

Villagers defeat viscount in battle over new homes

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Residents of a village that inspired the works of one of the Elizabethan era's greatest poets have won a court battle against plans to build new faux-Tudor affordable homes on acres of green space.

Viscount De L'Isle, a descendant of the poet and soldier Sir Philip Sidney, had put up for sale two acres of green space in Penshurst, Kent, with a view to allowing the West Kent housing association to build six affordable homes.

The greenfield site, which is in an area of outstanding natural beauty, has been at the centre of a dispute between the campaign group, the Forge Field Society, and Sevenoaks District Council, which granted planning permission for the houses in 2009.

Villagers accused the viscount of behaving in a feudal manner, saying that the development would have "forever altered" the character of the village, where Sir Philip lived and which has more than 30 listed buildings.

The society was set up to preserve the village's "medieval" character. It fought against the planning permission granted by the council and won a judicial review of the decision.

At the High Court yesterday, Mr Justice Lindblom quashed the planning permission, saying that he agreed with the society's legal team that council planners failed properly to apply planning law and that they had failed to properly consider alternative sites.

Ruling that the council's assessment of alternatives in

Viscount and Viscountess De L'Isle



October 2013 was "deficient," he added: "It compounds the council's failure to apply the strong statutory presumption against planning permission being granted for development which would harm either the setting of a listed building or a conservation area, or, as in this case, both."

At a two-day hearing of the case in March, James Strachan, QC, for the society, said that Penshurst had "the great fortune of being one of those relatively rare villages where that sense of history and the intrinsic beauty of the surrounding area can still be experienced today".

He said that it benefited from "being watched over" as part of the green belt and was an important part of the High Weald Area of Outstanding Natural Beauty.

Mr Strachan told the judge, who said he knew the village, that it had been the home of Sir Philip "who no doubt found inspiration in the area for works such as *Arcadia*". He said he drew inspiration for his application from Sir Philip's words that "beauty can give an edge to the bluntest swords".

Robert Reese, the chairman of the Forge Field Society, welcomed the

judge's verdict and added: "They talk about how they have needed to house these people, but they've wasted money for four years flogging a dead horse."



Penshurst Place, the home of Viscount De L'Isle, who sparked a row when he put up two acres of a greenfield site for sale