

From: Sammy Chan <info@ops-surveyors.co.uk>
Sent: 04 May 2024 13:13
To: NEW RT1
Subject: Re: Planning Inspectorate APP/R5510/W/24/3338978: 5-7 Hercies Road, UB10 9LS

Dear Sir/Madam

The appellant offers the following robust responses to the Local Planning Authority's (LPA) Statement of Case (SOC):

Point 2.1:

The LPA's assertion here directly contradicts their own actions and national policy. By accepting the application without the requested elevation drawings, the LPA implicitly acknowledged the lack of necessity for such plans. The appellant firmly disputes this point.

Point 2.2:

It is perplexing that the LPA persists in debating the need for elevation drawings when the appellant has already provided confirmation of the absence of external alterations. Despite repeated affirmations from both the appellant and the LPA regarding the existing conditions, the LPA continues to demand unnecessary documentation. This ongoing insistence lacks justification.

Point 2.3:

The appellant perceives this point as a feeble attempt by the LPA to retroactively justify their shortcomings. The LPA's purported "common-sense approach" and reliance on presumptions are unsubstantiated. Moreover, the failure of the LPA to engage proactively with the appellant during the assessment process, as outlined in NPPF Para. 38, reflects poorly on their conduct. The appellant questions the relevance of elevation drawings when the facts regarding the lack of changes to the front are already known.

Point 2.4:

Similar to previous points, the LPA's insistence on the necessity of elevation drawings disregards the already established facts. The LPA's acknowledgement of the need for separate consent for changes to the shop front further undermines their position. The appellant maintains that elevation drawings would have a negligible impact on the application outcome, given the LPA's prior awareness of the relevant details.

Point 2.5:

The appellant sees through the LPA's attempt to retroactively justify their actions by requesting minor amendments to elevation plans. This tactic, aimed at bolstering the importance of elevation drawings, is seen as unnecessary and burdensome. The appellant questions the rationale behind such requests when no external alterations are proposed.

In conclusion, the appellant finds the LPA's points lacking in merit and failing to strengthen their decision to refuse the appeal. Therefore, the appellant respectfully urges the inspector to grant the appeal.

Kind regards

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On Thu, 2 May 2024 at 11:05, <RT1@planninginspectorate.gov.uk> wrote:

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