



**APPEAL REF: APP/W1905/W/22/3292367**

**Homebase Ltd, Sturlas Way, Waltham Cross**

**Case Management Conference to be held at  
1030 Tuesday 3 May 2022**

## **INSPECTOR'S PRE-CONFERENCE NOTE**

The case management conference will be led by Phillip Ware BSc(Hons) DipTP MRTPI, the appointed Planning Inspector.

The conference will involve no discussion of the merits of the case and the Inspector will not hear any evidence. Rather the purpose is to give clear indications in relation to the ongoing management of the case, and the presentation of evidence, so that the Inquiry is conducted in an efficient and effective manner.

The Inquiry itself, which is scheduled to open at 1000 hours on Tuesday 19 July 2022, is expected to sit for no more than 6 sitting days.

### **Main issues**

This Inquiry relates to an appeal against the refusal of planning permission for the refurbishment, extension and external alterations to existing non-food retail unit to enable it to trade as part foodstore and part non-food retail unit, alongside modifications to existing external garden centre, car parking layout, landscaping and other associated site works.

The main issues will be discussed at the conference.

Based on the reasons for refusal and the statements of the parties, the Inspector considers that the main issues are:

- ✦ The effect on the potential for the comprehensive mixed use of the site
- ✦ Whether the proposal would integrate with the town centre and improve connectivity
- ✦ Whether the proposal would be acceptable in terms of connectivity for cyclists and pedestrians
- ✦ Whether the proposal includes adequate parking provision
- ✦ Whether the proposal would cause harm for neighbouring occupiers in relation to noise

The Inquiry will also consider a range of planning matters, including the development plan and the overall planning balance.

It is essential that the parties effectively communicate with one another to seek to narrow the issues for consideration at the Inquiry. This should be an on-going conversation.

You are requested to give consideration in advance of the case management conference as to whether all the matters identified above encapsulate those most pertinent to the outcome of the appeal. This will be discussed at the conference.

### **Statements of Common Ground**

The Inspector will require a Statement of Common Ground (SOCG) between the appellant and the Council.

Guidance on producing SOCGs is available from <https://www.gov.uk/government/publications/statement-of-commonground>

### **Conditions and obligation**

A draft list of conditions has been submitted by the Council. The Inspector expects to see, in advance of the Inquiry, a final and comprehensive list of agreed conditions to be applied in the event that the appeal is allowed.

### **Documents**

The arrangements for Core Documents will be discussed at the conference.

### **Dealing with the 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.

Parties are asked to consider which elements can be dealt with by way of a round table session and which would be best dealt with in the 'conventional' manner.

A comprehensive site visit will be necessary, likely to take place at an appropriate point before the close of the Inquiry and, if practical, on an unaccompanied basis. An agreed site visit route and viewpoints will be expected between the parties.

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

### **Inquiry Format**

There will be a discussion as to the format of the Inquiry – physical, virtual or 'blended', including practical and technological arrangements.

*P. J. G. Ware*  
INSPECTOR

27 April 2022

## **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 really necessary to make the case and avoid including unnecessary material, or duplicating material in core 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;
- 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).

#### 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.

- Proofs are to be spiral bound or bound in such a way as to be easily opened and read.
- Front covers to proofs and appendices are to be clearly titled, with the name of the witness on the cover.
- Pages and paragraphs should be numbered.
- Appendices are to be bound separately.
- Appendices are to be indexed using projecting tabs, labelled and paginated.
- Plans are to be reduced to a maximum A3 size and bound together for easy reference.
- Photographs are to be produced in A3 or A4 format.

**Arrangements should be made for all proofs, appendices and other Inquiry documents to be available at the Council Offices for members of the public and/or on the Council's website.**