



### **Justification for a Public Inquiry**

The Appellant requests a Public Inquiry for the following reasons:

#### **Need for the evidence to be tested through formal questioning by an advocate.**

There are extensive and complex matters of expert evidence in relation to:

- Flood Risk Sequential Assessment
- Highway Safety
- Loss of playing fields
- Design

all of which are contested between the Council and the Appellant. Case law in relation to the interpretation of legislation, national policy and guidance means detailed legal submissions will also likely be necessary, as well as testing through formal questioning by an advocate in support of their respective positions.

#### **Complexity of Issues**

The Appellant disputes the objections which have been made by the Council in relation to flood risk sequential assessment, loss of playing fields, loss of trees and urban design which will need to be dealt with through detailed expert evidence adduced by both parties. As such, it is the view of the Appellant that these matters will require detailed cross examination to understand the basis upon which the Council has made their decision and how respective witnesses have reached different conclusions.

The Appellant expects to use 4 expert witnesses to advance its case in respect of planning, highway safety and design matters.

#### **Public Interest**

There has been a considerable level of political interest in relation to the application who oppose the introduction of residential dwellings on the site and are anticipated to present a case at the inquiry; whether as a Rule 6 Party or independently. Given the interested parties who may wish to speak, it is likely to make this difficult to manage within the time and procedural constraints of a hearing, when considering the matters in dispute.

#### **Likely length of Inquiry**

It is considered that having regard to the above, to address all matters, up to 5 sitting days will be required. This comfortably exceeds the single day usually reserved for a hearing, suggesting that an inquiry is necessary.

#### **Summary**

For the above reasons, the appellant considers a public inquiry is the only appropriate procedure in this case.