

**APPEAL REF: APP/B1930/W/24/3343986**

**Land Between Caravan Site and Watling Street, Park Street, St Albans**

**Case Management Conference** **Summary Note**

1. This note summarises the discussion from the Case Management Conference (CMC) held 18 July 2024 and following consideration of the email received from the R6P on 18 July 2024 of 13:32.

**Withdrawal of R6P ‘Summary Analysis’**

1. As the R6P has agreed to rely on its Statement, and in time, further submissions and proofs, the ‘Summary Analysis’ updated and submitted recently will be returned and shall not be taken as an inquiry document. This document is duly returned with this this Summary Note.

**The Main Issues**

1. The main issues are now defined as follows:
2. the effects of the proposal on the purposes of the Green Belt, in terms of effects on openness, coalescence and encroachment;
3. whether the location of the site accords with the development plan;
4. whether the site is sustainably located in respect of its access to services and ability to minimise dependency on private vehicles;
5. the effects of the proposal on the safety and efficiency of the local highway network;
6. the effects of the proposal on the landscape character and visual amenities of the area;
7. whether the proposal would make an adequate provision of social housing;
8. the effects of the proposal on protected species;
9. the effects of the proposal on agricultural land, including Best and Most versatile agricultural land; and
10. whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.
11. It is anticipated that main issues a), b) c) d) and e) will be dealt with by way of formal evidence.
12. The following main issues will be dealt with via exchange of further written statements/technical notes:

f) whether the proposal would make an adequate provision of affordable housing; and

h) the effects of the proposal on agricultural land, including Best and Most versatile agricultural land.

1. There is potential that the protected species matter under g) can also be dealt with via exchange of written evidence, depending on the findings of the R6P on receipt of the full reports that were submitted to the Council (this is being arranged by the appellant’s team). Further clarification from the R6P on whether it intends to present formal expert evidence to the inquiry on this matter, or address it by way of further written submission is requested by 24 July.

**Other Matters**

1. Other matters to consider include:
	* the potential effects of the development on air quality;
	* whether or not the Council is required to demonstrate a four or five year supply of housing land and the supply position.
2. The above matters will also be addressed through written submissions, with a separate Statement of Common/Uncommon Ground (SOCG) to be prepared on the topic of housing land supply.

**Deadlines for submission of evidence**

1. The following dates are relevant:

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| Date | Submission / Action |
| 24 July 2024 | * Clarification from R6P on method of evidence presentation in respect of main issue g), protected species
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| 16 August 2024 (but preferably 13 August)  | * All proofs of evidence
* All other statements/technical notes on topics to be addressed via written submissions (as above)
* Housing land supply SOCG
* Updated main SOCG
* Core Document (CD) list and publication of CDs on dedicated website
* Suggested conditions
* Copy of the Inquiry notification letter from the Council and list of those notified
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| 23 August 2024 | Estimated witness timings |
| 30 August 2024 | Rebuttal statements |
| Before inquiry opens | Final draft UUCIL Compliance statement/s |
| 10 September 2024 | Inquiry opens at 10:00 |
| 25 September 2024 | Deadline for completed UU |

**Witnesses**

1. The R6P has indicated its intention to call a number of witnesses to deal with the main issues. Following this morning’s CMC and subsequent email, the following witnesses will be likely to appear (listed by topic):
	* Green Belt openness;
	* Green Belt coalescence and encroachment;
	* Landscape character and visual impacts;
	* Highway effects
	* Sustainability
	* Planning (including development plan compliance)
2. Protected species is obviously the matter on which clarity is sought about the need for expert evidence to be presented and subject of cross examination.
3. I have also indicated that it would be typical of the R6P to provide a planning witness to summarise the planning case towards the end of the inquiry and to be available throughout. As the R6P wishes to present formal evidence on the matter of development plan compliance, it would be typical to expect the planning expert to deal with this and considerations of the overall Green Belt Balance towards the end of the inquiry.
4. As such, it is expected that there will be 6-7 witnesses for the R6P.
5. I understand that the appellant’s intention is to call expert witnesses in relation to Green Belt matters, sustainability, highways, landscape and visual effects and planning, but reserves its position at this stage, particularly in respect of protected species matters.
6. It will be necessary for the various expert witnesses to outline their respective capacity in relation to the R6P and qualification/s to offer the relevant evidence. Attention has also been drawn to paragraph 15 of the Procedural Guide: Planning appeals – England’ in this regard.

**Inquiry Format and Timetable**

1. At the CMC, it was maintained that the conventional inquiry format would still be the most logical, with all of the R6P’s witnesses taking turns to provide evidence in chief, followed by cross examination, and re-examination (where necessary), to provide its case in full, before the appellant’s case in response.
2. On the basis of these evolving discussions, a very draft high level (and potentially ambitious) order for the Inquiry is provided below.

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| --- | --- |
| **Day** | **Topic** |
| **1**Tues 10 Sep | AM OpeningsInterested partiesPMR6P Green Belt witness 1R6P Green Belt witness 2  |
|  |  |
| **2**Weds 11 Sep | AM R6P landscape witness PMR6P highways witnessR6P sustainability witness  |
| **3** Thurs 12 Sep | AMR6P planning witness PMAppellant Green Belt witness PMAppellant landscape witness  |
| **4** Fri 13 Sep  | AM Appellant highways witness PM Appellant sustainability witnessAppellant planning witness  |
| **5** Tues 17 Sep  | AM Round table discussion on planning conditions/UU PM Site visit  |
| **6** Weds 18 Sep | Protected species? Costs Closings  |

1. Feedback on the protected species matter and any time estimates provided by the parties by 23 August that indicate that the above draft programme is unrealistic will necessitate adjustments to the above.
2. You will note from the above that whilst the intention had been to avoid sitting on the 17 September, it does not appear that will be entirely possible. As such, it is requested that someone deputise for Mr Simons in the round table discussion on planning conditions and UU if possible.
3. I have elected not to receive the closing submissions solely in writing and expect that they should be delivered in person or virtually. If the 18 September is available, then that day should be used in person. Alternatively, a day soon after should be identified to allow for closings to be heard virtually. On this point, the Inspector can offer flexibility until the end of September.

**Costs**

1. The appellant has reserved their position on costs at this stage.
2. If any costs claims are to be made by any party, the PPG makes it clear that they should be made in writing to the Inspector before the close of the inquiry.

**Final comments**

1. Please raise any issues with the content of this note via email at the earliest opportunity.
2. The Council may wish to draw the attention of interested parties to this note, or at the very least, it is recommended that a copy be posted on the Council’s website.
3. As ever, please ensure efficient and continuing collaboration between yourselves in advance of the inquiry. This will not only help to continue to minimise and refine areas of dispute, but it will also help to ensure the efficient overall running of the event procedurally.

Hollie Nicholls

INSPECTOR

18 July 2024