

Reference number: 15/507908/FULL

- For reference, the previous appeal decision for MA/14/0679 is attached which is discussed in the committee report.
- Marden Parish Council is unable to attend Planning Committee and has written the following statement;

"Marden Parish Council supports this application for 6 local needs housing properties on what is considered to be a rural exception site. These dwellings are to be designated 'In Perpetuity' for the local people of Marden village. In the most recent survey conducted by ARCK (Action for Rural Communities in Kent) for Marden, the need was identified for at least 23 local needs properties, and despite the private housing development planned for Marden, there is a continuing urgent need for this type of property. Marden Parish Council urges MBC Planning Committee to support this application."

CHANGE TO RECOMMENDATION

- The applicant has lodged a non-determination appeal to the Planning Inspectorate. As background, the 8 week deadline for this application was the 25th November 2015; and on the 1st December, the applicant was advised by the case officer that the application was likely to be reported to Planning Committee on the 14th January 2016. Despite this, the agent confirmed on the 15th December 2015 that an appeal had been lodged to the Planning Inspectorate. The agent was advised at this time that ultimately in appealing this application, it would mean that the Members of Planning Committee would only be voting on what decision they would have made.

This application was put forward to the Planning Committee for consideration as no start date from the Planning Inspectorate has been received. Following the publication of the Committee agenda, the agent sought to withdraw the appeal. However, the Planning Inspectorate have confirmed that the appeal is valid and jurisdiction falls to them. On the 14th January 2016, both the agent and the Planning Inspectorate have confirmed that the appeal is proceeding. As such, the Local Planning Authority is not determining this application but must advise the Planning Inspectorate what decision it would have made.

Recommendation is changed to the following:

THAT THE COUNCIL ADVISED THE PLANNING INSPECTORATE THAT IT WOULD HAVE GRANTED PLANNING PERMISSION SUBJECT TO A LEGAL AGREEMENT AND CONDITIONS.

For Information:

Any legal agreement would have secured the provision of the dwellings for local needs housing in perpetuity; and the conditions recommended within the report would remain unchanged.