

INSPECTOR'S PRE-CONFERENCE NOTE

Appeal Ref: APP/R3705/W/25/3371526

Land South of Warton Recreation Ground, Orton Road, Warton.

Outline planning application for the construction of up to 110 dwellings, with access, landscaping, sustainable drainage features, and associated infrastructure. All matters are reserved except for primary vehicular access from Church Road.

Case management conference to be held at 09:00 on Thursday 9 October 2025.

Introduction

1. The case management conference will be led by Glen Rollings, but the Inquiry itself will be heard by John Longmuir BA(Hons) DipUD MRTPI as the Inspector appointed by the Secretary of State for the appeal.

Purpose

2. The purpose of the conference (CMC) is to consider the management of the case so that the appeal is dealt with in an efficient and effective manner.
3. There will be no discussion of the merits of the case at the CMC, and the headings of this note will be used as the agenda.

Participation in the appeal

4. Warton Residents Association and Polesworth Parish Council will be collectively participating as a Rule 6 Party.
5. I will give an opportunity for interested parties (including local residents) to speak after the opening statements of the parties on Tuesday 2 December, which is

likely to be mid-morning. I will re-iterate this in my opening remarks at the start of the Inquiry. I will also need to record the names and roles of those speaking.

6. Prior to the start of the Inquiry please can each party forward a note of their advocate and expert witnesses, including their job titles and qualifications to the Inspectorate's case officer.

The main issues

7. A Statement of Common Ground has been drafted but is not signed by the Council. Nonetheless the Officer report to 'The Planning and Development Board'¹ suggests putative reasons for refusal. These include the level of services/facilities within this 'Category 4 Village', the effects of the proposal on the character of the area, the potential for a lack of social cohesion (including the affordable housing due to its location) and the loss of The Best and Most Versatile Agricultural Land. The Council's Board is due to consider the proposal on Monday 6 October, after which their stance should be confirmed. The main issues potentially are summarised as:
 - the effect of the proposal on the character and appearance of the area;
 - whether the intended residents would have access to facilities/services without car dependency;
 - the social cohesion of the occupants of the new dwellings and;
 - the loss of The Best and Most Versatile Agricultural Land.
8. The planning merits of the proposal, the significance of the housing land supply, the Development Plan and planning overview will also need to be discussed at the Inquiry but not as main issues.

The procedure for the appeal

9. The appeal is scheduled to be considered at an Inquiry and will be a physical (face to face) event.
10. Given the evidence that I have seen thus far, I foresee that the main issues would be best tested in round-table discussions, rather than through the formal examination and cross-examination of witnesses. The planning merits of the proposal, the Development Plan and planning overview will be best presented in formal examination/cross examination. The significance of the Housing Land Supply, its future prospects and the need for affordable housing should also all be

¹ As e-mailed 1 October 2025

considered amidst the planning overview. Your views on these matters will be sought at the CMC.

11. The legal agreement should be the subject of a round table towards the end of the Inquiry. I would be expecting the draft to be available 10 days prior to the Inquiry. In addition, the Council are asked to submit a CIL Compliance Statement.

Other matters

12. The positions of the parties on Housing Land Supply should be summarised in a Statement of Common Ground (SoCG). I note the latest position report will be available just before the start of the inquiry.

Timetable

13. The Inquiry will start at 10:00 a.m. on Tuesday 2 and will continue on Wednesday 3, Thursday 4, Friday 5, Tuesday 9 and Wednesday 10. I intend to sit until 17:00 or 17:30 at the latest, with mid-morning and mid-afternoon comfort breaks in addition to lunch. I will avoid breaking in mid examination if at all possible and will therefore shorten or lengthen sittings accordingly.
14. After the opening day (Tuesday 2), I am open minded whether to start at 09:30 or 10:00 a.m. This can be discussed at the CMC, but no party should be prejudiced by an earlier start.
15. A timetable for the Inquiry should be produced just prior to its opening. I am not adverse to the timetable being drafted by the parties collaboratively.

Documentation

16. It is worth emphasising the purpose of the Inquiry is to provide me with the necessary information to reach conclusions on the various issues. Consequently, comprehensive information should be submitted to cover all the issues.
17. All documents should be available digitally, hosted on the Local Planning Authority's website, ideally via hyperlinks on a dedicated core document web page.
18. Proofs of evidence should be submitted no later than 17:00 Tuesday 4 November 2025. Appendices, particularly where they contain large documents should be broken down into manageable file sizes.

19. Please can I ask for a paper copy of the proofs and appendices to be sent to the case officer.
20. The parties are encouraged to work collaboratively on the SoCG(s) to narrow down the areas of dispute. The Statement(s) should highlight what is agreed and what is in contention, and it may be helpful for some to be topic based.
21. I am not inviting any rebuttal evidence but if so, please keep it concise and submitted no later than 10 days before the Inquiry.
22. Any evidence/documentation submitted during the Inquiry, including opening and closing submissions, will have to be copied to the Inspectorate and uploaded on to the core document file. A 'running list' of the documents and their reference number will need to be maintained and the parties are requested to assist in this process.
23. Copies of the notification letters/ publicity for the Inquiry should be forwarded to the case officer prior to the event.

Planning conditions

24. The parties should discuss the suggested conditions, which should be progressed at the earliest opportunity to save Inquiry time. Any disagreement should be highlighted, with the particular reasons made apparent. The suggested conditions can be considered in a round table discussion.
25. The conditions should comply with the tests set out in paragraph 57 of the Framework. If there are any pre-commencement conditions agreed, the Appellant should confirm in writing that they are accepted.

Site visit

26. The site visit should be accompanied, with a representative of the Council, Rule 6 Party and the Appellant. I will not be expecting any discussion of the case during the site visit, but physical features can be indicated.

27. I will be seeking to prioritise Inquiry sitting time and the visit can be programmed accordingly into the timetable.

28. If any party wishes me to view the site from a particular viewpoint, or any other relevant sites, please let me know during the Inquiry.

Costs

29. The parties will be asked for confirmation whether they intend to make an application for costs. All parties are advised to refresh themselves with the Planning Practice Guidance on appeals and costs.

30. All costs applications must be made before the Inquiry is closed.

John Longmuir

INSPECTOR