



# The Planning Inspectorate

**APPEAL REF: APP/J1915/W/24/3340497**

**Land East of the A10, Buntingford, Hertfordshire**

**Case Management Conference Pre-Conference Note**

**10:00 21 May 2024**

**Appeal by:** Countryside Partnerships Ltd and Wattsdown Developments Ltd

**Proposed Development:** Outline planning application (with all matters reserved except for access) for up to 350 dwellings, up to 4400 sq m of commercial and services floorspace (Use Class E and B8) and up to 500 sq m of retail floorspace (Use Class E) and other associated works including drainage, access into the site from the A10 and Luynes Rise (but not access within the site), allotments, public open space and landscaping.

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## Introduction

1. The Case Management Conference (CMC) will be led by K Ford, a chartered town planner and Inspector. The invitation letter sets out instructions for joining the conference, the conference etiquette which will be observed during the meeting and the conference agenda.
2. The Inquiry will open on 16 July 2024 and is currently scheduled to sit for 6 days. The Inspector will wish to discuss whether this is sufficient time to deal with the evidence, including that given by third parties.
3. The purpose of the CMC is to consider the management of the case so that the appeal is dealt with in an efficient and effective manner. There will be no discussion of the merits of the case at the conference.

## Main Issues

4. Based on the material submitted, the main issues are likely to be:
  - Whether the proposal would be a suitable location for residential development having regard to the spatial strategy of the development plan.
  - The effect on the character and appearance of the area with specific reference to density and landscape character.
  - Whether the contributions for infrastructure, a bus route and the provision of affordable housing have been secured by a legal agreement.
  - The effect of the development on flood risk.

5. Other matters raised by interested parties will also need to be addressed in evidence. Whether or not these are dealt with as main issues in the eventual decision will depend on the evidence heard in due course. Any benefits and the overall planning balance will also need to be addressed.
6. Please give consideration in advance of the CMC as to whether or not the matters identified encapsulate those most pertinent to the outcome of the appeal.

### **The Procedure for the Appeal**

7. The CMC will explore how best to hear the evidence in order to ensure that it is conducted as efficiently as possible.
8. It is the Inspector's view that the evidence should be heard in the conventional format for Inquiries, by evidence in chief from the relevant witnesses on each side which will then be cross examined. All other matters and benefits and the overall planning balance would also be dealt with in the same way.
9. Consideration of planning obligations and conditions would be heard through round table discussions.
10. At the CMC there will be discussion on whether the evidence is presented by each main party or using a topic based approach. The Inspector's preference is to hear the evidence on a topic basis.
11. The Inspector has raised the possibility of holding the Inquiry remotely.
12. Parties are to give consideration to these matters in advance of the CMC. Any requests for evidence to be heard other than as currently envisaged will need to be fully justified.

### **Participation**

13. You will be requested to provide details of your representatives/ witnesses for the Inquiry.
14. The Inspector will wish to consider the likely extent of third party participation. It is clearly important that interested people can participate if they wish to do so. How this can be achieved will be discussed at the CMC.

### **Annex**

15. The attached annex sets out the preferred format and content of proofs and other material which should be observed.

*K Ford*  
INSPECTOR

## **Annex - Content and Format of Proofs/ Statements and Appendices**

### Content

Proofs of evidence and statements should:

- Focus on the main issue(s) 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 the 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 really necessary to make the case and avoid including unnecessary material, or duplicating material in core documents or another witness's evidence.
- 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.
- 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.
- where data is referred to, include that data, and outline any relevant assessment methodology and the assumptions used to support the arguments (unless this material has been previously agreed and is included as part of the statement of common ground).

### Format of Proofs/ Statements and Appendices:

- All documents should be submitted digitally. Hard copies of documents may be requested.
- Proofs should be no longer than 3000 words if possible. Where proofs are longer than 1500 words, summaries are to be submitted.
- Front covers to proofs and appendices should be clearly titled, with the name of the witness on the cover.
- Pages and paragraphs should be numbered.
- All appendices should be compiled separately from proofs/statements. Digital versions of appendices should be submitted as separate documents.
- Appendices should be indexed and paginated.