

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	
Address line 1	
Address line 2	
Address line 3	
Town/city	
Postcode	
Description of site location must be completed if postcode is not known:	
Easting (x)	495925
Northing (y)	100463
Description	

The site location is the Roundle Residents Association Ltd Estate and specifically the roads fronting 24 New Barn Lane, 6-8 Roundle Square and 17 Roundle Square

2. Applicant Details

Title	Mr
First name	Jim
Surname	Mearns
Company name	The Roundle Residents Association Ltd
Address line 1	14 Wick Lane
Address line 2	Felpham
Address line 3	

2. Applicant Details

Town/city	Bognor Regis
Country	GB
Postcode	PO22 8QG
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant? ☐ Yes ☒ No

3. Agent Details

No Agent details were submitted for this application

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? ☒ Yes ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The proposal is to create pinch-points with retractable central bollards on three roads on the Roundle Residents Association Estate. The pinch-points will be on the road in front of 24 New Barn Lane, 6-8 Roundle Square and 17 Roundle Square as shown on the Location Plan and Block/Site Plans. The roads are unadopted and owned by the Roundle Residents Association Ltd.

The pinch-points will narrow the centre of the road to a width of 3.5m, which will allow for the passage of emergency services and commercial vehicles.

They will be created using kerb stones with grass infill that will adjoin the existing verges and green. On both sides of the pinch-point there will be a 0.95m high, fixed bollard with reflectors, similar to those currently used beside the road humps on the Estate. The pinch-points will come out diagonally from the verge at 135 degrees and be 0.5m at their minimum width. The pinch-points will have a depth of around 1 metre with the precise depth varying depending upon the width of the roads (which vary between 5.4m and 5.8m) as shown on the Elevation Plans.

The retractable bollard in the centre of each road will be 0.6m high with reflectors and LED lights. It is likely to be polished steel, or otherwise black or white paint. It will retract into a hole in the ground 1m deep and 0.5m square. A control box for the bollard and metered electrical supply will be sited on the grass verge by the pinch-point.

The retractable bollard will operate on time controls for selected times. Residents will have a control fob that they can use to lower the bollard to pass through. Fobs will also be available for residents of the roads that are not part of the Roundle Residents Association Ltd Estate but are adjacent to it and part of the wider Roundle Estate. There will be a key switch in the control box that emergency services will be able to access using a key held in a key box. On either side of the pinch-point there will be a motion detection sensor control that will recognise when a car has passed fully through and raise the bollard again.

The Estate currently has a number of road ramps. The ramp that fronts 8 Roundle Square, where one of the pinch-points is to be created, will be removed and the road reinstated.

There will be appropriate signage at the entrances to the Estate.

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

We believe that our proposal is lawful as Permitted Development under the Town and Country Planning Act (General Permitted Development) (England) Order 2015 (as amended).

There are two classes under which it can qualify as Permitted Development.

Firstly, PART 9 Development relating to roads, Class E – "The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or improvement of the street or way". Interpretation of Class E states: "E1- "unadopted street" means a street not being a highway maintainable at the public expense within the meaning of the Highways Act 1980(44)".

Our streets are unadopted and are maintained by our Association funded by annual subscriptions from residents.

The proposed works are an improvement to the streets as they will achieve a reduction and safer flow of traffic and improve the safety of pedestrians.

5. Grounds for Application

They are an improvement to the street design, which originated when the Roundle Estate was laid out on former farmland in the 1930's. The streets were designed to provide access for the residents and to contribute to the character of the Estate, which has the greenery and feel of the country in a suburban area. The roads are relatively narrow (5.4 to 5.8m wide) with grass verges, trees and no pavements. The roads are used by both vehicles and pedestrians and now carry considerably more traffic in peak traffic times than they were designed to accommodate.

The majority of this traffic growth has not been generated by residents but is because the streets are used by non-residents as a through route, particularly to access Felpham Community College and Downview Primary School. The Estate is also used by motorists to avoid delays when they occur on the adjacent B2259 Felpham Way.

A survey in May 2018 showed the main through route on the Estate being used by:

- 234 vehicles during the 90 minutes of morning peak traffic
- 166 vehicles during the 90 minutes around the end of the school day
- 173 vehicles during the 2-hour commuting period of 5.00 - 7.00pm.

Only 8% of these were residents. In February 2019 during the roadworks to create the new roundabout at Summerley Lane/ Felpham Way there were 317 traffic movements in one hour with only 13 identified as residents. Residents saw two minor collisions.

The proposed works are an improvement to the street design that will moderate traffic flows to be more appropriate to the general layout and nature of the streets and Estate.

A second classification under which the works may be as regarded as Permitted Development is PART 2, Minor operations, Class A – "The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure". The works may be regarded as "another means of enclosure". Our proposals comply with the restrictions under this class. The proposed bollards are less than the 1 metre restriction specified in sub paragraph A1 (ii).

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

None

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:

Other

Other

Roads and streets

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:

Other

Other

Roads and streets

Is the proposed operation or use

☒ Permanent ☐ Temporary

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

The proposal makes no change to the use of the land, which remains for use as unadopted streets maintained by the Roundle Residents Association Ltd funded by an annual subscription paid by residents.

The proposals comply with the requirements for Permitted Development.

The works are not visually intrusive, being less than 1 metre in height and blending with existing verges and green of the Estate.

The proposals have been consulted on informally and are supported by residents of the Estate and residents of adjacent roads.

The Emergency Services have been consulted and have indicated that they will not oppose the proposals.

We have liaised with the Highways Authority and will comply with any of their requirements.

Alternative measures to moderate traffic flow through the Estate would not be sufficiently effective in reducing through traffic and improving road safety. The Estate already has road ramps. The Felpham 20 mph zone scheme is anticipated to have little impact on the volume of traffic.

Non-residents who currently use the Estate roads as a through route have a more appropriate alternative route in the B2259 Felpham Way.

The right of Roundle Residents Association to make improvements to the Estate's streets has been upheld previously when Chichester Magistrates Court on 26 July 1971 ruled against Bognor Regis Urban District Council's objection to our installation of ramps to reduce traffic speed.

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?

6. Site Visit

- ☐ 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

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	Mrs
First name	Mrs
Surname	Coney
Reference	

Date (Must be pre-application submission)

01/03/2019

Details of the pre-application advice received

Mrs Coney indicated in a telephone call that the proposal may be eligible as Permitted Development under either Part 9, Class E or Part 2, Class A of the Town and Country Planning Act (General Permitted Development) (England) Order 2015 (as amended). She advised that we could apply for a Certificate of Lawfulness for a Proposed Use.

Mrs Coney advised that although there are three sets of works on different roads within the Estate these can be covered by a single application for a Certificate of Lawfulness.

In addition, to the above advice from Mrs Coney, Sue Handson from our association discussed the proposal in general terms with Mr Daniel Vick in January 2019. Mr Vick provided advice in his email of 25 January 2019.

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) 09/04/2019