

Suggested answer

Issue	Summary	Action point
Planning permission	The work that appears to have caused damage to the client's property has been carried out under planning permission issued on x/xx/20xx. The client raised objections to the application at the time it was made.	Check the terms of the planning permission and include any breaches in your particulars if the matter proceeds.
Shed	The shed was soundly constructed and has now collapsed. The client has had to employ a builder to take down the structure as it is now dangerous.	Obtain photographic evidence and any evidence of the shed's original construction to demonstrate that it was sound. Ask for copies of any bills paid by the client for its demolition and construction to help with quantum of damages.
House	The house is detached, but appears to have suffered damage as a result of the building work, as hairline cracks have appeared in the walls on the side nearest the construction work and a gap has appeared in the window frame on the same side of the house.	Engage a surveyor to make a report on the house and to determine whether the cracks and damage to the window frame are signs of serious structural damage. If costs can be estimated, these estimates should also be included in your evidence as they support your claim for damages.
Pollution/contamination	The builders have been observed pouring noxious substances into the client's drains. Noise, dust and general inconvenience.	Investigate to determine whether any actual contamination of your client's land has occurred. If not, this would form a background issue in pleading your client's case and could be included in your client's claim for damages.
Attitude of Mrs Rubienski's neighbour, Mr McCarthy	The client has behaved reasonably and has attempted to settle the matter amicably. Mr McCarthy has rejected these attempts.	

Mrs Rubiensi's objectives	These are not clear at present.	Discuss the issues with the client in light of the evidence and obtain instructions.
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Part of the skill of planning your case is to determine what is useful to you and how you will make use of that information in your case. In this case, there were some minor issues (the attitude of the neighbour, the noise and disruption from the builders) which could be used to build up a picture of what is happening, but which are not themselves main issues.

Another part of planning your case consists of determining what evidence you need and how you will use that evidence. For example, the hairline cracks in the wall might be trivial or they might be evidence of serious damage and should be investigated by a surveyor.

Finally, in your case plan, you need to be clear as to your client's objectives: what outcome is she seeking?

The suggested answer above summarises the main points you should consider when analysing the case.
