

ADDENDUM TO STATEMENT OF COMMON GROUND

BETWEEN:

**ROBERT HITCHINS LIMITED
&
BATH & NORTH EAST SOMERSET COUNCIL**


**FIELDS NORTH OF ORCHARD PARK,
STAUNTON LANE, WHITCHURCH, BRISTOL
(SUBMITTED AS: LAND OFF STOCKWOOD
LANE, WHITCHURCH, SOMERSET)**

PROPOSAL:

**RESIDENTIAL DEVELOPMENT (UP TO 295 DWELLINGS) INCLUDING
INFRASTRUCTURE, ANCILLARY FACILITIES, OPEN SPACE, ALLOTMENTS
AND LANDSCAPING. CONSTRUCTION OF TWO NEW VEHICULAR
ACCESSES FROM STOCKWOOD LANE**

PINS REF: APP/F0114/A/13/2199958
LPA REF: 12/04597/OUT
PPG REF: CIR.H.0346

DATE: SEPTEMBER 2013

Signed:	Signed: 
Name:	Name: Mervyn Dobson
On behalf of: Bath & North East Somerset Council	On behalf of: Pegasus Group (acting on behalf of the appellant)
Date: 1 st October 2013	Date: 1 st October 2013

1. INTRODUCTION

- 1.1 This addendum is to the agreed Statement of Common Ground in relation to Appeal Ref APP/F0114/A/13/2199958 and sets out the consultation that took place in respect of a possible reduction in the number of dwellings from 295 in the application to 200 dwellings.
- 1.2 Pegasus contacted the Council on 9th August 2013 about the possibility of amending the current scheme for 295 dwellings so that it is reduced in scale from 295 to 200 dwellings to accord with the Council's latest Proposed Changes to the Core Strategy consulted on in May 2013 (which included the possibility of 200 dwellings at Whitchurch) and referred to the Planning Inspectorate Good Practice Advice Note no 9 whereby the use of the Wheatcroft condition can be considered. The Advice Note states that it would be most helpful to know the Council's position on this matter before the appellant enters into the process. The Council responded indicating that they would need to consider timescales for notification and that they would need to get member approval to accept an amendment.

APPENDIX 1: LETTER OF 9TH AUGUST 2013 TO BANES

- 1.3 Pegasus contacted the Inspectorate 15th August 2013 regarding the appeal, again without prejudice to the appellant's position in respect of the scheme for 295 dwellings, to request that consideration be given to making use of the Wheatcroft condition arrangements in order to reduce the overall number of dwellings proposed in the application.
- 1.4 Pegasus made reference to the PINS website (Guidance Note No. 9) which deals with this matter and in accordance with the advice contained in Note No. 9, Pegasus wrote to PINS to agree the scale of consultation that would be necessary for the promotion of a reduced scheme of 200 dwellings through a Wheatcroft condition. The email set out that the intention to undertake further consultation as follows: -
- Consult with all those statutory consultees set out in the Council's Questionnaire documentation.
 - Write to all the third party objectors attached to the Council's Questionnaire documentation.
 - Advertise the proposals in the local newspaper for a 2 week period
- 1.5 It was proposed that if this could take place in the next 4 weeks that Pegasus would be able to advertise the proposal for reducing the scale of the development

to all those local residents and report on this matter to the Inspector at the Inquiry which is scheduled to take place in late October.

- 1.6 In accordance with the requirements of the Courts in the Wheatcroft and later cases, the intention would be to ensure that no person is prejudiced by consideration of a smaller scheme and that all relevant parties would have the opportunity to comment before the Inspector/Secretary of State hold the Inquiry.
- 1.7 A request was made by Pegasus to clarify that in accordance with the Guidance contained in the PINS note that all such consultation is the responsibility of the appellant and approval from PINS was sought before undertaking the consultation.
- 1.8 The Council responded on 15th August and confirmed their position that they would be happy to advise of the Council's position in respect of the amendment and requested the revised submission is provided to the Council in order to inform their position.
- 1.9 The Inspectorate responded on 16th August and confirmed that the consultation was acceptable and what was proposed in terms of the advertisement, contacting all consultees and third parties was also acceptable. The Inspectorate requested that all comments on the possible amendment be sent to the Inspectorate.
- 1.10 On 21st August letters were sent with a plan showing both the scheme for 295 dwellings and the possible amendment to show a scheme for 200 dwellings – see Appendix 2. Representations were to be sent by post or email to the Planning Inspectorate by 15th September 2013.

APPENDIX 2: LETTER TO STATUTORY CONSULTEES INCLUDING COUNCILLORS, LETTER TO RESIDENTS,

- 1.11 Letters were sent to all parties notified of the appeal, using the Council's list see Appendix 3

APPENDIX 3: BANES LIST OF PARTIES NOTIFIED OF APPEAL

- 1.12 Appendix 4 sets out the list of statutory consultees and councillors including Parish Councillors for Whitchurch Parish Council and Publow and Penfold Parish Council.

APPENDIX 4: LIST OF COUNCILLORS AND LIST OF STATUTORY CONSULTEES

- 1.13 A public notice was placed in the Chew Valley Gazette 30th August (which is a monthly publication), The Week In on 29th August, and Bristol Evening Post on 21st August and again in the Bristol Evening Post on 6th September 2013.

APPENDIX 5: COPIES OF PUBLIC NOTICES

- 1.14 Public notices were also sent to the libraries at Whitchurch and Stockwood and also a copy sent to Whitchurch Primary School.

APPENDIX 6: COPY OF PUBLIC NOTICE

- 1.15 A webpage was also sent up to view the consultation at www.pegasuspg.co.uk/whitchurch
- 1.16 450 letters including a copy of the schemes were also hand delivered to neighbouring properties as previously when the original application was prepared – see appendix 7.

APPENDIX 7: CONSULTATION LEAFLET DROP

- 1.17 Copies of all correspondence were sent to both PINS and BANES.
- 1.18 It is agreed that adequate steps were taken to publish and seek comments on the possible amendment to the planning application for 295 dwellings (which is the subject of this appeal) to reduce the scheme to 200 dwellings. Consequently the Inspector can be satisfied that should he be asked to considered amending the application by the use of the Wheatcroft condition, then adequate publicity has been undertaken by the appellant.

2. DECLARATION

- 2.1** This document forms an Addendum to the agreed Statement of Common Ground between Bath & North East Somerset Council and Pegasus Planning Group, representing the Appellant, in relation to the appeal at **Fields North of Orchard Park, Staunton Lane, Whitchurch, Bristol (Inspectorate Ref: APP/F0114/A/13/2199958)**.

Louise Thomas

From: Ginny Nash
Sent: 01 October 2013 15:21
To: Louise Thomas
Subject: FW: Addendum to Statement of Common Ground
Attachments: SoCG Addendum 25.09.2013.doc

From: Sarah James [mailto:Sarah_James@BATHNES.GOV.UK]
Sent: 01 October 2013 14:24
To: Sarah Hamilton-Foyn
Cc: Francesca Smith; Mervyn Dobson
Subject: FW: Addendum to Statement of Common Ground

Sarah

I can't sign this today as I don't have the facility to do that but I'm happy for this to be submitted to the Inspector as an agreed Addendum.

Also regarding your request to amend the meeting date we can offer 1-2 on the 8th?

regards

Sarah James

Senior Planning Officer
Major Development Team

Tel (01225) 477577
Sarah_James@BATHNES.gov.uk

“Did you know you are able to view and comment on planning applications [online](#)?”

From: Sarah Hamilton-Foyn [<mailto:Sarah.Hamilton-Foyn@pegasuspg.co.uk>]
Sent: 26 September 2013 10:21
To: Sarah James
Cc: Mervyn Dobson; Phil Hardwick
Subject: RE: Addendum to Statement of Common Ground

Sorry here it is

Sarah Hamilton-Foyn BSc (Hons) Dip TP MRTPI
Director

Pegasus Group

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From: Sarah Hamilton-Foyn
Sent: 26 September 2013 10:19
To: Sarah_James@BATHNES.gov.uk
Cc: Mervyn Dobson; Phil Hardwick
Subject: Addendum to Statement of Common Ground

Sarah,

Please find attached a draft addendum to the S of CG covering the consultation on the possible amendment to the number of dwellings.

The appendices as you will have these in my email of 21st August

Regards,

Sarah Hamilton-Foyn BSc (Hons) Dip TP MRTPI
Director

Pegasus Group

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