Expiry Date - 23/12/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1343/24 Recommendation – APPROVE

Site: 157 Pavilion Road Worthing West Sussex BN14 7EG

Proposal: Change of use from small house in multiple occupation (C4) to a large house in multiple occupation (sui generis)

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings
The application site relates to 157 Pavilion Road on the southern side of the road. The property has a garden to the rear which backs on to the railway line. The road is characterised by terraced properties. The application site contains a three storey property in the middle of the terrace. There is a small front garden and on street parking. The site is located between Worthing and West Worthing stations.

Proposal
The application relates to the conversion of an existing C4 HMO into a Sui Generis HMO for 7 Bedrooms. The conversion arises through the introduction of a seventh bedroom on the ground floor in the place of a reception room. All works are internal with the increase in a bedroom there will also be an upgrading to the sound proofing.

Relevant site history
None

Consultations
WSP–
Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application with the following informative attached:
Informative 1: We have identified the site is adjacent to a high surface water flood risk, therefore the applicant should consider creating an emergency plan to ensure safe access and egress routes can be achieved.
Reason To prevent flooding in accordance with National Planning Policy Framework paragraphs 165-175 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Southern Water –

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.
- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here: gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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

Sussex Police –
I also understand that the property is currently arranged as a six-bedroom HMO and the proposal is for the conversion of one of the reception rooms at ground floor into a seventh bedroom, to create a large HMO for seven occupants.

Whilst I have no concerns regarding the design and layout, I recommend that consideration is given to implementing the following security measures to the proposed additional bedroom.

The door to the additional bedroom must be fire rated with a minimum lock certificated to PAS 8621. The door should also be fitted with a minimum of two hinge bolts or hinges with a similar integral facility to ensure protection in the event of a hinge failure following a criminal attack. The bedroom door must also be installed with a door chain and door viewer.

Any windows in situ should be fitted with appropriate window locks or a window restrictor (which is recommended as the bedroom is on the ground floor) which allows for ventilation but provides the means to ensure unauthorised access via that medium is effectively denied.

With regards to postal arrangements - there are increasing crime problems associated with letter plate apertures, such as identity theft, arson, hate crime, lock manipulation and 'fishing' for personal items (which may include post, vehicle and house keys, credit cards, etc). To address such problems, I strongly recommend, where possible, that mail delivery is via a secure external letter box meeting the requirements of the Door and Hardware Federation Technical Standard 009 (TS 009) or delivery 'through the wall' into a secure area of the dwelling. These should be easily accessible i.e., at a suitable height for a range of users.

Should the provision of cycle storage be a consideration to this application - research by the 'Design against Crime Centre' suggests that cyclists should be encouraged to lock both wheels and the crossbar to a stand rather than just the crossbar and therefore a design of cycle stand that enables this method of locking to be used is recommended. Minimum requirements for such equipment: • Galvanised steel bar construction (minimum thickness 3mm), filled with concrete; • Minimum foundation depth of 300mm with welded 'anchor bar'. NB: Vertical cycle racks can be difficult for some sections of the community to use.

Thank you for giving me an opportunity to comment.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

Public Health – *The sound proofing is to be installed in accordance with the plans outlined in the document titled "Standard Party Wall Sound Proofing Detail" (Ref:2408-06)*

WSCC Highways –
This proposal is for the change of use from small house in multiple occupation (C4) to a large house in multiple occupation (sui generis). The site is located on Pavilion Road, an unclassified road subject to a speed restriction of 30 mph.

The proposed change of use to a large house in multiple occupation is not anticipated to give rise to a material intensification of movements to or from the site.

No parking is proposed, as per the existing arrangement. Under WSCC Parking Standards, the LHA would expect the proposed HMO use to generate a parking demand of one car parking spaces. As such, vehicular parking would have to be accommodated on-street.

Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be a detriment to highway safety. The LHA does not anticipate that the nil car parking provision would lead to a highway safety concern or parking capacity issue, but the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view. Weight is given to the fact the site is situated in a sustainable location whereby residents shouldn't need to rely on the private car.

The applicant has demonstrated a cycle store, which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area. The site is also well connected by public transport, with regular buses available from Tarring Road. West Worthing Train Station is situated approximately 650m west of the site.

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.

Private Sector Housing –
Whilst the second floor bedroom having only velux windows is not an ideal situation. It appears that this shared lounge is going to be a bedroom for the 7 bedroom HMO, so it's a shame the tenants are losing this additional communal space. We don't have a definite policy that would mean we wouldn't issue a licence for 7 people.

Representations
None

Relevant Planning Policies
National Planning Policy Framework (2024)

National Planning Practice Guidance
Worthing Local Plan: DM1, DM2, DM5, DM15
SPD ‘Space Standards’ (WBC 2012)
SPD ‘Guide to Residential Development’ (WBC 2013)
WSCC Guidance on Parking for New Development (2020)

Planning Assessment

Principle of development
Policy DM1 of the Worthing Local Plan outlines that there should be the provision of communal living space, cooking and bathroom facilities within HMOs. Within the property there are a number of en-suite bathroom facilities demonstrated, those without private bathrooms have access to the communal bathrooms. As such it is considered that this aspect of the policy is met. The loss of the lounge for a bedroom result in a loss of communal space, however with the size of the kitchen dining room it is considered that there is sufficient space for the residents. As such it is considered that the proposed HMO would be policy compliant.

Residential amenity
The increase in a bedroom is not considered to significantly increase the intensity of the site. Due to the lack of an increase to the footprint there are not considered to be any additional overshadowing, overbearing or overlooking from the proposed development.

There is to be additional sound insulation fitted to assist the development not having an unacceptable level of noise between the residential rooms. As such it is not considered to result in an unacceptable impact.

Design and impact on visual amenity
Due to the lack of an increase to the footprint of the property there is not considered to be any impact on the street scene. There are not proposed to have any external alterations to the property as a result of this application. As such it is considered there is no alteration to the visual amenity of the property and it is considered acceptable in terms of visual amenity and is policy compliant.

Standard of Accommodation
The existing property holds a licence for a 6 bedroom 6 person HMO which would be varied to allow a maximum of 7 occupants. Kitchen facilities are considered to be sufficient to serve an additional occupant. Room sizes would be adequate for single occupancy as such a condition limiting the number of occupants to 7 people has been imposed. On this basis the standard of accommodation for occupiers of the HMO is considered acceptable. The room on the second floor is not ideal due to the roof lights providing the only light and views out. This is worsened by the loss of the lounge being converted into this bedroom. However, in this instance the velux windows do provide some outlook and natural light to the room. With the communal kitchen providing some space for the residents and the location of the site it is considered that

the standard of accommodation is acceptable. In summer the garden will provide some further amenity.

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. As such there is proposed to be a condition securing cycle parking on the site as identified on the plans and is encouragement to use alternative forms of transport.

Recommendation

APPROVE subject to Conditions:-

1. Drawing numbers
2. Standard Time Limit
3. Limit to 7 Inhabitants
4. Cycle Store
5. Sound Proofing

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

Case Officer: Finlay Gardner Date: 09/01/2025

Authorised by: Louise Prew Date: 10/01/2025