



**Appeal Reference: APP/E3715/W/25/3373251**

**Land North of Rounds Gardens, Rugby**

**CASE MANAGEMENT CONFERENCE**

**10:00 ON FRIDAY 14 NOVEMBER 2025**

**INSPECTOR'S POST-CASE MANAGEMENT CONFERENCE NOTE**

1. The case management conference (CMC) between the Inspector and representatives of the appellant and Rugby Borough Council (the Council) took place on 14 November 2025. The only matters discussed were procedural matters to ensure that the forthcoming Inquiry is conducted in an efficient and effective manner.
2. This note should be placed on the core documents library website / webpage for this Inquiry.
3. The Inspector appointed to conduct the Inquiry is Matthew Jones BA(Hons) MA MRTPI.
4. Advocates for the parties are:

Council: Mr Christian Hawley, Counsel

Appellant: Mr Satnam Choongh, Counsel

5. The venue for the Inquiry is the Council Chamber, Rugby Town Hall, Evreux Way, Rugby CV21 2RR
6. The Inquiry is scheduled to open at 10:00 on 20 January 2026. It will resume at 09:30 on subsequent days.
7. It is currently scheduled for 5 days. However, it is more likely that it will sit for 4 days, running Tuesday – Friday, with a reserve day to be held virtually at a later date if necessary.

**Procedural Matters**

8. The main parties agreed that the new drawings relating to offsite highway works do not substantively alter the proposed access and egress arrangement as was subject to the Council's decision to refuse planning permission, and should therefore be accepted without procedural prejudice to any party.

## **Likely main issues**

9. Based on the material submitted to date, and following discussion at the CMC, the main issues are likely to include:
  - whether the proposal would lead to the unacceptable loss of sports and recreational buildings and land;
  - the effect of the proposal on the character and appearance of the area, with particular reference to protected trees and urban design; and,
  - other considerations, including housing land supply.
10. The appellant further intends to address the submissions of interested parties in the planning evidence. It would also be helpful for any ecology evidence in specific relation to legally protected species to be summarised in an accessible format.

## **How the likely main issues will be dealt with at the Inquiry**

11. It was agreed that the sports related issue and the planning / other considerations issue would be best dealt with by way of the formal presentation of the evidence. The character / trees and urban design topic is best dealt with by way of a roundtable session.
12. There may be a separate housing land supply topic, but whether this is the case, and how this evidence would be heard if it is, is subject to further dialogue between the main parties.

## **Conditions**

13. As discussed, a schedule of suggested planning conditions and the reasons for them, including references to any policy support, should be submitted with the proofs. Any differences in views on the suggested conditions, including suggested wording, should be highlighted, with a brief explanation given. The Council is to take the lead on preparing that list, in discussion with the Appellant.
14. Each condition will need to be properly justified having regard to the relevant tests. Notably that of necessity. It is important to ensure that conditions are tailored to tackle specific problems, rather than imposed from habit or to impose broad unnecessary controls.

## **Planning Obligations**

15. An early draft of the planning agreement is to be provided with the proofs, with a final agreed draft to be submitted before the Inquiry opens.
16. The final draft must be accompanied by the relevant office copy entries and a CIL Compliance Statement prepared by the Council. This will need

to provide a detailed justification for each obligation, including any policy support, and the basis for any financial contributions required. Given the viability issues at hand, the main parties agreed that the Council would carry out this exercise in relation to all applicable planning obligations.

17. Two/three weeks will be allowed after the Inquiry for the submission of a signed version of the planning agreement.

### **Statement of Common Ground**

18. It was agreed that this would be submitted by an agreed date. The main parties identified that it may require further work, owing to ongoing conversations around viability and housing land supply.

### **Core Documents/Inquiry Documents**

19. The appellant took on the responsibility for collating and organising the core documents and the Council accepted the responsibility for the hosting of the core document library on a discrete page of the Council's website. This is to be done by 23 December 2025.
20. A separate Inquiry documents list will also need to be compiled for any documents submitted once the Inquiry has opened, in a similar format to the core documents list.
21. There is no reference in the Rules or the Procedural Guide to supplementary or rebuttal proofs and none are encouraged. However, where necessary to save Inquiry time, it is important that any submitted supplementary or rebuttal proofs do not introduce new issues.

### **Inquiry arrangements**

22. In terms of running order, following his opening comments on Day 1, the Inspector will invite opening statements, which should be no longer than around 10 minutes, the appellant first, and then the Council. He will then hear from any interested parties. This will be followed by the main parties' witnesses who are being called to give oral evidence, and then the roundtable session.
23. Following the conditions and planning obligations round table discussions, the Inspector shall hear the closing submissions, which should be no longer than an hour, setting out respective cases as they stand at the end of having tested the evidence.

### **Venue**

24. The venue is well set up to accommodate events, and there will be Wi-Fi fully available, plus photocopying facilities, and retiring rooms are also to be made available to the Inspector and appellant.

## **Site Visit**

25. It was confirmed at the CMC that, owing to latent health and safety risks on the appeal site, it will be essential for the visit to be carried out on an accompanied basis.

## **Costs**

26. No application for costs has been made by the main parties at this stage. If applications for costs are to be made, the Planning Practice Guidance makes it clear that they should be made in writing before the Inquiry, however this may not be possible if a costs application relates to events during the Inquiry.

## **Timetable for Submission of Documents**

Date	Submission / Action
23 December 2025 <i>4 weeks before the Inquiry opens</i>	<ul style="list-style-type: none"><li>• All proofs</li><li>• Core Documents library</li><li>• Initial draft s106 Agreement</li><li>• SoCG(s), including suggested conditions</li></ul>
30 December 2025 but more likely before Christmas <i>3 weeks before</i>	<ul style="list-style-type: none"><li>• Council to submit a copy of the Inquiry notification letter and list of those notified</li></ul>
12 January 2026 <i>Just over one week before the Inquiry opens</i>	<ul style="list-style-type: none"><li>• Estimated timings from the main parties</li><li>• Rebuttals / addendum SoCG</li><li>• Final draft S106 agreement</li><li>• Proof of title (applicant)</li><li>• CIL Compliance statement (Council)</li></ul>
20 January 2026	<ul style="list-style-type: none"><li>• Inquiry opens at 10.00 am</li></ul>

29. Thank you to all parties for attending, and contributing to, the CMC.

Matthew Jones

Appointed Inspector

18 November 2025