Development Management – Delegated Officer Report

Application Number: AWDM/0637/26 Recommendation: APPROVE

Site: 34 Lyndhurst Road Worthing West Sussex BN11 2DF

Proposal: Change of use of part ground floor and first floor from retail (Use Class E) to small house in multiple occupation (Use Class C4); roof extension including rear dormer and front roof lights

Date of Site Visit: 09/12/2025

Neighbours Checked: Y

Additional Neighbours Notified: N

Site and Surroundings

The property is located on the southern side of Lyndhurst Road. It contains a two-storey mid-terrace building with a commercial unit at ground floor previously in use as a car parts shop.

The site is within the Lyndhurst Road small local centre.

The site is not located within a conservation area and does not contain a listed building. There are no TPO trees on site.

Proposal

The proposal is to change the use of the upper floors and rear of the ground floor to residential to form a four-bedroom HMO for four people. The four bedrooms would be single bedrooms with single occupancy. A shared living room and separate kitchen area are provided at ground floor. Two shower rooms and a separate toilet are provided at first floor for all residents to share.

The proposal also includes a dormer roof extension to the rear and front roof lights. Materials are proposed to match the existing.

The access to the HMO will be from the rear where bins and cycle space will be provided.

The application as originally submitted proposed a five-bedroom HMO but this has been amended following comments from the LPA.

Relevant Planning History:

AWDM/1250/25: Change of use of part ground floor and first floor from retail (Use Class E) to house in multiple occupation (Sui Generis); roof extensions including rear dormer and front roof lights. Refused 16 December 2025 for the following reasons:

1. Owing to its small size, the Local Planning Authority is not satisfied that the proposed commercial unit (Class E) would be commercially viable, therefore potentially resulting in a dead frontage that would detract from the vitality and viability of this small scale local centre and set a harmful precedent to the

detriment of the successful functioning of the centre and its ability to meet local needs, contrary to policy DM13 of the Worthing Local Plan and the relevant paragraphs of the NPPF

2. The proposed rear dormer would, by reason of its scale, form, and detailed design, be detrimental to the visual amenities of the site and would detract from the character and appearance of the area. As such the proposed development would be contrary to policy DM5 of the Worthing Local Plan, and the relevant paragraphs of the National Planning Policy Framework.
3. The proposed HMO by reason of undersized bedrooms, undersized communal facilities, lack of privacy, head height, outdoor amenity space and noise and disturbance would provide substandard accommodation to the detriment of the residential amenity of future occupiers contrary to policies DM2 and DM5 of the Worthing Local Plan (2023) and the NPPF.

Consultations

West Sussex County Council (as LHA):

This application is for the change of use of part ground floor and first floor from retail (Use Class E) to small house in multiple occupation (Use Class C4); roof extension including rear dormer and front roof lights. The site is located on Lyndhurst Road, a C-classified road subject to a speed limit of 30mph.

The LHA was consulted on a similar application under ref: AWDM/1250/25 to which the LHA did not raise any highway safety concerns; however the application was refused by the LPA on separate grounds.

The current application reduces the proposed HMO from 6-bedrooms to 5-bedrooms and removes the proposed parking spaces to the rear of the site.

The existing retail floorspace will be reduced to 17.2sqm. The proposed retail site will be accessed via foot only, with no vehicular access or parking provision. A controlled parking zone operates to the front of the site, providing a two-hour parking limit, or permit holder parking. The LHA would not raise any highways safety or capacity concerns to the proposed reduction in retail floorspace.

The proposed HMO will comprise of 5 bedrooms. The LHA anticipates that HMOs could generate a parking demand of 0.5 spaces per bedroom, a total of 2.5 spaces for this proposal. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detriment to highway safety. We would not consider that highway safety would be detrimentally affected through the proposed car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

Weight is also given to the fact that the site is sustainably located within walking distance of the centre of Worthing, providing a number of local shops and services and transport links. The LHA would expect that secure and covered cycle storage be provided for the proposed HMO use to encourage sustainable transport methods and reduce reliance upon the private car. Details of this can be secured via condition.

Conclusion

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 116), and that there are no transport grounds to resist the proposal. If the LPA are minded to approve the application, the following condition and informative should be applied: cycle parking condition and residents parking in CPZ informative.

WSP (as drainage consultant): 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.

Southern Water:

Existing Sewers shown on applicant's plans not in GIS The plan provided by the developer drwg no's 2511-012/015 shows a sewer crossing the site which is not shown on our records. An assessment of the sewer is required to determine its ownership and the impact it could have to the proposed site layout. It is possible that the sewer is now deemed to be public.

S106 Connection application Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

Please note that, where there are separate systems available Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored.

Sussex Police:

Residential:
Historically there are cases where houses of multiple occupancy (HMO'S) have given rise to instances of antisocial behaviour (ASB). To reduce the risk of this occurring there will need to be stringent management control of tenancies. This could be implemented as a condition of planning.

From a crime prevention perspective consideration should also be given to the implementation of the following security measures:
The front access door to the HMO will be subject to heavy and prolonged use so needs to be fit for purpose. It will also be very important that access control is implemented into the design and layout to ensure control of entry is for authorised persons only. Tradesperson or timed-release mechanisms are not advised as they have been proven to be the cause of antisocial behaviour and unlawful access to communal developments.

Each bedroom door to the HMO must be a fire rated (FD30 or higher) door with a minimum lock certificated to (BS8621) or (PAS 8621), 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 doors must be installed with a securely fixed robust planted stop, door chain and door viewer.

I recommend the postal arrangements for the HMO is through the wall, or external or lobby mounted secure post boxes. I strongly urge the applicant not to consider letter apertures within the front doors of the individual rooms. The absence of the letter aperture

removes the opportunity for lock manipulation, fishing and arson attack and has the potential to reduce unnecessary access to the block.

Due to the potential array of tenant type that may be accommodated within this property I have some concerns about the potential vulnerabilities different client groups may have.

I would therefore ask that there is a degree of recognition with regards to this concern and that it is acknowledged and reflected within management plans.

I would also ask that management teams have the ability to signpost any vulnerable tenants to access services to ensure that safe-guarding measures are maintained.

With regards to any proposed cycle parking - 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. The minimum requirements for such equipment are as follows: • Galvanised steel bar construction (minimum thickness 3mm), filled with concrete; • Minimum foundation depth of 300mm with welded 'anchor bar'.

It is also the developer or developer's agent's responsibility to inform the Responsible Person(s), Fire and Rescue Service and Building Control of any bicycle storage facilities and/or other areas that may require the charging and storage of Lithium-ion powered vehicles or devices, within buildings or the wider site footprint, to ensure that the necessary fire suppression measures for the charging and storage of lithium-ion powered vehicles have been considered and specified.

Although video surveillance systems (VSS) are not a solution to all security problems it can help deter criminals and assist with the identification of offenders after a crime has been committed.

Should the applicant decide to use CCTV it is important to read the Information Commissioners Office (ICO) advice on domestic CCTV systems – guidance for people using CCTV.

Further information can be found on the Information Commissioners Office via the following link: ICO Domestic CCTV systems

If not having done so already - the applicant and their partners are also strongly advised to consult directly with the fire service with regards to these proposed changes to discuss a fire risk assessment as they may have some of their own requirements to be implemented into the premises before occupation can take place.

Commercial:
With regards to the commercial aspect of this application – from a crime prevention perspective consideration should be given to the siting of an intruder alarm to protect the premises out of hours.
Although video surveillance systems (VSS) are not a solution to all security problems it can help deter criminals and assist with the identification of offenders after a crime has been committed.

Waste Services: No response

Environmental Health Private Sector Housing: I can confirm that the private sector housing team has no objections to this planning application. There are sufficient amenities for us to be able to license it as an HMO. It seems clear when looking at the plans that they have designed it with our compliance guide in mind.

Environmental Health: Hours of work condition suggested

Neighbour Representations

No comments were received on the application.

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM1, DM2, DM5, DM13, DM15, DM16, DM17, DM18, DM19, DM20, DM22
National Planning Policy Framework (MHCLG 2026)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning Assessment:

Loss of commercial space

The unit is located within the Lyndhurst Road local centre. The supporting text for policy DM13 explains that "Local centres are made up of 'medium scale local centres' and 'small scale local centres' that offer smaller scale convenience stores and a smaller range of facilities compared to a District Centre, but which combined, help to meet the needs of the local residents, particularly the less mobile and elderly. One of the outcomes of the Covid-19 pandemic has been a renewed appreciation for the role that local centres play within their communities. Therefore, the policy's focus in these centres is to encourage convenient and accessible local shopping facilities to meet the day to day needs of residents and contribute to social inclusion." In relation to changes of use of upper floors the policy indicates that these may be considered including changes to residential but the impact on the viability of the commercial unit will be considered.

The previous application was refused due to the lack of information on whether a smaller unit could adequately support a local business.

This application proposes the same size of retained ground floor commercial unit of 17.2 sqm. This application has been supported by a Commercial Viability & Unit Size Statement prepared by Geoman Estates. It states as follows:

I can confirm, based on my experience within the local commercial property market across Worthing and the wider West Sussex area, that a retail unit of approximately 17.2 square metres can be considered both suitable and commercially viable for Class E use, now and in the foreseeable future.

There is an established and growing demand for smaller retail units of this nature, particularly from independent operators seeking lower overhead premises. This includes coffee kiosks, barbering, convenience retail, takeaway-focused operators, and specialist service-based occupiers.

Units within the size range of approximately 10–20 square metres are commonly sought after due to their affordability and flexibility, particularly within local centres where footfall is driven by surrounding residential areas.

It is therefore considered that the loss of the rear commercial space has been adequately justified and has overcome this previous refusal reason.

Principle of residential development

Policy SS1 of the Worthing Local Plan sets out the Borough's housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

Policy DM1 of the Local Plan recognises the contribution that high quality flats or well-designed HMOs can make in providing housing choice. It is important that a high standard of accommodation is provided and that they promote and retain housing choice. When considering proposals for conversion the Council will consider the impact on the mix of dwellings locally, the character of the area and on the amenity of adjoining dwellings. These are discussed further in the relevant sections below.

The site is located within a sustainable location within walking distance to local services and amenities and public transport. The proposed development would make a small contribution towards increasing the housing supply of the Borough.

Visual amenity

The proposal includes a rear dormer and front rooflights. The roof extensions would be the first alterations to the roofs of this terrace. The Council's residential extensions guidance suggests that "Dormers should never be allowed to dominate the roof by being overly large". The previous application was refused due to the bulky and dominant rear dormer.

Alterations have been made to the scheme to reduce the scale of the dormer. The dormer would be well set in from both sides and up from the eaves. A pitched roof replaces the previously proposed flat roof. The materials would be concrete tiles to match the existing roof.

As previously the front rooflights are considered acceptable. They are relatively small and well positioned above the two windows at first floor.

The previous refusal reasons relating to design have also been overcome.

Residential Amenity

The change of use would introduce residential to this unit. The neighbouring units both appear to be in residential use at first floor level. The change of use to residential is not considered to have a detrimental impact in terms of noise and disturbance as it would have as similar impact as neighbouring uses.

The use as an HMO is not considered to adversely affect community cohesion as the policy notes that well designed HMOs have a part to play in providing housing choice.

The rear dormer would have windows facing south. There appears to be about 18 metres between the proposed windows and side facing windows at first floor in 38 Selden Road. This property appears to be in use as three flats. The use of these windows is not known but it is considered that the distance means there would be no undue overlooking of these residents.

Standard of accommodation

The Governments Nationally Described Space Standards would apply for the development. The Council's local standards also continue to apply under Policy DM2 of the Worthing Local Plan 2023 for the provision of external space.

Policy DM2 sets out that "Applications for the change of use to a C4 use, a mixed C3/C4 use or to a sui generis HMO use should also demonstrate that the communal living space and cooking and bathroom facilities are provided appropriate in size to the expected number of occupants". It is recognised that any HMOs of this size will be subject to mandatory licensing, and the private sector housing team will make an assessment on the suitability of the proposals as part of the licensing process.

The previous application was refused due to the standard of accommodation proposed. The proposed scheme has reduced the number of rooms from 5 to 4. Two rooms were below 7.5sqm but these have both been increased and now meet the standard of 7.5sqm. Room 5 which was previously served by only rooflights has been removed from the application. External amenity space is now proposed to the rear with the previous two car parks removed. A 1.8 metre fence is proposed to enclose the space. A condition will be included to install the fence prior to occupation.

Following comments from the LPA, the ground floor bedroom has been converted to a living room to overcome previous issues relating to poor quality for this room. The proposed amenity space of a shared kitchen, living space and two shower rooms provides a good quality of accommodation for four residents. A condition will be included to restrict the residents to four only.

Transport and servicing

The parking spaces have been removed from the application. The planning statement does not discuss deliveries or servicing for the commercial unit, but it is now assumed this would take place from the front.

Cycle parking has not been shown but there is now space in the rear yard for it to be provided. Further details would be sought by condition.

Six bins are shown on the site plan. The applicant is advised to contact the Council's waste services team to consider whether fewer or communal bins would be more appropriate. There is sufficient space to accommodate bins within the courtyard and these should be provided prior to occupation of the HMO.

Flooding

The site is not in an area at current or future risk of flooding. The development has been reviewed by the Council's drainage consultant who raised no objection to the proposals.

Sustainability

No details of sustainable construction were provided with the application. An energy statement will be required to ensure compliance with policies DM16, DM17 and DM20 which require sustainable design and energy to be implemented for all developments including change of use. These will include a minimum C rating EPC, low flow taps and fixtures and low carbon forms of heating.

Recommendation:

APPROVE

Subject to the following conditions

1. Approved plans
2. Time limit
3. Materials to match
4. Hours of works
5. Number of residents restricted to four
6. Cycle parking to be installed
7. Energy statement
8. Fence to be installed

Informative

- Approved following amendments
- HMO licensing required
- CPZ permits
- Sussex Police
- Change of address
- CIL

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

Case Officer: Louise Prew Date: 23/11/2026

Authorised by: Jo Morin Date: 23.11.2026