



TONBRIDGE & MALLING BOROUGH COUNCIL

EXECUTIVE SERVICES

Chief Executive
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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Democratic Services
committee.services@tmbc.gov.uk

9 September 2025

To: MEMBERS OF THE AREA 2 PLANNING COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 2 Planning Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Wednesday, 17th September, 2025 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members may attend in person or participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website. Deposited plans can be viewed online by using [Public Access](#).

Yours faithfully

DAMIAN ROBERTS

Chief Executive

A G E N D A

1. Guidance for the Conduct of Meetings

5 - 8

PART 1 - PUBLIC

2. Apologies for Absence
3. Declarations of Interest

Members are reminded of their obligation under the Council's Code of Conduct to disclose any Disclosable Pecuniary Interests and Other Significant Interests in any matter(s) to be considered or being considered at the meeting. These are explained in the Code of Conduct on the Council's website at [Code of conduct for members – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/code-of-conduct-for-members).

Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting.

4. Minutes 9 - 12

To confirm as a correct record the Minutes of the meeting of Area 2 Planning Committee held on 6 August 2025

5. Glossary and Supplementary Matters 13 - 20

Glossary of abbreviations used in reports to the Area Planning Committee (attached for information)

Any supplementary matters will be circulated via report in advance of the meeting and published to the website.

Matters for Decision under Delegated Powers (In accordance with Part 3 of the Constitution)

6. TM/24/01632/PA - 2 Keepers Cottage, Swanton Valley Lane, 21 - 34
West Peckham

Planning permission is sought for the demolition of the existing outbuildings and erection of a replacement single building to provide garaging and workshop/storage in association with the existing residential dwelling. The intention is to use timber or profiled metal sheeting for the walls with a fibre cement or concrete roof tile.

7. TM/25/01173/PA - Land at junction of Mereworth Road and 35 - 42
Seven Mile Lane, Mereworth

The proposal seeks retrospective consent for the erection of a post-mounted advertisement board.

Matters for Information

8. Planning Appeals, Public Inquiries and Hearings 43 - 44

To receive and note any update in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee.

9. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

10. Exclusion of Press and Public

45 - 46

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

11. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr W E Palmer (Chair)
Cllr C Brown (Vice-Chair)

Cllr B Banks
Cllr R P Betts
Cllr M D Boughton
Cllr P Boxall
Cllr M A Coffin
Cllr S Crisp
Cllr Mrs T Dean

Cllr D Harman
Cllr S A Hudson
Cllr J R S Lark
Cllr R V Roud
Cllr K B Tanner
Cllr Mrs M Tatton
Cllr M Taylor

GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED

- (1) Most of the Borough Council meetings are livestreamed, unless there is exempt or confidential business being discussed, giving residents the opportunity to see decision making in action. These can be watched via our YouTube channel. When it is not possible to livestream meetings they are recorded and uploaded as soon as possible:

<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxiAPfw/featured>

- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on committee.services@tmbc.gov.uk in the first instance.

Attendance:

- Members of the Committee are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chair, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.

- Members of the public addressing an Area Planning Committee should attend in person. However, arrangements to participate online can be considered in certain circumstances. Please contact committee.services@tmhc.gov.uk for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

Ground Rules:

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

Voting:

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

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TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 6th August, 2025

Present: Cllr W E Palmer (Chair), Cllr B Banks, Cllr M D Boughton, Cllr P Boxall, Cllr M A Coffin, Cllr S A Hudson, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton and Cllr M Taylor.

Apologies for absence were received from Councillors C Brown (Vice-Chair), R P Betts, S Crisp*, Mrs T Dean*, D Harman and J R S Lark.

(*apologies for in person attendance and participated via MS Teams when invited by the Chair to do so).

PART 1 - PUBLIC

AP2 25/37 DECLARATIONS OF INTEREST

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

AP2 25/38 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 25 June 2025 be approved as a correct record and signed by the Chairman.

AP2 25/39 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.

**MATTERS FOR DECISION UNDER DELEGATED POWERS (IN
ACCORDANCE WITH PART 3 OF THE CONSTITUTION)**

**AP2 25/40 TM/25/00501/PA - FORMER RYARSH PLACE FARM, BIRLING
ROAD, RYARSH, WEST MALLING**

As a result of the planning appeal decision in respect of the previously refused application (TM/23/03202/0AMIN) being received, this item was WITHDRAWN from the agenda.

**AP2 25/41 TM/24/01923/PA - LAND EAST OF LAND KNOWN AS MUMBLES
FARM, CROUCH LANE, BOROUGH GREEN, SEVENOAKS**

Lawful Development Certificate Existing: Section 191, Town and Country Planning Act 1991, for the change of use of land from Agricultural Land to use as a Caravan site for the siting of a static caravan for human habitation and land used in conjunction with that human habitation, as defined in Section 1(4) of the Caravan Sites and Control of Development Act 1960.

The application sought to establish the lawful stationing and occupation of a mobile home for human habitation. The applicant asserted that the above had been in place in excess of 10 years and therefore would now be lawful. Due regard was given to the determining issues as detailed in the report of the Director of Planning, Housing and Environmental Health and the views of the public speakers. Although concern was expressed that the proposal would have a detrimental impact upon the Green Belt it was accepted that whether the application would be inappropriate development was not for consideration in this case and evidence of continuous use needed to be determined. However, concern was also expressed that there was insufficient evidence of habitation as there were no Council Tax or Business Rate records for the site.

After careful deliberation it was accepted that the caravan had been used for residential purposes from December 2013 to date as the Local Planning Authority had no evidence to contradict the applicant's version of events and Statutory Declarations supporting this position had been received. Whilst it was acknowledged that the current owner had not registered for Council Tax, this was a separate function outside of planning matters and would be referred to the appropriate team within the Borough Council to consider further. Members were reassured that the certificate would only apply to a single static caravan.

In these circumstances, there was no good reason to refuse to grant a certificate and Cllr Palmer proposed, Cllr Boughton seconded and following a formal vote the Committee

RESOLVED: That

- (1) the certificate of lawfulness be APPROVED in accordance with the submitted details set out in the report of the Director of Planning, Housing and Environment Health; and
- (2) the submitted evidence was sufficiently clear and unambiguous to support, on a balance of probabilities, the conclusion that the mobile home at land east of land known as Mumbles Farm had been occupied for residential purposes for a period in excess of 10 years prior to the submission of the application.

(Speakers: Mr C Baseley, Platt Parish Council; Mr T White, agent)

AP2 25/42 TM/24/01969/PA - 2 BAYWELL, LEYBOURNE, WEST MALLING

Outline Application: all matters reserved for: Demolition of existing garage and erection of new detached self build dwelling

Due regard was given to the determining issues, conditions, reasons and informatives as detailed in the report of the Director of Planning, Housing and Environmental Health and the views of the public speakers.

Whilst some concern was expressed that the proposed development constituted over development of a constrained residential plot resulting in demonstrable harm to the character, safety, amenity and environmental quality of the area, after careful deliberation it was considered that no unacceptable impacts arising from the proposal had been identified that would significantly and demonstrably outweigh the potential benefits of the scheme.

However, Members sought reassurance that the materials used would be in keeping with the area and that concerns in respect of overlooking at the rear of the property and turning of vehicles would be addressed at the reserved matters stage of the application.

Cllr Hudson proposed, Cllr Boughton seconded and following a formal vote, the Committee

RESOLVED: That the outline application be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health, subject to

- (1) the signing and completion of an Unilateral Undertaking confirming that the development would be self-built and thus exempt from Bio-diversity Net Gain (BNG) requirements;
- (2) the amendment of Condition 2 to remove reference to the proposed site plan, proposed elevations and site layout; and

- (3) the reserved matters application being presented to Members for approval.

(Speakers: Mr H Joseph, Mrs E Joseph, Mr M Ellis – Members of the public; and Mr J Chapman - applicant)

AP2 25/43 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings since the last meeting of the Planning Committee was received and noted.

AP2 25/44 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.51 pm

GLOSSARY of Abbreviations used in reports to Area Planning Committees

A

AAP	Area of Archaeological Potential
AGA	Prior Approval: Agriculture (application suffix)
AGN	Prior Notification: Agriculture (application suffix)
AODN	Above Ordnance Datum, Newlyn
AONB	Area of Outstanding Natural Beauty
APC1	Area 1 Planning Committee
APC2	Area 2 Planning Committee
APC3	Area 3 Planning Committee
AT	Advertisement consent (application suffix)

B

BALI	British Association of Landscape Industries
BPN	Building Preservation Notice
BRE	Building Research Establishment

C

CA	Conservation Area (designated area)
CCEASC	KCC Screening Opinion (application suffix)
CCEASP	KCC Scoping Opinion (application suffix)
CCG	NHS Kent and Medway Group
CNA	Consultation by Neighbouring Authority (application suffix)
CPRE	Council for the Protection of Rural England
CR3	County Regulation 3 (application suffix – determined by KCC)
CR4	County Regulation 4 (application suffix – determined by KCC)
CTRL	Channel Tunnel Rail Link (application suffix)

D

DCLG	Department for Communities and Local Government
DCMS	Department for Culture, Media and Sport
DEEM	Deemed application (application suffix)
DEFRA	Department for the Environment, Food and Rural Affairs
DEPN	Prior Notification: Demolition (application suffix)
DfT	Department for Transport
DLADPD	Development Land Allocations Development Plan Document
DMPO	Development Management Procedure Order
DPD	Development Plan Document
DPHEH	Director of Planning, Housing & Environmental Health
DR3	District Regulation 3
DR4	District Regulation 4
DSSLT	Director of Street Scene, Leisure & Technical Services

E

EA	Environment Agency
EIA	Environmental Impact Assessment
EASC	Environmental Impact Assessment Screening request (application suffix)
EASP	Environmental Impact Assessment Scoping request (application suffix)
EH	English Heritage
EL	Electricity (application suffix)
ELB	Ecclesiastical Exemption Consultation (Listed Building)
EEO	Ecclesiastical Exemption Order
ELEX	Overhead Lines (Exemptions)
EMCG	East Malling Conservation Group
ES	Environmental Statement
EP	Environmental Protection

F

FRA	Flood Risk Assessment
FC	Felling Licence
FL	Full Application (planning application suffix)
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Impact Assessment

G

GDPO	Town & Country Planning (General Development Procedure) Order 2015
GOV	Consultation on Government Development
GPDO	Town & Country Planning (General Permitted Development) Order 2015 (as amended)

H

HE	Highways England
HSE	Health and Safety Executive
HN	Hedgerow Removal Notice (application suffix)
HWRC	Household Waste Recycling Centre

I

IDD	Internal Drainage District
IDB	Upper Medway Internal Drainage Board
IGN3	Kent Design Guide Review: Interim Guidance Note 3 Residential Parking

K

KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards: Supplementary Planning Guidance SPG 4
KDD	KCC Kent Design document

KFRS	Kent Fire and Rescue Service
KGT	Kent Garden Trust
KWT	Kent Wildlife Trust

L

LB	Listed Building Consent (application suffix)
LBX	Listed Building Consent: Extension of Time
LDF	Local Development Framework
LDLBP	Lawful Development Proposed Listed Building (application suffix)
LEMP	Landscape and Ecology Management Plan
LLFA	Lead Local Flood Authority
LMIDB	Lower Medway Internal Drainage Board
LPA	Local Planning Authority
LWS	Local Wildlife Site
LDE	Lawful Development Certificate: Existing Use or Development (application suffix)
LDP	Lawful Development Certificate: Proposed Use or Development (application suffix)
LP	Local Plan
LRD	Listed Building Consent Reserved Details (application suffix)

M

MBC	Maidstone Borough Council
MC	Medway Council (Medway Towns Unitary Authority)
MCA	Mineral Consultation Area
MDE DPD	Managing Development and the Environment Development Plan Document
MGB	Metropolitan Green Belt
MHCL	Ministry of Housing, Communities and Local Government
MIN	Mineral Planning Application (application suffix, KCC determined)
MSI	Member Site Inspection

MWLP Minerals & Waste Local Plan

N

NE Natural England

NMA Non Material Amendment (application suffix)

NPPF National Planning Policy Framework

O

OA Outline Application (application suffix)

OAEA Outline Application with Environment Impact Assessment (application suffix)

OAX Outline Application: Extension of Time

OB106D Details pursuant to S106 obligation (application suffix)

OB106M Modify S106 obligation by agreement (application suffix)

OB106V Vary S106 obligation (application suffix)

OB106X Discharge S106 obligation (application suffix)

P

PC Parish Council

PD Permitted Development

PD4D Permitted development - change of use flexible 2 year

PDL Previously Developed Land

PDRA Permitted development – change of use agricultural building to flexible use (application suffix)

PDV14J Permitted development - solar equipment on non-domestic premises (application suffix)

PDV18 Permitted development - miscellaneous development (application suffix)

PDVAF Permitted development – agricultural building to flexible use (application suffix)

PDVAR Permitted development - agricultural building to residential (application suffix)

PLVLR	Permitted development - larger residential extension (application suffix)
PDVOR	Permitted development - office to residential (application suffix)
PDVPRO	Permitted development - pub to retail and/or office (application suffix)
PDVSDR	Permitted development storage/distribution to residential (application suffix)
PDVSFR	Permitted development (application suffix) PD – shops and financial to restaurant
PDVSR	Permitted development (application suffix) PD – shop and sui generis to residential
POS	Public Open Space
PPG	Planning Practice Guidance
PWC	Prior Written Consent
PROW	Public Right Of Way

R

RD	Reserved Details (application suffix)
RM	Reserved Matters (application suffix)

S

SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (background for the emerging Local Plan)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SW	Southern Water

T

TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan

TCS	Tonbridge Civic Society
TEPN56/TEN	Prior Notification: Telecoms (application suffix)
TMBC	Tonbridge & Malling Borough Council
TMBCS	Tonbridge & Malling Borough Core Strategy 2007
TMBLP	Tonbridge & Malling Borough Local Plan 1998
TNCA	Notification: Trees in Conservation Areas (application suffix)
TPOC	Trees subject to TPO (application suffix)
TRD	Tree Consent Reserved Details (application suffix)
TRICS	Trip Rate Information Computer System
TWBC	Tunbridge Wells Borough Council

U

UCO	Town and Country Planning Use Classes Order 1987 (as amended)
UMIDB	Upper Medway Internal Drainage Board

W

WAS	Waste Disposal Planning Application (KCC determined)
WTS	Waste Transfer Station

(Version 2/2021)

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Platt

17 September 2025

TM/24/01632/PA

Borough Green And Platt

Location: 2 Keepers Cottage Swanton Valley Lane West Peckham Tonbridge
Sevenoaks TN15 8TA

Proposal: Proposed demolition of existing garage/workshop/store and replace with new

Go to: [Recommendation](#)

1. Description of Proposal:

- 1.1 Planning permission is sought for the demolition of the existing outbuildings and erection of a replacement single building to provide garaging and workshop/storage in association with the existing residential dwelling. The intention is to use timber or profiled metal sheeting for the walls with a fibre cement or concrete roof tile.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Wendy Plamer for the following reasons:

‘Concerns over impacts of the proposal upon the Green Belt’

3. The Site:

- 3.1 The site lies in the countryside, within the green belt. The site lies within an area of ancient woodland and local wildlife site. A PROW MR306 runs to the eastern site boundary.
- 3.2 The site comprises a semi-detached cottage set in woodland. The residential curtilage stretches to the south with a detached annex. The buildings to which the application relates are a series of single storey outbuildings located in the south east corner of the site.

4. Planning History (relevant):

23/01926/FL

Approved - 22 May 2024

Alterations to existing ancillary domestic accommodation. (New garage doors and kitchen window to existing Annexe) For use in accordance with the proposed plans and elevations strictly ancillary to the use of 2 keepers cottage.

20/01398/LDE

Refuse - 30 October 2020

Lawful Development Certificate Existing: erection of building, the subject of ENI issues on 16.06.2009

19/02639/FL

Refuse - 02 January 2020

Extension and alterations to dwelling

19/00808/FL

Refuse - 10 June 2019

Extension and alterations to dwelling

15/00876/FL

Refuse - 14 July 2015

Use of part of ground floor and whole of first floor of existing detached building as a living room, 2 bedrooms, bathroom and utility room as part of 2 Keepers Cottages

10/03410/FL

Refuse - 09 May 2011

Single storey side extension and retention of wall

10/03036/FL

Non-determination Appeal - 06 May 2011

Use of part ground floor and first floor of existing detached building as annexe

10/00525/FL

Refuse - 28 April 2010

Change of use to Holiday Let of an existing outbuilding within the curtilage of 2 Keepers Cottage.

08/01974/FL

Refuse - 16 April 2009

Retrospective application for a triple carport with annex, residential accommodation above

06/03316/FL

Approved - 06 December 2006

Triple carport and stable with first floor storage

88/10123/FUL

Grant With Conditions - 30 March 1988

Conversion of single dwelling into two.

5. Consultees:

5.1 **PC:** No response

5.2 **Councillor Palmer:** Riase concerns over impacts on the Green Belt

5.3 **Neighbours:** No response

5.4 **Site Notice:** No response

6. Relevant Policy Considerations

6.1 The Adopted Local Development Plan comprising:

Tonbridge & Malling Borough Core Strategy (2007)

Managing Development and the Environment DPD (2010)

Saved Policies (Local Plan) (1998)

Relevant Material Considerations

National Planning Policy Framework 2024

National Planning Policy Guidance

7. Determining Issues

Principle of Development

7.1 The application site lies within the countryside. Policy CP14 of the Core Strategy seeks to restrict development in such areas in order to protect their character. The site also lies within the Metropolitan Green Belt. For the development to be acceptable in principle, it must be in accordance with Policy CP3, which states that National Green Belt Policy will be applied to proposals within the Green Belt.

- 7.2 Paragraph 142 of NPPF asserts that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 7.3 Paragraphs 153 and 154 of the NPPF determine that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.4 Paragraph 143 of the NPPF establishes that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.5 Paragraph 154 of the NPPF establishes that development in the Green Belt is inappropriate unless one of the following exceptions applies. Exceptions to this are:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- 7.6 In this instance, it is considered that the relevant exemptions would be Paragraph 154 (d) and (g), these will be considered below. Paragraph 154 (d) allows for the

replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

- 7.7 The NPPF does not define 'materially larger' and it is therefore a matter of planning judgement. Furthermore 'larger', which is the test in the NPPF can reasonably be taken to include such factors as volume, height, external dimensions, visual perceptions etc.
- 7.8 There would be as a result of the proposal an increase in footprint over the existing building. The table below compares the dimensions of the existing and proposed resultant building.

Ridge Height

Existing:	3.2m
Proposed:	5.6m
Increase:	2.4m (or 75%)

Footprint

Existing:	80 square metres
Proposed:	90 square metres
Increase:	12.5%

- 7.9 The proposal would meet the 'use test' as part of exemption d), in that the proposal would replacement an existing garage and be used for the same purposes. The second part of the test relates to the scale of the proposed building. In this instance, the increase in the footprint of the building is relatively modest, however when combined with the height increase of 75% over the previous ridge height, as a matter of judgement, it is considered that the proposal would result in a 'materially larger' replacement building. The proposal therefore fails Paragraph 154 d).
- 7.10 With regards to Paragraph 154 g) which allows limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- 7.11 As above, the proposal would result in a materially larger replacement outbuilding, however, the proposal would be situated upon what is considered to be previously developed land.
- 7.12 The NPPF defined previously developed land as:

"Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of

fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.”

- 7.13 The application site contains both existing built form and an area of hardstanding which were permitted in 2006 under application reference 06/03316/FL. The site therefore in this instance is considered to constitute previously developed land. The second test as part of g) relates to the proposal would not cause **substantial harm** to the openness of the Green Belt.
- 7.14 There are spatial and visual aspects to the assessment of the openness of the Green Belt. In spatial terms, as noted above, the proposed increase in size of the building is whilst considered to be materially larger (as outlined above), as such it could not be said in spatial terms there would be substantial harm to the openness of the Green Belt. The application site is relatively well contained, and the proposal would be partially obscured by the existing built form on the site when travelling from the north of the site and is enclosed in part to the south by the woodland. As such, the visual change and loss of openness in spatial terms, as a result of the development is largely localised. However, this spatial aspect should not be considered in isolation.
- 7.15 With regards to the visual aspect, whilst there would be external changes to the building it would not result in a significant increase in bulk. The orientation of the outbuilding has been changed so that the side elevation presents to the passing highway (as opposed to facing the highway). It is considered this would alter and improve the perceived massing of the outbuilding over the existing massing, when viewed from the highway to the west of the site. Further, there is already built form upon the site and whilst the building is larger, the perceived impacts of this upon the Green Belt would not adversely impact to a substantial degree upon the openness of the Green Belt.
- 7.16 The proposal, albeit larger in size, would create a more compact and consolidated built form so visually the spread of building would be reduced notably from a maximum of 18.0m to 15.6m. Whilst it is acknowledged there would be a change to the site and that the proposal is a larger addition to the site, it is considered overall as a matter of planning judgement that this change would not result in substantial harm to the openness of the Green Belt.
- 7.17 The application was received and validated on 9 October 2024 and 6 November 2024, and was subsequently subject to statutory consultation between 21 November 2024 and 12 December 2024. On the final day of that consultation period, the revised NPPF was published, introducing significant changes to several policies, including those relating to the Green Belt. Of particular relevance is the amendment to paragraph 154(g), where the threshold for disqualifying redevelopment on previously developed land has been raised from “causing a greater impact” to “causing substantial harm.” This represents a paradigm shift in policy direction for proposals of the type now under consideration.

- 7.18 Having regard to the updated NPPF, specifically Chapter 13, it is considered that the proposal may now be regarded as an exception under paragraph 154(g), and therefore would not constitute inappropriate development in the Green Belt. However, in order to preserve openness, it is necessary to impose a condition requiring the demolition of the existing outbuilding identified for removal on the proposed site layout, and the restoration of the land to garden use, prior to the occupation of the replacement outbuilding. With such a condition in place, the development would accord with the relevant policies of the NPPF and Policy CP3 of the TMBCS, which safeguard the Green Belt. Accordingly, there is no requirement to consider whether very special circumstances exist.
- 7.19 The proposal would result in a one for one replacement that would have no adverse impact on the intrinsic character and beauty of the countryside. The principle of the development is deemed acceptable in respect of Policies CP3 and CP14 and the NPPF.

Residential Amenity

- 7.20 Policy CP24 of the Core Strategy requires that all development must be well designed and respect the site and its surroundings. It also outlines that development by virtue of its design which would be detrimental to amenity will not be permitted.
- 7.21 The proposal is set a reasonable distance from neighbouring properties being circa 60 metres from the closest property. However, a building on the same site already exists and the relationship with nearby residential properties would not significantly change in this regard. Whilst there would be changes to the building, including raising the eaves and ridge height and altering the pitch, it is considered that this would not result in any adverse impact on the residential amenities of adjacent properties by reason of overlooking or overbearance. The use of the building would not significantly increase activity around the building so as to result in any adverse impact on residential amenity.

Design, materials, streetscene and character of the area

- 7.22 Policy CP24 of the TMBCS outlines the need for development to be well designed and of high quality. It should respect the site and its surroundings.
- 7.23 The proposal uses materials and details to match the existing building. The form of the proposal would alter the current appearance of the site albeit it would result in a modest increase in eaves and ridge height and overall massing. The design would retain the rural building appearance.
- 7.24 A PRoW runs along the eastern boundary of the application site. As such, views towards the existing properties and proposed development would be possible. It is considered that such views would be read against the existing built form and whilst there would be a change to the appearance of the site, the proposal would integrate

into the site to an acceptable level and would not result in significant harms to the enjoy of this PRoW or the character of the area.

- 7.25 Overall, the design of the proposals is considered acceptable and would not result in any adverse impact on the character of the area or the visual amenities of the street scene and would accord with Policy CP24 of the TMBCS.

Ancient Woodlands

- 7.26 The site is surrounded by an Ancient Woodland, whilst the site and neighbouring properties are situated outside of the Ancient Woodland, given the location, the proposal has the potential to impact upon ancient trees.
- 7.27 Paragraph 193 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:
- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;
- 7.28 Similarly, Policy NE4 3) of the Local Development Plan seeks to protect and enhance Ancient Woodlands and resist development which has adversely affect the woodland unless any benefits of the proposal would outweigh the harms.
- 7.29 The proposed form, massing, design and external materials are considered acceptable in this location. Furthermore, the proposal would move the built form further away from the site boundaries and thus the Ancient Woodland. As a result, it is considered that the proposed development would not adversely impact upon the Ancient Woodland and would therefore be acceptable.

Trees

- 7.30 As above, the proposal would move the built form away from any boundary trees and as such it is considered, there is no requirement for an arboricultural assessment to be submitted, however, to ensure the trees around the site are protected during the construction, a tree protection plan is considered to be required. This can be secured by way of a suitably worded planning condition.

Highway and Parking

- 7.31 Policy SQ8 refers to the need for parking to comply with Kent Parking Standards.
- 7.32 The proposal would not alter the parking provision at the site, and it is not considered that the additional built form would generate any significant vehicular movements so as to adversely impact upon neighbouring amenity.

Ecology

- 7.33 The existing outbuildings are in relatively good condition. However, given the location of the site within an Ancient Woodland, it is considered the site has good potential for bat roosts and for other protected species to be present within the site. Given this, it is considered reasonable to require a Preliminary Ecological Appraisal is undertaken to ensure protected species are further considered as part of this application and protected. This is to be secured by way of a suitable worded planning condition.
- 7.34 With respect to lighting, paragraph 198 of the NPPF states, inter alia, that planning decisions should limit the impact of light pollution from artificial light on, among other things, nature conservation. As such, a condition will be imposed to restrict the installation of external lighting at the site without the prior approval of the Local Planning Authority. On this basis and subject to conditions, it is considered the proposal is acceptable in this regard.

Other Matters

- 7.35 The proposal is recommended for approval on the basis that the outbuilding is to be used solely as a workshop and garage in conjunction with the host dwelling, and not as a separate planning unit. Independent occupation could give rise to additional impacts on visual and residential amenity, highway safety, and other matters that have not been assessed as part of this application. To prevent such impacts, it is considered necessary to impose a condition restricting the use of the outbuilding to purposes incidental to the enjoyment of the host dwelling, known as 2 Keepers Cottage, only.
- 7.36 Concerns have been raised with regards to the Enforcement History of the site and the applicant not complying with conditions imposed on previous applications.
- 7.37 Whilst this is noted, each application is to be determined on its own merits. Therefore, if this application is considered on its own merits to be acceptable, the enforcement history of the site should not detract or dissuade a positive decision. Enforcement matters are a separate (albeit related) process within Planning, however, concerns of future potential enforcement matters are not able to be substantiated and as such, not taken into consideration as part of this application.

Conclusion

- 7.38 The proposed demolition of the existing outbuilding and replacement with a new outbuilding would not have an adverse impact on the amenity of the neighbouring properties, the character of the area, the host dwelling, the Green Belt or the Ancient Woodland. Therefore, in light of the above considerations, it is put forward the following recommendation:

8. Recommendation:

8.1 Grant Planning Permission subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan (Received October 2024)

Proposed Site Layout (Received October 2024)

Proposed Layout & Elevations (Dated December 2024)

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

3. The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse currently known as 2 Keepers Cottages, and shall not be used, let or sold as a separate unit of living accommodation or for any other purpose at any time without the prior written approval of the Local Planning Authority.

Reason: To safeguard the character and amenities of the locality.

4. Prior to the commencement of any works, including demolition or other ground works, a Preliminary Ecological Appraisal (species survey) must be undertaken by a competent ecologist to ascertain the presence of any protected species at the site. The survey must be submitted to and approved by the local planning authority. If protected species are found at the site a full habitat survey must be undertaken and any recommended mitigation measures undertaken in accordance with the approved details.

Reason: To ensure ecological protection of the site.

5. All materials used externally shall accord with the approved plans and application form.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

6. No external lights shall be installed or erected on the outbuilding hereby approved, without the prior written approval of the Local Planning Authority.

Reason: To ensure ecological protection of the site.

7. The development hereby approved shall be carried out in such a manner that all trees are protected in accordance with the recommendations within BS 5837 – Trees in relation to design, demolition and construction.

Reason: To ensure adequate tree protection of the site.

8. The replacement outbuilding, comprising garages, workshop and store, shall not be occupied unless and until the existing outbuilding shown for replacement on the approved site layout has been fully demolished and the land upon which it stood has been restored as part of the lawn garden in accordance with the approved details.

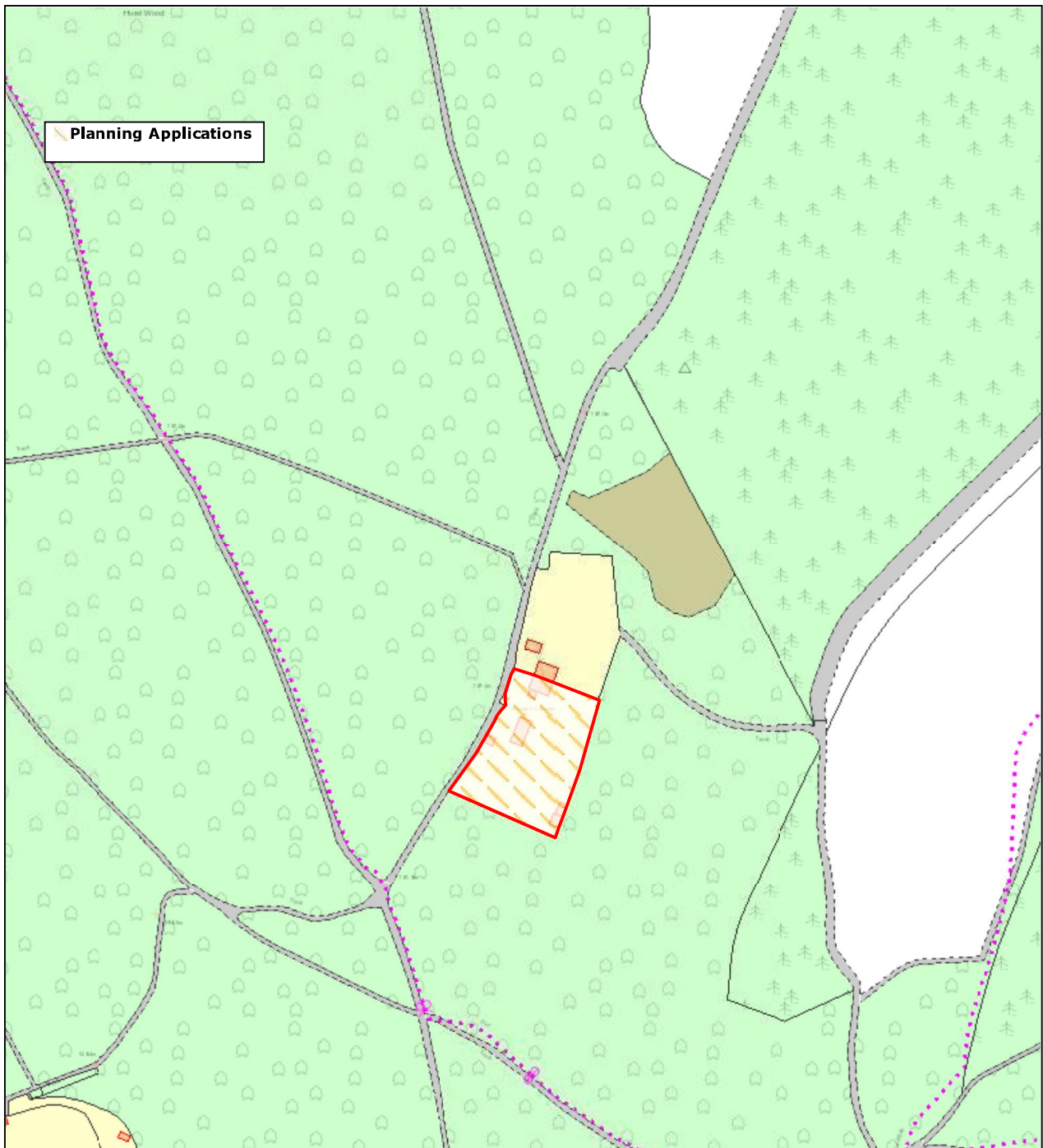
Reason: To ensure that the impact on the openness of the Green Belt is not compounded and that any erosion is mitigated by the removal of the existing structure.

Informatives:

1. All species of bat found in the UK are protected under the Wildlife and Countryside Act 1981 (as amended) and under the Conservation of Species & Habitats Regulations 2017. Together this legislation makes it an offence to kill, capture or disturb the animal, or to damage or destroy a breeding site or resting place of such an animal. Therefore, in the event that bats or signs of bats are encountered during the development, works should be stopped immediately and advice sought from a qualified bat specialist.

Contact: Phillip Richards

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Planning Applications 24/01632/PA

Scale: 1:2500



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Date: 4/9/2025 14:27

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Mereworth (Mereworth)
East & West Peckham
Mereworth And Wbury

17th September 2025

TM/25/01173/PA

Location: Land at junction of Mereworth Road and Seven Mile Lane Mereworth Maidstone

Proposal: Advertisement Consent (Retrospective): For 1 x post mounted advertising board

Go to: [Recommendation](#)

1. Description of Proposal:

- 1.1 The proposal seeks retrospective consent for the erection of a post-mounted advertisement board.
- 1.2 The signage is supported by two steel poles, each measuring approximately 1m below ground and 3.8m above ground, meaning the overall height is 4.8m and the total height above ground is 3.8m. The poles have an approximate diameter of 75mm. The sign itself comprises two aluminium composite panels ("Alupanel"), fixed to the poles by horizontal metal rails attached to the rear of the panels and clamped to the poles. Each panel measures approximately 1.2m in height, 2.25m in width, and 0.15m in depth.
- 1.3 The sign has a navy background with white lettering. It displays the name of the vineyard, "*Yotes Court Vineyard*," above three coloured circles which reflect the branding of the vineyard's wines. Within the circles, the text reads "*Wine Bar*," "*Shop*," and "*1 Mile*." An arrow is also included to indicate the direction of travel for vehicles and pedestrians towards the vineyard.

2. Reason for reporting to Committee:

- 2.1 The application has been called in to committee by Cllr Matt Boughton due to concerns regarding visual amenity.

3. The Site:

- 3.1 The site is a field located on the junction between Seven Mile Lane and Mereworth Road. The site is screened from the public highway by established hedgerow.
- 3.2 It is outside of any defined settlement boundary and within the Metropolitan Green Belt.
- 3.3 It is adjacent to, but lies outside of, the Yotes Court Conservation Area.

4. Planning History (relevant):

No planning history.

5. Consultees:

5.1 West Peckham Parish Council: No objection.

5.2 Mereworth Parish Council: Object to the signage – this is an accident hot spot (crashmap.co.uk) and is close to a school, therefore the junction should have minimal distractions for drivers. The sign should be moved on safety grounds. It could be located away from its current location.

5.3 KCC Highways: I have no objection in principle to the development. Whilst Seven Mile Lane in general has historically had a poor collision record, I am not aware of this location being a current crash cluster site. Although I can appreciate the local concern, the sign is static and not electronic meaning that the image will remain constant thereby significantly limiting the risk of driver distraction. As a point of detail, the sign should be located at least 2.4 meters back from the edge of the highway/junction of Seven Mile Lane to make sure that it does not obstruct visibility from it. The submitted drawing is of poor detail and unscaled so it is unclear how far back the sign would be located in practice.

5.4 Public Representations: One objection for the following reasons:

- Impact on Green Belt
- Design
- Highway safety

Please note that the objector also raised concerns regarding the signage setting a future precedent and the potential for delivery drivers to become confused by the signage and miss their property. These matters are not material planning considerations and therefore cannot be taken into account in the assessment of this application.

5.5 For clarity, applications for advertisement consent are assessed solely in relation to their impact on visual amenity and highway safety. Whilst it is relevant to consider the effect of the signage on the character of the countryside and its setting within the Green Belt, it is not appropriate to assess the proposal against paragraph 154 of the NPPF in respect of inappropriate development.

6. Determining Issues:

6.1 Paragraph 136 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process

within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts.

- 6.2 The NPPG states that advertisements can have a negative impact on the appearance of the built and natural environment and cumulative impacts must be taken into account. The NPPG also states that the location, colour, design or method of illumination of advertisement needs to be assessed in terms of the safety of road, railway, waterway, dock, harbour or aerodrome users.

Visual Amenity

- 6.3 The applicant has explained that the purpose of the signage is to provide clear directions to the vineyard. The proposed scale and siting of the sign are considered to respond to this purpose, ensuring it is readily visible to motorists travelling along the highway. Whilst a smaller sign might appear less visually intrusive, it would not achieve the same functional outcome. The sign has been designed to extend above the established hedgerows along the northern and eastern site boundaries to remain effective as a directional feature.
- 6.4 As set out earlier in this report, applications for advertisement consent are not assessed against paragraph 154 of the NPPF in relation to inappropriate development in the Green Belt. Nevertheless, it is appropriate to consider the impact of the proposal on the character of the countryside and the setting of the Green Belt. The NPPF states that the essential characteristics of Green Belts are their openness and permanence, with openness having both a spatial and visual dimension.
- 6.5 The site consists of a largely undeveloped field of rural, agricultural character, enclosed from the public highway by established hedgerow. However, the presence of electricity pylons and highway directional signage at the corner, forward of the hedgerow, means the landscape is not entirely unspoilt or free from man-made features. Additional directional signs are also present in the wider area along The Street and Seven Mile Lane. In this context, the introduction of a directional sign is not considered to be out of character and would remain visually contained by the existing hedgerow. In views from the highway, the level of enclosure means the visual openness of the Green Belt would not be significantly harmed. Although the sign is visible from the road—as is necessary to fulfil its directional function—its impact is softened by the hedgerow, particularly during the spring and summer months when vegetation is denser.
- 6.6 From a spatial perspective, the signage would occupy a very limited area in the north-eastern corner of the field and would not extend built form across the site. Given its scale relative to the wider field and the open countryside setting, it is not considered to materially erode the spatial openness of the Green Belt.

- 6.7 The colour palette of the signage is restrained and not visually garish, and the sign is not proposed to be illuminated. Signage of this nature is not unusual in a rural context, where mobile signal can be poor and reliance on physical wayfinding is greater. The proposed aluminium composite panels are similar in materiality to directional road signage, which is already a common feature in the locality given the site's position at the junction of two classified roads. Furthermore, the site is not within a designated National Landscape (formerly AONB), where sensitivity to visual change would be greater.
- 6.8 In summary, the signage is of a restrained design, using muted colours and non-illuminated panels, and is positioned on a corner that incorporates hedging and highway directional signage. Although visible from the public highway, its overall impact is not considered to result in material harm to the character of the countryside or the visual amenity of the Green Belt setting.

Highway Safety

- 6.9 The proposed signage would be positioned at the corner of the junction between Seven Mile Lane and Mereworth Road.
- 6.10 Kent County Council Highways have been consulted and raise no objection on highway safety grounds. They advised, however, that the sign should be set back at least 2.4 metres from the edge of the junction with Seven Mile Lane to ensure it does not obstruct visibility. They also noted that the submitted plans were not to scale, meaning this distance could not be verified.
- 6.11 However, the applicant has submitted a scaled block plan with the location of the signage. Measurements taken from this plan confirm that the signage would be set back a minimum of 2.4 metres from the highway.
- 6.12 Moreover, placing the signage above the hedge helps prevent confusion for drivers reading the lower directional signs. If it were positioned at the same level as the directional signage, it could create a greater hazard by causing uncertainty for road users.
- 6.13 On this basis, it is considered that the proposal would not give rise to any unacceptable impacts on highway safety.

7. Conclusion:

- 7.1 Taking all matters into account that are relevant to the determination under the advertisement regulations, the proposed advertisement is considered to achieve its functional purpose without giving rise to unacceptable harm to visual amenity, highway safety, or the openness of the Green Belt. Whilst the sign is relatively tall, its siting, scale, and non-illuminated design ensure the impact is limited and appropriate within its rural context.

- 7.2 Tourism is a major contributor to the local economy, providing income, employment, and leisure opportunities. By facilitating wayfinding to the vineyard, the signage would support a local rural business and, in turn, contribute positively to the local economy. The proposal is therefore judged to be acceptable in planning terms and in accordance with the relevant policies of the Development Plan and the provisions of the NPPF.

8. Recommendation:

8.1 Approve, subject to the following:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Detail Signage Drawing
Scaled Block Plan
Location Plan

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

2. This consent shall expire at the end of a period of five years from the date of consent.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. No advertisement shall be sited or displayed so as to -

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water, or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

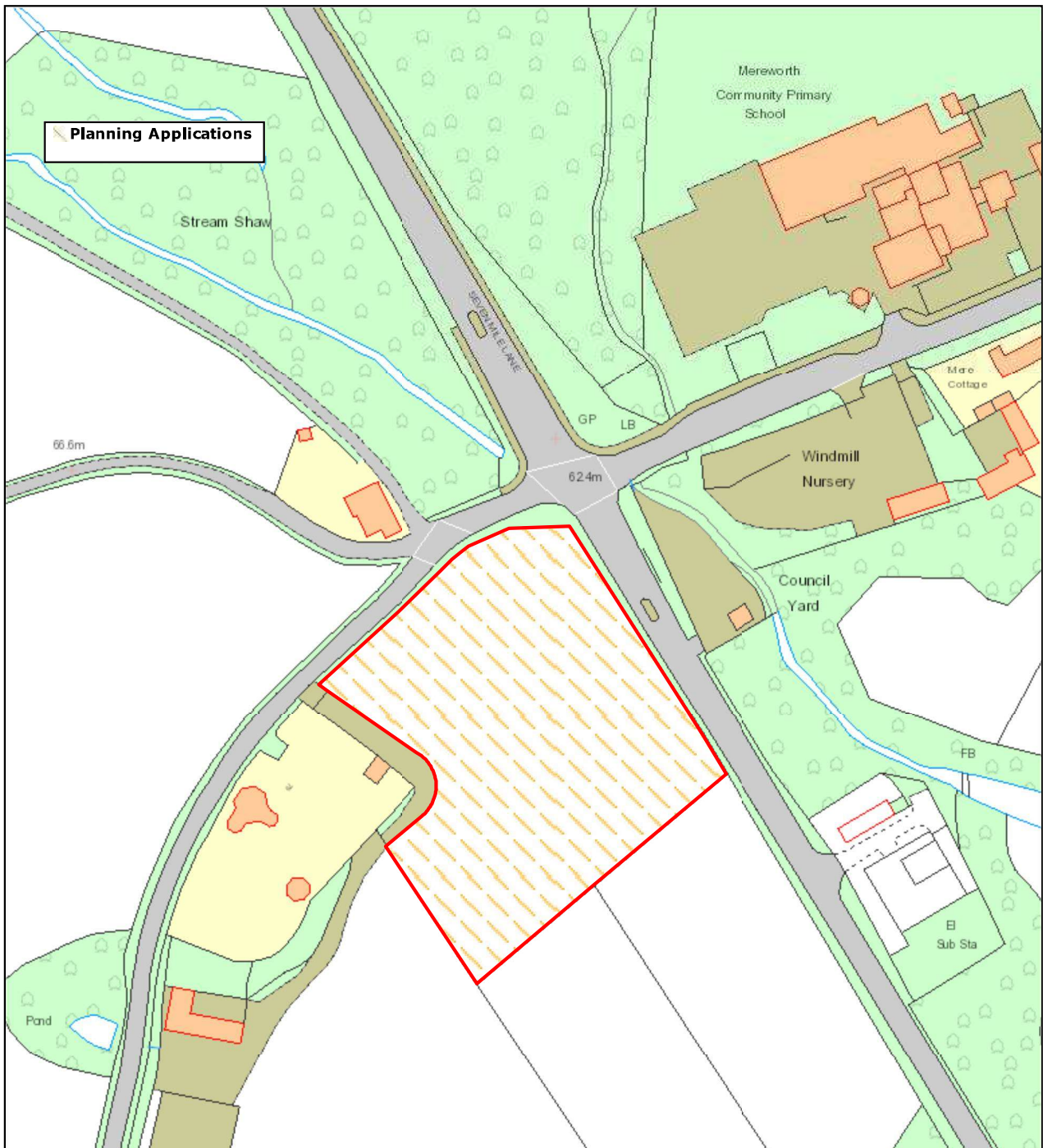
6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. Where any advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Contact: Larissa Brooks



Planning Applications 25/01173/PA

Scale: 1:1250



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Agenda Item 8

To receive and note any update in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee.

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The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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