

Hildenborough
Hildenborough

21 APRIL 2026

25/01693/PIP

Location: Land West of 103 Tonbridge Road, Hildenborough Tonbridge

Proposal: 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.

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1. Description of Proposal:

- 1.1 The application seeks 'permission in principle' (PiP) for a residential development of between 5 - 7 dwellings on land west of 103 Tonbridge Road Hildenborough.
- 1.2 There are two stages to a PiP, the first establishes if a site is suitable in principle, having regard only to whether the 'location', 'use' and 'quantum of development' is acceptable. Planning permission, capable of implementation, is only granted at the second stage, following the approval of a Technical Details Consent (TDC) application. The TDC application must provide sufficient detail on all remaining matters necessary to enable a grant of full planning permission for a site which has the benefit of permission in principle. Conditions may be imposed on a technical details consent in the same manner as full planning permissions, but cannot be appended to a PiP.
- 1.3 Therefore, the only issues for assessment at this stage is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

2. Reason for reporting to Committee:

- 2.1 This application was called in to Area 1 Planning Committee on 12 February 2026 by Councillor Rhodes, in regard to the sites location within the Metropolitan Green Belt and in regard to access onto Tonbridge Road. The original committee report is attached at Annex 1.
- 2.2 Due regard was given to the determining issues detailed in the committee report, as well as points raised by the speaker. Following the debate, a vote on the motion that the PiP application should be refused, contrary to Officer's recommendation, for the following reason, was carried:

(1) By reason of the provision of five to seven dwellings, the proposed development would be inappropriate development within the Green Belt and result in harm to the openness of the Green Belt, and the benefits of the development would not outweigh

the harm to the Green Belt, contrary to Policies CP14 and CP3 of the Tonbridge and Malling Core Strategy 2007 and paragraphs 142 and 145 of the National Planning Policy Framework.

- 2.3 On the grounds that the above refusal reason was considered something that could not be substantiated at appeal and as such there was likely to be a risk of significant costs being awarded against the Council, the vote taken was a recommendation only in accordance with Council and Committee Procedure Rule 15.24, Part 4 Rules of the Constitution.
- 2.4 The application was presented back to Area 1 Committee on the 26th March 2026 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).
- 2.5 Some Members continued to express significant concerns in respect of the potential impact of the proposed development on the Green Belt and the open setting and the character of the Hildenborough Conservation Area.
- 2.6 Following these concerns it was proposed by Councillor Rhodes and seconded by Councillor 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.

- 2.7 The Council's Development Manager reminded Members that neither the Conservation Officer nor the Tree Officer had objected to the proposed development at this stage. Members were also reminded that both the Officer's assessment within the Committee report and the Council's own evidence base for the emerging Local Plan confirm that the site constitutes Grey Belt. No expert evidence had been provided by Members to demonstrate that the proposed reasons could be substantiated at any appeal.

2.8 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.

2.9 As the reasons for refusal differ from when the first cost report was prepared and presented to Area 1 Planning Committee on the 26th March 2026, an update cost report has been sought taking into account the amended reasons for refusal and is attached under Part 2 of this agenda.

3. Other Matters:

3.1 There has been no changes to the site context (section 3), consultee and third party comments (section 5), or the Determining Issues (Section 6) since the application was presented to committee on the 26th March 2026, nor has there been any change to national or local policy and therefore these sections remain as per the original committee report appended as Annex 1.

4. Recommendation: Grant Permission in Principle

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