

Development Management – Delegated Officer Report

Application Number: AWD/0324/26

Recommendation – APPROVE

Site: 19 Wenban Road Worthing West Sussex BN11 1HY

Proposal: Application for a Lawful Development Certificate for Existing use as a small House in Multiple Occupation (Use Class C4)

Site visit: N

Proposal, Site and Surroundings

The site is a three storey property located on the southern side of Wenban Road. The property is currently a 6-bedroom HMO (Use Class C4) having been converted from a single dwellinghouse in 2024. There is a small front garden which has been used for the bin storage of the site. To the rear there is a small garden which backs onto the parking for a discount tyre shop.

The existing site has had a loft conversion to create the second floor with a dormer to the rear roof slope. Within the front roof slope there are two velux style windows. These works do not form part of this lawful development certificate.

The application is for the retrospective change of use from a C3 single dwellinghouse to a C4 small HMO for up to 6 individuals.

The applicant is seeking determination that the change of use undertaken was permitted development at the time it was undertaken, and that planning permission was not required.

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015.

Schedule 2, Part 3 – Changes of Use

Class L – small HMOs to dwellinghouses and vice versa

Permitted development

L. Development consisting of a change of use of a building—

- (a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Development not permitted

L.1 Development is not permitted by Class L if it would result in the use—

(a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or

(b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.

Analysis:

The plans show that the site is now in C4 use having previously been in use as C3. Use Class C4 (houses in multiple occupation) relates to small, shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

The existing layout shows six bedrooms, one of which has an ensuite and the five others sharing two bathrooms. Also, a ground floor communal kitchen and utility is provided.

The alteration has not resulted in a development that has split the original dwellinghouse into two or more dwellinghouses.

Recommendation

Issue a Certificate of Lawfulness for Existing Use Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

The proposal constituted 'development' as defined by Section 55 of the Town and Country Planning Act 1990 but was permitted by Class L of Part 3, Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Informative

The applicant is advised that the certificate applies to the use only and has not assessed the lawfulness of the loft extension. The applicant is advised to consider submitting a lawful development certificate for this extension.

Case Officer: Finlay Gardner

Date: 12/05/2026

Authorised by: Louise Prew

Date: 12/05/2026