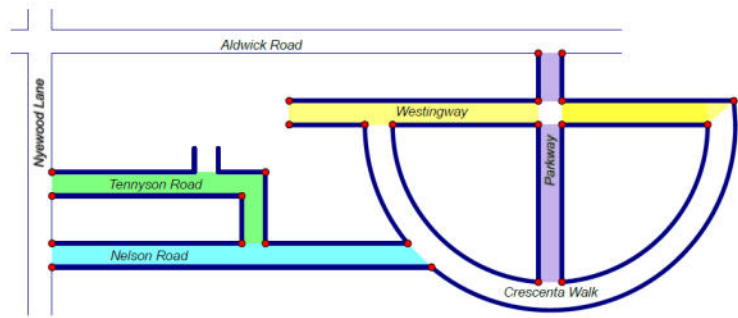




**Nyewood Estate & Sunnydale Park Estate
Residents Association**

Member of National Organisation of Residents Associations

Rambler Cottage, 39 Tennyson Road, Bognor Regis, PO21 2SA

12 April 2026

Arun District Council
Planning Department
Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

Dear Hebe Smith,

Re: Formal Objection to Planning Application Ref: BR/21/26/PL - 54 Richmond Avenue, Bognor Regis, West Sussex, PO21 2YF

I write on behalf of the Nyewood Estate and Sunnydale Park Estate Residents Association to formally object in the strongest possible terms to the above planning application.

This objection is made following detailed consideration of the proposal against the Arun Local Plan, the National Planning Policy Framework (NPPF), and relevant material considerations, including appeal decisions.

Our concerns relate to over-concentration of HMOs, residential nuisance, parking stress, environmental degradation, sustainability failures, and clear conflict with adopted planning policy.

Over-Concentration of HMOs in Marine Ward

Marine Ward has been specifically identified by Arun District Council as an area experiencing high concentrations of HMOs, to the extent that intervention has been required.

The Council introduced an Article 4 Direction (effective January 2023) removing permitted development rights for C3 to C4 changes in Marine Ward. This explicitly recognises that uncontrolled HMO growth is harmful to local amenity and community balance. The supporting evidence for the Article 4 Direction identified demonstrable harm arising from HMO concentrations, necessitating planning control.

Furthermore, Marine Ward is now subject to an Additional HMO Licensing Scheme (2025–2030) due to the scale and impact of HMOs in the area. These measures clearly demonstrate that Marine Ward is already under pressure from HMO proliferation and requires restriction, not further expansion. The threshold of harm has already been exceeded, and further HMO development should be resisted.

There are already established Appeal Decisions which support refusal of such planning applications which include:

30 Newmarket Road, Brighton (APP/Q1445/W/16/3149843) – dismissed due to over-concentration; and

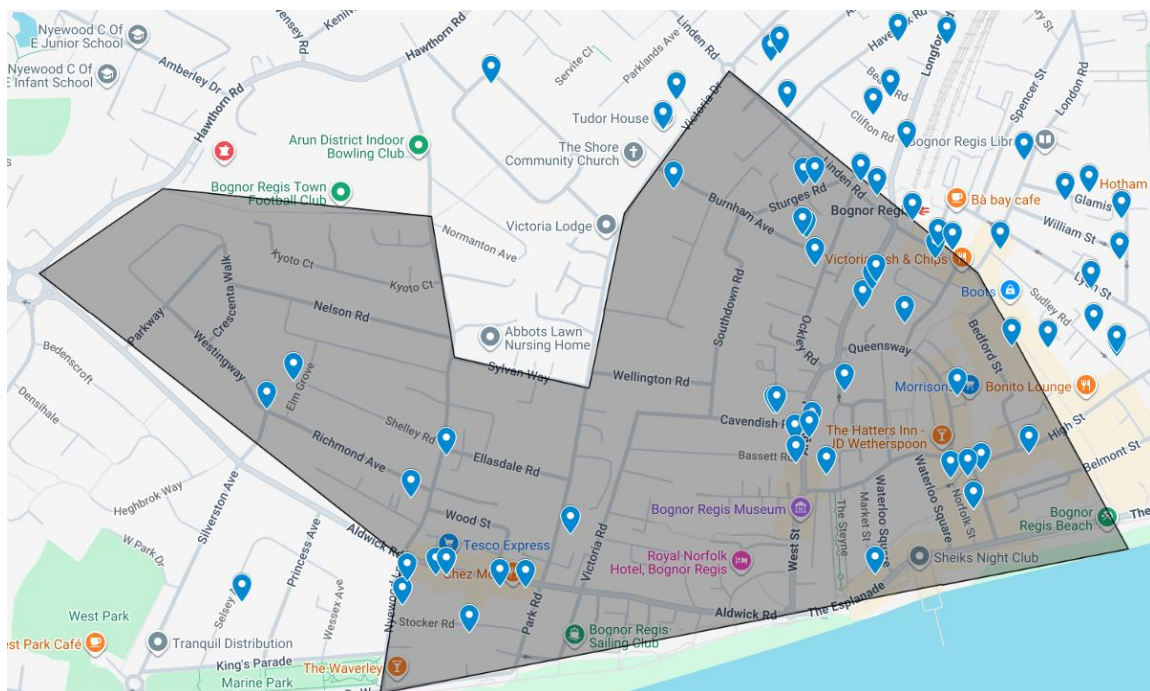
9 Shoreham Road, Brighton (APP/Q1445/W/17/3179993) – dismissed due to harm to community balance and amenity

These appeal decisions confirm that over-concentration and associated impacts are sufficient grounds for refusal.

In 2020 there were only 99 licensed HMO's within the confines of Arun District Council. This figure currently stands at 177, which represents an increase of a 78% increase in just 6 years. Of the 177 licensed HMO's, 40 are in Marine Ward. Put simply 22.6% of all ADC licensed HMO's are within Marine Ward. This is a statistic which is unsustainable and entirely unreasonable in any event.

Further, it is noticeable that of the approximately 40 HMOs currently situated within Marine Ward, there is demonstrable evidence that their distribution has progressively “crept” westwards over time. This spatial shift is now beginning to have a discernible and adverse impact upon what is, in essence, a long-established, family-centred residential neighbourhood.

Map below shows the boundary of Marine Ward. The pins within are 40 HMO's



The continued concentration and westward expansion of HMO accommodation risks fundamentally altering the character and balance of the local community. If further approvals are granted in this part of the Ward, there is a very real likelihood of accelerating this trend, resulting in the erosion of stable, long-term family occupation, increased population turnover, and a decline in neighbourhood cohesion. Such a trajectory would represent a material change to the established residential amenity of the area, with significant implications for community identity, social stability, and the overall quality of the local living environment.

The proposal would:

1. Increase HMO density within an already saturated area
2. Undermine the purpose of the Article 4 Direction
3. Conflict directly with Policy H SP4

Inadequacy of Section 106 Obligations

The Applicant's reliance on Section 106 obligations to justify or mitigate the proposed development is, in this context, fundamentally misplaced. Planning obligations cannot be used as a mechanism to legitimise or neutralise the cumulative harm arising from an incremental change in the residential character of an area. Nor can financial or management-based contributions adequately offset the intangible, but highly material impacts associated with the erosion of balanced housing mix, increased transience, and the displacement of long-term family occupation.

We would also wish to draw to the attention of ADC that;

4. A Section 106 obligation cannot resolve parking deficiencies, as no additional physical capacity is being created;
5. It cannot prevent anti-social behaviour, transient occupation, or community imbalance;
6. It cannot address cumulative impacts, which are already established within Marine Ward

Planning obligations must meet the statutory tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010, namely that they are:

7. Necessary to make the development acceptable
8. Directly related to the development
9. Fairly and reasonably related in scale and kind

In this instance, any reliance on a Section 106 Agreement would fail to meet these tests and represent an attempt to justify an otherwise unacceptable form of development.

Accordingly, the proposal represents an unjustified intensification of use which would

materially undermine the spatial planning objective of maintaining a sustainable, mixed and balanced community within Marine Ward.

Nuisance and Impact on Residential Amenity

We have had a number of messages from local residents regarding antisocial behaviour and noise issues as well as a violent assault located at and arising from existing HMO's that ADC have granted on Nyewood Lane, adjacent to the proposed development in Richmond Avenue. Please refer to Christian Meglar HMO Team Leader for reference of our communications if required.

As such, the proposed intensification of the property from a single dwelling to an HMO will result in significant and unacceptable impacts on neighbouring occupiers, including:

10. Noise and General Disturbance:

There will be increased levels of day-to-day noise arising from multiple unrelated occupants, and thereby a greater likelihood of;

- a) Late-night activity;
- b) Social gatherings;
- c) Irregular working patterns; and
- d) Increased use of communal areas, both internal and externally.

11. Comings and Goings:

HMOs typically generate frequent and irregular movements which undoubtedly leads to increased door slamming, footfall, and vehicular movements at unsociable hours.

12. External Lighting and Light Spill

There will be an increased need for external and security lighting, which has the potential for

- e) light spill into neighbouring properties;
- f) Disturbance during night-time hours; and
- g) Prolonged periods of illumination due to staggered occupancy patterns.

13. Overlooking and Loss of Privacy

Intensified use changes the character of occupation, reducing privacy for adjoining residents. The increased occupancy will lead to:

- h) Greater use of windows and outdoor areas
- i) Increased potential for overlooking neighbouring properties

In considering the impact of intensified residential use such as HMO's, the courts and appeal decisions consistently affirm that loss of residential amenity, including noise and disturbance, is a material planning consideration.

It is well established in planning law that planning decisions must consider whether a development would result in an unacceptable impact on neighbouring living conditions, including noise, disturbance, and general residential amenity. This principle is embedded within:

14. The National Planning Policy Framework (NPPF) requirement to secure a “*good standard of amenity for existing and future users*”, and
15. Long-standing planning jurisprudence that amenity impacts are a material planning consideration

Gillingham Borough Council v Medway (Queen’s Bench Division) [1993]

This case established that Planning decisions must consider the character of the locality as a whole, and intensification of use can fundamentally alter residential amenity. It confirms that changes in the nature of occupation (such as from single dwelling to HMO) may lawfully be judged to have a cumulative environmental impact, including noise and disturbance.

Coventry v Lawrence [2014] UKSC 13 (Supreme Court)

Although primarily a nuisance case, the Supreme Court confirmed important principles relevant to planning:

16. The impact of noise and disturbance on residential amenity is objectively significant;
17. The character of an area is a key factor in assessing acceptability; and
18. Frequent or intensified activity can materially alter the amenity value of residential environments

This supports the planning position that increased occupancy and activity associated with HMOs is a material change in environmental conditions, not merely a neutral change of use.

Across appeal decisions, Inspectors consistently find that HMOs may cause harm through points 10 – 13 above. This is routinely treated as a standalone reason for refusal, particularly in areas already experiencing HMO pressure. The legal and policy framework confirms that residential amenity is a core planning consideration, and that intensified occupation such as HMOs can lawfully be refused where it results in material noise, disturbance, and erosion of residential character. Inspectors consistently support refusal where HMO concentration results in harm, even in the absence of site-specific deficiencies.

The cumulative effect of these factors will result in a material and unacceptable deterioration in residential amenity, contrary to:

19. Policy H SP4 (HMO policy)
20. Policy D SP1 (Place Making)
21. The NPPF requirement to secure a good standard of amenity for all existing and future occupants

Parking Stress and Highway Impact

The development will exacerbate existing parking pressures, leading to:

- 22. Increased congestion
- 23. Unsafe or obstructive parking
- 24. Reduced accessibility for emergency services

This conflicts with Policy T SP1 and the NPPF.

Waste Management and Public Realm Impact

The proposal will result in:

- 25. Increased refuse generation
- 26. External bin storage
- 27. Obstruction of pavements and visual clutter

This conflicts with Policy D SP1 and NPPF design and amenity requirements. This is already a recognised issue within Marine Ward and will be further exacerbated.

Sustainability Failures

The application fails to provide any Electric Vehicle charging infrastructure or provide any Renewable or low-carbon energy measures. This leads to an increased reliance on fossil fuel vehicles and fails to support low carbon transition and a higher environmental impact from intensified use. This conflicts with:

- 28. Policy ECC SP1 (Climate Change)
- 29. The sustainability objectives of the NPPF.

In summary, the proposal is fundamentally contrary to the development plan and represents an unacceptable form of development. The proposal results in:

- 30. Clear conflict with the development plan
- 31. Demonstrable and cumulative harm to residential amenity
- 32. Exacerbation of existing environmental and infrastructure pressures

There are no material considerations that outweigh these harms. For the reasons set out above, the Nyewood Estate and Sunnydale Park Estate Residents Association respectfully requests that Planning permission for application BR/21/26/PL be **REFUSED** in full.

Yours sincerely,

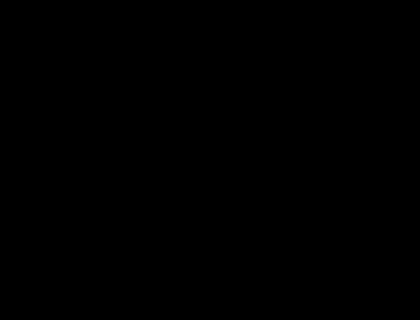
Martin Rader

Communications

Nyewood Estate and Sunnydale Park Estate Residents Association



PL- Rep



Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
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Our priorities...



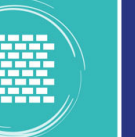
Improving the wellbeing of Arun



Delivering the right homes in the right places



Supporting our environment to support us



Fulfilling Arun's economic potential



Our core foundations



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From: Hebe Smith <Hebe.Smith@arun.gov.uk>
Sent: 13 April 2026 10:08
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: BR/21/26/PL - document error

Morning,

This was also sent to planning, so you might already have it, but please can this be uploaded to BR/21/26/PL as a rep.

Thanks very much,

Hebe Smith (she/her)
Senior Planning Officer, Planning Department

T: 01903 737626
E: hebe.smith@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

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Our priorities...



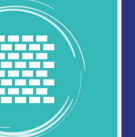
Improving the wellbeing of Arun



Delivering the right homes in the right places



Supporting our environment to support us



Fulfilling Arun's economic potential



Our core foundations



From: Nyewood Estate & Sunnydale Park Estate Residents Association
Sent: 12 April 2026 16:51
To: Hebe Smith <Hebe.Smith@arun.gov.uk>; Planning <Planning@arun.gov.uk>
Subject: BR/21/26/PL - document error

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Dear Hebe Smith,

Further to the document detailing our objection I sent you today I noticed that there was a numerical anomaly in the number of points raised with an additional point 22 with no details referenced.

Please see amended objection where this issue has been corrected with the number of points running correctly. I would be grateful if this version can be entered as our official objection.

A hard copy is also in the post to you.

Kind regards,

Martin Rader
NESPERA Communications
Nyewood Estate & Sunnydale Park Estate Residents Association

----- Original Message -----

From: Nyewood Estate & Sunnydale Park Estate Residents Association [REDACTED]
To: "hebe.smith@arun.gov.uk" <hebe.smith@arun.gov.uk>, "planning@arun.gov.uk" <planning@arun.gov.uk>
Date: 12/04/2026 15:55 BST
Subject: BR/21/26/PL

Dear Hebe Smith,

Please find attached our formal objection to the proposed application.

Kind regards,

Martin Rader
NESPERA Communications
Nyewood Estate & Sunnydale Park Estate Residents Association