

Delegated Report

Lawful Development Certificate (Proposed)

Planning Application No: 20250103

Location: 185 Old Road West Gravesend Kent DA11 0LT

Description: Application for a Proposed Lawful Development Certificate for erection of two dormer extensions in the two rear roof slopes and change of use from a residential dwelling to a 6 bedroom HMO

Applicant: Mr R Marshall

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form

Location Plan

2404/02/BP – Proposed Block Plan

2404/02 Rev A – Proposed Floor Plans

2404/02 Rev A – Existing Floor Plans and Elevations and Proposed Elevations

Superseded Plans:

~~2404/02 – Proposed Floor Plans~~

~~2404/02 – Existing Floor Plans and Elevations and Proposed Elevations~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20240895	Erection of first floor rear extension.	Permitted	20.11.2024
20240548	Application for a Lawful Development Certificate for the proposed erection of two dormer extension in the two rear roof slopes one of the dormers is stepped down and conversion of the loft space into habitable rooms.	Certificate Granted	07.08.2024
20231174	Erection of a first floor rear extension and a dormer extension in the rear roof slope with conversion of the roof space into habitable rooms.	Refused	09.01.2024

Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) The Town and Country Planning act 1990 (as amended); and The Use Classes Order 1987.

Officer's Assessment

Permitted Developments Rights Restrictions

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

Use as a HMO

The Town and Country Planning (Use Classes) Order 1987, assigns use classes to various uses. In the case of small HMO's the legislation designates this as use Class C4 with the description of; 'Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.'. Class L, Part 3, Schedule 2 of the GPDO, allows for conversion from C3 (dwellinghouses) to C4 (Houses in Multiple Occupation), without requiring planning permission, where certain criteria are met.

Creation of dormer extensions

The proposed dormer extensions were granted a lawful development certificate under planning ref 20240548. These dormers are shown as utilised in this scheme for the HMO. As works have not begun to erect the dormers, the planning agent was advised to amend the scheme to include the dormer extensions, as part of this application. The relevant planning elements of the GPDO have not been altered since the most recent assessment. However, for accuracy the assessment is made again below.

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

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 G, M, MA, 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 Lower Dormer = 17.16m ² Higher Dormer = 20.44m ² Total = 37.6 m²
(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	N

	vent pipe; or	
(f)	The dwellinghouse is on article 2 (3) land	N
(g)	The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
(h)	The existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).	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)	<p>The enlargement must be constructed so that –</p> <p>(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</p> <p style="margin-left: 20px;">(aa) the eaves of the original roof are maintained or reinstated; and</p> <p style="margin-left: 20px;">(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</p> <p>(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</p>	Y
(c)	<p>Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –</p> <p>(i) obscure-glazed, and</p> <p>(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.</p>	N/A

Conclusion

The submitted plans show the property as altered would have 6 bedrooms; spread across 3 floors. Although some appear to contain double beds in the plans, the agent has provided written confirmation that the HMO would serve 6 individuals. The proposed small HMO falls within the above limits set out in Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would comply with the definition of C4 (Houses in Multiple Occupation), as set out within The Town and Country Planning (Use Classes) Order 1987.

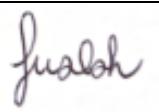
The proposed development in terms of roof additions also complies with Schedule 2, Part 1, Class B of

THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED.

Recommendation

The recommendation is to Grant the Lawful Development Certificate.

(For detailed conditions and informatics, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	25th March 2025	Dated:	04 April 2025