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New legislation for front garden paving

Paving over front gardens will be significantly more difficult this autumn, due to a new law to be introduced. From October, home owners in England must apply for planning permission if they want to pave their front garden with impermeable materials such as asphalt – but will be exempt if using porous products.

Leigh Hunt, RHS Horticultural Advisor, said the RHS was pleased with the announcement. He added that the new law would be a 'step in the right direction' to minimising paving and retaining areas of garden greenery, so vital in urban areas.

The measures have come about following Sir Michael Pitt's investigations into last year's devastating summer floods. His recommendations, together with contributions from the RHS and Environment Agency, were adopted in the Government's water strategy, *Future Water*. A further report, *Impact Assessment – Permeable Surfaces*, details how and why the Government has decided to introduce a new law.

It states that climate change, urbanisation and 'urban creep' (a term used for the increasing amounts

of hard, impermeable surfaces in urban areas) are likely to become greater threats to the environment in future. It is hoped that encouraging the use of permeable materials will reduce flooding and its subsequent damage; be better for the local environment and encourage higher biodiversity; reduce urban heat-island effects; and improve soil moisture, thus benefiting street trees. Its statistics show that just a one percent decrease in runoff from surface areas leads to a nine percent decrease in incidents of sewage floods (when runoff swamps sewer capacities, causing contaminated overflows).

At present the new law just applies to England (the devolved Governments of Scotland, Wales and Northern Ireland will have to implement their own legislation). 'This is an issue for all urban areas of the country,' said Leigh. 'It would be good, therefore, if people across the UK could adopt the idea of using permeable materials and minimising hard surfaces before they have to by law.'

Current situation

At present, paving a front garden with any type of material is allowed within the Permitted Development Rights for Householders. Under the new proposals, if a householder chooses a permeable material (yet to be given a definition by Government), they can go ahead at their leisure. However if they want to use an impermeable material, they will have to apply for planning permission. This can cost around £150 and it can take up to eight weeks to get approval – barriers that the Government hopes will steer the public to use more environmentally-friendly products, which increased demand should make less expensive.

The Environment Agency is currently working on a booklet giving advice on permeable paving and more sustainable options for front gardens. It is consulting with the Society over 10 examples of how best to use permeable paving.

● Visit: www.communities.gov.uk/documents/planningandbuilding/pdf/686153

A combination of plants and hard standing (below) provides room for a car and is better for the environment

