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Sent: 03 December 2021 16:26
To: West 2 <west2@planninginspectorate.gov.uk>
Cc: Ball, Jenni <JENNI.BALL@planninginspectorate.gov.uk>
Subject: FW: Planning Inspectorate APP/R5510/W/21/3284688: Land behind 1 and 3 Lulworth Waye, UB4 0HN

From: Martin Gaine <martin@just-planning.co.uk>
Sent: 03 December 2021 16:17
To: North2 <north2@planninginspectorate.gov.uk>; Mr Johal <mansukhraj@aol.com>
Subject: Re: Planning Inspectorate APP/R5510/W/21/3284688: Land behind 1 and 3 Lulworth Waye, UB4 0HN

Dear Team

Thank you for sending us the LPA statement and third party representations. The issues raised as covered in our original Appeal Statement.

However, we object to some of the council's suggested conditions. The NPPF makes clear that conditions sparingly and only when it would not otherwise be possible for planning permission to be granted (paragraph 55). They must be strictly necessary (paragraph 56).

The proposed parking arrangements are clearly shown on the submitted site plan, so condition 3 is not necessary.

The need for condition 4 is not clearly substantiated and even if it is necessary, it is not clear that it must be a pre-commencement condition (it could simply state that level access must be provided).

No clear explanation is given for the need for condition 6.

Condition 7 appears excessively detailed and onerous and disproportionate to this scheme, which is modest in scale.

Condition 9 is unnecessary - no existing planting is shown to be retained within the red line outline. No clear indication is given that the council is concerned about specific trees on planting on the site.

Condition 10 is excessive for a development on this scale. It refers to demolition and protection of existing trees, neither of which is proposed on this site. It refers to 'approved protective fencing' - what fencing?

Condition 11 is excessive for a development on this scale and for a site that is not on a particularly busy road or cramped site or difficult location.

It is not clear that Conditions 12 and 13 are strictly necessary for permission to be granted.

Taken together, the large number of pre-commencement conditions proposed by the conditions would place an unreasonable burden on the developer, especially given that this is a minor development.

Sincerely

Martin

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