

APPENDIX 1

JUSTIFICATION FOR A PUBLIC INQUIRY

Justification for a Public Inquiry

1.1 With reference to Annexe K of The Planning Inspectorate's Procedural Guidance for Planning Appeals – England (March 2021), the Appellant requests a Public Inquiry for the reasons set out below.

A Need for the Evidence to be tested through Formal Questioning by an Advocate

1.2 The Council fail to distinguish between the functional planning designation of the Area of Local Separation and Landscape Visual Impact matters and in so doing refer to evidence which has not been tested or examined.

1.3 Case law in relation to the interpretation of policies means detailed legal submissions will be necessary and a clear need for evidence to be tested through formal questioning.

B Complexity of Issues

1.4 Matters relating to the Area of Local Separation, landscape character and the visual impact of the appeal proposals and the overall planning balance will raise matters of significant complexity.

1.5 As such, it is the view of the Appellant that these matters will require cross examination to establish the extent of the evidence which underpins the Council's refusal of outline planning permissions. This will necessarily entail significant amounts of technical data in respect of these topics.

C Substantial Local Interest

1.6 In addition to the Council's reasons for refusal, there were 155 written representations made to the Council during the determination stage on the application. Accordingly, it is reasonable to assume there would be substantial local interest in the Appeal which would further suggest a Public Inquiry would be the most appropriate forum for interested parties to observe proceedings and address the Inquiry if desired.

D Likely length of proceedings

1.7 It is considered that to address all matters, 4 sitting days will be required. This exceeds the single day usually reserved for a hearing (or even a two day hearing, which are understood to be used only in exceptional circumstances). Annexe K therefore suggests that a Public Inquiry would be necessary.

Summary

1.8 For the above reasons, the Appellant considers a Public Inquiry is the most appropriate procedure in this case.