The Planning Inspectorate

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ST13 6HQ

Your Ref:
Our Ref: APP/B3438/W/19/3228565
Further appeal references at foot of letter

17 October 2019

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeals by Enhanced Developments Limited
Site Addresses: Anzio Camp, Buxton Road,, Blackshaw Moor,, Leek, Staffordshire, ST13 8TN and Anzio Camp, Buxton Road,, Blackshaw Moor, Leek,

My apologies, please see correct timetable below

I have received appeal forms and documents for this site. I am the case officer. If you have any questions please contact me.

Further to Ian Cassar's e-mail of 4 October advising that all 6 appeals will proceed to a decision. We promised that a timetable for the 4 appeals which were originally turned away would be set.

The Inspector appointed to determine these 6 appeals has carefully reviewed the procedure for them. I write to advise that in line with the provisions of section 319A of the Town and Country Planning Act 1990 (as amended) the Inspector having considered all the representations received to date feels she would not be able to reach a properly informed decision via the written representations procedure. She considers that she will need to clarify matters by way of questioning the parties. A hearing will therefore be arranged.

This letter therefore sets out a hearing timetable for all 6 appeals. Separate Questionnaire forms need to be submitted but only one notification letter will need to be sent out to cover all 6 cases. I would suggest you liaise with each other view to submitting a draft SOCG as soon as possible and submit an agreed version within the 5-week deadline.

The procedure and starting date

The appellant(s) has requested the Written representations procedure.

In accordance with s319A of the Act we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the hearing procedure is suitable and we intend to determine this appeal by this procedure.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Arranging the Hearing date

We propose to hold a hearing for this appeal on 17 December 2019. This is the earliest date that an Inspector is available so if you are unable to agree to this it is likely to delay consideration of the appeal.

Please note that we allow the appellant and the LPA only one refusal of a hearing date before we fix and confirm the date and time of the hearing.

If you are unable to accept the proposed date, whether due to the unavailability of your representative(s) or the proposed venue, please provide details of your availability (including any dates that you cannot make) and where appropriate the availability of a suitable venue, within 5 working days of the date of this letter.

If we have not heard from you by this date we will continue to fix and confirm the above date and venue for the hearing. Once a date has been fixed and confirmed it can only be re-arranged in exceptional circumstances.

Usually our Inspector will undertake a site visit during, or at the end of, a hearing and so arrangements should be made to access the site and any relevant buildings.

Sending documents to us and looking at the appeal(s)

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through Appeals Casework Portal. The address of the search page is https://www.gov.uk/appeal-planning-inspectorate.

Please send any correspondence using the email/postal address above. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at: https://www.gov.uk/government/publications/planning-appeals-procedural-guide.

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal(s) promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.

By 24 October 2019

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must do so within 5 weeks of the starting date, by 21 November 2019.

If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;

ii) when and where the appeal documents will be available for inspection;

iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);

iv) that they can get a copy of our booklet 'Guide to taking part in planning and listed building consent appeals proceeding by a hearing' either free of charge from you, or on GOV.UK—https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal; and

v) that the decision will be published on Appeals Casework Portal.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me. You have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire.

By 21 November 2019

Please send me a copy of your statement giving full details of the case which you will put forward at the hearing including copies of any documents (maps, plans etc) to which you will refer. It is best practice to provide a summary of your statement. This summary should not be more than 500 words long.

I will send a copy of your statement (and summary) to the appellant(s) and you must send a copy of your statement and (summary) to any statutory parties. I will also send you and the appellant(s) a copy of any comments received from other interested persons or organisations.

You must also submit a copy of the completed agreed statement of common ground, listing all matters agreed. Further guidance on producing statements of common ground (and a model form) is available from https://www.gov.uk/government/publications/statement-of-common-ground.

You must allow anyone who wants to inspect the appeal documents a reasonable opportunity to do so. Your statement must say when and where this can be done.

Planning obligations - section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land' or a legally binding undertaking signed unilaterally by a person 'interested in the land'. If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - https://www.gov.uk/government/publications/planning-appeals-procedural-guide.

A final draft, agreed by all parties to it, must be submitted to me no later than 10 days before the hearing opens.

Statutory parties

'Statutory parties' are owners or tenants of the application/appeal site who made comments within the time limit on the application, or who do so on appeal. You must give details of any statutory parties at application stage on the questionnaire. I will tell you about any statutory parties who write to us at appeal stage, before your statement of case is due.

Withdrawing your appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs https://www.gov.uk/guidance/appeals. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - https://www.gov.uk/government/publications/planning-appeals-procedural-guide. I recommend that you read the relevant guidance.

Yours faithfully,

Roxanne Gold
Roxanne Gold

Linked cases: APP/B3438/W/19/3228566, APP/B3438/W/19/3228567, APP/B3438/W/19/3228568, APP/B3438/W/19/3228569, APP/B3438/W/19/3228570