



Delegated Report

Lawful Development Certificate (Proposed)

Planning Application No: 20240146

Location: 85 Windmill Street Gravesend Kent DA12 1BN

Description: Application for a Lawful Development Certificate in respect of the proposed change of use to a small HMO use of up to 6 people.

Applicant: Mr Taylor Gorga

Submitted Documents/Plans

Application Form

85WSG/001 – Existing and Proposed Lower Ground Floor Plans

85WSG/002 Rev 01 – Existing and Proposed Ground Floor Plans

85WSG/003 – Existing and Proposed First Floor Plan

85WSG/004 – Existing and Proposed Second Floor Plan

85WSG/005 – Existing and Proposed Front Elevation

85WSG/006 – Existing and Proposed Rear Elevation

85WSG/007 – Existing Side Elevation – A

85WSG/008 – Proposed Side Elevation – A

85WSG/009 – Existing Side Elevation - B

85WSG/010 – Proposed Side Elevation - B

85WSG/011 – Existing Block Plan

85WSG/012 – Proposed Block Plan

85WSG/013 – Location Plan

Planning Statement

HMO Management Plan

Relevant Planning History

Reference	Description	Decision	Decision Date
20061016	Formation of vehicular access onto a classified road and erection of new wall mounted with metal railings, entrance gate and sliding vehicular entrance gate.	Refused	16.01.2007
20040628 AP 2004/00043/ REF	Formation of vehicular access onto a classified road.	Refused and Dismissed	19.08.2004 Appeal Dismissed 17.06.2005
20010594	Use of dwelling as a group home for up to five single persons living together as a single household, being use as dwellinghouse within Class C3 (b) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).	Permitted	14.09.2001

19970580	Formation of vehicular access onto a classified road, laying out of a car parking area in the front garden and erection of 1.5m high double folding iron railing gates and a pedestrian entrance gate on the front boundary.	Refused	20.10.1997
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Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Article 3, Schedule 2, Part 3, Class L.

Officer Assessment

Permitted Developments Rights Restrictions

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

This site is located in a Conservation Area. The site is also covered by an Article 4 Direction reference Ar/98/2.

Class L - Small HMOs to dwellinghouses and vice versa

Permitted development

L. Development consisting of a change of use of a building—

- (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 (dwellinghouses) of that Schedule;
- (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.

L.1	Development not permitted	Y/N
	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

The submitted plans show the property has 6 bedrooms; two on the ground floor, two on the first floor and two on the third (loft) floor. The proposed plans show no change to this provision. There are no external alterations.

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

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
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Signed:		Signed:	<i>R Hart</i>
Dated:	3 rd April 2024	Dated:	9 th April 2024