

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	2
Suffix	
Property name	
Address line 1	Barge Close
Address line 2	
Address line 3	
Town/city	Yapton
Postcode	BN18 0FX
Description of site location must be completed if postcode is not known:	
Easting (x)	498624
Northing (y)	103141
Description	

2. Applicant Details

Title	Mrs
First name	Marie
Surname	Marshall
Company name	
Address line 1	2 Barge Close
Address line 2	Yapton
Address line 3	
Town/city	Arundel

2. Applicant Details

Country	United Kingdom
Postcode	BN18 0FX
Are you an agent acting on behalf of the applicant?	
☐ Yes ☐ No	
Primary number	
Secondary number	
Fax number	
Email address	

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)

As the owner of 2 barge close we have a plot of land with in our boundary line at the front of the house located to the right hand side if viewed from in front of the property (please see attached photo)

The property is detached and we would like to turn this piece of land into an additional driveway as the close has no parking available and enforcement signage saying not to park on any verges or pathways.

Our road Barge Close is situated on the Emerald Gardens development and has no through traffic. The road is not classed as a classified road and all curbs are already dropped to accommodate the existing driveways.
This additional driveway would run adjacent to our neighbours driveway and would be constructed to the same standard using Marshall permeable traditional block paving to stay within the theme of the development. We also have a drain directly outside the area which can additional assist with any excess water.

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

This area is a grassed/stone area and wouldn't require any major works to be carried out, simply some digging out of enough soil for the depth of the paving. It wouldn't require any machinery and can be carried out during daytime hours with no impact upon any persons or vehicles in the area.

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

An area of unused land within our boundary that is currently hard to maintain as it stands.

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 consider the use of land to be lawful due to it being within our boundary and an existing part of the initial development in 2016.
With the current parking restrictions in the area (please see attached photo) we would like to create an additional legal driveway for the use of family/friends to avoid illegal parking on verges and pavements.

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

Please see attached photos to support this application which is to determine whether we need to seek full planning permission, however we were advised to apply for lawful planning to begin with by a member of the technical support team within the planning department.
We were informed after submitting photographs that we would not need a dropped kerb and we are not on a classified roadway.

5. Grounds for Application

Select the use class that relates to the existing or last use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Change of use

Information about the proposed use(s)

Select the use class that relates to the proposed use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Other

Other

Driveway

Is the proposed operation or use

☒ Permanent ☐ Temporary

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

Based on the information given over email from Arun District Council in regards to our road being non classified and the kerbs sounds not need dropping, we were advised to apply for a Lawful development certificate. We were also advised we should not need a full planning application for the permitted work. We decided to seek guidance before any applications as this is our first time applying for a change of use due to it being our first home.

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

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	Kathryn
Surname	Welch
Reference	

Date (Must be pre-application submission)

29/03/2021

Details of the pre-application advice received

We were given information detailing the definitions of planning permission for a dropped kerb and classified roadway to which after submitting our photographs were informed that we should not appear to require full planning permission. However, advised to apply for a lawful planning certificate for such works.

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)

03/05/2021