**Do You Need Planning Permission?**

**The Creation and Replacement of Hard Surfaces**

Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011

**This guidance applies to houses only, flats (including four in a block) are dealt with separately.**

If you answer **‘Yes’** to any of the questions below, planning permission would be required for the works you propose to carry out. We also have a definitions page which may help you with understanding some of the technical wording we have to use.

1. Would it be within a Conservation Area or the grounds of a Listed Building? You can find out if your property is in a Conservation Area [here](https://www.falkirk.gov.uk/services/planning-building/development-management/conservation-areas.aspx).

For all other works you need to make sure you comply with the following condition, otherwise planning permission will be required –

Where the hard surface would be located between the house and a road bounding the curtilage of the house, the hard surface must be made of porous material or provision must be made to direct run off water from the garden surface to a permeable or porous area or surface within the curtilage of the house.

Works to a listed building will require Listed Building Consent in addition to any planning permission that may be required. It is a criminal offence to carry out works to a listed building without the relevant consent in place.

You should ensure you have any other relevant consents in place prior to starting work. This could include but is not limited to, building warrant consent and owner’s consent.

Notice

This self-assessment form is intended for guidance purposes only and is not binding in determining whether planning permission is required for a particular proposal. Completion of this form does not constitute a certificate of lawful development and cannot prejudice any decision that the Local Planning Authority may make on any subsequently submitted formal application or planning enforcement investigation.

The completion of the self-assessment form does not imply or signify the agreement of the Local Planning Authority to any statement given by the applicant. Whilst best endeavours are made to ensure the self-assessment form is kept accurate and up to date, this cannot be relied upon. Use of the self-assessment form is entirely at your own risk.

Should you require a legally binding determination of whether planning permission is required, you may submit an application for a lawful development certificate. Applications for a certificate of lawful development require a fee and have a target determination period of 8 weeks. Further information can be obtained from our website.