

Summary Note

Case Management Conference

10.00am 7 August 2024

Appeal Ref: APP/E1855/W/22/3310099

Lea Castle Farm, Wolverley Road, Broadwaters, Kidderminster, DY10 3QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
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Introduction

1. The case management conference (CMC) was led by John Woolcock BNatRes MURP DipLaw MRTPI and conducted on-line using Microsoft Teams. There was no discussion during the conference as to the merits of the respective cases. Procedural and administrative matters were discussed to ensure that the

Council	advocate witnesses	Sarah Clover Chris Whitehouse [all matters]
R6 Party	advocate witnesses	Sioned Davies will deal with the following topics Green Belt Character and appearance Public Rights of Way Employment/economy [Mike Lord] Need for/supply of sand and gravel and availability of inert material

200+ people to attend if necessary. WIFI and photocopying facilities will be available. An AV company will provide microphones and the intention is to live-stream proceedings via UTube. The Council would like advance notice if, exceptionally, an interested person can only participate remotely, as this would require hybrid proceedings that incur an additional cost.

Dates/times

5. The Inquiry will open at 10.00 am on Tuesday 5 November 2024 and on subsequent days will start at 09.30 am. It will sit for 4 days in the first 15.

The main issue will be Green Belt policy and how it applies here – but if the Inspector is required to assess whether Very Special Circumstances exist then he would need to assess any other harm along with other considerations which weigh in the balance. That exercise would involve

suggested conditions to a post-restoration 30-year landscape/biodiversity management provision applying long after the end of the period proposed for a temporary planning permission. The review of suggested conditions should update, if necessary, the reasons for them, including references to any policy support.

than then, including a copy for the Inspector sent via PINS's case officer, Helen Skinner. To avoid unnecessary questions on expertise and instructions, all witnesses should include CVs and their letter of appointment.

22. Evidence should cover all relevant matters.

30. Once proofs are exchanged, and subject to any PIN, the Inspector would like the advocates to discuss the time estimates with each other and draw up an agreed draft programme for the Inquiry and submit this to PINS. Other than in exceptional circumstances, the parties are expected to take no longer than the timings indicated, which will require the cooperation of both advocates and witnesses.

Timetable for submission of documents

31. PoE, rebuttals, SoCGs and other documents requested at the CMC should be exchanged electronically between the parties and sent to PINS. Dates for submission are set out in the table towards the end of this note.

Any other procedural matters including costs

32. No application for costs has been foreshadowed. If any application is to be made, the Planning Practice Guidance makes it clear that, as a matter of good practice, it should be made in writing before the Inquiry. The Inspector has the power to instigate awards of costs, regardless of any application, and that would be dealt with by written correspondence after his decision was issued.

33. Other matters raised by the Inspector:

1. Admin assistance at the Inquiry

The Council indicated that either Mr Aldridge or another officer would be able to assist the Inspector with administrative matters at the Inquiry, including acting as a contact for interested persons.

2. Discussions with Environment Agv0.001 T5w tyg0uin1.7 (s.9 (1.7 108 417.C 0.006

Annex A

INSPECTOR'S EMAIL 10 MAY 2024

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Annex B

INSPECTOR'S PRE-CONFERENCE NOTE

1. The case management conference (CMC) will be led by John Woolcock BNatRes MURP DipLaw MRTPI. Attached as separate documents are instructions for joining the conference and the conference agenda. The CMC will be conducted on-line using Microsoft Teams.
2. There will be no discussion during the conference as to the merits of the respective cases and the Inspector will not hear any evidence. Rather its purpose is to ensure that all parties are aware of the options for holding the Inquiry and how to engage, and to give clear indication as to the ongoing management of this case and how the evidence will be presented at the Inquiry so that the event itself is conducted in an efficient and effective manner.
3. The Inspector will want to know details of the main parties that will be directly involved in the event, including details of advocates, witnesses and outlines of case extents.
4. He will also confirm how the Council intends to carry out notification of the event, and how Inquiry documents can be best managed, both for purposes of the Inquiry itself but also for accessibility for interested parti

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- (8) The effects of the proposed development on employment and the economy.
- (9) The need for sand and gravel, having regard to likely future demand for, and supply of, these minerals, along with the availability of inert material for restoration.
- (10) Planning policy matters and the planning balance.

Other matters may be raised at the Inquiry.

7. You are requested to give consideration in advance of the CMC as to whether the identified matters encapsulate those most pertinent to the outcome of the appeal, reaching agreement through discussion, if possible, at the CMC. The Inspector may revise his views about the main issues in the light of evidence to the Inquiry.

Dealing with the Evidence

8. The Inquiry will focus on areas where there is disagreement. With that in mind, the conference will explore how best to hear the evidence in order to ensure that the Inquiry is conducted as efficiently as possible.
9. The Inspector requests an update on the Statement of Common Ground (SoCG). This should address all matters agreed between the main parties. To that extent it may also include matters of disagreement clearly set out to inform the production of proofs of evidence. Further topic specific SoCG may be required. An agreed timetable for a SoCG will be reached at the CMC.
10. At the CMC, the Inspector will also address the preliminary list of issues above and will investigate whether any of these matters can be addressed utilising a round table rather than the formal presentation of evidence and cross-examination.
11. The Inspector will wish to consider the likely extent of interested party participation. It is important that interested persons can participate if they wish to do so. How this can be achieved will be discussed at the CMC.
12. You are requested to give the above careful consideration in advance of the discussion at the case management conference. Any request for evidence to be heard other than as currently envisaged can be discussed then. All the above points are included on the case management conference agenda.
13. A summary note will be produced after the call.

John Woolcock
INSPECTOR
30 July 2024

Annex C

CMC ATTENDANCE LIST

Council	
Sarah Clover	Spokesperson
Steven Aldridge	