

**Noyce, Emma**

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**From:** Cathy Baker  
**Sent:** 27 April 2011 21:03  
**To:** Noyce, Emma  
**Subject:** Re: Bramley

Dear Emma Noyce, thank you for clarifying what information has been dispatched and attaching the Inspector's supplementary reports dated 13th October and 10th December 2010.

From your comments it appears that a Committee Report will be produced without any further discussion, so I feel that I must include the comments below as it is vital that Ms Ellis is aware that the information that she has based her response on is incorrect and I would be grateful if the following information can be forwarded to her. Obviously I understand that in the interests of fairness this email should also be passed to the objectors solicitors.

1. The advice of Ms Ellis is based on incorrect factual information. In her comments 3.3 Ms Ellis quotes the objectors submissions that the Inspector *"failed to consider the geographical size and population of Bramley or whether users could realistically be regarded as 'the local community of Bramley' as opposed to the inhabitants of Longbridge Road and a small number of other roads in the close vicinity"* She continues that *"Statistics are then given concerning the Parish which demonstrate that in numeric terms only some 0.6% of inhabitants had given evidence to support the application."*
2. This figure was supplied by the objectors and is wholly incorrect and misleading. I would like to clarify the position with regard to the population. As required by the Commons Act 2006 section 15 the applicant has to prove use of the land over a period of 20 years. The 20 year period for this application was stated as being 1998 until 2008. The applicant has today ascertained from a Basingstoke & Deane publication for which I have included a shortcut to the web page, that the population of Bramley village was approximately 186. Since that date the population of Bramley has steadily increased, however after the village green application was submitted in 2008 over 300 houses have been built adding possibly an extra 900 residents to the population and I believe that it is this present population that the objectors have used to arrive at the percentage that has been quoted. Therefore without clarification, the percentage that was supplied by the objectors is meaningless and was I believe supplied in an effort to mislead counsel.
3. The RA set the date and number of days (which was originally 3 days) over which evidence was to be heard at the inquiry without prior reference to the applicant. No guidance is given by the RA, DEFRA or case law as to how many witnesses are needed to prove "significant numbers". The applicant being an individual with no prior knowledge of the system was then asked to supply a list of witnesses who would be prepared to give evidence in person. A telephone conversation with a council officer confirmed that children were able to be used as witnesses and that 30 residents was plenty, indeed there would not have been time for any more witnesses to have been heard even with the extension of two days. Therefore the RA must be accountable for any alleged shortfall in the number of witnesses to prove significant numbers.
4. In my email of 13th April 2011 it was requested that Mr Booth be asked for a supplemental report in the light of Ms Ellis's advice, and the RA is respectfully urged to ensure that this is requested, received and copies sent to the applicant and objectors before the matter is referred to Committee.

<http://www.bhrs.org.uk/BramleyConservationarea.pdf>

Yours sincerely  
Cathy Baker

----- Original Message -----

**From:** Noyce, Emma  
**To:** \_\_\_\_\_  
**Sent:** Wednesday, April 27, 2011 4:17 PM  
**Subject:** Bramley

07/06/2011