



The Planning Inspectorate

Appeal Ref: APP/J3720/W/25/3365027

Council Ref: 24/03281/OUT

The appeal relates to an appeal against a failure of Stratford-on-Avon District Council to give notice within the prescribed period of a decision on an application for planning permission described as:

Outline planning application with all matters reserved except access, for up to 300 dwellings and associated green space and biodiversity enhancements.

The appeal is made by Richborough.

**Summary Note of Case Management Conference (CMC) held at
14:00 on Wednesday 25 March 2026**

Spokesperson for the Appellant: Sarah Reid KC

Spokesperson for the Council: Gary Grant

Preliminary matters

1. Where nothing has changed from points made in the summary notes of the CMCs held on 11 August 2025 and 26 January 2026 (previous CMC note), they are not repeated here. This summary note should therefore be read in conjunction with those previous ones. I shall address in this note matters arising from the previous CMC note and any updates discussed at this third CMC. The Council must ensure that copies of all the CMC notes are made available on its website.
2. The Appellant highlighted that the planning application form is that for a purely outline application with all matters reserved. However, all of the submissions and documents generally relating to the application make it clear that access is for consideration at this stage. It was agreed that the Planning statement of common ground (SoCG) would clarify this situation.
3. There was discussion at the CMC concerning the proposed amendment to the red line site boundary, including in relation to the tests of whether it involves a substantial difference or a fundamental change to the application, and whether, if accepted, that amendment would cause unlawful procedural unfairness to anyone involved in the appeal. This follows a re-consultation process undertaken relating to this matter. Since the CMC, I have separately confirmed that the amendment concerned meets those tests and it, together

with associated supporting documents, are accepted for consideration in relation to this appeal.

4. All concerns raised by interested parties arising from the recent re-consultation, along with those already received during the application and appeal process, should be dealt with by the Appellant in Proofs of Evidence (PoEs) and at the Inquiry.
5. The Council has produced its updated position on the appeal proposals, dated 17 February 2026, explaining that, notwithstanding the need to agree appropriate conditions and to address any outstanding points of disagreement on the draft s106 Agreement, the putative reasons for refusal are otherwise now withdrawn.

SoCGs/Proofs of Evidence

6. Flooding and drainage. Notwithstanding the Council's updated position that it no longer wishes to offer a reason for refusal on this matter, subject to conditions, there remain concerns from interested parties. The Appellant is to submit a PoE and will call a witness at the Inquiry.
7. Relating to the archaeology SoCG, there is substantive agreement between the main parties on this matter, and the SoCG is awaiting the Council to sign. The Appellant and Council confirmed agreement that whilst non-designated heritage assets have been identified, any effect on them could be mitigated through a suitable condition. Given that the main parties are at a point of agreement on this issue, the Appellant intends to provide a short statement appended to the Planning proof of evidence (PoE), and their witness would not attend the Inquiry unless I deem it necessary for the purpose of answering any questions.
8. I understand that the built heritage SoCG is well progressed, and which would be read alongside the Appellant's Heritage Statement. I understand there is no substantive difference between the parties on this issue. The Appellant's witness in this respect will only be required to attend the Inquiry should any questions arise that would require answering at the event.
9. It was agreed at the CMC that the Council would check if a Conservation Area (CA) Appraisal has been published relating to the nearby Wellesbourne CA, and also if there is any documentation relating to the status of Staple Hill House as a non-designated heritage asset. If any such documents exist, they shall be added to the Appeal Core Document library.
10. In respect of Highways matters, the Council confirmed that this does not form a putative reason for refusal and that following a meeting between the main parties earlier on 25 March 2026, there are no outstanding issues between them on this issue, subject to any necessary conditions. A SoCG will be provided along with a PoE from the Appellant.
11. Concerning housing land supply (HLS), the Council and Appellant currently identify 2.74 and 2.37 years' worth respectively. It was agreed at the CMC that in terms of the range of that disagreement, having regard to the weight

afforded to housing supply in the planning balance, there is no need for the submission of evidence relating to the difference. This issue will be dealt with in a SoCG (based on that current situation) and referred to by the Appellant in their overarching Planning PoE.

12. The question did however arise as to the timing of the forthcoming publication of the Council's updated housing monitoring report (HMR), and any implications that may have on the 5 year HLS figures. The Council said that this could be in April, but doesn't yet have a date, albeit it was understood that it would not fundamentally change its position or materially affect the range referred to above. The Appellant commented that they can proceed as per the existing situation but wishes to reserve judgement as to whether the updated HMR affects their position. In the event of any change in circumstances, this can be dealt with as appropriate, including in an amended SoCG (rather than delaying submission of the SoCG based on the current situation).
13. On the issue of Character and Appearance, the Council's updated position statement confirms that it has withdrawn its putative reason for refusal, with an expectation that matters of the indicative layout can be agreed upon in the Planning SoCG, and that technical details would then be secured at the reserved matters stage. This matter will therefore be covered in the Planning SoCG and by the Appellant in their Planning PoE.
14. It was confirmed that the overarching Planning SoCG was nearly completed. Both main parties are to provide Planning PoEs.
15. The SoCGs and PoEs referred to above remain to be submitted by 31 March 2026.

Main issues

16. In light of the above, I identify the main issues now to be as follows, with matters relating to Character and Appearance and Housing Land Supply being dealt with under main issue iv:
 - i) The effect of the proposed development in terms of the Council's spatial strategy;
 - ii) The effect of the proposed development on local surface water drainage and flood risk;
 - iii) Infrastructure and any s106 matters;
 - iv) Other related planning matters, including any benefits of the proposed development to be weighed in the planning balance.

Evidence at the Inquiry

17. For all issues, in light of the Council's updated position referred to above, the Council will present a sole Planning witness who will cross refer to the SoCGs and deal with the planning balance. No other specialist witnesses for the

Council would therefore attend the event unless it transpires that they are likely to be required to answer any questions.

18. As such, it will be appropriate to hear evidence, in relation to flooding and drainage, highways and overarching Planning matters, through respective round table discussions (RTDs) following a statement from the relevant Appellant witness in each case, summarising the Appellant's case. This will offer the opportunity for any questions that may still arise from myself and/or interested parties who may have expressed a wish to speak at the event. There will also be a RTD to discuss suggested conditions, in the event of the appeal being allowed, and s106 matters.

19. For these reasons, the parties considered that it was unlikely that the Inquiry will now take more than 3 days. However, I will have a better idea on this following the submission by the parties of their initial and final timings/draft Inquiry timetable for openings and closings and presentation of evidence (relating to Appellant statements prior to each RTD) as per the timetable set out in my previous CMC note. If it is likely to be 3 days, that would be 28–30 April 2026. It would also be helpful to maintain 6 & 7 May as possible contingency days.

Conditions and s106 Agreement

20. I understand that a schedule of suggested conditions, in the event of the appeal being allowed, is being progressed separately from the Planning SoCG. It is important that such a schedule is submitted sufficiently in advance of the Inquiry to enable their consideration ahead of the event and to enable the smooth and efficient running of that event. Notwithstanding the timetable set out in my summary note of the previous CMC, please can such a schedule be submitted by 13 April.

21. I understand that the draft s106 Agreement is currently with the Council for its consideration and that whilst there has been progress, there remain two points of disagreement.

Andrew Dawe

INSPECTOR

31 March 2026