

PLANNING STATEMENT

Application Type: Certificate of Lawfulness for a Proposed Use

Site: 1 Highfield Road, Bognor Regis, West Sussex, PO22 8BQ

Proposal: Use of the existing building as an 18-bedroom House in Multiple Occupation

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Client: Fresh Developments POW Ltd

Date: August 2026



1. Introduction

This Planning Statement has been prepared by JJR Designs Ltd in support of an application for a Certificate of Lawfulness for a Proposed Use under Section 192 of the Town and Country Planning Act 1990.

The application seeks formal confirmation that the use of the existing building at 1 Highfield Road as an 18-bedroom House in Multiple Occupation would be lawful and would not require a further grant of planning permission.

No internal or external building works are proposed as part of the application. The existing building, bedroom accommodation, communal facilities, access arrangements and external appearance will remain unchanged.

2. Site and building

The application relates to the existing residential accommodation at 1 Highfield Road Bognor Regis West Sussex PO22 8BQ. The building contains 18 bedrooms together with the associated communal and ancillary facilities required for shared residential occupation.

The property was previously a public house. Planning permission was granted for its conversion and use as 18-bedroom student accommodation.

3. Planning history

Planning permission reference BR/42/22/PL was granted on 17 June 2022 for the Change of use from a public house (Sui Generis) to 18-bed student accommodation.

The approved development was subsequently implemented, and the building has operated successfully as student accommodation since 2023.

The building was occupied under an arrangement with the University of Chichester until the end of the 2025 academic year. The University did not renew its accommodation contract, and West Sussex County Council is now proposing to use the existing accommodation as an 18-bedroom HMO.

The physical layout and residential character of the building will not change as a consequence of the proposed occupation.

4. Nature of the proposed use

The proposed use will continue to comprise shared residential accommodation within the existing 18-bedroom building.

The proposal does not involve:

- An increase in the number of bedrooms;
- An extension or alteration to the building;
- Any change to its external appearance;
- Any material alteration to the approved internal layout;
- The creation of an additional or separate planning unit; or
- Any material change in the general residential character or intensity of the use.

Both the approved student accommodation and the proposed HMO use comprise communal residential accommodation for individual occupants. The nature of the day-to-day activity at the property will therefore remain the same.

The change in the identity or category of the occupants, from students to other HMO residents, does not in itself amount to a material change in the planning use of the land or building.

5. Scope of the 2022 planning permission

Although the description of development for planning permission BR/42/22/PL referred to “student accommodation”, the permission was not restricted by condition so that the building could only be occupied by students or persons attending a particular educational establishment.

There is no condition requiring:

- Occupation exclusively by students;
- A continuing agreement with the University of Chichester;
- Nomination of occupants by an educational establishment; or
- The property to cease being occupied if the University’s accommodation contract ended.

The absence of such a condition is important when considering the lawful scope of the approved residential use.

Furthermore, Informative 15 attached to the planning permission expressly stated:

This property will, when occupied, become a House in Multiple Occupation and will need to comply with the relevant fire safety and fitness for occupation standards under current Housing Acts. The applicant is advised to contact our Environmental Health Private Sector Housing Team for further information.”

The informative demonstrates that, when granting the permission, the Local Planning Authority recognised that the occupation of the approved building would constitute a House in Multiple Occupation.

6. Advice from the Local Planning Authority

Before submitting this application, advice was sought from the Local Planning Authority who did not consider a further planning application to be necessary because, although the description of development referred to student accommodation, the permission was not restricted by condition solely to that form of occupation.

The LA also referred specifically to Informative 15, which confirms that the property would become an HMO when occupied.

We were advised that, if the applicant wished to obtain formal confirmation of the position, the appropriate route would be an application for a Certificate of Lawfulness for a Proposed Use.

7. Planning assessment

The principal question is whether the proposed occupation of the existing accommodation as an 18-bedroom HMO would represent a material change of use requiring planning permission. In this case the established use is shared residential accommodation containing 18 bedrooms. The 2022 permission was not restricted by condition to student occupation and the permission contained an informative expressly recognising that the property would operate as an HMO.

In addition the proposed use will retain the same number of bedrooms, the internal layout and facilities will remain unchanged, the proposal represents the continued use of the existing building for shared residential accommodation rather than a material change to a separate planning use.

Housing licensing, fire safety, management and fitness-for-occupation requirements are separate regulatory matters. The applicant acknowledges that the property must comply with all applicable requirements administered by the Council's Private Sector Housing, Environmental Health, Building Control and fire safety authorities. These matters do not, however, alter the planning status of the proposed use.

8. Conclusion

Planning permission BR/42/22/PL established the use of the property as 18-bedroom shared residential accommodation. Although the description referred to student accommodation, no condition restricted occupation exclusively to students.

Informative 15 expressly recognised that the property would operate as a House in Multiple Occupation. The proposed occupation by residents through West Sussex County Council will not involve any

alterations, additional bedrooms or material change in the character or intensity of the existing residential use.

The Local Planning Authority has already advised that a further planning application is not considered necessary and that a Certificate of Lawfulness for a Proposed Use is the appropriate means of obtaining formal confirmation.