

[REDACTED]

Hi,

Please add the e mails below as an agreement to a change of description for the above proposal.

I have changed the description but now need to re-issue the site notice. Can you re-consult all those originally consulted please?

The plans are the same but the new description is:

'Proposed conversion of detached garage to a residential annex along with an infill extension to join this proposed annex to the main dwelling'

With thanks,

David Spring B.Sc, M.Sc, M.A

[REDACTED]



[REDACTED]

Hello David

Thank for your two emails regarding the above application.

Whilst we can all make mistakes, one feels a little let down because two sets of planning officers on two separate occasions with all drawings provided, failed to advise the correct procedure.

Please proceed with your suggested amended wording and to the time extension you requested.

Is there any way that I can reassure my client of your support in this application bearing in mind his parent's care need?

Many thanks and appreciate your assistance

Kind regards

Richard

From: David Spring [mailto:David.Spring@arun.gov.uk]

Sent: 19 March 2020 13:47

[REDACTED]

Richard,

I sent you an e mail some weeks back confirming the information I just sent you and also suggesting a change to the description of the proposal. Please see email below. Can you please agree to this change of description as we need to put up site notices with an accurate description of the proposal and assess it as such?

With regards,

David Spring B.Sc, M.Sc, M.A

[REDACTED]



[REDACTED]

Richard,

Please see email trail below but as suspected we will need to change the description of the application for the reasons outlined in my earlier email to you. We will also have to re-notify those consulted before and put up new site notices with an accurate description of what is being proposed.

For the description I would suggest changing from the current 'Variation of conditions 2 & 4 following the grant of Y/37/18/HH; 2-provision of detached garage to include infill matching pitched roof & associated dormers & 4-window to be standard glazed & normal opening provisions' to:

'Proposed conversion of detached garage to a residential annex along with an infill extension to join this proposed annex to the main dwelling'

If you are in agreement to this suggested description change I will instruct the team here and re-start the process.

To cater for this an ext. of time is necessary. Can we agree to an ext. of time until 8th May 2020?

With regards,

David Spring B.Sc, M.Sc, M.A

[REDACTED]



David,

For some reason I did not pick up that it was no longer to be a garage at ground floor and therefore Kirstin is correct. We should just be able to change the description (may need a new notice).

Dan

Subject: FW: Y/111/19/PL - variation of condition application OR a full planning application?

Hi Dan,

Please see the e mail correspondence below regarding the above application. I have advised the agent that a new application is necessary.

With regards,

David Spring B.Sc, M.Sc, M.A



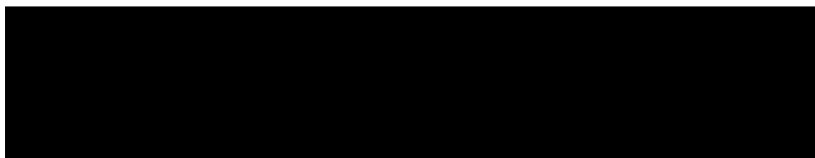
Mr Hollands,

Please see the correspondence below between myself and the legal department yesterday. Unfortunately a new application is needed as the proposed change from a garage to residential occupancy is a fundamental change not covered by S73.

I am happy to discuss further if you wish and am in the office most of the day today.

With regards,

David Spring B.Sc, M.Sc, M.A



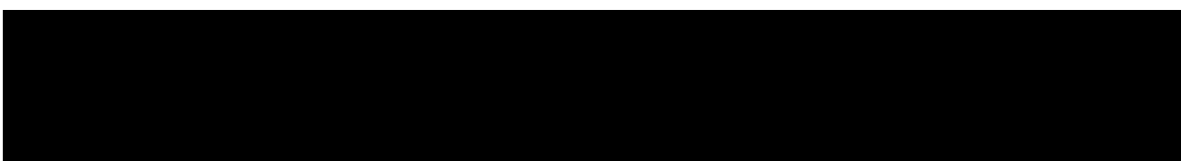
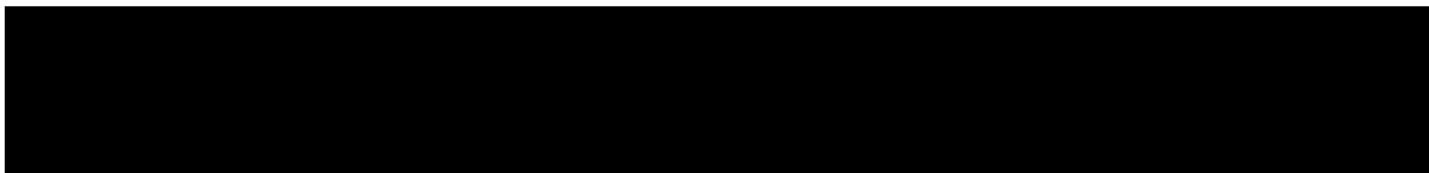
Hi David

You're correct, a new application will be required. The change from garage to residential occupancy is a fundamental change not covered by S73.

Hope this helps

Thanks

Kirstin



Hi Kirstin,

I am the case officer for the above application and I wanted to run something by legal for your opinion. If I should contact someone else in the legal department about this question please let me know:

The above is for 'Variation of conditions 2 & 4 following the grant of Y/37/18/HH; 2-provision of detached garage to include infill matching pitched roof & associated dormers & 4-window to be standard glazed & normal opening provisions.'

Y/37/18/HH was approved for a replacement garage (which included a 1st floor games room/ storage room).

The current proposal would change this garage to a residential occupancy/ attached annex for elderly parents of the applicants and would require a change of description. The Court of Appeal ruled on 5th November in the case of *Finney v Welsh Minsters* [2019] EWCA Civ 1868 that it is unlawful to use section 73 of the Town and Country Planning Act 1990 to amend or contradict the description of the development permitted by a planning permission.

Am I correct in saying a new application is needed?

With thanks,

David Spring B.Sc, M.Sc, M.A



<http://www.arun.gov.uk>

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.
