

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. Applicant Name, Address and Contact Details

Title:	Mr	First Name:	Iain	Surname:	Cooter
Company name:					
Street address:	30				
	Downview Road				
Town/City:	FELPHAM				
Country:					
Postcode:	PO22 8HQ				
Are you an agent acting on behalf of the applicant?					
☐ Yes ☒ No					

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Site Address Details

Full postal address of the site (including full postcode where available)

House:	30	Suffix:	
House name:			
Street address:	Downview Road		
Town/City:	Felpham		
Postcode:	PO22 8HQ		

Description:

Lawful development certificate
for a proposed new access.

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	495154
Northing:	100341

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: First name: Surname:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

email response received from Ross Leal, 13th March 2018 ...

It appears that you may well not require planning permission for the proposed access. George IV Walk is not a classified road and as such as long as the access would be provided in conjunction with other works which do not require planning permission, then planning permission would not be required for the access. Such works could include the driveway/hardstanding as long as this did not require planning permission – regarding a driveway/hardstanding, it would need to comply with Class F in the Guidance attached in order for planning permission not to be required for it. Please note the requirement that any drive or hardstand must be permeable in order not to require planning permission and see the link at the bottom of page 48.

You appear to have an existing fence at back edge of footpath. You will not require planning permission for the gate(s) and therefore the access if the gate(s), fence or wall do not exceed the existing height of the fence.

The above advice is based on the limited information you have provided and is my personal professional opinion. I cannot therefore be relied upon as a formal and binding decision by the Council.

For a formal decision on the need for planning permission you may opt to apply for a Certificate of Lawfulness.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: ☒ a) Owner ☐ b) Lessee ☐ c) Occupier ☐ d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff

(b) an elected member

(c) related to a member of staff

(d) related to an elected member

Do any of these statements apply to you? ☐ Yes ☒ No

7. 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:

It is believed that formal planning permission is not required for the proposed access point as the adjoining road 'George IV Walk' is not a classified road. The proposed driveway will comply with Class F of the 'Permitted Development Rights for Householders'. The proposed gates will not exceed the existing fence heights and will be constructed in materials in keeping with the existing fence panels and will open into the garden.

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

Permitted Development Rights for Householders

National Validation Requirements

Lawful Development Certificate Guidance

Householder Validation Requirements

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one:

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

Is the proposed operation or use: ☒ Permanent ☐ Temporary

7. Grounds for Application

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

It appears that planning permission for the proposed access to George IV Walk is not required as it is not a classified road. The proposed driveway will comply with Class F in accordance with Permitted Development Rights for Householders. As there is an existing fence at back edge of footpath I believe planning permission for the gate(s) will be compliant providing they do not exceed the existing height of the fence.

8. 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

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out:

The proposal is to:

- 1) Utilise a small strip of garden (currently grassed) and located at the end of the rear garden to create an access point from George IV Walk.
- 2) Create a permeable driveway to occupy a single vehicle, boat or caravan.
- 3) Replace and / or modify existing boundary fence panels at the specified location to accommodate wooden gates (not exceeding 3.6m in width or height that exceeds existing fence panels 1.8m) that open into the garden for the purpose access.
- 4) Add gates (wooden five bar style) to existing front driveway access point on northern boundary of George IV Walk which would open into the driveway area.

If Yes, fully describe the existing or the last known use, with the date when this use ceased:

Existing use is limited to the householders garden

Has the proposal been started? ☐ Yes ☒ No

9. 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? (Please select only one)

☐ The agent ☒ The applicant ☐ Other person

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

27/04/2018

Warning:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.

