

## CLOSING STATEMENT

Before I give my closing statement I would just like to address some points raised earlier today...

The key questions in this case are:

- 1) Was all the necessary environmental information placed on the planning register?
- 2) Was the public given access to all the relevant information?
- 3) Did the authority and the public review this information before the development went ahead?
- 4) Was mitigation for environmental effects implemented as part of the development?

I would say that the answer to all these questions is NO.

The local authority and the Secretary of State are the competent bodies responsible for ensuring that the public has access to relevant information and can participate effectively in decisions on environmental matters. In this case, those competent bodies were made aware of missing documents and deficiencies in the decision-making procedures, yet they made no attempt to engage with me or to address the shortcomings. They actively avoided rescreening the development and reconsulting with the public.

Instead, I find myself in the rather surreal situation of being blamed for not having brought a judicial review challenge within the correct window of time. It was for the Party concerned to investigate and rectify the situation as soon as it was made aware of the problems, not for me to have to make a costly challenge through the Courts.

It is a shame that the UK does not provide some other, more accessible, forum which might have provided a quicker and cheaper resolution – or at least some form of checkpoint process – before having to resort to the Courts.

We now have a completed development that was built:

- without knowing what impact English Heritage considered it would have on the conservation areas;
- without the required mitigation for the impact on bats having been implemented;
- in an air quality management zone without knowing what the effect on air pollution will be;
- and likely to breach WHO recommended noise limits.