**Responses to the short-term let letter 15/2/21**

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| Royce Way | I haven’t experienced any issues with properties being Let, however I know my friend living opposite us has, much to her frustration.  However, as a household we will happily back the Board on taking this further as all the points you make are an accurate view on what could / is slowly happening everywhere.  This kind of business introduces people to our vicinity that wouldn’t have known much about our Estate otherwise and I personally feel uncomfortable with that . |
| Royce Way | As you know, we have only recently moved in to Royce Way. As yet, we have not been affected by any short-term holiday lets. However, one of the main reasons for moving to the estate was to enjoy the relative quiet and neighbourly approach to living, as outlined in your letter. We absolutely agree that short-term holiday lets could compromise this and therefor fully support your position and next steps approach. If there is anything further that we can do to help, please feel free to ask. |
| Royce Way | I fully support the board in upholding the integrity of the estate and limiting properties to long-term rentals only.  As we are not supposed to run businesses from our properties is seems to contradict what is and isn’t allowed.  Am I now allowed to run any business I like from my property with customers/clients coming and going all time of day and night and with no regard to the disruption to my neighbours?  Recently (in-between lock down) certain properties seemed to have a constant stream of people and cars coming and going with no respect to neighbours, noise levels, speed limit, off street parking etc.  One of the highlights of this estate is the quiet, friendly, safe nature of it – all this is in jeopardy if we have this constant stream of visitors all year round. |
| Royce Way | Whilst we thoroughly endorse what you and the committee are endeavouring to do, we cannot visualise how it can be done legally or physically (i.e. Bailiffs).  The Covenant on our property states that “no trade or business….shall be carried out on any part of the land”. We presume a similar Covenant is in place on all Estate properties?  Surely lettering for profit is not only taxable but a business use? Looking at recent examples on the Estate it is impossible, presumably, to know in advance of a buyer’s intention to turn their property into a “party house” but it is not long before the presence of builders putting in swimming pools, hot tubs, etc and paving over front gardens for parking, is a good indication. Airbnb, for example, allow up to 16 people into their lets with no checks on how many households are allowed. Surely this breaks Lockdown rules – but what can be done? Presumably the Estate Committee will know the name of the ultimate owner?  It is all very worrying. We wish you well with your endeavours. |
| Royce Way | My concern would be - Breaking one of the covenants of the estate by running a business on the estate. That people on short-term lets would not show the same respect as local residents do to the local environment. They do not share the same sense of responsibility for the locality as they are only there for a short time. That properties are becoming much larger (more bedrooms) and so attract a larger number of people, possibly from different households and hence more cars to the residence and imbue a party atmosphere and all that entails. People up late chatting, loud music and drinking. You would expect this occasionally with neighbours but with short-term lets it would be constant. |
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| Royce Close | I am aware of problems experienced by neighbours from those renting an Airbnb property and the owner and fully understand the concerns expressed. As Royce Close was built later than other properties I have checked with the land registry and downloaded documents that set out the restrictive covenants. They include "No trade business or manufacture except that of a professional calling shall be carried out on any part of the land." I fully support the company should it decide to join with owners in legal action and accept that the costs of such action would be reflected in the annual charge. |
| Royce Close | This is a subject which is of great importance to all residents, as there is no doubt that if more properties became available as holiday lets it would have a very negative affect on our way of life on this estate.  My house in Royce Close is behind and very close to XXXX in Royce Way, which became a holiday let during 2020. During one of the early weeks of occupation, during a period of hot weather, visiting teenagers were in the garden at 2 in the morning playing loud music. This stopped me sleeping, I had to close the windows on a hot night, and I was sufficiently upset to go round next morning to complain to the lady who answered the door. I was not aware at the time that she and her family were just holiday visitors, but it was completely unacceptable, and I made that clear!  Subsequently there was a week or two during the hot weather when a continual thumping (which sounded like a ball being kicked) for several hours at a time, coming from XXXX, made it difficult to enjoy relaxing in my garden or conservatory. I found it annoying at a time when our movements were restricted and we had to remain at home. Clearly, these are the sorts of problems which do not occur when householders respect their neighbours.  I have recently been told that the owners of XXXX ask their guests to stop making noise outside after 11pm. As I am now in my 80’s, I find that I need to retire well before 11pm, and that time - if observed - is unacceptable on a residential estate of this nature.  On the subject of restrictive covenants, my own property is subject to a Restrictive Covenant which stipulates that 'no trade business or manufacture except that of a professional calling shall be carried out on any part of the land'. I hope that such a covenant applies to all properties on the estate, as it is clearly intended to prevent properties being used for commercial purposes to the detriment of neighbours and the estate. Presumably if we allow properties to be used as holiday lets it may become difficult to enforce the covenant in future.  I do hope that you feel able to take action on our behalf. |
| Royce Close | We are aware that XXXX on Royce Way was operated as a holiday let last summer/autumn. The tenants certainly caused some significant evening/night noise disturbance. We agree that it would be nice to be able to control, or at least influence, the level of noise from holiday lets. You mention that property covenants restrict the use of Wells Farm Estate properties for commercial business purposes and that short-term rental would breach such a covenant. It seems likely that many letting owners will be taking advantage of reduced rates in respect of self-catering & holiday let accommodation. If this could be shown to be the case, it might be sufficient proof of the operation of a commercial business. |
| Royce Close | Thank you for your email about short-term renting. We share a boundary with xxx, Royce Way. The owners have been back and forth often recently and there is a family there now the restrictions are ignored. I did contact the owner in August about the noise and lights nuisance from renters until 2--3am. He accused  me of harassment so obviously I will not contact him again. We are not happy at the thought of ongoing renting out with potentially more than a dozen people staying there. Our bedroom overlooks their garden and the hot tub is a very noisy feature. Thank you for highlighting the problem. |
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| Elms Ride | Received and understood. |
| Elms Ride | Having had some experience of short-term holiday lets in Brighton, confirm we are totally opposed to them on the Estate for the valid reasons you detail.  We therefore would support the Board joining with others in taking legal action or on behalf of the Estate. |
| Elms Ride | We are most concerned to discover the extent of changes to some properties on the Wells Farm Estate. It seems to us that the short-term lettings are in breach of the covenants governing the uses of dwelling houses and this is a significant threat and detriment to our rights to peace and quiet on the estate. The character of the estate was, we are certain, one of the main reasons for people choosing to live here and we believe the estate management’s primary task is to safeguard this high value amenity.  We would favour an approach that takes legal counsel and uses the law to ensure that the covenants are upheld. Advising or simply requesting change from people whose motives are primarily financial, we believe, will not on its own be fruitful. We also think that the local authorities and local MP need to be alerted to our concerns and mobilised to act on our behalf as constituents and local tax payers.  We are aware that action on these matters is no easy matter and that legal representation is costly. However, we feel this will be necessary in order to engage with property owners whose interest is to engender profits and raise property values at the expense of those who live here permanently. We propose therefore that the Board consider raising a levy on all members in order to employ the appropriate legal advice and ensure action to remedy the situation. Perhaps you could let us know if such a course is open to the Board and whether such a recommendation would be binding on estate residents as members and ‘owners’? We would certainly be prepared to help fund legal action in order to enforce the covenants in the common interest. |
| Elms Ride | Thank you for your letter about short-term lets.  As a second home owner on the Estate we feel we have responsibilities and a commitment to everybody living on the Wells Farm Estate and I hope that all other residents would have a similar view.   This includes participating in Estate wide activities such as the autumn leaf clear up and AGM when we can. |
| Elms Ride | I like everyone else am very concerned about the possibility of frequent lets and possible rowdy behaviour. I understood that no property could be used as a business property, according to the covenant. I recall the owner of Gull Cottage made an office in his garage and had employees come daily, but this was stopped and the property sold, due to the covenant being invoked. The prime purpose of this estate is residential. I support you in all you and the committee are doing to sort this out. |
| Elms Ride | I have read the communication re short-term lets on Wells Farm Estate. I agree with the contents thereof as the attractions and ambience of being fortunate to live on this desirable Estate in West Wittering would inevitablly change detrimentally if alterations and extensions to particular houses lead to short-term lets. |
| Elms Ride | Thank you for the letter about short term lets. I support the action the Board is taking and thank you all for looking after the interests of all estate residents.  I do hope that raising awareness will help those considering regular short term letting to appreciate the characteristics that make this private estate such an attractive place in the first place and to understand how easily that could be disturbed.  I hope they think again.  Things never stand still, and the AirBnB phenomenon has changed attitudes forever: sweating your assets is often heralded as an honourable thing to do, and many residents will seek accommodation in other quiet areas themselves.  Will it increasingly be seen as part of modern life?  I therefore fear that efforts to enforce covenants may ultimately prove challenging, and perhaps prohibitively expensive in the long run.  It is good to raise awareness.  Changing trends are not reasons to stand aside, especially if worries about unneighbourly behaviour by holiday-makers do become a regular problem. |
| Elms Ride | This is an excellent message and clearly sets out the Wells Farm position on this issue, which we fully support. Sadly, for all the estates in the area this is probably just the start of a lengthy story and the more we can all move in step with all interested parties, the stronger our position will be.  This notice struck the right tone in valuing local community and quality of life over blatant profiteering. |
| Elms Ride | I too am most concerned to hear that several properties on Wells Farm Estate have been purchased with the intention of using them for the very profitable purpose of short term holiday rentals.  I have lived in Elms Ride for 41 years and strongly feel that if this is allowed to continue unchecked it will certainly change the whole character of this desirable private estate. As you say, the addition of swimming pools, barbeques, fire-pits and hot-tubs into fairly small gardens is purely to encourage large and inevitably noisy parties being held by people who do not live here for any length of time and therefore will have little concern for their neighbours. This may make me sound like a kill-joy but those who know me will know that I enjoy a party as much as anyone - but this is a different situation. Also the certain increase in parking of vehicles on the roads and verges is a problem worthy of consideration on our pleasant and well maintained estate.  I am fully in favour of the Board collecting further evidence and seeking legal advice on this matter. I realise that this is not an easy problem to solve but feel it is essential that we maintain the Estate's character and ambiance and resist it developing into a party hub run for the financial gain of people who do not live in West Wittering. I would certainly be prepared to help fund legal action in order to enforce the property covenants in the interest of us all.  In 1952 the residents of West Wittering were faced with the prospect of a holiday camp being built on the beach.   They resisted the temptation of financial gain  - buying the land and setting up the West Wittering Estates, so preserving the beach for us all. I feel people should always be welcome to come and share this wonderfully unique area in which we live but not to try and alter it for commercial gain |
| Elms Ride | I confirm that I am in full agreement for the board to pursue all legal avenues to prevent the future use of properties on the Wells Farm Estate being used as businesses by way of short term lets. I have lived on the estate for over 20 years and am very concerned over the fairly recent developments that have resulted in properties being developed by owners of second homes for short-term rentals. There is clear evidence that such homes are being converted into party houses, which is entirely against the spirit and the well being of the Estate. I hope that the board is successful in its attempts to prevent a proliferation of such developments. Further that the Parish and District councils are able to ensure that taxation and extra rates make such ventures uneconomical or better still legislate against them entirely. |
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| The Byeway | Thank you for this Claire. I have read the contents and support them. We have no knowledge of any such lets and have have no intention to let xxxx Cottage. Though it would be nice to be able to visit ourselves! |
| The Byeway | We too believe that the development of a commercial holiday rental market would mark a permanent and detrimental change to Wells Farm Estate and to West Wittering as a whole.  When Airbnb was first created it had a very commendable business model where one would let out a room to guests, welcome them into your house and show them the sights around the area.  Over the years this has “morphed” into something completely different.  We have read articles, and heard from close friends of instances of outrageous behaviour arising from Airbnb which no one should have to tolerate.  We purchased XXXX for all of the good reasons that you state in your letter and we would not want this to change.  If this is a developing trend then it needs to be curtailed before precedents are set.  By visiting the web sites of companies like Airbnb it is possible to see the properties that are advertising themselves for this type of use.  We believe that we have 2 such properties near to us, but as we have only recently purchased XXXX and with the advent of Covid we have not yet experienced a “normal” Summer season.  For the avoidance of doubt, we purchased XXXX for our, and our families’ and friends’ benefits and not for short term holiday rentals. |
| The Byeway | Thanks for the email. That’s perfect.  As you can see I sent this to the Parish council on the 11th and had a reply back from Sue who sent it to the company doing the survey. |
| The Byeway | I object to the holiday letting beginning to develop on the Wells Farm Estate, which is not suitable for such a commercial undertaking. |
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| Seaward Drive | A well crafted document that sets out the issues in a considered manner. Well done to you and the Board. Not an easy matter to be taken on by the Board, but we consider you are right to take on this challenge.  While, as second home owners ourselves, we are conscious we have a detrimental impact on the vibrancy of the community by not being full time occupants, we feel the use of properties for short term lets on a commercial basis substantial impinges on the amenity of the Wells Farm Estate. As a result, we would like to express our support for the Boards stance on the issue.  Please let us know what other support may be needed. |
| Seaward Drive | It is reassuring that the board are aware of the situation and the potential for problems in the future.  The measures proposed by the board seem to be a pragmatic and robust approach to prevent short-term holidays lets from becoming commonplace and the issues this could cause. We are fully supportive of this approach.  You asked for examples of where holiday lets on the Wells Farm Estate had caused issues/problems. We are aware of a holiday let property and although we are not close, it has caused some noise disturbance. However, our property does back onto Cakeham Road, where we are aware of 2 closer holiday let properties. Both of these properties have been disruptive generating late-night noise, loud music and partying well into the early hours on many occasions.  We are appreciative of any steps that can be taken to avoid the trend for similar holiday let/party houses on Wells Farm Estate. |
| Seaward Drive | The issues of noise, traffic, disturbance and loss of community are well documented when it comes to short-term lettings across the world. They’re as relevant in West Wittering as anywhere. The main issue I’m concerned about is constant, back-to-back, party-style / multi-family rentals, in properties that are reconfigured to sleep as many people as possible. I don’t know anyone in any residential environment who would welcome these. Hotels, caravan parks, holiday camps and self catering developments are specifically created for higher-volume, higher-impact tourism like this (and they're subject to specific planning controls), while the vast majority of properties in West Wittering and elsewhere are not.  Short-term letting platforms/companies are largely unregulated and unlicensed too, when other accommodation, leisure and hospitality facilities must follow all regulations in force, including paying considerable business rates to help meet the impact they bring.  In other countries, one cannot let a property in this way without all or some of the following: Obtaining/paying for a licence; waiting for a licence to become available if only a set number are ever issued (then accepting they are rotated, or for a limited duration); getting a change-of-use planning designation; clearing fire/safety inspections; accepting a limit on the number of letting nights per year; accepting a cap on occupancy levels (nowhere close to full occupancy); and paying business rates. All of these mean buying a property specifically to run as a short-term let is commercially unviable - which stops this activity dead in its tracks.  Even for those buying a second home to use themselves and to run short-term lets during the rest of the time, such restrictions would makes it much less appealing.  Commercially-run short lets are a contributing factor in increasing property prices too, especially when they cluster in particular areas, as they deplete housing stock and effectively re-designate it as commercial property. While lots of people get excited about increasing property prices, especially their own, these only benefit some members of society, and realistically then only if they plan to sell and leave an area or downsize.  They do not benefit the 37% of people in the U.K. who rent, those trying to get onto the property ladder who need ever larger deposits/mortgages, or people who need to upsize.  The large short-term letting platforms were not actually set up as holiday letting agencies.  The clue is in the name - Airbnb, [hotels.com](http://hotels.com/), etc.  I should state I have no issue with people running a B&B from home, or letting out an annexe or self-contained unit that’s within their own property.  The key difference is they are on site and are highly unlikely to put up with all the antisocial elements that come with short-term lets.  This sort of thing isn’t especially detrimental to a sense of community either as owner-occupiers are resident to run these activities.  When considering measures, the only solutions found elsewhere have been when local councils have stepped in to introduce licensing / limits / business rates, recouping the full cost of this from the property owners concerned.  We might also look to elsewhere in the world for guidance on when short-term lets are permitted.  Unless they are keen to take part, a lot of residents leave Rio and Notting Hill during carnival, people leave Wimbledon during the Wimbledon fortnight, Ascot during Royal Ascot, and so on.  Properties in such locations can command very high rentals during these periods.  If it is not possible to ban short-term lettings completely, the obvious weeks to permit them will be when those renting them would actually be out anyway, for example the three main Goodwood events each year. |
| Seaward Drive | Thank you for the message on short-term holiday letting and completely agree with the sentiment and support the efforts to stop this getting worse. |
| Seaward Drive | We believe this is a major issue for the area as a whole and whole-heartedly support the Board in its efforts to address this problem on the estate. Constant changeovers, houses let to capacity and dealing week after week with a new set of holiday-makers is very disturbing. The owners who are letting these houses out for large sums are not on hand to deal with the fallout their customers generate. |
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