

**From:** Lumber, Andrew <andrew.lumber@planninginspectorate.gov.uk> on behalf of VE.RT <VE.RT@planninginspectorate.gov.uk>  
**Sent:** 07 August 2023 15:11  
**To:** laurapower@eversheds-sutherland.com; Planning Appeals  
**Subject:** Planning Inspectorate: APP/U2235/W/23/3321094 Land North Of Little Cheveney Farm, Sheephurst Lane, Marden

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Dear Miss Laura Power (Agent) and Ms Caroline Pieri (Council)

This appeal, made under Section 78 of the Town and Country Planning Act 1990, relates to proposed development of a Solar Farm.

The Planning Inspectorate determines the procedure under section 319A of the 1990 Planning Act (as amended) by applying the published [Criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115441/criteria_for_determining_the_procedure_for_planning_enforcement_advertisement_and_discontinuance_notice_appeals.pdf)

The consensus amongst our Inspectors with experience of running events and determining such appeals is that appeals of this nature lend themselves to the Inquiry procedure.

An inquiry would be appropriate if:

- there is a clearly explained need for the evidence to be tested through formal questioning by an advocate (This does not preclude an appellant representing themselves as an advocate)
- the issues are complex (for example where large amounts of highly technical data are likely to be provided in evidence)
- the appeal has generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing (where the proposal has generated significant local interest a hearing or inquiry may need to be considered. In such circumstances the local planning authority should indicate which procedure it considers would be most appropriate taking account of the number of people likely to attend and participate at the event. We will take that advice into account in reaching the decision as to the appropriate procedure)

Taking account of the guidance, please could you let me know within 3 working days your view on whether this appeal should follow the inquiry procedure.

Yours sincerely

*Andy Lumber*



The Planning  
Inspectorate

**Andy Lumber**

Regional Manager for Planning Appeals –  
Written Representations (East, South East and (some of)  
London) and Hearings (England)  
The Planning Inspectorate  
T 0303 444 5421

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