

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**AREA 1 PLANNING COMMITTEE**

**MINUTES**

**Thursday, 26th March, 2026**

**Present:** Cllr M A J Hood (Chair), Cllr D W King (Vice-Chair), Cllr L Athwal, Cllr K Barton, Cllr G C Bridge, Cllr J Clokey, Cllr F A Hoskins, Cllr A Mehmet, Cllr R W G Oliver, Cllr B A Parry, Cllr S Pilgrim, Cllr M R Rhodes and Cllr K S Tunstall

An apology for absence was received from Councillor A Cope.

**PART 1 - PUBLIC**

**AP1 26/13 DECLARATIONS OF INTEREST**

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

**AP1 26/14 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 1 Planning Committee held on 12 February 2026 be approved as a correct record and signed by the Chairman.

**AP1 26/15 GLOSSARY AND SUPPLEMENTARY MATTERS**

Decisions were taken on the following applications subject to the prerequisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Regulatory Services 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)**

**AP1 26/16 TM/25/01693/PIP - LAND WEST OF 103 TONBRIDGE ROAD, HILDENBOROUGH, TONBRIDGE**

Permission in Principle for the development of between 5-7 residential dwellings as set out in Schedule 1 of the Town and Country Planning

(Permission in Principle) Order 2017 (as amended) located on Land at Tonbridge Road, Hildenborough.

Further to Minute AP1 26/10 of the meeting held on 12 February 2026, 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 AP1 26/19 refers). Some Members continued to express significant concerns in respect of the potential impact of the proposed development on the open setting and the character of the Hildenborough Conservation Area as well as the designated heritage assets.

However, it was acknowledged that neither the Conservation Officer nor the Tree Officer had objected to the proposed development at this stage and that no expert evidence had been provided to demonstrate that the proposed reasons could be substantiated at any appeal. Furthermore, the limited remit of Permission in Principle was clarified, confirming that issues such as drainage, water infrastructure, access detailing and tree impacts would be fully assessed only at the Technical Details Consent stage.

On the grounds of Members' continued concerns regarding potential harm of the proposed development to the Conservation Area and the designated heritage asset, it was proposed by Councillor M Rhodes and seconded by Councillor K Barton that the application be refused, contrary to Officer's recommendation, for the following reasons:

- (1) The principle of residential development at this location would result in a harmful erosion of the open setting of the Conservation Area, which contributes positively to its character. The public benefits of 5 – 7 houses would not outweigh this harm and the proposal would also be detrimental to the visual amenity of the area, conflicting with policies CP24 of the TMBC Core Strategy, SQ1 of the Manging Development and the Environment Development Plan document, and paragraphs 210, 212, 213 and 215 of the National Planning Policy Framework; and
- (2) The principle of residential development at this location would result in conflict with footnote 7 policies relating to a designated heritage asset, and is therefore considered to be a strong reason for refusing development, due to the modest public benefits of 5 – 7 houses not outweighing the harm to the setting of the Conservation Area. The development would therefore not meet the definition of Grey Belt and would not comply with paragraph 155 of the National Planning Policy Framework. It would therefore be considered inappropriate development in the Green Belt in conflict with policies CP3 of the TMBC Core Strategy, and paragraphs 153 and 154 of the National Planning Policy Framework.

Following a formal vote, the motion 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 incurred by the Council in defending any appeal (including any potential liability to pay the costs of the appellant in the event of an adverse costs award), 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 Full Council in accordance with Council and Committee Procedure Rule 15.24, Part 4 (Rules) of the Constitution.

**\*Recommended to Council**

### **MATTERS FOR INFORMATION**

#### **AP1 26/17 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS**

The Committee were informed of an appeal decision issued on 24 March 2026 concerning the Trench Farmhouse, where both appeals relating to Green Belt and Conservation Area issues were dismissed.

### **MATTERS FOR CONSIDERATION IN PRIVATE**

#### **AP1 26/18 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**

#### **AP1 26/19 TM/25/01693/PIP - LAND WEST OF 103 TONBRIDGE ROAD, HILDENBOROUGH, TONBRIDGE**

**(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 1 Planning Committee held on 12 February 2026 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 AP1 26/10 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 AP1 26/16 refers).

**RESOLVED:** That the report be received and noted.

\*The post title of the Director of Planning, Housing and Environmental Health was renamed to the Director of Planning, Housing and Regulatory Services from 22 January 2026 and the relevant references within the Constitution were subsequently updated accordingly.

The meeting ended at 8.50 pm