Simon Davis

Fro [redacted] Delwyn Jones
Sent: 01 April 2014 17:13
To: Simon Davis
Cc: Daniel Vick
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

Simon,

Thanks for the email dated 26/3/14.

I believe that S193 TCPA 1990 and Guidance [both NPPG and previous 10/97] says that CLEs can be "negotiated " and descriptions changed.

So it appears they have altered or clarified their claim.

I agree, that if they now say they are seeking a CLE based on 4 years use of the mobile home , as permanent , fixed dwelling,

They will need evidence of siting, plus building works ,fixtures, and "annexation" to the land, if it isn't there already.

I think the Inspector's letter in Carol Anne House should help too.

Delwyn

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer , Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk Save the environment - think before you print.

From: Simon Davis
Sent: 26 March 2014 15:44
To: Delwyn Jones
Cc: Daniel Vick
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

Delwyn,

I've had a response from the agent stating:

"I am surprised to see your email below. As mentioned in my email earlier, any conditions refer the mobile home in the Inspector's decision is no longer relevant as the existing building is no longer falls within the 'mobile home' category over 5 years. Therefore, request for additional information on dependents is not relevant with the CLE application. Nevertheless, I am writing to give you the dependent's name and age as requested:

1) [redacted] and
2) [redacted]

ARUN DISTRICT COUNCIL AL/98/13/CLE

It seems he wants an LDC on the basis that the home is no longer a mobile home not on the basis that Ms Steer is not a gypsy. But if that's the case, would we not want to know when the mobile home ceased being mobile?

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
Telephone: +44 (0)1903 737874
Visit Arun's web site at www.arun.gov.uk
P Save the environment - think before you print.

From: Delwyn Jones
Sent: 19 March 2014 16:19
To: Simon Davis
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

Simon,

Thank you for the email dated 13/3/14, and for the further facts/information.

Your questions are vas set out in your email attached and my replies are inserted in the text in green for ease of identification.

I suggest we discuss/speak if more is required, which may cut down on emailing.

I have noted too that on revisiting my advice dated 7/2/14, that it may need revision of some dates , which I can do , if I or we look at the file again. Please replace this email instead of my previous advice.

Delwyn

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Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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From: Simon Davis
Sent: 13 March 2014 11:47
To: Delwyn Jones
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

Hi Delwyn,

I have further questions on this application:

Firstly it appears as though the applicants are applying for a LDC on the grounds that the original conditions attached by the 2003 appeal decision (appeal against the enforcement notice) have been breached. The relevant conditions attached to this stated that:

02 – The mobile home hereby permitted shall be occupied only be Mr E Smith, his wife and dependants.

03 – When the mobile home ceases to be occupied by Mr Smith, his wife and dependants, the use of the land for the siting of a mobile home and the construction of a concrete hard surfacing/hardstanding hereby permitted shall

cease and the mobile home and hard surfacing/hardstanding shall be removed and any resulting waste and debris removed from the land.

QUESTION 1

Mr E Smith and his wife separated in August 2004 and he moved out. If the relevant period is 10 years, then that will not be completed until August this year. If the relevant period is 4 years on the basis that the mobile home is no longer a mobile home then it is 4 years. However, Dan and I question whether there has actually been a breach at all. Mr Smith has moved out and his wife is no longer his wife but their dependants still live in the home. What is your view on whether the condition has been breached?

REPLY

I am sorry if what follows is not so clear. This is because not all the facts are available to me. So you will need to let me know more facts, in light, of what follows.

I think it depends on [a] how you define "dependants" and [b] who they are and what their circumstances are now. It occurs to me that "dependants " in 2004 may have grown up, be over 18, or moved on, by a number of ways, eg death if they were ill or elderly or leaving home, so they are no longer "dependant".

Let me know:-

1. Who lives there
2. How old they are
3. Why they are classed as dependant ?
4. Are they ill or dependant for other reasons , besides , youth.

I normally like to be more clear and definite. Please give more information, and I trust I can be.

For now, I can say , if any category of "dependant" ie person who due to age or infirmity cannot live alone and independently , lives there then there is no breach because the condition is still complied with ie "the mobile home is still lived in by the dependants of Mr E Smith and his wife, even if E Smith himself, does not live there any more.

It may be that this means you refuse the application anyway, and we need not consider Q2 , but I do below, for completeness.

QUESTION 2

As an additional matter, I was trying to argue in my report that the mobile home is no longer a mobile home and is now a dwelling. I based this on the following analysis:

"The property was originally a mobile home but it is clear that it no longer conforms to the definition of a mobile home as set out in Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968 (as amended) with regard to its size, permanence and physical attachment to the ground. This judgement is made on the basis of the following:

* that the property has been extended twice to the side (an original conservatory being replaced with an integrated side extension) and once to the rear;
* that as a result of the side extension, as approved by the local planning authority, the property no longer conforms to the maximum dimensions for a caravan. These are set out in Section 13(2) of the Caravan Sites Act 1968 (as amended by SI 2006:2374) and allow for a maximum width of 6.7m and a maximum length of 20m. The property now measures 9.5m wide by 16.75m long;
* that the property has had a whole new roof attached and that this includes an integrated support beam;

The property is therefore no longer a caravan and the relevant time limit for this material change of use of the land is 4 years."

The extensions are in brick and the new roof effectively means that you cannot now separate it into two halves. However, an application in 2009 to retain the extensions was approved subject to a S.106 which maintained that only one mobile home shall be stationed on the site. The S.106 describes the property as a mobile home throughout.

Do you agree with me that the mobile home is now a dwelling or does the existence of the S 106 mean that it is still a mobile home.

REPLY –

Crucially I have seen the photos, you showed me . They show a building with solid appearance with stucco and brick and pitched roof , unlike a traditional caravan/mobile home.

I think these several background facts are more determinative than is one item namely the planning obligation.

I have copied you some Inspector cases which cover whether a mobile home is now a "building" due to bricks and mortar and solid structural additions.

I conclude this is a building due to all the above, and 4 years would apply. But, it appears the application should be refused because the applicant cannot prove a breach of condition due to dependants being in residence.

If we do decide that they have breached the condition then we can grant the LDC if the property is a dwelling as they have 4 years evidence. But if we decide it is still a mobile home then they don't have 10 years' worth of evidence.

Happy to meet to discuss this. REPLY –I agree it may be best to meet and discuss, in view of new complex facts.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
Telephone: +44 (0)1903 737874
Visit Arun's web site at www.arun.gov.uk
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From: Delwyn Jones
Sent: 07 February 2014 09:56
To: Planning.Responses
Cc: Simon Davis
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

My special projects for Bersted and Hollyacre completed on 23 January and 5 February 14. This should free my time to address items unavoidably shelved during that time!!

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer , Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

Fro

m: planning.responses@arun.gov.uk [mailto:planning.responses@arun.gov.uk]
Sent: 08 January 2014 16:34
To: Delwyn Jones
Subject: Planning Consultation on: AL/98/13/CLE

To: **Solicitor - Legal Services**

NOTIFICATION FROM ARUN DISTRICT COUNCIL
Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2010 (as amended) - Article 35
Lawful Development Certificate for an Existing Use or Operation or Activity including those in breach of a planning condition.

APPLICATION NO:	**AL/98/13/CLE**
Registered:	23rd December 2013
Site Address:	2 Wyndham Acres Northfields Lane Aldingbourne PO20 3UH
Grid Reference:	493982 106248
Description of Works:	Application for a Certificate of Lawfulness for an existing use as a single dwelling house

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The Council have received the above application. I shall be pleased to receive any observations you may wish to make.

Click here to view the application details
Should you have any comments to make, these should be sent by replying to this email
by 13-FEB-14.

You can also monitor the progress of this application through the Council web site:
www.arun.gov.uk/planning

Please be aware that any comments you may make will be available on our website so please do not insert personal details or signatures on your reply.

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Should the application go to appeal the Planning Inspectorate will publish any

comments made to the Council on their website:
www.planningportal.gov.uk/planning/appeals/ but they will protect personal details.

The officer dealing with this application is Mr S Davis who can be contacted on telephone number 01903 737874.

Regards
Planning Officer

consultee_email

Simon Davis

From: [redacted] Simon Davis
Sent: 26 March 2014 15:44
To: Delwyn Jones
Cc: Daniel Vick
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

Delwyn,

I've had a response from the agent stating:

"I am surprised to see your email below. As mentioned in my email earlier, any conditions refer the mobile home in the Inspector's decision is no longer relevant as the existing building is no longer falls within the 'mobile home' category over 5 years. Therefore, request for additional information on dependents is not relevant with the CLE application. Nevertheless, I am writing to give you the dependent's name and age as requested:

1) Harry Smith (age 15); and
2) Layla Smith (age 12)"

It seems he wants an LDC on the basis that the home is no longer a mobile home not on the basis that Ms Steer is not a gypsy. But if that's the case, would we not want to know when the mobile home ceased being mobile?

Kind Regards

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Delwyn

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ARUN DISTRICT COUNCIL AL/98/13/CLE

Fro

m: Simon Davis
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Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

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Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
Telephone: +44 (0)1903 737874
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P Save the environment - think before you print.

From: Delwyn Jones
Sent: 07 February 2014 09:56
To: Planning.Responses
Cc: Simon Davis
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

My special projects for Bersted and Hollyacre completed on 23 January and 5 February 14. This should free my time to address items unavoidably shelved during that time!!

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From: planning.responses@arun.gov.uk [mailto:planning.responses@arun.gov.uk]
Sent: 08 January 2014 16:34
To: Delwyn Jones
Subject: Planning Consultation on: AL/98/13/CLE

To: **Solicitor - Legal Services**

NOTIFICATION FROM ARUN DISTRICT COUNCIL
Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2010 (as amended) - Article 35
Lawful Development Certificate for an Existing Use or Operation or Activity including those in breach of a planning condition.

APPLICATION NO:	**AL/98/13/CLE**
Registered:	23rd December 2013
Site Address:	2 Wyndham Acres Northfields Lane Aldingbourne PO20 3UH
Grid Reference:	493982 106248
Description of Works:	Application for a Certificate of Lawfulness for an existing use as a single dwelling house

The Council have received the above application. I shall be pleased to receive any observations you may wish to make.

Click here to view the application details
Should you have any comments to make, these should be sent by replying to this email
by 13-FEB-14.

You can also monitor the progress of this application through the Council web site: **www.arun.gov.uk/planning**

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Should the application go to appeal the Planning Inspectorate will publish any comments made to the Council on their website: www.planningportal.gov.uk/planning/appeals/ but they will protect personal details.

The officer dealing with this application is Mr S Davis who can be contacted on telephone number 01903 737874.

Regards
Planning Officer

consultee_email

Simon Davis

From: Iftikhar Maniar [redacted]
Sent: 26 March 2014 15:36
To: Simon Davis
Subject: RE: AL/98/13/CLE 2 Wyndham Acres

Dear Simon

I am surprised to see your email below. As mentioned in my email earlier, any conditions refer the mobile home in the Inspector's decision is no longer relevant as the existing building is no longer falls within the 'mobile home' category over 5 years. Therefore, request for additional information on dependents is not relevant with the CLE application. Nevertheless, I am writing to give you the dependent's name and age as requested:

[redacted]

I look forward to hearing from you. In the meantime, if you have any queries please do not hesitate to contact me.

Kind regards

Ifti
Iftikhar Maniar
BArch, MSc, MA, MRTPI
CUNNANE TOWN PLANNING LLP
[redacted]
Cunnane Town Planning LLP
67 Strathmore Road
Teddington
TW11 8UH
[redacted]

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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 20 March 2014 09:49
To[redacted]
Subject: RE: AL/98/13/CLE 2 Wyndham Acres

Hi Ifti,

Can you let me know:

1. Who currently lives at the property? I know about Ms Steer but not who in terms of children or other dependents;

2. How old they are
3. Why they are classed as dependant ?
4. Are they ill or dependant for other reasons , besides, youth.

I look forward to receipt of the information.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
Telephone: +44 (0)1903 737874
Visit Arun's web site at www.arun.gov.uk
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From: Iftikhar Maniar [redacted]
Sent: 18 March 2014 15:11
To: Simon Davis
Subject: RE: AL/98/13/CLE 2 Wyndham Acres

Dear Simon

Thank you for your email below. I have been advised by the client that Mrs Smith (Ms Karla Steer) split with her husband since August 2004. Ms Karla Steer is no longer Mr Smith's wife. As mentioned in my covering letter, dated 18th December 2013, the agreement was reached that both live on the same site due to existence of their children.

Conditions 1, 2 and 3 of the Inspector Decision (ref: APP/C3810/C/02/1093496) restricts the use of the mobile home. As you know, since August 2004, the building/mobile home has been used as a permanent home for Karla Steer who is a non-Gypsy by birth. You will also note that on the Section 106 Agreement (in support of planning application AL/97/09, dated 14th September 2010) signed by Ms Karla Steer instead of Mrs Smith. As you have already noticed during your site visit and confirmed me over the telephone a couple of weeks ago that implementing the planning permission of AL/97/09 the existing building is now not considered as a 'mobile home' under the Caravan Sites and Control of Development Act 1960 (as amended).

In summary, the building (which is no longer caravan over 5 years) has been occupied by a non-gypsy person, and it is clearly breach of planning Conditions of the Inspector's decision 2003.

I have also reviewed the S106 Agreement prepared in relation to the 2009 planning permission. I have noted that the S106 Agreement refers the retention of domestic additions to a mobile home. As I explained to you over the telephone, CTP had not acted as a planning consultant for 2009 application, but I assume that to describe the extensions the S106 agreement refers as the retention of domestic additions to a mobile home. Since the domestic extensions were built over 5 years ago, the existing building is no longer falls within the 'mobile home' category, and any conditions refer the mobile home is no longer relevant.

I have attached the amended new location plan shows the red outline to the curtilage of the application site, as requested.

You are aware that the decision on the application was due by 17th February 2014. You have informed me that we will receive the approval Certificate as soon as it signed off by your Manager last month, but I understand that your Manager has now requested further clarification. I trust this information is sufficient for you to issue the Certificate without any further delay.

I look forward to hearing from you shortly. In the meantime, if you have any queries please do not hesitate to contact me.

Kind regards

Ifti
Iftikhar Maniar
BArch, MSc, MA, MRTPI
CUNN[redacted]E TOWN PLANNING LLP
[redacted]

Cunnane Town Planning LLP
67 Strathmore Road
Teddington
TW11 8UH
[redacted]

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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 13 March 2014 11:59
To: [redacted]
Subject: AL/98/13/CLE 2 Wyndham Acres

Dear Iftikhar,

Would you just confirm that (as I think is the case), the LDC application is being made on the basis that your client is in breach of conditions 02 & 03 of the 2003 enforcement appeal decision in that she is living at the property and is no longer Mr Smith's wife.

For information, the conditions are as follows:

02 – The mobile home hereby permitted shall be occupied only be Mr E Smith, his wife and dependants.

03 – When the mobile home ceases to be occupied by Mr Smith, his wife and dependants, the use of the land for the siting of a mobile home and the construction of a concrete hard surfacing/hardstanding hereby permitted shall cease and the mobile home and hard surfacing/hardstanding shall be removed and any resulting waste and debris removed from the land.

I am seeking further legal advice as to whether there is actually a breach of the conditions given that the children are still within the property.

Would you then comment on what the impact of the S. 106 agreement attached to the 2009 approval (re retention of the extensions) has regarding your assertion that the property is a dwelling and no longer a mobile home. You ca view the S 106 agreement online – use reference AL/97/09/.

I will also need a new location plan which restricts the red edge to the curtilage of the property. I would suggest using the same red edge as attached to AL/97/09/.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control

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Simon Davis

From: [redacted]
Sent: 18 March 2014 15:11
To: Simon Davis
Subject: RE: AL/98/13/CLE 2 Wyndham Acres
Attachments: Site Layout Plan.pdf

Dear Simon

Thank you for your email below. I have been advised by the client that Mrs Smith (Ms Karla Steer) split with her husband since August 2004. Ms Karla Steer is no longer Mr Smith's wife. As mentioned in my covering letter, dated 18th December 2013, the agreement was reached that both live on the same site due to existence of their children.

Conditions 1, 2 and 3 of the Inspector Decision (ref: APP/C3810/C/02/1093496) restricts the use of the mobile home. As you know, since August 2004, the building/mobile home has been used as a permanent home for Karla Steer who is a non-Gypsy by birth. You will also note that on the Section 106 Agreement (in support of planning application AL/97/09, dated 14th September 2010) signed by Ms Karla Steer instead of Mrs Smith. As you have already noticed during your site visit and confirmed me over the telephone a couple of weeks ago that implementing the planning permission of AL/97/09 the existing building is now not considered as a 'mobile home' under the Caravan Sites and Control of Development Act 1960 (as amended).

In summary, the building (which is no longer caravan over 5 years) has been occupied by a non-gypsy person, and it is clearly breach of planning Conditions of the Inspector's decision 2003.

I have also reviewed the S106 Agreement prepared in relation to the 2009 planning permission. I have noted that the S106 Agreement refers the retention of domestic additions to a mobile home. As I explained to you over the telephone, CTP had not acted as a planning consultant for 2009 application, but I assume that to describe the extensions the S106 agreement refers as the retention of domestic additions to a mobile home. Since the domestic extensions were built over 5 years ago, the existing building is no longer falls within the 'mobile home' category, and any conditions refer the mobile home is no longer relevant.

I have attached the amended new location plan shows the red outline to the curtilage of the application site, as requested.

You are aware that the decision on the application was due by 17th February 2014. You have informed me that we will receive the approval Certificate as soon as it signed off by your Manager last month, but I understand that your Manager has now requested further clarification. I trust this information is sufficient for you to issue the Certificate without any further delay.

I look forward to hearing from you shortly. In the meantime, if you have any queries please do not hesitate to contact me.

Kind regards

Ifti
Iftikhar Maniar
BArch, MSc, MA, MRTPI
CUNNANE TOWN PLANNING LLP
[redacted]
67 Strathmore Road

ARUN DISTRICT COUNCIL AL/98/13/CLE

Teddington
TW11 8UH

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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 13 March 2014 11:59
To: [redacted]
Subject: AL/98/13/CLE 2 Wyndham Acres

Dear Iftikhar,

Would you just confirm that (as I think is the case), the LDC application is being made on the basis that your client is in breach of conditions 02 & 03 of the 2003 enforcement appeal decision in that she is living at the property and is no longer Mr Smith's wife.

For information, the conditions are as follows:

02 – The mobile home hereby permitted shall be occupied only be Mr E Smith, his wife and dependants.

03 – When the mobile home ceases to be occupied by Mr Smith, his wife and dependants, the use of the land for the siting of a mobile home and the construction of a concrete hard surfacing/hardstanding hereby permitted shall cease and the mobile home and hard surfacing/hardstanding shall be removed and any resulting waste and debris removed from the land.

I am seeking further legal advice as to whether there is actually a breach of the conditions given that the children are still within the property.

Would you then comment on what the impact of the S. 106 agreement attached to the 2009 approval (re retention of the extensions) has regarding your assertion that the property is a dwelling and no longer a mobile home. You ca view the S 106 agreement online – use reference AL/97/09/.

I will also need a new location plan which restricts the red edge to the curtilage of the property. I would suggest using the same red edge as attached to AL/97/09/.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
Telephone: +44 (0)1903 737874
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Simon Davis

Fro: [redacted] Simon Davis
Sent: 13 March 2014 11:47
To: Delwyn Jones
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

Hi Delwyn,

I have further questions on this application:

Firstly it appears as though the applicants are applying for a LDC on the grounds that the original conditions attached by the 2003 appeal decision (appeal against the enforcement notice) have been breached. The relevant conditions attached to this stated that:

02 – The mobile home hereby permitted shall be occupied only be Mr E Smith, his wife and dependants.

03 – When the mobile home ceases to be occupied by Mr Smith, his wife and dependants, the use of the land for the siting of a mobile home and the construction of a concrete hard surfacing/hardstanding hereby permitted shall cease and the mobile home and hard surfacing/hardstanding shall be removed and any resulting waste and debris removed from the land.

Mr E Smith and his wife separated in August 2004 and he moved out. If the relevant period is 10 years, then that will not be completed until August this year. If the relevant period is 4 years on the basis that the mobile home is no longer a mobile home then it is 4 years. However, Dan and I question whether there has actually been a breach at all. Mr Smith has moved out and his wife is no longer his wife but their dependants still live in the home. What is your view on whether the condition has been breached?

As an additional matter, I was trying to argue in my report that the mobile home is no longer a mobile home and is now a dwelling. I based this on the following analysis:

"The property was originally a mobile home but it is clear that it no longer conforms to the definition of a mobile home as set out in Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968 (as amended) with regard to its size, permanence and physical attachment to the ground. This judgement is made on the basis of the following:

* that the property has been extended twice to the side (an original conservatory being replaced with an integrated side extension) and once to the rear;
* that as a result of the side extension, as approved by the local planning authority, the property no longer conforms to the maximum dimensions for a caravan. These are set out in Section 13(2) of the Caravan Sites Act 1968 (as amended by SI 2006:2374) and allow for a maximum width of 6.7m and a maximum length of 20m. The property now measures 9.5m wide by 16.75m long;
* that the property has had a whole new roof attached and that this includes an integrated support beam;

The property is therefore no longer a caravan and the relevant time limit for this material change of use of the land is 4 years."

The extensions are in brick and the new roof effectively means that you cannot now separate it into two halves. However, an application in 2009 to retain the extensions was approved subject to a S.106 which maintained that only one mobile home shall be stationed on the site. The S.106 describes the property as a mobile home throughout. Do you agree with me that the mobile home is now a dwelling or does the existence of the S 106 mean that it is still a mobile home.

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If we do decide that they have breached the condition then we can grant the LDC if the property is a dwelling as they have 4 years evidence. But if we decide it is still a mobile home then they don't have 10 years' worth of evidence.

Happy to meet to discuss this.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
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From: Delwyn Jones
Sent: 07 February 2014 09:56
To: Planning.Responses
Cc: Simon Davis
Subject: RE: Planning Consultation on: AL/98/13/CLE 2 Wyndham Acres

My special projects for Bersted and Hollyacre completed on 23 January and 5 February 14. This should free my time to address items unavoidably shelved during that time!!

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer , Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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From: planning.responses@arun.gov.uk [mailto:planning.responses@arun.gov.uk]
Sent: 08 January 2014 16:34
To: Delwyn Jones
Subject: Planning Consultation on: AL/98/13/CLE

To: **Solicitor - Legal Services**

NOTIFICATION FROM ARUN DISTRICT COUNCIL
Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2010 (as amended) - Article 35
Lawful Development Certificate for an Existing Use or Operation or Activity including those in breach of a planning condition.

APPLICATION NO:	**AL/98/13/CLE**
Registered:	23rd December 2013
Site Address:	2 Wyndham Acres Northfields Lane Aldingbourne PO20 3UH

Simon Davis

From: [redacted]
Sent: 14 February 2014 12:00
To: Simon Davis
Subject: RE: 2 Wyndham Acres, Nortfields Lane - LDC application
Attachments: The Case Officer's Report.pdf; Approved Drawings.pdf

Dear Simon

Thank you for the update. I do not have accurate drawings for the approved extensions in 2009 as the application was submitted by different consultant. However, having reviewed the planning history on the Council's website, it appears from the Case Officer's report (a copy is attached) that the extension to the rear measures approximately 9.0 m (w) x 4.2 m (d) x 3.3. m (h). The side extension measures approximately 3.0 m (w) x 12.2 m (d) x 3.3 m (h). I have also attached the approved drawing which shows the location of the extensions. I have been advised by the client that the existing building measures (including the approved extensions) approximately 9.5 m (w) x 16.75 m (l).

I trust this information is of assistance to you. Please do not hesitate to contact me if you have any queries.

Kind regards

Caravan max dimensions is 20m(l) by 6.7m(w)

Ifti
Iftikhar Maniar
BArch, MSc, MA, MRTPI
CUNNANE TOWN PLANNING LLP
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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 14 February 2014 10:30
T[redacted]
Subject: RE: 2 Wyndham Acres, Nortfields Lane - LDC application

Dear Ifti,

I was unable to go out Thursday afternoon as I did not get back from my morning visits until past 2. I will call Mr Smith next week about a visit. Not sure which day yet as I will want to pick a drier day. Are you also able to supply the caravan measurements (just the length and width) please?

ARUN DISTRICT COUNCIL AL/98/13/CLE

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
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From: Iftikhar Maniar [m[redacted]
Sent: 13 February 2014 11:50
To: Simon Davis
Subject: RE: 2 Wyndham Acres, Nortfields Lane - LDC application

Dear Simon

I tried to call you this morning, but was unsuccessful and left voice message. I have spoken to the client regarding your request for your site visit. Could you please contact Mr Smith directly on [redacted] or your site visit this afternoon.

Please update me once you have visited the site.

Kind regards

Ifti
Iftikhar Maniar
BArch, MSc, MA, MRTPI
CUNNANE TOWN PLANNING LLP
[redacted]

Cunnane Town Planning LLP
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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 12 February 2014 17:00
To: [redacted]
Subject: 2 Wyndham Acres, Nortfields Lane - LDC application

Dear Iftikhar,

I write further to our conversation on Monday. I will need to revisit the site to look specifically at the caravan/home itself. Is it possible for me to contact Ms Steer myself or do you need to arrange this with her? I could do Thursday afternoon or sometime next week.

Simon Davis

From: Simon Davis
Sent: 12 February 2014 17:00
To: [redacted]
Subject: 2 Wyndham Acres, Nortfields Lane - LDC application

Dear Iftikhar,

I write further to our conversation on Monday. I will need to revisit the site to look specifically at the caravan/home itself. Is it possible for me to contact Ms Steer myself or do you need to arrange this with her? I could do Thursday afternoon or sometime next week.

I would also be grateful if you would confirm the existing dimensions of the caravan as extended. I have looked at the planning history but I am unable to measure from the plans we have previously scanned in.

I look forward to hearing from you.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
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Simon Davis

From: [redacted] Simon Davis
Sent: 11 February 2014 10:19
To: Lauren Fairs-Browning
Subject: Planning Query re Electoral Roll records

Hi Lauren,

I wondered if it is possible to do a query of the electoral roll re the following:

(1) Mrs Alison Kempson, Loraine, Sea Road, Felpham, Bognor Regis, PO22 7AN - in terms of how long said person has been on the electoral roll at the listed address?

(2) Mr David Bushell, Rear of Loraine, Sea Road, Felpham, Bognor Regis, PO22 7AN - in terms of how long said person has been on the electoral roll at the listed address?

(3) Lodge 1, Woodgate Centre, Oaktree Lane, Woodgate, West Sussex, PO20 3GU - in terms of how long any occupier has been on the electoral roll?

(4) Ms Karla Steer, 2 Wyndham Acres, Northfields Lane, Aldingbourne, PO20 3UH – in terms of how long Mrs Karla Steer has been listed on the electoral roll at this address?

This information is required to assist with the determination of some Certificate of Lawfulness applications.

Please let me know if you need me to come and see you.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
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