

**APPEAL Ref: APP/H1515/W/24/3353271**

**Land at Officers' Meadow, Land North of Shenfield, Alexander Lane,  
Shenfield**

**CASE MANAGEMENT CONFERENCE HELD AT 10.00 on Tuesday 17  
December 2024**

### **INSPECTOR'S NOTE AND AGENDA**

1. My name is Mark Brooker. I am a chartered town planner and I will be the Inspector for this Inquiry. I will also be conducting this case management conference. Instructions for joining the conference will be sent as separate documents.
2. There will be no discussion of the merits of your respective cases and I will not hear any evidence. The purpose of the conference is to discuss the management of this case, including the presentation of evidence, so that the forthcoming Inquiry is conducted in an efficient and effective manner.
3. The Inquiry itself is currently scheduled to open at 10.00 on Tuesday 11 February 2025 with sitting days on 11 to 13 and 18 February. The current time allocation is 4 days. An agenda for the conference is attached at Annex A and there is a note on the content and format of proofs at Annex B.

### ***The arrangements for the Inquiry***

4. The Inquiry will be arranged as a face-to-face event. The Council has been asked to secure a suitable venue. I will ask for an update on this matter at the case management conference.
5. However, it remains possible that part of the Inquiry may need to be held virtually, for example if some participants are unable to attend in person. To avoid the risk of the event being postponed, the Council should ensure that it would have the capacity to host a virtual event, should that become necessary. The Planning Inspectorate has published guidance on hosting virtual events.
6. Preparation for the Inquiry should include creating a document library that is available online. There are by now many examples of document libraries that are freely accessible to all parties. These have often been hosted by local planning authorities but have also been hosted by the appellant's team.
7. The Inspector will ask about how documents, including core documents, are to be accessed during the Inquiry. At some recent inquiries, all documents have been accessible online via a document library and documents that are referred to during the evidential stages of the inquiry have been displayed on screens. This has been effective in terms of reducing the amount of printed material and minimising time spent

locating references during the evidence. Please can the Council and the appellant give some initial thought to this in advance of the case management conference.

### ***Main issues***

8. The following is provisional and may change. My preliminary view is that the main issues are likely to include:
  - a) The effect of the proposal on the character and appearance of the area, with particular regards to the height of the proposed buildings at the Western and Southern Gateways.
  - b) Whether or not there has been sufficient engagement with the community with particular regards the provisions of Policy B14.
  - c) Whether or not the appeal scheme makes appropriate provision for affordable housing with particular regards to type, mix and size and the provisions of policy HP05.

### ***Dealing with the evidence***

9. During the case management conference we will establish the number of witnesses the parties intend to call and the scope of their evidence. 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.
10. My preliminary view is that it is likely that all the main issues referred to above would best be explored through formal evidence in chief and cross-examination. Depending on the evidence submitted by the parties and the nature of the disputes it may be appropriate to revisit this view.

*Mark Brooker*

INSPECTOR

13 December 2024

## **Annex A**

### **AGENDA**

- 1) Introduction by Inspector
- 2) Purpose of the case management conference
- 3) The arrangements for the Inquiry
- 4) Likely main issues
- 5) Witnesses and scope of evidence (for Council, Appellant and any Rule 6 Parties)
- 6) How the evidence is to be examined
- 7) Statements of Common Ground
- 8) Conditions
- 9) Planning obligations
- 10) Management of documents and how they can be accessed digitally (including the need for an Inquiry document library to be hosted by the Council or the appellant)
- 11) Pre-inquiry timetable for submission of documents
- 12) Inquiry duration, running order and program.
- 13) Site visit
- 14) Any other procedural matters

## **Annex B**

### **Content and Format of Proofs and Appendices**

#### Content

Proofs of evidence **should**:

- focus on the main issues identified, in particular on areas of disagreement;
- be proportionate to the number and complexity of issues and matters that the witness is addressing;
- be concise, precise, relevant and contain facts and expert opinion deriving from witnesses' own professional expertise and experience, and/or local knowledge;
- be prepared with a clear structure that identifies and addresses the main issues within the witness's field of knowledge and avoids repetition;
- focus on what is necessary to make the case and avoid including unnecessary material, or duplicating material in other documents or another witness's evidence;
- where case law is cited in the proof, include the full Court report/transcript reference and cross refer to a copy of the report/transcript which should be included as a core document.

Proofs **should not**:

- duplicate information already included in other Inquiry material, such as site description, planning history and the relevant planning policy;
- recite the text of policies referred to elsewhere: the proofs need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposals' merits need be referred to.

#### Format of the proofs and appendices:

Proofs to be no longer than 3000 words if possible. Where proofs are longer than 1500 words, summaries are to be submitted.