

cc.

**Subject:** FW: FW: RE: Corinthian Court, Cross Street, Shanklin, Isle Of Wight, PO37 6BU [23/01979/FUL]

**Attachments:**

From: Jon Platt

Sent: 25 January 2024 12:04

To: Graham Cooke <>; Taylor, Victoria <[Victoria.Taylor@iow.gov.uk](mailto:Victoria.Taylor@iow.gov.uk)>

Cc: Island Roads <[info@islandroads.com](mailto:info@islandroads.com)>

Subject: Re: FW: RE: Corinthian Court, Cross Street, Shanklin, Isle Of Wight, PO37 6BU [23/01979/FUL]

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Dear Victoria (CC IAN ELVIN care of [info@Islandroads.com](mailto:info@Islandroads.com) and Graham at CAD Delta)

I have just noted the comments on the Planning Portal and felt it essential that I respond. Having done so I spotted that the closing date for PUBLIC comments was 3rd January?

I guess it is OK if I respond to the issues raised before a decision is made. My comments address issues raised by residents (Harcourt Matthews Pearce and Ball) but more importantly I have addressed the comments by **Island Roads Mr Elvin**. My full response is as follows but I've highlighted the specific Island Roads comments I wish to expand upon:

*It is a fair comment (by residents Matthews, Harcourt, Ball and Pearce) that the entrance to flats 10 - 13 Corinthian Court is not part of the leasehold area that I, as the developer / owner of flats 10 - 13 'own'.*

*It forms part of the freehold of the building.*

<https://find-and-update.company-information.service.gov.uk/company/02158204>

*Furthermore, I am also the sole Director of said company and therefore have the right to grant permission for any work to be carried out on the freehold premises, that I deem appropriate. I have granted that permission in this specific case. It is no different to the permission I granted for all the carpets to be replaced within the communal areas of Corinthian Court a few weeks ago, or the permission I granted to carry out extensive fire prevention works to the communal areas and front doors to flats 1 - 9 following a Fire Safety Inspection that highlighted significant shortcomings over many years by the previous Director(s) of the freehold company ( ). Every single door leading to the communal areas of flats 1 - 9 had to have extensive works to meet fire regulations, a failing that had been highlighted in multiple previous reports but not acted upon at very significant risk to the safety of residents. Likewise the right to grant permission to put in this ramp is no different to the permission I granted to replace the back door and frame that had rotted or for the repair and tiling of the steps to the car park to cover a gaping hole that formed part of the fire exit from the property. Nor is it different to the permission I granted to neighbours to erect scaffold on the freehold demised premises of Corinthian Court so that they could carry out essential work to their building. Nor is it different to*

*he permission I granted to remove and repair railings on the freehold demised premises that had rusted to the point where they posed a risk to the safety of persons in the immediate area.*

*It is also fair to say that the existing temporary ramp that was installed some months ago was done without planning consent. That was an oversight on my part and this application seeks to remedy this oversight.*

*It is not fair to say that we have not been working with Building Control [REDACTED] on a final compliant construction design. The current 'temporary ramp' can't remain because it is too steep to meet the regulations. The only way we can create ramped (wheelchair) access, is to place the ramp in the position set out in the drawings. There is no alternative 'ramp design' and if it isn't approved we would have to return the entrance to a stepped entrance. It seems to me that the addition of this ramp, making the entrance wheelchair accessible, is the right thing to do even if it is expensive (for me). The residents of Corinthian Court are not being asked to contribute anything to the cost of construction.*

*It is also not fair to say that notice was not served. I personally placed a Planning Notice on the Notice Board in the entrance. Mr Harcourt, who has in the past removed or defaced notices [which resulted in legal action against him] may well have removed it, but that does not mean it was not properly posted.*

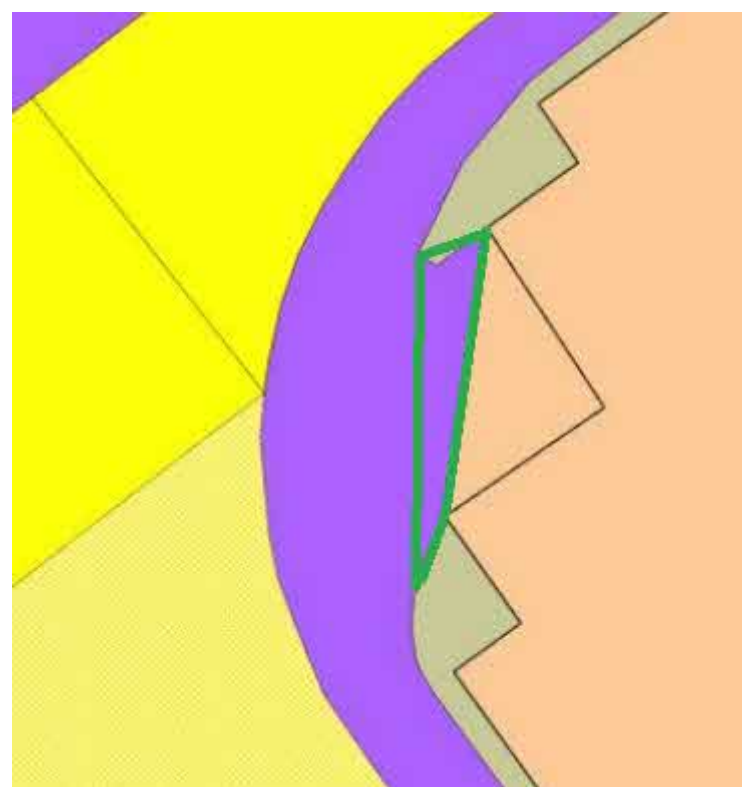
*On a final point, I may misunderstand the comments of Island Roads Mr Elvin. To quote his grounds for objection he says 's, 'it is considered the proposal if permitted may cause an obstruction within the public highway' but earlier in the statement he says 'In conclusion, in the opinion of this Office, the public highway would continue to operate in a satisfactory manner and the area shown below could be stopped up without impacting on the public's right to pass and re-pass along this way'. That seems to me to be two contradictory statements but I accept that I may be misunderstanding this? I appreciate he may have some concerns over the actual ownership / control of the entrance. I hope my comments above have now satisfied those concerns.*

*In respect of the maps contained within the Island Roads report, they do not reflect the 'reality on the ground'. The steps that previously provided access to the old commercial premises came out further than the boundary shown on the land registry maps. They were in line with the concrete bunds / flower beds. Now it may well be that they were constructed beyond the boundary of the demised premises, but they had been that way since at least 1990 and I would suggest, pursuant to the rules of adverse possession, they now make up part of the demised premises and can no longer be claimed to be part of the highway?*

**EXPANDING ON THAT:**



Above is a photo taken from Google Maps. This is how this property looked when I purchased it in November 2022. As you can see, the steps, since at least 1990, ended at the far edge of the left and right concrete bunds. (We want to put the ramp in the area marked with red lines). The map in Island Roads report (below) shows a significant part of the stepped area as pavement when that clearly was not the case for the last 34 years or so? I have marked with green lines the area that has, in effect I would argue, become part of the premises due to the laws in respect of adverse possession.



Perhaps Ian could address my concerns about the apparent contradiction over whether or not the ramp would or would not cause some sort of obstruction that would justify rejecting the application?

kind regards

JON PLATT  
