



# The Planning Inspectorate

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[www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate)

Mr John Broad  
CPRE Cherwell South District

Your Ref:  
Our Ref: APP/C3105/W/17/3189611

08 February 2018

Dear Mr Broad,

Town and Country Planning Act 1990  
Appeal by Gallagher Estates  
Site Address: Gavray Drive, Bicester, OX26 6SU (nearest)

I refer to your request for Rule 6(6) status and confirm that it is granted.

This case is following a bespoke programme which is attached.

If there are any changes to the programme the appellant and LPA will consult you.

As you are a Rule 6(6) party, you should send me 7 copies of your statement of case. This is required by the provisions of Rule 6(6) of the appropriate Inquiries Procedure Rules. You must do this by 8 March 2018.

Your statement of case should:

Give full details of the case you will be putting forward at the inquiry. You must provide documents, maps and plans, you intend to refer to or use in evidence. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send a copy to the appellant and the LPA.

In accordance with Rule 14(1)(a) you should submit 7 copies of your proof(s) of evidence (and summary(ies) where appropriate) to me and a copy to each of the statutory parties by the date given in the attached programme.

If you choose not to appear at the inquiry following service of your Rule 6(6) statement, you should be aware that no provision is given within the rules for you to submit a further statement or to add to any statement already submitted.

Keeping to the programme

You must keep to the attached programme and ensure that you send us the relevant

documents within the timescales shown. This will mean that we can deal with the 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. You must note the details of the programme because we will not send any reminders.

Once a bespoke programme has been agreed and fixed the Planning Inspectorate will expect it to be maintained unless exceptional circumstances can be demonstrated.

Using post, e-mail and the internet

When you send us your documents by e-mail, you only need to send us one copy of each. However, when you post your documents, please send us 7 copies of everything and put the full appeal reference number on each copy.

You can now use the internet to send us documents and check the information and the progress of this case at [www.planningportal.gov.uk/planning/appeals/guidance](http://www.planningportal.gov.uk/planning/appeals/guidance). You can look at this case by typing in the reference number at the top of this letter where it says 'Case Ref' on the 'Search' page and clicking on the search button.

I will send a copy of your request and this letter to the appellant, the LPA and those parties appearing under Rule 6(6).

Yours sincerely,

***Leanne Palmer***

Leanne Palmer

Enclosures: bespoke programme

*Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - [www.planningportal.gov.uk/planning/appeals/online/search](http://www.planningportal.gov.uk/planning/appeals/online/search)*

## Statement of case

In your statement of case you will need to give full details of the case you will put forward at the inquiry. You must provide any documents, including maps and plans, to which you intend to refer or use in evidence.

## Statement of common ground

In the statement of common ground the appellant and LPA should list all matters agreed. They are expected to meet in advance of the inquiry, to agree the statement of common ground. This should include basic facts such as the site description, area, planning history, relevant planning policies, and all other matters of agreement relating to the appeal. The Inspector may question the information in the statement. The LPA must submit a copy of the completed agreed statement of common ground. Further guidance on producing statements of common ground (and a model form) is available from [www.planningportal.gov.uk/planning/appeals/guidance](http://www.planningportal.gov.uk/planning/appeals/guidance).

## Proofs of evidence

A 'proof of evidence' is a written statement that the appellant, the LPA or witness wishes the Inspector to take into account at the inquiry. If the proof is more than 1500 words long, you must also send me 3 copies of a written summary which should not be more than 10% of the length of the proof. The summary should reflect the contents of the proof and should not include new evidence. When a summary is provided, only that will be read at the inquiry. If proofs and summaries are not received together and on time, the inquiry may be postponed.

## Statutory parties

'Statutory parties' are owners or tenants of the application site who made comments within the time limit on the application. You must send any statutory party(ies) a copy of all representations at the same time as you send them to us and the LPA.

## Costs

Costs can be awarded in this type of appeal. Details of this can be found on our Planning Portal - [www.planningportal.gov.uk/planning/appeals/guidance](http://www.planningportal.gov.uk/planning/appeals/guidance). You are advised to read this guidance very carefully as it contains important information about how one party to an appeal might have to pay another party's costs.

You should be aware that withdrawal at any stage in the proceedings, without good reason, may result in a successful application for costs. A successful application is also possible should an event be adjourned because of the submission of late evidence.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

## 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 the appellant intends to submit a planning obligation they should make sure that a final draft, agreed by all parties to it, is received by us no later than 10 working days before the hearing or inquiry opens.

Obligations should be completed by the close of an inquiry. An Inspector will not normally delay the issue of a decision (or submission of his report) to wait for the completion of an obligation.