DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: WB/11/0065/FULL – 31 Chesswood Road

DATE OF SITE VISIT: 18/03/11

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The site is on a residential street, directly facing onto Homefield Park. The street is characterised by pairs of large two-storey Victorian semis.

The application property is one such building. It has been extended off the rear in the 1980s. The building has been used as a House of Multiple Occupation.

PROPOSAL:

The development sought for has been advertised as Change of use from multiple occupancy to a single dwelling.

The proposal consists of:

- Change of use from large house in multiple occupation (more than 6 occupants) (sui generis) to a single household dwellinghouse (Use Class C3(a))

Licence under Section 64 of the Housing Act 2004 states the building is reasonable suitable for occupation by not more than the maximum of 5 households, comprising 6 tenants plus the owners household with a maximum of 5 persons permitted to use the shared sanitary facilities.

Changes to legislation means that since 1 Oct 2010 large houses in multiple occupation (those with more than 6 people sharing) are unclassified by the Use Classes Order. In planning terms they are described as being *sui generis* (of their own kind). In consequence, a planning application will be required for a change of use where a material change of use is considered to have taken place.

RELEVANT PLANNING HISTORY:

729/84/EU
Application for an established use certificate for use of property as a flatlet house
Approved 09-10-1984

RELEVANT PLANNING POLICIES:

South East Plan
CC6, BE1, CC1, SP2, SP3, CC4, H1, H2, H4, H6, T4, NRM10, BE2, BE3

Worthing Core Strategy
7, 8, 9, 16, 19

Worthing Local Plan 2003
BE1, H16, H18, QES7, H10, TR9

Government Advice
PPS1, PPS3, PPG13, Circular 08/10: *Changes to Planning Regulations for Dwellinghouses and Houses in Multiple Occupation* (Nov. 2010)

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

Borough Health and Housing consultation response:

Property in multiple occupation for many years offering accommodation to a good standard according to environmental health records. Loss of accommodation may exacerbate housing need for single person household

PLANNING ASSESSMENT:

Introduction

The planning concerns with this development are the principle of reversion from the HMO to a single dwelling house, and to a lesser extent its visual impact and impact upon parking and neighbours.

Principle

The acceptability of the development turns on how the building is presently used and the likelihood that the HMO would return to operate at its full capacity in future; and the implications of its reversal to a single dwelling in terms of household provision within the town.

Present usage

There is little indication from the treatment of the building's exterior or its grounds to its present usage. The property was visited by the planning officer on 18th March 2011. At that time only 1 individual tenant and the owner and his wife occupied the building. The tenant occupied the forward second floor flatlet. The owner stated his tenancy is to cease at the end of the month of May 2011 and the tenant is too vacant.

The entire ground floor was put over to the owner and his wife's accommodation. This is in very good condition. The remaining floors of the building were set out as 4 no. flat lets; 2 no. on each floor. The first floor consisted of a rear studio flatlet with its own kitchen, a forward one bed flatlet with its own kitchen and shower, and a communal W.C. and bathroom. The forward flatlet was last occupied continuously for a year and a half; the rear one for 4 years. The second floor consisted of a rear one bed flatlet with its own kitchen and shower, a forward studio flatlet with its own kitchen, and a communal W.C. The accommodation of the second floor forward flatlet was of good condition. It was presently occupied. The rear second floor flatlet was last occupied continuously for over 4 years. All the accommodation shared

street access via the front entrance. The rear garden was put over to the ground floor accommodation alone.

The building's layout allows for its continued use as a number of flatlets. But there are certain factors to the building's layout that put this continued use at a disadvantage. Having the entirety of the ground floor put over to the owner's accommodation substantially reduces the amount of flexible floor space available to accommodate changing tenant demands. All the flatlets lack access to private outdoor space. The poor state of repair of certain flatlets (the first floor units in particular) means a large amount of capital is required to fit out those units for accommodation of a standard to meet market expectations; there was evidence of water penetration of the ceiling at the second floor landing for instance. Presently the entire HMO building fails to meet mandatory fire regulations being deficit in automatic fire detection and fire alarm systems, fire alarm control and indicator panels, electrical installation in the building, and mechanical extract ventilation as well as failing to provide adequate provision of wash basin and shower rooms. To meet the prescribed standards under the Housing Act would involve considerable capital expense. Unfortunately the applicant and his wife are of retirement age and do not have the funds available to undertake such work. During the planning officer's visit the applicant expressed his intention to sell the property rather than invest in the necessary works.

On the basis of the above evidence the HMO is an under-utilised resource, which is failing to fulfil its potential at making efficient use of land. Moreover, it is unlikely in the foreseeable future that this circumstance will change for the better.

Housing provision

It is recognised existing housing stock is an important part of the overall housing provision in the town which contributes to meeting local needs. Nonetheless, the Strategic Housing Market Assessment (SHMA) outlines the importance of providing for family accommodation. The SHMA established the housing offer in Worthing is focused towards smaller properties, typically 1-2 bedrooms (40%). Flats account for almost one-third of its total housing stock which is significantly higher than regional and national levels.

The proposal presents an opportunity to bring forward a large 7 bedroom home in a location that would appeal to occupation by a big family. Although parking on the site is unavailable, the street is permit controlled so convienent on-street parking would become available to the home owner once a permit is granted. The house would have access to a good sized private back garden, and Home Field Park recreation ground and its facilities are immediately opposite the site. A family home of its size is reasonably uncommon in the immediate area, so its existence would diversify the housing offer and contribute to the sustainability of the borough.

Moreover, an HMO is classified as a single dwelling for the purposes of calculating housing provision. Therefore, on its technical and broader planning merit, the proposed development is not in conflict with Core Strategy Policy 9 *Existing Housing Stock*, which is to resist proposals which result in a net loss of housing. The property's immediate take up as a single dwelling would also

avoid a period where the HMO building sits empty whilst on the open market with no guarantee of a potential buyer to purchase,.

Visual

No external alterations are proposed so the visual impact from occupation of the building by a single residential household would be minor.

Neighbours

Occupation of the building by a single family would benefit neighbours as comings and goings and activities in and around the building would be more conventionally residential in their nature.

Parking

Parking demand would be reduced with occupation of the building by a single family compared to that of the demands arising from more than 5 individuals who could potentially residue in the HMO. This would ease on-street parking congestion, especially as parking on it is permit controlled.

Conclusion

It is recognised the proposal would involve a material loss of a type of accommodation that could, potentially, serve the needs of certain groups within the town. However the HMO is presently under-utilised and this circumstance is unlikely to change for the better in the immediate future.

Moreover, the findings from the SHMA emphasise that future housing in Worthing should include a mix of types and sizes to cater for family, older and younger people. Bringing this large family home back into active operation would comply with this by adding to the mix of housing types in the immediate area. It would also bring forward a housing type indentified through Core Strategy Policies as lacking in the town, the supply of which should be secured wherever possible in future developments.

Therefore the particular circumstances of this case would meet the spatial objectives set out in the Development Plan. And in all other respects the proposal would not unacceptably impact upon identified amenities.

RECOMMENDATION:

Approve subject to:-

1. Standard time limit
2. Plans as approved
3. Cycle store provided as shown
4. Bin store provided as shown
5. Notwithstanding "pd" no alteration of front boundary wall
6. Notwithstanding "pd" no laying of new hard standing to front garden
7. Flat roof not used for balcony

REASONS FOR RECOMMENDATION:

The proposal complies with relevant Development Plan policies.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

N/A

DELEGATED

Case Officer
Sign..... [redacted] .....Date.....

Authorising Officer
Sign..... [redacted] .....Date..... 19/4/16.....