



Inspector's pre-Inquiry test event summary note

10.00am, Thursday 7 January 2021

Appeal Ref: APP/L5810/W/20/3249153

23-27 Arlington Works, Arlington Road, Twickenham TW1 2BB

The appeal is made by Sharpe Refinery Service Ltd. against the decision of the Council of the London Borough of Richmond-upon-Thames dated 19 September 2019 to refuse planning permission for 'redevelopment of the site to provide 610sqm of commercial space (B Class) within existing Buildings of Townscape Merit plus a new build unit, 24 residential units (5 x 1 bedroom, 12 x 2 bedroom and 7 x 3 bedroom) and associated car parking and landscaping' (Application Ref: 18/2714/FUL, dated 10 August 2018).

Purpose of this note

1. This note summarises the key points and actions arising from the pre-Inquiry test event and associated discussions held on Thursday 7 January 2021.
2. The event was led by Peter Rose, the Secretary of State's appointed Inspector, and was addressed by Mr Clive Newberry QC and Mr Philip Villars on behalf of the appellant, by Mr Matthew Reed QC on behalf of the local planning authority, by Mr Richard Ground QC on behalf of Twickenham Film Studios, and by Mr Colin Hines on behalf of both Twickenham Park Residents Association and The Barons Residents Association.
3. The main purpose of the meeting was to provide an overview of the technical aspects of conducting the Inquiry as a virtual event through the format of MS Teams and to explain associated protocols (Item 1). The opportunity was also to be taken, however, to deal with any outstanding procedural matters and questions relating to the Inquiry (Item 2), and also for the Inspector to raise concerns recently expressed by the appellant regarding difficulties in contributing to the Inquiry as a virtual event (Item 3).

Item 1 - test event

4. An outline presentation/overview was given by the Inspector covering aspects set out in Ms Humphrey's email of 6 January.

Item 2 - outstanding procedural matters

5. A range of matters were discussed. Some were just aired as markers for further consideration, others were relatively minor points of clarification and detail. Key points included (and in no particular order):

Programme

Following receipt of everyone's timings, the Inspector will be producing a draft programme for everyone's comments in the w/b 11 January. This will include provisional identification of witness attendance. The parties will also respond if there are further suggestions about how best to use the available time (NB Item 3 also refers).

Main issues update

Co2 resolved in principle.

Children's play space resolved in principle.

Affordable housing likely to be resolved.

Parking is the subject of on-going discussions with a view to possible resolution.

Mix of uses - to be treated as part of the main planning evidence, or elsewhere as the advocates may consider appropriate, rather than as a separate topic.

Twickenham Park Residents Association and The Barons Residents Association

Mr Hines' contribution was clarified as follows:

No proofs of evidence are to be expected.

Mr Hines will be allocated in the programme a period of up to 15 minutes (or a longer period if he requires) to make any overall statement and then after to receive any questions from Mr. Newberry.

Mr Hines will be attending sessions relating to industrial and employment land policy, parking/traffic and Twickenham Film Studios, and may ask any questions of opposing witnesses. He will not be making an opening statement (his previous written statement will be treated as read) but may wish to make a closing statement.

5-year housing land supply

A more detailed statement of disagreement will be prepared summarising any technical differences remaining between the parties. A round-table discussion will then be arranged (if issues remain in dispute) focussing on the statement (see also para 36 of previous note dated 13 November 2020). Mr Hines is welcome to attend as he considers appropriate, as he is for all such discussions.

Round-table discussions

The parties' representatives for all round-table discussions will be confirmed by the advocates nearer the time.

Planning obligation

The appellant will forward the latest working draft of the document to the Council at the earliest opportunity.

Set-piece presentations within the evidence

Short PowerPoint presentations will be acceptable, provided they are available to all, are formally structured as part of the evidence and set within the programme (advocates will clarify in advance as appropriate). They will also need to be added to the web site.

Web site

The authority's site is very welcome and it is hoped should serve the Inquiry well, but will need to be kept up-to-date before and throughout the event as documents (such as this note, rebuttals, further summaries etc.) may emerge and be accepted by the Inspector as Inquiry documents. Proofs of evidence to be added, please.

Site visit

The Inspector will return to this subject at the event, but conventional arrangements are already subject to COVID constraints, and restrictions appear likely to continue. There would seem to be little current prospect of the usual accompanied visit. The Inspector will be happy to accommodate any further PowerPoint presentations within the programme to illustrate any site-specific matters, but this does not mean a visit of some appropriate form will not be undertaken in due course as circumstances may allow.

Twickenham Film Studios (previous suggestion of a visit)

Given the current restrictions regarding site visits, the Studios will consider a short PowerPoint presentation to everyone at the Inquiry as part of their evidence in the event that a future visit may not be possible.

Openings and closings

Openings no longer than 10 minutes, please, closings up to 45 minutes if possible.

Proofs

Summaries are to be provided as appropriate, please, where these are not already available.

Formal lists of appearances and authorities

To follow (where not so far provided).

Item 3 - request to postpone

6. This discussion followed Mr Villars' recent correspondence on behalf of the appellant with PINS' case officer, Ms Humphrey. That conversation involved issues regarding the appellant's contribution as a virtual event in light of both COVID restrictions and individual team members' IT issues.
7. Before PINS responded to Mr Villars' accompanying request to re-schedule, the Inspector explained he was keen to take the opportunity of this meeting to understand those difficulties further, to explore any solutions which may be available, and to receive everyone's thoughts.
8. By way of background, the Inspector explained how the circumstances we all now face are less than perfect and how everyone is struggling to deliver as best we can. Whilst pre-dating the current lockdown, the Secretary of State's May 2020 WMS¹ set out the government's commitment to virtual events. The implications which follow involve everyone's required contributions to make that happen. The situation does mean people contributing to virtual events working remotely from home and often in challenging circumstances, but it does not mean anyone should be exposed to undue health risks through any perceived need to travel or be relatively disadvantaged.
9. Everyone agreed and understood that virtual events do mean all parties working together to try to make the best of the situation, and there was no

¹ Dated 13 May 2020 (Virtual working and planning - responding to COVID-19 restrictions)

suggestion at all of any lack of commitment from the appellant to the general principle of virtual working.

10. The discussion revealed the issue had a number of aspects, but included personal circumstances in relation to use of IT, and in relation to accommodating contributions at home alongside other domestic pressures arising from the lockdown.
11. Mr Grant (PINS Digital Services) identified a range of possible IT support, including his service's availability prior to and during the event. He would also forward a number of links to PINS guidance documents. Mr Grant was also able to run technical checks on all the participants' lines as the meeting progressed (and as a similar MS Teams meeting would progress at the Inquiry) and found no technical shortcomings with any of the connections for virtual event purposes.
12. The Inspector explained how he would welcome any suggestions of accommodations which might be made within the programme to facilitate any required support/domestic pressures and possibilities for the timetable to be arranged accordingly. The other parties were also appreciative of the difficulties facing all participants, considered these could be managed through the event, and expressed concerns about the implications of a postponement.
13. The Inspector also stressed how virtual events are a new and evolving territory for everyone involved, and how flexibility and his support will be available to all participants as the event progresses.
14. The Inspector concluded that he would reflect on the discussion and will confirm the position to parties in due course but that, as matters stand, the Inquiry is currently proceeding as planned.

The meeting concluded at 12.07.

Peter Rose

INSPECTOR

8 January 2021