

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF OFFICER DECISION

Decision Taken By: Director of Planning, Housing & Regulatory Services	Decision No: D260008OFF
Delegated Authority (under which decision taken): Authority delegated to the Director of Planning, Housing & Regulatory Services under Part 3 of the Constitution and set out in the Scheme of Functions delegated to Officers.	
Decision Type:	Non-Key
Date of Decision:	9 April 2026

Decision(s) and Reason(s)

DESIGNATION OF EAST PECKHAM AS A NEIGHBOURHOOD AREA

The Director of Planning, Housing and Regulatory Services is satisfied that the East Peckham Parish area is an appropriate area to be designated as a Neighbourhood Area, as required by the Neighbourhood Planning (General) Regulations 2012 Part 2, Reg. 7, and hereby exercises power under Section 61G of the Town and Country Planning Act 1990 and all other powers delegated to them and

RESOLVED: That

- (1) the East Peckham Parish be designated as a Neighbourhood area.

Background:

The power to designate an area as a Neighbourhood Area is exercisable under section 61G of the Town and Country Planning Act 1990. Under Regulation 5(1) of The Neighbourhood Planning (General) Regulations 2012 No.637, an area application must include a map which identifies the area to which the area application relates, a statement explaining why this area is considered appropriate to be designated as a neighbourhood area and a statement that the body making the area application is a relevant body for the purposes of section 61G(2) of the 1990 Act.

East Peckham Parish Council as the 'relevant body' submitted an application for designation of a neighbourhood area to Tonbridge and Malling Borough Council. The

specified area includes the whole of the parish boundary and the submission complied with the Regulations. The application was publicised and consulted on for a six-week period as required by the Regulations from Monday 19 January to Monday 2 March 2026.

Reason:

The decision is whether or not the specified area is an 'appropriate area to be designated as a Neighbourhood Area'.

The specified area falls completely within Tonbridge and Malling Local Planning Authority Area.

This is the first area designation application made to the Council as local planning authority for this area and so, in determining this application, the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas does not fall to be considered under section 61G(4)(b) of the Act.

The reasons explaining why this specified area is considered appropriate are set out in the application for designation itself and the application for designation has been publicised in accordance with Regulation 6 of The Neighbourhood Planning (General) Regulations 2012.

The application for designation as a Neighbourhood Area was publicised for a 6-week public consultation period from Monday 19 January to 5pm Monday 2 March 2026.

In total 14 responses were made within that timescale which are set out in **Appendix 2**.

In determining the application for designation of an area as a Neighbourhood Area, regard must be had to the desirability of designating the whole of the area of a parish council as a neighbourhood area as required under Section 61G(4)(a) of the Act.

The Director of Planning, Housing and Regulatory Services has delegated authority to exercise all functions of the Local Planning Authority (with exceptions). Designation of a neighbourhood area under s.61G would be such a function and is not excluded under the constitution.

As soon as possible after designating a neighbourhood area, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the designation to the attention of people who live, work or carry on business in the neighbourhood area —

- (a) the name of the neighbourhood area: **East Peckham**
- (b) a map which identifies the area: **See Appendix 1**
- (c) the name of the relevant body who applied for the designation: **East Peckham Parish Council**.

Recommendation:

It is recommended that East Peckham Parish area without modification should be designated as a Neighbourhood Area for the reasons set out in the application and the results of the consultation with the public lend support for the designation. It is considered that East Peckham Parish area is an 'appropriate area to be designated as a neighbourhood area' and I recommend that it is designated.

Details of any Alternatives Considered:

Under section 61H of the 1990 Act whenever a local planning authority exercises powers under section 61G to designate an area as a neighbourhood area, consideration must be given as to whether the authority should designate the area concerned as a business area.

As designation of the specified area can only be done if the authority considers that the area is wholly or predominantly business in nature [section 61H(3)], in this case the specified area cannot be designated as a business area.

Reason(s) why rejected:

The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.

Conflicts of Interest/Dispensations Granted:

There were no conflicts of interest declared, or dispensations granted by or to any Member who was consulted in respect of this decision.

Background Papers (if any):

Appendix 1: the Neighbourhood Area map

Appendix 2: a summary of the representations received during the consultation.

Signed Director of Planning,
Housing & Regulatory
Services:

E Hoyle

Date of publication:

9 April 2026

This decision will come into force immediately as 'call in' does not apply to operational non-key officer decisions.