



Appeal Decision

Inquiry held on 11, 12, 13, 14, 17 October and 4 November 2022

Site visit made on 17 October 2022

by D Wallis MRTPI, BSc (Hons), PGDip (Environmental Planning)

an Inspector appointed by the Secretary of State

Decision date: 5 December 2022

Appeal Ref: APP/M5450/W/22/3299650

Stanmore and Edgware Golf Centre, Brockley Hill, STANMORE, London, HA7 4LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Sairam (Holdings) Ltd against the decision of the London Borough of Harrow.
 - The application Ref P/3088/20, dated 28 August 2020, was refused by notice dated 26 November 2021.
 - The development proposed is the demolition of existing golf club buildings and construction of a single and two storey building for a banqueting facility; widening of existing vehicular access from Brockley Hill, car and cycle parking, waste/recycling storage, landscape enhancement and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Inquiry opened on 11 October 2022 and sat for 5 days. It was adjourned on 17 October 2022, allowing for further written evidence to be provided by the appellant regarding alternative wedding venues raised by third parties during the Inquiry, and subsequently for the Council to provide a response. The Inquiry resumed virtually on 4 November 2022 for presentation of closing statements only, and the Inquiry was closed that same day.
3. Plans were appended to the appellant's transport proof of evidence that were not part of the original application, illustrating different ways in which parking could be accommodated within the appeal site. The main parties confirmed these did not fundamentally change the scheme and the Council stated that it would not have sought re-consultation on such plans had they been submitted during the application. Taking these responses into account, being mindful of the Wheatcroft¹ principles, I do not consider any party has been unduly prejudiced by these plans being introduced to the Inquiry and I have therefore taken them into account in reaching my decision.
4. The appellant sought to introduce new evidence with regards to discussions with off-site parking venues after all expert witnesses had been called. I declined to accept this on the grounds of procedural fairness, given that the Council would have no opportunity to scrutinise or rebut such evidence unless witnesses were recalled.

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

5. I conducted an unaccompanied site visit on Monday 10 October to view the appeal site's general surroundings. An accompanied site visit was undertaken on 17 October to gain access into the appeal site. On the afternoon of 17 October and during the daytime of 18 October, I made unaccompanied site visits to the alternative venues contained within the proofs of evidence.

Main Issues

6. The main issues for the appeal are:
- the effect of development upon the openness of the Green Belt;
 - the effect of the development upon the character and appearance of the area;
 - the effect of the development upon the local highway network and highway safety;
 - the need for the development; and
 - whether the harm caused by inappropriateness, and any other harm, would be outweighed by other considerations, so as to amount of the very special circumstances required to justify the proposal.

Reasons

Openness of the Green Belt

7. The National Planning Policy Framework 2021 (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
8. It was common ground between the main parties that the appeal constitutes inappropriate development in the Green Belt, as it would have a greater impact on openness than the existing previously developed land. Nonetheless, the main parties have a difference of opinion with regards to the overall impact on Green Belt openness.
9. The Council argue that the impact on openness is amplified due to the current circumstances, namely that the former golf clubhouse and driving range lay in a derelict state following a fire. It is submitted that there is no existing building containing any volume or floorspace on the appeal site and this should be material to my decision as per Hertingfordbury². Meanwhile the appellant's position is that there would only be a limited visual and spatial impact on Green Belt openness when comparing the proposed development against the former building and the existing remains.
10. From my site visit, the shape and form of the former building could be readily recognised within the appeal site. The structural elements of the building, consisting of blockwork and metal framework, are exposed due to fire damage, but clearly depict the extent, size and height of the golf clubhouse. In my view, this provides an adequate reference from which to assess the impact of any future proposals.
11. The appeal proposal is for a large, detached building consisting of varying roof height, pitch and form. It would occupy a greater footprint, floorspace and

² Appeal Decision APP/J1915/W/20/3254917

volume compared to the former existing building on site, as acknowledged by the appellant, despite resulting in the loss of the single storey 'wings' of the former driving range. The eastern elevation, facing the public highway, would be designed as a grand entrance to welcome in wedding parties and processions.

12. Whilst designed to be compact, the proposed building would be of a much-increased scale and bulk compared to the former clubhouse and driving range, with greater proportions in terms of mass and form. The appellant has conceded that there would be a 30% increase in footprint and volume, even with a slight reduction in height. Consequently, the building would have a greater prominence in the locality as a result, having a much greater visual and spatial impact on the Green Belt than the former building, even if it had not been burnt down.
13. Furthermore, the appeal development includes features beyond the footprint of the original building, namely a circular fountain feature, formal lawns and a pagoda. The pagoda, for which no plans currently exist, would be on open land away from any current developed area. The formal lawn would visually contrast with the remainder of the land beyond the appeal site boundaries, which are currently in a naturally wild state, representing a very domestic form of landscaping within open land. The circular fountain feature would introduce a new degree of formality to this corner of the appeal site. These elements may not in themselves be significant but, cumulatively with the proposed building, would serve to harmfully erode the openness of the Green Belt.
14. The Council have alleged that these developments within the grounds of the proposed wedding venue would conflict with paragraph 150 of the Framework on the basis that they give rise to a material change of use. However, these works are part and parcel of the proposed development and do not fall to be assessed separately. Nonetheless, the formality of the proposed landscaped features represents a very visible man-made intrusion into the Green Belt. The overall development would be more ornamental and engineered compared to the undulating informal nature of the golf course and would therefore be at odds with the general openness of the land.
15. The proposed wedding venue would have further implications for the Green Belt in respect of car parking. Whilst the former golf course would have attracted a number of cars, movements to and from the appeal site would be distributed throughout the day, perhaps with an occasional peak if the golf course held a large event. In comparison, the proposed development would generate consistent peaks at every wedding event where high volumes of cars would attend at a given time, with double parking proposed in order to accommodate visitors. This high level of parking would be of a much greater intensity and frequency than the former use, causing clutter and adding to the erosion of Green Belt openness.
16. I acknowledge that some of the existing lighting and netting associated with the former golf course would be removed. However, the Council have pointed out that not all of this paraphernalia is within the appeal site boundaries and its removal could not be secured. The netting and lighting, in any event, was part and parcel of the previous golf course use and is, therefore, not inappropriate in its own right. I therefore consider that there is little benefit to Green Belt openness through the removal of such features.

17. On this basis, the proposal would cause significant harm to the openness of the Green Belt. This would be contrary to the Framework, policy G2 of the London Plan 2021 (LP), policy CS1 of the Harrow Core Strategy 2012 (CS) and policy DM16 of the Harrow Council Development Management Policies 2013 (DMP), which all seek to protect the openness of the Green Belt from inappropriate development.

Character and Appearance

18. The appeal site is situated to the west side of Brockley Hill, sitting within an area that is distinctly rural in landscape character. Apart from the intervention of the Royal National Orthopaedic Hospital to the north of the appeal site, Brockley Hill appears as a green landscaped corridor leading north out of Harrow towards the M1, and gives the impression and appearance of countryside. The appeal site therefore falls in a location distinctly different to the area of suburban residential character to the south closer to the Canons Corner roundabout.
19. Consistent with the rural ambience, the appeal site is encircled by trees within Pear Wood and Stanmore Country Park to the north and west. A more informal row of trees separates the appeal site from Cleopatra Park to the south, whilst trees and hedgerows form the site's eastern boundary along the length of Brockley Hill. The appeal site, as a whole together with its surroundings on the western side of Brockley Hill, falls within the Harrow Weald Ridge Special Area of Character (HWRSA). The HWRSA is designated for its strategic value as a landscaped backdrop to Harrow, coinciding with the boundaries of the Green Belt land, and policy DM6 of the DMP seeks to manage and maintain its special character and landscape views.
20. From the photographs provided by both parties, I saw the previous building on site had a brick plinth, black weatherboarded walls and a red tiled roof in an appearance resembling an agricultural building. These materials are typical of a rural location and are reflective of barns seen in the countryside, in keeping with the prevailing character of the area.
21. The proposed development would replace the former golf driving range in a broadly similar location central to the appeal site. The design narrative focuses on an interpreted barn typology, whilst maximising solar gain and celebrating the open setting. It would introduce a building with a two-storey element to the south and a large single storey element to the north, with all-black finishes and surfaces. The appellant confirmed a choice to make the building more compact in form rather than to split the building elements apart, as suggested by a design review panel, in the interests of minimising harm to the Green Belt.
22. In my view, due to the scale and appearance of the building along with other activity associated with its use, the proposed development would not be compatible with its rural environment. Whilst I recognise that the building has been designed with its intended use in mind, form following function has led to a building that neither complements nor reflects the local vernacular. The large expanse of flat roof above the banqueting suite would be an uncharacteristic feature in the locality that does not add to the design quality of the building or demonstrate adherence to the barn-themed design concept. Furthermore, the all-black materials to be used on the facades would appear discordant and incongruous, given that the aspects of the built environment to the south and north of the appeal site are of more traditional character.

23. I noted that trees along Brockley Hill provide some degree of screening for the appeal site. I do not consider that the loss of leaf during winter months would have a significant revealing effect for the appeal site given the density and staggered nature of the vegetation. Nonetheless, the proposed building would have the most impact on the appearance of the area from the site entrance, where proposed works to widen the access would increase visibility of the formal eastern entrance to the building. Whilst the building would be set back from the entrance, pedestrians and vehicular traffic would still be able to view the building from the public realm, from which it would appear as a prominent urban intervention in an otherwise green corridor along Brockley Hill. The net result is a building alien to the locality and failing to sit comfortably with the rural character and appearance.
24. On this basis I consider the proposal would have a harmful impact upon the character and appearance of the area, including detracting from the character of the HWSAC. The proposal would therefore be contrary to policies D1 of the LP, CS1 of the CS and DM1 of the DMP, which together seek to promote high levels of design that integrate with local distinctiveness.

Highway Network and Highway Safety

25. Brockley Hill forms part of the A5 corridor from the A41 in the north to Edgware and Central London to the south. It is a busy thoroughfare that both the Council and the adjacent London Borough of Barnet Council (LBBC), in their respective roles, regard as an important part of the road network and an area where traffic should flow freely in the interests of highway safety.
26. The appellant proposes measures on Brockley Hill including signage banning right hand turns into and out of the appeal site as well as dropping the speed limit down to 30mph for a stretch of the public highway. In addition, the appellant agreed to parking controls along Brockley Hill to prevent the parking, stopping and waiting of vehicles. This was to ensure the free flow of traffic on Brockley Hill by preventing visitors parking outside the appeal site. This package of measures on the public highway would be secured through a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) (S106).
27. Subject to these measures, the Council and LBBC were satisfied that its objections to highway safety had been resolved. There were no residual concerns about the safety of the highway network, even if off-site parking was undertaken by visitors in nearby residential roads. Matters that had been raised at application stage within a Road Safety Audit were said to be resolved.
28. With regards to the highway measures contained in the S106, it was clarified at the Inquiry that Brockley Hill is co-managed between the Council and LBBC, as it forms the boundary between the boroughs. LBBC have a written agreement with the Council for the maintenance and operation of Brockley Hill and, with that agreement in place, there was no need for LBBC to be a signatory to the planning obligation.
29. I have considered the planning obligations as they relate to highway matters. The obligations, including the financial contributions secured would deliver the necessary infrastructure to make the development safe from a highway perspective. I therefore consider the obligations to meet the tests for imposing obligations under the Community Infrastructure Levy Regulations 2010 (CIL

Regs) and I agree with the main parties that the traffic controls proposed would be effective in alleviating highway safety concerns. On this basis, I conclude that the proposal would not give rise to adverse effects upon highway safety. The proposal complies with policies T4 and T6 of the LP and policies DM1, DM42 and DM43 of the DMP, which require appropriate measures to be taken in the interests of highway safety.

Need and Alternatives

30. Paragraphs 92 and 93 of the Framework encourage healthy, inclusive and safe places which provide the level of social, recreational cultural facilities the community needs. Policies and decisions should plan positively for the social and cultural well-being for all sections of the community.
31. The appellant, trading under the name of Premier Banqueting, provided a so-called 'one-stop-shop' to the local wedding industry, wherein couples wishing to get married had all their wedding needs met in one place. Premier Banqueting operated in this way prior to the closure of its former premises, resulting from a redevelopment of the Council town centre car park upon which the business relied.
32. Premier Banqueting specifically served the South Asian community, focusing on delivering Muslim and Hindu weddings. These communities have weddings with characteristics different to that of white British weddings, identified as being culturally specific in terms of scale, duration, customs, religious beliefs (such as gender segregation) and catering.
33. The appellant submits that, whilst there are a number of potential wedding venues available within the London Borough of Harrow, none fully accommodate the culturally specific characteristics or 'requirements' of Muslim and Hindu weddings for more than 300 guests. Furthermore, within the identified sub-regional market beyond Harrow (defined as Brent, Watford, Hertsmere and Barnet), there are only a few venues that offer a comparable 'one-stop-shop' service that Premier Banqueting provided. Failure to recognise this, following closure of Premier Banqueting's former premises, is stated by the appellant to disadvantage South Asian communities in Harrow insofar as they do not have equal access to wedding facilities compared to their white British counterparts.
34. Firstly, I accept that the demand for wedding facilities for this particular market is going to be highest where there is a greater concentration of South Asian communities. The evidence before me, particularly Map 1³ and Figure 5.1, demonstrates that this population concentration is not just limited to the administrative boundaries of Harrow, but encapsulates neighbouring boroughs including those contiguous with, though not incorporated within, the appellant's sub-regional market area (such as Ealing). The evidence, which is not contradicted by the Council, shows logically that the demand for culturally appropriate services to meet the needs of the South Asian communities is likely to be high.
35. In terms of how that demand is currently met, the appellant's evidence is that there are limited one-stop-shop opportunities for South Asian couples, with a guest list of over 300, looking to get married in Harrow and as a result couples

³ 'Need' Proof of Evidence of Ms Amy Gilham

are travelling up to 300km⁴ away. I do not consider this an accurate proposition as there would be numerous factors couples would take into account when planning their celebration, including the location of family and friends. The appellant's evidence also suggests that there are one-stop-shop venues in neighbouring boroughs, which are local enough as to represent reasonable alternatives as opposed to travelling great distances out of London should a couple wish to get married close to their residence. Given the appeal site's out-of-town location to the northeast of Harrow, there would be no greater inconvenience to the customer travelling to the appeal site as opposed to travelling to a neighbouring borough.

36. In relation to alternative venues, the local market consists of purpose-built wedding function suites, hotels, religious buildings, community centres, schools and multi-use premises such as sports stadia. Apart from four venues that the appellant identifies as offering a comparable offer to Premier Banqueting, all other venues are deemed unsuitable because they do not meet all the requirements set out above.
37. From the list of alternative venues considered during the Inquiry, there are a number that are able to cater for South Asian weddings except for reasons such as the ability for gender segregation, catering or ability for culture-specific decor. However, I do not consider venues should be discounted on the grounds that they do not meet the requirements of both Hindu and Muslim weddings. For example, the Shree Swaminarayan Temple would clearly be available and suitable to meet the requirements for Hindu weddings but is rated unsuitable by the appellant because the catering would not allow meat and alcohol that are permitted at Muslim weddings. Further, the New Hertford Suite is discounted because it cannot provide gender segregation, which is not a feature of Hindu weddings.
38. To rule out a Muslim-orientated venue, which would in effect be a one-stop-venue for Muslim weddings, on the basis it does not represent a 'one-stop-shop' for Hindu weddings is counter-intuitive, and vice versa. The venue still identifies as a positive part of the market for couples of the respective faiths. These venues are still part of the supply, choice and opportunity for members of each religion, likely representing one-stop-shops to that specific community. The appellant's criticism of the Harrow School, in that it is a Christian venue so one would not expect it to be suitable for a Hindu wedding, equally applies to a Hindu venue not expecting to be suitable for a Muslim wedding. It does not however mean that the Hindu-orientated venue should be regarded as any less of an opportunity for the wedding of a Hindu couple and may indeed offer all the facilities a Hindu couple may require.
39. In terms catering, I do not accept that the need to bring in external catering at some venues would be so critical that it prevents those venues being part of the opportunity for marriage celebrations. It may represent convenience to have catering provided in-house, but not being able to provide exact catering requirements should not be a reason to exclude venues from being an adequate part of the supply.
40. Of the schools and sports stadia considered, such as Harrow School and The Hive, discounting them from the supply because of the mixed-use nature of these facilities is counter to the evidence that these venues are hosting South

⁴ Paragraph 2.9 of the 'Need' Proof of Evidence of Ms Amy Gilham

Asian weddings on a regular and successful basis. These facilities add to the range of venues available, offering different experiences and price-points within the market.

41. I do accept that larger attendances at South Asian weddings places a constraint on the number of venues able to be considered. However, the threshold of 300+ guests as a baseline seems slightly inflated, particularly as the Council has drawn reference to there only being a few events where the number of guests exceeded the 300-person threshold at Premier Banqueting previously⁵. The appellant does not suggest that there is inadequate supply or opportunity for South Asian communities to get married where attendances are less than 300 guests.
42. Whilst there are date-related constraints on marriages taking place, described as 'ominous' and 'auspicious' dates, which may put pressure on existing venues to meet peak wedding demand, this does not indicate existing venues are saturated to the point of being unable to meet the needs of the communities. It was demonstrated at the Inquiry that there was capacity within other premises and that this availability was exploited by couples who could not get married at Premier Banqueting as a first choice.
43. The closure of the Premier Banqueting business could be fairly said to remove an opportunity for the South Asian communities to celebrate the cultural event of marriage. However, the loss of one business that aims to reach both Hindu and Muslim markets would not be so significant as to disadvantage the local population. The proposed business itself, with the prospective serving of meat and alcohol permitted, may exclude certain religious denominations within each of the faiths and therefore not represent an opportunity for those people.
44. I note the closure of a similar wedding premise in Harrow known as the VIP Lounge, although there was little evidence before the inquiry in relation to that business or why it closed. I am however aware of other venues either being newly built or refurbished at present that are due to open to the South Asian communities around 2024. These should not be discounted because of their time-dependant emergence into the market, given that the proposed development itself would not be able to contribute to market supply until fully constructed.
45. The appeal development of a one-stop-shop facility would contribute to the choice within the marketplace, with notable convenience to some Muslim and Hindu customers. In these circumstances, the proposed development would have a positive social benefit to the local area in terms of contributing to the supply. This is not however the same as meeting an unmet need when clearly there are other one-stop-shop venues nearby and a number of faith-targeted venues within the sub-regional market area. Consequently, the benefit of the proposed development is considered to attract moderate weight.
46. The appellant submits that consideration of the obligations under the Public Sector Equality Duty (PSED) set out in s149 of the Equality Act 2010 weighs heavily in favour of the proposed development, particularly in terms of providing equal opportunity for the South Asian residents of Harrow to get married. Firstly, I have not been presented with any compelling evidence that suggests the PSED constrains the consideration of opportunities to solely within

⁵ LPA Closing Statement, paragraph 70

the administrative boundaries of Harrow. Indeed, the sub-regional market shown in Map 1 and Figure 5.1 show a population on a wider geographic basis. Secondly, the existing market and choice available within it provide equal opportunity for members of South Asian communities to get married with culturally respectful and appropriate ceremonies.

47. From my findings above, I have already concluded moderate benefit to be apportioned to the proposal's contribution to the choice within the sub-regional market and I do not consider that this weight needs to be altered in view of PSED considerations. Submissions in respect of there being no sequentially preferable alternative and available sites for the proposed building are noted but, in the absence of an unmet need, there is no compelling case for positive weight to be given to this conclusion. On the basis of the above, I do not consider there to be any conflict with paragraphs 92 and 93 of the Framework.

Other Considerations

48. The appellant, in recognising the proposal is inappropriate development in the Green Belt, has advanced a case for very special circumstances. These matters are considered below.

The current condition of the land

49. I identified earlier that the burnt-out remains of the former golf clubhouse and driving range currently have a harmful visual impact on the openness of the Green Belt. There would be a benefit to both openness, and to the appearance of the area, for this structure to be demolished.
50. From my site visit, I saw a number of fly-tipped and discarded items, along with other rubble and detritus strewn across the appeal site. These detract from the appearance of the locality and are blights on the landscape character. There would be benefit in removing these items from the appeal site.
51. The Council argues that via powers at its disposal under section 215 of the Town and Country Planning Act 1990 (as amended), the entire site could be cleaned up and restored to an open-landscaped state. On this basis, the Council suggests that only limited weight can be given to the appellant's proposed clean-up operations.
52. The powers under section 215 are wide ranging and whether such powers extend to demolishing a building is a matter for the courts. However, I have to base my decision-making on the evidence available to me at this Inquiry. There is currently no section 215 notice served on this site and, as pointed out by the Council, the appeal site has been in its current condition for approximately three years.
53. I do acknowledge that the detritus around the appeal site could be cleared by the appellant in terms of good husbandry and in the interests of general land maintenance. Tidying the appeal site is therefore not dependent upon the proposed development and could be achieved anyway, or via a scheme that did not represent inappropriate development. I therefore give limited weight to the benefits of tidying up the appeal site.

Economic and Social Benefits

54. The Council did not dispute the economic or social benefits arising, agreeing with the appellant that moderate weight should be given to such benefits.
55. The proposal would generate jobs during the construction and operation phases, extending to economic support for jobs in the overall ethnic wedding service and supply industry. A number of ethnic businesses would benefit from the proposed development, adding to their own marketplace together with other wedding venues.
56. In terms of social benefits, the proposal represents an increase in the supply and choice within the marketplace. It would provide a different alternative offer in the South Asian wedding market, supporting the Muslim and Hindu communities proportionately. Like the main parties, I consider these benefits attract moderate weight.

Biodiversity and Ecology

57. Policy DM1 of the DMP seeks a high standard of development which, among other things, includes the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. This is supported by paragraph 174 of the Framework, which encourages providing net gains for biodiversity.
58. The appellant proposes landscape and ecology enhancements that, with reference to as of yet un-enacted parts of the Environment Act 2021, would deliver 20% biodiversity net gain (BNG). Conditions were put forward and agreed by the main parties to ensure BNG was delivered to the promised quantum and to an agreed quality. Having reviewed the wording of the condition, I consider it both reasonable and precise, and it would secure the environmental commitments suggested by the appellant.
59. I note the Council's submission that the appeal site has a low baseline at present, so BNG is not hard to achieve. Nonetheless, both local and national policies support enhancements to biodiversity, and a 20% increase about the baseline would be a significant gain. In addition, having heard evidence from third parties as to the ecological importance of adjoining land in the Stanmore Country Park and Pear Wood, any enhancements given to biodiversity should be accepted as a moderate benefit in favour of the development.

Policy Conflict

60. The Inquiry heard evidence suggesting policy CS1(f) of the Core Strategy was inconsistent with the Framework because it did not include consideration of cases for very special circumstances. I do not consider that the absence of the specific wording makes policy CS1(f) inconsistent with the thrust of the Framework, recognising nonetheless that policies within the Framework provide a clear reason for refusal on Green Belt grounds where very special circumstances cannot be demonstrated.
61. Policy DM16 of the Local Plan was discussed with regards its consistency and compatibility with policies in the London Plan and the Framework, on the grounds that it does not define what is needed to demonstrate very special circumstances. Indeed, there is no reason why a number of factors, ordinary in themselves, cannot combine to create something very special. I note that neither the Framework nor policy G2 of the London Plan provide any form of detailed description as to what constitutes very special circumstances. Such

considerations are usually a matter of planning judgment and so I find no reason to deem policy DM16 inconsistent.

Impacts on living conditions arising from parking overspill

62. The Council has raised concern regarding overspill parking from the development causing noise and disturbance effects upon nearby residential occupiers. The appellant submits that onsite parking, subject to effective management, would meet the needs of the development. If, in the worst-case, there were more cars than the site could accommodate, an event management plan agreed at the onset of the development would serve to direct cars to alternative off-road premises.
63. The worst-case put to the Inquiry, assuming a 500-person event with all customers coming by car with a car occupation ratio of 3.25⁶, was a requirement for 154 guests parking spaces and 5 staff parking spaces (159 total). The appellant's best-case for onsite parking, using a valet service with marshals and setting aside some contingency parking, would provide 129 spaces onsite (total). This indicates a deficit of 30 car parking spaces.
64. Guest overspill is proposed to be accommodated at an off-site facility. If coaches are being used by guests to attend the appeal site, coaches would also be directed to use the off-site facility, or they could seek alternate parking opportunities at other coach-accessible locations.
65. An off-site facility to cater for overspill parking has yet to be secured. The planning obligation does however provide comfort in this regard by requiring the submission and approval of an Event Management Plan prior to occupation of the appeal building, which would provide details of where the facility would be. This would ensure that, in the event that on-site parking measures are unable to manage the full demand of parking generated by a large wedding, all overspill is diverted to an appropriate off-site location.
66. In my view, with an off-site venue secured and event parking being managed efficiently, there would be a very minimal residual risk of guests parking on local streets. I also consider, having visited the area, that the long walk-up Brockley Hill from the nearest residences, particularly in inclement weather, would not be a favoured alternative for the majority of wedding guests. At such a low risk, any on-street parking would be minimal as a quantum and unlikely to cause significant noise and disturbance. On this basis, I do not consider there would be any significant harm to the living conditions of nearby residential occupiers from guests returning to their vehicles after an event.
67. In terms of employees, there are proposals to provide a free taxi service and a shuttle bus to bring staff to the appeal site from the nearest bus stops and train stations. Such measures would be written into the travel plan and event management plan that the appellant intends to submit under the obligations set out in the S106. I consider these obligations to be necessary in order to ensure the development functions safely and in a neighbourly way. I am comfortable that private arrangements with travel companies could be reasonably secured to enable this and consider that staff parking, of itself, would not put undue pressure on parking resources onsite or in neighbouring residential roads.

⁶ Agreed between the main parties in the Highways Statement of Common Ground

68. Residents have raised concern about noise and light pollution, as well as the risk of disturbance to the area from fireworks. The Council did not refuse the application on these grounds, deeming the appellant's mitigation proposals, as set out in the Noise Impact Assessment and Energy Statement, to be effective means of overcoming the issues. The appellant agreed to a condition securing these mitigations as well as to a condition preventing fireworks from being launched from the appeal site. The appellant confirmed verbally that the business model would not involve wedding ceremonies being conducted outdoors, although no condition was proposed to confirm this. Nonetheless, for these reasons, I do not consider any material harm would arise from the development upon the living conditions of nearby occupiers from noise and light pollution.

Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal

69. I have found the proposal to constitute inappropriate development in the Green Belt and to cause significant harm to the openness of the Green Belt. The Framework confirms that substantial weight should be given to this harm. I have also found the development to have a harmful impact on the character and appearance of the locality, albeit such harm is modest given the natural screening around the appeal site.
70. I have considered the benefits of the proposed development above and attach limited weight to clearing the appeal site, moderate weight to the economic benefits and moderate weight to the biodiversity gains. There is also moderate social benefit to be attached to the proposal's contribution towards choice for the South Asian wedding market and to local businesses.
71. I consider that, neither individually nor cumulatively, the other considerations put forward by the appellant would clearly outweigh the substantial harm to the Green Belt and the limited harm to character and appearance. Consequently, very special circumstances do not exist to justify the proposal and there is no justification to determine the appeal other than in relation to the Development Plan.
72. The proposal conflicts with Green Belt policies within the Framework as well as policies D1 and G2 of the LP, policy CS1 of the CS and policies DM1 and DM16 of the DMP. The proposal is therefore contrary to the Development Plan and should be refused.
73. I have considered whether the use of planning conditions could overcome the concerns I have with the proposed development. Whilst a different palette of materials to those originally proposed could be secured, as could further landscaping provision, this would not reduce or minimise the level of intrusion into Green Belt openness, or harm by reason of inappropriateness. Therefore, I do not consider conditions would be effective in this instance.

Conclusion

74. I have found the grant of planning permission for proposed wedding venue would cause significant harm to the Green Belt and to localised harm to landscape character. Other considerations do not amount to a case for very

special circumstances to justify the development. I attach substantial weight to this finding against the appeal.

75. My finding that the appeal development makes a positive contribution to the choice in the wedding market for ethnic communities weighs for the development, although this stops short of fulfilling an unmet need.
76. I have had due regard to the Public Sector Equality Duty (PSED) set out under s149 of the Equality Act 2010, but the harms caused by the proposed wedding venue would outweigh its benefits in terms of eliminating discrimination against persons with the protected characteristics of race and religion, advancing equality of opportunity for those persons and fostering good relations between them and others. I conclude that it is proportionate and necessary to dismiss the appeal.

David Wallis

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Edward Grant (of Counsel)	Instructed by the London Borough of Harrow Council
He called	
Nicola Rankin	Senior Planning Officer, Harrow Council
Nicolina Cooper	Interim Head of Highways, Harrow Council
Fabrizio Matillana	Deputy Team Leader of Design and Conservation, Islington Council

FOR THE APPELLANT:

Gwion Lewis and Heather Sargeant (of Counsel)	Instructed by Sairam Holdings (Watford) Ltd
They called	
Richard Henley	Executive Director, hgh Consulting
Amy Gilham	Director, Turley Economic
Adam Thornton	Director, 5plus Architects
Robert Hughes	Director, Incola Landscape Planning
David Bird	Transport Consultant, Vectos

INTERESTED PERSONS:

Julian Anders	Chair of Brockley Hill Residents Association
Dr Stephen Bolsover	Chair of Greater Stanmore Country Park Management Committee and Harrow Nature Conservation Forum
Dr Madhu Khanderia	Chair of Save our Brockley Hill Neighbourhood Group
Councillor Marilyn Ashton	Deputy Leader of Harrow Council and Portfolio Holder for Planning and Regeneration
Pooja Shah	Resident
Rizwan Govidji	Resident
Rupen Shah	Resident
Angela Levine	Resident
Suhas Khanderia	Resident
Abbas Versi	Resident
Claire Abbott	Resident
Jane Skelly	Resident
Naomi Angel	(statement read out by Suhas Khanderia)
Dr Rajeshwar Parmar	For the Appellant

DOCUMENTS SUBMITTED DURING THE INQUIRY

INQ1	Statement of Common Ground
INQ2	Highways Statement of Common Ground
INQ3	Opening Statement of the Council
INQ4	Opening Statement of the Appellant
INQ5	Statement of Support from Dr Rajeshwar Parmar
INQ6	List of Members of the Public speaking to the Inquiry
INQ7	Planning Obligation (draft and unsigned)
INQ8	List of venues identified by members of the public for further comment
INQ9	Jointly agreed list of planning conditions
INQ10	Planning Obligation (signed)
INQ11	Appellant's Note on Alternative Venues
INQ12	Council's Note on Alternative Venues
INQ13	CIL Compliance Schedule
INQ14	Closing Statement of the Council
INQ15	Closing Statement of the Appellant with Appendices