

Pre-Hearing Note

APPEAL REF: APP/Z2830/W/20/3265715

Land South of Station Road, Blisworth, Northamptonshire NN7 3DN

Appellant: Land Allocation Ltd

Local Planning Authority: South Northamptonshire District Council

Background

1. A one-day hearing relating to the above appeal will take place at 1000 on Tuesday 25 May 2021. It will be conducted by Mr M Russell BA (Hons) DipTP MRTPI, who is the Inspector appointed by the Secretary of State for Housing, Communities and Local Government to determine the appeal. Whilst it is very likely that the hearing will be finished within one-day, it would be helpful if the parties ensured that they were also available the next day just in case things overrun.
2. Due to the Covid-19 pandemic and the subsequent need to observe social distancing, the hearing will be run as a digital event in accordance with the Written Ministerial Statement (WMS) of 13 May 2020¹. The WMS expresses an expectation that everyone involved in the planning process will engage in digital events proactively.
3. The purpose of this pre-hearing note is to explain how the event will operate in a fair, open and transparent way and what should be done to ensure it runs smoothly.

Information Technology (IT)

4. The event will take place on Microsoft Teams. This is a free digital conference and meetings application that can be accessed by downloading the app or via your web browser. It operates in a similar way to other platforms such as Whatsapp, Skype and Zoom. If you have an internet enabled computer, you will be able to access and speak at the event over the internet using a video/audio link. The Inspector is likely to ask participants to keep their microphone off when not speaking and use the hands up function when they want to speak. The Inspector will of course ensure that all participants have had a chance to say what they wanted before moving onto the next agenda item.
5. If you do not have an internet connection, or you do not feel confident or able to use a digital device but you have a telephone with a keypad, you can instead join by telephone on a landline, although your provider is likely to charge for the call which would be to an 020 number.
6. Digital events are a new format and therefore all the parties will be unfamiliar with the process and the technology. We therefore ask for your patience and understanding during the event. Should you have any questions about IT, please contact the case officer.

¹ <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-05-13/HCWS235/>

Format

7. The event will operate in much the same way as a normal hearing, although there will clearly need to be some differences to ensure it takes place smoothly. You can be assured though that all participants will be given a chance to address the points raised by the Inspector.
8. The Inspector will start the event in the usual way by running through several preliminary matters. A preliminary agenda is at the end of this note, but it could well change. The Inspector will issue a final version shortly before the event.
9. The hearing will still be run as a structured discussion with the Inspector asking a series of questions in respect of the main issues. All parties who so wish, will be given an opportunity to speak.
10. As all parties will likely be working from screens, the Inspector will ensure there are regular breaks. These will probably take place between discussions on the main issues and are likely to be every hour or so.

Late Evidence

11. It is not anticipated that there will be any need for additional documents to be handed up during the hearing. You should review your cases promptly to ensure that is the case. The parties are reminded of the ramification in terms of any new or late evidence from an award of costs points of view.

Additional Information including Statement of Common Ground

12. The Inspector appreciates that the Council has not yet submitted its Statement of Case. However, given the tight timescales additional information is required at the earliest opportunity to assist the Inspector in preparing for the hearing.
13. The Inspector has requested that the parties work together to provide a final version of a Statement of Common Ground (SOCG) which addresses the following matters:
 - Relevant development plan policies, adoption dates and their current status
 - Matters of agreement / disagreement including in relation to 5 year housing land supply (any up to date housing land supply information / monitoring reports in this respect should also be provided)
 - Includes the agreed list of drawings, documents and supplementary letters.
 - The inclusion of without prejudice an agreed list of suggested conditions, including express agreement of the appellant to any suggested pre-commencement conditions.
14. In addition to the above, the appellant has set out their intention to submit a Unilateral Undertaking. The Inspector requests that the parties work collaboratively to produce a final draft as a matter of urgency and by no later than 10 working days before the hearing.
15. In the event that a planning obligation is submitted, the Council should prepare a CIL Compliance Statement setting out how each of the obligations meet the relevant tests for planning obligations set out in the Framework and the CIL Regulations. This should be

provided at the same time as the SOCG, and it would be preferable for this to be agreed with the appellant. However, if any aspects are not agreed, the areas of agreement and disagreement should be set out in the SOCG.

16. In order to ensure the smooth running of the hearing, the Inspector would appreciate the above documents asap and by **no later than 11 May 2021.**

Site Visit

17. The Inspector will need to visit the appeal site. This will be done once the virtual hearing has closed and is likely to be the next day depending on the length of hearing discussions. The Inspector intends to undertake an Access Required Site Visit. The appellant will need to arrange access to the appeal site for the Inspector and the time/date will be discussed at the hearing prior to the closing. The Inspector reserves his position in terms of whether he will also visit the appeal site in advance of the hearing, albeit only viewing the site/surroundings from public land.

Provisional Main Issues

18. The Inspector provisionally considers that the main issues are:
 - (i) whether the appeal site would be a suitable location for the proposed development, having regard to the development plan and national policy and the effect of the proposal on the character and appearance of the area;
 - (ii) whether the proposal would preserve the setting of the Grade II Listed Building at Nos 25 – 27 Grafton Villas, Northampton Road; and
 - (iii) whether the proposal makes adequate provision for any additional need for affordable housing, education, public open space, refuse / recycling, libraries and healthcare arising from the development.
19. Given the Inspector is unaware of the up-to-date housing land supply position and whether or not there is a dispute between the parties on this matter, the Inspector reserves the right to include housing land supply as a main issue.

Provisional Agenda

1. Introduction, opening formalities and points of clarification.
2. Whether or not the appeal site would be in a suitable location for the proposed development, having regard to the development plan and national policy and the effect of the proposal on the character and appearance of the area.
3. Whether the proposal would preserve the setting of the Grade II Listed Building at Nos 25 – 27 Grafton Villas, Northampton Road.
4. Whether the proposal makes adequate provision for any necessary developer contributions arising from the development.
5. Any other considerations – including, if any, additional comments to be made by other interested parties.

6. Planning conditions (without prejudice).
7. Applications for costs.
8. Arrangements for the site visit and closing.