

From: [Skinner, Helen](#)
Sent: 06 September 2024 09:02
To: [Admin](#); '[Peter Brownjohn](#)'; [Appeals](#); [Michael Butler](#); a.smith@masterlp.co.uk
Cc: [Bell, Alison](#); [TeamE3](#)
Subject: 3346878 - Land Approximately 150 Metres South Of Brimpton Lane and West Off Blacknest Lane, Brimpton Common
Attachments: [APP/W0340/W/24/3346878 - Land Approximately 150 Metres South Of Brimpton Lane and West Off Blacknest Lane, Brimpton Common](#)
[RE: APP/W0340/W/24/3346878 - Land Approximately 150 Metres South Of Brimpton Lane and West Off Blacknest Lane, Brimpton Common - J004724](#)

Importance: High

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Good morning,

Thank you for your recent emails regarding the above appeals.

We have determined that the most appropriate way to proceed is to link the above s78 appeal with the related enforcement appeal (ref 3351139), in the interests of time, consistency and due to the commonality of the issues. My colleagues in the enforcement team will be in contact early next week to confirm the start date and the timetable for their appeal.

We note the appellant's difficulty securing alternative representation for the s78 case, and the suggestion that it proceeds as a written representations case, but we do not consider that to be an appropriate option. WSP has now confirmed that request is withdrawn if the appeals are linked and follow the enforcement timeframe. We note WSP are aware of our timetabling aims, and hope to be available to represent the appellant at the joint inquiry, which is due to open on **14th January 2025**.

Please note that the SoCG for the s78 appeal will now be due by **14th October**, and proofs will be due by **17th December**. A single CMC will be held between the middle and the end October, the date and time will be confirmed as soon as possible.

The Inspector would still like responses from BCRG on the highway safety issue and from the Council on the inquiry venue. Both parties should also continue working on the tri-party SoCG. Please confirm the appellant is looking for alternative representation (should this still be necessary) - we expect the appellant to share the Personal Circumstances document at a later date, once this representation is in place.

The appellant should submit the Preliminary Ecological Appraisal (PEA) before or by **14 October**. If a PEA is submitted after this date, it will be treated as late evidence, and it will be up to the appellant

to demonstrate why the material should be accepted.

All parties are expected to behave reasonably to support an efficient and timely process, for example, in providing all the required evidence and ensuring that timetables are met. Where a party has behaved unreasonably, and this has directly caused another party to incur unnecessary or wasted expense in the appeal process, they may be subject to an award of costs. As a reminder, the Inspector can initiate an award of costs even if other parties in the appeal process do not make an application.

Kind regards

Helen

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