

Att. Suzanne Jackson.



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OUR REF:  
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5 August, 2003

John Mills  
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Dear John

Thank you for your enquiry regarding the question as to whether Camelot's successful concept of residing guardians within empty properties constitutes a material change of use and thus requiring planning permission.

I am replying in the absence of Chris Wojtulewski (who I have copied to this email but is away from the office this week).

I have reviewed the information you have kindly provided to us which gives an understanding of the nature of your business and requirements.

In the UK there are principally three questions that need to be addressed in assessing whether or not planning permission is required for temporary residential accommodation in part of the vacant property for an unknown period of time (I understand a minimum of 3 months contract).

1. Does the residential occupation represent a material change of use requiring a change of use planning permission, by definition of s55 of the Town and Country Planning Act 1990 (as amended)?
2. Does the residential occupation fall within the scope of Use Class C3 (residential use) as defined in the Use Class Order 1987?
3. Does the residential occupation fall within the definition of temporary sleeping accommodation as defined by s25 of the GLC Act 1975 (concerning properties within Greater London)?

### Material Change of Use

The question of materiality is matter of fact and degree (which has been challenged in the UK courts) however there are some assumptions that can be made in this case. Only a very small area (we understand a 3% floor area of the total unit) is occupied by temporary

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