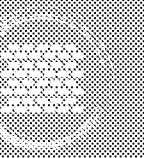


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Our priorities...

 Improving the wellbeing of Arun	 Delivering the right homes in the right places	 Supporting our environment to support us	 Fulfilling Arun's economic potential	 
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From: Ruth Harding [REDACTED]
Sent: Thursday, August 24, 2023 12:21 PM
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Subject: Re: BR/97/22/PL - update

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Dear Maria

Thank you for your email.

I am happy to agree an extension of time until the end of September.

In the meantime and to address your point regarding HMOs, I worry that you have misunderstood the purpose of an Article 4 Direction. An Article 4 direction merely removes permitted development rights and dictates that planning permission is required for changes of use to HMOs. It is not a planning policy that dictates that when an application is submitted it will be automatically be refused.

You might want to check this with colleagues and consult with guidance in the NPPG. I would also direct you to the Council's own website which makes clear the purpose of the Article 4 Direction which is to require a planning application (not to automatically refuse one)... see bold/underlining.

Council introduces new planning rules to control rise of HMOs

New rules introduced by the council will prevent smaller homes from being converted into Houses of Multiple Occupation (HMOs) in three Arun wards.

The rules mean that proposals to convert houses into HMOs will need to go through the normal planning process – rather than being allowed under 'permitted development'.

This will prevent buildings in Marine and Hotham wards in Bognor Regis, and River ward in Littlehampton from being turned into poor-quality housing and help to protect the district's natural and heritage assets to encourage economic growth.

The new rules, called Article 4 directions, are a planning tool that can be used in a local area **to remove 'permitted development rights' for certain types of development, so that planning permission must be obtained before development can take place.** They are used to place restrictions on residential property conversions in areas which already have high levels of HMOs.

I would therefore ask what new planning policy you would be relying on to refuse the application in principle, as I am not aware of any policy changes?

I will revert on other issues once I have heard from the Applicant on outcome of the meeting with the HMO officer.

Kind regards
Ruth

Ruth Harding
Gemini Planning Services Ltd
[REDACTED]

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From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: Thursday, August 24, 2023 10:45 AM
To: Ruth Harding [REDACTED]
Subject: RE: BR/97/22/PL - update

Dear Ruth,

Thank you for your prompt response.

The information about the number of people accommodated in this HMO is one thing which is connected to Pagham Harbour contribution, however, there are other things which should be considered.

The property has a permission for temporary change of use for seasonal agricultural workers for 12-month period. As explain before, there is no possibility to extend temporary use, it should be permanent (HMO).

On the 18th January 2023, Arun District Council confirmed a non-immediate Article 4 Direction to remove permitted development rights for the change of use from a dwelling house (C3) to a house in multiple occupancy (C4). This came in to force on the 19 January 2023. Wards with high levels of HMOs and with high proportions of hazards of in despair were the starting point considering Article 4.

The area the Article 4 direction applies to covers the below wards:

- River ward in Littlehampton
- Marine ward in Bognor Regis
- Hotham ward in Bognor Regis.

These are wards where existing or future high concentrations of HMOs are considered likely to be harmful to the amenity or wellbeing of local residents and communities.

Article 4 is one thing and the amenity space is another.

Recently the appeal for HMO at No 83 Aldwick Road for 11 people was dismissed Appeal Ref: APP/C3810/W/22/3296267 83 Aldwick Road.

'Therefore, the proposal would fail to provide adequate living conditions for future occupiers regarding outdoor space, contrary to LP Policy H SP49(c).'

Please take into your consideration the above.

Ruth, I would like to ask you for the confirmation of an Extension of time until the end of September.

Kind regards

Maria

Maria Tomalova
Senior Planning Officer
Directorate of Place



T: 01903 737510
E: maria.tomalova@arun.gov.uk

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From: Ruth Harding [REDACTED]
Sent: Thursday, August 24, 2023 10:11 AM
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Subject: RE: BR/97/22/PL - update

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Dear Maria

Thank you for your email. I am well thank you – I hope you too?

I have been in touch with the Applicant. As previously advised, the Council's HMO licensing officer has required some substantial internal works to ensure the numbers of occupants can be achieved. As you can appreciate, this has taken some time to undertake.

The HMO Officer is due to visit the premises today to assess whether the works are satisfactory which will then allow us to confirm numbers. I appreciate that this has taken some considerable time, however, as you will see from the email exchange attached, this has been a complex licencing matter and at all times the Applicant has been proactively chasing Env Health/HMO licensing.

To this end, please can you give us until early next week to clarify where we are with numbers. I think this is only fair given the circumstances and delays not caused by the Applicant.

Many thanks
Ruth

Ruth Harding (BSc, MA, MRTPI)
Gemini Planning Services Ltd

G E M I N I
PLANNING SERVICES LTD

From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: Thursday, August 24, 2023 9:08 AM
To: Ruth Harding [REDACTED]
Subject: RE: BR/97/22/PL - update

Dear Ruth,

I hope you are well, enjoying the Summer.

It is almost three months since our last conversation.
There are two options; withdraw this application or it will be refused.
I believe your client have been given more then enough time to solve the problem.

Kind regards

Maria

Maria Tomalova
Senior Planning Officer
Directorate of Place



T: 01903 737510
E: maria.tomalova@arun.gov.uk

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From: Ruth Harding [REDACTED]
Sent: Thursday, June 8, 2023 10:40 AM
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Subject: FW: BR/97/22/PL - update

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Dear Maria

Having spoken again with the Applicant, it would appear that discussions are on-going with the HMO licencing department as there were internal works needed to the building in order to comply with the HMO licence. These works are now largely done, however I am now waiting to receive the agreed figure for the number of occupants for the building so that there is consistency between the HMO licence and any planning permission. I think it will still be 58 but will confirm this.

Kind regards
Ruth

Ruth Harding (BSc, MA, MRTPI)
Gemini Planning Services Ltd



From: Ruth Harding
Sent: Tuesday, June 6, 2023 8:04 AM
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Subject: RE: BR/97/22/PL - update

Dear Maria

I believe the matter is with the Council. My understanding was that we were waiting for the Council's HMO licensing officer to come back with his assessment on how many occupants can be satisfactorily housed in the accommodation. We were then going to amend the planning application details accordingly, so that the license and the planning permission match each other. I don't believe my clients have heard from him recently. Do you know the situation with this?

Regarding the Article 4 Direction, I am not sure how this affects the current application? Article 4 Directions have the effect of removing permitted development rights – they just mean you have to apply for planning permission for HMOs (which we have done). The Article 4 Direction is not policy, nor does it impose an embargo on HMOs... again I'll leave this with you to reconsider.

Kind regards and thanks

Ruth

Ruth Harding (BSc, MA, MRTPI)
Gemini Planning Services Ltd



From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: Monday, June 5, 2023 5:53 PM

To: Ruth Harding [REDACTED]
Subject: RE: BR/97/22/PL - update

Dear Ruth,

I hope you are well.
The time flies and the above application will celebrate an anniversary.
It is already 6 months since you send me the email below (not 7-10 days).

With regards to the creation of a large HMO, on the 18th January 2023, Arun District Council confirmed a non-immediate Article 4 Direction to remove permitted development rights for the change of use from a dwelling house (C3) to a house in multiple occupancy (C4). This came in to force on the 19 January 2023. Wards with high levels of HMOs and with high proportions of hazards of in despair were the starting point considering Article 4.

The area the Article 4 direction applies to covers the below wards:

- River ward in Littlehampton
- Marine ward in Bognor Regis
- Hotham ward in Bognor Regis.

The proposal site is within Marine ward, therefore, things are more complicated.

I would appreciate if I get some update.

Kind regards

Maria

Maria Tomalova
Senior Planning Officer
Directorate of Place



T: 01903 737510
E: maria.tomalova@arun.gov.uk

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From: Ruth Harding [REDACTED]
Sent: Monday, December 12, 2022 3:15 PM
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Subject: RE: BR/97/22/PL - update

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Dear Maria

Just as an update, the Applicant is happy to proceed, however they are currently in discussions with the Council regarding the HMO licence. This might result in a reduction of numbers of occupant/bedrooms. I think its important

for the HMO licence and the planning permission to reflect the same occupancy levels and therefore it would therefore be sensible to wait until the HMO licence numbers have been finalised and then, if needs be, I will amend the maximum number of workers and confirm the number of bedrooms. (I understand that the Licensing Dept is due to confirm to the Applicant in the next 7-10 days approximately).

Once this is done I will come back to you.

Kind regards

Ruth

Ruth Harding (BSc, MA, MRTPI)
Gemini Planning Services Ltd



From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>

Sent: 08 December 2022 17:39

To: Ruth Harding [REDACTED]

Subject: RE: BR/97/22/PL

Dear Ruth,

Thank you for your response.

Kind regards

Maria

Maria Tomalova
Senior Planning Officer
Directorate of Place



T: 01903 737510

E: maria.tomalova@arun.gov.uk

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From: Ruth Harding [REDACTED]

Sent: 08 December 2022 11:36

To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>

Subject: RE: BR/97/22/PL

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Dear Maria

Thank you for your email. I am currently seeking instruction from the Applicants and will revert as soon as I hear back from them.

Kind regards

Ruth

Ruth Harding (BSc, MA, MRTPI)
Gemini Planning Services Ltd



From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: 02 December 2022 12:19
To: Ruth Harding [REDACTED]
Subject: BR/97/22/PL

Dear Ruth,

I am sorry for coming back to you so late.

The previous application was for a Temporary change of use from Care Home (C2) to temporary accommodation for seasonal agricultural workers for 12-month period.

Due to the nature of the proposed we concluded in section IMPACT ON PAGHAM HARBOUR:

'This proposal seeks to convert a Care Home into temporary accommodation for 58 agricultural workers does create an increase in residents. Given the 12 month temporary nature of this permission a Pagham Harbour contribution would not be appropriate however if a further application for long term use were submitted this would need to be reviewed.'

Consulting this case with my managers I was informed it could not be another temporary but permanent change of use and therefore in this case we will need to consider S106 Pagham Harbour contribution.

We don't charge contributions for care homes except where staff are living on site or if care home residents have pets (though we wouldn't know about pets anyway). We do not have any knowledge whether the care home previously had any staff accommodation. If you have this knowledge, please let us know and we'd have to treat any staff bedrooms as 1 dwelling and take this away from the new contribution.

For HMOs, we treat every 3 beds as 1 dwelling

So $58 + 2 = 60 / 3 = 20$ dwellings x £871 = £17,420.

You are therefore advised to enter S106, prepare the draft of Unilateral Undertaking and pay a legal fee of £200.

Kind regards

Maria

Maria Tomalova
Senior Planning Officer
Directorate of Place



T: 01903 737510
E: maria.tomalova@arun.gov.uk

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