

Note of CMC 10.00-11.00am Monday 22 July 2024

Appeal Ref: APP/D0121/W/24/334412

Introductions

- Stephen Wilkinson as the appointed Inspector.
- Mr. F. Humphreys, Barrister for the appellant. Mr G Cannock KC will lead the case at the Inquiry
- Mr. T. Leader, advocate for the Council

Purpose of the conference

- Discussion of the management of the Inquiry, and not the merits of the parties' positions.

Description of Proposed Development

The parties confirmed that the description of development included on the Agenda paper was correct.

How the Inquiry will be undertaken

- This would be undertaken as a face to face event. The venue will be the Council Chamber.

Engagement of participants

- Arrangements for site notice/notification letters to be made by the Council with PINS sent copies as soon as possible.
- The Inspector requested early notification from the Council of those interested parties who wish to speak.

Opening dates and sitting times

- Commence at 10.00am on Tuesday 3 September 2024, sitting for up to 6 days
- Sitting from 9.30am on subsequent days.

How the main issues will be dealt with

Based on the material currently submitted and the comments of the parties during the CMC, the Inspector considers that the main issues in this case are likely to be:

1. The effect of the appeal scheme on the landscape character and appearance of the area,
2. The effect of the proposed scheme on the heritage asset with particular regard to the setting of Park Farm, and
3. Whether or not the scheme is accompanied by infrastructure necessary to support the amount of development.

These matters will be taken into account in the evidence on the planning balance.

In respect of Housing Land Supply it is a matter of record that the parties agree that the Council does not have a policy compliant HLS. The Council put this at 3.8 years, from a base date of 1 April 2024. The Council indicated that it was willing to share its assessment of sites with the appellant.

The Council should provide this information by 26 July 2024. This could allow sufficient time for consideration of individual sites avoiding an adjournment.

Areas and sites of disagreement could be identified in a Statement of Common Ground. This could be sent to PINS by 13 August 2024.

On receipt of this the Inspector will take a view as to whether this issue warrants Inquiry time. Parties will be notified by 15 August as to whether a roundtable is necessary.

Both parties stated that there was agreement that suggested mitigation would address potential impacts on the North Somerset and Mendip Bats SPA

Presentation of evidence

Evidence would be heard from the Council and then the appellant for issues 1, 2 and the Planning Balance in the usual way (in chief and cross examination). Roundtable sessions would be held for the third issue regarding infrastructure and the S106 Agreement and Planning Conditions.

The parties indicated that progress was being made on the drafting of Statements of Common Ground on Highways, Education, HLS and Heritage. Heads of terms for a Legal Agreement will shortly be shared.

The usual Inquiry running order set out below is considered appropriate. This may change depending on whether there is a HLS roundtable.

- Inspector introduction
- Openings
- Interested parties
- Presentation of the Council's case
- Presentation of the appellants case
- Roundtable on draft conditions, draft Section 106 Agreement/Undertaking
- Closings
- Arrangements for an accompanied site visit – it is likely that this can be taken at any time by the Inspector given the issues
- Costs – although neither party has indicated that they have been instructed to make an application.
- Closings.

Management of inquiry documents

- An indexed list of Core Documents will be agreed by the parties.
- The Council will establish a dedicated web page for Inquiry documents.

- The Inspector requests hard copies of all proofs and their appendices and other material including the LVIA and Design and Access statement
- Electronic copies of all core documents and other documents to be provided to PINS.

Other Matters

- Given the extent of concerns from interested parties on Highway matters the appellant will retain their witness to respond to interested parties, if necessary. No evidence is required for consideration by the Inspector.
- Venue confirmed as, the New Council Chamber, Town Hall, Walliscote Road, Weston-Super-Mare, BS23 1UJ.
This would be available apart from the afternoon of Wednesday 11 September. An alternative location should be explored for this time.

Timetable for submission of documents

9 August 2024	<ul style="list-style-type: none"> • Hard copies of proofs and appendices to PINS for forwarding to the Inspector. All core documents to be sent electronically to PINS and placed on the Council hosted web page.
13 August 2024	<ul style="list-style-type: none"> • Rebuttals (if necessary), draft conditions (in WORD), draft S106 Agreement, Statements of CG and CIL Compliance Schedule. • Timings
30 August 2024	<ul style="list-style-type: none"> • PINS to issue the Inquiry programme
3 September 2024	<ul style="list-style-type: none"> • Inquiry opens at 10.00am

Other matters

n/a

Plans

The decision will be based on:

Site location plan MR50001|1000 Rev A

But clarification is required on the Access plan 1814/1 which does not appear in the PINS folders.

The decision will not be based on the parameter and illustrative layout plans. Hard copies should however be sent to the Inspector.

Witnesses

Council

Ms Richards – HLS

Ms Hudson McAulay – Heritage

Ms Priscott – Landscape

Mr Reynolds – Policy and planning balance

Appellant

Mr Kosaner – Planning

Mr Jackson - Highways

Mr Tiley – Education

Ms Stoten – Heritage

Mr Coop – HLS

Mr Gibbs - Landscape

The meeting closed at 11.00am

Stephen Wilkinson, INSPECTOR