to reduce the number of long-distance car journeys to work and make more efficient use of public transport by encouraging counter-commuting by rail. Furthermore, the concentration of a large number of jobs and houses in a single location makes the economies of running new bus services, and ultimately a Light Rail system using modern trams to Kings Hill from the Medway Gap and Maidstone areas potentially more viable. The provision of a substantial amount of on-site housing with good pedestrian and cycleway connections to the business/commercial areas will also encourage more internal trips to be made to work, shops, and the school, by means other than the car. Furthermore, the fact that Kings Hill involves the redevelopment of a disused Airfield and the recycling of many of the materials and reuse of some of the existing buildings on the site, goes to the heart of sustainability in terms of making best use of already compromised land, and diverting pressure away from fresh undeveloped land and woodland.

2.5.7 The following Local Plan policy therefore establishes, by allocation, the broad land use pattern on the site. As such, it provides a framework for the consideration of details pursuant to the existing planning permissions and, in conjunction with Policies P2/3 and P2/4, a context for the determination of any variation to the terms of those permissions or any new applications for development within the Policy Area.



**[POLICY P2/2: Saved Policy but superseded by DLA DPD Policies E1, E3 and R1.]**

2.5.8 It is essential that the quality of the Kings Hill development is maintained throughout its period of construction and beyond. To this end, employment uses which detract from the low density, high quality character of the development and which generate unacceptable levels of heavy goods traffic will be resisted. Additionally, the design and siting of individual buildings will need to pay regard to the landscape setting of the site and in particular, should not intrude upon the wider area through inappropriate building heights, colour of materials, inappropriate illumination (to be determined in the context of Policy P3/18), or inadequate marginal screening. The scale of tree planting and other landscape works proposed will increase substantially the total biomass and biodiversity of the site, as well as conserve existing, and create new, wildlife habitats.

**POLICY P2/3**

**All development within the Kings Hill Policy Area shall be designed and located so as to respect the setting of the site in the wider landscape, and to reduce to the greatest extent possible the visual intrusion of any such development in that landscape. The following will not be permitted:**

- (1) any development which might result in significant visual intrusion into distant views by virtue of the siting or height of any building or structure, colour of materials, or inadequate screening on the margins of the Policy Area;**
- (2) any development which might detract from the character of the site as a high quality business park, in terms of appearance, traffic generation or emissions;**
- (3) major retail development of a scale likely to affect adversely the vitality and viability of any nearby local centre;**
- (4) general industrial (B2), predominantly wholesale or distribution uses, or large areas of open storage (B8).**

**The development of the site shall take place within the context of an approved landscape and nature conservation strategy aimed at mitigating and/or compensating for any unavoidable impacts on other areas agreed to be of nature conservation interest; minimising the visual impact of the development on the wider landscape; and significantly enhancing the environmental quality of, and amount of tree cover on, the development site. This strategy should indicate the areas to be retained or created as informal nature**

**reserves, woodland screens or open spaces, and include proposals for their future use and management.**

*[2.5.9 and **POLICY P2.4**: Not Saved.]*

## **2.6 East Bank of the Medway**

*[2.6.1 – 2.6.10 and **POLICY P2/5**: Not Saved.]*

### **Peters Pit and Vicinity**

2.6.11 It is the intention that land within, and in the vicinity of, Peters Pit will be the second area to be developed and this is phased for release post 2001. It has the potential to provide for some 700 dwellings in total which it is expected will be constructed entirely within the period from 2001 to 2011. Development of the site will need to provide for an appropriate level of open space in accordance with the standards set out in Policy P8/2, and to make provision for primary education needs through the provision of a site for a new school, appropriately accessed and served by mains services, which will need to be brought forward for development when the need determines. An area is to be set aside adjacent to the development area to provide for enhancements to the nature conservation habitat to protect the colony of Great Crested Newts and to more than compensate for the loss of the northern part of the Site of Special Scientific Interest which is allocated for development.

2.6.12 Development at Peters Pit is dependent upon the provision of a number of specific off-site highway improvements, as identified under Policy P7/8, including a new bridge across the River Medway connecting with the A228 Primary Route. This will need to be available for use as soon as traffic levels resulting from the new development reach the equivalent of the levels that could otherwise be generated by the uses on the Peters Works site that were lawful at the base date of the Plan (30 June 1996). However, the level of development will be prescribed by the number of houses (and other proposed uses) that would generate the equivalent amount of traffic, and not by monitoring the amount of traffic generated by the development. If significant traffic impacts are identified elsewhere in the Borough, or in the area of the Medway Council, then under the terms of Policy P7/17, it will be a requirement of the development that appropriate remedial measures are implemented.

#### **POLICY P2/6**

**Land within, and in the vicinity of, Peters Pit, Wouldham, as defined on the Proposal Map, is allocated for primarily residential development for occupation in the period post 2001. Development in accordance with this policy will be permitted subject to the cessation of all existing uses on the Peters Works Site and to agreement on the routing of**

construction traffic and to the provision of the following:

- (1) a new crossing of the River Medway for vehicular, cycle and pedestrian use which shall be available for use before the occupation of any development beyond an initial limit. This limit shall be that level of development which would result in no more traffic than would be generated by the uses on the Peters Works site that were lawful on 30 June 1996;
- (2) other on and off-site transport infrastructure, as required by Policy P7/17, *[now MDE DPD Policy SQ8]* including the roads safeguarded under Policy P7/8, *[now with planning permission and shown for information on the Proposals Map]* to be brought forward in accordance with an agreed phased programme commensurate with the rate of development;
- (3) an element of affordable housing in accordance with Policy P5/5 *[now Core Policy CP17]*;
- (4) a network of 'green' cycle ways, pedestrian and equestrian links and facilities for public transport within and between the main areas for new development, adjacent villages, urban areas and existing and proposed public transport nodes;
- (5) land restoration within and adjacent to the development area, the identification and treatment of any contaminated or unstable land, substantial landscaping, tree planting, and measures to enhance the natural resources of the area;
- (6) environmental enhancements and appropriate landscaping within and adjacent to the areas identified for development to mitigate visual impacts on both local and distant views, to maintain the separation of existing settlements and to protect the rural character of Hall Road;
- (7) the inclusion of an element of higher density residential development, particularly on the riverside, with a layout and design that enhances the appearance and character of the area;

- (8) provision for recycling facilities;**
- (9) the full integration of the adjacent Ravens Knowle Pit which shall not be developed independently of Peters Pit and shall be accessed only via Peters Pit;**
- (10) the provision of appropriate recreation and leisure facilities on the riverside, including the provision of a riverside footpath.**

**Proposals for development will need to be accompanied by a detailed nature conservation strategy aimed at identifying, on a comprehensive basis, appropriate enhancement and management measures for areas agreed to be of nature conservation interest, both within, and in the vicinity of the development area.**

**POLICY P2/7**

**Development within and in the vicinity of Peters Pit will be subject to the provision of the following facilities in the areas shown on the Proposals Map:**

- (a) a serviced site for a new primary school and community centre to be made available to meet the educational and social requirements of the development (Policy P8/9(i));** *[Note that the area now shown on the Proposals Map relates to the planning permission]*
- (b) the provision of appropriate recreation facilities, including the provision of open playing space, in accordance with Policy P8/2** *[now MDE DPD Policy OS3], on the site identified on the Proposals Map, on the riverside and on other sites to be agreed within the main residential areas; all such provision to be made in accordance with an agreed programme;* *[Note that the area now shown on the Proposals Map relates to the planning permission]*
- (c) an area of mixed uses on the riverside, including an element of employment, retail and leisure but predominantly higher density residential uses; the scale of local shopping facilities within this area being adequate to meet the needs of the development, but complementary to other nearby local centres, and to be made available in accordance with a**

phased programme agreed with the Borough Council;

- (d) land to accommodate appropriate nature conservation management and enhancement measures to maintain and protect the existing Great Crested Newt population of the Site of Special Scientific Interest;
- (e) restoration of the site of the former West Kent Works for an appropriate level of informal recreation compatible with its identification as a Site of Nature Conservation Interest;
- (f) development for housing on the upper platform will only be permitted if its levels are reduced to the general level of the first plateau, failing which the upper platform should be restored to an open use which would not visually intrude into the wider landscape.

[2.6.13 – 2.6.17 and **POLICY P2/8**: Saved Policy but superseded by Core Strategy Policy CP16.]

[2.7.1 – 2.7.6 and **POLICY P2/9**: Not Saved.]

[2.7.7 – 2.7.9 and **POLICY P2/10**: Saved Policy but superseded by TCAAP Policies TCA10.3(e), TCA11(d), TCA11(e) and TCA11(f).]

[2.7.10 and **POLICY P2/11**: Saved Policy but superseded by TCAAP Policies TCA3, TCA4 and TCA5.]

[2.7.11 – 2.7.13 and **POLICY P2/12**: Saved Policy but superseded by TCAAP Policy TCA5.]

[2.7.14 – 2.7.16 and **POLICY P2/13**: Saved Policy but superseded by TCAAP Policy TCA13.]

[2.7.17, **POLICY P2/14**, 2.7.18 – 2.7.21 and **POLICY P2/15**: Not Saved.]

[2.8.1 – 2.8.3 and **POLICY P2/16**: Saved Policy but superseded by Core Strategy Policies CP3, CP11, CP12, CP13 and CP14.]

[2.9.1 and **POLICY P2/17**: Saved Policy but superseded by Core Strategy Policy CP4.]

[2.10.1 and **POLICY P2/18**: Saved Policy but superseded by Core Strategy Policy CP5.]

[2.11.1 and **POLICY P2/19**: Not Saved.]

[Section 2.12: Not Saved.]



### 3. NATURAL ENVIRONMENT

*[Section 3.1: Not Saved.]*

*[3.2.1 – 3.2.3 and **POLICY P3/1**: Saved Policy but superseded by Core Strategy Policy CP8.]*

*[3.2.4 and **POLICY P3/2**: Saved but superseded by MDE DPD Policy NE1]*

*[3.2.5, **POLICY P3/3**, 3.2.6, **POLICY P3/4**: Not Saved.]*

*[3.3.1 – 3.3.3 and **POLICY P3/5**: Saved Policy but superseded by Core Strategy Policy CP7.]*

*[3.3.4, **POLICY P3/6**, 3.3.5, **POLICY P3/7**, 3.3.6, 3.3.7 and **POLICY P3/8**: Not Saved.]*

*[3.4.1, **POLICY P3/9**, 3.4.2 – 3.4.4, **POLICY P3.10**, 3.4.5, 3.4.6, **POLICY P3/11**, 3.4.7 and **POLICY P3/12**: Not Saved.]*

*[3.5.1, **POLICY P3/13**, 3.5.2 and **POLICY P3/14**: Not Saved.]*

*[3.5.3 – 3.5.5 and **POLICY P3/15**: Saved Policy but superseded by Core Strategy Policy CP10.]*

*[3.6.1 – 3.6.4 and **POLICY P3/16**: Not Saved.]*

*[3.6.5 – 3.6.8 and **POLICY P3/17**: Saved but superseded by MDE DPD Policy SQ6]*

*[3.6.9, 3.6.10 and **POLICY P3/18**: Not Saved]*

*[3.7.1, 3.7.2, **POLICY P3/19**, 3.7.3, 3.7.4 and **POLICY P3/20**: Not Saved.]*

*[Section 3.8: Not Saved.]*





## 4. BUILT AND CULTURAL ENVIRONMENT

*[Section 4.1: Not Saved.]*

*[4.2.1 – 4.2.5, **POLICY P4/1**, 4.2.6, 4.2.7, **POLICY P4/2**, 4.2.8, **POLICY P4/3**, 4.2.9, 4.2.10, **POLICY P4/4**, 4.2.11 – 4.2.13, **POLICY P4/5**: Not Saved.]*

*[4.2.14 - 4.2.15 and **POLICY P4/6**: Saved but superseded by MDE DPD Policy SQ3]*

*[4.2.16 and **POLICY P4/7**: Saved but superseded by MDE DPD Policy SQ1. Will remain a material consideration for Development Control until such time as the Character Area Appraisals SPD is adopted – see Annex D]*

*4.3.1-4.3.2 and **POLICY P4/8**, 4.3.3 and **POLICY P4/9** 4.3.4 and **POLICY P4/10**: Saved but superseded by MDE DPD Policy SQ1. However, these policies will remain a material consideration for Development Control until such time as the Character Area Appraisals SPD is adopted – see Annex D].*

*[4.4.1 – 4.4.2 and **POLICY P4/11**: Saved Policy but superseded by Core Strategy Policy CP24.]*

### Residential Extensions

4.4.3 Extensions to dwellings can have a significant visual impact in terms of the design and proportions of the building itself and the way it is seen in the street scene. They can also have adverse effects on the amenity of adjoining dwellings in terms of loss of light and privacy and from overlooking and overshadowing of gardens. Extensions must therefore be carefully designed in order to ensure that any impacts are minimised. Policy P4/12 includes general criteria for considering proposals for residential extensions, which are set out below, and also more detailed design criteria which are contained in Policy Annex PA4/12. The Policy Annex forms part of the policy.

**POLICY P4/12**      **Extensions to residential properties will not be permitted if they would result in an adverse impact on:**

- (1)      the character of the building or the street scene in terms of form, scale, design, materials and existing trees;**
- (2)      residential amenity of neighbouring properties in terms of light and privacy, and overlooking of garden areas.**

**Permission will only be granted for proposals which meet the design criteria contained in Policy Annex PA4/12. Adequate car parking provision, in accordance with Policy P7/18, [now MDE DPD Policy**

**SQ8] and satisfactory vehicle access and manoeuvring areas will be required.**

## **Shopfront Design**

4.4.4 Shopfronts have a major impact on the character of an area since they are at ground floor level and they are the part of the building most seen both by pedestrians and from passing vehicles. It is important that traditional shopfronts are retained and that new or altered shopfronts are designed to be in keeping with the building as a whole and also those adjacent. It is particularly important that shopfront proposals for Listed Buildings or buildings within Conservation Areas are designed with traditional proportions, materials and details to reflect and respect the special architectural and historic character of the building itself and the wider area. Policy P4/13 includes general criteria for considering shopfront proposals and also more detailed design criteria which are contained in Policy Annex PA4/13. The Policy Annex forms part of the policy.

### **POLICY P4/13**

**1. Proposals for new shopfronts or alterations to existing ones should respect the character, proportions, period and design of the individual building, of adjacent buildings, and of the wider area, with particular regard to detailing of fascias, windows and doors, use of materials and form of any illumination. Permission will only be granted for proposals which meet the design criteria contained in Policy Annex PA4/13.**

**2. Proposals for shopfronts to Listed Buildings or buildings within Conservation Areas should be designed with traditional proportions, details and materials to preserve the special architectural and historic character of the building, its setting and the wider area. Proposals for Listed Buildings must also be in accordance with the provisions of Policy P4/1. Proposals for buildings within Conservation Areas must accord with the provisions of Policy P4/4.**

*[4.4.5, **POLICY P4/14**, 4.4.6, 4.4.7 and **POLICY P4/15**: Not Saved.]*

*4.4.8 and **POLICY P4/16**: Saved but superseded by MDE DPD Policy SQ1. However, this policy will remain a material consideration for Development Control until such time as the Character Area Appraisals SPD is adopted – see Annex D].*

*[Section 4.5: Not Saved.]*

## 5. URBAN DEVELOPMENT

*[Section 5.1: Not Saved.]*

*[Section 5.2: Not Saved and superseded by Core Strategy and DLA DPD Policies.]*

*[5.2.1, **POLICY P5/1**, 5.2.2 and **POLICY P5/2**: Saved Policies but superseded by DLA DPD Policies H1, H2, H3 and H4.]*

*[5.2.3, 5.2.4, **POLICY P5/3**, 5.2.5, 5.2.6 and **POLICY P5/4**: Not Saved.]*

*[5.2.7 – 5.2.9 and **POLICY P5/5**: Saved Policy but superseded by Core Strategy Policy CP17.]*

*[5.2.10 and **POLICY P5/6**: Not Saved.]*

*[5.2.11, 5.2.12 and **POLICY P5/7**: Saved Policy but superseded by DLA DPD Policy S3.]*

*[**POLICY P5/8**: Not Saved.]*

*[5.3.1: Not Saved.]*

*[5.3.2 and **POLICY P5/9**: Saved Policy but superseded by DLA DPD Policies E1, E2 and E3.]*

*[5.3.3, **POLICY P5/10**, 5.3.4, and **POLICY P5/11**: Not Saved.]*

*[5.3.5, **POLICY P5/12**, 5.3.6, **POLICY P5/13**, 5.3.7, **POLICY P5/14**, 5.3.8 and **POLICY P5/15**: Saved Policies but superseded by DLA DPD Policies E1, E2 and E3.]*

*[5.3.9, **POLICY P5/16**, 5.3.10 and **POLICY P5/17**: Not Saved.]*

*[5.4.1 and **POLICY P5/18**: Saved Policy but superseded by Core Strategy Policy CP22.]*

*[5.4.2 and **POLICY P5/19**: Saved Policy but superseded by DLA DPD Policy R1.]*

*[5.5.1, **POLICY P5/20**, 5.5.2 and **POLICY P5/21**: Saved Policies but superseded by DLA DPD Policy R1.]*

*[5.5.3 and **POLICY P5/22**: Not Saved.]*

*[5.6.1 and **POLICY P5/23**: Saved Policy but superseded by DLA DPD Policy R1.]*

*[5.7.1, 5.7.2, **POLICY P5/24**, 5.7.3 and **POLICY P5/25**: Not Saved.]*

*[Section 5.8: Not Saved.]*



## 6. RURAL DEVELOPMENT

*[Section 6.1: Not Saved.]*

*[6.2.1 – 6.2.3 and **POLICY P6/1**: Saved Policy but superseded by Core Strategy Policies CP12 and CP13.]*

*[6.2.4, **POLICY P6/2**, 6.2.5 and **POLICY P6/3**: Not Saved.]*

*[6.2.6 and **POLICY P6/4**: Saved Policy but superseded by Core Strategy Policy CP13.]*

*[6.2.7 and **POLICY P6/5**: Saved but superseded by MDE DPD Policy SQ1. However, this policy will remain a material consideration for Development Control until such time as the Character Area Appraisals SPD is adopted – see Annex D].*

*[6.2.8, 6.2.9 and **POLICY P6/6**: Not Saved.]*

*[6.3.1, 6.3.2 and **POLICY P6/7**: Saved Policy but superseded by Core Strategy Policy CP19.]*

*[6.3.3, 6.3.4, **POLICY P6/8** and **POLICY P6/9**: Not Saved.]*

*[6.3.5 and **POLICY P6/10**: Saved Policy but superseded by Core Strategy Policy CP14.]*

*[6.3.6, 6.3.7 and **POLICY P6/11**: Not Saved.]*

*[6.4.1: Not Saved.]*

*[6.4.2 and **POLICY P6/12**: Saved but superseded by MDE DPD Policy DC5]*

*[6.4.3 and **POLICY P6/13**: Saved but superseded by MDE DPD Policy DC4]*

*[6.4.4 -6.4.7 and **POLICIES P6/14, P6/15 and P6/16**: Saved but superseded by MDE DPD Policy DC1]*

*[6.5.1: Not Saved.]*

*[6.5.2, **POLICY P6/17**, 6.5.3 and **POLICY P6/18**: Saved Policies but superseded by DLA DPD Policy M1.]*

*[6.5.4: Not Saved.]*

*[6.6.1 and **POLICY P6/19**: Saved but superseded by MDE DPD Policy DC6]*

*[6.7.1, 6.7.2, **POLICY P6/20**, 6.7.3 and **POLICY P6/21**: Saved Policies but superseded by DLA DPD Policy R1.]*

*[6.7.4 and **POLICY P6/22**: Saved Policy but superseded by MDE DPD Policy DC7]*

*[6.8.1 – 6.8.3, **POLICY P6/23**, 6.8.4 and **POLICY P6/24**: Not Saved.]*

### Beltring Hop Farm

6.8.5 Beltring Hop Farm is a major tourist attraction within the Plan area. The site is, however, sensitively located within the landscape and subject to Green Belt constraints. The Borough Council does not wish to discourage appropriate development of the site as a tourist facility but at the same time is concerned that piecemeal development could result in an adverse change in the character of the area as a whole. A Planning Brief and Master Plan setting out comprehensive proposals for the site will therefore be required in order that the impact of proposals for future expansion and/or diversification can be adequately assessed in relation to the countryside, highway capacity and the Green Belt.

**POLICY P6/25**      **Proposals for further tourist related development at Beltring Hop Farm, as defined on the Proposals Map, will be considered in the light of Policies P6/12 and P6/14. Any proposals for development within or adjacent to the defined area, will need to be considered on a comprehensive basis in the context of an approved Planning Brief and Master Plan for the whole site, including all of the open areas. Proposals should preserve and enhance the Grade II\* Listed Buildings and their settings and accord with Policy P4/1. Piecemeal development and any proposals which conflict significantly with the terms of the approved Planning Brief and Master Plan will not be permitted.**

*[Section 6.9: Not Saved.]*

## 7. COMMUNICATIONS INFRASTRUCTURE

[Section 7.1: Not Saved.]

[Section 7.2: Not Saved.]

### 7.3 Public Transport

[7.3.1 – 7.3.3, **POLICY P7/1**, **POLICY P7/2**, 7.3.4, **POLICY P7/3**, 7.3.5 – 7.3.7, **POLICY P7/4**, 7.3.8 – 7.3.14 and **POLICY P7/5**: Not Saved.]

#### Buses and Taxis

7.3.15 For many short and medium length trips, buses offer the best alternative to the private car. However, since deregulation in 1986, which required all services to operate on a commercial basis, the County Council has had little effective influence over the supply and price of bus services. Nevertheless, it can still assist by supporting socially necessary services which would otherwise not be viable, and can introduce other measures to assist public transport to better compete with the private car. Such measures can include the provision of bus-only lanes, traffic signal priorities and park-and-ride facilities.

7.3.16 A fixed public transport system cannot meet all the varied needs of individuals and households. The taxi is a flexible form of quality public transport which is becoming increasingly popular and important. Taxis offer door-to-door transport, on demand, with fares equivalent to, or lower than, bus or rail services when shared between a number of passengers. They are increasingly used for journeys to school and shopping from locations remote from bus routes. They are particularly useful for elderly and disabled people. Provision for the safe and convenient setting down and picking up of passengers needs to be made for all buildings to which the public have access, and in some cases provision will need to be made for taxi ranks. The Borough Council will have regard to the latest advice from the Department of Environment, Transport and the Regions on taxi rank provision.

7.3.17 Buses are particularly important for journeys to work, shopping and schools in Tonbridge, where there is a good network of local radial services linking with the centre, as well as longer distance connections to Maidstone, Sevenoaks, Tunbridge Wells and the Medway Towns. In the Medway Gap area the main connections are to Maidstone and the Medway Towns. The increased use of buses for trips to school will be encouraged because much of the congestion in urban areas during peak periods is due to such journeys. The Kent and Sussex Weald NHS Trust is seeking to provide its services on a single site. If this proposal is implemented there will be a need for an improved public transport service, particularly if the chosen site is at Pembury.

7.3.18 It is important that the quality of bus services is maintained and/or enhanced particularly in Tonbridge as a corollary to the progressive reduction in available long-stay parking spaces in the town centre. In particular, the quality of bus service must not be impaired by the implementation of improvements to the pedestrian environment in Tonbridge High Street. If any alternative routings are proposed, these should be no less attractive and convenient to the bus users and operators than the existing route. Bus priority measures will be investigated on all the main approaches to Tonbridge where there is adequate road space. In the Medway Gap such measures will be considered where practicable along the A20, which is the principal transport artery through the main urban area.

7.3.19 Particular problems exist at the transport interchange at Tonbridge Station where conflicts between pedestrians, through traffic and vehicles stopping at the station cause congestion and safety problems. The Borough Council will require land to be safeguarded for the provision of a new bus/rail interchange as part of the redevelopment proposals for the area south of Vale Road (see Policy P5/15(e)).

7.3.20 It will also be important to encourage, and make specific provision for, buses to serve easily all of the major new developments proposed in the Medway Gap area. In particular, measures to improve public transport connections between West Malling Station and Kings Hill will be investigated as part of the detailed design of the West Malling Bypass widening scheme. The provision of a bus service from the new East Bank settlements connecting with existing and proposed stations on the Medway Valley line would also be appropriate, and will be sought as an integral part of the development proposals.

#### **POLICY P7/6**

- 1. The Borough Council will seek to ensure that the needs of buses and taxis are fully taken into account in new major development proposals, and in consultation with the bus operators, will require the provision of roads of adequate width, well designed bus stops, and shelters. Such facilities should be designed to be compatible with the operation of ultra-low-floor buses, which require unfettered parallel access.**
- 2. Any development of the land south of Vale Road, Tonbridge (Policy P5/15(e)) [*now Policy TCA11(b)*] shall safeguard adequate land for the provision of enhanced bus/rail interchange facilities.**
- 3. Bus priority measures will be investigated, and implemented where practicable, on the following routes:**



- (a) A20 - West Malling to Coldharbour;
- (b) Hadlow Road/Bordyke, Tonbridge;
- (c) Quarry Hill Road, Tonbridge;
- (d) Pembury Road, Tonbridge;
- (e) Shipbourne Road, Tonbridge;
- (f) London Road, Tonbridge;

and in association with the development of the network of Greenways proposed on the East Bank of the Medway under Policy P2/6(4).

4. Measures to improve public transport connections between West Malling Station and Kings Hill, via West Malling bypass will be investigated, and implemented if practicable. *[Implemented.]*

5. Planning obligations will be sought from the developers of the major sites on the East Bank of the Medway, to secure the provision of an adequate bus service linking the existing villages and main development areas with existing and proposed stations on the Medway Valley line.

*[7.4.1, 7.4.2, **POLICY P7/7**, and 7.4.3: Saved Policy but superseded in part by TCAAP Policy TCA12.2 and in part by DLA DPD Policy S1.]*

*[7.4.4, 7.4.5 and **POLICY P7/8**: Saved Policy but superseded by TCAAP Policy TCA12.4.]*

*[7.4.6 – 7.4.10, **POLICY P7/9** and **POLICY P7/10**: Not Saved.]*

*[7.5.1 and **POLICY P7/11**: Not Saved.]*

*[7.6.1 – 7.6.4 and **POLICY P7/12**: Not Saved.]*

*[7.7.1, 7.7.2, **POLICY P7/13**, 7.7.3, 7.7.4 and **POLICY P7/14**: Not Saved.]*

*[7.7.5 and **POLICY P7/15**: Saved but superseded by MDE DPD Policy OS5]*

*[7.8.1, 7.8.2, **POLICY P7/16**, and 7.8.3: Not Saved.]*

*[7.9.1 – 7.9.5, **POLICY P7/17** and 7.9.6, 7.9.10: Not Saved.]*

*[7.10.1, 7.10.2 **POLICY P7/18**, 7.10.3 – 7.10.7 and, **POLICY P7/19**: Not Saved.]*

*[Section 7.11: Not Saved.]*



## 8. COMMUNITY INFRASTRUCTURE

*[Section 8.1: Not Saved.]*

*[8.2.1 and **POLICY P8/1**: Saved Policy but superseded by Core Strategy Policy CP25.]*

*[8.3.1-8.3.5 and **POLICY P8/2**: Saved but superseded by MDE DPD POLICY OS3]*

*[8.3.6- 8.3.7 and **POLICY P8/3**: Saved but superseded by MDE DPD POLICY OS4]*

*[8.3.8 and **POLICY P8/4**: Not Saved.]*

*[8.4.1, **POLICY P8/5** and 8.4.2: Not Saved.]*

*[8.5.1 and **POLICY P8/6**: Saved but superseded by MDE DPD POLICY OS4]*

*[8.5.2 – 8.5.4, **POLICY P8/7**, 8.5.5 – 8.5.7 and **POLICY P8/8**: Not Saved.]*

*[8.6.1, 8.6.2 and **POLICY P8/9**: Saved Policy but superseded by DLA DPD Policy S1.]*

*[8.6.3 – 8.6.6: Not Saved.]*

*[8.6.7 and **POLICY P8/10**: Saved but superseded by MDE DPD Policy OS2]*

*[8.6.8, 8.6.9 and **POLICY P8/11**: Not Saved.]*

*[8.7.1, **POLICY P8/12** and 8.7.2 – 8.7.4: Saved Policy but superseded by DLA DPD Policy S1.]*

*[Section 8.8: Not Saved.]*



# **POLICY ANNEXES**



## **POLICY ANNEX PA4/12:**

### **RESIDENTIAL EXTENSIONS**

#### **Wider Impact**

##### **Built Form**

1. The front of the proposed extension should be set behind the building line of the main dwelling in order to achieve a visual break in the line of the building frontage. With two storey or first floor flank extensions, in order to decrease the possibility of "terracing", a minimum gap of 1 metre from the common boundary with the adjoining dwelling should be retained for the whole length of the extension and a hipped or half-hipped roof should be used.
2. Where a 2 storey extension is proposed to a dwelling which has a pitched roof, the extension should also be constructed with a pitched roof, irrespective of siting, and tiled to match the existing dwelling.

##### **Dormers**

3. Dormers must be in keeping and in scale with the roof area in which they are installed. Separate dormers which reflect the window proportions of the main dwelling are visually more appropriate than a single large dormer. Large box like structures which appear to add an additional floor to the dwelling by completely altering the original roofline will not be permitted. Dormers should not break through, or extend above, the existing ridge line.
4. If dormers are appropriate and otherwise acceptable, their impact on visual amenity and the character and appearance of the area can be minimised by siting them on the elevation of a property least visible in the street scene, usually the rear.

##### **Elevational Details**

5. The detailed design of an extension should reflect elevational features of the original dwelling such as windows, doors and cornice lines. The horizontal or vertical emphasis of the extension should be in keeping with the property to which it relates visually in the street scene.
6. On south facing rear elevations there may be scope, without prejudicing the visual aesthetics of the design, to seek enlarged glazed areas in order to maximise passive solar gain.

##### **Materials**

7. Extensions should be constructed in the same materials as specified for the original dwelling in order to avoid visual disharmony and a downgrading effect on the locality as a whole.

8. Where it is not possible or appropriate to use the same materials as the original, a sharp break line should be achieved by setting the extension backwards, or in exceptional circumstances, forwards of the existing building. This is particularly appropriate where the extension is in a prominent position or where the change in materials is likely to be particularly noticeable in the street scene.

#### Trees

9. The design of an extension must consider the value of any trees and any potential adverse effects on them due to development close by. Extensions should not lead to the loss of important trees both during construction works and in the longer term.

## **Local Impact**

### **Neighbour Implications**

10. Any extension to a property which would by reason of its size, siting or design be so overly oppressive or dominating in relation to an adjoining dwelling as to unduly overshadow or cause loss of daylight or sunlight will not be permitted.

11. In some cases the Council will need to test individual proposals against the criteria set out in the Building Research Establishment document, *Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice* (1991). Applicants will be advised if such investigations identify particular difficulties.

### **Privacy**

12. Where the principal windows of two dwellings are directly opposite each other, at least 21 metres should be maintained between the windows so as to avoid an unacceptable loss of privacy.

13. In order to avoid an unacceptable loss of privacy to the private garden areas of adjoining properties, all new windows and balconies should have their principal outlook so that it avoids direct overlooking into such areas and none should overlook these areas at a distance of less than 21 metres.

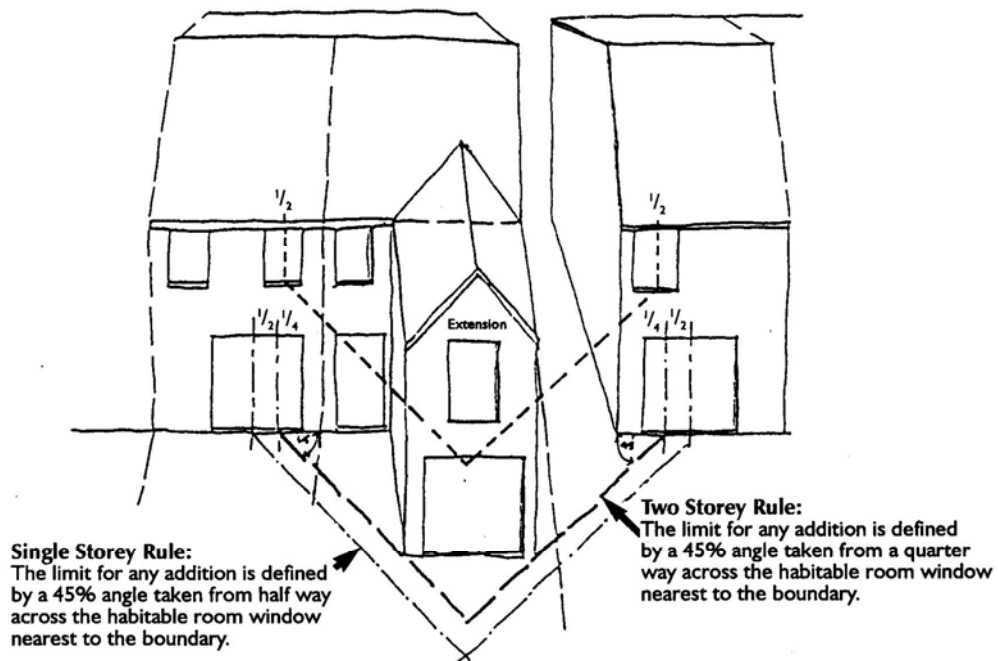
14. Windows which have a flank outlook into the private garden area of an adjoining property will not be permitted. Where such windows are exceptionally justified, the use of high level strip windows or obscured glass, with top opening fanlights only, will be required.

15. The provision of a balcony above a flat roofed extension will not be acceptable unless fitted with a privacy screen to block out flank views into the private area of adjoining properties. Such privacy features must be designed so that they do not harm the character or appearance of the individual dwelling or the wider area.



## Outlook and Daylight

16. In order to minimise any reduction in daylight into adjoining dwellings, and any impact on the outlook from such dwellings arising from an extension, both single and two storey rear extensions should be designed so as to fall within the relevant 45° angle zone as taken from the nearest habitable room window of an adjoining property (see diagram). Large two-storey rear extensions are unacceptable where dwellings are closely spaced.



### 45° Rule Relating Primarily to Two Storey Rear Additions

Note: Where the nearest habitable room is on the first floor the single storey rule will be applied from that window in determining the limit for any addition.

## Sunlight

17. Proposals for extensions should minimise loss of sunlight and overshadowing on the private garden area of adjoining dwellings. An extension should therefore be carefully designed in terms of size and siting in relation to adjoining properties, particularly where an extension is set to the south or west of an adjoining property. The private area is normally considered as being an area 3 metres in depth extending from the rear main wall of a property.

## Car Parking

18. Parking provision will be required to meet the adopted parking standards for the increased number of bedrooms. Depending on the nature of the road onto which access is being gained, it may be necessary to provide on-site turning and improved visibility splays. Car parking and visibility splays should be designed and located so as not to harm the visual quality of the street scene.

## **Conservation Issues**

### **Conservation Areas**

19. The design of an extension to a building in a Conservation Area should respect the special architectural and historic character of the area as required by Local Plan Policy P4/4. This may require traditional designs, proportions, building methods and materials to be used, depending on the individual building concerned and its situation in the street scene.

### **Listed Buildings**

20. Proposals for extensions to Listed Buildings will be considered under the terms of Policy P4/1.

## **POLICY ANNEX PA4/13:**

### **SHOPFRONT DESIGN**

*Note:* For the purposes of Policy P4/13, a 'shop' includes all ground floor premises located within the Town, District or Local Centres defined on the Proposals Map and individual shop units elsewhere (whether or not they currently have a fascia sign and/or display window) including non-retail uses such as banks, buildings societies, estate agents (Use Class A2) and also cafes and restaurants (Use Class A3).

### **All Shopfront Proposals**

#### **General Principles**

1. A shopfront should be designed to respect the scale, period, design and detail of the individual building of which it forms a part.
2. A proposed shopfront should be in harmony with the character and architecture of the wider centre within which it is located and in particular with any buildings with which it forms a group, for example a terrace of properties or an individual street.
3. Proposals for new shopfronts which would necessitate the removal of traditional shopfronts, or the removal or concealment of features of architectural or historic interest, including pilasters, facias, fascia brackets, grilles, stall risers, decorated transoms, canopies and blinds will not be permitted.
4. In the case of a shop which extends to more than one building or facade in a terrace or group, the design of the shopfront should maintain the character of individual units, with some form of separation between features such as fascia boards and windows. The identity of multiple units can be retained through a unified approach to colour, lettering, etc.

#### **Facias**

5. The fascia should be of a scale and proportion relative to other elements of the building. It should not exceed the level of the first floor and should not overlap first floor windows or obscure architectural details such as string courses, cornices or brackets.
6. Proposals which involve the retention of original traditional facias or the removal of a more modern fascia obscuring a traditional fascia, will be permitted.
7. The information on the fascia should generally state only the name and trade of the shop and the street number of the property. The fascia should not be cluttered with other advertisements or duplication of information. Lettering should be clearly legible and in proper proportion to the size of the fascia.

8. Illumination should be designed so it is not over dominant in the street scene.

### **Windows and Doors**

9. New shop windows should respect the vertical or horizontal emphasis of the building, for example using vertical mullions to break up large stretches of glass and relate the shop windows to the proportions of the upper storey windows.

10. Shop doors should respect the design of the shopfront and windows, and the door and window frames should be of the same colour and material.

11. The shop door should be carefully positioned to respect the design and proportions of the building, including recessed doorways if appropriate, and also to be in sympathy with the character and design of other shopfronts in the vicinity.

12. Proposals should make use of natural materials, or materials appropriate to the period of the building or the shopfront design.

### **Stallrisers**

13. Stallrisers should respect the proportions of the shopfront. They should either be in painted timber panelling, render, ceramic tiles, or a facing brick to match that used on the building.

### **Canopies and Blinds**

14. Proposals for the introduction of new canopies and blinds should be appropriate in scale, design and materials to the shopfront and building.

15. Retractable blinds are acceptable so long as they are capable of being retracted easily on a daily basis into a blind box which fits flush with the fascia.

16. Fixed blinds and glossy or Dutch blinds are not appropriate. In cases where planning permission is required for proposals to change blinds, these should seek to reduce any adverse impact on the character and appearance of the building or area.

17. Blinds above ground floor level will not be permitted.

18. Blinds bearing advertisements other than the name and trade of the shop will not be permitted. The headroom below the lowest point of any blind or canopy should not normally be less than 2.3 metres.

### **Projecting and Hanging Signs**

19. Only one projecting or hanging sign will be permitted on each shop and this must be designed and positioned appropriately for the building, and must not

obscure or damage architectural features or cause obstruction, annoyance or danger to passers-by or the adjoining shop.

20. Lettering on projecting and hanging signs should be limited to basic information relating to the shop and should be legible and uncluttered. The headroom below any projecting or hanging signs should not normally be less than 2.3 metres.

### **Shutters**

21. Security shutters will only be permitted where a special need can be demonstrated. In such circumstances lattice shutters of an appropriate colour will be preferred to solid roller shutters.

22. Shutter boxes, where permitted, should be hidden within the structure of the shopfront.

### **Accessibility**

23. Shopfront proposals should meet the needs of those with restricted mobility as required under the terms of Policy P7/13.

## **Proposals for Listed Buildings and Buildings in Conservation Areas**

All the general principles set out above will be applied with particular vigour in considering proposals for shopfronts on Listed Buildings or buildings within Conservation Areas. In addition the following principles apply specifically to historic buildings and areas:

### **General Principles**

24. Shopfront proposals for Listed Buildings and buildings within Conservation Areas must have particular regard to the special architectural or historic interest and character of the building and the area within which it is located.

25. Historical research should be undertaken where possible to enable new shopfronts to respect the historic design and proportions of the original shopfront for the building or the character of the street within which it is located.

26. Unless there is an exceptional justification, consent will not be granted for the removal of traditional shopfronts, or the removal or concealment of features of architectural or historic interest, including pilasters, fascias, fascia brackets, grilles, stall risers, traditional tiles and glass, decorated transoms, canopies and blinds.

27. Materials should be those which are traditional and appropriate to the period and design of the building or the area in which it is located.

28. Applications should provide detailed drawings of any joinery details, for example windows, pilasters, and fascia boards. In special circumstances, the Local Planning Authority may require full scale laying out details to be provided.

### **Facias**

29. Proposals which involve the removal of original facias will not be permitted. Where repair is essential, this should be to the same design and detailing as the original fascia.

30. Facias should be of appropriate design and materials for the period of the building eg Georgian, Victorian, Art Deco. Glossy or reflective acrylic or plastic fascia signs will not be permitted.

31. Colours used in facias should respect the character of the street, and particularly adjacent properties.

32. Lettering should be appropriate to the period and design of the shopfront, which will usually be hand painted or individually fixed lettering, but may be other traditional methods eg incised gilded lettering.

33. The form of any illumination should be carefully designed so that it does not detract from the character of the Listed Building or Conservation Area. Wholly internally illuminated fascia box signs will not generally be acceptable unless this was an historic feature of the original shopfront. Acceptable forms of lighting could include halo lighting (where letters stand proud of the fascia and are individually illuminated from behind) or discrete hooded spotlights.

### **Windows and Doors**

34. Modern materials for doors and windows, such as PVCu and aluminium, will not generally be acceptable.

35. Door furniture, such as door knobs and letter boxes, should be carefully detailed to respect and enhance the overall visual quality of the shopfront.

### **Stallrisers**

36. In areas where stallrisers are a traditional feature in historic shopfronts, they should be incorporated in any new shopfront designs in appropriate materials.

### **Projecting and Hanging Signs**

37. Other than in exceptional circumstances, new illuminated projecting box signs will not be permitted. Proposals to replace existing signs should seek to reduce any adverse impact of the sign on the character and appearance of the building or area.

38. Traditional hanging signs should be carefully designed and positioned, and be appropriate to the style of the building. Signs should be either painted timber or metal. Where there is an existing original or traditional hanging sign bracket, it should be restored and reused for any new sign. The headroom below any projecting or hanging signs should not normally be less than 2.3 metres.

### **Shutters**

39. External shutters or security guards will not be permitted. Internal retractable meshes may be permitted in appropriate cases.





## **ANNEX D**

# **POLICIES WHICH ARE STILL A MATERIAL CONSIDERATION**

Although the following Saved Policies are superseded, they will remain a material consideration for Development Control until such time as the Character Area Appraisals SPD is adopted. Where necessary, reference will need to be made to the Tonbridge and Malling Local Plan Proposals Map 2008.



## Areas of Historic Character

4.2.16 There are parts of the Borough which are not of sufficient importance to justify Conservation Area status, but nonetheless are considered by the Borough Council to have an historic character worthy of protection. This may be due either to the character and quality of buildings, or their relationship with each other or with open areas. It is desirable to conserve this special historic character for the benefit of local amenity and as an important part of the heritage of the Borough.

### **POLICY P4/7**

**Within the following Areas of Historic Character, as defined on the Proposals Map, the Borough Council will wish to be satisfied that any proposals for development or redevelopment respect the special historic character of the area as set out below:**

- (a) **Quarry Hill, Borough Green: characterised by historic properties, including a number of Listed Buildings, with a close-knit built form set around a triangular road pattern, comprising the original historic core of the now expanded settlement of Borough Green;**
- (b) **Windmill Hill, Wrotham Heath: a linear development of small, terraced cottages of historic character, constructed in distinctive local materials;**
- (c) **Plaxtol Spoute: the character of the area is dominated by Spout House, Long Mill Lane, an important 15th Century timber-framed hall house (Listed Grade II\*) which forms a group with a number of other attractive buildings set around a village green;**
- (d) **Herne Pound, Mereworth: a group of historic properties set around a triangular junction at the top of a narrow rural lane which forms an attractive vista when approaching from the south.**

## Areas of Special Character

4.3.1 There are two areas of low density development within the countryside which are recognised by the Borough Council as being of special character: Ightham Common/Ivy Hatch and Staddles Wood, Borough Green. These are areas of very low density residential development scattered within extensive, wooded settings. The extent of urban intrusion is mitigated by the wooded surroundings which reduce the impact of development on the landscape. Due to the unconsolidated nature of the existing development, these areas are not defined as villages to which Structure Plan Policies RS2 or RS3 apply

since such an approach could lead to an undesirable change in the character of the areas by providing for minor development or redevelopment such as infilling and a more intensive pattern of development, to the detriment of the rural woodland character. They are therefore regarded as areas of low density housing within the countryside where Green Belt policy applies.

4.3.2 In the case of Ightham Common/Ivy Hatch, the area is also within the Special Landscape Area. Staddles Wood lies within an Area of Local Landscape Importance and forms part of the Green Wedge separating Borough Green from Platt. As a result, there is a strong presumption in both these areas against any development other than the acceptable rebuilding of, or a modest extension to, an existing dwelling. Unless there are very special circumstances within the terms of Green Belt policy, there should therefore be no new development, infill or subdivision of plots within these areas. It is particularly important that the more extensive undeveloped areas of woodland and open space within the Ightham Common/Ivy Hatch area are retained without urban intrusion. The following built environment policy applies to any development which may be justified within the terms of Structure Plan Policies RS5 and MGB3 and the landscape policies applying to these areas, and seeks to ensure that any such development respects the special character of the areas.

**POLICY P4/8**

**Within Areas of Special Character, as defined on the Proposals Map, development which is exceptionally justified will only be permitted where:**

- (1) the scale and density of the proposed development is compatible with the residential character of the area;**
- (2) any development is designed and located so as to minimise or reduce its impact on the woodland setting; and**
- (3) appropriate boundary treatment and additional tree planting is provided, particularly along road frontages, to maintain or enhance the woodland character of the area.**

**The loss of currently undeveloped woodland areas will not be permitted.**

## **Low Density Residential Areas**

4.3.3 There are some areas of residential development within the built-up areas which have a special environmental character due to a relatively low density form of development, comprising mainly bigger properties in large gardens, often with many trees. Structure Plan Policy ENV16 seeks a balance

between making the best use of land in built-up areas whilst maintaining and, where possible, improving environmental quality. The quality of residential amenity created by areas of low density development should be protected through the control of development, particularly infill and backland development, which if allowed on an incremental basis would erode the special character over time. Any such areas within Conservation Areas are protected through Policy P4/4. The following policy therefore applies to identified low density residential areas not within Conservation Areas.

**POLICY P4/9**

**In Low Density Residential Areas, as defined on the Proposals Map, development or redevelopment will not be permitted where it would, either individually or when taken cumulatively with other new development, damage the character and amenity of the established residential area or rural settlement in terms of the density of built development, the mass, scale, form and design of the proposed development and its relationship with adjacent properties.**

## **Important Green Spaces**

4.3.4 Whilst the principle of concentrating the majority of new development within built up areas assists in conserving the open countryside, it is important to balance the need for development with the interests of conservation of the built environment. The green spaces within towns and villages are often as important as the built development in giving an area its own special character. Those green spaces which are of particular value in terms of their contribution to the character and amenity of the local environment are identified as Important Green Spaces.

Should the loss of any part of an identified area exceptionally be permitted, the Borough Council would require treatment of the remaining green space to improve and enhance the character and amenity value of the area.

**POLICY P4/10**

**Permission will not be given for any development within or adjoining Important Green Spaces, as shown on the Proposals Map, unless the need for the development is overriding and proposals would not adversely affect the contribution which the spaces make to the character and quality of the townscape. Where development may exceptionally be justified which results in the loss of part of an Important Green Space, the Borough Council will, where appropriate and practicable, require enhancements to the retained area to compensate for that loss.**

## **Environmental Enhancements**

4.4.8. The Borough Council is committed to carrying out, or contributing towards, environmental improvements to enhance the character and appearance of the Borough. Environmental enhancement schemes generally incorporate measures such as paving treatment, street furniture and landscaping in order to achieve maximum benefit for each area. Priorities in the Borough Council's rolling programme of schemes are based on a combination of an identified need to upgrade the physical environment and a need for highway improvements for safety reasons. Emphasis is placed on Conservation Areas and town and local centres. The Riverside area in Tonbridge, west of the High Street, is identified as having significant potential for enhancement as a public amenity area. In addition there are several other areas in highly visible locations which would benefit from enhancement, for example on main transportation corridors. Key locations for enhancement are included in Policy P4/16.

**POLICY P4/16**

**The Borough Council will carry out, or contribute towards, environmental improvements to enhance the character and appearance of:**

- (1) Conservation Areas and town, district and local shopping centres;**
- (2) the following specific areas, which are shown on the Proposals Map:**
  - (a) Tonbridge Riverside (west of High Street);**
  - (b) Quarry Hill area, Tonbridge;**
  - (c) Tonbridge Industrial Estate (principal route corridors);**
  - (d) A20/A25 junction, Wrotham Heath;**
  - (e) Vale Road Chicane, Tonbridge;**
  - (f) Castle Way, Leybourne (in conjunction with the A228 Leybourne Bypass safeguarded under the terms of Policy P7/7(d)).**

## **Rural Settlements with a Linear Street Character**

6.2.7 A number of the rural settlements have a distinctive character by virtue of being traditional linear street villages. It is important that any development respects this character and does not interrupt the building line at the street frontage, which contributes to the linear character by, for example, setting back new buildings or orientating them in a way which is not compatible with the surrounding building form.

**POLICY P6/5**

**Development which may be acceptable under the terms of Policies P6/1, P6/3 and P6/4 will only be permitted where it respects the special linear street character of the following rural settlements:**

- (a) **Birling;**
- (b) **Dunks Green;**
- (c) **Golden Green;**
- (d) **Mereworth;**
- (e) **Plaxtol;**
- (f) **Snoll Hatch.**

**In addition, development which would result in the amalgamation of the separately identified parts of Golden Green or Mereworth will not be permitted.**

