

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20231302
Location	4 Russell Road Gravesend Kent DA12 2RT
Proposal:	Application for a Lawful Development Certificate for a proposed change of use from C3 dwelling house to C4 HMO and conversion of loft space with rear dormer window.
Applicant:	Mr Tobi Ololade
Site Visit	N/A Desktop Assessment

Plans & Documents

Site location plan
Drawing no. A3/06 rev A (side elevation existing and proposed)
Drawing no. A3/01 rev A (existing plans)
Drawing no. A3/02 rev A (existing elevations)
Drawing no. A3/05 rev A (existing and proposed block plan)
Drawing no. A3/04 rev A (proposed elevations)
Drawing no. A3/03 rev C (proposed plans)

Property Type

The property comprises a two storey mid-terrace Victorian dwelling.

Consultations

As this is an application for a proposed Lawful Development Certificate consultations are not undertaken. However, Kent Police have written in with the following comments:

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 request a condition for this site to follow SBD guidance 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.

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. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an “active” window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.
3. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than “round shaped” trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
4. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: “18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.”
Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
5. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
6. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies 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.
7. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.
8. 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.
9. 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.
10. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents within the flats.
11. 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.
12. CCTV is advised for all communal entry points and to cover the mail delivery area.

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.

Material Consideration

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

Relevant Planning History

None

Officer Assessment

Permitted Developments Rights Restrictions

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

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

Volume of main dormer	Width – 4.57m Height – 2.58m Depth – 3.61m Total = 42.564 cubic metres $42.564 / 2 = \mathbf{21.282 \text{ cubic metres}}$
Volume of cuboid	Width – 2.77m Height – 2.25m Depth – 2.73m Total = 17.014 cubic metres
Volume of underside of cuboid	Width – 2.77m Height – 0.5m Depth – 2.73m Total = 3.781 cubic metres $3.781 / 2 = \mathbf{1.89 \text{ cubic metres}}$
	Total volume = 40.34 cubic metres

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	N

	dwellinghouse and fronts a highway;	
(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;	Y – see calculations above
(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
(f)	The dwellinghouse is on article 2 (3) land	N
B.2	Development is permitted by Class B subject to the following conditions –	N/A
(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;	
(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	
(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.	

Class C - Any other alteration to the roof of a dwellinghouse.

C.1	Development is not permitted by Class C if -	Y/N
(a)	permission to use the dwelling 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)	the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;	N (annotation shown on plans rather

		than measurements on drawing)
(c)	it would result in the highest part of the alteration being higher than the highest part of the original roof;	N
(d)	it would consist of or include – (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N
C.2	Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be- (a) obscure-glazed; and (b) 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.	N/A

House of Multiple Occupation

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-	
(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

(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
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The volume of the rear dormer exceeds the limits set out in Part B1 (d) (i) of Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended and therefore planning permission is required.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	24th January 2024	Dated:	29th January 2024