

**APPEAL REF: APP/B1740/W/23/3324227**

**Site address: Orchard Gate, Noads Way, Dibden Purlieu, Hampshire SO45 4PD**

Please find detailed below AJC Group's (the Appellant) response to pre-inquiry note 2.

The Inspector has requested both the Council's and the Appellant's views on the following points:

- A. *Whether the amended plans constitute a "substantial difference" or a "fundamental change" to the application.*
- B. *Whether the amended plans would cause unlawful procedural unfairness to anyone involved in the appeal.*

Taking each point in turn, the Appellant is of the strong view (in relation to point A) that the amended plans do not represent either a "substantial difference" or a "fundamental change" to the application. The amendments are limited to,

- the provision of a car port in relation to the parking spaces at T23
- revised landscaping plan to alter the proposed planting stock and removal of the proposed benches
- revised internal road layout to provide crossing points

The amendments do not alter the character or scope of the proposal, the design of the individual properties nor the principal layout of the proposal, neither do the amendments result in or necessitate an amendment to the description of development.

The Appellant (in relation to point B) has undertaken extensive consultation on the amended plans prior to the inquiry sitting. The amended plans were published on the LPA's website as part of the consultation process and remain viewable. The consultation involved writing to all parties that commented during the application stage, local Councillors, the Parish Council and statutory consultees together with the erection of site notices and the hand delivery of letters to adjoining properties. Responses have been received to the consultation which are contained within the Principal/ Main Statement of Common Ground – the response being from Mr Cole on behalf of over 230 local residents. No party will be prejudiced as a result of the appeal being determined on the amended plans and neither will the consideration of the appeal on the basis of the amended plans, given the level of consultation that has been undertaken, result in procedural unfairness to any party.

On the basis of the above there is no reason why the appeal should not be determined on the basis of the amended plans.