



The Planning Inspectorate

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Your Ref: 21/03380/FP

Our Ref: APP/X1925/V/23/3323321

Mr Simon Ellis
North Herts Council
Planning Control Dept
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

05 June 2023

Dear Mr Ellis,

Town and Country Planning Act 1990 - Section 77 and Town and Country Planning (Inquiries Procedure) (England) Rules 2000
Application by AGR 4 Solar Limited
Site Address: Land to the North and East of Great Wymondley, Hertfordshire

I refer to the above called-in planning application and the Planning Casework Unit's letter of 26 May 2023. I am the case officer.

The Inspector and Secretary of State require hard copies of all documentation that was considered at application stage including representations from interested parties and consultees. Please can the Council and applicant produce an agreed schedule and submit copies of all documentation to me, electronically, within 2 weeks from the date of this letter.

The Independent Review of Planning Appeal Inquiries has been published and the Planning Inspectorate is now applying some of the Review's recommendations to called-in planning applications.

<https://www.gov.uk/government/publications/independent-review-of-planning-appeal-inquiries-report>

<https://www.gov.uk/government/news/16-out-of-22-rosewell-recommendations-implemented-as-planning-inspectorate-publishes-updated-action-plan>

<https://www.gov.uk/government/news/performance-update-moving-ahead-in-2020>

The call-in date was 26 May 2023 however certain aspects of the timetable for the application(s) begins from the date of this letter.

The Inspector and Inquiry date

The Inspector instructed by the Secretary of State is R Clegg BA(Hons) DMS MRTPI and the inquiry will open at 10.00am on 12 September 2023. We have currently scheduled 8 sitting days.

Please can the LPA secure a suitable venue as soon as possible and provide details.

The Inspector will hold a case management conference with the main parties on Teams (Inspectorate hosted), on 18 July 2023 at 14:00. details will follow including an agenda and details of how to call in. Each party should have a single spokesperson nominated to speak; the intended advocates should participate if at all possible. Please can you provide the name and email address of your spokesperson 7 days before the case conference, along with the names/email addresses of any other participants.

In advance of the case management conference, parties are requested to focus only on the matters that are in dispute and give detailed consideration as to exactly what topics could most efficiently be dealt with as a round table discussion at the inquiry (or possibly just by written submissions) in order to ensure that the inquiry is conducted in an efficient and effective manner, optimising inquiry time. This will be an item on the agenda for the conference. In light of the outcome of that discussion, the Inspector will direct how the evidence will be dealt with at the inquiry.

Sending documents to us and looking at the application

A timetable for some elements of the case is set out below. No reminders will be sent.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is <https://acp.planninginspectorate.gov.uk/>

If emailing documents, please use the email address above. If posting documents please send 1 copy of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the application promptly and fairly. Not meeting the prescribed timetables may be a reason for the Inspector to initiate an award of costs (see section on costs below).

Unless agreed otherwise by the Inspector at the case management conference the following documents must be sent within this timetable.

Within 2 weeks of the date of this letter you should notify any statutory parties and interested persons who were consulted when the application was made or who made representations that I am now dealing with the case. You should tell them that:

- i) any comments they made at application stage will be submitted to the Planning Inspectorate and if they want to make any additional comments, they should submit a copy of them to me within 6 weeks of the date of this letter i.e. by 17 July 2023.
- ii) when and where the application documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will however ensure that letters received by the deadline are passed on to the Inspector dealing with the application;
- iv) that the decision will be published on the Planning Portal.

Please send a copy of the notification letter to me.

By 17 July 2023

Please send me a copy of your statement giving full details of the case you will put forward at the inquiry including any documents, maps or plans you intend to refer to or use in evidence. Please also include a list of any conditions or limitations you would agree to, if the application were to be allowed. I will send a copy of your statement to the applicant and you must send a copy of your statement to any statutory parties. I will also send you and the applicant a copy of any comments received from other interested persons or organisations.

You must allow anyone who wants to inspect the application documents a reasonable opportunity to do so. Your statement must say when and where this can be done.

You must also submit a copy of the completed agreed statement of common ground, listing all matters that are not only agreed but also confirming areas where there is disagreement. Further guidance on producing statements of common ground (and a model form) is available from <https://www.gov.uk/government/publications/statement-of-common-ground>

By 15 August 2023

You and the applicant must send me a copy of your proof(s) of evidence (and a written summary if the proof is over 1500 words in length). You should also send a copy to any statutory party. A 'proof of evidence' is a written statement that you, the applicant or a witness wishes the Inspector to take into account at the inquiry. Any summary should reflect the contents of the proof and should not include new evidence.

By 22 August 2023

Please send a copy of the LPA inquiry notification letter.

Planning obligations - section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land' or a legally binding undertaking signed unilaterally by a person 'interested in the land'. If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - [https://](https://www.gov.uk/government/publications/planning-appeals-procedural-guide)

www.gov.uk/government/publications/planning-appeals-procedural-guide. A draft, or heads of terms, should be submitted before the case management conference. A final draft, agreed by all parties to it, must be submitted to me no later than 10 working days before the inquiry opens.

Statutory parties

'Statutory parties' are owners or tenants of the application site who made comments within the time limit on the application.

Withdrawing the application

If you hear that the application is to be withdrawn, please contact me immediately. If I receive written confirmation of this from the applicant I will write to you.

Costs

The applicant has been directed to GOV.UK for further information regarding costs – <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary expense.

Where a new local policy has been adopted at any point following the call-in of this application but before the decision is issued you must inform PINS and outline its effect on this application.

Further information

Further information about how we are now handling called-in planning applications can be found at the following link. <https://www.gov.uk/government/organisations/planning-inspectorate>

If you have any questions, please contact me.

Yours sincerely,

Alison Dyson

Alison Dyson

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

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