

Appeal Decision

Site visit made on 24 April 2017

by Joanna Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 May 2017

Appeal Ref: APP/C3810/W/17/3168437

55 Longford Road, Bognor Regis PO21 1AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Toffik Girach against the decision of Arun District Council.
 - The application Ref BR/279/16/PL, dated 14 October 2016, was refused by notice dated 19 December 2016.
 - The development proposed is "change of use from single dwelling to house of multi-occupancy for up to seven occupants".
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Decision

1. The appeal is allowed and planning permission is granted for "change of use from single dwelling to house of multi-occupancy for up to seven occupants" at 55 Longford Road, Bognor Regis PO21 1AD in accordance with the terms of the application, Ref BR/279/16/PL, dated 14 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 477/02 and 477/03.
 - 3) The development hereby permitted shall not be occupied by more than seven people at any one time.

Procedural matter

2. It is clear from the Council's representations that its reference to the Emerging Neighbourhood Plan in its reasons for refusal is an error. As they should have referred to the emerging Local Plan, I shall deal with the appeal on that basis.

Reasons

3. The main issue is the effect that the proposed development would have on the character and appearance of the surrounding area.
4. The appeal site is situated within a mainly residential area, close to the railway station and town centre shops and services, on the reasonably well-used Longford Road. The existing 2-storey semi-detached dwelling, which also includes rooms in its pitched roof space, is set back a little from the road.
5. The Council's reasons for refusal refer to Policy D DM4 of the emerging *Arun Local Plan 2011-2031* (ELP), which aims to control extensions and alterations to existing buildings. As the dwelling has been extended, and its external

appearance would not change, ELP Policy D DM4 is not relevant in this appeal. ELP Policy H SP4 aims for proposals for houses in multiple occupation (HMOs) that are not covered by permitted development rights to be considered favourably where they satisfy 4 criteria.

6. The nearby area including Longford and Havelock Roads has a suburban character due to the gaps between the dwellings, which give glimpses of greenery in most back gardens. The shallow front gardens, drives and hard surfaces contribute to the sense of space in front of the buildings. So, the hard surfaced area at the front of appeal building is in keeping.
7. The occupiers would be similar to a large family who could occupy the present building as a single dwelling house. Their comings and goings would be little different, and the residential use of the building and its site would be very similar to other dwellings in the locality. Thus, the proposal would not harm the character of the area.
8. The Council applies ELP Policy H SP4 to bedsits, shared student houses and licensed HMOs. There are 8 buildings that are considered to be HMOs including 2 with bedsits and 4 shared student houses in the nearby area in Longford and Havelock Roads, as well as others that are shown on the Council's plan. However, there are considerably more buildings in the same area that are not identified as HMOs. Having regard to the Council's representations, and present permitted development rights for single dwelling houses, the proposal would not add to an existing over-concentration of HMOs in the area.
9. The site is in a highly accessible location in terms of public transport, so the Council has not raised concerns about parking pressure in the nearby streets or resultant danger to highway safety. I agree. The back garden would also provide a generous pleasant useable outdoor space for the future occupiers.
10. Therefore, I consider that the proposal would not harm the character and appearance of the surrounding area. It would satisfy Policy GEN7 of the *Arun District Local Plan* which aims to protect the quality of the environment and ELP Policy H SP4, as well as the *National Planning Policy Framework* (Framework) which aims to create sustainable, inclusive and mixed communities.
11. The Council's suggested conditions have been considered in the light of Framework paragraph 206 and Planning Practice Guidance. There is no suggestion in the appellant's representations that the change of use has taken place, so the standard implementation condition has been imposed. The condition identifying the approved plans is necessary for certainty. The condition to control the number of occupiers is necessary to protect the future occupiers' living conditions. These conditions have been imposed. There is room at the side of the building for refuse and recycling bins or receptacles, so there is no need for the Council's suggested condition, which has not been imposed.
12. In conclusion, for the reasons given above and having regard to all other matters raised, the appeal succeeds.

Joanna Reid

INSPECTOR