Expiry Date - 04/12/2025

Development Management – Delegated Officer Report

Application Number: AWDM/1287/25 **Recommendation – APPROVE**

Site: **97 Pavilion Road Worthing West Sussex BN14 7EG**

Proposal: **Change of use from dwellinghouse (Class C3), to seven bedroom House in Multiple Occupation (Sui Generis); roof extensions comprised of rear dormers and front rooflights.**

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings
The application site relates to 97 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 at the end of the terrace. There is a small front garden and on street parking within the rear garden there is a garage/shed which is accessible off the alley to the side of the site. The site is located between Worthing and West Worthing stations.

Proposal
The application relates to the conversion of an existing C3 dwelling into a HMO for 7 Bedrooms (Sui generis). The conversion arises through the introduction of two additional rooms - one on the ground floor in the place of a reception room and another within the extended roof space. Dormers and front roof lights are proposed to facilitate the conversion.

Relevant Planning History:
AWDM/1801/20 - Retrospective application for change of use of dwelling (C3) to holiday let (C1).
STATUS: Application Refused 22nd January 2021.

Consultations
WSP–
Thank you for your consultation on the above site. We have reviewed the application as the drainage consultant acting on behalf of the Council and wish to make the following comments.

The applicant is applying for the change of use from dwellinghouse (Class C3), to seven-bedroom House in Multiple Occupation (Sui Generis); roof extensions comprised of rear dormers and front rooflights. The application is to Worthing Borough Council.

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 –
Insufficient Information provided
Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Existing Southern Water Assets
Please see the attached extract from Southern Water records showing the approximate position of our existing sewer crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. To get in contact to confirm the exact position of the asset please visit; https://www.southernwater.co.uk/media/ph4fk3pe/ds-location-of-risingmains_pb.pdf For information on required stand-off distances from public sewers please refer to: https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf Source Protection Zone

Please note, A hydrology review is required for the above site due to the site being part of the outer capture zone. Southern Water are currently undertaking this review and will be InTouch once completed. This may result in no change to the above response or additional requirement.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)

Private sector housing – *No response received*

WSCC Highways –
This application is for the change of use from dwelling to seven-bedroom House in Multiple Occupation (Sui Generis); roof extensions comprised of rear dormers and front rooflights. The site is located on Pavilion Road, an un-classified road subject to a speed limit of 30mph.

The proposed HMO will comprise of 7 bedrooms. The LHA anticipates that HMOs could generate a parking demand of one space per bedroom, a total of 7 spaces for this proposal. A nil parking provision is proposed for this development. On-street parking on Pavilion Road is unrestricted. 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 nil 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 both Worthing and West Worthing train stations, 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 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.

Environmental Health –
The development backs onto the railway line Therefore they will need an acoustic scheme to protect the rear facade and new dormas from railway noise. For this purpose I would recommend a Pro PG noise assessment.

Furthermore, I understand that a HMO rooms could be used as a general living space as well as for sleeping, and depending on lifestyles of the occupants, music and tv noise could cross the party wall to adjacent bedrooms in the adjoining property. Given the age of the existing property and the lived experience of the neighbour regarding existing sound insulation, I would recommend a condition to ensure the party wall in the converted property achieves new build standards. This would be a 2dB improvement on the Building Regs standard for conversions.

- *Construction work shall not commence until a scheme for protecting the neigbouring residential property from noise has been submitted to and approved by the local planning authority. All works which form part of the scheme shall be completed and tested before the new use commences. The scheme shall be designed to achieve a minimum airborne sound insulation value of 45dB (DnTw+Ctr dB) for the party wall. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and achieve the specified criteria. Should this test show that the criteria has not been complied with and notwithstanding the development hereby approved, a further scheme of attenuation works capable of achieving the criteria shall be submitted to and agreed by the Local Planning Authority and completed within 3 months of the installation and thereafter retained.*
- *Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from noise from the railway has been*

submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied and the scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the good indoor ambient noise levels for dwellings specified in BS8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings. The final acoustic scheme shall also consider ventilation and overheating, should windows need to be kept closed to achieve the internal noise standards.

Representations
One letter of objection:
The proposed application raises the following issues:
Highway Access and Parking / Traffic safety-
Parking is entirely on-street in the immediate area, with no potential for converting existing front patio/outdoor space to a private parking space. This on-street parking space on Pavilion Road is *extremely* limited and the overdemand/undersupply of parking has led to moments of genuine danger for residents in the area (cars frequently beep to narrowly avoid collisions at the junction due to impaired view as a result of the cars parked on the corner pavement; there was at least one collision at this junction for this reason already this year; one member of the public has repeatedly left notes on cars stating they are informing the council of the dangerous parking situation).

Outside the front of 97 Pavilion Road and the adjoined neighbouring properties in the terrace, cars must be parked on both sides on the street, including the entirety of one side having 6-8 cars parked up on the pedestrian pavement at all times. This includes multiple cars parking directly on the pavement on the corner of the junction with Woodside Road (immediately opposite 97 Pavilion Road).

This parking solution is busy as standard (frequently full, even during working hours on a weekday - photo evidence of this mid-afternoon on a Tuesday is available). When there is a match on at Worthing FC's nearby Woodside Road stadium (2x per week 10 months/year), there is then excessive stress on parking as-is with the stadium now seating more than 4,000 visitors. This includes cars being not only parked by double-parked on said junction corner. It is not an exaggeration to say that adding cars for a minimum 7 occupants would be impossible given the current space available. As above, photos illustrating this are available on request if needed.

It is my opinion that adding further strain with the addition of at least 7 occupants to the immediate area of greatest strain, when parking is already creating genuinely dangerous traffic scenarios, would be highly irresponsible.

Setting aside the above car parking concerns it is also not clear how this will be possible for cycling provisions: it is noted on page 5 of the West Sussex County Council: Guidance on Parking at New Developments document (https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf) that HMOs must provide 1 cycle space per unit in the development. Currently

there is one small front garden space which must also house the waste/recycling bins for each unit (and would struggle to do so without adding cycling storage space).

Loss of General Amenity- The 6-property terrace 97 Pavilion Road is a part of is currently occupied entirely by young families (two flats in no. 99, one family home in 101 and 103 each, two flats in 105 and two in 107), almost all of these with children under 5. The neighbouring property in the other direction, no. 95, is also a young family again. Adding an HMO with multiple unrelated occupants would have a significant negative impact on the sense of safety and community and have a notable impact on social cohesion. It is also entirely at odds with the character and context of the surrounding area both immediately and along the length of Pavilion Road.

Overdevelopment/Design
- The property, as with each property in the short terrace, has only one small rear terrace under approx. 50m squared. This is already below the recommended amount for a 3-bedroom terraced house (65m squared) as per section 6 External Space Standards of the Space Standards SPD. For flat developments as per section 6.5 it is noted that "a minimum of 20m squared per flat should be provided" which would not be possible. This outdoor space would also be eaten into by proposed plans to extend the property into the side return, the overall result being a severe lack of outdoor space, communal or private, for the 7+ occupants already living in necessarily confined indoor spaces.

- All of the properties in the terrace including no. 97 Pavilion Road are north-facing in aspect, and by necessity of the HMO's design multiple occupants will be living in single-aspect rooms. It is noted in section 6.4 of the Space Standards SPD that: "It is unlikely that single aspect homes will be considered acceptable especially if the single aspect is north facing as no rooms would benefit from sunlight at any time. Design layouts should seek to reduce the number of single aspect dwellings in a development as much as possible and preferably exclude them altogether." Multiple occupants being housed in rooms with no direct natural light is likely to have a severe impact on the mental wellbeing of the occupants.

Privacy, Light and Noise- Noise specifically is likely to be a major issue. The properties in the terrace (e.g. 97 and neighbouring 99) are more than 120 years old and as such do not have cavity insulation - and much if any meaningful sound insulation - between them. It is the norm to regularly hear TV, music, and conversation noise from neighbours in the terrace on either side at all levels. Converting to a 7-person HMO is likely to significantly negatively impact this in the short and long term, and also potentially raise issues from external noise from the small outdoor rear patio garden.

Other
- Waste issues: other houses on Pavilion Road which have been converted to multiple flats (not yet HMOs) have had continued trouble with managing household waste. Frequently bins from buildings with multiple flats are found

overflowing, with waste across the pavement and into the road (this is a recurring issue at the eastern end of Pavilion Road around no. 1 and 3 Pavilion Road). Given the lack of available space at the property it is highly likely that this will be an issue again here in this case.

- Previous planning precedent: it is notable that this property was already subject to a Retrospective application for change of use of dwelling (C3) to holiday let (C1) in 2020, which was rejected.

- Construction work has already begun and been in progress for at least 5 months prior to the submission of this application, and no communication of consultation with the neighbouring residents has been undertaken by the applicant prior to this application now.

While I wholly understand and support the need for increased housing provision in Worthing and nationally, it is for the above reasons - notably the severe strain on parking and transport safety, plus the likely issues with noise, waste, general amenity to the community and the potential lack of space for the HMO's occupants, which have led me to object in this instance.

Officer's response:
It is noted that the works have been started prior to this application being determined. However, the property would benefit from permitted development rights and the works could be completed under these. Further comments have been addressed within the report.

Relevant Planning Policies
National Planning Policy Framework (2024)
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 explains that good quality HMOs play an important role in providing housing for people on low incomes, those on benefit payments and young professionals. They are often the only choice of housing for people who would otherwise be homeless.

While the proposal would result in the loss of a family home it would provide homes for additional people making a small contribution towards Worthing's housing supply.

In principle the change of use to an HMO is acceptable subject to the assessment of other material considerations as set out below.

Residential amenity

The dormer windows are within permitted development limits and are not considered to have an amenity impact. A new side extension mentioned in the objection is already present on site.

The introduction of a window on the eastern elevation creates the opportunity for there to be some overlooking on the neighbouring properties. As such it has been conditioned to obscure glaze and fix shut this window to 1.7m. The introduction of the other windows face the rear of the property and are not considered to overlook the neighbouring properties.

The increase in two bedroom is not considered to significantly increase the intensity of the site. However, as it is noted that these rooms are now likely to be used for living as well as sleeping it is considered necessary to require additional sound insulation to be installed with the neighbour who shares a party wall.

HMOs provide housing choice for a range of individuals resulting in mixed and balanced communities.

Design and impact on visual amenity

With the works for the dormers and front roof lights there will not be a large amount of works that would be visible from within the street scene. Along Pavilion Road there are a number of properties that have undergone similar L-shaped roof conversions including those at 149, 153 and 157 located on a terrace to the west.

With no works to increase to the footprint of the property there is not considered to be any impact on the street scene that would be unacceptable within the residential area. 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

Policy DM1 also outlines that there should be the provision of communal living space, cooking and bathroom facilities within HMOs. While the rooms each have en-suite facilities they share a communal dining and kitchen room. The loss of the lounge for a bedroom results in a loss of communal space but the kitchen area provides for some communal living space. As such it is considered that the proposed HMO would be policy compliant.

Room sizes would be adequate for single occupancy as such a condition limiting the number of occupants to 7 people has been imposed.

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 space for the residents. In summer the garden will provide some further amenity.

The property will have a small amenity space to the rear which will provide some outdoor space within the site. Victoria Park is within walking distance which provides further amenity.

It is noted that the application would be subject to mandatory HMO licensing as well.

The objection notes that the rooms are single aspect. As this is an HMO, the development as a whole should be dual aspect as it is with the shared dining / kitchen are providing a dual aspect as well.

As per the EHOs comments, a condition has been added to ensure that there is adequate noise insulation for these rooms from railway noise. As rooms are used for living as well as sleeping there are fewer options for respite should there be noise concerns in bedrooms.

Access, highways and servicing
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 has indicated that there will be space for cycle parking within the rear shed. A condition securing cycle parking on the site as identified on the plans within the existing garage and is encouragement to use alternative forms of transport.

Whilst waste is often stored to the front of the properties along the road there is provision within the application creates space in the existing rear garage for the storage of the bins in with the bikes to the rear. It is appreciated that someone would have to transport them from the rear to the front of the site on collection days however the storing of bins to the front of the site is not considered to be a new feature in the street scene and therefore not contrary to the existing arrangement within the site.

Recommendation

APPROVE subject to Conditions:-

1. Drawing numbers
2. Standard Time Limit
3. Limit to 7 Inhabitants
4. Sound Proofing
5. Railway noise insulation
6. Cycle Store
7. Window to be fixed shut

8. Southern Water

Informatives:

1. Approved without amendment
2. HMO licensing

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

Case Officer: Finlay Gardner Date: 27/01/2026

Authorised by: Louise Prew Date: 30/01/2026