

CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED USE)

Property Address:

137 London Road
DA11 9JS

Applicant:

Abdul Kasumu

Date: 18/03/2026

This application seeks a Certificate of Lawful Development (Proposed) under Section 192 of the Town and Country Planning Act 1990 to confirm that the proposed use of the property as a small-scale childcare setting is lawful and does not constitute a material change of use from its existing lawful use as a single dwellinghouse (Use Class C3).

The property is currently in lawful use as a single residential dwellinghouse (Use Class C3). There are no proposed physical alterations to the building, and it will continue to function primarily as a private residence.

Proposed Use

The proposal is to operate a small-scale childcare provision from within the existing dwelling. The childcare use will be:

- Ancillary and subordinate to the primary residential use
- Operated on a domestic scale
- Limited to a maximum of 15 children at any one time

The use will be contained within the internal areas of the property and the private rear garden, which will be used for supervised outdoor activities only.

Nature of the Use (No Material Change of Use)

It is submitted that the proposed use does not result in a material change of use for the following reasons:

- The primary use of the property will remain residential (Use Class C3)
- The scale of the childcare activity is modest and consistent with a home-based operation
- There will be no external alterations to the property
- The use will not generate significant additional traffic, noise, or disturbance beyond that typical of a residential dwelling
- The activity is comparable in nature and scale to established lawful uses such as childminding, which are widely accepted as falling within Use Class C3

As such, the proposal remains within the scope of residential use and does not fall within Class E(f) or any other non-residential use class.

The property benefits from off-street parking provision, including:

- **1 space to the front**
- **2 spaces to the rear**

Given the limited scale of the operation, vehicle movements will remain low and comparable to typical residential use. There will be no adverse impact on highway safety or neighbouring amenity.

Safeguarding and Operational Control

All children will be supervised at all times. Activities will be confined to the property and its private garden. The operation will be managed in a manner consistent with maintaining the residential character of the property and surrounding area.

Conclusion

Having regard to the above, it is respectfully submitted that:

- The proposed use is **ancillary to the primary residential use**
- The property will remain within **Use Class C3**
- No material change of use has occurred

Accordingly, the proposed development is lawful, and a Certificate of Lawful Development should be granted.

Yours faithfully,

Abdul Kasumu