

Published 11 September, 2020

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
15th September 2020

Agenda Item 10

5 BOGGS COTTAGE, KEELE, reference 14/00036/207C3

Since the publication of the main agenda a pre-hearing note has been received from the Planning Inspector appointed by the Planning Inspectorate (PINS) to deal with this case.

The note, attached at Appendix 1, sets out that to limit the spread of Covid-19 PINS has postponed physical hearings and inquiries for the foreseeable future. PINS have started to run hearings and inquiries virtually but recognise that there will be some cases where that could not happen. The note goes on to say that a virtual event for an Enforcement Hearing may not be appropriate in certain circumstances, some of which apply in this case.

The Inspector advises that she is prepared to hold the hearing as a virtual event so long as that would not prejudice any party but at this stage it appears that a virtual event would risk unfairness to the appellant and/or interested parties.

PINS are trialling 'blended events' where there may be a combination of physical attendees in one or more locations, as well as a virtual element which need not take place simultaneously but potentially be staggered in time provided that the proceedings are broadcast and made accessible to those events. The Inspector sets out that this event could be a blended event but that would not be feasible on 6 October.

A change in legislation enables appeals to be determined under 'one or more' procedures so that some matters could be considered at a hearing and others by written representation. The Inspector's view is that in this case the procedure would always need to at least include a hearing.

The note concludes by proposing to postpone the hearing and asks the parties (LPA and appellant) confirm whether

- they agree with this assessment, or
- would wish the hearing to take place virtually on 6 October, or
- prefer that the appeal is dealt with by a different procedure.

The deadline for this response is 17:00 on Wednesday 16th September. The Inspector will decide the procedure before Tuesday 22nd September when the Council would need to notify interested parties of any hearing on 6th October.