



Appeal Decision

Site visit made on 27 May 2025

by **J E Jolly BA (Hons) MA MSc MCIH MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

Appeal Ref: APP/C3810/W/24/3357172

10 Longford Road, Bognor Regis, West Sussex PO21 1AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms K Sayers (Longford Living Ltd) against the decision of Arun District Council.
 - The application Ref is BR/69/24/PL.
 - The development proposed is for the change of use to sui generis large HMO (9 unrelated occupants) and the removal of an outbuilding.
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Decision

1. The appeal is allowed, and planning permission is granted for change of use to sui generis large HMO (9 unrelated occupants) and the removal of an outbuilding at 10 Longford Road, Bognor Regis, West Sussex PO21 1AQ in accordance with the terms of the application, Ref BR/69/24/PL, and the plans submitted with it, subject to the conditions set out in Annex A.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2024. However, I am satisfied that any changes to the Framework have not prejudiced any party in this case.

Background and Main Issue

3. The Council no longer wishes to contest its first reason for refusal given on its decision notice relevant to the effect of the proposal on the character and appearance of the area.
4. During the appeal process the Council confirmed that the appellant has submitted an acceptable S106 Unilateral Undertaking in respect of a financial contribution as mitigation against recreational disturbance to the Pagham Harbour Special Protection Area (SPA), and hence withdrawn its third reason for refusal in this appeal.
5. Therefore, the main issue in this appeal is the effect of the proposal on highway safety, with particular reference to parking.

Reasons

6. The appeal property is a house in multiple occupation (HMO) for 6 unrelated occupants that is located near to Bognor Regis town centre to one side of Longford Road. The proposal is for a change of use to a larger HMO for 9 unrelated occupants with 9 cycle parking spaces.

7. Accordingly, the Council contend that while the 'Arun Parking Standard' does not have a specific standard for HMO's, the onsite parking requirement as set down by the West Sussex County Council parking standard would be at least four parking spaces for a dwelling of this size. Given the limited plot available, only two of these spaces could be provided on site, which the submitted drawings show would not meet the minimum dimensions required by the Council. Notwithstanding, that the more detailed drawings in the appellant's appeal submissions show that two 2.5m x 5m spaces would be possible on the site, the proposed spaces would cover most of the plot available.
8. Therefore, the Council has concerns that from time to time the 'first come, first serve' nature of the parking arrangements would be likely to lead to poor parking on one of the spaces and restrict use of the second space. Moreover, the Council has raised concerns that the proposed layout would also lead to conflict with other activities on the site such as, but not limited to, use of the bin storage area and cyclists wanting to take advantage of the cycle storage facilities to the rear of the property. Consequently, the Council argue that this awkward arrangement could lead to excessive street parking demand in the wider area by the occupiers of No 10
9. However, while the appellant did not submit a local, site-specific parking capacity study in support of their case, the West Sussex Highways Authority concluded that the proposal is 'not anticipated to give rise to significant material intensification of movements to or from the site'. I see no reason to disagree. The level of car ownership by the current occupiers of No 10, and indeed HMO's generally, is known to be low. Therefore, it is very likely, despite the proposed increase in occupancy of No 10, that the use of the areas to the front and side of the HMO would be very similar to the existing arrangements. Furthermore, where street parking exists nearby it is either short term or solely available to those with resident parking permits issued by the Council. Subsequently, the proposal is likely to attract those with little interest in car ownership.
10. Indeed, the sustainable town centre position of the proposal, which is within walking distance to shops, bus routes and a railway station, is a location where the use of cycle, bus and rail travel is likely to be preferable to many of the new and future occupiers, for example young professionals or post-graduate students. As a result it would be very unlikely that the proposal would lead to excessive parking demands in the nearby area.
11. Overall, I conclude that the proposal would meet the aims of criteria (b) of Policy H SP4 of the Arun Local Plan (2018), which says that proposals for HMO's will be favourably considered where they contribute to the creation of sustainable, inclusive and mixed communities and do not contribute to the generation of excessive parking demands or traffic in an area.

Other Matters

12. I acknowledge representations from interested parties who have brought to my attention the need for family homes, and concerns for the proximity of a well-used road that brings vehicles, pedestrians and cyclists into close proximity. However, given my findings above and the suggested conditions provided by the Council, I have found no justification to dismiss the appeal, or the benefits associated with HMO accommodation for smaller households.

Conditions

13. I have considered Paragraph 56 of the Framework, and the national Planning Practice Guidance and the appellant's suggested revised wording related to sui generis use and imposed the following conditions: for certainty a standard time condition and a condition requiring that the development is carried out in accordance with the approved plans.
14. There is also a condition which limits the occupancy of the dwelling to protect the living conditions of the existing, future and neighbouring occupiers. A condition is necessary to provide the required parking spaces, and cycle storage is conditioned to encourage alternative methods of transport. In addition, there are conditions for electric car charging points and biodiversity in the interests of air quality and the environment.

Conclusions

15. For the reasons given above, the appeal should succeed, and planning permission be granted, subject to the conditions set out in Annex A.

J E Jolly

INSPECTOR

Annex A:

Conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan – dated 15 November 2023
 - Landscaping Plan
 - Existing and Proposed Site Plan – Drawing - 7181-23-4
 - Proposed Floor Plans and Elevations – Drawing - 7181-23-2 A
- 3) The dwelling shall accommodate a cumulative maximum of nine (9) people residing on site at any one time.
- 4) The sui generis (large HMO) use of the property shall not commence until the car parking has been constructed and marked out in accordance with the approved site plan. These spaces measuring 2.5m x 5m shall thereafter be retained at all times for their designated purpose.
- 5) The sui generis (large HMO) use of the property shall not commence until covered and secure cycle parking spaces for a minimum of 9 No cycles have been provided in accordance with plans and details to be submitted to and approved by the Council.
- 6) The sui generis (large HMO) use of the property shall not commence until, the building has been provided with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. The electric vehicle charge points shall thereafter be retained and maintained in good working condition.
- 7) The sui generis (large HMO) use of the property shall not commence until details of improvements to secure biodiversity net gain have been submitted to and approved in writing by the Council.

*****End*****