

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230192
Location	145 Waterdales Northfleet Gravesend Kent
Proposal:	Application for a Lawful Development Certificate in respect of the proposed change of use from class C3 to C4 conversion of existing dwelling to six person house of multiple occupancies (HMO)
Applicant:	Mrs Sheila Gopinathan
Site Visit	N/A Desktop Assessment

Preliminary matters

It was noted that two sets of proposed floor plans were provided for the application. As such, the applicant was contacted on 30.03.23 to establish the correct plans. On 05.04.23, the applicant confirmed the correct plans to be used for the assessment, and the other plans are therefore superseded.

Plans & Documents

Application Form;
Block Plan (received on 07.03.23);
OS Plan (received on 07.03.23); and
Floor Plans – Proposed (received on 02/03/23).

Superseded Plans

~~Elevations and Floor Plans – Existing and Proposed (received on 02.03.23).~~

Property Type

145 Waterdales is a two-storey link detached dwelling house.

Google Image

**Material Consideration**

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20050329	Conversion of post office into a residential dwelling.	Permitted	22.06.2005
20220626	Application for removal of condition 4 and 5 attached to planning permission reference no. 20050329 for the conversion of post office into a residential dwelling; to allow alterations to be made to the house.	Permitted	26.07.2022
20220881	Application for a Lawful Development Certificate in respect of the proposed installation of a rear dormer extension and conversion of the roofspace to form habitable rooms.	Certificate Granted	13.09.2022

Procedural Note

This application proposes the conversion of a single use dwellinghouse to a six bedroom HMO. No existing plans, or existing and proposed elevation plans have been provided and as such this report does not include an assessment of external alterations, if any are proposed.

Permitted Development Rights for HMOs

The proposed floor plans show 6 separate bedrooms with; a wet room, two bathrooms, kitchen and dining room as shared facilities. Therefore, 145 Waterdales would function as a private domestic dwellinghouse, and not as separate self-contained units. As such, the property would benefit from permitted development rights.

Officer Assessment*Permitted Developments Rights Restrictions*

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N (PD rights reinstated under application 20220626)

Assessment under Class L Schedule 2 Part 3 of the General Permitted Development (England) Order 2015 (as amended)

Class L – Small HMOs to Dwellinghouse and vice versa

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
(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

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 above.

145 Waterdales is in use as a single dwellinghouse and is proposed to be converted to one HMO and therefore complies with Class L.

Conclusion

The proposed development complies with Schedule 2, Part 3, Class L of **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and the **LAWFUL DEVELOPMENT CERTIFICATE is GRANTED**

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	6th April 2023	Dated:	6th April 2023