

<b>LDC (Proposed) Report</b>		<b>Application number</b>	2020/0266/P
<b>Officer</b>		<b>Expiry date</b>	
Thomas Sild		16/03/2020	
<b>Application Address</b>		<b>Authorised Officer Signature</b>	
29 Mornington Crescent London NW1 7RE		N/A	
<b>Conservation Area</b>		<b>Article 4</b>	
Camden Town		None	
<b>Proposal</b>			
Change of use from House in Multiple Occupation (C4) to a single self contained dwellinghouse (Use Class C3)			
<b>Recommendation:</b>		Refuse Certificate of Lawfulness	

### Site description

The application site contains a four-storey residential building consisting of 4 bedsits and 6 principle rooms occupied by the resident landlord.

### Relevant policy

The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010.

The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class L

### Assessment

The Town and Country Planning (General Permitted Development) (England) Order 2015 allows for the change of use of small HMOs (Use Class C4) to dwellinghouses (Use Class C3) and vice versa under Part L.

Class C4 is defined in the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, which introduced it, as: 'Use of a dwellinghouse by not more than six residents as a "house in multiple occupation". A HMO occupied by more than six individuals remains sui generis.

The building comprises 4 bedsits (non-self-contained units) with kitchens who only share bathroom facilities and the non-self-contained accommodation currently occupied by the landlord, which comprises 5 rooms and a separate kitchen and bathroom. The planning unit is the entire building.

The HMO licence limits the use of the 4 bedsits to 6 people but excludes the landlord's accommodation. Even if the landlord's accommodation is occupied by 1 person (it has the potential to be more) the number of residents within the planning unit would be more than 6. The building is therefore considered a Sui Generis HMO.

The proposed change to a C3 dwellinghouse use is therefore not permitted development as allowed under the GPDO and the certificate of lawfulness is refused.