

TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

MINUTES

Tuesday, 8th April, 2025

At the meeting of the Tonbridge and Malling Borough Council held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 8th April, 2025

Present: His Worship the Deputy Mayor (Councillor C Brown), Cllr L Athwal, Cllr B Banks, Cllr Mrs S Bell, Cllr A G Bennison, Cllr R P Betts, Cllr T Bishop, Cllr M D Boughton, Cllr R I B Cannon, Cllr J Clokey, Cllr M A Coffin, Cllr S Crisp, Cllr D A S Davis, Cllr D Harman, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr D Keers, Cllr J R S Lark, Cllr A McDermott, Cllr A Mehmet, Cllr D W King, Cllr Mrs A S Oakley, Cllr R W G Oliver, Cllr W E Palmer, Cllr Stacey Pilgrim, Cllr M R Rhodes, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr D Thornewell, Cllr K S Tunstall and Cllr C J Williams

Apologies for absence were received from His Worship the Mayor (Cllr S M Hammond) and Councillors K Barton, P Boxall, G C Bridge, A Cope, R W Dalton, Mrs T Dean and B A Parry.

PART 1 - PUBLIC

C 25/28 DECLARATIONS OF INTEREST

Councillor Mehmet declared an Other Significant Interest in agenda item 11 (TM/22/01570/OA – Land North East and South of 161 Watringbury Road) on the grounds of having offered advice to other landowners in the application site area as part of his employment. He withdrew from the meeting and did not participate in any discussion or vote on this matter.

For reasons of transparency, Councillor Mrs M Tatton advised that at the time of the application, she was the Parish Clerk for Teston Parish Council who were one of the consultees on application TM/22/01570/OA (Land North East and South of 161 Watringbury Road). However, as she had not been involved in any decision making regarding the Parish Council's response, this did not represent either a Disclosable Pecuniary or Other Significant Interest and there was no requirement for her to withdraw from the meeting or to not participate in the debate.

C 25/29 MINUTES

RESOLVED: That the Minutes of the proceedings of the Special and Ordinary meetings of the Council held on 18 February 2025 be approved as a correct record and signed by the Deputy Mayor.

C 25/30 MAYOR'S ANNOUNCEMENTS

The Deputy Mayor advised of a number of engagements attended since the last meeting of Council and made particular reference to the following civic and charity events:

- Retirement Villages Group Groundbreaking ceremony to mark construction starting for new Thrive Living on 6 March
- Handover of Minibus to Long Mead Community Primary School on 12 March
- West Malling Community Choir (WMCC) Joint Concert with the Invicta Jazz Orchestra on 15 March
- Communigrow Event Signing of the Armed Forces Covenant on 19 March
- Tonbridge Juddians RFC Sponsors and End of Season Lunch on 22 March
- Local Primary School debates

Arrangements were being finalised for future civic and charity events and the following were noted:

- Cheque Presentation to Mayor's Charity RBLI – date tbc
- Honorary Freeman Ceremony & Annual Council – 13 May 2025

Finally, the Deputy Mayor thanked former Mayors Cllrs S Bell, D Davis and J Lark for their support in attending a number of engagements on his behalf.

In closing, the Deputy Mayor was pleased to advise that following a period of ill health the Mayor was making good progress, was out of hospital and resting at home and wished him well for his continuing recovery.

C 25/31 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

C 25/32 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 25/33 LEADER'S ANNOUNCEMENTS

The Leader confirmed that the Borough Council's response to local government reorganisation had been submitted to Government on 21

March 2025. Feedback on this initial proposal was anticipated in the next few weeks. There had also been a supplementary submission of the West Kent authorities around the importance of these organisations working together.

Reference was made to the successful West Kent Expo held with Sevenoaks District Council and Tunbridge Wells Borough Council in March 2025. The Leader recorded appreciation to the Economic Development Team and all involved in 'Invest in West Kent' for organising such an exceptional event.

There was also reference to the upcoming Recruitment Event being held on Wednesday 30 April 2025 at the Angel Centre in Tonbridge, which was also well subscribed.

The Leader of the Opposition, Kemi Badenoch MP, had been welcomed to the Borough during a recent visit to TPS in Ditton which was a global firm based in the local community for many years. There had also been opportunity to reflect on investment at Panattoni Park and this was recognised as an economic heartland of the borough benefitting local businesses in Aylesford, Larkfield and New Hythe.

Property and Climate Change Officers had successfully secured in the region of £210,000 grant funding from the Public Sector Decarbonisation Scheme. This would be used to install air source heat pumps at Poul Wood Golf Course during 2026.

The Borough Council had also been allocated circa £327,000 from the UK Shared Prosperity Fund for community initiatives for 2025/26 and this supported a further West Kent Business Support Programme, the purchase of more mobile CCTV cameras, the funding of more green business grants and helped contribute to the nationally recognised Community Enforcement Team. It also helped support a further round of the Community Development Grant Scheme. The additional funding was very welcome as the 50th Anniversary Community Development Grant Scheme had been oversubscribed.

Full Leaders announcements were available on the Borough Council's [YouTube channel](#).

MATTERS FOR DECISION

C 25/34 PROGRAMME OF MEETINGS 2025 - 2027

The proposed programme of meetings for the municipal years 2025-26 and 2026-27 were presented for consideration and were attached at Annexes 1 and 2 respectively. Management Team, Senior Officers and Cabinet Members had been consulted on the proposed dates. Subject to any amendments identified by Members the programmes would be presented to Annual Council for endorsement.

There had been a number of changes to the programme previously agreed in 2024 and these amendments were detailed in paragraph 5.1.2 of the report.

Members noted that the budget setting cycle for 2026 was subject to confirmation of dates for Kent County Council, Kent Police and Kent Fire and Rescue Service budget meetings. Currently, the provisional Borough Council programme allowed for Cabinet on 9 February 2026 and Council on 23 February 2026 and remained subject to change.

Since the publication of the main agenda a small number of amendments had been identified and these were detailed in the supplementary report of the Director of Central Services and Deputy Chief Executive and the revised Annexes 1 and 2. The annexes had been updated to reflect an Audit Committee on Monday 13 April 2026 and Monday 12 April 2027. It was also necessary to move the Housing and Planning Scrutiny Select Committee scheduled for Tuesday 30 September to Tuesday 7 October 2025 to accommodate the Local Plan timetable.

RESOLVED: That

- (1) the Programme of Meetings for 2025-26 (as set out in revised Annex 1) be approved and presented to Annual Council for formal endorsement; and
- (2) the draft Programme of Meetings for 2026-27 (as set out in revised Annex 2) be agreed, subject to final approval at Annual Council in May 2025.

C 25/35 REPLACEMENT ANGEL LEISURE CENTRE - CAPITAL PLAN EVALUATION

Consideration was given to the recommendations of the Cabinet of 1 April 2025 in respect of the Capital Plan evaluation (attached at Annex 2) for the replacement of the Angel Leisure Centre in Tonbridge.

Due regard was given to the financial and value for money considerations presented to Cabinet and it was noted that the estimated cost of the replacement facility, including build cost, fees, equipment, contingency and build inflation was £23m. As part of the next stages of the project, careful consideration would be given to achieving a reduction in the overall cost where possible. Whilst this was a substantial sum and represented the biggest investment in a project by the Borough Council, the £23m should not be considered in isolation as the cost to refurbish the existing Angel Centre, including the boilers and mechanical and electrical elements of the existing facility was estimated to be up to £15m if it was to include achieving carbon neutral status and energy efficiency enhancements.

RESOLVED: That the Angel Leisure Centre refurbishment scheme be transferred to List A of the Capital Plan.

C 25/36 TM/22/01570/OA - LAND NORTH EAST AND SOUTH OF 161 WATERINGBURY ROAD

Consideration was given to the report of the Director of Planning, Housing and Environmental Health in relation to outline planning permission for all matters reserved, except for access, for the erection of up to 52 residential dwellings, including affordable housing, open space and landscaping, roads, parking, drainage and earthworks at land northeast and south of 161 Wateringbury Road, East Malling.

The application had been adjourned for determination by the full Council in accordance with Council Procedure Rule No 15.25 following consideration by the Area 2 Planning Committee on 19 February 2025.

In order to facilitate the proper consideration of the application, the Council agreed to suspend its own procedure rules and resolved itself into a committee to which rules relating to a planning committee were applied.

In reaching its decision, the Council had regard to the reports considered by the Area 2 Planning Committee on 19 February 2025, 15 January 2025 and 18 September 2024, including the report of the Director of Central Services and Monitoring Officer which contained exempt information (LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings). Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Council when determining the application (speakers listed below).

Local Members reiterated concerns in respect of the potential impact of the proposed development on the surrounding listed buildings and non-designated heritage assets, the harm to the landscape and the East Malling Conservation Area. There were also concerns raised regarding air quality, the loss of agricultural land, lack of infrastructure around public transport networks and risk to protected wildlife species.

Cllr Thornewell proposed, seconded by Cllr Roud that the recommendation of the Area 2 Planning Committee to refuse planning permission be supported and following a formal vote it was

RESOLVED: That planning permission be REFUSED for the following reasons:

- (1) The development would cause less than substantial harm to the setting of the Designated Heritage Assets of Huntley Cottage, Ivy

House Farm and Barn, and to the setting of the non-designated heritage asset of Belvedere Oast, contrary to policy CP1 of the Core Strategy and paragraphs 215 and 216 of the NPPF.

- (2) The development would cause less than substantial harm to the East Malling Conservation Area, contrary to policies CP6, CP24, SQ1 of the Core Strategy and paragraphs 215 and 220 of the NPPF, and contrary to the East Malling Village Conservation Area Appraisal.
- (3) The development would cause harm to the distinctive and historic landscape character and appearance of the area, contrary to policies CP1, CP6, CP24, SQ1 of the Core Strategy and paragraphs 187 of the NPPF.
- (4) The development was unsustainable, the site being outside the confines of East Malling with limited sustainable and active travel options that could reasonably meet the needs of all residents from the development which in turn would lead to an unacceptable reliance on the private motor car. As such the development was contrary to policies CP1, CP2, CP25 of the Core Strategy and paragraphs 115 and 117 of the NPPF.
- (5) The applicant has failed to demonstrate to the Local Planning Authority (LPA) that they have applied the sequential test relating to protected species, with the prioritisation of avoidance over mitigation and, lastly, compensation. As such, the LPA cannot be sufficiently confident that development in accordance with the submitted Parameter Plan would adequately protect protected species on the site and immediately adjacent to it. The proposal was therefore contrary to policies NE2 and NE3 of the MDE DPD 2010 and paragraph 193(a) of the NPPF.
- (6) The development, by virtue of the height of the access road and difference in land levels in proximity to the boundary of no. 51 Wateringbury Road would result in overlooking and loss of amenity to the occupants of that property that cannot be satisfactorily ameliorated by landscape proposals. As such, the development was contrary to policies CP1 and CP24 of the Core Strategy and paragraph 135 of the NPPF.

(Speakers: Mr P Coulling (Teston Parish Council), Ms J Smith, Mr G Kenward, Mrs F Kenward, Mr M Steward, Ms K Moore, Ms E Peacock, Mrs N Allen, Mr J Allen, Ms F Saunders, Ms K Jordan, Mr S Lockett, Mr P Jordan, Mr M Crowcroft, Mr A Stevenson (statement read out Ms F Saunders), Ms Y Moss, Mrs S Page (statement read out by Mr M Bagley), Mr S Brett, Mr M Bagley, Mr M Page (statement read out by Mrs C Woodger), Mr G James, Dr B Prince and Mr A Wilford (agent)).

MATTERS FOR INFORMATION**C 25/37 MINUTES OF CABINET AND COMMITTEES**

The Minutes of meetings of the Cabinet and Committees for the period February to March 2025 set out in the Minute Book (Volume 2) attached as a supplement, were received and noted.

Any recommendations to the Council from Cabinet or Committees were resolved elsewhere on the agenda.

C 25/38 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

The meeting ended at 11.42 pm