

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

Decision Taken By: Cabinet Member for Planning

Decision No:

D260056MEM

Date: 19 May 2026

Decision(s) and Reason(s)

Scoping report for use of an Article 4 Direction to withdraw Permitted Development Rights for small Houses of Multiple Occupation (HMO)

(Report of Director of Planning, Housing and Regulatory Services)

Members were provided with an overview of Article 4 Directions and considered whether there was sufficient evidence to justify the introduction of an Article 4 Direction to withdraw permitted development rights for small Houses in Multiple Occupation (HMOs) within Tonbridge and Malling. The report reviewed national policy, guidance and evidence used by other authorities, and compared this with the local position in Tonbridge and Malling.

Members noted that Article 4 Directions should only be introduced where supported by robust evidence of clearly identified harm and that, at present, the evidence base within the Borough was limited. It was also noted that the Council's Strategic Housing Market Assessment did not support the introduction of an Article 4 Direction at this stage.

The Committee recognised that further evidence gathering would be required if the Council wished to pursue this matter and noted that this work would likely require external consultant support, with an estimated cost of £25,000.

Following consideration and support by the Housing and Planning Scrutiny Select Committee, the Cabinet Member for Planning

RESOLVED: That, subject to approval by Council of funding via a supplementary budget estimate,

- (1) further work be undertaken to formally review the potential for an Article 4 Direction for small HMOs; and
- (2) Cabinet make a decision on the Article 4 Direction no later than their meeting on 1 September 2026.

Reasons: As set out in the report submitted to the Housing and Planning Scrutiny Select Committee of 19 May 2026

Signed Cabinet Member for Planning:	M Taylor
Signed Leader:	M Boughton
Signed Chief Executive:	D Roberts
Date of publication:	28 May 2026

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

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