



Dan Harding

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Your Ref:

Our Ref: PAA/197/16/

Please ask for: Mr S Davis

01903 737874

20 December 2016

Dear Mr Harding

Pre-Application Advice

Change of use/conversion into a HMO

92-94 Aldwick Road Bognor Regis

I write regarding the above matter and your enquiry received on 2nd November 2016.

Description Of Proposed Development

From the details submitted, I understand that you propose to change the use of the existing premises from a care home to a house in multiple occupation. You state that the existing premises has 20-22 bedrooms. Your submitted floor plans show an existing layout comprising of a total of 20 bedrooms together with an office, dining room, two lounges, hair salon and smoking room.

Description Of Site

The application site comprises of a pair of mid terrace two storey houses with additional roof level accommodation. No. 92 has a traditional form with a rear projection. No. 94 on the other hand has had a previous part single, part two storey flat roofed rear extension with an additional flat roofed dormer above. Both properties are similar in appearance when viewed from the front although 94 has a slightly higher ridge. The buildings are yellow rendered at the front and then part red brick, part brown brick, part red hanging tile and part cream rendered at the rear.

The site is flat and there are no trees affected. The rear garden is part grassed lawn and part hardstanding. There is a small timber shed and a single garage. The latter along with hardstanding for say 3 cars parked in tandem space are accessed from the backstreet. It would also be possible to park two cars along the rear in parallel to the back street.

Boundaries consist of 1.6m high close boarded fencing to the side of the rear garden with no. 90 and 1.6m high wall to the boundary with no. 96 and a 2.1m high wall along the rear.

Description Of Locality

The site is part of a residential street comprising a mixed character of two-three storey dwellings, either terraced, semi-detached or purpose built flatted buildings. There are some commercial

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properties including a Texco Express to the east of the Nyewood Lane/Aldwick Road junction. Neighbouring buildings consist of a Bed & Breakfast at no. 90 and 4 self-contained flats at no. 96.

Planning Issues

The following issues have been identified for consideration.

Principle;
Neighbour Amenity;
Amenity Space Provision;
Bin Storage; and
Highways, Transport and Parking.

Relevant Planning History

BR/105/89	Continued use of a rest home but excluding the restriction of Condition 2 to permit residents who are mentally ill	ApproveConditionally 10-04-1989
BR/320/86	Extension to form accommodat- ion for existing residents	ApproveConditionally 24-11-1986
BR/703/82	Change of use from private dwelling to a rest home for the elderly	ApproveConditionally 27-10-1982
BR/833/79	2 Storey rear extension to provide 3 no bedrooms resident lounge & room for duty nurse	ApproveConditionally 05-03-1979
BR/994/78	C of U from private hotel to rest home for the elderly and provision of external fire escape paved area ground floor	ApproveConditionally 31-01-1979
BR/113/65/A	Extension	Approve 01-12-1965
BR/113/65	Garage	Approve 05-11-1965

Comment On Site History

It is understood from the planning history that the building has the benefit of a planning permission for use as a care home under Class C2. The premises appeared to be vacant when I visited the site in early December 2016.

Relevant Policies - the following policies are considered relevant to your proposal:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development
	GEN32	Noise Pollution
	NPPG	National Planning Practice Guidance
	EDDM1	D DM1 Aspects of Form and Design Quality
	EDDM3	D DM3 External Space Standards
	EDDM4	D DM4 Extensions & Alterations to Existing Buildings
	EDSP1	D SP1 Design
	EECCSP2	ECC SP2 Energy and climate change mitigation

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EQEDM1	QE DM1 Noise Pollution
EQESP1	QE SP1 Quality of the Environment
ESDSP2	SD SP2 Built -Up Area Boundary
EHSP4	H SP4 Houses in Multiple Occupation
ETSP1	T SP1 Transport and Development
EWDM3	W DM3 Sustainable Urban Drainage Systems

Planning policy guidance NPPF National Planning Policy Framework

Principle

PRINCIPLE:

The site is within an urban residential area where the principle of development is considered to be acceptable. The NPPF supports the effective and efficient use of land for sites in the built up area but also advises that new housing should be well integrated with and should complement neighbouring buildings and the local area in terms of scale, density, layout and access. The proposal is acceptable in principle given its location in a sustainable urban location and only a short walk from a local shopping parade and the beach.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF):

Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and states that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless: (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or (b) specific policies in this Framework indicate development should be restricted. Paragraph 7 of the NPPF sets out three dimensions to sustainable development - economic, social and environmental.

Paragraph 49 of the NPPF states that: "Housing applications should be considered in the context of the presumption in favour of sustainable development". Furthermore, paragraph 50 states that:

"To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)"

The NPPF also states at paragraph 51 that:

"Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers."

DEVELOPMENT PLAN POLICIES RELEVANT TO THE USE:

There are no saved policies within the Adopted Local Plan which relate to houses in multiple occupation (HMO's). However, policy H SP4 of the emerging Local Plan (2011 - 2031) states that applications for HMO's will be favourably considered where they:

- a. Do not adversely affect the character of the area;
- b. Do not contribute to the over concentration of HMOs in a particular area;
- c. Do not contribute to the generation of excessive parking demands or traffic in an area; and
- d. Provide adequate areas of open space.

I have concerns as to whether the proposal complies with this policy in that the change of use from a care home to a HMO of this size could adversely affect the character of the area by reason of increased activity levels (i.e. younger generations versus old people), increased refuse, increased noise/disturbance and that the proposal could contribute to the generation of excessive parking demands in the area. However, I do have regard to the previous care home use and that the premises is within a sustainable urban location within walking distance of shops/services and on a bus route in/out of Bognor Regis.

You should note that we recently approved a change of use of nearby Ashley House from a care home to a HMO for Butlins staff members (ADC Ref BR/100/16/PL). However, this approval was made having regard to the work that the applicant did in respect of reducing the potential for noise disturbance to nearby properties and in respect of setting out strategies to reduce the potential for car ownership at the site. It is difficult to consider your proposal positively as we did for Ashley House without any firm plans for the site and without measures to reduce the impact on nearby residents.

As part of the above policy, I am required to assess the number of existing nearby HMO uses. I set these out below:

Licensed HMO's:

- * 110 Aldwick Road;
- * 32 Richmond Road
- * 34 Richmond Road

In addition, there is extant permission for the use of Ashley House (120 Aldwick Road) as staff accommodation for Butlins. This is also technically a HMO use.

Although there is a growing number of HMO type uses in the wider Bognor Regis area, I do not consider that there is an overconcentration of such uses in the immediate area and therefore I do not consider that we would raise objection on the issue of over-concentration.

Parking and amenity space issues will be discussed in other sections of this letter.

Neighbour Amenity

Paragraph 17 of the NPPF states that Development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 109 states that new development should be prevented from causing nearby land uses from being adversely affected by unacceptable levels of air or noise pollution.

In respect of the Adopted Local Plan, policy GEN7 (iv) indicates that development will be permitted if it takes into account the impact on adjoining occupiers, land, use or property. Policies GEN32-34 then seek to prevent new development from resulting in adverse impacts on neighbouring land uses in respect of noise, light and air pollution.

I acknowledge that no new windows are proposed, however, it may be the case given the difference between the previous occupancy levels and the proposed number of bedrooms, that existing non-residential rooms or rooms that haven't been used residentially for some time will now be used for residential purposes. This may then result in new overlooking impacts to neighbouring properties.

I am also concerned as to the impact on local residents in terms of noise and disturbance as a result of the change in activity levels at the site. Although I acknowledge that a care home is a fairly intensive use and that there will be no requirement with a HMO for visiting staff, residential occupiers are likely to be more active than those in a care home and this may give rise to noise and disturbance particularly at unsociable times. The increased use of the external areas (say by

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smokers) could also contribute to amenity issues.

I would recommend that you submit a noise management plan together with your application that sets out measures to minimise the impacts of noise & disturbance on neighbouring properties.

Amenity Space Provision

The NPPF indicates that good design should contribute positively to making places better for people. It also encourages the creation of places, streets and spaces which meet the needs of people are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character.

Policy GEN7 of the Arun District Local Plan further indicates that development will be permitted provided that amongst other considerations the proposal creates attractive places and spaces with the needs of people in mind. On this basis, well designed and adequate amenity space provision for residents is considered essential to meet the policy requirements of the local plan and Central Government Advice.

I have also had regard to policy D DM3 of the Arun Local Plan (2011 - 2031) Publication Version (October 2014) which deals with external space standards. This states that there must be 4m² space for every 1 bed flat. However, I do not consider that your proposal consists of flats and I therefore consider that a shared communal space is acceptable and I consider it likely that the existing rear garden will satisfy this aspect.

Bin Storage

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. For flats, the communal/bulk bins can be used on the basis of 240 litres of residual waste storage/bin per flat. Alternatively one 240 litre wheelie bin for each property can be provided.

The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

The maximum pulling distances allowed under Health and Safety legislation are 10 metres 1100 litre bins and 50 meters for 240 litre bins.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

It should be noted that Emerging Local Plan Policy D DM3 states that "External areas also need to include adequate space for recyclable and non-recyclable waste storage".

Highways Transport And Parking

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking. Car parking requirements will vary according to the accessibility of the site to public transport or services, or location within a town centre. Paragraph 32 of the NPPF states that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

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I am not able to consult with West Sussex County Council (WSCC) on pre-application enquiries. You may contact them directly if you wish. Please see here:

http://www.westsussex.gov.uk/living/roads_and_transport/roads_and_footways/development_control_plans_and/information_for_developers/pre-application_advice_for_roa.aspx

WSCC parking standards for Houses in Multiple Occupation as contained within the 'Revised County Parking Standards and Transport Contributions Methodology' sets out a requirement for 0.5 spaces per room/unit. However, this standard may be reduced where the site lies in a sustainable location where residents can access shops and services without needing the use of a private car. I would also expect secure cycle storage to be provided.

Other Considerations

The Governments Technical Housing Standards (Nationally Described Space Standard) do not provide any relevant standards for Houses in Multiple Occupation.

Instead, it is considered that regard should be had to Arun's Environmental Health Private Housing Standards. These reference the following two documents: LACORS Promoting Quality regulation (LGA) 2009 and Chichester and Arun Landlord Accreditation Scheme Standards 2013. The Chichester and Arun Landlord Accreditation Scheme Standards 2013 provide several standards but none refer to situations where a bedroom includes a bathroom but shares other facilities.

Therefore, it is not possible to assess the amount of internal space under these standards and instead we would seek confirmation from the Councils HMO Officer. I would recommend that you liaise with our Environmental Health team prior to submitting your application. Please also note the comments of our Environmental Health Officer as set out below:-

"Environmental Health
- No comments

Private Sector Housing

- The property is 3 storey with 5 or more people sharing facilities therefore the owners will require a license from the Council and the property must meet minimum standards.
- Rooms sizes for a single let bedsit is 10.2sqm
- Bathroom facilities must be provided on a ratio of 1 to every 5 occupants.
- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document - "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"
- If the residents are to be responsible for their own cooking then the kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities. Consideration should be given to whether one kitchen for 20 residents will be suitable.
 - o sinks with draining boards;
 - o an adequate supply of cold and constant hot water to each sink supplied;
 - o installations or equipment for the cooking of food;
 - o electrical sockets;
 - o worktops for the preparation of food
 - o cupboards for the storage of food or kitchen and cooking utensils;
 - o refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers);
 - o appropriate refuse disposal facilities;
 - o and appropriate extractor fans, fire blankets and fire doors"

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The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

The maximum pulling distances allowed under Health and Safety legislation are 10 metres 1100 litre bins and 50 meters for 240 litre bins.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

It should be noted that Emerging Local Plan Policy D DM3 states that "External areas also need to include adequate space for recyclable and non-recyclable waste storage".

Conclusion

It is difficult to give a conclusion either way as you have not provided any firm plans or mitigation measures. On this basis, my conclusion at this time has to be refusal but there is scope for this to change if you are able to propose measures with an application designed to limit car ownership and manage noise/disturbance.

Follow Up Meeting

If you require a follow up meeting to discuss this pre-application and advice, you will need to forward a written request together with a fee for £200 made payable to Arun District Council if not already included in the fee you have already paid.

Making an Application

If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will also need to submit the following documentation/information:

Fully completed and signed Application Form with full description of the proposal;
Ownership Certificate and Agricultural Land Declaration;
Correct Fee;
Location Plan (1:1250);
Floor Plans (Existing and Proposed); and
Site/Block Plan (1:500).

If you propose external changes to the building then we will also require the following:

Elevations (Existing and Proposed); and
Roof Plans.

Additionally the following documents will need to be provided:

Please note that the Council has a Local Validation Requirements List and you should refer to it before submitting your application. Failure to provide the required documentation and to complete the Validation Checklist and the Biodiversity Checklist will result in the application being treated as incomplete and delay the validation of the planning application.

Having looked though the Local Validation Requirements List, I would suggest that the following additional documents will be required:

Noise Management Plan;
Bin Storage and Collection Provision; and
Parking Plan.

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Karl Roberts', with a stylized flourish at the end.

Karl Roberts
Director Planning & Economic Regeneration