**RE : FORMER STANMORE AND EDGWARE GOLF CENTRE, BROCKLEY HILL**

**APP REF : 3299650**

**CLOSING SUBMISSIONS BY THE LOCAL PLANNING AUTHORITY**

*[Witnesses are referred to in this document by their initials : NR (Nicola Rankin), NC (Nicolina Cooper), FM (Fabrizio Matillana), DB (David Bird), AG (Amy Gilham), RH (Richard Henley), AT (Adam Thornton), RHu (Robert Hughes) ]*

1. Planning legislation[[1]](#footnote-1) ensures a statutory presumption in favour of the development plan.
2. The development plan in this case comprises the London Plan 2021, the Harrow Core Strategy 2012, the Harrow Development Management Policies Local Plan 2013, and the Local Plan Policies Map.
3. This appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. In policy terms the most important material consideration is the NPPF.
4. The proposed development is plainly in conflict with the development plan. That conflict, and the presumption arising from it, is not outweighed by other material considerations.
5. There are three reasons why this scheme is not acceptable :
6. It is inappropriate development in the Green Belt which would harm the openness of the Green Belt ;
7. It would harm the character and appearance of the locality ;
8. It would have a harmful impact on the residential amenity of neighbouring occupiers, resulting from parking overspill.
9. The appellant has sought to justify the development on account of an allegation of unmet need – an unmet need for what exactly will be considered within these submissions. It is a device of an argument which, for all the determined efforts of Ms Gilham, lacks substance or merit. It is an argument which unravels swiftly under scrutiny. The appellant’s offer would not meet a need, it would instead simply increase market choice.

**Green Belt**

1. In relation to the Green Belt, the starting-point in this case must be four key matters which are beyond dispute (and which are accepted by the appellant) :
2. The site is located within Green Belt ;
3. The proposed development is inappropriate development within the meaning of the NPPF ;
4. Inappropriate development is, by definition, harmful to the Green Belt ;
5. Decision-makers should give substantial weight to any harm to the Green Belt, including definitional harm.
6. In addition to the definitional harm, which by itself carries substantial weight, the proposal would result in harm to the openness of the Green Belt, the openness and permanence of Green Belt being its essential characteristics[[2]](#footnote-2).
7. The approach to openness has been considered by the courts[[3]](#footnote-3) and the fundamental principles are now well-established. In particular :
8. The matters relevant to the assessment of openness are a matter of planning judgment ;
9. Openness is an open-textured concept ;
10. Relevant matters may include both spatial and visual considerations ;
11. Openness does not imply freedom from any form of development.
12. As a matter of fact the site includes the remnants of the former golf centre building and hardstanding, and to that extent it is correct to identify previously developed land. However, whether the proposal is compared to the previous building or to the current state of the site (which the Council say is the more appropriate comparison), there would be demonstrable harm to openness.
13. Given that the site as it now exists includes the shell only of a building, there can be no sensible argument resisting the conclusion that a solid mass of a building would be more visually and spatially prominent. However even when compared to the previous building it is not disputed by the appellant that the proposal would have a greater footprint and volume. The difference is not marginal. It is significant. The proposed footprint is 238 sq m larger, an uplift of 30% ; the volume is 1458 sq m, an uplift again of 30%.
14. In addition to the proposed building, the appellant seeks to introduce additional features within the site which would further impact on openness : the pagoda being a prominent example.
15. The appellant’s response to the greater footprint and volume is effectively to claim that this is counter-balanced by a design which is compact. That argument is not a balanced one, because it overlooks the sprawl to the north[[4]](#footnote-4) - significantly, it is in that orientation where the public views are best-appreciated, from Brockley Hill.
16. Those views from Brockley Hill represented in Viewpoints 1, 2, and 3 in the appellant’s AVRs, which indicate a particularly strong view through the access as well as further along Brockley Hill, noting that there will be seasonal variation with less leaf on the trees along the boundary during the winter than shown on the AVRs.
17. In those public views, the eastern elevation has clearly been designed to make an impact rather than to embrace discretion, hence Mr Thornton’s comment in the RTD that the eastern elevation was designed to be “celebrated”.
18. Whilst it is clear, as discussed at some length during the RTD, that the combination of the extent of glazing and artificial lighting will have a greater impact particularly at night, FM made the compelling point that the heaviest glazing is on the front (eastern) elevation which is the most prominent elevation in public viewpoints.
19. However, as NR made plain in her written evidence, in terms of visual considerations it is not just the impact on external public vantage points that matter, but also views within the site itself[[5]](#footnote-5), which would be harmed.
20. The appellant points to three further factors from which it seeks to draw support :
21. The potential removal of pylons and netting ;
22. The present influence of piles of rubbish from fly-tipping etc ;
23. The state of dereliction of the existing structure on site.
24. The pylons and netting contention should not be afforded any meaningful weight. First, because as NR explained the netting “is associated with a recreational use in the green belt and does not obstruct views across the land”[[6]](#footnote-6). Second, because the netting and pylons are outside the red line of the application site and therefore cannot be secured – warm words about intention do not take the matter very far, and it is noted that the appellant’s witness RHu fairly referred only to the “scope” for the removal and acknowledged that these were outside the appeal site[[7]](#footnote-7).
25. The fly-tipping contention is a deeply unattractive point, because first the appellant can control the access onto the site for fly-tipping, and the currently blocked access suggests that it is difficult to see how any further fly-tipping could take place. Second, because it was in the appellant’s control to remove piles of rubbish from the site, but a choice appears to have been made not to do so. The Inspector will have a note of the comment made by the local resident Mr Khandaria that “the appellant has done nothing – zero – to look after the site”. Third, the Council have a statutory power provided by s215 TCPA to require the owner / occupier of land to remedy the condition of the land where the amenity of a part of the authority’s area is adversely affected by the condition of the land. RH for the appellant accepted that this power would cover fly-tipping (and graffiti) but seemed to rely on the point that there a right of appeal provided by s217. However, of course there is a right of appeal and it is little surprise that s217(1)(a) and (c) hinge on the impact on the amenity of the area – the facts that the area is Green Belt and publically visible are bound to be relevant matters, and it should be noted that the appellant itself relies on the adverse impact of the fly-tipping as a detractor – so it is difficult to reconcile their position with a suggestion that a court might not find there to be an adverse impact of the amenity of the area.
26. The derelict structure can also be required to be removed under s215. Once again, it is significant that the appellant relies on the state of dereliction (ie its adverse impact) as a material factor in assessing the impact of the proposed development. Here RH does not accept that s215 can extend to removal of the derelict remnants of the building, but with respect to him (recognising as he did that he is not a lawyer) that is clearly incorrect on a straight-forward reading of the statutory provision. S215 is quite clearly widely-drawn such that it cannot have been the intention of Parliament to limit the scope to exclude removal of derelict structures or it would have done so. An apparent reliance by the appellant on the heading of s215 “power to require proper maintenance of land” is unconvincing (a) because there is no reason why proper maintenance of land cannot include the removal of a structure (b) because the wording of the provision itself is non-restrictive.
27. The appellant accepts[[8]](#footnote-8) that the proposal would result in spatial harm to openness – the issue between the parties is the extent of harm to openness.
28. The scheme is in conflict with policies G2, CS1 F, and DM16. Arguments advanced in writing by RH for the appellant in respect of the weight to be given to CS1 F (“no weight”[[9]](#footnote-9)) and DM16 (“limited”[[10]](#footnote-10)) were not pursued with any degree of enthusiasm by RH in oral evidence. In respect of CS1F, RH relied on the absence of reference to very special circumstances – however, this strategic policy is clearly to be read alongside the development management policy DM16 which does identify very special circumstances and therefore the approach of the local green belt policies is not inconsistent with the NPPF[[11]](#footnote-11). The suggestion by RH that the weight to DM16 should be reduced because it does not explain what is meant by very special circumstances is without any merit and can be tested by considering London Plan G2, which does not define VSC but which was clearly found by the London Plan Examining Inspectors to be consistent with the Framework. A suggestion that DM 16 was “in conflict” with G2 – in the language off s38(5) TCPA – was hastily abandoned by RH in XX. The scheme is in conflict with local and NPPF green belt policy. The appellant case does not demonstrate VSC and this is examined later in these submissions.

**Character and appearance**

1. There are plainly significant overlaps between the impact on the openness of the Green Belt and the impact on the local character and appearance of the area, as acknowledged in the procedural decision (at the joint suggestion of the parties) to join the two issues within one RTD.
2. The site context has a semi-rural character[[12]](#footnote-12), and it is significant that it falls within the Harrow Weald Ridge Area of Special Character. The supporting text[[13]](#footnote-13) to the ASC policy DM6 identifies the HWR as “a visual reminder that Harrow is an outer London borough”, identifying parts of the HWR as providing extensive tracts of open and natural land. Thus NR explained in oral evidence her view that the scheme would result in conflict with Aa, Ab, and C of DM6.
3. FM considered the impacts in public views from Brockley Hill and assisted by Viewpoints 1, 2, and 3. He noted the seasonal variation. He identified the particular prominence of the eastern elevation, and the impact of lighting. He considered the impacts of the increase in footprint and massing, as well as his judgment as to the impact of proposed materials. In the RTD he discussed the sensitivities of the users of Brockley Hill. Pedestrians were likely to be local people who have increased levels of sensitivity ; whilst noting that vehicles would be relatively slow-moving due to the proposed reduction in speed limit to 30mph.
4. FM further identified harm in terms of the more localised impact on the site itself, the range of influencing factors in the design being similar to those he identified in relation to the wider impact (in particular from Brockley Hill).

**Residential amenity**

1. Thus the scheme would conflict with London Plan D3 in particular (1) and (11), the openness of the land being its distinctive feature and a special and valued characteristic ; and with local policies CS7A and DM6. In terms of national policy, the proposal would conflict with paragraphs 126 and 130 of the NPPF, and since it is not well designed should be refused in accordance with paragraph 134.
2. There is no remaining highway safety issue in the context of the contribution now offered by the appellant towards the introduction of waiting restrictions on Brockley Hill.
3. The issue in respect of residential amenity is the impact that parking overspill would have on nearby residential roads when large events would be held at the appeal site, bearing in mind the appellant’s explicit position that events would be held accommodating up to 500 guests.
4. A starting-point is to consider the likelihood of guests travelling to events at this location by public transport.
5. That is a wholly unlikely prospect.
6. The nearest underground station is Stanmore which is 1.6km from the site, a 20 minute walk[[14]](#footnote-14). The nearest bus stop is approximately 300m from the site. In PTAL terms, the site is 1A (which in TfL terms as reflected in their 2010 PTAL publication means “very poor”[[15]](#footnote-15)) which in the tiered PTAL hierarchy is 8th out of 9.
7. Guests travelling for a wedding at this venue will not realistically use public transport, and indeed in Opening[[16]](#footnote-16) the appellant commented on the prospect of guests in formal wedding attire choosing to undertake even a 10 minute walk to nearby streets.
8. To the extent that that the appellant’s survey data assists, the former Premier Banqueting venue was in PTAL 6a (“excellent” and 2nd tier of 9), only 280m from Harrow and Wealdstone rail and underground station[[17]](#footnote-17), yet for the 500 person event relied upon by the appellant in its survey data the percentage of guests using public transport was miniscule (2%) even with a station very nearby[[18]](#footnote-18).
9. It is at least accepted by the appellant that walking and cycling are not likely travel options for guests[[19]](#footnote-19).
10. It is clear and obvious that the overwhelming choice of travel option to events at the appeal site would be by vehicle.
11. The question which arises in these circumstances is how many vehicles would be generated in particular for an event of 500 guests.
12. The appellant advances survey data from events at Premier Banqueting held in January 2020 and March/April 2022.
13. The parties do not agree as to the extent to which that survey data is reliable/helpful [[20]](#footnote-20).
14. DB accepted in XX that in considering the weight that he can give the survey data for the purposes of modal split, the Inspector is entitled to take into account a series of factors which include :
15. How many events were surveyed ;
16. The size of the events surveyed ;
17. The location of those events ;
18. The guest catchment for those events ;
19. The number of respondents to the surveys.
20. Applying those factors to the appellant’s survey data :
21. 7 events were surveyed, 2 in January 2020 and 5 in March/April 2022 ;
22. Those in January 2020 were attended by circa 65 and 500 guests respectively[[21]](#footnote-21) , those in March/April 2022 were attended by 200, 230, 200, 150, and 500 guests respectively;
23. All events were held at the Premier Banqueting location in Canning Road ;
24. The large event in January 2020 was attended by 500 guests of whom over 300 had travelled by 11 coaches[[22]](#footnote-22) (4 from Luton, 2 from Bolton, 1 from Darlington, 1 from Warrington, unclear postcodes for remaining three), many of those travelling by car had travelled from Luton postcodes. The 300 person event on 25th March was evidenced by only 10 surveys (8 cars, 2 taxis) covering only 32 people[[23]](#footnote-23) all of whom had travelled from Harrow, Greenford, Wembley, Slough, Edgware or Kenton. The 230 person event on 26 March was evidenced by only 5 surveys (4 cars, 1 taxi) covering 19-23 people all travelling reasonably locally. The 200 person event on 27th March was evidenced by 22 surveys, it is unclear how many people this data related to but it included 7 coaches all from Bradford. The 150 person event on 30 March was evidenced by only 7 surveys (4 cars , 3 taxis) covering just 25-29 people. The 500 person event on 2nd April is evidenced by just 11 surveys (9 cars, 1 coach, 1 taxi) covering just 66 people, a coach having travelled from Birmingham.
25. Only the events of January 2020 evidence the modal split for most or all of the guests. The events for March/April 2022 fail to account for around 1136 of 1350 guests, 82%. The event of March 25th data covers around 11% of guests, 26 March around 10%, 30 March around 20%, 2nd April around 13%. A common sense conclusion is that the response rate for the March/April events was very low.
26. Thus of the events which are comparable in terms of numbers to a potential 500 person event at the appeal site, only the events of 17th January 2020 and 2nd April compare. However, for the 2nd April the response rate was very low indeed. This leaves a single event, on 17th January 2020. However, it is clear from the data for that event that there was a very high element of coach travel (11 coaches) because of the number of guests travelling from the North of England and clearly a very large contingent from Luton. There simply cannot be a safe inference drawn that the catchment of guests travelling to that event should be treated as representative – there is no evidence to that effect. There can be no sound inference drawn as to the element of coach travel for a 500 person event (indeed it is noted that in the appellant’s discussions with Haberdashers School provision for only 4 coaches appears to have been mentioned), since it is not clear to what extent the catchment information is typical or untypical.
27. There is therefore no persuasive evidence before the Inquiry as to modal split between coach, private car, and taxi. The appellant’s surveys in this respect should be given little weight as per the position expressed by NC.
28. For the purposes of the Inquiry, the Council have accepted that a car occupancy of 3.25 is reasonable[[24]](#footnote-24).
29. At that rate, 500 guests travelling by car would generate 154 cars[[25]](#footnote-25).
30. Even if there were 4 coaches at an occupancy of 25 per coach[[26]](#footnote-26), that would result in 400 guests travelling in 124 cars.
31. For reasons set out above, there is little weighty evidence of taxi travel, but even relying on the 17th January event, 12 taxis transporting 53 people would reduce the number of private cars by 16. For a 500 person event without coach parties, that would still amount to 138 guest cars.
32. To these cars have to be added cars for staff and other assistants. The appellant suggested that a 500 person event would result in around 30 staff comprising managers, chefs and waiters[[27]](#footnote-27). The Council did not challenge that these staff members would require 5 car parking spaces, noting the various measures the appellant had indicated to assist staff travel. However, it became clear having been raised by the Inspector that this approach failed to account for wedding photographers and videographers, hair and make-up assistants. If the Inspector takes the view that around a further 5 spaces (DB did not accept as many as this) should be anticipated for this, then an additional 10 spaces would be required in addition to guest spaces. For a 500 person event without taxis or coaches that indicates a requirement for 163 spaces ; for a 500 person event with 4 coaches (parked off-site), 133 spaces ; for a 500 person event with 53 traveling by taxi and none by coach, 147 spaces.
33. On the appellant’s approach there would in addition be a number of valet parking attendants on site for large events. A prospective valet parking partner indicates that they would provide transport for the parking staff[[28]](#footnote-28) but there is no information provided as to where that transport would park. However, the letter from the valet company, which is based in Stanstead Abbotts, refers to the enquiry as relating to a “West London venue” – there is even less clarity therefore as to whether or not they would be able to transport staff to and from the appeal site.
34. It should be noted that this approach assumes that any coaches would not park on site. If they did, each coach would take up 10 parking bays[[29]](#footnote-29). However, there is no evidence of any agreement for coaches to be parked off-site, and no means by which to control where coach-drivers would choose to park.
35. Against this information has to be considered the number of spaces that would be available for parking on-site. Originally, the appellant had proposed 84 spaces (78 guests, 6 staff). This was then increased to 109 spaces (104 guests, 5 staff)[[30]](#footnote-30) without double-parking.
36. Therefore, without valet parking or an off-site facility, there would be an overspill for a 500 person event of 54 cars assuming no coaches or taxis ; without coaches but with 53 people travelling by taxi, an overspill of 38 cars ; with 4 coaches parked off-site, an overspill of 24 cars. Even with 53 people traveling by taxi and 4 coaches parked off-site, there would still not be enough spaces on site without valet parking.
37. With valet parking, the appellant indicates a further 20 cars could be parked on-site through double-parking. In a no-coach scenario, that would still leave a significant overspill.
38. As to the effectiveness of a valet parking strategy, there is no evidence provided to the Inquiry of the likely take-up for such a service. NC explained in EiC why in her view this was not an option which would have universal appeal. Above all, not everyone would be comfortable in handing their car over, and not everyone wants the inconvenience (the ‘hassle factor’, as it was described in XX of DB) of waiting for their car to be returned (or, as the appellant suggested, having to give advance notice of when they would want to leave). However, in the exchanges with DB during his EiC, anyone for whom valet parking would not be appealing was unfairly dismissed as “the awkward squad” – the Inspector may think that the reservations described might be perfectly normal and understandable.
39. The appellant has indicated a proposed use of an online parking booking system. However :
40. NC in response to a question from the Inspector doubted its effectiveness where spaces are unmarked ;
41. DB confirmed to the Inspector that those who did not use the system but still turned up in their cars would still be permitted to park on site – this does not sound like a straight-forward process to say the least.
42. The appellant has sought to argue that if there was overspill parking there is a realistic prospect of securing an off-site location. The hard reality is that in the extensive period of time since the appellant entered into pre-application discussions, or even since the application was submitted, they still have not been able to identify a suitable location where there is any prospect if a secured facility beyond a few warm words. Elstree Manor Hotel, which the Council did not accept was a suitable option[[31]](#footnote-31), fell by the wayside. This was then superceded by a claim trumpeted by DB[[32]](#footnote-32) that “correspondence with Haberdashers School demonstrates their willingness to provide overspill parking”. That was based on an in principle position set out in an email from a school representative dated 9th September 2022[[33]](#footnote-33), although that was clearly at a very early stage because it was subject to commercial exploration. However, a further email from the same school representative (10th October 2022) to NR at the Council made very clear how many obstacles remained to the school’s agreement :
43. The proposed arrangement was not currently a commercial priority for the school ;
44. Residents at the site was a matter to be considered ;
45. A lease arrangement with the Haberdashers Hall was a further consideration ;
46. Any agreement would then remain subject to the school’s governing structure.
47. In short, it is clear that the appellant has not presented evidence of more than early-stage discussions with a third party provider. That plainly falls short of enabling the Inspector to be satisfied that overspill can be accommodated at a suitable off-site location, and that an Event Management Plan can overcome the issue. As to a Travel Plan, NC expressed the view that in the circumstances of this case it would have only limited impact in practice.
48. Overspill cars would not be able to park on Brockley Hill because of the proposed introduction of waiting restrictions.
49. It is clear therefore that they would look to park in the nearby residential streets (to the south of the site). As the resident Julian Ambers put it, local suburban roads would be turned into a car park.
50. The Council’s parking surveys provide an indication of where suitable on-street parking is available, and it is clear that the closest street to the appeal site where suitable on-street parking may be available is Grantham Close, with Brockley Avenue and Julius Caesar way also providing nearby alternatives. In Grantham Close, the unchallenged Council evidence is that the surveys indicate a Saturday night availability of just 8 on-street spaces ; Sunday night is lower still based on the survey data. There is better availability on Brockley Avenue.
51. These roads are only a short walk from the site. NC estimated for example that Grantham Close is only around 380m from the site, and Mr Rupen Shaj a resident of Brockley Avenue told the Inquiry that his road was only a 5 minute walk from the site.
52. NR was clear that it would not take a large number of vehicles parked in these roads to adversely affect amenity. That is because of the existing character of the roads : they are quiet cul-de-sacs. The existing nature of the roads makes them sensitive to an increase in comings and goings. NR described these impacts as the noise of groups of guests arriving and returning to their cars (noting the evidence of an occupancy rate of 3.25 people per car, meaning significant numbers of people even from a small number of cars), doors shutting, cars manoeuvring. The issue is plainly exacerbated because as she described, groups would be arriving and leaving at similar times, and often leaving late at night. Furthermore, the very limited number of nearby residential roads where suitable parking is available would concentrate the overspill into a very limited number of roads. The appellant’s suggestion put in XX to NR that these groups would be talking quietly is divorced from the real world, and not surprisingly she did not accept that suggestion. Even more puzzling was the point put to NR in XX that there is no policy which specifically refers to conversations taking place late at night. Of course there isn’t, as she said, because disturbance is a matter encapsulated within amenity policy.
53. The appellant treated as if it were a trump card that part of London Plan T6 which says that “an absence of on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets”. However, the appellant’s reliance on this was misplaced, as addressed by NR in her oral evidence. First, because some of the relevant roads are in Barnet and Harrow are not in a position to introduce parking controls in Barnet roads. Second, because such controls would have to be the subject of a (unpredictable) consultation process in the usual way. Third, and perhaps most importantly, the relevant limb of T6 relates to “safe and efficient use”, it does not relate to amenity issues (as confirmed by NR in response to a question from the Inspector).
54. It is likely therefore that large events would result in parking overspill into a small number of quiet residential streets close to the appeal site. That overspill is likely to have a detrimental impact on the amenity of the residents of those streets. The proposal would therefore result in conflict with Policy DM1.

**Need, or market choice**

1. It is important to attempt to understand the nature of the unmet need which the appellant is seeking to establish :
2. The original needs assessment submitted at the application stage[[34]](#footnote-34) concluded[[35]](#footnote-35) that “There are no comparable venues in London Borough of Harrow. The recent closure of both Premier Banqueting and VIP Lounge means that there is no suitable provision for couples to host Asian and ethnic weddings in the borough”.
3. In its SoC the appellant stated[[36]](#footnote-36) “There is therefore a substantial and pressing need for a large facility in Harrow to host weddings and other celebrations for these local ethnic communities as there is now no directly comparable alternative facility in Harrow”.
4. In its Opening the appellant referred[[37]](#footnote-37) to “the substantial need of the Borough’s South Asian communities to have a specialist, affordable and self-contained banqueting venue for weddings within the Borough”.
5. In evidence, the way in which the matter was pressed by the appellant through the evidence of its own witness AG and the XX of NR was that what was needed was a so-called “one-stop shop”, accompanied by the repeated contention that there was no “fully comparable” offer elsewhere in the Borough.
6. In the appellant’s Additional Venue Note[[38]](#footnote-38), it was described as “unmet need for a dedicated one-stop shop banqueting venue able to meet the needs of South Asian and other ethnic communities in the London Borough of Harrow”.
7. It is frankly not easy to decipher against this background what precisely the appellant is inviting the Inspector to consider as being a need which is unmet, but a need for a one-stop shop for large Asian (or ethnic) weddings appears to be their position.
8. The fundamental flaw in the appellant’s case is conflating what the appellant considers to be a commercial gap in the market in Harrow with an unmet need. That conflation has resulted in what is quite obviously a blinkered approach to the matter.
9. It is of course correct that there is a very significant South Asian community in Harrow. However, there is also a very significant provision of venues for South Asian weddings.
10. It is important to note, as an analytical starting-point, that the appellant’s identification of alternative venues (in Harrow and the sub-regional area)[[39]](#footnote-39) was confined to venues able to accommodate a minimum of 300 guests. It is therefore no part of the appellant’s case that there is an inadequate provision of venues which can accommodate up to 300 guests. Indeed there plainly are such venues available, and examples are given in the written evidence relating to Additional Alternative Venues, such as Victoria Hall and Masefield Suite in Harrow[[40]](#footnote-40), and within the appellant’s sub-area Kenton Hall and the Mercure Watford. It is significant to note the number of guests who attended the 7 specific events surveyed at PB’s Canning Road site for the purposes of parking overspill evidence : 65, 500, 300, 230, 200, 150, and 500. Thus only 3 of those events were attended by 300 guests or more, with an average attendance of 277. More thoroughly, within the Transport Assessment appendices is an Events Schedule for the PB Canning Road Site for the whole of 2019, a relevant year since it was the last full year of business before the pandemic struck. This sets out in detail that there were 185 events hosted at the venue that year. In terms of guest numbers, the smallest was 110 and the largest 500. What is particularly notable, however, is that of the 185 events hosted that year, only 59% were for 300 or more guests[[41]](#footnote-41). From this information it can be inferred that there is a significant demand for sub-300 weddings and it is not suggested by the appellant that there is inadequate provision for these either in the borough or the notional sub-region. Whilst it is stating the obvious, had a similar exercise been carried out at a sub-300 venue, 100% of its events would have been attended by less than 300 guests.
11. The 2019 data is of further interest because of the 185 events listed, there were 24 days when 2 events were held. Since the appellant has said[[42]](#footnote-42) that “On those days when Premier Banqueting hosted more than one event, these were typically held by the same host or family members”, it can be concluded that a maximum of 161 families hosted events at the venue in 2019. The Needs Assessment states that[[43]](#footnote-43) “approximately one third of customers hosting events at Premier Banqueting between 2017-2020 originated from the local authority of Harrow”. Applying this information would mean that in 2019 PB was chosen as a venue by a maximum of around 54 families in Harrow. In reality, it was probably less than this, since a number of events over different days are likely to have been hosted by the same family based on AG’s specific market requirement[[44]](#footnote-44) for duration because “celebrations may span a number of events across different days”. Even taking that figure of 54, since over 40% of events were sub-300, this would mean around 32 Harrow-based families hosting 300+ events at PB.
12. Furthermore, it seems clear that in that full operational year of 2019 PB was operating below capacity. It Is known from the 2019 data in the TA that PB hosted events on 42 Saturdays (80% of total number of Saturdays), 29 Sundays (55%), and 94 weekdays (36%). These figures assume a capacity of one event per day. The appellant responds to this in two ways.
13. First, AG in oral evidence made a point about turnaround time but the 2019 schedule[[45]](#footnote-45) evidences many times when events took place on consecutive days, and in August events were held on 25 separate days. GL put to NR in XX “can you point to a single venue in the UK where weddings are held every day ?”, but this was not a helpful question since (as she confirmed in Re-Ex) she was obviously not researching the whole of the UK. If the appellant’s response to this was to be that events on consecutive days would have been within the same family, that that would significantly dampen further the number of Harrow families who were hosting events at PB.
14. Second, AG (particularly in her rebuttal proof) points to dates which are regarded as ominous in the Muslim faith or auspicious in the Hindu faith. It is relevant to note that non-auspicious dates are not regarded as ‘blackout’ days, as NR confirmed in evidence having read the sources identified by AG[[46]](#footnote-46), whilst as AG noted[[47]](#footnote-47) a Muslim couple is allowed to get married at all times. However based on AG’s table of ominous and auspicious dates over a 12 month period 2022-23, even if non-auspicious dates and ominous dates were treated as blackouts altogether and removed from the calculation of capacity, in 2019 PB would have been operating under-capacity for Sundays and weekdays as NR set out in her oral evidence. As to auspicious dates, assistance can be drawn from the Shree Swaminarayan Temple response to the Council’s questionairre[[48]](#footnote-48) : “It is believed by some that auspicious days in the India calender mark the days on which people can get married. This is not true as these days are regarded as days that are lucky for getting married to increase the odds of a happy successful marriage. These days are not there to stop people from getting married on other days”. This merely confirmed what NR had explained in her oral evidence to be her understanding. On that basis, and again as NR set out in EiC, if non-auspicious days are not treated as blackouts (but still treating ominous dates as blackouts) then in 2019 PB were operating (based on a capacity of 1 event per day) at 81% capacity on Saturdays, 56% capacity on Sundays, and 36% capacity on weekdays.
15. The appellant claims that many families who wish to get married in Harrow are unable to do so. That is based on a survey carried out of “300 contacts who made enquiries to host their event at Premier Banqueting but ultimately held their event elsewhere”[[49]](#footnote-49). However, that survey and the conclusions which can be drawn from it should be treated with a high degree of caution and the following observations are made :
16. The number of survey respondents was only 112 ;
17. All respondents had presumably been families for whom PB was an attractive option (at least in their initial sift) for what may have been any number of reasons, it is a leap to treat these respondents as representative of the South Asian market overall including for instance these for whom PB would not have been an appealing option from the outset ;
18. If one applies the information that one-third of those hosting at PB were Harrow-based, then around 37 of the respondents would have been Harrow-based (this appears consistent with Map 1 in the Needs Assessment) ;
19. 42 of the 112 respondents held their wedding in the Midlands or the North. As NR said in EiC, this indicates a close family connection to those areas. It would simply not be credible to suggest that those families had no option other than to marry in Midlands or the North ;
20. An enquiry that did not result in a booking does not mean that was because of no availability (as NR said in Re-ex) ;
21. Most of those respondents who did not marry in Midlands or the North were married in or near to Harrow[[50]](#footnote-50) (Barnet, Ealing, Hounslow, Watford, Luton) ;
22. The appellant appears to have made no attempt to gather information from any other source other than those whose starting-position was an interest in PB.
23. The appellant identifies 5 ‘requirements’[[51]](#footnote-51) of the South Asian market which it applied to its identification of alternative venues. These are scale, duration, customs (including a stage and mandap), religion (including gender segregation where required), and catering. In respect of the mandap, the comment of the Shree Swaminarayan Temple[[52]](#footnote-52) should be noted that there is no requirement for a mandap to be on a stage. As for the catering requirement, there are two very important points to note :
24. There is simply no evidence that ‘dry hire’ is regarded as an unacceptable or inferior option by the South Asian community ;
25. PB’s proposed catering option would exclude a significant part of the Hindu community who would be unable to use a venue which serves meat and alcohol ;and some of the Muslim community who would not enter a venue which serves alcohol or non halal meat[[53]](#footnote-53), indeed the Shree Swaminarayan Temple explain that many of their clients “would not even set foot on premises that serve meat and alcohol”[[54]](#footnote-54).
26. There is a very considerable volume of evidence in this appeal relating to specific venues, and these submissions do not repeat all of that material. However, it may be helpful to identify the credentials and offering of a number of venues identified in three areas, confined to those venues which can accommodate 300 guests or more :
27. The London Borough of Harrow ;
28. The sub-region identified by the appellant (Harrow, Brent, Barnet, Watford, Hertsmere);
29. The wider sub-region identified by the Council.
30. The sources for the information set out below are (except where otherwise indicated) NR’s proof (and appendices), rebuttal, and the Council’s Alternative Venues Note, AG’s proof and appendices and rebuttal and the Appellant’s Additional Alternative Venue Note
31. Harrow venues for more than 300 guests :
32. Kadwa Patidar Centre : its website[[55]](#footnote-55) describes it as “a luxurious wedding and events venue” and includes Asian wedding imagery. Guest capacity 750. Dry hire. In response to the Council’s August questionnaire, it hosts Asian/ethnic weddings which account for most of their functions, demand is very high and in next 12 months most weekends booked with weekday availability. Height for mandap[[56]](#footnote-56), accommodates gender segregation.
33. Byron Hall, Harrow Leisure Centre : capacity for 1800 or 800 dining. Caters for all cultures and communities. No barriers. Good availability. Oral evidence from NR that separate entrance. Website imagery of Asian weddings[[57]](#footnote-57). Height for mandap. In-house and outside catering options. Can accommodate gender segregation. Suggestion by appellant in xx of NR that leisure centre food sub-standard has no evidential basis and in any event different options are available.
34. Dhamecha Lohana Centre : capacity for 400. Height for mandap. Not restricted to dry hire. Appellant suggests an unclear response over telephone re gender segregation.
35. Shree Swaminaryan Temple : main hall capacity 500 with external marquee as additional option. Offer fully inclusive option or guest own sourcing. Weekend and weekday availability. Enables families to hold event at place of worship. Mandaps provided. In-house or external catering options. Images on website of Asian events[[58]](#footnote-58). Gender segregation available[[59]](#footnote-59).
36. Husseini Islamic Centre : capacity up to 1200. Mandaps can be accommodated. Gender segregation as a holy site. In-house catering or external but must be halal. Membership required to hold wedding. Unclear whether, when or to what extent relocating to Hillingdon in future.
37. Harrow Central Mosque : capacity for 300+. Space for mandaps and can accommodate gender segregation. External catering permitted . Halal, no alcohol. Well known for hosting weddings.
38. Blue Room : can accommodate 500-600 and gender segregation, and smaller mandaps. Catering flexibility. Available for weddings although more often used for other events.
39. Sangam association of Asian Women : capacity for 300, website refers to “an ideal venue for all occasions including engagement, marriages” and shows Asian imagery including mandaps. Open to all faiths. Vegetarian and no alcohol.
40. Shrinathdam National Haveli Centre : open to all faiths. Vegetarian and no alcohol. 300 seated guests in Vaishnav Hall. Mostly caters for engagements and weddings. Can accommodate mandaps and gender segregation. On-site catering. Good availability.
41. The Hive : Regularly hosts Asian/ethnic weddings. Capacity up to 1000. Website for Amber Suite includes Asian wedding imagery including mandaps and describes itself as “London’s Premier Venue for Celebrations, Banquets, and Events” and describes its ability to “handle all aspects of planning the ceremony and the reception”. Asian wedding market forms approximately 70% of their banqueting business. Typically holds Asian weddings on Fridays and Saturdays. Amber Suite dedicated to banqueting, with separate entrance. Even on Saturday match days (approximately 20 per year) these finish by 6pm and allow banqueting events to take place afterwards. Council having been given a detailed tour of the site do not accept corridor conflict alleged by AG. AG points to external photography opportunities : (i) Council do not accept these are inadequate (ii) Canons Park is a 2 minute walk away (iii) NR clear in EiC that previous PB site did not have attractive external photography options, with road to front and service area to rear. The suggestion in XX to NR that the name ‘The Hive’ is indicative of a range of uses coming together failed to understand that the long-established nickname of Barnet Football Club who play within the complex is ‘The Bees’ (NR Re-ex). that Good availability over next 12 months. It is notable that Cavendish Banqueting, in response to the Council’s August questionnaire, described their demand as having been dampened by The Hive (and another venue). That was consistent with the oral evidence given by the local resident (of 24 years) Mr Khandaria that “The Hive is frequently used by the South Asian community”. Measured against AG’s requirements list[[60]](#footnote-60) this venue meets all of them. No doubt that is why new requirements appear to have been introduced out-of-the-blue such as the quality of external photographic opportunities, a point which was not only scraping the barrel but which was not a fair point bearing in mind this had not been considered for any other venue (including PB’s Canning Road site). AG’s conclusion that The Hive is “not a reasonable alternative venue”[[61]](#footnote-61) is not a balanced position, and it is staggering that the venue did not even make it onto the appellant’s green/amber/red list of venues in their Needs Assessment.
42. Harrow School : website includes a specific page for Asian weddings, and states “Here at Harrow School Enterprises, the events team understand what is involved in planning an Asian wedding”, and includes Asian wedding testimonials. Events Manager confirmed regularly host Asian weddings including mandaps. Events Manager confirmed capacity for 300+ seated reception from 2024, and in spite of doubt cast on this by appellant, AG confirmed in XX that Events Manager is best-placed to know this.
43. Canons Park School : 450 capacity and able to, and do, host Asian weddings without barriers. Availability within next 12 months.
44. Note : The Salaam Centre is addressed within the Additional Venues Note : it is likely to accommodate more than 300 guests but is not yet open for business and is not expected to complete until early 2024.
45. Appellant’s sub-region for more than 300 guests :
46. Drum at Wembley : capacity up to 450 for seated meal, height for mandap and can accommodate gender segregation, dry hire with onsite kitchen.
47. Cavendish Banqueting Suite : 400 capacity, height for mandap, can accommodate gender segregation, specialises in Asian weddings, website describes it as “widely recognised as one of the most service orientated and professional wedding venues in London”, no barriers, demand negatively affected by The Hive, good availability.
48. Sattavis Patidar Centre : google imagery shows Asian weddings including mandap, capacity circa 500, height for mandap and can accommodate gender segregation, dry hire and halal kitchen.
49. Ariana Banqueting Hall : capacity 800, height for mandap and can accommodate gender segregation, in-house catering and décor or hirers can use own suppliers.
50. Clay Oven Banqueting Suites : website includes a specific page for Asian weddings, and describes “luxurious ambience”, 500 capacity, height for mandap and accommodates gender segregation, no barriers, on-site catering, plenty of availability.
51. Oakington Manor Primary School : confirm in response to Council’s August questionnaire that host South Asian weddings, with two halls capacities of 450 or 600 seated, in demand but with vacancies. Can accommodate mandap[[62]](#footnote-62) and gender segregation, dry hire.
52. New Hertford Suite at Watford Hilton : capacity 350. Height for mandap. Gender segregation by partioning room. Variety of catering options.
53. Village Hotel Watford : capacity 300, height for mandap, catering options but not halal kitchen, can accommodate gender segregation by partioning.
54. The Manor Elstree : capacity 450, catering options, appellant indicates insufficient height for staging.
55. Langley Banqueting : capacity 1000. Accomodates mandaps and gender segregation. Website describes “Indian weddings are our speciality”. Catering options available.
56. Watford Colosseum : closed and due to reopen 2023.
57. Bushey Country Club : capacity 850, Asian/ethnic weddings comprises 70% of their wedding business, no barriers, good availability, taking bookings to 2027. Website has Asian wedding page and says “If you are seeking a Hindu, Sikh, Muslim, Gujarati wedding, reception or a civil ceremony on one day we can fully adapt to your requirements”.
58. Bhaktivada Manor : Review describes it as “perfect setting for an Indian wedding”, capacity 300+. Height for mandap, no alcohol or meat permitted.
59. Allum Manor Hall : 470 capacity with height for mandap, dry hire, no segregation.
60. Grand Ballroom at Wembley Hilton : capacity 550, height for mandap, gender segregation through partitioning, on-site catering.
61. StoneX Stadium : website features Asian wedding imagery and describes itself as “the location of choice for weddings of many denominations and cultures”, 700 seated capacity in Stonex Suite, catering options[[63]](#footnote-63).
62. Wembley Stadium : variety of capacities up to 2000, dedicated wedding page on website.
63. Bushey Arena : 300 seated capacity, can accommodate mandap in Great Hall and gender segregation, dry hire.
64. The Grove : 430 seated capacity, can accommodate mandaps, hotel works with external Asian caterer. This venue has been effectively dismissed by the appellant on the basis that is “high end” and “only a small proportion of families from South Asian communities would be able to afford a wedding at this venue”[[64]](#footnote-64). However, even it is a high-end option that is not a good reason for excluding it from the range of provision appropriate. The appellant has misused[[65]](#footnote-65) the comments of members of the public when they spoke of the affordability for instance of school venues : at no stage was it suggested that only inexpensive options should be regarded as relevant.
65. The Penridge Suite : capacity 300 seated[[66]](#footnote-66), can accommodate mandaps and gender segregation, catering in-house or sources by guests, 50% vacancy over next 12 months for weekend dates
66. The Council have explained in evidence their view that the sub-regional area has been artificially narrowly drawn by the appellant. This can be illustrated using the appellant’s own data contained in their Needs Assessment and arising from their 112-respondent survey. Notwithstanding the limitations of this survey as outlined earlier in these submissions, Map 1 identifies the locations of enquiring couples/families from which it is clear that clusters can be identified in boroughs including Ealing, Hounslow, Hillingdon, and Slough. Map 9 shows the location of venues chosen by these couples/families which also indicates clusters around Ealing and Hounslow (and, slightly further afield, Luton). Examples included in the evidence of venues from the wider sub-region for more than 300 guests are (although for the purposes of these submissions the site-specific information is not set out it can found in NR’s Appendix 6 and the Council’s Additional Venue Note) :
67. Stockley Marquee, Hillingdon
68. North Mymms Park, Hertfordshire
69. Radisson Blue, Hillingdon
70. Silverdine Banqueting, Hounslow
71. VUK Banqueting, Ealing
72. Saffron D’Or, Ealing
73. Navnat Centre, Hayes
74. Oshwal Centre, Hertfordshire.
75. With the reminder that the analysis set out above only addresses 300+ seated capacity venues, it is clear that there is a very considerable range of wedding venues in both Harrow and the notional regional sub-area. The venues set out above include 12 in Harrow, and a further 20 in the appellant’s sub-area. It is notable that of these 32 venues spread across 5 London boroughs, 38% of them are in Harrow. It is startling that of these 12 venues, only 3 appeared in the red/amber/green schedule in the appellant’s Needs Assessment. It is also clear that there is a significant variety in the offerings, from dedicated wedding venues to holy sites to hotels to schools to leisure centres. The appellant’s claim[[67]](#footnote-67) that “If most couples searching for a venue for a Western wedding in the UK would not have to resort to a leisure centre or a school hall for their special day, it is neither fair nor sustainable […]” was ill-judged on a number of levels : (1) there can be no realistic suggestion on the evidence that most couples in the South Asian community in Harrow are getting married in school halls and leisure centres (2) it is simplistic and unsupported in evidence to regard these types of venues as inappropriate (3) as members of the public in particular Mr Khandaria explained, the existence of less expensive options in the market is important to those with more limited resources : “for several decades school halls have provided affordable venues for weddings for the South Asian community” (4) there is no evidence that ‘Western’ couples are not also users of school halls or leisure centres for weddings (5) the evidence is clear that a wide range of types of venues are available for the South Asian community. Simply-put, it is a false narrative that the South Asian community in Harrow are effectively being ‘forced’ into holding wedding receptions at venues which would not be acceptable for a ‘western’ wedding. Every single one of the venues identified in Harrow specifically identifies the Asian wedding market. And strikingly, not only is there not an iota of evidence that these venues are struggling to cope with demand, but where evidence of operational capacity / saturation levels are available it invariably indicates spare capacity as things stand over the next 12 months. As set out earlier in these submissions, based on PB’s 2019 data, a maximum of 54 families in Harrow who might have chosen to marry at PB (there is no data made available to quantify the VIP Lounge market, and the suggestion put in XX to NR that VIP Lounge was “the other dominant player” in the market is not supported in evidence) would as a result of its closure be left without that venue available, but it would be fanciful based on the evidence to suggest that a good range of venues would not be available. As set out above, close analysis suggests around 32 Harrow families would be looking for a different venue which can accommodate 300+ guests.
76. The appellant has manufactured a position where it says capacity at other venues does not matter because the offering is different. In particular, the appellant claims to be a “one-stop shop”. The analysis above however demonstrates not only how much is offered by individual venues (in terms of capacity, catering options, ability to accommodate mandaps and gender segregation where required – as well as clear know-how of Asian wedding requirements), but what a wide range of offerings exists. For all the appellant claims that their so-called “one-stop shop” meets a need, there is not even a shred of evidence that the South Asia community consider that to be a requirement or even a desire.
77. There is no plausible case of need.
78. This case is in reality about increasing market choice.
79. Before leaving the question of market choice, the appellant claims it would provide affordability in the market. However, not only has no evidence been provided of its business model to demonstrate this, but no comparative analysis has been undertaken to demonstrate where it would sit in terms of pricing against other operators in the market.

**Public Sector Equality Duty**

1. There is therefore no basis to the appellant’s claim that a refusal of planning permission would fail to have due regard to the Public Sector Equality Duty as set out in s149 Equality Act 2010. The following is noted :
2. The appellant criticised NR in XX for including in her Proof of Evidence only a single paragraph[[68]](#footnote-68) in relation to the PSED. However, that was an unfair point to take because (as she confirmed in Re-Ex) the substantial volume of evidence she has provided addressing the appellant’s needs case is the evidential basis to the conclusion she drew in respect of the PSED ;
3. As to equality of opportunity, even if the appellant succeeded in establishing that there is a need for the so-called “one-stop shop” that PB would provide, there is not a shred of evidence that couples searching for a “Western wedding” ( as the appellant has put it) would have a superior choice in Harrow or that they would have access to the type of “one-stop shop” which the appellant claims is needed ;
4. The appellant claims that the impact of the closure of PB on associated infrastructure (eg suppliers) disproportionately affects the South Asian community. However, that argument does not bear scrutiny because it fails to recognise that if the result of the closure of one player in the market is – logically – likely to mean increased business for other players in the South Asian wedding market, then there is no disproportionate impact looked at overall ;
5. The Inspector has invited comment as to whether or not the PSED should be considered solely in terms of provision within Harrow or whether provision in other boroughs (such as the sub-region drawn by the appellant) should be taken into account when considering the residents in Harrow. Given the evidence of those in South Asian communities outside Harrow using the wedding venues within Harrow, the Inspector may think he is entitled to consider the venues outside the borough which are reasonably available to Harrow residents, a matter implicitly recognised by the appellant in assessing need on the basis of a regional sub-market, and explicitly in AG’s proof[[69]](#footnote-69) under the heading ‘Public Sector Equality Duty’ where she referred to whether there was sufficient provision within the sub-regional market area. But in any event there is clear evidence of spare capacity at venues within Harrow. That is consistent with the evidence given by NR in response to a question from the Inspector in which she referred to a ‘holistic’ approach.

**Even if …**

1. Even if the appellant was successful in establishing a need case, that does not justify a permission for any scale of building in the Green Belt. In this case, the proposed building incudes more toilets and a bigger kitchen than the previous PB venue (even though that had a capacity of 850 guests), and a series of ancillary rooms (predominantly upstairs) including a room to taste proposed menus. Thus the scale of the building proposed would not in any event be justified by a needs case.

**Benefits and balances**

1. These submission now turn to the various benefits of the scheme :
2. The Council do not accept a need case but do acknowledge that increasing the choice in the market is a benefit of moderate weight (RH agreed in XX that if the Inspector concluded that this was about market choice rather than need, that would be a less weighty consideration) ;
3. The Council say moderate weight should be given to economic benefits, noting that other venues and suppliers may suffer economic downturn from a new entrant in the market. Business rates should not be treated as part of the economic benefits because they fund the services to be provided to a business ;
4. Biodiversity benefits are acknowledged but should attract limited weight (RH accepted in XX that the incoming legislation requires a 10% BNG as a minimum.
5. NR accepted in oral evidence that the existing condition of the land should be given some weight but limited weight.
6. This is not one of those cases which might be described as finely-balanced. The substantial weight to be given to inappropriate development in the Green Belt, alongside other harms (to openness, to the character and appearance of the area, to the residential amenity of neighbouring occupiers) is clearly not outweighed by other considerations. There are therefore no very special circumstances.
7. The proposal is in conflict with the development plan. There is no basis upon which to set aside the presumption in favour of the development plan.
8. This proposal should be refused.

Ed Grant 4th November 2022

Cornerstone Barristers

2-3 Gray’s Inn Square

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1. S38(6) PCPA and s70(2) TCPA [↑](#footnote-ref-1)
2. NPPF para 137 [↑](#footnote-ref-2)
3. See R (on the application of Samuel Smith Old Brewery and others v North Yorkshire County Council [2020] UKSC 3 ; Turner v SSCLG [2016] EWCA Civ 466 [↑](#footnote-ref-3)
4. Nicola Rankin Proof 6.22 [↑](#footnote-ref-4)
5. Nicola Rankin proof at 6.43 [↑](#footnote-ref-5)
6. Nicola Rankin proof at 6.46 [↑](#footnote-ref-6)
7. Robert Hughes proof at 3.27 [↑](#footnote-ref-7)
8. In RTD [↑](#footnote-ref-8)
9. Henley Proof at 3.9 [↑](#footnote-ref-9)
10. Henley proof at 3.10 [↑](#footnote-ref-10)
11. Applying the approach in NPPF para 219 [↑](#footnote-ref-11)
12. Matillana Proof at 6.3 [↑](#footnote-ref-12)
13. At 2.35 [↑](#footnote-ref-13)
14. Transport SOCG para 2.6 [↑](#footnote-ref-14)
15. Confirmed by DB in XX [↑](#footnote-ref-15)
16. Appellant Opening para 23 [↑](#footnote-ref-16)
17. Transport SOCG para 2.8 [↑](#footnote-ref-17)
18. DB Proof at 5.14 [↑](#footnote-ref-18)
19. Transport SOCG para 2.3 [↑](#footnote-ref-19)
20. Transport SOCG para 4.3 [↑](#footnote-ref-20)
21. DB Proof at 5.12 [↑](#footnote-ref-21)
22. Transport Assessment App J [↑](#footnote-ref-22)
23. With a lack of clarity as to whether this might extend to 40 if the guests who were drivers had not counted themselves [↑](#footnote-ref-23)
24. Transport SOCG 4.3 [↑](#footnote-ref-24)
25. 500 divided by 3.25 [↑](#footnote-ref-25)
26. DB Proof 5.25 [↑](#footnote-ref-26)
27. Transport Assessment at 4.21 [↑](#footnote-ref-27)
28. DB App F [↑](#footnote-ref-28)
29. Transport Assessment at 4.27 [↑](#footnote-ref-29)
30. DB Rebuttal App A [↑](#footnote-ref-30)
31. NC Proof at 9.5 [↑](#footnote-ref-31)
32. DB Rebuttal para 16 [↑](#footnote-ref-32)
33. DB Rebuttal App B [↑](#footnote-ref-33)
34. Gilham App 4 [↑](#footnote-ref-34)
35. Para 8 [↑](#footnote-ref-35)
36. Para 6.8 [↑](#footnote-ref-36)
37. Para 24 [↑](#footnote-ref-37)
38. Para 7 [↑](#footnote-ref-38)
39. Needs Assessment App A [↑](#footnote-ref-39)
40. Although rooms can be combined to increase capacity to 329 [↑](#footnote-ref-40)
41. January 5 events for 300 or more out of 11 ; February 7/12 ; March 4/8 ; April 11/18 ; May 4/11 ; June 12/18 ; July 13/25 ; August 21/28 ; September 6/9 ; October 9/16 ; November 11/16 ; December 7/13 [↑](#footnote-ref-41)
42. AG Rebuttal 2.3 and 2.4 [↑](#footnote-ref-42)
43. At para 16 [↑](#footnote-ref-43)
44. AG Proof at 4.5 [↑](#footnote-ref-44)
45. TA App H [↑](#footnote-ref-45)
46. AG Rebuttal footnote 3 [↑](#footnote-ref-46)
47. AG Rebuttal at 2.12 [↑](#footnote-ref-47)
48. Council Alternative Venue Note at page 17 [↑](#footnote-ref-48)
49. Needs Assessment at para 43 [↑](#footnote-ref-49)
50. Needs Assessment at Table 3 and Map 9 [↑](#footnote-ref-50)
51. AG Proof at 4.5 [↑](#footnote-ref-51)
52. Council’s Alternative Venue Note [↑](#footnote-ref-52)
53. See Council’s Alternative Venue Note at p59 [↑](#footnote-ref-53)
54. Council’s Alternative Venue Note at p16-17 [↑](#footnote-ref-54)
55. NR App 6 [↑](#footnote-ref-55)
56. AG App 4 [↑](#footnote-ref-56)
57. AG App 4 [↑](#footnote-ref-57)
58. Appellant Additional Venue Note [↑](#footnote-ref-58)
59. Appellant Additional Venue Note [↑](#footnote-ref-59)
60. AG Proof at 4.5 [↑](#footnote-ref-60)
61. AG Rebuttal at 3.25 [↑](#footnote-ref-61)
62. AG Rebuttal [↑](#footnote-ref-62)
63. See AG rebuttal at 3.44 [↑](#footnote-ref-63)
64. Appellant Additional Venue Note at para 17 [↑](#footnote-ref-64)
65. Also at para 17 [↑](#footnote-ref-65)
66. Council Additional Venue Note at p52 [↑](#footnote-ref-66)
67. Opening at para 11 [↑](#footnote-ref-67)
68. NR Proof at para 9.5 [↑](#footnote-ref-68)
69. AG proof at 2.15 [↑](#footnote-ref-69)