

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development

REF NO: FP/89/19/CLP

LOCATION: In front of 24 New Barn Lane, 6-8 Roundle
17 Roundle Square
within the Roundle Estate Felpham

PROPOSAL: Lawful development certificate for a proposed installation of 3 No. pinch-points with retractable central bollards on New Barn Lane and Roundle Square on the Roundle Estate.

DESCRIPTION OF APPLICATION

Lawful development certificate for proposed installation of 3No pinch points with retractable central bollards.

DESCRIPTION OF SITE AND SURROUNDINGS

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

LEGISLATIVE BACKGROUND

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

In this instance the proposed works will be assessed against the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- Part 9 Class E, which pertains to repairs to unadopted streets and private ways.

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

CONCLUSIONS

The proposed installation of 3No. pinch points with retractable central bollards is considered to fall under Schedule 2 Part 9 Class E of the Town and Country Planning Act (General Permitted Development) (England) Order 2015.

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

E.1 For the purposes of Class E, "unadopted street" means a street not being a highway maintainable at the public expense within the meaning of the Highways Act 1980

The proposed development will be located on the roads of Roundle Avenue, Roundle Square and New Barn Lane, Felpham.

The proposed installation of 3No. Pinch Points with retractable central bollards complies with Part 9, Class E and it is considered permitted development and as such does not require the submission of an application for full planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 09.04.2019 the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 for the following reasons:

-The proposed development complies with limitations of Schedule 2 Part 9 Class E of the General Permitted Development Order 2015.

FIRST SCHEDULE

Installation of No. pinch points with retractable central bollards. These are shown on the following plans:

- Location Plan
- Block / Site Plan: New Barn Lane pinch point
- Block / Site Plan: Roundle Square pinch points
- Elevation plan, cross section looking towards 17 Roundle Road
- Elevation plan, looking towards Roundle Avenue
- Elevation plan, looking towards Wick Lane North
- Elevation plan, looking towards Roundle Avenue
- Elevation plan, Cross section looking towards 24 New Barn Lane.

SECOND SCHEDULE

Roundle Avenue, Roundle Square and New Barn Lane, Felpham.

EXTENT OF USE

Installation of 3No. pinch points with retractable central bollards.



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