

Patterson Portfolio Limited
Planning Statement



PROPOSAL: CHANGE OF USE FROM SMALL HOUSE IN MULTIPLE OCCUPATION (C4 USE) TO A LARGE SEVEN BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS USE)

SITE: 11 FRANKLYNN ROAD, HAYWARDS HEATH, WEST SUSSEX, RH16 4DG

DATE:

REF DM/24/1855 (Pre-application Advice)

1.0 Introduction

1.1 This Planning Statement has been prepared by Patterson Portfolio, the applicants, to accompany the full planning application for the change of use from a small House in Multiple Occupation ("HMO") to a 7 bedroom HMO (sui generis use). There are no changes to the appearance of the property required to facilitate the additional bedroom, as the applicant proposes to utilise the existing living room as a seventh (single occupancy) bedroom.

1.2 This Statement provides an analysis to demonstrate that the submitted proposal is acceptable in planning terms and in accordance with the relevant policy and guidance. The application is supported by site and floor plans, which illustrates that the house and site is capable of accommodating the additional one person capacity.

1.3 The remainder of this Statement is structured as follows:

- 1.3.1 Section 2: Site location and description
- 1.3.2 Section 3: Development Proposal
- 1.3.3 Section 4: Planning Policy Context
- 1.3.4 Section 5: Opportunities and Constraints
- 1.3.5 Section 6: Design and Access
- 1.3.6 Section 7: Planning Analysis
- 1.3.7 Section 8: Summary

2.0 Site Description

2.1 The application site comprises a large two-storey (with single storey rear extension), detached property located on the built up area of Franklyn Road, Haywards Heath, RG16 4DG. The surrounding properties are of mixed use. To the west is a block of semi-detached houses, and to the other is a large commercial shop (currently a pet shop) with flat above. Opposite is a Montessori nursery. To the rear (north) is a further detached dwelling (no. 11a) which once formed part of the site which is the subject of this application (the site having been split prior to the applicant's purchase of the property in 2020). Access to no. 11a is via a pathway to the side of no. 11. The aerial photograph exhibited in figure 1 below illustrates the location of the site and nature of the surrounding development.



Figure 1 – Aerial View of Site Application.

2.2 The site is not located within a Conservation Area or adjacent to any designated heritage assets.

3.0 Proposal

3.1 Full planning permission is sought for the change of use from a small HMO (C4 use) to a large 7 bedroom HMO (Sui Generis Use).

3.2 Internally, the accommodation is currently arranged as follows:

Ground floor – Four double bedrooms (one is en suite), lounge, large kitchen, two bathrooms, large entrance hall;

First floor – Two double bedrooms and one bathroom.

3.3 The proposal is that the accommodation is arranged as follows:

Ground floor – Four double bedrooms (one is en suite), one single bedroom, large kitchen, two bathrooms, large entrance hall.

First floor - Two double bedrooms and one bathroom.

3.4 There are no layout changes to the accommodation and no significant building work required, the existing 13m² ground floor lounge will be utilised as a single bedroom.

4.0 Planning Policy Context

4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

4.2 National Planning Policy Framework – December 2024. The NPPF sets out the Government’s planning policies for England and sets out how they are expected to be applied.

4.3 Paragraph 2 of the NPPF states that “Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.” The plan-led approved approach to development is enshrined by Section 38(6) of the Planning and Compulsory Purchase Act 2004. In addition, the NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions, as are previous planning decisions and appeals.

4.4 Paragraph 11 reaffirms that “applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.”

4.5 Paragraph 38 of the NPPF relates to decision making and confirms that “Local planning authorities should approach decisions on proposed development in a positive and creative way”.

4.6 The NPPF confirms the Government’s objective of significantly boosting the supply of homes. This is seen in the context of ensuring that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing need requirements are addressed and that land with planning permission is developed without unnecessary delay (Paragraph 60). Significant importance in this case relates to the different groups in the community and their housing needs. The NPPF indicates that due regard be given to size, type and tenure (Paragraph 62).

4.7 Paragraph 119 requires planning decisions should promote the efficient use of land.

4.8 Paragraph 120d states to promote and support development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

4.9 The Courts have held that Central Government’s policy is a material consideration that must be taken into account by the decision maker, as are relevant appeal decisions.

4.10 Local Planning Policy relevant to this small proposal is contained within the Mid Sussex District Plan 2014-2031 (“MSDP”) still incorporating parts (by way of “saved policies”) of the Mid Sussex Local Plan 2004 (“MSLP”), the Mid Sussex District Plan 2021-2039 – Submission Draft

("MSDC") and Mid Sussex Design Guide Supplementary Planning Document (November 2020) Also relevant is the Haywards Heath Town Council Neighbourhood Plan "Our Bright Future December 2016" ("HHTCNP"), West Sussex County Council: Guidance on Parking at New Developments (August 2019) ("WSCCGPND")

5.0 Constraints and Opportunities

5.1 The site represents an opportunity to create a high-quality 7 bedroom HMO within the existing physical limits of accommodation that is, due to its accessibility and sustainability, a location where there is a need for housing of this type. Consequently, the proposal accords with the provisions of the development plan. An opportunity exists to use the building in a fashion that will retain the character of the street (there being no need for a change to the external physical appearance of the accommodation) and the grain of the surrounding urban area whilst creating additional housing.

5.2 The site is in a sustainable location and is accessible by alternative modes of transport, including by car (there are 3-4 parking spaces to the front of the accommodation and within the existing site) and bus (the no. 39 bus has a stop outside the accommodation). It is also within close proximity to employment opportunities (particularly the Princess Royal Hospital which is a ten minute walk/very short cycle or bus journey away at the end of the road), as well as local facilities, including shops, schools, churches, restaurants, public houses, petrol station and other local community facilities. A safe and satisfactory access can be achieved to the development.

5.3 The applicant already benefits from an HMO Licence in respect of the property issued by MSDC dated 8th December 2020 which is due to expire on 7th December 2025. The maximum number of permitted occupants under the terms of the licence is currently 6 persons. The applicant is already in communication with Housing Standards at MSDC as regards an application to update the HMO licence to facilitate a seventh occupant under the terms of the licence. It is considered that the licence conditions to which the licence is subject will still be met with the addition of a seventh occupant, and that the requirements contained in the "MSDC Standards for Houses in Multiple Occupation (October 2015)" will or are capable of being met notwithstanding a seventh occupant. An HMO officer from MSDC attended the property on 29th October 2024 following contact by the applicant and has confirmed he sees no reason why the HMO licence will not be updated to allow for a 7th occupant in what is currently the living room.

5.4 The room proposed to house the seventh occupant is some 13m² which is considerably larger than the minimum room size required for a single occupant (it actually exceeds the required room size for a double room, but the applicant proposes single occupancy only) as contained in the MSDC Standards for Houses in Multiple Occupation.

6.0 Design and Access

6.1 The design related policies in the development plan identify that context and character are key considerations and that development in existing areas must respond to and respect inherent layout, density, scale, appearance, materials and access.

- i) **Layout:** The layout of the building has been arranged to ensure an enhancement to the overall level of accommodation and ensure an efficient use of the space. The additional bedroom created from the existing living room is within the existing building, and together with the communal areas including the large kitchen, 3 communal bathrooms (which are in addition to the en suite which serves one of the ground floor bedrooms) and large rear garden and patio/decking area, ensure satisfactory living conditions for residents. The existing living room which will be used as the seventh bedroom is not, in practice, utilised by the current occupants. Each of the existing bedrooms are large in size and include a TV supplied by the applicant (TV licence is paid for by the applicant) and room for a chair or sofa and a small table or breakfast bar and chair. The existing kitchen is large with dining facilities by way of a breakfast bar.
- ii) **Density:** The change of use will result in a scheme that is commensurate to the size of the property. The change of use seeks to utilise the existing building with regard to the footprint, scale and mass, levels and heights (there are no physical changes needed to the internal walls and no external changes).
- iii) **Scale:** There will be no unacceptable impact on surrounding residential properties as a result of the change of use to a larger HMO as the seventh bedroom is created from the existing living room.
- iv) **Appearance:** There are no changes needed to the external appearance of the building or to the internal layout of rooms (other than the living room being used as the seventh bedroom).
- v) **Materials:** No building works are needed to the external part of the building. The existing living room will need to be furnished as a bedroom with suitable black out blind to the window, carpeting (already in place), a single bed with mattress, small wardrobe and bedside cabinet and a wall mounted TV. A smoke detector will need to be installed in line with the provisions in the remainder of the building. No structural or other work is needed to change the use of the room to a bedroom save for some sound proofing on the wall between the proposed seventh bedroom and the existing ground floor front left bedroom.
- vi) **Access:** the building already benefits from 3/4 parking spaces at the front of the property within the existing site. These spaces are not typically always utilised by the tenants due to many of them being employed at the PRH (see further below) – not every tenant needs or owns a car as it is not necessary given the proximity of the property their place of work and the town centre and other amenities. In any event 3 spaces for a 7 bedroom house meets the criteria set out in WSCCGPND. Additional cycle storage can be provided to the side and/or rear of the property.

6.2 Having regard to the location of the site, which is within walking distance of local amenities and bus stops, it is considered that the site represents a sustainable location for an increase in occupants from 6 to 7.

7.0 Planning appraisal

7.1 This section seeks to highlight the main issues relevant to the determination of the application and assess the scheme against the local and national planning policies referenced in section 4.0 above.

i) Principle of Development

7.1.1 Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision-taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies of the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The NPPF identifies that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The NPPF that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes). In the present case, there is a clear need for accommodation of the type supplied by the proposal.

7.1.2 Policy 30 of MSDP states, in part, that *'To support sustainable communities, housing development will: provide a mix of dwelling types and sizes from new development (including affordable housing) that reflects current and future local housing needs;'* and references the North West Sussex Strategic Housing Market Assessment Update (2012) which sets out that the majority of household growth is expected to result from increasing single person households within the area.

7.1.3 Paragraphs 5.64 – 5.68 and Policy H10 of the MSLP recognises *"Within Mid Sussex there is little accommodation available for rent within the Housing benefits limits and thus houses in multiple occupation (HMOs) provide an important form of low cost shared accommodation for young and/or single people for whom general open market housing is neither suitable or affordable. While such accommodation may have some individual facilities, for example small kitchen areas, most facilities will be shared including bathrooms, communal lounge areas and entrances. In Mid Sussex HMOs tend to be located in town centres or in older established residential areas. Frequently such shared accommodation is found in dwellings which are no longer suited to family use"*.

7.1.4 The MSLP sets out support for “the provision of a range of residential accommodation” whilst highlighting general concerns about HMO’s as to potential noise and disturbance, lack of adequate parking and environmental health. These issues are addressed by the applicant below.

7.1.5 The MDSD states “a Key feature of a 20-minute neighbourhoods requires the provision of a mix of housing tenures and types that reflect local housing need and support people at all stages of life. Providing a suitable mix of housing is essential to supporting sustainable, mixed and balanced communities...”. By way of example, one of the applicant’s tenants has been a parent of small children, split from the partner who lives nearby. The tenant was unable to afford a one bedroom flat in the surrounding area to the partner and children, but a room in property provided accommodation for the tenant which allowed them to remain close to the children whilst the mechanics of the relationship breakdown were worked through.

7.1.6 It is a relevant material consideration that the property is already a licensed small HMO (for 6 people) within the C4 use class. Essentially, the consideration is the impact of an increase from a 6 bedroom small HMO to a 7 bedroom HMO.

7.1.7 Haywards Heath has a clear housing need, especially amongst professionals who cannot buy or who would prefer to rent to remain mobile in the employment market. The applicant includes utility bills (gas, electricity, water, broadband, TV licences, Council Tax) within the rent and thus the applicant provides professional tenants an affordable option to rent which is far less expensive than a one bedroom flat.

7.1.8 The property is within walking distance (or very short bus journey) of the Princess Royal Hospital (“the PRH”). The applicant has already accommodated health care workers (including doctors and nurses), some of whom are on call and who may have fixed term (usually one year) contracts at the hospital. These health care workers are not in a position to buy their own home in the area and require proximate and affordable housing. Renting is their only and preferred option. The HHTCNP, at para 2.10 recognises the PRH as “an important community facility which provides significant employment for the Town”. The proposal seeks to provide housing for employees of exactly this type, and the applicant is typically inundated with enquiries from prospective tenants whenever a room in the property becomes available and is advertised for let.

7.1.9 The application property is located within an established residential area within walking distance of shops and services and has access to public transport. It is therefore considered that the site is sustainable in terms of its location to house an additional occupant.

7.1.10 Overall, the principle of the development is one that is acceptable in this sustainable location and will provide much needed and popular single person accommodation.

ii) Character and Appearance

7.2.1 There are no proposed physical alterations to the building.

iii) Neighbour Amenity

7.3.1 It should be noted that the property is already used as a small HMO for up to six people. In this case it is important to consider whether an additional occupant would impact on the amenity of neighbour in what is an existing residential area. There is space within the curtilage for refuse storage, and so there would be no impact on visual amenity.

7.3.2 Whilst a common concern with regards to HMO's is an increase in noise and disturbance, any additional noise that may result from the increase in accommodation would not be unacceptable, and issues of noise and anti-social behaviour, should they arise, can be dealt with through environmental protection legislation. There is no history of complaints about the building or occupants and the HMO, lettings process and maintenance is carefully managed by the applicant's competent staff in a local office, who are contactable 24 hours a day. The building itself is detached and so potential noise transmission is greatly reduced. In conclusion, the change of use would not give rise to significant harm to the amenity of neighbours.

7.3.3 The Applicant wrote to the four immediate neighbours (no.s 9, 11a, 15 (shop), 15 (flat)) on the 15th October 2024 to inform them of the present application and invited them to contact the applicant's office with any concerns. No issues were raised.

7.3.4 As such it is believed one additional occupant would not result in the loss of amenity to adjoining properties or cause impact on the character of the area, and as such is consistent with Policies DP6 and DP26 of the MSDP and H10 of the MSLP.

iv) Amenity for Occupants

7.4.1 The property benefits from a large kitchen with all the usual appliances (fridges, freezer, 2 x built in ovens, hobs contained on a large kitchen island). The kitchen island is suitable for dining, and the individual bedrooms are generally of a size sufficient to incorporate a small table for dining. There are three bathrooms in addition to the one bedroom which has an en suite. With the seventh occupant there will, in practice, be 6 persons sharing 3 bathrooms (the seventh has an en suite), averaging 2 persons per bathroom, more than sufficient.

7.4.2 The property benefits from a particularly large rear garden with patio/decking area and is more than adequate for an 7-bed HMO.

7.4.3 With regards to bin storage a dedicated area already exists at the front of the property to the side of the existing parking spaces. No changes are proposed to this. There are already sufficient waste and recycling bins to accommodate a seventh occupant. If the need for further bins arises, the applicant will provide those.

v) Transport Matters

7.5.1 Cycle storage for bikes (one per bedroom/person) is provided already within the rear garden. There is sufficient room to the side of the building (behind the fencing to the rear garden) for more cycle storage if the need arose. Three to Four (depending on vehicle size) spaces are available within the existing parking area at the front of the site. These spaces are often empty because the majority of occupants to which the applicant lets do not own or need a car, usually working within walking distance of the property.

7.5.2 The site is within a sustainable location, within easy walking distance of services and amenities and is on the no. 39 bus route.

8.0 Conclusion

8.1 As demonstrated within this Planning Statement the site is located within a built up residential area and would provide additional housing by way of one single bedroom within the constraints of the existing detached accommodation which is required and meet the needs of the community. The accommodation will continue to be of a high quality, all with access to a large kitchen with dining facilities, three bathrooms (with one of the existing bedrooms having an en suite in addition to the three communal bathrooms) and external communal amenity space.

8.2 The property falls within an area that is accessible by public transport and enjoys easy access to all services and amenities. As per the current arrangement a dedicated refuse store is proposed at the front of the property (at the edge/side of existing parking area), as well as an existing area for the safe storage of bikes at side of the property and an existing bike rack to the rear of the property.

8.3 The accommodation is a carefully and well managed HMO with no history of noise or other complaints. The licence holder includes all utility bills within the rent, lets to professional tenants with employment and reference checks carried out via the National Residential Landlords Association ("NRLA"), and has a local office staffed with competent and well trained staff. Tenancies are granted on written assured shorthold tenancy basis using the NRLA recommended agreement for the letting of rooms in a shared house.

8.4 It is considered that the proposal would provide suitable and needed accommodation for an additional occupant of what will be a 7 bedroom HMO, with no or minimal impact on neighbours, and would accord with saved policy H10 of the MSLP and Policy 27 of the MSDP.

8.5 It is respectfully requested that planning permission is granted. Thank you.