



**APPEAL REFS: APP/W0340/W/24/3346878 (Appeal A) and
APP/W0340/C/24/3351139 (Appeal B)**

Inspector Note

Appeal Site: Land to the south of Brimpton Lane, Brimpton Common RG7 4RS
(Appeal A)

Land south of Brimpton Lane and west of Blacknest Lane, Brimpton
Common, Reading (Appeal B)

Appellant: Mr J Slater (Appeals A and B)

Local Planning Authority: West Berkshire District Council

LPA refs: 23/02984/FUL (Appeal A) and 23/00682/15UNAU (Appeal B)

Description of development: change of use of the land to a residential caravan site for occupation by Gypsies and Travellers, including the siting of 1 mobile home and 1 touring caravan plus 1 dayroom (Appeal A).

Alleged breach of planning control: without planning permission, the material change of use of the land by the stationing of a mobile home for residential use (the "unauthorised development") (Appeal B).

1. I am in receipt of responses to my note on 4 December 2024 from the Council and BCRG. BCRG submitted a separate note on 12 December 2024. I have not received any responses from the Appellant.
2. As set out at the Case Management Conference (CMC) on 25 October, the Inquiry covering Appeals A and B will be subject of the Town and Country Planning (Inquiries Procedure) (England) Rules 2000 (Appeal A) ("the 2000 Rules") and The Town and Country Planning (Enforcement) (Inquiries Procedure) (England) Rules 2002 (Appeal B) ("the 2002 Rules").
3. Rule 6(8) of the 2000 Rules and Rule 8(8) of the 2002 Rules state, "the inspector may in writing require any person, who has served on him a statement of case in accordance with this rule, to provide such further information about the matters contained in the statement of case as he may specify and may specify the time within which the information shall be sent to him."
4. Rule 14(1) of the 2000 Rules and Rule 16(1) of the 2002 Rules state that "any person entitled to appear at an inquiry who proposes to give, or to call another person to give, evidence at the inquiry by reading a proof of evidence, shall...send...the proof of evidence together with a written summary, to the

Secretary of State.” And Rule 14(3) of the 2000 Rules and 16(3) of the 2002 Rules confirm that “The proof of evidence and any summary shall be received by the Secretary of State no later than 4 weeks before the date fixed for the holding of the inquiry.”

5. Paragraph 25 of the CMC Summary Note explains how the Inquiry is to operate, and it asks the Appellant to engage with BCRG on the Personal Circumstances document. I understand that the Appellant has given permission for those giving evidence on behalf of BCRG to view this document, but that does not extend to persons not directly giving evidence who are providing instruction to the professionals acting on BCRG’s behalf. BCRG explains in its letter of 12 December 2024 how it would handle the Personal Circumstances document.
6. Further, I requested that the Appellant confirm or update the personal circumstances document by 2 December 2024. This *further information* was requested in relation to matters contained in the Appellant’s Statement of Case, and a specific time was given for that information to be submitted by. This has not been carried out in accordance with the Rules outlined earlier.
7. The parties were also tasked with providing *further information* in the form of an SoCG Addendum to cover various matters, including the status of the intended occupants. That further information has not been forthcoming. However, given that Proofs of Evidence are to be submitted next week, I expect, as a minimum, each party to adhere to Rules 14(1) and (3) of the 2000 Rules and Rules 16(1) and (3) of the 2002 with each witness that they intend to call submitting a Proof of Evidence no later than 4 weeks before the Inquiry. **That applies to any person who proposes to give or call another person to give evidence at the Inquiry.**
8. I asked the Appellant to reconsider your approach in my note on 4 December 2024. I now ask you to urgently address (before Proofs are submitted, and the sooner the better) the following matters to avoid unnecessary work:
 - a) confirm that the personal circumstances to be relied upon remain unchanged from those considered as part of the planning application.
 - b) confirm whether the Personal Circumstances document can be viewed by select members of BCRG as set out in their letter dated 12 December 2024.
 - c) confirm whether the services map is agreed.
 - d) confirm whether the SoCG for need, supply and alternatives is agreed – time has passed since the email of 2 December 2024 highlighting the lack of time to review that document.
9. As I have previously outlined, the Planning Practice Guide (PPG) sets out local planning authorities, appellants and interested parties who have taken part in the process, including statutory consultees, may apply for costs, or have costs awarded against them. An Inspector may also make an award of costs in regard to appeals if they consider that a party has behaved unreasonably, resulting in unnecessary expense and another party has not made an application for costs

against that party. *Further information* as outlined at the CMC was sought to aid the effective running of the Inquiry and so that all parties could prepare and submit evidence on an equal footing. PPG Paragraph: 052 Reference ID: 16-052-20140306 outlines examples of behaviour that may give rise to a procedural award against the appellant, and namely the first, second, fourth, fifth, and sixth bullet points. As the PPG confirms, that list is not exhaustive.

10. Responses from all three parties remain outstanding on points a, d, and i from paragraph 25 of the CMC Summary Note. Please address these points urgently.
11. The Appellant should also confirm either way whether a ground (f) case will be pursued urgently.
12. The revised National Planning Policy Framework was published on 12 December 2024. The new document can be found [here](#). The Inspector invites you to consider whether the new Framework has relevance to your case and to address the new Framework within your Proofs of Evidence or in a document submitted no later than 3 January 2024.
13. Also, a revised Planning Policy for Traveller Sites (PPTS) has been published. Again, please address the revised [PPTS](#) within your Proofs of Evidence or in a document submitted no later than 3 January 2024.
14. As made clear in BCRG's letter of 12 December 2024, the issue of land ownership remains a matter in dispute with the Appellant. Both parties therefore need to address this matter as part of Proofs of Evidence unless you discuss and agree that it is no longer a matter for the Inquiry to consider. It is in everyone's interests to make effective use of Inquiry time.
15. The Council is asked to ensure that a copy of this note is made publicly available along with the other Inquiry documents.

Andrew McGlone

INSPECTOR

13 December 2024