



The Planning Inspectorate

Case Management Conference Note

Case Management Conference held at 10.00 on Thursday 7 May 2026

APPEAL Refs: APP/W1905/C/26/3378144 and APP/W1905/C/26/3378145

Land adjacent to Darcy's Place, Little Broomfield, Church Lane, Wormley
EN10 7QF

APPELLANTS: Mr John Croke and Mr Ryann Croke
LOCAL PLANNING AUTHORITY: Broxbourne Borough Council

APPEAL: against an enforcement notice alleging, without planning permission, the increase of ground levels through the importation and processing of inert waste.

Introduction

Contributions made by

Appellant	LPA	Rule 6 Party
Simon Bell – Counsel	Leanne Buckley-Thomson - Counsel	Asif Chaudhery on behalf of Serenity Welfare
Jenny Thompson – Planning Witness	Laura White – Senior Planning Enforcement Officer	

Purpose of the conference

The purpose of this conference was to provide an opportunity for the Inspector to give a clear indication as to the ongoing management of the case and the presentation of evidence so that the forthcoming Inquiry is conducted in an efficient and effective manner.

Confirmation of advocates and witnesses

Simon Bell – confirmed on behalf of the appellants that there will be 1 witness of fact, John Croke, giving evidence in support of their appeals. A planning witness, Jenny Thompson, will also be called.

Leanne Buckley-Thomson – confirmed that Laura White and Sharon Threlfall, Principal Enforcement & Monitoring Officer at Hertfordshire County Council will be called as witnesses in support of the Council's case.

Asif Chaudhery – indicated that Serenity Welfare, the Rule 6 Party, would be likely to appoint Counsel to represent them, but he was not sure if they would be calling any witnesses.

It was agreed 2 days is insufficient time for the Inquiry – 3 or 4 days may be required. I was informed that rooms within the Council Offices are available for 3 days – 14, 15 and 16 July 2026. A 4th day is to be reserved as a virtual day for closings if required – date to be agreed.

Can all parties advise of their availability for the 4th day to be pencilled in for the week commencing 20 July 2026 – availability to be confirmed by 13 May 2026.

Likely main issues

- The ground (c) appeal - that those matters (if they occurred) do not constitute a breach of planning control.
 - Has the Enforcement Notice issued on 4 January 1980 been complied with?
 - Are Sections 179 and 181 of the Town and Country Planning Act 1990 (the 1990 Act) relevant?

- The ground (f) appeal - that that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.

- The ground (g) appeal - whether any period specified in the notice in accordance with section 173(9) of the 1990 Act falls short of what should reasonably be allowed.

Format for examining the main issues

A Statement of Common Ground (SOCG) is to be drafted and finalised and hopefully agreed within the timetable. The Inspector reminded all parties that the Rule 6 Party needs to be included in the discussions etc on the SOCG.

It is expected that all evidence with regard to the ground (c) appeal should be heard by cross examination with each witness under oath/affirmation. If a witness would like to take an oath using a sacred object, they should provide their own holy book or scripture. Witnesses may choose to make an affirmation rather than take an oath. However, regardless of how they choose to make this verbal statement of fact, the witness will be legally bound to tell the truth. The remaining grounds of appeal are to be heard either through round table discussion or through the written representations.

Inquiry Running order and programme

The Inspector will aim to finish each day at around 17.00. With the exception of the first day, the Inquiry will start at 09.30 on subsequent days.

In relation to an accompanied site visit the Inspector requested that this be carried out on the afternoon of the first day of the Inquiry. .

The running order, shall be as follows:

Inspector's Opening Remarks

Opening statements (no longer than 5-10 minutes) Appellant first followed by the Council and then Rule 6 party.

Any interested parties present who wish to speak and are time constrained

Accompanied Site Visit

Appellant's Witnesses

Representations of Interested Parties Supporting Appellant (if any – not heard already)

Council's Witnesses

Rule 6 Party's Witnesses

Representations of Interested Parties Objecting (if any – not heard already)

Additional Site Visit – if required

Closing Submissions (Rule 6, Council then Appellant, no more than 30 minutes)

Costs Applications (if any) – could be done in writing again if time limited.

A draft programme is to be drawn up when the timings for witnesses is known.

Witness availability was discussed and potential virtual attendance for one of the Council's witnesses.

Core documents and website

A list/bundle of core documents is to be co-ordinated by the Council and is to be submitted by the **2 June 2026**. The Inspector's earlier note included a template for that list.

The list should comprise only those documents to which the parties will be referring.

Any appeal decisions and/or legal authorities on which any of you intend to rely will each need to be prefaced with a note explaining the relevance of the document to the issues arising in the Inquiry case, together with the propositions on which you are seeking to rely, with the relevant paragraphs flagged up.

2 hard copies of the core documents are to be provided at the venue – one for use by the Inspector – the other for use by the witnesses.

Inquiry Venue

The Inquiry will be held within the Council's Offices and virtual attendance will be possible. The Council has set up a dedicated web page for the Inquiry. A retiring

room will be available for the Inspector. A pay and display car park is at the front of the Offices and passes will be available for the Inspector and Counsel.

Timetable

Availability for 4th Virtual Day – **13 May 2026**

Final Comments – **28 May 2026 – amended date please note**

SOCG and Core Document List/Bundle – **2 June 2026**

Proof of Evidence – **16 June 2026**

Inquiry Timings for witnesses etc – **30 June 2026**

Notification Letters for Inquiry – **30 June 2026**

The Inspector requests that a copy of this Note is uploaded to the dedicated webpage.

Costs

No application for costs has been foreshadowed. If any application is to be made, the planning practice guidance makes it clear that, as a matter of good practice, they should be made in writing before the inquiry.

The conference ended at approximately 10.45.

D Boffin
INSPECTOR

7 May 2026