

PLANNING APPLICATION REPORT

REF NO: LU/220/23/PL

LOCATION: The Manse
2 Arundel Road
Littlehampton
BN17 7DB

PROPOSAL: Lounge conversion to increase bed spaces from 6 to 7 bed HMO. This site is in CIL zone 4 and is CIL Liable as dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the conversion of a shared dining/sitting area serving the existing House in Multiple Occupation (HMO) into an additional single bedroom. The conversion would result in the number of single-occupancy bedrooms within the premises increasing to seven. The additional room would have a floor area of 8.8sqm. No external alterations are proposed.
SITE AREA	117sqm.
TREES	TPO on site. It will not be affected by the development.
SITE CHARACTERISTICS	A 6-bedroom HMO with parking to the front and garden to the rear.
CHARACTER OF LOCALITY	Sits in the curtilage of the locally listed Littlehampton United Church. To the north is St Martins car park and to the east is the church hall.

RELEVANT SITE HISTORY

LU/570/82	Proposed Change Of Use Of Manse From Residential To Office Use	ApproveConditionally 02-03-83
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REPRESENTATIONS

Littlehampton Town Council - Objection.

- Loss of amenity space.
- Cramped room sizes.
- Members fully considered the nature of the facility and the valuable services provided.

1 objection from a local resident.

- To squeeze another room would be over development.
- Reduction in quality of life for the existing tenants and neighbours.
- Loss of space for residents means tensions rise and antisocial behaviour will increase.

- Too many HMO's and increasing the number is having an adverse impact on the town.
- The balance of HMO rooms is excessive compared with other housing and that balance needs to be rectified.

Further comments received from the applicant in response to Town Council's objection state that the existing HMO property is well integrated into the community and staff capacity is adequately strong to support the facility's growth.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The site is already a House of Multiple Occupation (HMO). This would not effect the numbers of HMO's in the area. Other comments will be addressed in the report below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No comments.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Article 4 Land

Built-up Area Boundary (BUAB)

Economic Growth Area

TPO

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
TSP1	T SP1 Transport and Development
QESP1	QE SP1 Quality of the Environment
HSP4	H SP4 Houses in multiple occupation

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 3 Housing Supply

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Littlehampton has a made neighbourhood development plan, which is relevant to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with relevant Development Plan policies in that it provides an additional bedroom which does not adversely effect the character of the area, the residential amenity of neighbours or occupants, or generate excess parking demands.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

The Article 4 direction (River Ward) requires permission to be sought for the conversion of C3 dwellinghouses in to C4 HMO dwellings. The Article 4 was confirmed to prevent the loss of family sized dwellings, preventing an erosion of the balance of housing types and in turn negative impact to the character of the area. This site accommodates an HMO which has been licensed since 2020. No additional family sized dwellings are being taken out of the housing stock.

CONCLUSIONS**PRINCIPLE**

The site is in the Built-up Area Boundary (BUAB) where Policy SD SP2 of the Arun Local Plan (ALP) seeks to allow development subject to that development according with other policies in the Plan.

Policy 1 of the Littlehampton Neighbourhood Plan (LNP) supports applications which accord with the Neighbourhood Plan as a whole unless material considerations indicate otherwise.

Policy 2 of the LNP states that "The Neighbourhood Plan concentrates future housing, economic and community-related development within the built-up area boundary of Littlehampton".

Policy 3 of the LNP relates to the provision of housing and states that sites within 400m walking distance of a local centre will be particularly suited to meeting the needs of smaller households, elderly and young people without private transport and therefore at least 50% should be 2 beds or smaller.

The proposal is acceptable in principle given its sustainable location in the Built-up Area Boundary (BUAB), in walking distance of a range of shops, facilities and services in the town centre and access to different modes of sustainable transport including walking/cycling routes, bus routes and Littlehampton railway station. It would provide small scale accommodation in a very sustainable location within 400m walking distance of the town centre for people who may not have access to private transport.

The proposals would accord with ALP Policy SD SP2 of the ALP, policies 1, 2 and 3 of the LNP and the NPPF, in this respect.

The application proposes an additional bedroom in an existing HMO. No external alterations are proposed as this involves the conversion of part of an existing dining/sitting area.

Arun Local Plan (ALP) policy H SP4 states applications for HMOs will be favourably considered where they meet certain criteria as follows:

- (a) Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing.
- (b) Do not contribute to the generation of excessive parking demands or traffic in an area.
- (c) Provide adequate areas of open space.

These criteria will be discussed below.

Paragraph 12 of the NPPF requires that up-to-date Development Plan policies are the starting point for decision-making. In this case the relevant Policy is Local Plan policy H SP4, which is up to date.

Other policies key in determining this application are D DM1 (aspects of form and design quality), QE SP1 (quality of the environment), T SP1 (transport and parking), ENV DM5 (biodiversity) of the ALP.

CHARACTER AND APPEARANCE

Policy H SP4 requires HMOs to not adversely affect the character of the area by not eroding the balance of different housing types. Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Crime Prevention, Layout, and Scale.

Part J.01 of the Arun Design Guide (ADG) relates to buildings form and character and states that new development must ensure that the existing character and sense of place of an area is respected and enhanced.

As an existing 6 bed HMO, the creation of a single bedroom of a size to accommodate one additional person will not materially alter the character of development or its intensity. The building does not operate as a single-family dwelling, nor has it since the 2020. The additional room will not erode the balance between different housing types in the area.

The proposal accords with policies H SP4 (a) and D DM1 of the ALP and Part J of the ADG.

TRANSPORT AND PARKING

Policy T SP1 ensures development of the transport network so that it reduces the need for car travel,

promotes green infrastructure, protects the major road network, maintains appropriate levels of parking standards, and requires applications to consider and design for development in relation to transport infrastructure.

The site is in the town centre, with extremely good links to public transport and pedestrian access to necessary facilities. There is parking for at least 2 to 3 cars on site. The site is on a busy classified road, which is well controlled by parking restrictions. There is a public car park immediately to the north. Should additional parking be required, public parking is freely available nearby.

The Arun Parking Standards SPD do not specify the requirements for HMOs, but 4+ bedroom houses require 2 spaces. The private drive has ample space to accommodate this requirement, although given the nature of the occupants, private car ownership is expected to be infrequent.

Cycle parking has not been shown. Given there is ample external space, this can be easily achieved and secured by condition. WSCC Parking Standards Guidance (September 2020) expects the provision of 1 cycle parking space per unit for HMOs. The ADC Parking SPD (2020) does not specify cycle parking standards for HMOs. For new residential it expects 1 cycle parking space per unit for 1 bed flats/houses. It would be expected that the additional bedroom should provide 1 additional cycle parking space.

Given the highly sustainable location and that cycle parking can be secured by condition, the proposal accords with Policy T SP1 of the ALP.

The development is in the town centre, is well connected and will encourage the use of public transport. Given the nature of the development and strict traffic controls to the adjacent highway, the proposal will not generate excessive parking requirements in accordance with Policy H SP4(b) of the ALP.

RESIDENTIAL AMENITY AND EXTERNAL SPACE

Policy QE SP1 and D DM1 of the ALP sets out criteria for which applications relating to new development must be assessed against. They generally seek to minimise the impact of the proposal on the character of the area and its neighbours and enhance the quality of its environment.

Comments received from the Town Council and a resident state that the internal amenity space is too cramped. The proposal requires the subdivision of the kitchen/dining area to form a new bedroom. The remaining kitchen area retains a small area which could be used to house a dining table. There are no requirements for HMOs in terms of room sizes in planning legislation. There are room size requirements for licensing of HMOs, but that is a separate procedure controlled by Environmental Health. Environmental Health have raised no objection. Although the loss of part of the communal facilities is regrettable, as there are no restrictions to the amount of shared space required in HMOs, this does not warrant refusal on planning grounds.

The new room will utilise the window facing the highway, set back some 6.5m from the edge of the footpath. The property is surrounded on the south and east by church property and by a public car park to the north. There are no residential neighbours near the development. No new overlooking vantage points will be created.

There are no policy requirements for external space standards. Section H.04 of the adopted Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It specifies that communal shared spaces should be a minimum of 40sqm plus 10 sqm per unit. HMO policy H SP4 requires that HMOs (c) Provide adequate areas of open space.

There is an abundance of public open space in close proximity to the property, along the seafront, river and at local parks, providing outdoor amenity for future occupants of the HMO which would provide an

opportunity for enjoyment of outside space, but it is not usable for other functional use of outside space like clothes drying or informal sitting out space. There is access to rear amenity space of a good scale (130sqm). This is well above the requirements set out in Part H of the ADG.

The development accords with policies D DM1 and QE SP1 in that it maintains the quality of the environment, does not adversely effect neighbours and provides an appropriate environment and amenity of future occupiers. It accords with H SP4(c) in that there is good access to outdoor amenity space.

BIODIVERSITY

Policy ENV DM5 seeks to achieve a biodiversity 'net gain' (BNG) and protects existing habitats on site. This can be achieved through incorporation of biodiversity elements such as green walls, bird/bat boxes or other mitigation measures into the landscape.

Despite no external development works being required, Policy ENV DM5 is clear that all development schemes shall seek BNG. As the principle of development of is acceptable, a condition would be appropriate to achieve a net gain on site.

SUMMARY

The site is in the BUAB, where the principle of development is established. The additional bedroom in the HMO accords with the criteria of Policy H SP4 in that it does not adversely effect the character of the area, does not contribute to excessive parking demand and provides adequate open space for its occupants. Whilst the loss of a small area of communal shared space is regrettable, this does not warrant refusal as room sizes are not controlled via the planning system. The bedroom is well located within an existing setting, with good access to public facilities and not to the detriment of any neighbours. The proposal supports a charity who support homeless persons. There will be modest social gains for the most vulnerable in society. The proposal is recommended for approval with the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan
 - Block Plan
 - Proposed Ground Floor Plan
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy H SP4 and D DM1 of the Arun Local Plan.
- 3 The overnight occupancy of the House in Multiple Occupation shall be limited to a maximum of 7 persons at any one time.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with policy H SP4 of the Arun Local Plan.
- 4 A covered and secure cycle parking space for one additional cycle shall be provided within the site prior to occupation of the additional room. The cycle parking space so provided shall, thereafter, be retained in perpetuity.

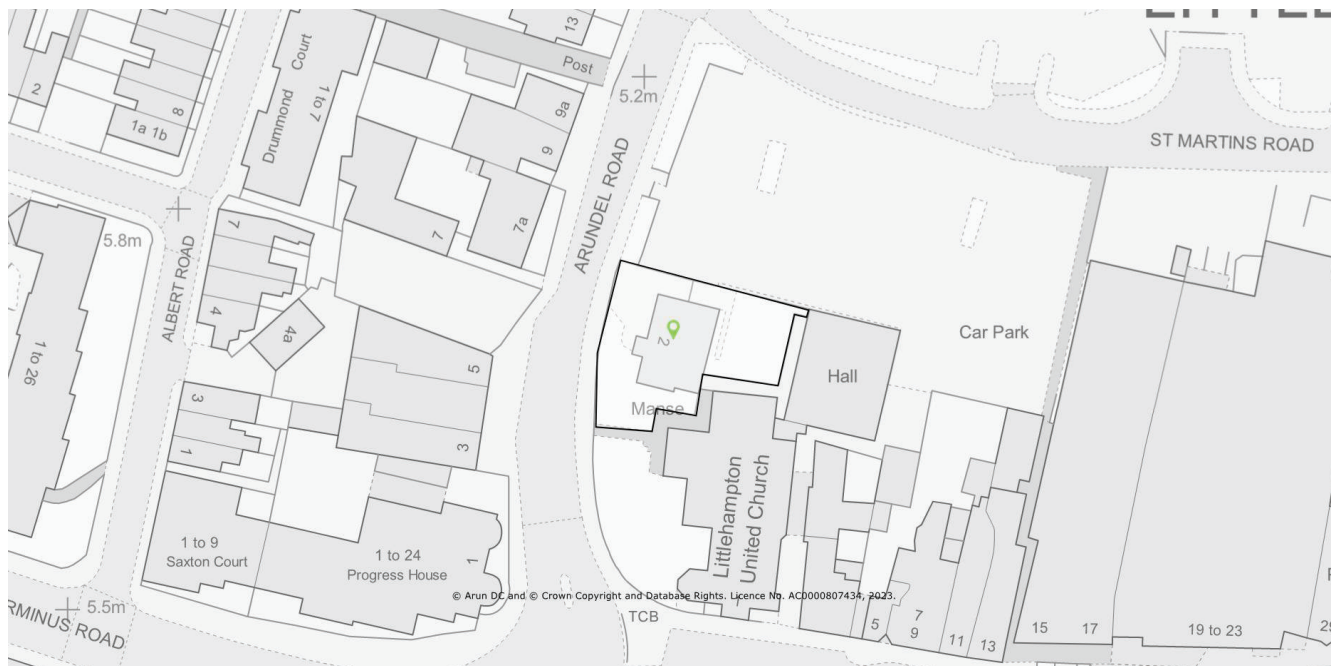
Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.
- 5 The additional bedroom hereby permitted shall not be occupied until a scheme for improvements to secure biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be completed on site within 3 months of the date of the date of first occupation of the additional room and retained thereafter.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the NPPF.
- 6 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. 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 representations received and determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on [this link](#).

LU/220/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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