



Planning Inspectorate

Appeal: 6003106

Land East of Rugby Road, Clifton-upon-Dunsmore

CASE MANAGEMENT CONFERENCE, 6 MARCH 2026

SUMMARY NOTE

1. The Case Management Conference (CMC) was held to discuss procedural elements of the Inquiry and was attended by the Inspector and representatives of both the Council and the appellant.
2. The Inspector appointed to conduct the Inquiry is Andrew Smith. The Inquiry is to be held at Council Chamber, Rugby Town Hall. It shall open at 10am on Tuesday 28 April 2026 and is scheduled to run for up to 6 days (28 April-1 May and 6-7 May 2026).
3. It is requested that a copy of this Note is posted on the Council's website.

Likely Main Issues, unresolved matters, and the submission of additional evidence

4. It was agreed that the Main Issues could relate to:
 1. Whether the appeal site is an appropriate location for housing, having particular regard to relevant provisions of the development plan, the potential availability of alternative sites, and the connectivity of the proposed development to local infrastructure;
 2. The effect of the proposed development on the character and appearance of the area, including considerations of landscape and visual effects and settlement identity; and
 3. The extent of the Council's acknowledged housing supply shortfall.
5. With respect to the second likely Main Issue, the potential for additional viewpoint visualisations to be produced to support the appellant's landscape proof of evidence is being explored in liaison with the Council.
6. The status of additional unresolved matters, as set out in the Council's Statement of Case, was discussed. With respect to highways matters, it was confirmed that further technical submissions in response to the requirements of the Highway Authority have been commissioned and are expected to be submitted in the near future so as to comprise part of the evidence base for the appeal. Once submitted, it was agreed that Clifton-upon-Dunsmore Parish Council shall have the opportunity to view and provide written observations. A consultation with the Parish Council (for at least 21 days) shall be actioned by the Council well in advance of the Inquiry. The consultation letter shall set out that any observations should be directed to the relevant PINS case officer, a copy of which is requested for the Inspectorate's records once sent. Further, the Council is to liaise with the Parish Council to assist in understanding its specific intentions for attendance and involvement at the Inquiry.

7. As regards the unresolved matter of archaeology, an evaluation report has been produced by the appellant and is undergoing final review before being shared with the Council with a timely resolution between the parties fairly anticipated. An update is to be provided via the Statement of Common Ground (SoCG).
8. The unresolved matter of sports provision is being actively considered by the appellant and is likely to be addressed through planning obligation negotiations between the parties. An update is to be provided in due course, most likely via the SoCG.
9. The appellant is to seek to address matters pertaining to the Strategic Green and Blue Infrastructure Network via its proofs of evidence and is to actively liaise with the Council in advance of this to assist in providing a clear understanding of its anticipated approach. The possible potential for strategic green/blue infrastructure matters to be incorporated within the second likely Main Issue, if justified, was discussed and not ruled out at this stage.

Dealing with the Evidence

10. It was agreed that the first and second likely Main Issues identified above, together with the planning balance, including any benefits to be weighed in the planning balance, are to be dealt with through the formal presentation of evidence in chief by each party, to be the subject of cross-examination. It was agreed that the third likely Main Issue is to be dealt with via round table discussion if required (i.e. should an agreed housing land supply position not be reached in advance of the Inquiry). The names, positions and scopes of evidence of anticipated witnesses for the respective parties were confirmed. The potential for additional formal evidence to be heard with respect to any as yet unresolved matter was also discussed and not ruled out at this stage.

Core Documents and Inquiry Documents

11. The appellant and Council shall work together to collate a list of Core Documents as a matter of priority in the interests of ensuring that such documents can be properly referenced within proofs of evidence. The list shall be submitted with the proofs. The Council agreed to host the Core Documents digitally on its website, and to update these records promptly during the Inquiry to take account of any documents handed up during the event.
12. A minimum of two copies of any new documents produced at the Inquiry shall be required, one for the other main party and one for the Inspector. In addition, extra copies should preferably be made available to assist interested parties.

Venue

13. As regards arrangements at Rugby Town Hall, it was confirmed that the Council Chamber has been reserved for the duration of the event. This has the capacity to accommodate the number of interested parties realistically anticipated to attend. The Inquiry shall run as an in-person event.

14. Retiring rooms have been reserved for the Inspector and for the appellant's team for the duration of the event. Closer to the Inquiry, it was agreed the Council shall liaise with PINS to obtain a car registration number for the Inspector so that he is able to park at the venue without paying or displaying for the duration of the Inquiry.

Inquiry Running Order, Programme, and Site Visit

15. Following his opening comments on the first day of the Inquiry, the Inspector shall invite brief opening statements from the main parties. The appellant first, followed by the Council. Written copies are invited to be handed up at the time.
16. He shall then hear from any interested parties who wish to speak, although there is scope for some flexibility if someone has difficulties that prevent them from attending and speaking on day one.
17. This shall likely be followed by a round table discussion led by the Inspector with respect to housing land supply, if required.
18. Next, the formal character and appearance evidence, having regard to landscape/visual effects and settlement identity, shall likely be heard. This shall commence with the Council witnesses' evidence in chief followed by cross-examination by the appellant as opposing party and then re-examination. The appellant's witness shall then be called on the same basis.
19. Then, presuming currently unresolved matters as discussed above have been satisfactorily resolved, the formal planning evidence shall be heard, incorporating whether the appeal site is an appropriate location for the development, having particular regard to relevant provisions of the development plan, the potential availability of alternative sites, and the connectivity of the proposed development to local infrastructure, in addition to the planning balance. Again, in the same format.
20. On conclusion of the above, it is anticipated that the Inspector shall lead the usual round table discussions on conditions and the provisions of the planning obligation.
21. That shall be followed by the closing submissions of the Council and the appellant, which should each ideally be no longer than 30 minutes. Such submissions should set out the respective cases as they stand at the end of the Inquiry, with a written copy handed up at the time.
22. The Inspector shall carry out an accompanied site visit, most likely after the round table discussions on conditions and the planning obligation. Whenever it takes place, its purpose is simply for the Inspector to see the site and its surroundings. He cannot listen to any representations/discussion during the visit, but parties can point out physical features.
23. It was agreed that the main parties shall seek to agree a suitable draft itinerary for the site visit. This should be submitted at least one week before the opening of the Inquiry. Please note that any such itinerary may need adding to as evidence emerges at the Inquiry.

24. The Council agreed to provide a point of contact for interested parties at the opening of the event, who would be able to take the details of anyone wishing to attend the accompanied site visit and to subsequently communicate to those persons the timing of the visit once confirmed.

Timings

25. Proofs are to be submitted no later than four weeks prior to the opening of the Inquiry. It is requested that hard copies are sent to PINS by each party. The relevant address can be obtained from the case officer. Details of the preferred format and content of proofs are annexed to this note. In addition, it is requested that the appellant provides hard copies of the plans for determination and the Landscape and Visual Impact Assessment (July 2025) including all of its appendices.

26. In accordance with the same deadline that applies to proofs of evidence, a SoCG to cover all matters remaining in dispute (and to clarify matters agreed) shall be submitted in conjunction with an agreed list of draft conditions and the reasons for them. The Inspector is open to the production and submission of topic-specific SoCGs alongside any overarching SoCG, should this approach suit the requirements/preferences of the parties.

27. An exception to the 31 March deadline applies to any topic-specific SoCG related to housing land supply, which, if required, is to incorporate a jointly prepared Scott Schedule confirming respective positions upon disputed sites. This shall be submitted no later than two weeks prior to the opening of the Inquiry.

28. An agreed final draft of the planning obligation (and accompanying CIL compliance table to be produced by the Council) is to be submitted at least two weeks before the Inquiry opens. At the CMC, the Council was encouraged by the appellant to progress negotiations as a matter of priority to assist in ensuring this timeframe is achievable. For the avoidance of doubt, a short period of time shall be allowed after the Inquiry, if justified and necessary, for the submission of a signed version of the planning obligation.

29. There is no reference in the Rules or the Procedural Guide to supplementary or rebuttal proofs and PINS does not encourage the provision of such. However, where they are necessary to save Inquiry time, copies should be provided no later than two weeks prior to the opening of the Inquiry. It is important that any rebuttal proofs do not introduce new issues.

30. The advocates are to provide final timings for openings and closings, evidence in chief, and cross examination two weeks prior to the opening of the Inquiry. The Inspector shall then circulate a draft Inquiry timetable at least one week before the opening of the Inquiry whilst considering witness availability constraints as discussed at the CMC. Other than in exceptional circumstances, parties are expected to take no longer than the timings indicated, which shall require the cooperation of both advocates and witnesses.

31. The Inquiry is currently scheduled to sit for up to six days. In view of the information arising from the CMC, the Inspector is content to proceed on the basis that six days remain reserved and utilised as appropriate.

32. The Inspector intends to start each day at 10am and to finish around 5pm, although start and finish times could vary dependent upon how the Inquiry progresses.

Other Matter

33. An update was provided by the Council as regards the progression of emerging development plan documents. The potential for evolution/changes in status to occur prior to the issuing of a decision on the appeal was noted and shall be borne in mind accordingly by the parties and the Inspector.

Costs

34. No application for costs is currently anticipated by the Council, whilst the appellant reserves its position at this time. If an application is to be made, the Planning Practice Guidance makes it clear that they should be made in writing to the Inspector before the Inquiry. The parties are also reminded that in order to support an effective and timely planning system in which all parties are required to behave reasonably, the Inspector has the power to initiate an award of costs in line with the Planning Guidance. Unreasonable behaviour may include not complying with the prescribed timetables.

Timetable for the submission of documents

31 March 2026	Deadline for submission of: <ul style="list-style-type: none"> • all proofs • overarching/topic-specific SoCGs (with exception of housing land supply) • agreed suggested planning conditions • core documents list
14 April 2026	Deadline for submission of: <ul style="list-style-type: none"> • housing land supply SoCG • any necessary rebuttal proofs • final agreed draft planning obligation • CIL Compliance Statement • timings to inform draft Inquiry timetable
21 April 2026	Deadline for submission of: <ul style="list-style-type: none"> • Site visit itinerary Draft Inquiry timetable issued by Inspector
28 April 2026	Inquiry opens 10 am

Annex - Content and Format of Proofs and Appendices

Content

Proofs of evidence **should**:

- focus on the main issues identified, in particular on areas of disagreement;
- be proportionate to the number and complexity of issues and matters that the witness is addressing;
- be concise, precise, relevant and contain facts and expert opinion deriving from witnesses' own professional expertise and experience, and/or local knowledge;
- be prepared with a clear structure that identifies and addresses the main issues within the witness's field of knowledge and avoids repetition;
- focus on what is really necessary to make the case and avoid including unnecessary material, or duplicating material in other documents or another witness's evidence;
- where case law is cited in the proof, include the full Court report/transcript reference and cross refer to a copy of the report/ transcript which should be included as a core document.

Proofs **should not**:

- duplicate information already included in other Inquiry material, such as site description, planning history and the relevant planning policy;
- recite the text of policies referred to elsewhere: the proofs need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposals' merits need be referred to.

Format of the proofs and appendices:

- Proofs to be no longer than 3000 words if possible. Where proofs are longer than 1500 words, summaries are to be submitted.
- Proofs are to be spiral bound or bound in such a way as to be easily opened and read.
- Appendices are to be paginated and bound separately.