Development Control – Delegated Officer Report

Application Number: AWDM/0863/24 Recommendation: Approve

Site: 118 Ham Road Worthing

Proposal: Change of use from small house in multiple occupation (Use class C4) to a large house in multiple occupation (7 bedrooms) (sui generis).

Date of site visit: 17.09.2024

Neighbours checked: Y

Additional neighbour notifications: N

Site, Surroundings and Proposal

The application site relates to a mid-terrace property located on the east side of Ham Road. It is understood that the property is currently licenced as a 6-person 6-bedroom HMO and includes accommodation within the roofspace which was converted in 2023 when two additional ensuite bedroom were formed. There is a rear twitten running along the rear of the terrace linking with Archibald Road to the east and Meadow Road to the north.

The current application proposes conversion of the ground floor communal lounge to form an additional bedroom to facilitate the change of use from a 6 bedroom HMO (Use class C4) to a 7 bedroom HMO (sui generis). The applicant's statement stipulates that the proposed HMO would be for 7 occupants in total. The plans also indicate internal alterations to the rear communal kitchen and dining area. No external alterations are proposed and the layout of the remainder of the accommodation would remain as existing.

Relevant Planning History:
None relevant

Consultations:

Southern Water has commented as follows:

Thank you for your correspondence dated 05/08/2024 regarding the above application, please see our comments below.

Following the review of the submitted documents, Southern Water has the below comments.

From the information received, Southern Water has indicated that the applicant is not proposing to use the existing drainage system, because of that Southern Water requires a formal application for a connection to the surface water and public sewer

main system to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: https://developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: https://www.southernwater.co.uk/developing-building/connection-charging-arrangements

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

The **Highway Authority** has made the following comments:

Summary
This application seeks the change of use from small HMO (Use Class C4) to a large HMO of 7 bedrooms (Sui Generis). The site is located on Ham Road, a B-classified road subject to a speed restriction of 30 mph.

Access, Parking and Sustainability
The site does not benefit from private off street parking provisions. Under WSCC Parking Standards, the LHA would expect an HMO of this size to provide at least four car parking spaces. Therefore, any overspill parking would have to be accommodated on-street.

On street parking is present along Ham Road, however this is subject to a permit between the hours of 10-11am and 2-3pm Monday to Saturday. Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place on nearby roads to prohibit vehicles from parking in places that would be detrimental to highway safety. The LHA would not anticipate that the nil parking provision would give rise to a highway safety concern or parking capacity issue in this location, but the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

The proposed change of use to Large HMO is not anticipated to give rise to a significant material intensification of movements to or from the site.

Weight is given to the fact that the site is situated within walking distance of local services and amenities within Ham Road and adjoining roads within Worthing and are easily accessible on foot. East Worthing railway station is located an 8minute walk from the site and bus services operate along both Ham Road and Lyndhurst Road, offering an alternative to the use of a car for transportation and reduces the reliance on the use of a private car. Cycling is a viable option in the area and the submitted Planning Statement states that a secure cycle parking provision will be provided within

the associated rear garden of 118 Ham Road. This should be within WSCC requirements of 1 space per unit and is advised to be sealed via planning condition alongside any approval of this proposal.

Conclusion
In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following condition should be applied:

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

The Council's **Drainage Consultant** has confirmed no objection on surface water grounds and recommends approval.

The Council's **Environmental Health Officer** has recommended the following condition:

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

The Council's **Private Sector Housing** team raises no objection and has made the following comments:

No issues of concern identified regarding PSH legislation

Property is licensed for use as an HMO currently. Proposed changes will enable the property to be occupied by an additional person in compliance with licence conditions and management regulations.

Licence holder should notify PSH on completion of work to request variation of licence to allow additional occupant.

Representations:

One representation has been received from the occupier of a neighbouring dwelling objecting to the application on the grounds as summarised below:

- Overdevelopment - 7 people crammed into what was constructed as a 2-bedroom Victorian family home – already too many people in too small space
- Impact on quality of life/enjoyment of home
- Noise/disturbance/odours would be increased
- Loss of privacy – overlooking by 7 people, would be increased
- Inaccuracies in application – there do not appear to be 6 occupants currently, closer to 3 or 4 therefore the application doubles the impact
- Garden is unkempt and can be unsightly – is used by tenants as there is probably not enough space for communal living currently, this will increase
- Bins already overflow
- Lack of car parking – parking congestion will be exacerbated by proposals
- Impact of building works – noise/disturbance
- Most neighbouring properties are family homes
- Insufficient infrastructure to support a large HMO here
- Loss of property value

Officer's response: Where relevant responses are within the body of the report. It is noted that property values are not material planning considerations.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023):
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM1 (Housing Mix)
DM2 (Housing Density)
DM5 (Quality of the Built Environment)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)

National Planning Policy Framework (MHCLG 2023)
National Planning Practice Guidance
WSCC Guidance on Parking for New Development (2020)

Planning Assessment

Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

It is recognised that HMOs/bedsits meet a rising market demand for low cost, basic residential accommodation. The cost of accessing home ownership; the shortage of social housing to rent; economic hardship, together with changes to the housing benefit system have all contributed to increased demand for this type of lower quality accommodation. The Worthing Local Plan recognises the contribution that HMOs can make in providing housing choice. However, it is important that a high standard of accommodation is provided and that they promote and retain housing choice.

In this case, the layout of the existing HMO would be altered to provide one additional bedroom to replace the existing communal lounge and with internal alterations to the communal kitchen and dining area. The proposal would make efficient use of site by providing an additional bedroom, making a small contribution to meeting housing need in a sustainable location.

Worthing Local Plan Policy DM1 requires that applications for the change of use to a C4 use, a mixed C3/C4 use or to a sui generis HMO use should demonstrate that appropriately sized communal living space and cooking and bathroom facilities are provided for the expected number of occupants.

Room sizes currently range from 8.3 sqm to 14.23 sqm and the new bedroom would measure 9.9sqm which would meet the nationally described space standards for a single bedroom (7.5sqm). Three of the existing rooms contain ensuite facilities, with the other three existing bedrooms sharing a shower room and 2 separate WCs. Bathroom facilities for the new bedroom would be as per the existing shared facilities.

The proposals would result in an increase in the use of communal facilities and a reduction in the overall amount of communal living space. However, it is noted that the internal alterations to the layout of the kitchen/dining area would improve the functional layout of this space. The altered layout would provide 17.7 sqm of communal kitchen and dining space and with direct access to the rear garden which provides more than 65 sqm of outdoor amenity space. The Private Sector Housing team has not raised any concerns in respect of the standard of accommodation proposed and has confirmed that the accommodation would comply with licencing and management regulations. Licences would need to be varied to allow for the additional occupant. It is considered that the proposed layout would meet the requirements of policy DM1.

Design and impact on visual amenity

The change of use to a 7 person HMO would not cause any significant harm to visual amenity. No external alterations are proposed. The change of use to a small HMO has been carried out under permitted development and therefore the assessment of the current application is limited to the effects occurring as a result of the additional bedroom and occupancy proposed. It is considered that increase in potential occupancy from 6 to 7 residents would not create any appreciable change to the intensity of the use that would cause any significant impact on the character of the area.

Residential amenity

The proposed change of use to a larger HMO would result in one additional occupant, changing from 6 to 7 residents permitted. The points raised in the representation are noted and whilst it is recognised that this would cause some intensification of the use of the site, the increase in activity would be relatively small having regard to the impact arising from the existing use of the site when fully occupied. A condition can be imposed to limit occupancy to one additional occupant only (maximum 7 people). Given the relationship with neighbouring dwellings immediately adjoining the site, a condition is also recommended for noise insulation to the internal wall for the new bedroom in the interests of protecting neighbouring occupiers from noise and disturbance.

Bins are currently stored within the front forecourt and this arrangement will be retained. The applicant may wish to consider whether an additional or larger bin is required. However, the additional occupant is not considered to result in an intensification of the use that would warrant additional details in this regard.

Access and Highways

The site is in a sustainable location within walking distance of location amenities and services and with good access to public transport. No on-site parking is available for the current or proposed use but given the sustainable location, occupants need not be reliant on the use of a private car, and the Highway Authority has not raised any objections on the basis of zero car parking. The applicant's statement indicates that cycle storage can be provided in the rear garden, and this can be secured by condition in the interests of encouraging alternative modes of transport.

Other issues

In relation to drainage, the applicant's agent has clarified that there will be no change to the existing drainage arrangements, with drainage via the main sewer as existing, and therefore does not require any new connection.

Recommendation

APPROVE subject to Conditions:-

1. Approved Plans
2. Standard time limit
3. Hours of construction limited
4. Cycle parking to be agreed and provided prior to occupation of additional accommodation
5. Noise insultation to be installed prior to occupation of additional accommodation
6. Use as 7-bedroom HMO with number of occupants limited to 7 people

Informative

- The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may

have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- PSH – The applicant is advised that the licence holder should notify the Council's Private Sector Housing Team on completion of the works to request a variation of the licence to allow an additional occupant
- Southern Water application

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Rebekah Hincke Date: 23.09.2024

Authorised by: Louise Prew Date: 24/09/2024