

**From:** Brace, Carl

**Sent:** 04 November 2019 15:17

**To:** 'West1' <[west1@planninginspectorate.gov.uk](mailto:west1@planninginspectorate.gov.uk)>

**Subject:** RE: Land South of Church Road, Brampton Abbots -Appeal APP/W1850/W/19/3232124 and request to link New Appeal APP/W1850/W/19/3239907.

Dear Linda, further to my phone call today I respond as follows –

The Council is not agreeable to a co-joined Hearing around 17 December 2019 for the following reasons –

- The Inspector has been quite clear the ten unit proposal should be heard on its merits independent from other different proposals
- The Council and local community has committed resources and time to the November appeal date, such as securing accommodation and people taking time of work etc as required
- The seven unit scheme against which an appeal is made against non determination does not require a Hearing, which would be a gross overindulgence of the appeals process wasteful of the Council's and taxpayers resources. It is noted the appeal was made the same day technical responses confirmed no objection
- The 7 unit proposal would thereafter proceed to Planning Committee if an appeal had not been made
- On this basis and the Council having no objection to the 7 unit scheme there is nothing that requires a Hearing process to debate and as such written representations is wholly and singularly appropriate

Regards

**Herefordshire.gov.uk**

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Carl Brace BSc (Hons), MA, MRTPI  
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Development Management  
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Council's Homepage [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk)

Planning Homepage <https://www.herefordshire.gov.uk/planning/>

Search Planning Applications <https://www.herefordshire.gov.uk/planning-and-building-control/development-control/search-and-comment-on-planning-applications/>

**From:** West1 [<mailto:west1@planninginspectorate.gov.uk>]

**Sent:** 04 November 2019 10:12

**To:** Gavin Cooper

**Cc:** Planning Enquiries; Brace, Carl

**Subject:** {Disarmed} RE: Land South of Church Road, Brampton Abbots -Appeal

APP/W1850/W/19/3232124 and request to link New Appeal APP/W1850/W/19/3239907.

**Importance:** High

Dear Gavin

The Inspector has considered your request to hear the latest appeal at the hearing arranged for 27 November. However, for the reasons explained in my e-mail of 9 October the Inspector is not agreeable to your suggestion. **However she would be willing to consider hearing both appeals together at a joint hearing at a later date provided that the parties can speedily agree a date round about the 17 December.**

Please could the parties confirm **by close of play tomorrow (5 November)**, whether they are able to agree a suitable alternative date, as suggested by the Inspector. If not, the appeals will proceed separately and the hearing on 27 November will go ahead and will only consider the original appeal.

Mr Brace -Herefordshire Council – Please could you advise whether you are able to agree to holding a joint hearing around about 17 December, and confirm **by close of play tomorrow (5 November)**.

Regards

Linda Hutton -Case officer

The Planning Inspectorate

Room 3/D, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

e-mail: [west1@planninginspectorate.gov.uk](mailto:west1@planninginspectorate.gov.uk)

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**From:** Gavin Cooper <[gavin.cooper@walsingplan.co.uk](mailto:gavin.cooper@walsingplan.co.uk)>

**Sent:** 28 October 2019 16:00

**To:** West1 <[west1@planninginspectorate.gov.uk](mailto:west1@planninginspectorate.gov.uk)>

**Subject:** RE: Land South of Church Road, Brampton Abbots -Appeal APP/W1850/W/19/3232124.

Linda,

Further to your email confirming that the appeals cannot be conjoined, can the Inspector reconsider his decision that the revised scheme cannot be considered ? The wheatcroft test is whether there is prejudice to interested parties. This is very different to whether a scheme is “materially different”.

Many thanks

Gavin

Gavin Cooper

Walsingham Planning

01628 532244 or 07836371850

**From:** West1 <[west1@planninginspectorate.gov.uk](mailto:west1@planninginspectorate.gov.uk)>  
**Sent:** 09 October 2019 16:57  
**To:** Gavin Cooper <[gavin.cooper@walsingplan.co.uk](mailto:gavin.cooper@walsingplan.co.uk)>  
**Cc:** [planning\\_enquiries@herefordshire.gov.uk](mailto:planning_enquiries@herefordshire.gov.uk); [Carl.Brace@herefordshire.gov.uk](mailto:Carl.Brace@herefordshire.gov.uk)  
**Subject:** RE: Land South of Church Road, Brampton Abbots -Appeal APP/W1850/W/19/3232124.

Gavin

The Inspector has carefully considered the responses from both parties and considered the revised scheme in the context of the Wheatcroft principles.

The Inspector continues to regard the scheme of seven dwellings materially different from that which was originally applied for, not least because it would cover a smaller extent of the site, would comprise of approximately a third fewer dwellings and would have a different relationship with surrounding buildings and landscape features.

Notwithstanding that consultation may have been carried out on an alternative scheme, that scheme remains underdetermined and the Inspector will not accept that one can be substituted for another at the appeal stage in the manner suggested. As such, the appeal hearing shall proceed in respect of the original scheme for 10 dwellings as set out in the email of 2<sup>nd</sup> October.

Regards

Linda Hutton -Case officer  
The Planning Inspectorate  
Room 3/D, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN  
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**From:** Gavin Cooper <[gavin.cooper@walsingplan.co.uk](mailto:gavin.cooper@walsingplan.co.uk)>  
**Sent:** 03 October 2019 10:45  
**To:** West1 <[west1@planninginspectorate.gov.uk](mailto:west1@planninginspectorate.gov.uk)>  
**Cc:** [planning\\_enquiries@herefordshire.gov.uk](mailto:planning_enquiries@herefordshire.gov.uk); [Carl.Brace@herefordshire.gov.uk](mailto:Carl.Brace@herefordshire.gov.uk)  
**Subject:** RE: Land South of Church Road, Brampton Abbots -Appeal APP/W1850/W/19/3232124.

Linda,

Attached is my formal response to the Inspector's decision not to consider the "Wheatcroft Scheme".

If the Inspector needs any further information, please let me know.

Regards

Gavin

**Gavin Cooper**

Principal Consultant

Walsingham Planning

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**From:** West1 <[west1@planninginspectorate.gov.uk](mailto:west1@planninginspectorate.gov.uk)>

**Sent:** 02 October 2019 18:31

**To:** [Carl.Brace@herefordshire.gov.uk](mailto:Carl.Brace@herefordshire.gov.uk); Gavin Cooper <[gavin.cooper@walsingplan.co.uk](mailto:gavin.cooper@walsingplan.co.uk)>

**Cc:** [planning\\_enquiries@herefordshire.gov.uk](mailto:planning_enquiries@herefordshire.gov.uk)

**Subject:** Land South of Church Road, Brampton Abbots -Appeal APP/W1850/W/19/3232124.

Attention of: Carl Brace -Herefordshire Council and Gavin Cooper -Walsingham Planning Ltd.

The Inspector has noted that a number of revised plans have been submitted with the appeal. Following consideration of these plans relative to the original appeal proposal, the Inspector considers that to accept these would deny the interested parties a full opportunity to comment upon the nature of the changes.

As such, the Inspector is minded to decline to accept the amended plans and determine the appeal, by way of hearing, the original appeal proposal for ten dwellings.

If the parties have any comments in response can they please be provided by 9 October 2019.

Regards

Linda Hutton -Case officer

The Planning Inspectorate

Room 3/D, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

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