The Planning Inspectorate

Appeal Reference: 6013490

Land at Tattenhall Road, Tattenhall

Inspector's Post-Case Management Conference Note

1. The case management conference (CMC) with the appellant, the Council (CW&CC) and the Parish Council took place on 5 October 2026.

Inquiry Dates

2. The inquiry will open at **10 am on 24 November 2026**. Although initially six sitting days were allocated, as the main issues and other matters are somewhat clearer (see below), I agree with the main parties that two sitting days, **24 and 25 November 2026**, would likely be adequate; please note that the second day of the event will start at 9.30 am.

3. An additional day, 26 November 2026 will be held in reserve, and all parties should be available on that day if necessary. Provisionally, the site visit will be carried out on the 27 November 2026.

Likely Main Issues

4. The parties agreed that the main issues for this appeal are likely to include:

    a) The effect of the proposal on on-site ecology;
    b) Whether the proposal would make appropriate provision for affordable housing and local infrastructure;
    c) Whether the scale and location of proposed development would be acceptable, having regard to the emerging neighbourhood plan; and
    d) the overall planning balance.

Witnesses and Scope of Evidence

5. I have noted the parties' comments regarding the potential narrowing of areas of disagreement in respect of main issues a) and b). This aside, the main parties should confirm the names of witnesses that advocates will be calling to address the issues outlined above by **5 pm on 21 October 2026**.

6. As discussed at the conference, there will be an interested parties' question and answer session on day 1 of the inquiry. The main parties should ensure that their witnesses are available to address questions on matters raised during the application and appeal process, including highways matters and effect on character.

How the Likely Main Issues will be dealt with and Inquiry Running Order

7. It was agreed that the likely main issues will be dealt with on a topic-by-topic basis. Currently the main issues c) and d) will be dealt with by cross-examination and main issue a), b) and planning obligation matters and conditions will be covered in round table sessions, which I will lead.

8. The parties should advise as soon as possible, and no later than the exchange of proofs, whether the approach to dealing with the evidence as outlined above should be changed.

9. As stated at the CMC, opening statements by the main parties will be no longer than 10 – 15 minutes. In terms of the running order, the appellant's advocate will provide opening statements first, followed by CW&CC and then the Parish Council. The order for presenting formal evidence will commence, for each issue, with CW&CC's witnesses, then the Parish Council and finally witnesses for the appellant.

10. Closing submissions shall be no longer than 45 minutes. The running order for closings will be the Parish Council, CW&CC and finally the appellant. Electronic copies of closing statements will be required alongside paper copies. The parties are reminded that closings should set out the respective cases as they stand at the end of the inquiry and should be fully cross referenced.

Inquiry Timetable/Programme

11. The main parties should work together on timing estimates to inform the draft inquiry programme. Final timings for openings and closings, and any evidence in chief and cross-examination should be submitted no later than **10 November 2026** as a suggested programme. A draft inquiry programme will be issued by me following receipt of final timings. Other than in exceptional circumstances, participants are expected to take no longer than the timings indicated, which will require the cooperation of both advocates and witnesses.

Late Evidence

12. Late evidence shall only be accepted in exceptional circumstances. However, a new National Planning Policy Framework has been published since the submission of this appeal. The appellant confirmed at the CMC that they are content to address this relevant material change in their proof of evidence.

13. The appellant has submitted the following documents:

- BNG metric dated 29/09/2026
- BNG Report dated Oct 2026
- Preliminary Ecological Assessment dated April 2025
- Ecological Impact Assessment dated Oct 2026
- Bat Activity Survey Technical Support dated Sept 2026
- Bat Roost Survey dated 30/09/2026

It was confirmed that these were updated assessments made available promptly to allow consideration by other main parties in the interest of fairness. These are also assessments relevant to the main issues in this case and therefore I accept this evidence.

Submission of Documents

14. As discussed, all main parties should work towards finalising the statement of common ground (SOCG) including addressing matters raised in the Parish Council's summary statement. The SOCG should clearly set out matters that remain in disagreement. The agreed SOCG should be submitted no later than **5pm on 3 November 2026**.

15. The deadline for submission of proofs of evidence is **5pm on 3 November 2026**.

16. 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. An addendum to the SOCG may be preferable to rebuttals. If such documents are to be provided, the deadline is **5pm on 17 November 2026.**

Inquiry Venue, Arrangements and Notifications

17. The inquiry will be held in the Council Chamber at Wyvern House, the Drumber, Winsford CW7 1AH. As discussed at the CMC, it would be helpful if CW&CC could confirm the capacity of this venue as soon as possible. It was agreed at the CMC that no evening sessions would be timetabled as yet.

18. It was confirmed at the CMC, that it is not possible to livestream events from this venue. It would therefore be helpful if CW&CC and the Parish Council could canvas interested parties to determine whether there is a demand for livestreaming in this case.

19. If demand is expressed, it would be helpful to identify an alternative venue that could provide this facility. The Planning Inspectorate should be informed no later than the **21 October 2026**, if there is to be a change of venue, so that there would be sufficient time to agree a suitable alternative and carry out the required notifications. If the event is to be livestreamed, this information should be included in the notification letters, press notice, and site notice.

20. The Council should allow sufficient time for notifications of the date, time and location of the inquiry to take place. The minimum notification period is two weeks prior to the commencement of the inquiry. Confirmation of notification by letter, press notice and site notice should be provided to the Planning Inspectorate by no later than **5 pm 10 November 2026.**

21. Furthermore, I would be grateful if the Council's notification letters could ask interested parties whether there are any particular viewpoints or locations to visit that should be factored into the inquiry site visit. There should be a named officer and email address to supply this information to. The viewpoints/locations should be included in the updated itinerary for the site visit.

Site Visit

22. I will undertake an unaccompanied familiarisation site visit to the area prior to the inquiry. I will also visit the appeal site during the inquiry to view the site. I will confirm with the parties prior to or during the inquiry whether the site visit will be accompanied and who wishes to participate in the inquiry site visit.

23. Before my familiarisation site visit, the main parties should produce an agreed itinerary and annotated plan with all necessary viewpoints.

24. As interested parties may wish to indicate viewpoints during the inquiry, the itinerary and annotated plan should be considered to be a living document, to be updated during the inquiry. This should ensure that the inquiry site visit includes a full range of viewpoints requested by the main and interested parties. Although the site visit itinerary can remain live, I would be grateful if it could be sent through in its latest version by **5pm 10 November 2026**.

Additional Items Requested by the Inspector

25. The Parish Council's summary statement highlights other planning applications for major housing development in the wider area. CW&CC should provide a summary note of planning applications for major housing development in this area currently being determined, with a map showing the location of the proposals. This note should be submitted no later than **5pm on 21 October 2026.**

26. The main parties should provide a note of appeal decisions referenced in their evidence with a summary of their relevance to this case. These notes should be submitted no later than **5pm on 3 November 2026.**

Management of Core Documents and Inquiry Library

27. CW&CC has confirmed that it will publish and manage the core documents webpage for the inquiry. This should be separate to CW&CC's planning application website. The link to the inquiry's core documents webpage should be provided to me by no later than **5pm on 10 November 2026.** Proofs of evidence and core documents should be clearly numbered, including within the PDF tab when a document is open.

28. With the agreement of the other main parties, a document that will be referred to by more than one party can be added to the core documents. Where documents are lengthy, relevant extracts should be supplied and prefaced with the front cover of the document.

29. Any documents submitted once the inquiry has opened will be recorded as inquiry documents, overseen by me. As well as any paper copies handed to me, any inquiry documents, including openings and closings, should be submitted electronically to the case officer, Kerr Brown, and the other main parties when agreed by me. These documents will need to be placed on the core documents webpage once they have been accepted as an inquiry document and numbered accordingly.

30. Any lists of documents to be referred to during proceedings should be submitted to me at the inquiry before the relevant session. This allows me to ensure that I have all the relevant electronic documents open and ready to refer to during the inquiry.

31. I ask for a paper set of plans and copy of the Landscape and Visual Appraisal be provided for me at the venue at the beginning of the inquiry.

Conditions

32. I have received a schedule of draft conditions from CW&CC. It would be helpful to have an agreed list of conditions (as a Word document) by **5pm on 3 November 2026**.

33. If there is disagreement about any final draft conditions, I require a tabulated schedule of conditions with an explanation of the reasoning behind any difference between the main parties and the preferred wording of the main parties.

34. Conditions will need to be properly justified having regard to the tests for conditions, particularly the test of necessity. Conditions should also be provided in order as the Planning Practice Guidance advises.

35. Paper copies of the list of conditions should be available at the round table session for the benefit of interested parties that may be in attendance.

Planning Obligations

36. A draft legal agreement should be submitted no later than **5 pm on 10 November 2026**. This should preferably be the final draft legal agreement, but will remain a working document during the inquiry. This should be accompanied by the relevant official land registry title plan.

37. CW&CC should also submit a CIL Compliance Statement according to this deadline. As discussed at the CMC, the Highways Authority should be party to the preparation of the CIL Compliance Statement. Where matters remain in dispute, then CW&CC should encourage the Highways Authority to submit a separate CIL Compliance Statement. The statement must contain a fully detailed justification for each obligation sought.

38. Should it be necessary, a reasonable period of time will be allowed after the inquiry for submission of a signed and executed legal agreement.

Costs

39. No application for costs has been made 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 to me before the inquiry. You should give the other party timely notice to enable them to compose a response. You are also reminded that in order to support an effective and timely planning system in which all parties are required to behave reasonably, I have the power to initiate an award of costs in line with the Planning Practice Guidance.

Please could CW&CC ensure that a copy of this note is made available with the Inquiry documents.

AJ Sutton

INSPECTOR

8 October 2026

Summary of Key Dates and Deadlines

1700 on 21 October 2026	• Revised deadline for the submission of Interested parties' comments • Provide list of witness names (including title/qualifications) that advocates will be calling • CW&CC note of planning application for major housing development in the area currently being determined, with a map showing the location of the proposals. • CW&CC to confirm venue (if changes are found to be necessary)
1700 on 3 November 2026	• Agreed statement of common ground • Proofs of evidence and appendices • Agreed list of draft conditions • Notes summarising appeal decisions referenced and their relevance to this case
1700 on 10 November 2026	• Final timing estimates and suggested Inquiry programme • Draft site visit itinerary with annotated plan of viewpoints • Core Document Inquiry Library link details • Evidence that the notification letters have been issued, and press and site notices have been published or displayed • Final draft legal agreement with official land registry title plan • Council's CIL Compliance Statement;
1700 on 17 November 2026	• Deadline for the submission of any necessary rebuttals/addendum to statement of common ground.
1000 on 24 November 2026	• Inquiry opens.