

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

MINUTES

Wednesday, 2nd April, 2025

Present: Cllr W E Palmer (Chair), Cllr B Banks, Cllr M D Boughton, Cllr P Boxall, Cllr M A Coffin, Cllr Mrs T Dean, Cllr S A Hudson, Cllr J R S Lark, Cllr R V Roud, Cllr K B Tanner, Cllr Mrs M Tatton and Cllr M Taylor

Apologies for absence were received from Councillors C Brown, R P Betts and D Harman. An apology for in-person attendance was received from Councillor S Crisp who participated via MS Teams in accordance with Council Procedure Rule No 15.21.

PART 1 - PUBLIC

AP2 25/15 DECLARATIONS OF INTEREST

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

AP2 25/16 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 19 February 2025 be approved as a correct record and signed by the Chairman.

AP2 25/17 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 TAKEN UNDER DELEGATED POWERS (IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION)

AP2 25/18 TM/24/01620 - THE LONDON GOLF CLUB, SOUTH ASH MANOR, SOUTH ASH ROAD, ASH, SEVENOAKS

Proposals within the Tonbridge and Malling Borough Council area:

Erection of a hotel with spa and conference facilities, and visitor accommodation lodges, associated parking and landscaping located to the west of Ash Lane. An underpass under Ash Lane connecting the main golf club site with the eastern parcel. A sports pavilion (comprising a restaurant, gym and studios), racket courts and a swimming lake; visitor accommodation lodges and a new relocated driving range and Elite Performance Centre located to the east of Ash Lane along with associated parking and landscaping. Change of use of Grade II* listed South Ash Manor and adjacent stables block from office use to visitor accommodation. Refurbishment of Grade II* listed South Ash Manor including internal and external alterations and demolition of conservatory.

Proposals within the Sevenoaks District Council area:

Erection of visitor accommodation lodges and landscaping located to the west of Ash Lane. Demolition of the existing building within the southern parcel and redevelopment of land into a sports turf academy with associated surfaces and an artificial pitch. New equestrian facilities including an arena and replacement stables. Change of use of Grade II* listed South Ash Manor and adjacent stables block from office use to visitor accommodation. Refurbishment of Grade II* listed South Ash Manor including internal and external alterations and demolition of conservatory.

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health. During discussion, Members recognised that engagement had been undertaken with the local community and the Parish Council and that the concerns raised regarding traffic and noise had been addressed by the applicant. Furthermore, Members welcomed the employment benefits that the development would bring to the area.

RESOLVED: That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health, subject to the following amendments:

- (1) An increase in the applicable monitoring fees to £460 per obligation, in line with the annual fee increase; and

(2) Condition (2), reference to existing plans to be deleted.

[Speakers: Mr J Skoniekj (member of the public) addressed the Committee via MS Teams and Mr S Follett (Applicant) addressed the Committee in person].

AP2 25/19 TM/24/00366/PA - LAND OPPOSITE THE PADDOCKS, BIRLING ROAD, LEYBOURNE, WEST MALLING

S73 Application for variation of conditions 3 and 4 submitted pursuant to Appeal ref: APP/H2265/C/21/3280661 to allow for the siting of an additional 2 static caravans and 2 utility rooms within existing pitches.

Due regard was given to the determining issues and conditions as detailed in the report of the Director of Planning, Housing and Environmental Health, with particular attention given to the concerns raised by the public speakers.

During discussion, concern was raised regarding the harm to the Green Belt due to the encroachment from the development, following which Councillor Boxall proposed, seconded by Councillor Banks and supported by the Committee, that the application be refused by reason of the introduction of two additional static caravans and two day units would result in an incongruous form of development and would result in sprawl of the existing site which strongly contributes to green belt purposes paragraph 143 a) NPPF (2024) as such would be inappropriate development for which no very special circumstances have been demonstrated to outweigh the harm caused by the inappropriateness.

In accordance with Council Procedure Rule 15.25, Part 4 Rules of the Constitution, it was

RESOLVED: That the planning application be DEFERRED for a report from Legal Services on the risks arising from a decision contrary to the recommendation of the Director of Planning, Housing and Environmental Health (as set out in CPR 15.25, Part 4 (Rules) of the Constitution).

[Speakers: Representatives of Birling Residents addressed the Committee in person].

AP2 25/20 TM/24/00078/PA - 119 LAND SOUTH OF WINDMILL HILL, WROTHAM HEATH, SEVENOAKS

Removal of soil bund and erection of 1x 3 bedroom detached dwelling with associated parking and landscaping.

Careful consideration was given to the points raised by the speakers and the submitted details and conditions set out in the report of the Director of Planning, Housing and Environmental Health.

RESOLVED: That the application be REFUSED for the following reasons:

- (1) The site lies within the Green Belt where there is a strong presumption against inappropriate development, as defined in Chapter 13 of the National Planning Policy Framework. The proposal would introduce a new building on land not previously developed and therefore would fall outside the scope of paragraph 154 g) of the NPPF relating to limited infilling and partial and complete redevelopment of previously developed land. It would constitute inappropriate development, by definition, harmful to the Green Belt and would not be permitted other than in very special circumstances. The additional bulk and massing resulting from this development would not only erode the sense of openness in both visual and spatial terms but also undermine the ability of the application site to assist in safeguarding the countryside from encroachment. There are no other considerations that could clearly and demonstrably outweigh the harm to the Green Belt and other harm arising from this development. To permit the development proposal would thus give rise to a significant conflict with Policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 and Chapter 13 of the National Planning Policy Framework 2024.
- (2) The development proposal by reason of its scale and siting would result in the loss of trees forming part of an ancient woodland identified in the NPPF as an irreplaceable habitat and in the MDEDPD as a local wildlife site. The failure to retain a minimum of 15m buffer zone as per the relevant standing advice would put further pressure on and creating conflict between the remaining habitat and the proposed development, detrimental to the biodiversity and integrity of the ancient woodland. Moreover, the supporting documents fail to give adequate consideration to the development impact on protected and priority species and consequently to formulate appropriate mitigation and compensation measures reasonably necessary to make this development policy compliant. These shortcomings would collectively give rise to a significant adverse impact on the ancient woodland and biodiversity of the site surroundings and would put protected and priority species at risk of disturbance contrary to Policies NE2, NE3 and NE4 of the Managing Development and the Environment Development Plan Document 2008 and Chapter 15 of the National Planning Policy Framework 2024.
- (3) The proposal would result in an overtly domestic form of development within a rural countryside location which would appear as an incongruous and intrusive built form, detrimental to the prevailing character and appearance of the countryside and the wider landscape. To permit the development would therefore be contrary to Policy CP24 of the Tonbridge and Malling Borough

Core Strategy 2007 and paragraph 187 of the National Planning Policy Framework 2024.

[Speakers: Cllr B Biggs Platt (on behalf of Platt Parish Council) and Mr I Sayer (applicant) addressed the Committee in person].

AP2 25/21 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS

The report setting out updates in respect of planning appeals, public inquiries and hearings since the last meeting of the Planning Committee was received and noted.

AP2 25/22 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.12 pm