

FAO; Opirim Agala
The Planning Inspectorate
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Date: 24 January 2013
Our Ref: MH/PEV8597
Your Ref: APP/F0144/C/12/21794
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Dear Mr Agala

Re: Inspector's further note received this morning
APP/FO114/C/12/217926

The Council are grateful for the Inspector's further note and note its contents. It is, however, felt that we ought to make one point of clarification on the Council's position at this stage in case it affects the views of the Inspector.

On the third page, paragraph 3 of his note the Inspector states "If I have understood the Council's letter correctly it has indicated that it may wish to reconsider its position with regard to Notices Nos 2 and 3 in the light of the evidence now available from the appellant. Perhaps this could be confirmed on Tuesday?"

We wish to make it clear that the Council, dependent upon the outcome of its investigations into the evidence now available from the appellant, may wish to reconsider its position with regard to all three notices; and it was for that reason, as previously stated, that the Council sought an adjournment of the inquiry i.e. before even the Inspector's consideration of the 'Res Judicata' point. When we referred to "the notices" in our sentence following the heading "If the res judicata point is determined in the appellant's favour" we were referring to all the notices.

I trust that the above clarifies the Council's position.

Yours sincerely



Maggie Horrill
Solicitor
Planning and Environmental Law Manager

Legal and Democratic Services

Planning & Environmental Law Team
Manager - Maggie Horrill, Solicitor