

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260727
Location	62 Taunton Vale Gravesend Kent DA12 5RB
Proposal:	Application for a Proposed Lawful Development Certificate for the erection of a dormer within the side roof slope, conversion of the roof space to form a habitable room and change of use from C3 dwelling house to C4 HMO for up to 6 persons.
Applicant:	Dauda Kehinde Adetona, Four F Property Ltd
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
Supplementary Information – Volume Calculations;
Block Plan (received on 16.07.26);
Location Plan (received on 16.07.26);
Drawing No. 207LL-REGS-03 Rev C – Floor Plans – Existing;
Drawing No. 207LL-REGS-04 Rev C – Roof Plan – Existing;
Drawing No. 207LL-REGS-05 Rev C – Elevations – Existing;
Drawing No. 207LL-REGS-06 Rev C – Ground Floor Plan – Proposed;
Drawing No. 207LL-REGS-08 Rev C – First Floor Plans – Proposed;
Drawing No. 207LL-REGS-09 Rev C – Elevations – Proposed;
Drawing No. 207LL-REGS-10 Rev C – Loft Plan – Proposed; and
Drawing No. 207LL-REGS-101 Rev C – Roof Plan – Proposed.

Property Type

62 Taunton Vale is a two-storey end terrace property fronting the western side of the highway.

Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Relevant Planning History

Reference	Description	Decision	Decision Date
20260424	Application for a Proposed Lawful Development Certificate; Loft conversion into habitable rooms with installation of dormer to side roof elevation and change of use from a C3 dwelling house to C4 HMO for up to 6	Certificate Refused	01.07.2026

	persons.		
20260139	Application for a Proposed Lawful Development Certificate for the change of use from a C3 dwelling to a C4 6 person HMO. Proposed construction of a dormer within the side roof slope to facilitate habitable rooms, and conversion of existing garage to a gym with alterations to internal walls and roof from pitched to flat.	Certificate Refused	13.04.2026

Planning History Note

Application 20260139 was refused on the following grounds:

The proposal fails to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the reasons set out below.

On the balance of probability, it is considered that 62 Taunton Vale would not remain a private domestic dwellinghouse and would instead result in the creation of self-contained units. As such the proposal would not comply with Class L and would not fall under a change of use from Class C3 to Class C4, meaning planning permission would be required.

Significant land level changes, particularly over 0.30m can be considered to constitute an engineering operation. The plans indicate land level changes of approximately 0.48m. An engineering operation would not fall under permitted development rights, and planning permission would be required for the development.

The outbuilding would fail to comply with Class E. Land level changes are indicated on the plans which would result in the outbuilding failing to comply with the requirements of Class E. In addition, the shower room included within the outbuilding is an example of primary living accommodation which is not considered to be reasonably required given the short distance from the outbuilding to the property along with the extensive facilities provided within the property itself. As such the outbuilding is not considered to be for purposes incidental to the enjoyment of the dwellinghouse and it would require planning permission.

Application 20260424 was refused on the following grounds:

On the balance of probability, it is considered that 62 Taunton Vale would not remain a private domestic dwellinghouse and would instead result in the creation of self-contained units. In addition, notwithstanding the description, the plans show the property would provide 10 bedspaces. As such the proposal would not comply with Class L and would not fall under a change of use from Class C3 to Class C4, meaning planning permission would be required.

The proposed development fails to comply with schedule 2, part 1, Class B.2 (ii) of the Town and Country Planning (general permitted development) (England) order 2015, as amended and the lawful development certificate is refused.

As such, this revised proposal remains to be assessed to ascertain whether it would comply with the GPDO.

Consultations, Publicity and Representations

This is an application for a Lawful Development Certificate that is considered on its facts and relevant planning law. As confirmed in national planning guidance, views expressed by third parties on the planning merits of such cases are irrelevant. Accordingly, unlike planning applications, there is no statutory requirement to undertake publicity or consultation. Comments have been received from members of the public, both objecting and in support of the proposal. In addition, Kent police have commented on the application. Notwithstanding that representations are irrelevant to the assessment of this application, comments from Kent Police Designing Out Crime are included below:

Kent Police

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line.
2. If new external doorsets are proposed (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.
3. If new windows are proposed on the ground floor and any window that is easily accessible on any other level e.g. from flat roofs or balconies, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.
4. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.
5. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.
6. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.
7. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area.
8. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.
9. CCTV is advised for all communal entry points and to cover the mail delivery area.

To note, as Designing Out Crime Officers we use Secured By Design Guidance in our recommendations. Whilst our comments may be standardised within this letter, we encourage the applicant to contact us to discuss the plans in further detail.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the

Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Proposed Development

The proposed floor plans show the following:

Ground Floor Level

- Entrance Lobby
- Bedroom 1 – Single bed and en-suite shower room
- Bedroom 2 – Single bed and en-suite shower room
- An open plan kitchen/dining/living area

First Floor Level

- Bedroom 1 – Single bed and en-suite shower room
- Bedroom 2 – Single bed
- Bedroom 3 – Single bed
- Separate shared shower room with WC

Second Floor (Loft) Level

- Single bed and shower room

Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N

C3 Dwellinghouses can be converted to a C4 House of Multiple Occupation (HMO) for no more than six (unrelated) people who share amenities, provided it meets the criteria set out in Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The plans show six single bedrooms, some with en-suites along with a shared kitchen/dining/living area and an additional shared shower room. In addition, the plans state that the bedrooms are not to have cooking facilities and are to be single occupancy. Although some of the rooms could be accessed independently, the occupiers would need to share amenities and there are no kitchen facilities etc. within the bedrooms. As such, it is considered that the plans demonstrate the bedrooms would not form self-contained units.

L.	Development consisting of a change of use of a building -	Y/N
(a)	from a use falling within Class C4 (house of multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;	N/A

(b)	from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule	Y
L.1	Development is not permitted by Class L if it would result in the use -	
(a)	as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or	N/A
(b)	as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.	N

On the balance of probability, it is considered that 62 Taunton Vale would fall under use as a C4 dwellinghouse. As such the proposal would accord with permitted development rights for a change of use from Class C3 to Class C4 and would therefore comply with Class L.

The proposed ground floor flank fenestration shall now be considered under Class A:

Class A - The enlargement, improvement or other alteration of a dwellinghouse

A.1	Development is not permitted by Class A if –	Y/N
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)	N
(b)	as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)	N/A
(c)	the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse	N
(d)	the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse	N/A
(e)	the enlarged part of the dwellinghouse would extend beyond a wall which – (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	N/A
(f)	subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	N/A
(g)	for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and -	

	(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	N/A
(h)	the enlarged part of the dwellinghouse would have more than a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	N/A
(i)	the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres	N/A
(j)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwelling; or	N/A
(ja)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	N/A
(k)	it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse	N/A
(l)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	Y/N
(a)	it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;	N/A

(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N/A
(c)	the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.	N/A
(d)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).	N/A
A.3	Development is permitted by Class A subject to the following conditions –	Y/N
(a)	the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y
(b)	any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be – (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and	N/A (see other Classes)
(c)	where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	N/A

The fenestration changes therefore comply with Class A.

Class B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

1. Original Roof Volume (m ³)	N/A
2. Existing Roof Extensions (m ³)	N/A
Remaining Roof Volume (m ³) formula: (1 minus 2) = X 40m³ or 50m³ minus X =remaining volume Officer to show calculations in case notes (indexed on NEC)	No previous alterations undertaken, as such 40m ³ remains

B.1	Development is not permitted by Class B if –	Y/N
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N
(b)	Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;	N
(c)	Any part of the dwellinghouse would, as a result of the works, extend, beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;	N

(d)	The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than – (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case;	N 18.17m3 N/A
(e)	It would consist of or include – the construction or provision of a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	N N
(f)	The dwellinghouse is on article 2 (3) land	N
B.2	Development is permitted by Class B subject to the following conditions –	Y/N
(a)	The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y
(b)	The enlargement must be constructed so that – (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side – extension (aa) the eaves of the original roof are maintained or reinstated; and (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and	Y Y (Over 0.20m) N It does not
(c)	Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be – (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.	Y Y

The proposal therefore complies with Class B.

Boundary Treatments

It is noted that the plans appear to show alterations to boundary treatments. However, this has not been applied for and does not form part of the assessment. Notwithstanding this, the boundary treatments appear to show a reduction in height rather than an increase to the existing situation.

Conclusion

The proposal complies with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

On the balance of probability, it is considered that the proposal for 62 Taunton Vale would comply with Class L and the development would fall under a change of use from Class C3 to Class C4.

In addition, the proposed development complies with **Schedule 2, Part 1, Classes A and B of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED** and the **LAWFUL DEVELOPMENT CERTIFICATE** is **GRANTED**.

Recommendation: <u>Grant</u> Lawful Development Certificate
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Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	13th August 2026	Dated:	14th August 2026