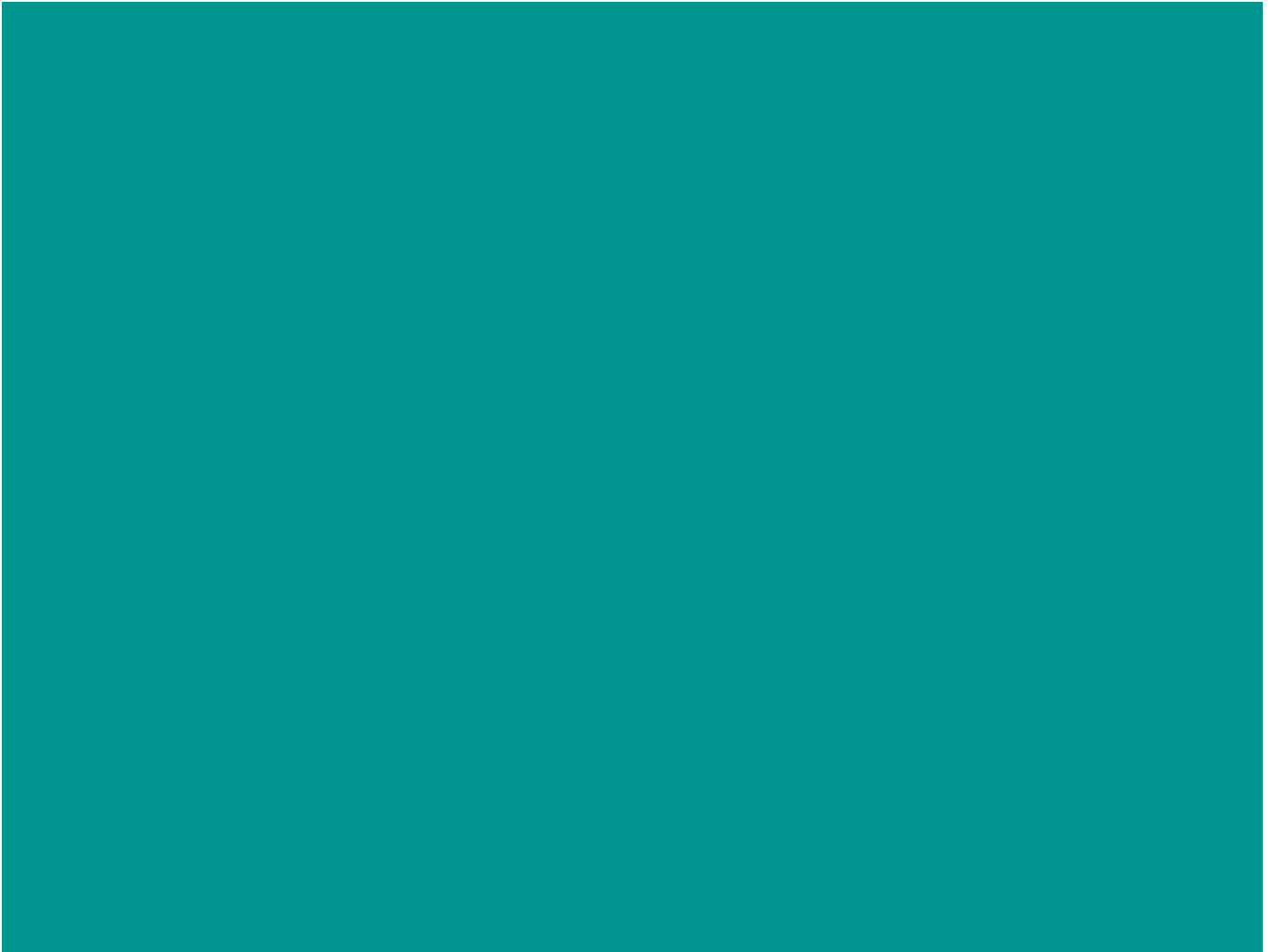




The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Statement of Common Ground



Statement of Common Ground

1. Statements of Common Ground (“SoCG”) are joint statements made by the appellant/applicant and other parties such as the local planning/relevant authority. The aim of the document is to agree factual information and to provide a commonly understood basis for the appellant/applicant; the local planning / relevant authority and/or other parties.
2. There is no statutory requirement for the production of SoCGs in the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 (Appeals Regulations), however, they can be extremely useful tools and their submission is encouraged where a SoCG contributes to an improvement in the quality of the evidence and a reduction in the quantity of material which needs to be considered.
3. SoCG can also be useful in focussing the issues which separate the parties and assisting the appointed Planning Inspector in reaching fully informed decisions expeditiously and without waste of public and industry resources.
4. SoCG can be submitted for appeals or called in applications proceeding by way of written representations, hearing, inquiry or a combination of these procedures.
5. The responsibility for producing a SoCG lies with the appellant / applicant however, all parties are encouraged to co-operate. Appellants should ensure a SoCG is submitted at the point of notice of appeal, or prior to the start date in the case of call-in. However, SoCG may be submitted at a later time where helpful to the examining Planning Inspector, or when requested by them.
6. SoCG should clearly identify matters which are agreed between the appellant / applicant and the local planning / relevant authority and other parties followed by matters which are in dispute. This means the appointed Inspector can focus on the areas still at issue. SoCG should:
 - be a single document, compiled and signed by all parties who contributed – For more complex cases separate statements may be more appropriate;
 - be concise and not duplicate information already submitted by the parties;
 - describe the site, the surrounding area and important features, and the planning history. If appropriate, photographs of the site and the surrounding area should be included;
 - explain revisions or amendments to the original proposal and confirm if they were agreed at application stage³¹;
 - include a list of the agreed plans and drawings on which the Planning Inspector will be asked to base their decision on and which were considered at application stage;

³¹ This advice relates only to amendments made before a local planning authority issued a decision.

- include a list of agreed and/or shared core documents, Ministerial Statements and policies relied upon, even if there is disagreement about their interpretation and relevance;
 - include relevant statutory and emerging development plan policies, their status and the suggested weight to be attached to them and Supplementary Planning Guidance and Supplementary Planning Documents;
 - identify and provide the reference number(s), of any relevant appeal decisions, relating to the site or neighbouring sites;
 - identify whether there is agreement over measurements, identify agreed elements of the evidence and any technical studies that have been undertaken;
 - include a list of suggested conditions (agreed and not agreed) which should meet the tests in Welsh Government Circular 016/2014 (The Use of Planning Conditions for Development Management) and include the reasons why the conditions are suggested;
 - say if the appellant and the local planning authority agree that any of the reasons for refusal can be resolved by conditions;
 - where case law is cited, include the full Court report/transcript;
 - identify whether there are any conditions or planning obligations which would satisfactorily address any disagreement or objection.
7. There is a Statement of Common Ground Template available below which can be used in conjunction with this guide.

STATEMENT OF COMMON GROUND

(Please ensure you read the Guide above for further advice before completing)

APPEAL REFERENCE:

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:

APPELLANT

Local Planning / Relevant Authority

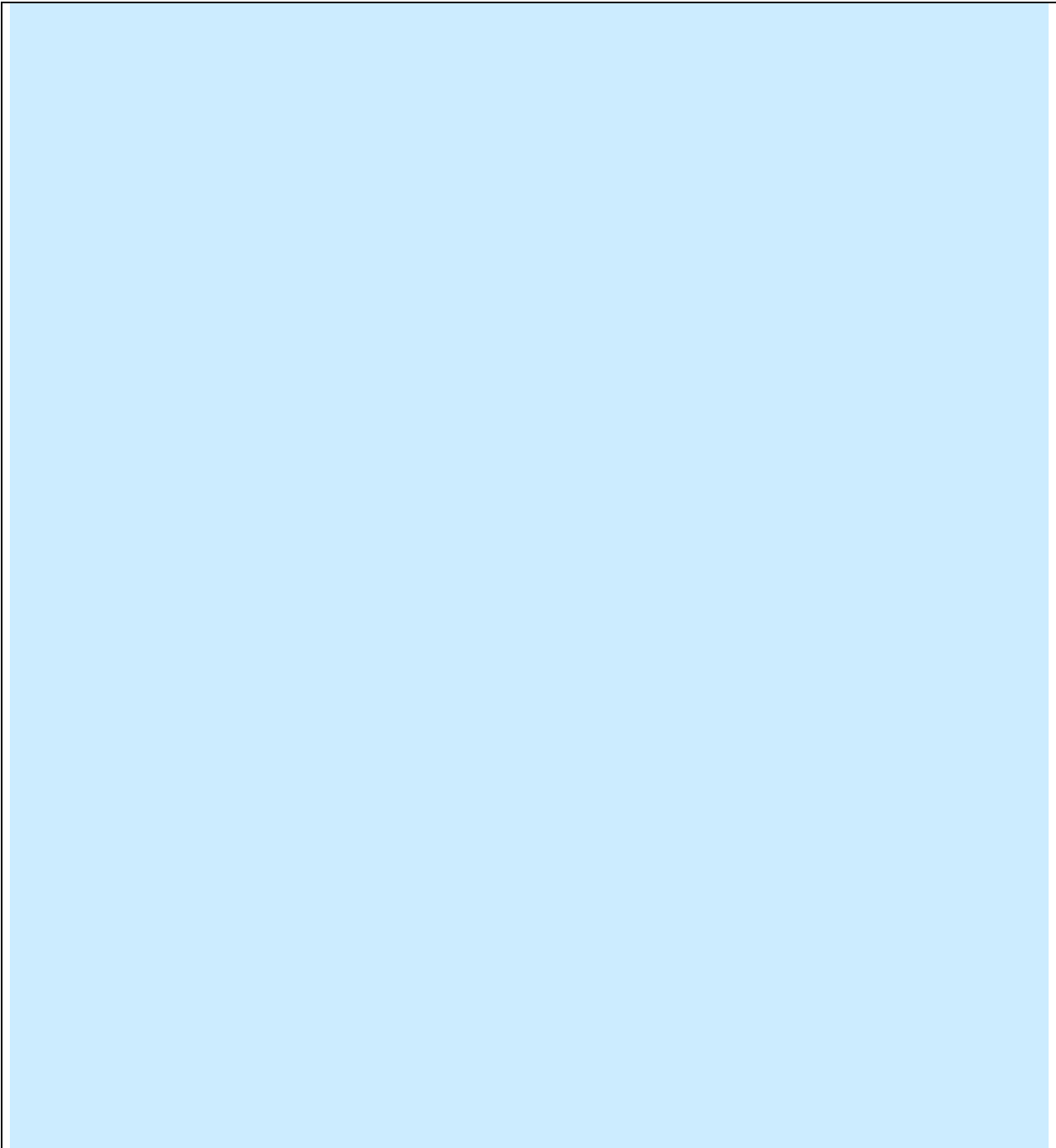
This statement addresses the following areas of common ground:

1. Description of the site (including agreed dimensions)
2. Description of the area
3. Planning history of site
4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
5. Relevance of any supplementary planning guidance published by Local Planning / Relevant Authority.
6. Others: *[eg where applicable, agreed traffic (and/or other) data and circumstances]*

It will be helpful also to identify matters which are the subject of specific disagreement

Enter text of common grounds. (Please remember to sign the document at the end)

Text Continued:



Signed on behalf of Appellant Date:	Signed on behalf of Local Planning Authority or other Party Date:
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1. Who provides expert evidence?

- 1.1. Expert evidence is evidence that is given by a person who is qualified, by training and experience in a particular subject or subjects, to express an opinion. It is the duty of an expert to help an Inspector on matters within his or her expertise. This duty overrides any obligation to the person from whom the expert has received instructions or by whom he or she is paid.
- 1.2. The evidence should be accurate, concise and complete as to relevant fact(s) within the expert's knowledge and should represent his or her honest and objective opinion. If a professional body has adopted a code of practice on professional conduct dealing with the giving of evidence, then a member of that body will be expected to comply with the provisions of the code in the preparation and presentation (written or in person) of the expert evidence.

2. Endorsement

- 2.1. Expert evidence should include an endorsement such as that set out below or similar (such as that required by a particular professional body). This will enable the Inspector and others involved in an appeal or a called-in application to know that the material in a Written Statement of evidence, written statement or report is provided as 'expert evidence'. An appropriate form of endorsement is:
- 2.2. "The evidence which I have prepared and provide for this appeal reference APP/xxx (in this Written Statement of evidence, written statement or report) is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions".
- 2.3. Giving expert evidence does not prevent an expert from acting as an advocate so long as it is made clear through the endorsement or otherwise what is given as expert evidence and what is not.