



The Planning Inspectorate

APPEAL REF: APP/H4315/V/20/3265899
Omega Zone 8, West of Omega South and South of the M62,
St Helens, Merseyside WA8 3TR

CASE MANAGEMENT CONFERENCE (TO BE HELD ON MS TEAMS)

14:00 ON MONDAY 8 MARCH 2021

INSPECTOR'S PRE-CONFERENCE NOTE

1. The case management conference will be led by Mike Worden BA (Hons) DipTP MRTPI, the appointed Planning Inspector. Attached as separate documents are instructions for joining the conference, conference etiquette, and the conference agenda.
2. The conference will involve no discussion of the merits of the cases 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.
3. The Inquiry itself, which is scheduled to open at 10:00 hours on Tuesday 27 April 2021, is expected to sit for no more than six days. It is proposed that the Inquiry will sit 27-30 April 2021, then 5 and 6 May. Friday 7 May is a reserve day.
4. The Inspector is intending that the whole Inquiry will be run virtually on Microsoft Teams. The timing of the Inquiry sessions will be discussed.

Likely Main Considerations

5. Based on the recovery letter from the Secretary of State and the material currently submitted, the Inspector considers that the main considerations in this case are likely to be:
 - The extent to which the proposed development is consistent with Government policies for protecting Green Belt land (NPPF Chapter 13)
 - The extent to which the proposed development is consistent with Government policies for building a strong, competitive economy (NPPF Chapter 6)
 - The extent to which the proposed development is consistent with the development plan for the area, including any emerging plan.

In addition, the following are potential considerations which the Inspector considers may need to be explored at the Inquiry:

- The effect of the proposal on:
 - the character and appearance of the area;
 - air quality;

- ecology;
 - heritage and landscape assets;
 - the living conditions of neighbouring residents with particular regard to noise; and,
 - the highway network and how the development can contribute to meeting sustainable transport objectives.
6. The Inquiry will also examine any benefits to be weighed in the planning balance and if the proposal is considered to be inappropriate development in the Green Belt, whether any factors in favour of the development amount to very special circumstances to outweigh policy and any other harm to justify allowing development in the Green Belt.
7. The above list may be refined as information is submitted.

Conditions and obligation

8. The parties should agree a list of suggested conditions without prejudice prior to the Inquiry.
9. Any planning obligations should be submitted in executed form before the Inquiry. At least a draft of the obligation should be submitted to the Inspector before the Inquiry
10. If there remains a need for matters around conditions/obligations to be discussed, then this can take place as part of the conditions/obligations session or exceptionally, in evidence.

Dealing with the evidence

11. To date there have been no applications for Rule 6 status. It is considered that the Inquiry will open as usual with brief opening statements and any necessary legal submissions. However it is considered that all of the issues set out above could be best dealt with by way of topic based, round table discussions, supported by dedicated statements of common ground (SofCG).
12. The attached Annex sets out the preferred format and content of proofs and other material, which should be observed. Submission dates have been set and will be discussed at the Case Management Conference

Document Library

15. There will need to be a library of Inquiry documents. These will need to be held on a publicly accessible portal. The Inspector would like to agree with the parties how this library could be put together and made available to the public prior to and throughout the Inquiry. The Inspector will want to discuss this at the Case Management Conference.

Mike Worden
INSPECTOR

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 for public viewing on the Council's website or other dedicated website as agreed with the Inspector.