

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

MINUTES

Thursday, 29th January, 2026

Present: Cllr D Thornevell (Chair), Cllr R W Dalton (Vice-Chair),
Cllr Mrs S Bell, Cllr A G Bennison, Cllr T Bishop,
Cllr R I B Cannon, Cllr D A S Davis, Cllr S M Hammond,
Cllr P M Hickmott, Cllr D Keers, Cllr A McDermott,
Cllr Mrs A S Oakley and Cllr C J Williams

In attendance: Councillors S Crisp, D W King and Mrs M Tatton also participated via MS Teams pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor L Chapman*.

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

PART 1 - PUBLIC

AP3 26/1 DECLARATIONS OF INTEREST

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

AP3 26/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 11 December 2025 be approved as a correct record and signed by the Chairman.

AP3 26/3 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)

AP3 26/4 TM/22/00409/OAEA - LAND AT BUNYARDS, BEAVER ROAD, ALLINGTON, AYLESFORD

Outline planning application for the development of up to 435 dwellings, including 40% affordable homes, with associated landscaping, parking, open space, play areas, etc. Realignment of Beaver Road, and all other associated development works (Access only detailed matter with all other matters reserved).

Due regard was given to the determining issues detailed in both the main and the supplementary reports of the Director of Planning, Housing and Regulatory Services, as well as the points raised by the speakers. Members expressed concerns regarding the loss of green space, infrastructure pressures, traffic congestion, environmental impacts, and the suitability of the proposed secondary access via Castor Park given its unadopted road status by the Kent County Council.

However, it was acknowledged that the proposed development supported the overarching aims of national and local planning policy in relation to housing delivery by providing up to 435 dwellings and making a strong contribution towards the existing local shortfall, including policy compliant affordable housing. Furthermore, financial contributions were proposed to mitigate the impacts of the development on key services, including public open space provision and enhancement and health provision, off-site highway junction and cycleway improvements, public transport, provision of education facilities and community services and Network Rail contributions for upgrading Barming Station. Therefore, on balance, 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 development.

It was proposed by Councillor D Thornewell (Chair), seconded by Councillor T Bishop, that the planning application be approved subject to an additional condition to restrict the use of the secondary access off Castor Park as an emergency access only, with details regarding design, measures to prevent unauthorised access, monitoring and future enforcement to be submitted to and approved in writing by the Council as the Local Planning Authority prior to development above slab level of any dwellings with the agreed measures to be installed and in good working order prior to occupation of any dwelling on site. Following a formal vote, the proposal was carried with six Members voting in favour and seven Members abstained from voting.

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 Regulatory Services, subject to:

- (1) the applicant entering into a planning obligation through a Section 106 agreement with the Council to provide on-site affordable housing and financial contributions towards public open space provision and enhancement and health provision (subject to final agreement), off-site highway junction and cycleway improvements, public transport, the provision of education facilities and community services and Network Rail contributions for upgrading Barming Station as set out in paragraph 6.105 of the main report; and
- (2) addition of a condition to restrict the use of the secondary access off Castor Park as an emergency access only, with the final wording of the condition being delegated to the Director of Planning, Housing and Regulatory Services, in consultation with the Chair and Vice Chair of Area 3 Planning Committee, to agree.

[Speakers: Councillors S Forecast and T Cannon (Ward Members for Palace Wood of Maidstone Borough Council) and Mr S Crickett (Agent on behalf of the Applicant) addressed the Committee in person and Ms A Poletti (member of the public on behalf of New Allington Action Group) addressed the Committee via MS Teams.]

AP3 26/5 25/00855/PA - 49 HALLSFIELD ROAD, CHATHAM

Ground floor rear extension and change of use from use class C3 residential dwelling to C2 residential institution designed to provide accommodation and personal care for up to five individuals.

Further to Minute AP3 25/28 of the meeting held on 11 December 2025, the Committee considered the above application with the report of the Director of Central Services and Monitoring Officer set out in Part 2 of the agenda (Minute AP3 26/8 refers). Some Members continued to express significant concerns in respect of the potential impact of the proposed development on neighbouring amenities, specifically with regard to possible increases in noise and disturbance, inadequate parking provision, and highway safety considerations.

However, as there was no objection raised by the Kent County Council Highways regarding highway safety or insufficient parking provision, it was acknowledged that as a statutory consultee, their response to the consultation would carry significant weight in the determination of this application. It was proposed by Councillor P Hickmott and seconded by Councillor A Oakley that the application be approved subject to an amended Condition 2 as set out in the supplementary report of the Director of Planning, Housing and Regulatory Services. Following a formal vote, the proposal was defeated with seven Members voting against and five Members voting in favour and one abstention.

On the grounds of Members' continued concerns regarding site intensification and shortfall in parking provision, it was proposed by Councillor D Keers and seconded by Councillor A McDermott that the application be refused, contrary to Officer's recommendation, for the following reasons:

- (1) as a result of the increased comings and goings, additional parking of vehicles, staff movements, disruption and activity would result in an unacceptable intensification of the site, out of keeping with the character of this quiet residential area and harmful to neighbourhood, neighbouring amenities, in conflict with policy CP24 of the Tonbridge and Malling Core Strategy and policy SQ1 of the Managing Development and the Environment Development Plan Document; and
- (2) as a result of insufficient off-street parking, the proposal would not function well over the lifetime of the development and the parking plan would not be enforceable or provide sufficient mitigation for the failure to provide the necessary off-street parking spaces. This would amount to poor design and would be detrimental to the functioning of the development, in conflicts with paragraph 135 of the National Planning Policy Framework, policy CP 24 of the Tonbridge and Malling Core Strategy, policy SQ 8 of the Managing Development and the Environment Development Plan Document and the Kent Parking Standards SPD.

Following a formal vote, the proposal was carried with eight Members voting in favour and five Members voting against. On the grounds that the above refusal reasons were not considered could be substantiated at an appeal and there was likely to be a risk of significant costs being awarded against the Council at any appeal, the vote taken was a recommendation only in accordance with Council and Committee Procedure Rule 15.24, Part 4 Rules of the Constitution.

RECOMMENDED*: That consideration of the planning application stand **ADJOURNED** with the recommendation to refuse the planning application being referred for determination by Council in accordance with Council and Committee Procedure Rule 15.24, Part 4 (Rules) of the Constitution.

***Recommended to Council**

AP3 26/6 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

It was noted that there had been no planning appeals, public inquiries or hearings since the last meeting of the Planning Committee.

AP3 26/7 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information the following matters be considered in private.

PART 2 - PRIVATE

MATTERS FOR INFORMATION

AP3 26/8 25/00855/PA - 49 HALLSFIELD ROAD, CHATHAM

(Reason: LGA 1972, Sch 12A, Paragraph 5 – information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

At the meeting of the Area 3 Planning Committee held on 11 December 2025 consideration of the application was deferred for a report from the Director of Central Services and Monitoring Officer on the risks arising from a decision contrary to the recommendation of the Director of Planning, Housing and Environmental Health (as set out in Council and Committee Procedure Rule 15.24, Part 4 (Rules) of the Constitution) (Minute AP3 25/28 refers). The report of the Director of Central Services and Monitoring Officer provided an assessment of the risks arising from a resolution to refuse planning permission and advised that any such resolution would be a recommendation only and the matter would stand adjourned to be considered and determined by Full Council (Minute AP3 26/5 refers).

RESOLVED: That the report be received and noted.

The meeting ended at 10.08 pm
with an adjournment between 9.33 pm and 9.42 pm