

ATTACHMENT to:-

APPLICATION FOR REMOVAL OR VARIATION OF A CONDITION FOLLOWING GRANT OF PLANNING PERMISSION. Made by: ANGELA HAMMOND, 40 KIMBERLEY CLOSE, LANGLEY, SLOUGH, SL37RH regarding 15 FAIRLIGHT CHALETs, HAYLING ISLAND

I am applying for a change of condition removing the restriction of occupation from eight months to a full twelve months. I am acting only for myself and no others.

I purchased 15 Fairlight Chalets, Hayling Island, PO119LQ on 6 April 2003. As you will know from your records, the property is one of approximately thirty five brick built bungalows situated in a private cul de sac just off of Salterns Lane. The property has a freehold title. As they were originally constructed as holiday homes (in 1954) they carried a condition that they could only be occupied for eight months (and in some cases ten months) during any given year although one house was allocated as a home for a site manager and this property could be occupied all year round.

All the owners (in a block application) applied for a change in the planning condition which would alter the right of occupation from eight months to a full twelve months. Several of the properties out of the total were eventually given a full twelve months occupancy. These properties were being occupied illegally for some years prior to 2015 specifically during the four months from November to the following February in each year which was forbidden under the planning laws. There remains a condition that if properties are inhabited during periods that are not allowed under the planning laws then owners can then be allowed a full twelve month occupancy - if they can prove they have no other place to live.

The council granted a Certificate of Lawfulness to several of the home owners stating that because of the four year rule, they had no option but to issue it.

I have been discriminated against. I should receive the same benefits as those who have been granted a full twelve months occupancy. The only difference in our circumstances is the fact that they were occupying their properties for four years or more **illegally** thus forcing the council into issuing a Certificate of Lawfulness. This is the only material difference in our circumstances – a difference which is against the law. The council cannot prejudice me for keeping within the law.

I know of two owners who currently live and have been living in their properties on Fairlight for a number of years, who for the whole period of time, have rented out another property they own, somewhere else in the country - something I could have done perhaps if I had known I could have achieved a full twelve months.

I know of other owners - who only have eight months - who currently let their Fairlight Chalet properties all year round – which obviously includes the November to February period which is unlawful.

Permanent Residential Occupation



I would like to consider retiring to my bungalow. It is situated at the far end of the Close and has considerable land attached, not only in the front but to the side and back. There is ample space to extend the property if required and still be left with an adequate garden. I have included photos of the front, side and rear. Mr Hetherington (Appeal Ref APP/X1735/A/13/2194326 dated 24 October 2013) stated in his report that my property was one of two that did not suffer from a 'lack of amenity space'. It is worth stating that his appeal decision was in response to a 'blanket' application by the majority of property owners and my property was included in this collection. If it had been the only one in the appeal it may well have succeeded. I currently live in the Slough area, just outside Heathrow airport. The town is expanding into a busy metropolis, housing many of the immigrants that have found work at the airport or in one of the many large companies that are based in Slough. I can smell the exhaust fumes from the aircraft on some days and I am worried for my health. I feel that as the airport is due to expand, this might be the time to leave the area and live on the coast.

Loss of Holiday Accommodation

The original planning condition of limiting occupation to eight months is now redundant. The original thinking was to match the available months (March through to October) to the known habits of holiday makers. This was before the mass exodus of people going abroad for their holidays. Families would visit the island for their traditional summer holidays. Things have changed!

Hayling Core Strategy is encouraging new housing developments, working within the borough's commitment to enlarge the housing availability on the island. At the same time, it is keen to encourage more hotels and holiday clubs and centres in which tourists can stay and enjoy the island's facilities. Tourism is now a 'year-round' affair and clubs, parks and hotels provide an inclusive package exactly matching the 'holiday makers' requirements. My bungalow is better serving the community by being in the housing market.

Highway Safety

Mr Hetherington mentioned traffic exiting the estate on to Salterns Lane. There is more traffic movement from holiday tenants and tourists renting a bungalow on the estate than any of the individuals either living here permanently all the year round, or people like me who only visit my bungalow in the summer. I use no car on the island. Holiday tenants tend to go out and return daily and sometimes twice a day (up to twenty eight vehicle movements a week) whereas residents tend to spend most of the time in their properties, only taking a car out for shopping –probably no more than once or twice a week.

CONCLUSION

For all of the above reasons I feel that a full twelve months occupation should be given and a Certificate of Lawfulness issued.

A Hammond

Angela Hammond

Date

21st MARCH 2017

