

[REDACTED]

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From: Adrian Burrows [REDACTED]
Sent: 21 March 2018 07:05
To: Ross Leal
Subject: Riverside house, Fitzalan Rd, arundel

Dear Ross,

I write to thank you for being patient in this matter.

AS you are aware the application is for 11 bed sits.

I had thought that a change of use from c3 dwelling house to c2 dwelling house would be a permitted changed but i had mis remembered the case law and I therefore write to clarify the application as follows:

1. It seems that that crucial question is in fact whether the householders are using the house as a "single household".
2. In the vent they are using the dwelling as a "single household", I trust you agree there is no "material change of use" ;
3. IN the event there is no " material change of use", I trust you agree that a "Certificate of Lawfullness" is the appropriate application;
4. The question therefore appears to be whether the application seeks to use the property as a "single household" ;

5. case law appear to define a "single household" as a house occupied by one family or individuals who use the house as their main home but:

- a) share facilities such as washing, cooking, cleaning, living rooms and kitchen;
- b) occupy under one tenancy agreement;
- c) share bills;
- d) do not lock the doors to their individual rooms.

6. IN the case of Riverside house, the intention is to comply with each of the points numbered 5a)-d) above.

I therefore submit that the "use of Riverside house as an dwelling to be occupied pursuant to C2 residential by individuals acting as a single family unit, is not a material change of use and can therefore be dealt with pursuant to a certificate of lawfulness"

I refer you to the appropriate case law Re:

1. Kent:

Lawful Development Certificate (Proposed) - Use of existing dwellinghouse for residential youth care unit - Bishopsdale Oast Bishopsden Road Biddenden Ashford Kent TN27 8DR

(APP/E2205/X/16/3161037)

2. North Devon:

(APP/P4225/X/16/3145074)

IN the event that you do not support my views on this, I would greatly appreciate a further conversation so that I may either:

- 1. withdraw the application at an early moment and resubmit it in the format that Arun consider to be correct; or,
- 2. It may be for example, that Arun consider that a single household ought only be occupied by upto 5 individual? In that case, I would like to vary the application to limit the occupant to 5 only rather than waste time withdrawing the application entirely.

In the alternative, I wonder if you would advise which type of application is suitable?

I would appreciate you further thoughts,

Kind regards,

Adrian Burrows