Development Management - Delegated Officer Report

Application Number: **AWDM/1146/12** **Recommendation – APPROVE**

Site: **11 Buckingham Avenue Shoreham-By-Sea BN43 5GL**

Proposal: **Alteration and increase in size of existing drive, changing surface material from concrete to blockwork paving with surface water drainage to a soakaway channels. Application for Certificate of Lawfulness for proposed development.**

Date of site visit: 10.10.12

Neighbours checked: N/A

Additional neighbour notifications: N/A

The Application

The application is to determine whether a planning application is required for the proposals to this detached hip roofed house. The dwelling is located within the built up area of Shoreham on the north side of Buckingham Avenue.

The proposals under consideration consist of the provision within the curtilage of a dwellinghouse of a hard surface for a purpose incidental to the enjoyment of the dwellinghouse.

The submitted plans show that the existing house is served by two vehicular accesses, both with small driveway hardstandings in concrete, separated by an area of planted garden. It is proposed to reduce the planted area, and enlarge the hardstanding area (in excess of 5 square metres) to form an in-and-out driveway constructed in block paving. A section drawing shows the block paved surface would be porous. Annotation on the drawing states the drainage channels at each access point would drain to soakaway.

Relevant Planning Legislation

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or GPDO. Schedule 2 Part 1 Development within the curtilage of a dwellinghouse.

Class F:- The provision within the curtilage of a dwellinghouse of a hard surface.

Planning Assessment

The proposals are clearly ‘development’ as defined by section 55 of the T&CP Act 1990.

The relevant Class F of Part 1 of Schedule 2 to Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended in 2008) confers permission (termed 'permitted development') for such provisions. They contain a number of limitations:-

Class B

(a) The hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and

(b) The area of ground covered by the hard surface, or the area of hard surface replaced would exceed 5 square metres,

shall be made of a porous material, or provision shall be made to direct surface water from the hardsurface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

The proposals would comply with the above and are therefore considered to be lawful.

Recommendation

That a Certificate of Lawfulness is issued.

Description: Application for Certificate of Lawfulness for proposed alteration and increase in size of existing drive, changing surface material from concrete to blockwork paving.

Land at: 11 Buckingham Avenue, Shoreham-By-Sea, West Sussex BN43 5GL.

The proposal constitutes 'permitted development' under Class F of Part 1 of Schedule 2 to Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended in 2008).

Case Officer: Carlos Hone Date: 26 Oct 2012

Authorised by: Jo Morin Date: 15 Nov 2012