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[REDACTED]

From: Jo Funnell (Funnell Design) [REDACTED]
Sent: 01 October 2021 12:36
To: Amy Myer <Amy.Myer@arun.gov.uk>
[REDACTED]

Subject: RE: LU/240/21/PL - 12 Cornwall Rd - UPDATE

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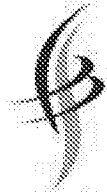
Amy, I am flabbergasted at the lack of consideration you and Arun District Council are showing us with this matter.

We have applied for a 7 bed HMO, the plans clearly show a 7 bed HMO and to say the plans are not laid out as an HMO are incorrect. Have you actually looked at the minor changes we showed this morning on the drawings as the layout fully complies with that of a HMO. We also stand by our comments from earlier in the week that the Town Councils objections were incorrectly founded and so, as the Planning Department you should be able to deal with this as an incorrect objection.

As we do not wish to take a refusal we have no choice but to withdraw this application. We will resubmit this afternoon with the revised plans we sent to you this morning. Obviously it will also be for a change of use to a 7 bed HMO.

Regards

Mr Jo Funnell – Director



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From: Amy Myer <Amy.Myer@arun.gov.uk>

Sent: 01 October 2021 12:16

To: Jo Funnell (Funnell Design) 

Subject: RE: LU/240/21/PL - 12 Cornwall Rd - UPDATE

Jo,

Further to your emails; I have further discussed this with Managers, again.

We cannot accept amended drawings which are material changes and material to the determination of the application (i.e. we may only accept minor amends, on occasions, and at our discretion, since it is within the LPAs right to determine applications as submitted). Clearly these are significant and material amends since the layout goes to the very heart of what an HMO is and would need to be re-consulted on. Given the Town Council objection, even if we were to agree to the revised proposals and recommend approval, this would then need to go to Planning Committee to be decided. With the lead in times for that plus the re-consultation etc. it would not be able to go to Committee until December. We clearly cannot agree to an EOT for such a period of time, and in any case, as above, could not agree to an EOT for material changes to drawings which prompt the need for re-consultation etc.

The fact remains, whatever the intention of the client to provide the property to an HMO provider, the key is how the property is laid out in the drawings as to whether it can be considered an HMO. And it is not laid out as an HMO. This is the responsibility of the applicant or those acting on behalf of to get the description of development accurate and matching to what the drawings actually show so we can make an accurate and proper assessment of the scheme before us.

So I'm sorry but we will be recommending refusal of the application. If you like you can still withdraw, please let me know by 1pm. If not I will pass my refusal report to Managers for sign off.

Amy

From: Jo Funnell (Funnell Design) [REDACTED]
Sent: 01 October 2021 09:57
To: Amy Myer <Amy.Myer@arun.gov.uk>
[REDACTED]

Subject: RE: LU/240/21/PL - 12 Cornwall Rd - UPDATE

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Amy, further to my email of yesterday evening I have met with my client and have taken instruction. We have revised the internal layouts of each bedroom to remove the individual kitchen facilities and have now provided a combined kitchen / dining area at ground floor level for all seven units to use.

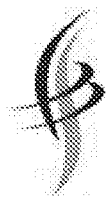
Elevationally, the only alteration to the previously submitted elevations is the existing door on the southern elevation to an external paved area will remain and so not be removed as had originally planned.

I have attached revised drawings P-02E Proposed Ground and First Floor Plans, P-04C Proposed Site Plan and P-05C Proposed elevations and would ask that these be substituted for their earlier revisions.

I trust you will agree that the description of the proposal remains as applied for embody the requirements of a House of Multiple Occupation, which has always been our intention.

Regards

Mr Jo Funnell – Director



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From: Jo Funnell (Funnell Design)
Sent: 30 September 2021 21:04
To: Amy Myer <Amy.Myer@arun.gov.uk>
[REDACTED]

Subject: RE: LU/240/21/PL - 12 Cornwall Rd - UPDATE

Amy, thank you for your email, albeit a little late in the day again.

As our client does intend to operate the building as an HMO as described then the issue would appear to be the internal layout. As Arun have, for the second time, suggested withdrawal of the application at the eleventh hour we

feel we are justified in requesting an extension of time to allow the internal layout to be modified to ensure it ticks the boxes as far as the definition of a House of Multiple Occupation.

We are fully aware of what the minimum room requirements are and so achieving these with a 7 bed HMO with shared facilities is achievable, our client simply wanted to provide improved facilities to the bare minimum.

On a recent application with ADC (LU/212/21/PL : 3-4 Selborne Place) we granted the Authority a 5 week extension of time to allow a new Officer to deal with the application. Can we ask that you show us the same consideration to allow revised plans to be submitted? We will only need a couple of days to do this and ask for a substitution of plans. As these revised plans will not be materially different to what has been proposed to date we do not believe re-consultation would be necessary as the principle of the development remains as we have applied for.

Your prompt reply to this would be appreciated please.

Regards

Mr Jo Funnell – Director



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From: Amy Myer <Amy.Myer@arun.gov.uk>

Sent: 30 September 2021 19:34

To: Jo Funnell (Funnell Design) 

Subject: RE: LU/240/21/PL - 12 Cornwall Rd - UPDATE

Jo,

I have further discussed this with Managers again today.

We note that under the previous withdrawn application the original drawings clearly showed an HMO arrangement with shared kitchen, dining and lounge facilities and that although each unit had its own en-suite it did not each have its own kitchenette. It is noted that during the determination period of that application these drawings were then substituted by different drawings which showed a more similar situation to now with only 1 shared GF kitchen and all units having their own kitchenettes (and en-suites). It is noted that the HMO Officer commented on this revised set of plans that the rooms were still under-sized but also that they were now self-contained and may not be an HMO in the future. By this point, the previous Case Officer Jasmine appears to have had a telephone conversation with you, appending the HMO comments, which prompted your withdrawal of the application.

This current application is a totally different proposition than what was originally proposed under the previous application. The fact remains that it is not laid out as an HMO, the very definition of which is for 'shared facilities' rather than self-contained units. It is the applicant/agents responsibility to accurately describe the development proposals and reflect this in their plans and then that is what we consult on when we receive the planning application. Clearly if they were to be assessed as HMO units compared to self-contained units the internal space standards and parking requirements would be very different, and you would need a reduction in units, since these currently do not meet the internal space standards nor parking demands for self-contained flats.

As such, the fact remains the options are either withdraw the application or we will have to refuse it on the basis that this is not an HMO and cannot be assessed as such against the HMO policy.

If I do not hear back from you on this by 12 noon tomorrow (Friday 1st Oct) I'm afraid we will have to proceed to issue the refusal.

Kind regards,
Amy

From: Jo Funnell (Funnell Design) [REDACTED]
Sent: 29 September 2021 11:24
To: Amy Myer <Amy.Myer@arun.gov.uk>
Subject: RE: LU/240/21/PL - 12 Cornwall Rd - UPDATE
Importance: High

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Amy, our client is managing and marketing these units as HMO's through a specialist HMO Agency. They will not be used as you describe and we believe the description to be correct. We did speak to the HMO officer regarding the layout and believed we have ticked all boxes for a House of Multiple Occupation.

It is very late in the day for this change. If you believe the current applications description is incorrect then why was this not picked up at the point of validation? We have potentially now wasted another three months when this could have been dealt with at the re-application stage.

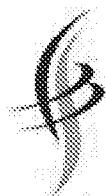
We were asked to withdraw the pervious application at the last minute and the description was then a Change of use from (C3) Dwelling house to 9 bed House in Multiple Occupation (Sui Generis), even though we had asked that the description be changed to 8no units.

This initial proposal involved a communal kitchen, lounge and dining area. Our client felt this offer was not in keeping with what they wished to provide, this was after vising a number of HMOs in the Littlehampton area and deciding that people deserved a better standard of accommodation. Therefore our client took the opportunity after withdrawing the 1st application to update their internal offer but it does remain a house of multiple occupation in our opinion.

I await your comments before deciding what our next step will be.

Regards

Mr Jo Funnell – Director



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From: Amy Myer <Amy.Myer@arun.gov.uk>

Sent: 29 September 2021 10:43

To: Jo Funnell (Funnell Design)

Subject: LU/240/21/PL - 12 Cornwall Rd - UPDATE

Dear Jo,

I have reviewed the plans in full yesterday and discussed with the Team Leader at case review meeting then.

Unfortunately there appears to be a discrepancy between the way the application has been described with description of development for a 7 bed HMO and the submitted plans which show 2 x 1 bed self-contained flats, and 5 x studio/bedsit units. Each unit appears to have its own front door, en-suite washing facilities and cooking facilities and, as such, can be considered to be fully self-contained. It is noted that at GF level there is one larger kitchen/diner facility, which Bedroom 2 has access to and there appears to be an access door to the communal front hallway to that kitchen too i.e. may be shared. In addition, it is also noted that Bedroom 4 within the new extension has completely separate access from the rest of the house. However, this anomaly of the kitchen with double entrance, on the basis of the layout overall, and as a matter of fact and degree, the proposal is essentially not an HMO. As such, the description of development does not accurately reflect what is shown in the plans.

In addition to this, Arun Local Plan HMO policy H SP4 requires that HMOs do not result in excessive parking demands on the local area. Whilst WSCC Highways have not objected on highways safety grounds, they have commented that it is for the LPA to assess amenity impacts of the short fall in parking (only 2 spaces shown). The proposals do not comply with the ADC Parking standards (which would require 3- 4 spaces for HMO of this size) so the LPA concludes it could also result in parking demands in local area and unacceptable impact on parking amenity.

We would therefore recommend that you withdraw the current application and re-submit for "Proposed self-contained flats (state number/housing mix), including demolition of existing garage and replacement with single storey side extension, and provision of associated parking, refuse and garden area". We would then need to assess that on its merits in terms of internal space standards, external amenity space, parking and refuse provision etc.

Please can you confirm by return of email to me if you wish to withdraw the current application on this basis? If I do not hear back by this Thursday (30th Sep) 12 noon I will have to write up the application with a recommendation of refusal, based on an inaccurate description of development which does not reflect the submitted plans/proposals resulting in the inability of the LPA to properly assess the application and also lack of compliance with parking standards/parking amenity impact.

Kind regards,
Amy

Amy Myer
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Directorate of Place
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