

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **AREA 2 PLANNING COMMITTEE**

### **MINUTES**

**Wednesday, 3rd December, 2025**

**Present:** Cllr W E Palmer (Chair), Cllr B Banks, Cllr R P Betts, Cllr M D Boughton, Cllr P Boxall, Cllr S Crisp, Cllr S A Hudson, Cllr J R S Lark, Cllr R V Roud and Cllr Mrs M Tatton

Apologies for absence were received from Councillors C Brown (Vice-Chair), M A Coffin, D Harman, K B Tanner\* and M Taylor\*.

(\*apologies submitted for in-person attendance and participated via MS Teams)

### **PART 1 - PUBLIC**

#### **AP2 25/52 DECLARATIONS OF INTEREST**

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

#### **AP2 25/53 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 17 September 2025 be approved as a correct record and signed by the Chairman.

#### **AP2 25/54 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 25/55 TM/25/00944/PA - LAND OPPOSITE THE PADDOCKS, BIRLING ROAD, LEYBOURNE**

Permanent use of site for four Gypsy Traveller families, to include four static caravans, four touring caravans, four Utility blocks, parking for 8 cars, water treatment plant, and associated hardstanding.

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. Whilst some concern was expressed over the designation of the site as 'Grey Belt' based on assessment of the relevant criteria as set out in the updated National Planning Policy Framework 2024 and the associated National Planning Practice Guidance, 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, to ensure alignment with the surroundings and enhance the local environment, it was suggested that a landscaping condition be added to soften the visual impact of the development and contribute to the overall quality and character of the neighbourhood.

Councillor Palmer (Chair) proposed, Councillor Lark seconded and following a formal vote it was

**RESOLVED:** That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in both the main and the supplementary reports of the Director of Planning, Housing and Environment Health, subject to:

- (1) addition of a landscaping enhancement condition, with final wording of the condition being delegated to the Director of Planning, Housing and Environmental Health, in consultation with the Chair of Area 2 Planning Committee, to agree and to be confirmed as set out in the Decision Notice to be published by the Planning Services of the Borough Council.

[Speakers: Representatives of Birling Residents and Mr J Jones (Agent on behalf of the Applicant) addressed the Committee in person.]

**AP2 25/56 TM/25/00656/PA - GROVE FARM, MAIDSTONE ROAD, HADLOW**

Redevelopment of student accommodation to provide 17 new homes.

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. Members acknowledged the positive design aspects and the mix of housing types, including

bungalows, as proposed in the development scheme, as well as recognising the need for improved public transport access and the aspiration for a pedestrian path to provide safe walking space for the local community.

It was proposed by Councillor Palmer (Chair), seconded by Councillor Hudson, and the Committee unanimously agreed to approve the planning application subject to agreement of an option for the affordable housing mechanism as set out in the Heads of Terms of the s106 Agreement and, within the option, a revised condition to reflect the requirement for the Development to be implemented, rather than be built to Structural Slab Level, within 12 (twelve) months of the date of the s106 Agreement, otherwise the Owner shall notify the Council in writing within 5 (five) Working Days.

The Committee further considered the two options set out in the report in respect of an affordable housing mechanism to secure the developer's contribution as part of the Heads of Terms for the s106 Agreement. Following discussion, Councillor Hudson proposed that the first index-linked option be supported to ensure value over time, which was seconded by Councillor Lark and agreed by the Committee unanimously.

**RESOLVED:** That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in both the main and the supplementary reports of the Director of Planning, Housing and Environment Health, subject to:

- (1) finalisation of a s106 Agreement to reflect the revised Heads of Terms indicating the agreed option in respect of the affordable housing mechanism, as follows:

If the Development has not been implemented within 12 (twelve) months of the date of this Deed the Owner shall notify the Council in writing within 5 (five) Working Days.

Should the Owner have notified the Council pursuant to paragraph 1.1 of this schedule they shall then submit the Viability Information to the Council within 40 (forty) Working Days of such notification.

The Council shall assess the Viability Information submitted pursuant to paragraph 1 of this Schedule and shall apply the following formula to calculating whether or not the Developer Contribution is payable.

**Developer Contributions Open space and KCC contributions (index linked)**

Parks & Gardens

£14,668

Outdoor Sports Facilities	£27,278
Children's and Young People's Play Areas	£3582
Total	£45,728
Secondary Education	£95,982.23
Secondary Land	£81,361.49
SEND	£9,517.11
Community Learning and Skills	£581.57
Integrated Children's services	£1,258.85
Library	£1,064.71
Adult Social Care	£3,074.96
Waste	£3,300.21
Total	£195,141.13

[Speakers: Ms F Khurram (member of the public) and Mr S Hiscocks (Applicant) addressed the Committee in person.]

## **AP2 25/57 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS**

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

## **AP2 25/58 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.50 pm