



# TONBRIDGE & MALLING BOROUGH COUNCIL

## EXECUTIVE SERVICES

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**Chief Executive**  
Damian Roberts

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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](mailto:committee.services@tmbc.gov.uk)

6 January 2026

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, 14th January, 2026 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 3 December 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/25/01509/PA - Allens Oast, 4B Old Road, East Peckham, 21 - 32  
Tonbridge

Erection of a summerhouse (Retrospective)

### **Matters for Information**

7. Planning Appeals, Public Inquiries and Hearings 33 - 34

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

8. 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**

9. Exclusion of Press and Public

35 - 36

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**

10. 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](mailto: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](mailto: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, 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

## **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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**East Peckham**  
East & West Peckham  
Mereworth And Wbury

**14 JANUARY 2026**

**TM/25/01509/PA**

**Location:** ALLENS OAST 4B OLD ROAD EAST PECKHAM TONBRIDGE TN12 5ER

**Proposal:** Erection of a summerhouse (Retrospective)

**Go to:** [Recommendation](#)

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## **1. Description of Proposal:**

- 1.1 The proposal seeks retrospective permission for the erection of a summerhouse outbuilding. The proposal is similar to an approved summerhouse outbuilding (under ref: 24/00446/PA), however this proposal has a small projection to the rear. The main summerhouse outbuilding is 6m wide and 4.2m deep. The rear projection measures 2.5m by 1.5m and contains a toilet, sink and shower. The overall footprint is 28.95m<sup>2</sup> and it is located within the rear garden of the dwelling.

## **2. Reason for reporting to Committee:**

- 2.1 The application has been called in to the Area 2 Planning Committee by Councillor Boughton to allow for the consideration of the impact of the proposal on the adjacent Grade II listed building and wider heritage impacts, and its impact on flood risk.

## **3. The Site:**

- 3.1 The summerhouse is within the residential curtilage of Allens Oast, a detached dwelling that was converted under application ref: 84/11098/FUL an amendment to the previously approved application ref: 82/10931/FUL. Further garden land was added from No.20 Old Road in 2021. The summerhouse is approximately 28.5m from the main dwellinghouse.
- 3.2 A summerhouse could ordinarily be considered as permitted development, but this is not the case on this site, as Condition (vi) on the original planning permission (ref: 84/11098) states that '*Notwithstanding the provisions of the General Development Orders 1977-1981, no further alterations or extensions to either oasthouse, nor other development within their curtilages shall be undertaken without the prior consent in writing of the District Planning Authority. Reason: In the interests of visual and residential amenity*'.
- 3.3 The site is in Flood Zone 2 and the Green Belt.

- 3.4 There is a Grade II listed building (4 Old Road) to the north west, but this is over 80m away from the summerhouse and concealed from it by the existing dwelling of Allens Oast. Strettitt Place is a Grade II listed building approximately 20m to the east of the summerhouse. Its official listing is: *House. Early C19 elevation to older building. Painted brick with plinth and band. Wide flat projecting eaves with boarded soffit and coupled brackets to plain tiled, hipped roof. 2 dormers. 2 storeys, 5 windows, glazing bar sashes. Central half-glazed and panelled door with projecting Ionic columned porch. House L-shaped in plan, C18 to rear. 2-storey early C19 bow to west and canopied veranda.*

**4. Planning History (relevant):**

**24/00446/PA**

Approved - 07 June 2024

Erection of a summerhouse

**89/11640/FUL**

Grant With Conditions - 25 May 1989

Garage

**84/11098/FUL**

Grant With Conditions - 24 February 1984

(a) alterations to development previously approved under ref. TM/82/258 to provide ground floor lounge in place of integral garage and to provide two additional bedrooms on first floor, (b) erection of a detached, pitched roof double garage

**82/10931/FUL**

Grant With Conditions - 20 July 1982

Conversion of two former oast houses into dwellings

**5. Consultees:**

- 5.1 **East Peckham Parish Council:** The Council opposes and has concerns around how it encroaches on the privacy of neighbours. TMBC need to take this to area planning.
- 5.2 **Conservation officer:** Raised no objection stating that "*The permitted Summerhouse and the unauthorized addition feature in glimpsed, south-westerly views from the listed building. The addition is largely screened by intervening shrubbery and although of unsympathetic form, the diminutive new structure is of matching materials, and it remains below the eaves level of the Summerhouse. The modest presence of the addition causes no harm to the significance the adjacent designated heritage asset through very minor change within the setting*"
- 5.3 **Private rep:** Objection because the proposal would adversely impact the setting of a listed building.
- 5.4 **Private rep:** Objection due to its external appearance (exterior colour, roof tiles, flat roof section). Concerns about the negative impact on the setting of a listed building.

Does not want the summerhouse to become habitable accommodation. Various non-material planning considerations have been raised such as the location of drainpipes, foul drainage and fascia boards.

- 5.5 **Private rep:** Objection due to its size and design. Concerns about it becoming self-contained accommodation in the Green Belt, as well as its impact on the listed building

## 6. **Determining Issues:**

### Policy Guidance

- 6.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Local Planning Authority is required to determine planning applications and other similar submissions in accordance with the Development Plan in force unless material considerations indicate otherwise.
- 6.2 The Development Plan currently comprises the Tonbridge and Malling Local Development Framework Core Strategy (TMBCS) adopted in September 2007, the saved policies of the Tonbridge and Malling Borough Local Plan 1998 (TMBLP), Development Land Allocations DPD (DLA DPD) adopted in April 2008 and the Managing Development and the Environment DPD (MDE DPD) adopted April 2010.
- 6.3 The National Planning Policy Framework (“NPPF Dec 2024”) and the associated National Planning Practice Guidance (“NPPG”) are also important material considerations together with Kent Design Guide.

### Emerging Local Plan

- 6.4 On the 21 October 2025 the Housing and Planning Scrutiny Select Committee, recommended to the Council’s cabinet that the next stage of the emerging draft Local Plan is moved forward, paving the way for the formal public consultation which commenced on 10 November 2025.

### Principle of development

- 6.5 Policy CP3 in the local core strategy states that the National Green Belt policy will apply to development in this context. This is now section 13 of the NPPF. Paragraph 142 emphasises the importance attached to Green Belt land and states that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 154 outlines exceptions to the restrictions imposed by the Green Belt on development. 154(c) allows 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.

- 6.6 It is also noted that there is case law, which has established, that an outbuilding can be considered as an addition to a property (an adjunct) having regard to its function, the size of the structure and relationship with the host dwelling.
- 6.7 In this instance it is noted that Allens Oast was created as a residential property following conversion in the 1980s. Since then, it appears that permission has been granted for a garage.
- 6.8 Below is a table with comparative footprint calculations for the additions to the original dwelling:

	Footprint (m <sup>2</sup> )	Cumulative footprint in m <sup>2</sup>	Percentage increase incl. extant garage	Percentage increase excl. extant garage
House approved under 84/11098/FUL	150	150	N/A	N/A
Garage approved under 84/11098/FUL (extant permission)	35	185	N/A	N/A
Porch approved under 84/11098/FUL	3.2	188.2	2%	2%
Garage approved under 89/11640/FUL	40	228.2	23%	29%
Summerhouse approved under 24/00446/PA	25.2	253.4	37%	46%
Proposed summerhouse including rear projection 25/01509/PA	28.95	257.2	39%	48%



- 6.9 The summer house now proposed is considered to be of relatively modest proportions, having regard to the size of the curtilage. The structure would be sited on land that has been in garden use, albeit with a different property until more recent times, and is now considered to have a functional relationship with Allens Oast.
- 6.10 The physical and functional relationship with the main house, means that the proposal could be considered a modest sized extension to the original building in the Green Belt. The size and design are considered to be appropriate for this location and do not cause any harm to the visual amenities of the locality.
- 6.11 In this instance the proposed extension to the outbuilding, described as a summer house, would appear to be for private domestic purposes normally associated with a residential property and would not (together with previous permissions) constitute a disproportionate addition over and above the size of the original building. Hence it would benefit from the exception in Paragraph 154(c) of the NPPF and therefore would not be inappropriate development within the Green Belt.
- 6.12 Furthermore, it should be noted that there is extant permission from 84/11098/FUL for a detached, pitched roof, double garage which was not constructed as part of the conversion of the building to a dwelling. This extant permission is a material consideration for this current application.
- 6.13 Allens Oast and its curtilage lie just outside of the rural service centre of East Peckham. Therefore, it is considered as development in the countryside. This means that policy CP14 in the core strategy will also apply, but this allows an appropriate extension of an existing dwelling. The proposed outbuilding is an appropriate extension to the dwelling and would comply with policy CP14.
- 6.14 In conclusion, the outbuilding is a proportionate extension of the original dwelling, and therefore not inappropriate development within the Green Belt and therefore the principle of development is acceptable and would comply with Policy CP3 and the NPPF.

#### Residential amenity

- 6.15 Policies CP24, P4/12 and PA4/12 explain the importance placed upon development to respect its site and surroundings. P4/12 specifically states that consideration should be given to the potential impacts that a development may have on neighbouring properties.
- 6.16 The previous approval for the summerhouse stated that *'The comments of the neighbour are noted and have been given careful consideration. The summer house would be positioned between 2 and 5 metres from the eastern side boundary and 20m from the nearest part of Strettitt Place. As a result, whilst it may be partly visible from Strettitt Place, it should not unduly affect outlook from the neighbouring property. It is concluded that the proposal would not have an unacceptable impact*

*on the amenities of occupants of neighbouring properties having regard to the policy context outlined above.'*

- 6.17 This assessment has not changed, as the additional 3.75m<sup>2</sup> rear projection does not have any windows, and is no taller than the eaves of the approved summerhouse. The separation distances to Strettitt Place and other neighbours remain similar to the previously approved outbuilding. Therefore, it will not create any additional adverse impacts on the outlook, privacy or overshadowing for the adjacent neighbours and would not harm their amenity. As such the proposal would comply with policies CP24, P4/12 and PA4/12.

Design, materials, street scene and character of the area

- 6.18 Policies CP24, SQ1 and P4/12 request well-designed, high-quality development. The appearance of the proposal should be designed to respect the site and its surroundings.
- 6.19 The original approval noted that: *'The outbuilding is to be constructed of a timber frame with shiplap cladding and Kentish peg tiles or similar to the roof. The size and design are appropriate for a domestic building at the edge of the settlement. The materials identified are considered appropriate for this location without need for painting of the elevations.'*
- 6.20 The cladding has not been painted but is black in colour. This is appropriate for the rural context.
- 6.21 The materials will match those previously approved, and creates a unified appearance between the rear projection and the main summerhouse. The overall scale of the summerhouse has not changed significantly and is considered appropriate. The summerhouse is not visible from the road, so does not affect the street scene. Modern alterations have already been made to houses nearby, such as detached garages and extensions, so it will not affect the character of the area.
- 6.22 There are concerns about the visibility of the small extension from Strettitt Place. A landscaping and screening plan has been submitted with a strategy to screen the majority of the summerhouse and its extension from view using vegetation. This has been included as a condition to ensure it is implemented. However, it should be noted that the proposal does not affect the outlook from Strettitt Place and a view is not a material consideration in the determination of this planning application.
- 6.23 The materials will match the existing ones, so this creates a unified appearance between the rear projection and the main summerhouse. It will not be visible from the road, so will not affect the street scene nor would it harm the character of the area. The outbuilding would therefore comply with policies CP24, SQ1 and P4/12.

Setting of a listed building

- 6.24 Chapter 16 of the NPPF relates to the preservation and enhancement of the historic environment.
- 6.25 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for a development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.26 The Conservation Officer's comments summarised in paragraph 5.2 conclude by saying that the summerhouse extension causes no harm to the significance of the adjacent designated heritage asset through very minor change within the setting, and there is no objection in terms of TMBC Historic Environment Conservation Policy.
- 6.27 A similar outbuilding has been previously approved under ref: 24/00446/PA which is a material consideration for this application. The only difference between this application and the previously approved one is the small 3.75m<sup>2</sup> rear projection. Given the modest scale and the design of the addition it is considered that the proposal would not result in harm to the significance of the adjacent listed building nor would the impact be sufficiently different from that previously approved. As such the proposal is not considered to result in harm to the setting of the neighbouring listed building and would be in accordance with the NPPF and S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Flood Risk

- 6.28 The site lies within flood zone 2. Paragraph 181 of Chapter 14 in the NPPF and Policy CP10 in the TMBC Core Strategy focus on development within areas at risk of flooding. It only allows development which is appropriately flood resistant and resilient. A similar outbuilding had previously been approved (ref:24/00446/PA) and this application seeks for approval for a small addition to the approved summerhouse. The outbuilding would not be used for habitable accommodation, so does not require mitigation strategies in respect to resilience measures. Furthermore, the small addition over and above what was previously approved is not of a sufficient scale or massing to result in a significant displacement of flood waters to result in a worsening of flooding to neighbouring sites. As such the outbuilding would comply with policy CP10 and paragraph 181 of the NPPF.

#### Issues raised by reps

- 6.29 Drainpipe is in a different location. – Not a material planning consideration.
- 6.30 Uncertainty about foul drainage from the new shower block. – Not a material planning consideration and would be covered by building regulations.
- 6.31 No fascia board. – The outbuilding is considered to be of an acceptable design.

- 6.32 It might become habitable accommodation. – A condition can be added to ensure it remains ancillary to the main dwelling. Should the outbuilding be occupied as a separate self-contained dwelling it would require planning permission.
- 6.33 Roof tiles have a different appearance. – The proposal is considered to be acceptable in respect to its design and appearance, and its impact on the character of the site and surrounding area, and the setting of the neighbouring listed building.
- 6.34 Encroaches on the privacy of the neighbours. - There are no windows overlooking the neighbouring property and the building is only a single storey, as well as it being sufficiently far away from neighbouring dwellings to prevent adverse overlooking.

## **7. Recommendation:**

### **7.1 Approved** subject to the following:

#### **Conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
Site location plan P.3633.010.A.  
Proposed block plan P.3633.030.A.  
Proposed floor plan P.3633.060.A.  
Proposed elevations P.3633.070.A.  
Proposed landscaping and screening report, received on 26/11/25.  
Planning statement.

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. All materials used externally shall accord with the plans and application details hereby approved.

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

3. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.  
Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

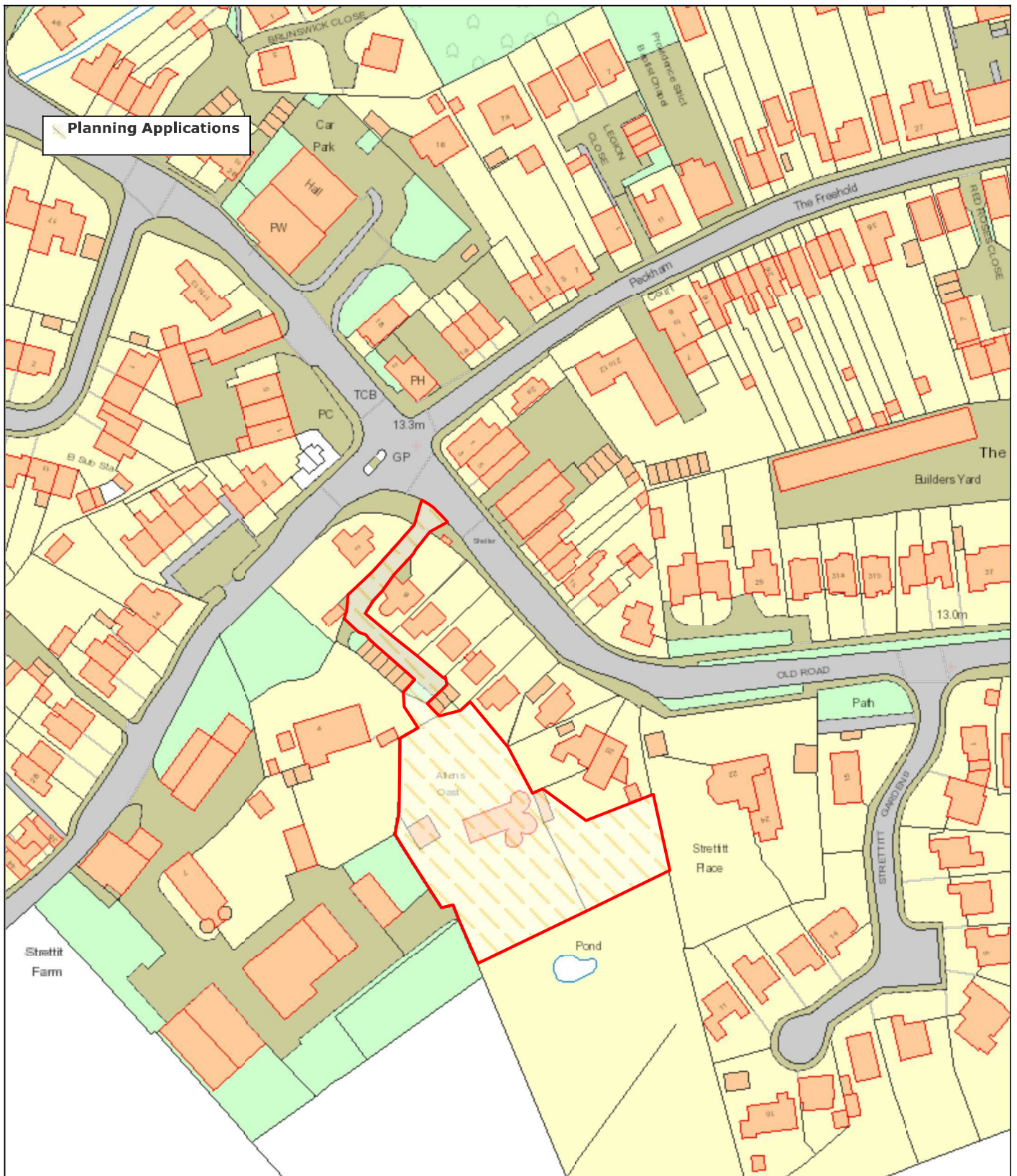
Reason: To ensure a satisfactory appearance to the development.

4. The summerhouse hereby permitted shall be occupied and used for purposes incidental to the enjoyment of the main dwelling house and for no other purposes whatsoever.

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

Contact: Suzanne Leach

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**Planning Applications 25/01509/PA**

**Scale: 1:1250**



Tonbridge & Malling Borough Council  
Gibson Building, Gibson Dr  
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ME19 4LZ  
Tel.: +44 1732 844522



Date: 2/1/2026 15:50

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### Planning Appeal Decisions for Area 2

TMBC Ref	25/00569/PA
PINS Ref	APP/H2265/W/25/3373454
Site Address	The Woodman Sweets Lane East Malling West Malling ME19 6JF
Description of development	Section 73 application to Vary Condition 2 (approved plans) of planning permission 24/01514/PA (New detached house in excess side garden of existing property, with new access, parking, associated garden and double garage) Revising plans to incorporate front dormers and front bay windows with balconies above
Delegated or Committee Decision	Delegated
Appeal Outcome	Appeal Allowed 5 December 2025
<i>Insert hyperlink to decision</i>	<a href="#">Appeal Decision</a>
Costs Awarded	n/a

TMBC Ref	25/00117/PA
PINS Ref	APP/H2265/X/25/3369278
Site Address	Four Seasons Park Labour In Vain Road Wrotham TN15 7PA
Description of development	Lawful Development Certificate Proposed: Use of land as a caravan site together with amenity and ancillary areas and an additional six caravans shown cross hatched on the proposed plan ( a total of 38 caravans)
Delegated or Committee Decision	Delegated
Appeal Outcome	Appeal Allowed 31 December 2025
<i>Insert hyperlink to decision</i>	<a href="#">Appeal Decision</a>
Costs Awarded	n/a

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# Agenda Item 9

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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