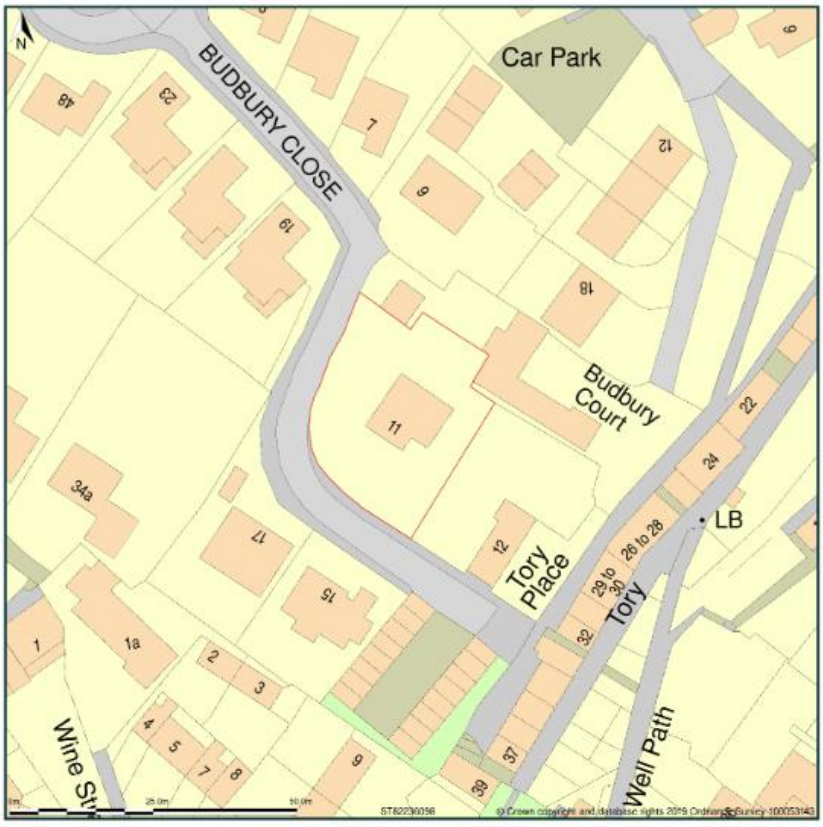
Application Reference: PL/2023/09799
Date of Inspection: N/A
Date Site Notice Posted: N/A
Date of Press Notice: N/A

CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT – OFFICER REPORT
11 BUDBURY CLOSE, BRADFORD ON AVON, BA15 1QG
Creation of a new vehicle access and hardstanding for stationing of a caravan.



1.0 **POLICIES**

None applicable, this is an application for a lawful development certificate under section 192 of the Town and Country Planning Act 1990 (as amended).

2.0 **ISSUES**

To consider whether the proposed development and use, as shown on the included plans, would be lawful.

3.0 **REPRESENTATIONS**

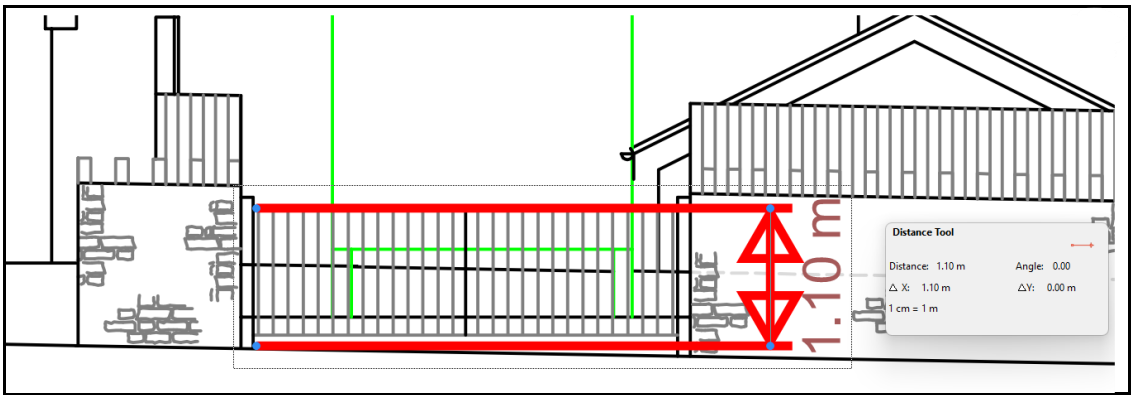
No consultation was carried out due to the nature of the application.

4.0 **ASSESSEMENT**

The development proposed can be considered in five parts which will be discussed as follows: The removal of the boundary wall and fencing, erection of a replacement gate and fence, the laying of a hard surface driveway, the creation of a vehicular access, and the use of the subsequent driveway for the storage of a caravan.

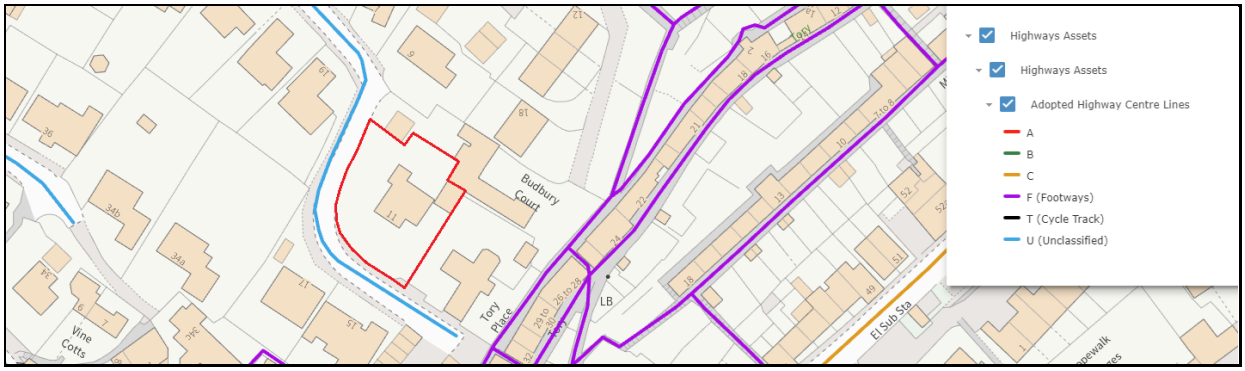
4.1 The boundary treatment is comprised of a closeboard wooden fence situated behind a cobble stone wall with cock and hen capping. The area specified in the application sits just outside of the conservation area. It is considered that the demolition, required in association with the development specified in the application, of this boundary treatment would not represent development, and would therefore not require planning permission.

4.2 The erection of a gate and fence would be considered permitted development in accordance with the General Permitted Development Order (England) Schedule 2, Part 2, Class A, provided that the height would not exceed the height of the existing boundary treatment. The elevations plan indicates that the replacement gate would not exceed the height of the boundary treatment being replaced. As such, this would be considered permitted development in accordance with the General Permitted Development Order (England) Schedule 2, Part 2, Class A.



4.3 The application requests the determination of the lawfulness of the laying of a hard surface situated between the northeast elevation of the dwelling and Budbury Close. The application form states that the material used to form the hardcore would be permeable, and suggests gravel as the given material, but no specific material is outlined in the proposal.
It is considered that this would represent permitted development in accordance with The General Permitted Development Order (England) 2015, Schedule 2, Part 1, Class F.

4.4 The creation of an access which would connect the driveway to Budbury Close would be considered permitted development and would not require planning permission. Budbury Close is an unclassified highway and the creation of an access onto it would be considered permitted development in accordance with The General Permitted Development Order (England) 2015, Schedule 2, Part 2, Class B.



4.5 The storage of a caravan on a hard surface within the curtilage of a dwelling would be considered lawful, provided the storage of that caravan, and any use of the caravan, remained ancillary to the function of the dwellinghouse. The application specifies that the purpose of the development would only be of a storage nature and therefore would be considered lawful.

5.0 **CONCLUSION**

The proposed development for the creation of an access onto Budbury Close, laying of a hardstanding driveway, alteration of existing boundary treatment, and sitting of a caravan ancillary to the associated dwelling, is considered permitted development in accordance with The General Permitted Development Order (2015) England, Schedule 2, Part 1 Class F, Part 2 Class A, and Part 2 Class B, or would not be considered development as defined by the Town and Country Planning Act 1990 (as amended). The development would therefore not require planning permission.

5.2 This application for a Certificate should therefore be **GRANTED.**