

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**PLANNING and TRANSPORTATION ADVISORY BOARD**

**27 February 2006**

**Report of the Director of Planning & Transportation**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Council Decision**

**1 PLAXTOL PARISH DESIGN STATEMENT**

**This report recommends the adoption of the Plaxtol Parish Design Statement as a material consideration for development control.**

**1.1 Background**

1.1.1 In 2003, Plaxtol Parish Council set up a special committee to prepare a design statement that would describe the visual character of the Parish and show how local character and distinctiveness can be protected in new development. The Design Statement was developed following extensive consultation with the local community including businesses, clubs, societies and the Primary School. The Committee also worked closely with officers to ensure that the final document will provide useful information for planners, developers, builders and property owners considering any plans or proposals in Plaxtol.

**1.2 Context of the Design Statement within the new Planning System**

1.2.1 Members will be aware that the new planning system of Local Development Frameworks replaces Local Plans and that the process for preparing Supplementary Planning Documents (SPD) requires that preparation of the document includes a requirement for public consultation and Sustainability Appraisal, as well as having a policy 'hook' from which it hangs. Unlike Supplementary Planning Guidance under the old system it is also subject statutory advertisement.

1.2.2 The provision under the new Act for the preparation of SPD, states that they cannot be adopted until the parent policy that the document is supplementary to has itself been formally adopted as part of the Local Development Framework, though they can be prepared in line with a saved policy, though in this case the SPD may need to be formally adopted again once the saved policy is superseded. In addition to this, SPDs can only be prepared if they have been listed in the Borough Council's Local Development Scheme (LDS) which has to be approved by the Secretary of State. Members will recall that the Secretary of State was most concerned that the LDS should not contain too many documents and that

priority should be afforded to the preparation of the Core Strategy and Development Allocations DPD. Our current LDS does not therefore include any Supplementary Planning Documents (other than Kent Design) because we are concentrating on preparing the statutory Development Plan.

- 1.2.3 Plaxtol Parish Council, along with all the Parishes in the Borough were made aware of this difficult procedural situation by letter in August 2004 and it has been further explained at a meeting of the Parish Partnership Panel last year.
- 1.2.4 Although the Borough Council is not procedurally able, without great difficulty, to adopt the Design Statement as a statutory planning policy document, it can adopt it as a material consideration for development control and this will give the document some significance in the development control process.

### **1.3 Content of the Plaxtol Parish Design Statement**

- 1.3.1 The document describes the visual character of the Parish and shows how local character and distinctiveness can be protected in new development, providing guidance to designers, developers, planners and to local people. It represents the view of the community and sets out principles and guidelines for the design of new and replacement dwellings, extensions and alterations and permitted development. It also sets out advice on the most appropriate building materials that could be used, and provides guidance on building features, gates and boundaries.
- 1.3.2 It is produced to a very high standard of presentation. Copies can be viewed, on request, at the Council Offices and will be available for inspection on the evening of the meeting. The Design Statement can be downloaded from the Parish Council's website ([www.plaxtol.com](http://www.plaxtol.com)), and there will be a link to this from the Council's website once the Design Statement is adopted. I understand that copies have been sent to local Members directly by the Parish Council.

### **1.4 Legal Implications**

- 1.4.1 Adoption of the Design Statement as a material consideration for development control will enable its content to be considered in assessing planning applications in Plaxtol Parish.

### **1.5 Financial and Value for Money Considerations**

- 1.5.1 The document provides useful guidance and information for planners, designers and developers at no cost to the Borough Council, other than a small amount of officer time.

### **1.6 Risk Assessment**

- 1.6.1 Since the document only provides guidance, it is unlikely to be the sole determining factor in any appeal decision.

## 1.7 Recommendation

1.7.1 The Plaxtol Parish Design Statement **BE ADOPTED** as a material consideration for development control.

Background papers:

Plaxtol Parish Design Statement (2005)

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