



## Pre-Hearing Note

<b>Appeal Reference:</b>	<b>APP/P1940/W/22/3297122</b>
<b>Hearing date:</b>	<b>27 September 2022</b>
<b>Appeal by:</b>	<b>Mr T W Norris</b>
<b>Appeal Proposal:</b>	<b>Removal of Condition 11 (Agricultural Occupation) of planning permission 17/2169/FUL at The Mulberry Bush Farm, Dawes Lane, Sarratt WD3 6BQ</b>

The purpose of this note is to make the parties aware of the Inspector's initial approach to determining the appeal, prior to the Hearing itself.

The Hearing will be a structured discussion led by the Inspector; cross-examination will not be undertaken unless the Inspector expressly allows it.

In addition to any information provided by the Planning Inspectorate regarding the Hearing, the Inspector will also deal with procedural matters once the Hearing has opened and all participants are present.

### **Agenda**

A draft agenda is attached, which sets out what the Inspector considers to be the principal areas of dispute between the parties, and upon which the discussion at the Hearing will be focused.

- The Inspector requests any comments regarding the agenda to be submitted no later than 23 September 2022.

### **Statement of Common Ground**

The Inspector notes that a Statement of Common Ground (SOCG) has been produced and was signed by the main parties on 2 September 2022, albeit electronically by the Council.

### **Hearing Notification**

The Council has provided a copy of a letter notifying interested parties of the appeal dated 20 July 2022, together with a list of parties to which it was sent. The Council has also provided a copy of a notification letter that specifies the time, date and location of the Hearing, dated 31 August 2022. However, the Council has not provided a list of the interested parties this was sent to and confirmation of the date sent.

- The Inspector requests that the Council provides this information no later than 23 September 2022.

## **S106 Planning Obligation**

The Inspector notes from the evidence that the original planning approval (LPA Ref. 17/2169/FUL) was granted subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990. This document does not seem to be in the submitted evidence.

- The Inspector requests that the Council provides this information no later than 23 September 2022.

The Inspector also draws both parties attention to the Procedural Guide for Planning Appeals (April 2022), and in particular to Annexe E – Hearings Procedure and Annexe N – Planning Obligations, as well as to the Government’s Planning Practice Guidance website in relation to Appeals and to Planning Obligations.

- The Inspector requests the parties advise whether a further Planning Obligation is to be submitted as part of this appeal no later than 23 September 2022. If so, the timescale for the final signed and certified copy to be submitted to evidence should also be provided no later than 23 September 2022.

## **Enforcement Matters**

The Inspector notes the references to unresolved Enforcement matters seemingly at the appeal site and wider farm, in the Council’s Officer Report.

- The Inspector requests that the Council provides an update on these and any other unresolved Enforcement matters in relation to the appeal site and the Mulberry Bush farm, no later than 23 September 2022.

## **Missing Evidence**

The Inspector notes the content of Paragraph 2.1 of the Appeal Statement dated August 2022, prepared for the Council by Reading Agricultural Consultants, and the comments of the appellant regarding this in their email of 12 September 2022.

- The Inspector requests that the Council provides an update on this matter no later than 23 September 2022.

## **Additional evidence / Costs applications**

Other than as specified above, or covered in the Procedural Guide, the Inspector is not expecting any additional evidence. However, if any is to be produced, or if an application for costs is to be made, it would be helpful for this to be done prior to the Hearing.

- The Inspector therefore requests any additional evidence or costs applications are submitted no later than 23 September. However, this does not preclude such matters from being raised at the Hearing.



# AGENDA

<b>Appeal Reference:</b>	<b>APP/P1940/W/22/3297122</b>
<b>Hearing date:</b>	<b>27 September 2022</b>
<b>Appeal by:</b>	<b>Mr T W Norris</b>
<b>Appeal Proposal:</b>	<b>Removal of Condition 11 (Agricultural Occupation) of planning permission 17/2169/FUL at The Mulberry Bush Farm, Dawes Lane, Sarratt WD3 6BQ</b>

## **1. Introduction**

## **2. Policy**

Three Rivers District Council Core Strategy (October 2011)

- Policy CP11 – Green Belt

Three Rivers District Council Development Management Policies (July 2013)

- Policy DM2 - Green Belt
- Appendix 3 – Agricultural and Forestry Dwellings

The National Planning Policy Framework (July 2021)

## **3. Main Issue**

- Whether the appeal condition meets the six tests for conditions, listed at Paragraph 56 of the National Planning Policy Framework (July 2021)

## **4. Other Matters**

## **5. Conditions (without prejudice)**

## **6. Cost Applications (if any)**

## **7. Arrangements for Site Visit**

## **8. Close**