

09 June 2022

Delivered by email

Mr Des Bowring
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Ref: WATM3006

Dear Des

**APP/B4215/W/21/3286831 – UNION OF SHOP DISTRIBUTIVE & ALLIED WORKERS, 188 WILMSLOW ROAD,
MANCHESTER - APPEAL AGAINST MANCHESTER CITY COUNCIL'S REFUSAL OF PLANNING APPLICATION
129020/FO/2020**

As stated within my email to you of 27 May 2022, the Council's Statement of Case ('SoC') contains a considerable amount of evidence which has not previously been seen by the Appellant, and relies on material that is not otherwise in the public domain. It goes considerably beyond the Officer Report to Committee on which the Council's refusal decision was based, and indeed beyond the internal and statutory consultee responses that we and the Inspector have been provided with.

The Appellant also sought to agree an extensive Statement of Common Ground ('SoCG') with the Council but only very shortly before the deadline for submission the Council reverted with a revised draft which removed considerable content which would have clarified for the Inspector the respective positions of the parties.

On this basis, the Appellant's appointed consultant team have produced a rebuttal document which seeks to assist the Inspector by providing a written response to certain points raised within the Council's SoC, where this relates to new matters / evidence not previously raised, and which are not covered in the submitted SoCG. It has been kept as concise as possible. The rebuttal does not seek to cover all points raised by the Council and the absence of commentary on some issues does not mean that these points are accepted; these will be addressed further at the Hearing.

It is acknowledged that further submissions are not invited at this stage in proceedings, but the Appellant would be placed at an unfair disadvantage in being unable to respond. It is unacceptable to consider that the only opportunity afforded to the Appellant to address all these matters should be restricted to those raised at the Hearing itself. If it were so there would be consequent pressure on the time that has been allowed. The purpose of the rebuttal is to assist the running of the Hearing in that all participants will be on notice of what case is being presented and the evidence clearly having been set out well beforehand.

We would be grateful if you could please acknowledge receipt of the rebuttal and confirm that this will be shared with the Inspector.

1 New York Street
Manchester
M1 4HD

T 0161 233 7676 turley.co.uk

In terms of proceedings for the Hearing itself, we would request and welcome clarification from the Inspector as to how he intends to deal with matters, particularly in terms of the order of evidence / topics being heard, given the wide-ranging nature of this case. The Appellant's witness team will make itself as flexible as possible, but there are some difficulties with availability at certain times during the scheduled Hearing. The Appellant would be most grateful if the Inspector could provide an agenda and suggested programme at his earliest convenience.

Please do not hesitate to contact me or my colleague Stephen Bell (stephen.bell@turley.co.uk) if you require any further details.

Yours sincerely,

A handwritten signature in black ink that reads "T. LORD". The letters are slightly slanted and connected in a casual, professional style.

Thomas Lord
Senior Planner

thomas.lord@turley.co.uk