



The Planning Inspectorate

NORTH HERTFORDSHIRE DISTRICT COUNCIL
APPLICATION BY AGR 4 SOLAR LTD (REF APP/X1925/V/23/3323321)
SOLAR FARM (PHOTOVOLTAIC SOLAR ARRAY
AND ANCILLARY DEVELOPMENT)
PRIORY FARM, GRAVELEY LANE, GREAT WYMONDLEY, HERTFORDSHIRE

Note of case management conference held on 18 July 2023 Venue - Teams

Purpose of the conference and attendance

1. The purpose of the conference was to consider the ongoing management of the case and arrangements for the inquiry to ensure that it proceeded efficiently. It was led by myself as the appointed Inspector.
2. Participants on behalf of the parties were as follows:

The Applicant:

- David Hardy, Partner, CMS (DH)

The Local Planning Authority (LPA):

- Caroline Daly of Counsel
- Nurainatta Katevu, Legal Regulatory Team Manager, North Hertfordshire DC (NK)

The CPRE Hertfordshire was represented by:

- Chris Berry, Planning Manager, CPRE Hertfordshire (CB)

Great Wymondley Village Association (GWVA) was represented by:

- Paul Harding.

Other individuals associated with the Applicant and the LPA were in attendance.

Identification of site and description of development

3. There are differences between the application form and other documents in how the site is identified and in the description of development. It was agreed that the site should be identified as *land at Graveley Lane and to the east of Great Wymondley*, and that the proposal should be described as *a solar array with associated battery storage containers, and ancillary development including means of access and grid connection cable*.

Main considerations and other matters

4. In the pre-conference note (para 4), I had suggested that the main considerations in this case were likely to be:
 - Whether the proposal would represent inappropriate development in the Green Belt.
 - The effect of the proposed development on the openness of the Green Belt.
 - The implications of the proposal for meeting the challenge of climate change.
 - The effect of the proposal on the character and appearance of the area.
 - Whether the proposed development would be consistent with the Development Plan and other relevant policies.
 - Whether the harm to the Green Belt, by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

These were agreed by the parties.

5. DH explained that it was intended that the Applicant's evidence would include the following topics: planning, landscape and visual effects, flood risk and drainage, heritage, archaeology, highways, ecology and agriculture. The CPRE wished to present evidence on community impact, including noise and disturbance. Reference was made by CB to technical matters, but most of the witnesses are likely to be local people.

Participation in the inquiry

6. The Applicant is expected to be represented at the inquiry by:
 - David Hardy, Partner, CMS – advocate
 - Alistair Hoyle, Axis - planning
 - John Mason - landscape & visual matters
 - Kevin Tilford, Weetwood – flood risk & drainage
 - Lynne Roy, AOC Archaeology – cultural heritage & archaeology
 - Tony Kernon, Kernon Countryside Consultants – agriculture
 - Howard Fearn, Avian Ecology – ecology
 - Lee Kendall, Axis – transport
7. The LPA is expected to be represented by:
 - Caroline Daly of Counsel
 - Michael Robinson, MRC Planning
8. The CPRE and GWVA intend to present a joint case, which would also involve the Parish Council and possibly other local organisations. Their joint group is expected to be represented by:
 - Jed Griffiths - planning
 - Nicole Brown, Huskisson Brown – landscape
 - Chris Berry, CPRE
 - 4-5 local residents covering agriculture, archaeology, noise, heritage, community impact, wildlife and biodiversity

9. The CPRE and GWVA were strongly encouraged to apply for Rule 6 status, which would recognise the joint group as a main party in the case. They were requested to advise The Inspectorate of their position by 21 July 2023. They undertook to inform The Inspectorate as soon as possible if any additional professional witnesses were to be engaged.

The form of the inquiry

10. The parties were content with a face-to-face event. The LPA would be able to host any virtual elements, and it would also be able to arrange streaming of the inquiry.
11. It was agreed that evidence should be heard on a topic basis, following contributions from any third parties other than the CPRE/ GWVA group. DH suggested that the Applicant's evidence be heard before that of CPRE/ GWVA in order to provide context: that will be considered in drawing up the inquiry timetable.
12. Possible conditions would be considered at a round-table session; no planning obligations were envisaged. It was agreed that evidence would otherwise be addressed through formal examination.

Appointment of a programme officer

13. The LPA will maintain an inquiry webpage for documentation. With this arrangement, I agreed with the main parties that it would not be necessary to appoint a programme officer.

Timetable

14. The inquiry is scheduled for eight days, 12-15 and 19-22 September 2023: it was agreed that these two weeks should be retained in full. Having regard to the comments of the parties, the following indicative order of proceedings is suggested:

Opening statements from the main parties
Representations from individuals and groups (other than CPRE/ GWVA)
Character & appearance/ landscape
Agriculture
Heritage/ archaeology
Ecology
Transport
Community impact/ noise & disturbance
Drainage & flood risk
Planning
Conditions round-table
Site visits
Closing submissions from the main parties

15. Time estimates were requested by 29 August. Following their receipt, I will prepare a timetable for the inquiry.

Inquiry venue

16. The venue for the inquiry will be the Council Offices, Gernon Road, Letchworth Garden City, SG6 3JF. Retiring rooms should be available for myself and the main parties. Arrangements can be made for the receipt of a box of documents from myself.
17. The inquiry room will be available from 09.00 – 17.00, except for 12 September when it will only be available until 16.00. I will have access to my room from 08.30 – 17.30. NK advised that evening sessions could be accommodated on 15, 18 and 22 September 2023. Any such sessions would be intended for lay participants.

Documentation

18. All inquiry documents will be hosted on the LPA's website, and a hard copy will be provided in the inquiry room. The Applicant has prepared a core documents list: the main parties are encouraged to review the list and to agree any further core documents by 8 August. Core documents should not be duplicated in appendices. A list of relevant plans should be submitted by 28 July.
19. A statement of common ground between the Applicant and the LPA should be submitted by 8 August. I requested that the main parties give consideration to the preparation of additional statement/s of common ground with CPRE/ GWVA.
20. Proofs of evidence should be submitted by 15 August and any rebuttals by 5 September. I requested hard copies of proofs of evidence and relevant plans for my use.

Planning conditions

21. A list of possible conditions is included in the LPA's report. The Applicant and the LPA intend to review possible conditions. I asked that any Rule 6 party be included in this exercise. Suggested conditions should be submitted by 15 August.

Site visits

22. The Applicant will prepare a suggested itinerary for a programme of site visits. Suggestions for site visits should be made by 5 September. Visits to the site itself will be made on an accompanied basis. I will give consideration to the extent to which other visits should also be accompanied and to whether some site visits should take place at an early stage in the inquiry.

Costs

23. At present, there were no intentions by the main parties to apply for costs.

Other procedural matters

24. Documents and other information should be provided by the following dates:

By 28 July 2023 – list of relevant plans.

By 8 August 2023 – core documents, statements of common ground.

By 15 August 2023 (4 weeks beforehand) – proofs of evidence, possible conditions.

By 29 August 2023 (2 weeks beforehand) – time estimates.

By 5 September 2023 (1 week beforehand) – any rebuttals, site visit suggestions.

Richard Clegg

INSPECTOR

24 July 2023