

DEVELOPMENT CONTROL COMMITTEE
18 October 2012 at 7.00 pm

At the above stated meeting the attached documents were tabled for the following items:

Late Observations

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18 October 2012

By Email and Post : leslie.roberts@sevenoaks.gov.uk

Dear Mr Roberts

Forge Field Penshurst
Application reference 11/02258/FUL

As you know we act for Dr and Dr Broadhead in relation to the above application which is being considered by your Planning Committee this evening.

We are putting you on notice that our clients remain deeply concerned by the manner in which these applications are being dealt with. Examples (not exhaustive) of those concerns are set out below. We are instructed to consider all options in the event that Members resolve to grant the Forge Field application and refuse the Becket Trust application.

Whilst we note that the Council has now recognised the need to consider both schemes at the same time, as this is a case where the existence of an alternative is, in each case, a material consideration which requires to be taken into account, we cannot consider that it is appropriate to determine them at this evening's meeting as they have not been processed, assessed and reported in a consistent manner. The consideration and determination of both applications must be postponed for a further short while to enable a consistent approach to be adopted, if the Council is to act (and be seen to act) in a fair and proper manner.

The first two reasons proposed for refusal of the Becket's application relating to height, scale, design and siting, and impacts on the character and appearance of the area and adjacent three bungalows do not stand up to scrutiny and could be readily addressed by further revisions to the scheme.

The fact that there is not a signed section 106 agreement in relation to the Becket's scheme is an extraordinary reason to give for refusing permission. There does not appear to be a signed s106 agreement in existence in relation to Forge Field and we cannot see from the documentation available to us that this has ever been a requirement prior to committee in that case. It is standard practice for s106 documentation to be completed after the resolution to grant permission and, of course, it would in any event be open to the Committee to impose planning conditions to restrict the use of the Becket's Trust scheme to use as affordable housing. Given that the Becket scheme requires to be considered as an alternative to the Forge Field scheme it is imperative that they are dealt with in a like manner, in order that Members are able to assess their relative merits in a proper manner.

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Supplementary Information

We request that the consideration of the applications is postponed, and that the reports are reviewed to ensure that a fair, consistent and lawful approach is taken in respect of both the applications.

Yours sincerely



Karen Cooksley
Partner
Head of Planning

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