

Address: 1 Pilgrims Way

Application No: 180615

Proposal: Extend existing driveway to provide an additional parking space

Case Officer: Tom French

Introduction & Proposal

The application site contains a two storey detached dwelling on the west side of Pilgrims Way. The site has a rear amenity space approximately 9.5m deep and 9.5m wide. The surrounding area is predominately residential with the other Pilgrims Way properties being of a similar design and scale.

It is proposed to increase the hardstanding on the front driveway by approximately 4.5m².

Plans Submitted:

On 11/04/2018 the agent supplied the following drawings:

Drawing no.:

- 181001/03 - Location Plan
- 181001/04 - Existing Site Plan
- 181001/05 - Proposed Site Plan

Relevant Planning History:

180176 - Garage conversion to habitable use and creation of 1 x parking space - Application withdrawn

Summary of Consultations:

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy & Guidance:

Annex 8 "Lawfulness and the Lawful Development Certificate" of Planning Circular 10/97 'Enforcing Planning Control: Legislative Provisions and Procedural Requirements' sets out the procedure for assessing applications for certificates of lawfulness:

Para 8.26 states, "if the LPA are supplied with information satisfying them that the operations described in the application would be lawful, if instituted or begun at the time of the application, they shall issue a certificate to that effect; and, in any other case, they shall refuse the application." "The burden of proof in a LDC application is firmly on the applicant."

Assessment:

A Certificate of Lawfulness for a Proposed Development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property.

The proposal must be assessed to ensure that it complies with the conditions Class F, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO), which relates to 'hard surfaces incidental to the enjoyment of a dwellinghouse'.

Class F - hard surfaces incidental to the enjoyment of a dwellinghouse

Development not permitted

F.1 Development is not permitted by Class F if permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use). **COMPLIES**

Conditions

F.2 Development is permitted by Class F subject to the condition that where—

(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, either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. **COMPLIES - Although the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, the area of the hard surface replaced would not exceed 5 square metres.**

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. **A condition will secure this.**

Conclusion

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class F Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and it has been confirmed that the proposal would be lawful, on the basis of the following submitted drawings:

Drawing no.:

- 181001/03 - Location Plan
- 181001/04 - Existing Site Plan
- 181001/05 - Proposed Site Plan

As received: 11/04/2018

Therefore the Local Planning Authority will, on this occasion, issue the applicant with a Certificate of Lawfulness for the proposed development.

Recommendation:

GRANT Certificate

Condition:

1. The hard surface block paving driveway shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: To comply with the requirement of Class F Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Informatives

1. The applicant's attention is drawn to the possible requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
2. The construction (and demolition) of the development will be subject to environmental health law.

Location Plan (not to scale)

