



**Appendix 5 – Appellant’s Case for the Inquiry Procedure (Annex K Statement)**

### **Annex K Statement**

An inquiry would be the most appropriate format for this Appeal as it would not be possible to do justice to the number of main issues and their complexity either in a hearing or by written representations alone.

In line with the Planning Inspectorate Guidance, an inquiry would be appropriate for the following reasons:

#### **1.0 Number and complexity of main issues**

- 1.1 There are likely to be three main issues at the appeal, each of which will require the preparation of technical expert evidence that will need to be the subject of cross-examination.
- 1.2 The first reason given by Harrow Council for refusing permission for the proposal related to its claimed impact on the openness of the Green Belt, alleged further harm to the Green Belt and the asserted absence of very special circumstances in the final planning balance.
- 1.3 The assessment of the impact of the proposal on openness is not straightforward in this case in view of the fire-damaged structure currently on the site. The unusual condition of the structure currently on the site is also relevant when assessing the landscape and visual effects of the proposal. The appellant proposes to instruct an expert to deal with these overlapping issues. Likewise, the appellant's case that very special circumstances can be demonstrated to justify the proposed development in the Green Belt is also complex and unusual as the appellant will submit that there is a substantial unmet need for large venue spaces in the Council's area that are suitable to host weddings and other major celebrations attended by members of the local south Asian communities. The appellant proposes to instruct specialist consultants to provide demand and supply data on this issue as part of a wider case on need on the grounds of diversity and social sustainability. A public inquiry format is required to enable the parties to do justice to these sensitive and nuanced issues.
- 1.4 The Council's second reason for refusal relates to the design of the proposed building. This reason for refusal does not align with the view set out in the officer's report, the views of the Council's Design Officer and the view of the GLA. This clear contradiction between Members' view of the design and the views expressed by specialist officers needs to be thoroughly tested at the appeal by cross-examination. In particular, the appellant has specific questions that it wants to put to the Council on the evidential basis for this reason for refusal.
- 1.5 The Council's third reason for refusal relates to transport matters. Transport planning is a highly specialist area that relies on technical surveys and data. The Council's reason for refusal raises specific concerns about congestion, over-spill parking and highway and pedestrian safety. The appellant proposes to instruct a transport specialist to respond to all these points. It is almost certain that both parties will want to cross-examine their respective transport experts at the appeal.

## **2.0 Substantial Local Interest**

2.1 A total of 662 objections were made to the planning application through three rounds of public consultation on the application proposals. The appellant anticipates that a significant number of these objectors are likely to attend the appeal event. A public inquiry would be a proportionate format in view of this substantial level of local interest.

2.2 Moreover, given the number of objectors, there is a realistic prospect of at least one Rule 6 Party seeking to become involved in the appeal. Whilst at this stage this is not known, it would be prudent to plan on the basis that there will be a Rule 6 party at the event who will be keen to participate actively. This further militates in favour of the public inquiry format.

## **3.0 Summary**

3.1 For these reasons, the appellant submits that a public inquiry is necessary to enable the inspector to deal with the likely main issues fairly and thoroughly.