



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: 30th May 2025

Appeal Ref: APP/C3810/W/24/3354162

8 Argyle Road, Bognor Regis, West Sussex PO21 1DY

- 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 Mr D Bennett (David Bennett Architects) against the decision of Arun District Council.
 - The application Ref is BR/111/24/PL.
 - The development proposed is for a change of use of a two-storey terraced three bedroomed house and a workshop to a house in multiple occupation.
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Decision

1. The appeal is allowed, and planning permission is granted for a change of use of a two-storey terraced three bedroomed house and a workshop to a house in multiple occupation at 8 Argyle Road, Bognor Regis, West Sussex PO21 1DY in accordance with the terms of the application, Ref BR/111/24/PL, and the plans submitted with it, subject to the conditions set out in Annex A.

Application for costs

2. An application for costs related to this appeal was made against Arun District Council. This application will be the subject of a separate Decision.

Preliminary Matters

3. 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.
4. The appeal was submitted by Greenwell Property Holdings. However, the right of appeal lies solely with the original applicant named above, who has subsequently given written approval for the appeal to proceed in his name.

Background and Main Issues

5. 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as mitigation against recreational disturbance to the Pagham Harbour Special Protection Area (SPA), and hence withdrawn its third reason for refusal in this appeal.
6. Therefore, the main issues in this appeal are the effect of the proposal on:
 - the character and appearance of the area; and,
 - the living conditions of future occupiers.

Reasons

Character and appearance

7. The appeal property is located in Marine Ward which is predominantly typified along the eastern side of Argyle Road by rows of two-storey brick and tile terraced houses facing the highway. The proposal is for a change of use to the C3 residential dwelling found at 8 Argyle Road to a C4 house in multiple occupation (HMO). There would be 5 occupiers of the HMO who would have rooms and a communal area that would meet the Council's Environmental Health Private Housing Standards.
8. C3 dwellings in Marine Ward are subject to an article 4 direction that removed permitted development rights for a change to C4 uses, with the purpose of upholding quality and limiting harmful concentration of HMOs in the Ward. The Council argue, that while the proposal would be similar in appearance to other neighbouring dwellings on Argyle Road, it would nevertheless harm the character of the area due to the proliferation of HMO properties nearby, and as the potential consequences of shared living. For example, noise, disturbance, littering and other anti-social behaviour.
9. However, while the Council has brought to my attention that Marine Ward has approximately 193 HMOs, relatively recent analysis¹ of the private rented sector in Arun confirms that HMOs total less than 10% of the overall stock in the Ward. Moreover, it is noted that within 150m of the appeal site that the concentration of HMOs drops to less than 5%. In addition, while there are four other HMOs located in Argyle Road, none of these neighbour No 8 or form a continuous frontage. Furthermore, the nearest HMOs are scattered further afield in Cavendish Road, Bassett Road and West Street, and are limited to nine in number. Consequently, I do not concur that the proposal would result in an overconcentration of HMOs in this location. I also have limited evidence before me to suggest that the five occupiers of the proposed HMO, who would be managed by an experienced and well-regarded landlord, would create more noise and/or other disturbance than up to four occupiers of the existing single-family dwelling. Indeed, even after changes to the existing workshop to the rear, the proposal would remain similar in outward appearance to the dwellings on this side of Argyle Road, and hence be indistinguishable from other forms of tenure in this specific location.
10. Therefore, I am not persuaded that one additional HMO on Argyle Road would adversely affect the character of the area or erode the balance between different types of housing, especially as it is an area that is dominated by C3 residential dwellings. To the contrary, the dwelling would offer much needed entry-level housing to a wide group of people that make up an important part of the social and economic fabric of Bognor Regis, such as but not limited to, single person households, young professionals, students and those on short-term contracts.
11. I conclude therefore, in respect of the character and appearance of the area, that the proposal would meet the aims of Policy H SP4 of the Arun Local Plan (2018) (ALP), which is clear that proposals for HMOs will be favourably considered where they contribute to the creation of sustainable, inclusive and mixed communities and, amongst other things, do not adversely affect the character of the area.

¹ British Research Establishment - Integrated Dwelling Level Housing Stock Modelling and Database for Arun District Council: Additional Analysis of the Private Rented Sector. (2021)

Living conditions

12. The garden space of No 8 is approximately 28sqm, which is below the Council's desired minimum for HMOs. However, while the garden space would be relatively compact, it would be compatible for activities such as clothes drying, small-scale potted gardening, dining and sitting out. It would also be similar in size to HMO garden space nearby.² Indeed, as the HMO would be relatively close to Bognor Regis seafront and within walking distance of local open space, I conclude that the proposal would not harm the living conditions of future occupiers.
13. It follows then, in respect of the living conditions of future occupiers, that the proposal would accord with Policy HSP4 (c) of the ALP, as supported by the Arun Design Guide, which says that planning applications for HMOs should provide adequate areas of open space.

Other Matters

14. I acknowledge representations from interested parties who have brought to my attention car parking and waste collection arrangements in the road. 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 new HMO accommodation for smaller households.

Conditions

15. I have considered Paragraph 56 of the Framework, and the national Planning Practice Guidance 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.
16. 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 for cycle parking to encourage alternative methods of transport. In addition, there is a condition for bird and bat boxes in order to achieve biodiversity net gain.

Conclusions

17. 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

² BR/86/20/PL and BR/213/20/PL

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 and Site Plan – Drawing No - 14124.01
 - Proposed Ground Floor Plan – Drawing No - 14124.04
 - Proposed First Floor Plan – Drawing No 14124.05
- 3) The overnight occupancy of the House in Multiple Occupation shall be limited to a maximum of 5 (five) persons at any one time.
- 4) No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Council.
- 5) Two bird boxes shall be fitted to the external wall of the building prior to occupation of the dwelling and shall be permanently maintained in good working condition. The bird boxes shall be attached at first floor level and positioned facing to the eastern elevation.

*****End*****