

Dear Sir/Madam

Please find the comments from the appellant in response to the LPA's statement:

The council's assertion that local plans do not specify what materials applicants should and should not use is indeed correct. However, it is important to emphasize that supplementary planning documents (SPDs) are powerful tools that provide guidance on such issues but SPDs should not hold weight in planning and appeal decisions.

In the case of this appeal, the council is relying on its own SPDs to argue for the removal of the unauthorized uPVC windows. It is worth noting that the council's reliance on these SPDs raises questions about their relevancy and currency. If the LPA's SPDs are outdated and do not align with contemporary knowledge regarding the sustainability of uPVC windows, then it calls into question the strength of their argument. Furthermore, the council's SPDs do not explicitly prohibit the use of uPVC windows; they simply "strongly discourage" their use. This inherent flexibility in their approach suggests that the inspector should not assign undue weight to the LPA's SPDs.

Additionally, the LPA has not provided any compelling evidence to substantiate its claim that the unauthorized uPVC windows in this case are environmentally harmful. Contrary to their assertion, studies have indicated that uPVC windows can actually be more energy-efficient than traditional timber windows, as the appellant has previously mentioned in their statement.

In view of these compelling considerations, it is incumbent upon the inspector to give little or no weight to the council's SPDs in their decision on this appeal.

Moreover, I would like to draw the inspector's attention to the following points, which serve to counter the LPA's arguments:

1. In the Brent Appeal case, the authorized uPVC windows were deemed to be of good quality and successfully replicated the original windows. Similarly, the uPVC windows in this case are of a comparable type and quality to those in the Brent Appeal.

2. Notably, the Brent Appeal case involved a property located on a quiet residential terrace. In stark contrast, the unauthorized uPVC windows in this case are installed on a property situated on a bustling main road commercial high street. The presence of uPVC windows on this property is well-suited for insulation and soundproofing, benefiting both the environment and the business in question.

3. The inspector in the Brent Appeal case aptly noted that each case should be considered on its own merits. We strongly urge the inspector in this case to do the same and not be swayed by superficial comparisons.

In light of the above-mentioned arguments and considerations, we respectfully request that the inspector grant approval for this appeal and dismiss the council's enforcement notice. We firmly believe that the unique characteristics and merits of this case warrant such a decision.

Kind regards

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