

[REDACTED]

Hi Planning Responses,

Could the below email thread be uploaded to the above application file as 'Response from Agent'?

Kindest regards,

[REDACTED]



[REDACTED]

Dear James

I refer to your e-mail of yesterday's date in which you set out two relevant considerations concerning the outstanding planning application Ref No. BR/86/20/PL.

I have noted the contents of Policy ENV DM2 relating to Pagham Harbour and I have also read the reasoned justification to the same policy including the report to your Council's Cabinet of 13 March 2017 entitled "*Update on Access Management at Pagham Harbour*", as well as the document entitled "*Strategic Approach to Access Management at Pagham Harbour*".

As you have stated, the application site lies within a 5km radius of Pagham Harbour, a RAMSAR site, a Special Area of Conservation, an SSSI and a Local Nature Reserve. A Habitats Regulation Assessment on the Arun Local Plan prior to its formal adoption has been undertaken, and a Unilateral Undertaking to which you have drawn my attention is required to be provided to your Authority along with £871 as part of compensatory measures, along with £200 fee payable to your Authority for checking the same undertaking. I am currently awaiting my clients instructions as to who should draw up the Unilateral Undertaking which should follow the format set out in your template. This will be provided to you next week.

In considering the compensatory measures relating to the Pagham Harbour site, it is worth highlighting the fact that none of the residents of the HMO, in accordance with Gatwick Bedsits occupational requirements, will be permitted to keep pets, whilst as indicated in paragraph 5.01 of the planning statement, on average car ownership is only available to 50% of the occupants of the specific HMO. I consider these to be important considerations in the light of the approach to strategic management of this European site.

I have also contacted my clients with the aim of providing you with information on the marketing of the site following cessation of the Class C2 use in February last year, and this will also be sent to you next week along with a copy of the details drawn up by the agents. As we have agreed, there is no policy criteria relating to a change of use of a building(s) from a Class C2 use to a sui generis HMO which requires information of this kind to be satisfied, but I understand such information may be of assistance in answering any queries which may arise.

Turning to today's e-mail, I note your HMO officer's comments which concern rooms 36, 37 and 38. It is not correct to say that rooms 36 and 37 have no windows, and for reference purposes I have set out the following details as they relate to views, lighting and ventilation issues concerning the second floor accommodation.

Room 35 enjoys an existing window facing directly onto Nyewood Lane, along with an existing velux rooflight.

Room 36 has two existing windows, one of which faces directly onto Nyewood Lane, with the second window facing the flank elevation of 39 Nyewood Lane.

Room 37 enjoys an existing window facing directly onto Richmond Terrace together with two proposed rooflights.

Room 38 has two proposed velux rooflights. In this respect, I shall be discussing your HMO officer's requirements concerning this room, but I note that your HMO officer states "*velux windows or ceiling/roof casements as the only source of light, ventilation and view should be avoided where possible*".

It follows that with the exception of Room 38, all rooms at second floor level have at least one existing window which is not obscured by any neighbouring development and for which a view, light and ventilation can be obtained, thereby meeting the requirements of the Housing Health and Safety Rating system. It is only in the case of Room 38 that rooflights are the only source of light and ventilation. All velux rooflights whether existing or proposed will be able to be fully opened for ventilation during spells of prolonged heavy rain or snow without allowing rain or snow to enter the room.

It seems to me given the issues raised by the HMO officer concerning the second floor accommodation, that it is room 38 which requires consideration, and even in this case I note the words "*where possible*" act as a caveat to his/her requirements. I should be grateful if you could seek the HMO officer's comments on the information set out above relating to views, light and ventilation to the proposed second floor accommodation.

I should add that if it is found necessary, my clients would be willing to omit Room 38 and if so, we will need to provide you with amended plans by Monday. I should be grateful for your early response to the points raised in this e-mail regarding proposed second floor accommodation. If necessary please contact me by mobile if I am not in the office. To the extent that my client may wish to contact the HMO officer, it would be helpful if we could have his/her e-mail address or direct telephone number.

I trust this is helpful and I should like to thank you for your continued assistance with this application.

Kind regards

Tim North

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Hi Tim,

Further to my email yesterday, I have been beginning my Officer's Report. Arun District Council's HMO officer have raised the following. I would be grateful if this could be addressed in some form. If you are looking to submit amended plans I would be grateful if this could be done before Monday – this is because the site notice being displayed on site will take place on Tuesday next week and a new notice would be required for the submission of amended plans.

Velux Windows and ceiling/roof casements

- From the plans, it could not be determined if sufficient natural lighting would be available in rooms 36, 37 & 38. Room 38 does not appear to have any windows with a view proposed, only roof lights. **This is not considered acceptable.** Velux windows or ceiling/ roof casements as the only source of light, ventilation and view should be avoided where possible. If the roof lights are the sole source of light and ventilation, alternative windows will be required to be installed and may be included within stipulated conditions on the HMO licence.

Note: All velux/ ceiling/roof windows must be able to be fully opened for ventilation during spells of prolonged and heavy rain or snow without allowing it to enter the room. Each velux window must also have integral passive ventilation for ventilation even when the window is shut. The Housing Health and Safety Rating System (HHRS) states as a relevant matter that "there should be a reasonable view out of all rooms, other than those where privacy is required, such as bathrooms and WCs", as this can have a negative effect on the mental health of the occupants, especially over the longer term.

Kindest regards,

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