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 Civic Centre, Windmill Street, Gravesend DA12 1AU

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	99
Suffix	
Property Name	
Address Line 1	Lamorna Avenue
Address Line 2	
Address Line 3	Kent
Town/city	Gravesend
Postcode	DA12 5PS

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
565504	172431

Description

Applicant Details

Name/Company

Title

Mr

First name

Jerome

Surname

Davis

Company Name

Davis Brothers Developments

Address

Address line 1

52 Mitchell Avenue

Address line 2

Address line 3

Town/City

Gravesend

County

Kent

Country

United Kingdom

Postcode

DA11 8AX

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☐ Yes
☒ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☒ Yes
☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The proposal involves the change of use of the property at 99 Lamorna Avenue from a single dwellinghouse (C3) to a small House in Multiple Occupation (HMO) (C4) for up to 6 unrelated occupants. The property will provide six individual bedrooms, a shared kitchen, and communal living spaces, in line with HMO regulations. The use will remain residential in nature, with no commercial or industrial activities conducted on-site.

No structural alterations or extensions are proposed as part of this change of use. The conversion will involve minor internal modifications, including the installation of fire doors, interlinked smoke alarms, and any other required safety measures to ensure compliance with HMO regulations and Gravesham Borough Council's licensing requirements.

The property will operate as a standard residential dwelling, with tenants occupying the rooms on a long-term basis under individual tenancy agreements. No machinery will be installed, and the use will be conducted within normal residential living hours, with no significant impact on the surrounding area. The proposed change of use will contribute to the local housing provision by offering safe and well-managed accommodation for multiple occupants.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The existing use of the property is a single dwellinghouse (C3), which has been used as a private residential home. The property is currently vacant, and no tenants are residing in the property at this time. The last known use was as a standard family home, and this use has not yet ceased, as the property has not yet been converted into an HMO. The change of use to C4 (small HMO for up to 6 occupants) will commence following approval of this Lawful Development Certificate and necessary compliance works

Has the proposal been started?

- ☐ Yes
☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing use of the property as a single dwellinghouse (C3) is lawful because it has been continuously used as a private residential home in accordance with its designated use class. There are no known planning restrictions, enforcement notices, or Article 4 Directions in place that would affect the lawful C3 use of the property.

Furthermore, no unauthorised changes or developments have been carried out on the property that would compromise its lawful use as a dwellinghouse. The property has been occupied as a private home up until recently, and no planning breaches have occurred.

As the proposed change to C4 (HMO for up to 6 occupants) falls under permitted development in this area, it does not require full planning permission. The existing structure of the property remains unchanged, with no extensions or external alterations proposed. Any internal modifications (such as fire safety improvements) will be compliant with Building Regulations and do not affect the lawfulness of the building or its existing use.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Existing Floor Plan (Scale 1:100 or 1:50) – Showing the current layout as a C3 dwellinghouse.
Proposed Floor Plan (Scale 1:100 or 1:50) – Illustrating the intended C4 HMO layout, including bedroom arrangements and shared facilities.
Supporting Statement – Explaining the existing lawful use, proposed change, compliance with permitted development rights, and fire safety measures.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C4 - Houses in multiple occupation

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

A Lawful Development Certificate should be granted for this proposal because the change of use from a dwellinghouse (C3) to a small House in Multiple Occupation (C4) falls within permitted development rights under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class L.

In this case:

- The property at 99 Lamorna Avenue is currently a lawful C3 dwellinghouse, with no planning restrictions or enforcement actions affecting its use.
- There is no Article 4 Direction in place within Gravesham Borough Council restricting permitted development rights for changes of use from C3 to C4.
- The proposed use as a C4 HMO for up to 6 unrelated individuals is within the legal limit for small HMOs under national planning regulations.
- No structural alterations or external changes are proposed, and the internal modifications (e.g., fire doors, smoke alarms) are compliant with Building Regulations and do not affect the planning status of the property.
- The property will continue to be used solely for residential purposes, with no commercial or industrial activity, ensuring there is no material change in the character of the use beyond what is permitted under Class L.

Given that the proposed use adheres to national planning policies and local permitted development rights, this application meets the criteria for a Lawful Development Certificate, confirming that planning permission is not required for the change of use from C3 to C4

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff**
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Jerome Davis

Date

13/02/2025