The Planning Inspectorate

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Mrs T Darke
Hinckley and Bosworth Borough Council
Planning Officer
Council Offices
Argents Mead
Hinckley
Leicestershire
LE10 1BZ

Your Ref: 08/00995/FUL

Our Ref: APP/K2420/A/09/2106426/WF

Date: 18 June 2009

Dear Mrs Darke

Town and Country Planning Act 1990
Appeal by Mr M Ketcher
Site at White Gate Farm, Mythe Lane, Witherley, Atherstone, CV9 3NU

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

Sending documents to us and looking at the appeal

If you post your documents, please send us **2 copies** of everything and put the full appeal reference number on each copy.

However, please only send one copy of the appeal questionnaire and supporting documents to us and the second copy directly to the appellant or their agent.

If you email them to the email address above please quote the full appeal reference number.

You can look at this case using the Planning Casework Service
www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp
by typing in the appeal reference number and clicking on "Search for Cases".

The starting date

I have checked the papers and confirm that the appeal is valid. If I later find out that this is not the case, I will write to you again.

The appellant has requested the written representations procedure. We have applied the indicative criteria and considered all representations received, including the appellant's preferred choice. We consider that the written representations procedure is suitable and we intend to determine the appeal by this procedure.

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

The date of this letter is the **starting date** for the appeal.

Keeping to the timetable

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 this appeal 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. Inspectors will not accept any documents from you or discuss the appeal at the site visit. Also, Inspectors will not delay their decision to wait for any such documents. 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 2 July 2009

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within 6 weeks of the starting date, **by 30 July 2009**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned.
ii) they may view the documents at your offices.
iii) they can get a copy of our booklet 'Guide to taking part in planning appeals' either free of charge from you or through 'publications' on our website: (www.planning-inspectorate.gov.uk) and
iv) if they want to receive a copy of the appeal decision they must write to me asking for one.

You will have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire. You must send a copy of a completed appeal questionnaire and supporting documents to the appellant and me. This must include details of all the relevant development plan policies.

By 30 July 2009

Please send me 2 copies of your statement if the appeal questionnaire does not give full details of your case. The appellant must send 2 copies of any statement to me if they need to add details to the case made in their grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, as recommended in Annex 1(i) of DETR Circular 05/2000. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments sent by interested people or organisations.

By 20 August 2009

You and the appellant must submit 2 copies of any final comments you and they have on each other's statement and on any comments from interested persons or organisations. You must not send your final comments instead of, or to add to your statement. No new evidence is allowed at this stage. I will send you a copy of the appellant's final comments at the appropriate time.

Site visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied site visit can be made you will **not** be informed in advance and the Inspector should not be approached should you happen to observe him/her whilst he/she is conducting the site visit. If you were to do so the Inspector would of course identify him or herself but would not be able to engage in conversation with you at that time.

Costs

The appellant has been directed to our advice pamphlet *'Costs awards in planning appeals*'. You should also be aware that costs may be awarded to either party. Our website gives further details.

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 rely on an obligation and want to be certain that it will be taken into account by the Inspector in reaching a decision, you must make sure that a signed and dated copy is submitted to the Inspectorate no later than 9 weeks from the start date. The obligation must be capable of being executed. Completed obligations submitted after this date will be taken into account only at the Inspector's discretion as he/she will not normally delay deciding the appeal to wait for its receipt.

Please note that appeal files are normally only kept for one year from the date the decision is issued, following which they are destroyed. It is therefore important you ensure that if any Section 106 planning obligation is received from the appellant, **the original is always retained by yourselves**. If you should receive a copy instead, please contact the appellant so that it may be exchanged for the original.

Yours sincerely

pp Ceri-Marie Carr

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Guidelines for appeal statements and proofs of evidence

If you are able to do so, please submit your appeal documents electronically using the Planning Casework Service (www.planningportal.gov.uk/pcs).

We will scan all the paper documents that we receive into our computer system. To help us do this and ensure that the information in your documents is accurately recorded and understood, wherever possible please prepare your appeal documents in the following way.

1. Type the information using 'sans serif' font sizes of at least 11 point. ('Sans serif' fonts are easier to read on screen, common examples are Arial and Verdana.)

2. Use A4 size paper wherever possible.

3. Print documents on both sides of a page if you want to, but please ensure that the quality of paper is such that images from one side of the page do not show through to the other side.

4. Use black ink and capitals if you need to write on a document.

5. Ensure photocopied documents are clear and legible.

6. Place photographs, maps, plans, etc., in a separate appendix and cross-reference them within the main body of the document. Do not stick photographs to sheets of paper. Put them in an envelope and write the site address or appeal reference number if known on the back.

7. Bind documents in such a way that bindings can be undone quickly without damaging the document. Avoid using wire or plastic spiral binders.

8. Avoid using cover sheets, sleeves or other bindings that do not add value or information.

9. Ensure that the pages of documents are clearly numbered.

10. Please do not send valuable original documents unless these are specifically requested.

11. Please do not include post-it notes or other small attachments which might be easily dislodged or lost.