

Application for a Lawful Development Certificate for a Proposed use or development.
Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and
Compensation act 1991.

Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	
Suffix	
Property name	Land to South of Downes Way (north of 15 Ambersham Crescent)
Address line 1	Downes Way
Address line 2	Little Hampton BN16
Address line 3	
Town/city	BN16
Postcode	BN16 1AA
Description of site location must be completed if postcode is not known:	
Easting (x)	506789
Northing (y)	103068
Description	

The application seeks to verify the ability of the owner of the site to fence the site with a 600mm wire gauge fence and though planting is beyond the remit of planning, in this case, to demonstrate that a 2 metre hedge can be lawfully planted around the entire site.

2. Applicant Details

Title	Director
First name	Sean
Surname	Tofts
Company name	Elite Planning
Address line 1	15 Spring Lane
Address line 2	Lexden
Address line 3	

2. Applicant Details

Town/city	Colchester
Country	United Kingdom
Postcode	CO3 4AR
Are you an agent acting on behalf of the applicant?	
Primary number	
Secondary number	
Fax number	
Email address	

☐ Yes ☐ No

3. Agent Details

Title	Mr
First name	Sean
Surname	Tofts
Company name	Elite Planning
Address line 1	15 Spring Lane
Address line 2	Lexden
Address line 3	
Town/city	Colchester
Country	United Kingdom
Postcode	CO3 4AR
Primary number	
Secondary number	
Fax number	
Email	

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?	☐ Yes ☐ No
Does the proposal consist of, or include, a change of use of the land or building(s)?	☐ Yes ☐ No
Has the proposal been started?	☐ Yes ☐ No

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

Unallocated white land with no designation in Local or National Policy other than being a vacant site within the development boundary with no significant

5. Grounds for Application

constraints.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Evidence to Verify Application

Evidence to verify an application for Certificate of Lawful Development (proposed) for the erection of a 600mm wire fence adjacent to the boundaries as indicated in the submitted drawing. The scheme would also include a 2 hedge to all boundaries with the public realm (permission not required or sought).

The Town and Country Planning (General Permitted Development)(England) Order 2015 PART 2: Minor Operations Class A—
gates, fences, wall set c Permitted development:

A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. Development not permitted:

A.1 Development is not permitted by Class A if—

(a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—

(i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;

(ii) in any other case, 1 metre above ground level;

(b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;

(c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or

(d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.

Safeguarding Proposals

The new fencing adjacent to the highway will be 600mm in height and the other fencing shown on the proposed site plan will not exceed 2.0m from ground level at any point in the development.

The site does not contain any listed buildings.

No new access to the highway will be created. Existing accesses will be made more secure. The proposals are therefore considered allowable as PART 2 Class A Permitted Development within the terms of "The Town and Country Planning (General Permitted Development) (Schedule No. 2) (England) Order 2015".

The development will stop unauthorised parking on the site and allow for a planting scheme to be established effectively.

Please select the use class that relates to the existing or last use. If the use class is not shown, please select 'Other' and provide details.

Other

Other

Unallocated land within the development boundary

Information about the proposed use(s)

Please select the use class that relates to the proposed use. If the use class is not shown, please select 'Other' and provide details.

Other

Other

Unallocated land within the development boundary

Is the proposed operation or use

☒ Permanent ☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Evidence to Verify Application

Evidence to verify an application for Certificate of Lawful Development (proposed) for the erection of a 600mm wire fence adjacent to the boundaries as indicated in the submitted drawing. The scheme would also include a 2 hedge to all boundaries with the public realm (permission not required or sought).

The Town and Country Planning (General Permitted Development)(England) Order 2015 PART 2: Minor Operations Class A—
gates, fences, wall set c Permitted development:

A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. Development not permitted:

A.1 Development is not permitted by Class A if—

(a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—

(i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;

(ii) in any other case, 1 metre above ground level;

(b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;

(c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or

5. Grounds for Application

constructed, whichever is the greater; or
(d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.
Safeguarding Proposals
The new fencing adjacent to the highway will be 600mm in height and the other fencing shown on the proposed site plan will not exceed 2.0m from ground level at any point in the development.
The site does not contain any listed buildings.
No new access to the highway will be created. Existing accesses will be made more secure. The proposals are therefore considered allowable as PART 2 Class A Permitted Development within the terms of "The Town and Country Planning (General Permitted Development) (Schedule No. 2) (England) Order 2015".

The development will stop unauthorised parking on the site and allow for a planting scheme to be established effectively.

6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
☐ The applicant
☐ Other person

7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

8. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

☐ Yes ☒ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

9. Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

Date (cannot be pre-application)