

18 June 2020

29 Fulford Road, West Ewell, KT19 9QZ

Widening of existing vehicular access crossover (involving drop kerb) (Application for a certificate of Lawfulness for a Proposed Development).

Ward:	West Ewell Ward;
Contact Officer:	Ade Balogun

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

2 Summary

- 2.1 The application is for a Lawful Development Certificate to confirm that a Proposed Development consisting of the widening of existing vehicular access crossover (involving drop kerb) is lawful and in compliance The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.2 The application is brought to Planning Committee as the application is made by a member of the council staff.
- 2.3 Officers are satisfied that the appropriate legal tests have been met and that a Lawful Development Certificate should be granted.

3 Site description

- 3.1 The application property is a single storey detached bungalow, which is set back from Fulford Road by a driveway. The property is not Listed, nor is it within a Conservation Area.
- 3.2 Fulford Road is an unclassified highway.

18 June 2020

4 Proposal

- 4.1 The applicant has submitted an "Application for a Lawful Development Certificate for a Proposed Development" for a widening of existing vehicular access crossover (involving drop kerb) This proposed widening of existing dropped kerb involves amending a existing vehicular access and crossover, which increase the width of the existing dropped kerb.
- 4.2 An applicant can perform certain types of development without requiring to apply for Planning Permission. These are often referred to as "Permitted Development Rights". The name derives from the General Permitted Development Order and are granted not by the Local Planning Authority, but by Parliament via a statutory implement.
- 4.3 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is the current Order. it sets out classes of development for which a grant of Planning Permission is not required, provided that its criteria is fully met and no restrictive condition is attached or that the development is exempt from Permitted Development Rights.
- 4.4 Permitted Development Rights have not been removed at the Application Property.

5 Comments from third parties

- 5.1 Not applicable. This type of application is not required to be consulted on.

6 Consultations

- 6.1 Not applicable. This type of application is not required to be consulted on.

7 Relevant planning history

- 7.1 None applicable

8 Planning Policy

- 8.1 None applicable, this is a technical decision as to whether the proposed development meets the requirements set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Local Policy does not apply.

18 June 2020

9 Planning considerations

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

9.1 This Application is assessed under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This section of the Order pertains to formation of new vehicle access accesses.

9.2 The provisions of Permitted Development set out in Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) relates to the mean of access to a highway. Part 2 is then sub-divided into Classes covering various types of development. Class B is pertinent in this case and covers the mean of access to a highway. It states:

Permitted Development

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

9.3 Fulford Road is an unclassified highway and therefore the access meets the provisions as set out in order and is permitted development.

Community Infrastructure Levy

9.4 Not relevant

10 Conclusion

10.1 The proposed widening of existing vehicular access crossover (involving drop kerb) fall within the parameters of permitted development as set out under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) relates to the mean of access to a highway. Officers are therefore satisfied that the appropriate legal tests have been met and that a Lawful Development Certificate should be granted

11 Recommendation

11.1 The proposed development is considered Permitted Development, under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

11.2 A Lawful Development Certificate should be granted.

18 June 2020

Informative(s):

- (1) A Certificate of Lawful Development is granted for the following reason:

The proposed development is Permitted Development under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- (2) This decision relates expressly to the Widening of existing vehicular access crossover (involving drop kerb)' for 29 Fulford Road, West Ewell, Surrey KT19 9QZ.
- (3) Any new hardstanding surface area must be constructed with porous or permeable, or shall direct surface water to a porous or permeable surface within the site.
- (4) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
- (5) You have been granted permission certificate of lawfulness to create a new access. . When undertaking building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays.