

# TONBRIDGE AND MALLING BOROUGH COUNCIL

## AREA 3 PLANNING COMMITTEE

### MINUTES

Thursday, 8th June, 2023

**Present:** Cllr D Thornewell (Chair), Cllr Mrs S Bell, Cllr A G Bennison, Cllr T Bishop, Cllr R I B Cannon, Cllr D A S Davis, Cllr S M Hammond, Cllr D Keers, Cllr A McDermott, Cllr Mrs A S Oakley and Cllr C J Williams

\*Due to unforeseen circumstances, Cllrs Bennison and Keers arrived part way through the meeting and were unable to speak or vote on any matters in accordance with the rules set out in Part 5 of the Constitution.

**In attendance:** Councillors R V Roud, Mrs M Tatton, M D Boughton and M R Rhodes were also present pursuant to Council Procedure Rule No 15.21.

**Virtual:** Councillors M D Boughton and M R Rhodes participated via MS Teams in accordance with Access to Information Rule No 23.

Apologies for absence were received from Councillors R W Dalton, P M Hickmott and W J Mallard

(Note: Cllr Dalton submitted apologies for in-person attendance and participated via MS Teams when invited by the Chair to do so)

### PART 1 - PUBLIC

#### **AP3 23/6 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

#### **AP3 23/7 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 3 Planning Committee held on 20 April 2023 be approved as a correct record and signed by the Chairman.

#### **AP3 23/8 GLOSSARY AND SUPPLEMENTARY MATTERS**

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were

tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

**AP3 23/9 TM/22/00113/OAEA - DEVELOPMENT SITE AT BUSHEY WOOD, PHASE 1, BULL LANE, ECCLES, AYLESFORD**

Residential development of up to 950 dwellings, provision of a mixed-use local centre (including Class E, F and C3 with potential for retirement homes) provision of land to accommodate a new primary school, replacement sports pitches with changing facilities; associated green infrastructure including landscaping, public open space, allotments, sustainable urban drainage systems, biodiversity enhancements; new accesses from Bull Lane; new access and road/cycleway/footpath link to New Court Road

There was a need for the Borough Council to consider its position in response to the applicant's submission of a non-determination appeal under the Town and Country Planning Act 1990: Appeal under Section 78 and to set out what Members consideration of the application would have been had they had an opportunity to determine the submission.

Careful consideration was given to the potential impacts of the proposed development on local infrastructure and Members expressed significant concern in respect of the impact on the surrounding road network, local GP and school provision and community facilities. Members also had due regard to the comments of the public speakers.

**RESOLVED:** That

- (1) had the Borough Council been able to determine the application, outline planning permission would have been REFUSED for the following reason:
  - in the absence of information to demonstrate to the contrary, insufficient detail had been submitted to determine whether the application would have an unacceptable impact on the safety, reliability and/or operational efficiency on the strategic road network contrary to Policy SQ8 of the MDE DPD and paragraphs 110D, 111, 113 of the NPPF;
- (2) delegated authority be given to the Director of Planning, Housing and Environmental Health, in consultation with the Chair of Area 3

Planning Committee, to keep the ground for refusal under review during the appeal process and to withdraw the ground if National Highways removed their objection to the application.

[Speakers: Mr S Beadle of behalf of the Eccles Action Group; Ms A Rillie on behalf of the British Horse Society in N and W Kent; Mr A Ludlow and Mr T Johnson, Members of the Public; and Mr Edwards on behalf of the applicant]

### **PART 2 - PRIVATE**

#### **AP3 23/10 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.50 pm  
Having commenced at 6.30 pm