

Development Management – Delegated Officer Report

Application Number: AWDM/0062/26

Recommendation – APPROVE

Site: 14 Archibald Road Worthing West Sussex BN11 2SL

Proposal: Application for Certificate of Lawfulness for the change of use of residential dwelling (C3) to small house in multiple occupation (C4)

Site visit: N

Proposal, Site and Surroundings

The site is a three storey property located on the eastern side of Archibald Road. The property is currently a 4 bedroom property under a C3 use as a single dwellinghouse. There is a small front garden which has been used for the bin storage of the site. To the rear there is a reasonable sized garden which backs onto the access road of Meadow Road Flats and their parking.

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. Two rear extensions at ground floor have been built. None of these works form part of this lawful development certificate.

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

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.

Consideration

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 (as amended).

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 proposed alteration would not result in a development that would split the unit into two or more dwellinghouses.

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 proposed layout shows six bedrooms four of which have ensuite facilities and two sharing the bathroom on the second floor. Also, a ground floor kitchen and communal area is provided.

Recommendation

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

Reasons for Recommendation

The proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990 but is 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 and ground floor extensions. The applicant

Expiry Date - 17/03/2026

is advised to consider submitting a lawful development certificate for these extensions.

Case Officer: Finlay Gardner

Date: 09/03/2026

Authorised by: Louise Prew

Date: 12/03/2026