



Delegated Report

Lawful Development Certificate Application

Planning Application No: 20250127

Location: 99 Lamorna Avenue Gravesend Kent DA12 5PS

Description: Application for a Proposed Lawful Development Certificate for the change of use from a single dwellinghouse (C3) to a small House in Multiple Occupation (HMO) (C4) for up to 6 occupants.

Applicant: Mr Jerome Davis, Davis Brothers Developments

Site Visit Date: Desktop

Submitted Documents/Plans

- Application form;
- Location Plan;
- Drawing no. 2417_FS01 – Existing Drawings; and
- Drawing no. 01-01 Rev. T2 – 1st fix carpentry layout.

Policies & Representations

Not applicable, this is an application for a lawful development certificate under Section 192 of the Town & Country Planning Act 1990 (as amended).

Material Consideration

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

The Town and Country Planning act 1990 (as amended)

The Town and Country Planning (Use Classes Order) 1987 (as amended)

Relevant Planning History

Reference	Description	Decision	Decision Date
20240086	Application for a Lawful Development Certificate in respect of the existing single storey rear extension, dormer extension in rear roof slope and two rooflights in front roof slope.	Certificate Granted	08.04.2024
20230424	Application for Lawful Development Certificate in respect of the continued use of a single storey rear extension and loft conversion.	Certificate Granted	07.07.2023

Officer's Analysis

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.

Part 3, Schedule 2 of the GPDO

Class L – Small HMOs to dwelling houses and vice versa

Permitted Development:

L	Development consisting of a change of use of a building -	Y/N
(a)	From a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwelling houses) of that Schedule	N/A
(b)	From a use falling within Class C3 (dwelling houses) 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-	Y/N
(a)	As two or more separate dwelling houses falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order of any building previously used as a single dwelling house within Class C4 (houses in multiple occupation) of that Schedule; or	N/A
(b)	As two or more separate dwelling houses falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order of any building previously used as a single dwelling house within Class C3 (dwelling houses) of that Schedule.	N/A

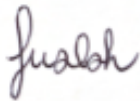
The existing property is currently a four bedroom dwelling and the submitted proposed plan shows that the property would change to a six bedroom HMO (House of Multiple Occupation). There would be two bedrooms at ground floor, two bedrooms at first floor and two bedrooms at second floor level. There would be a shared kitchen/dining and living room at ground floor and each bedroom would have its own en-suite. Although double beds are shown in the bedrooms, the applicant has confirmed that the bedrooms will be single occupancy only and the double beds are just for comfort.

The proposed six persons 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.

It should be noted that the extensions approved under reference 20240086 have been constructed.

Therefore, planning permission is not required, and a Lawful Development Certificate can be issued.

Recommendation: <u>Grant</u> Lawful Development Certificate
--

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	3rd April 2025	Dated:	04 April 2025