

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

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)	Northing (y)
<input type="text" value="474753"/>	<input type="text" value="105620"/>

Description

Applicant Details

Name/Company

Title

Mr

First name

Joseph

Surname

Burnie

Company Name

Address

Address line 1

67 New Brighton Road

Address line 2

Address line 3

Town/City

Emsworth

County

Country

GB

Postcode

PO10 7QR

Are you an agent acting on behalf of the applicant?

- ☐ Yes
☒ No

Applicant Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

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)

Application for a Lawful Development Certificate for a Proposed Development. Replacement of a front garden hedge with a boundary wall. The proposed wall will be constructed of traditional brick base and an iron fence on top to match the local area character, measuring a maximum height of 1.0 metre from the lowest adjacent ground level. The wall will follow the exact footprint of the hedge along the front southern boundary facing Bath Road.

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

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

The proposed development is lawful and constitutes Permitted Development under Schedule 2, Part 2, Class A (Minor Operations) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The application seeks confirmation for the replacement of an existing domestic garden hedge along the front boundary facing Bath Road, with a boundary treatment consisting of a low brick wall with an integrated iron fence on top. The proposal strictly complies with all criteria set out in Class A.1 as follows: Height Limits (A.1(a)): The combined total height of the proposed brick base and iron fence will not exceed 1.0 metre (1,000mm) at any point above the lowest adjacent ground level. As the boundary directly adjoins a highway used by vehicles (Bath Road), it remains fully compliant with the 1-metre national statutory limit for structures adjacent to a highway.

No Existing Restrictions: The application site is not a listed building, nor does the proposed structure share a direct structural boundary with a listed building. Furthermore, there are no active Article 4 Directions affecting this address that restrict Permitted Development rights under Part 2, Class A.

No Relevant Demolition: The project involves the replacement of a vegetation hedge and does not constitute the demolition of a pre-existing gate, fence, or wall exceeding the statutory height thresholds within the Emsworth Conservation Area. Accordingly, the proposed boundary wall and fence meet all requirements of the GPDO, and the Local Planning Authority is respectfully requested to issue a Lawful Development Certificate.

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

1. Cross Section of Proposed Wall
2. Photograph of similar wall at 31 Bath Road

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
- ☐ Temporary

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

The proposed development is lawful and constitutes Permitted Development under Schedule 2, Part 2, Class A (Minor Operations) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The application seeks confirmation for the replacement of an existing domestic garden hedge along the front boundary facing Bath Road, with a boundary treatment consisting of a low brick wall with an integrated iron fence on top. The proposal strictly complies with all criteria set out in Class A.1 as follows: Height Limits (A.1(a)): The combined total height of the proposed brick base and iron fence will not exceed 1.0 metre (1,000mm) at any point above the lowest adjacent ground level. As the boundary directly adjoins a highway used by vehicles (Bath Road), it remains fully compliant with the 1-metre national statutory limit for structures adjacent to a highway.

No Existing Restrictions: The application site is not a listed building, nor does the proposed structure share a direct structural boundary with a listed building. Furthermore, there are no active Article 4 Directions affecting this address that restrict Permitted Development rights under Part 2, Class A.

No Relevant Demolition: The project involves the replacement of a vegetation hedge and does not constitute the demolition of a pre-existing gate, fence, or wall exceeding the statutory height thresholds within the Emsworth Conservation Area. Accordingly, the proposed boundary wall and fence meet all requirements of the GPDO, and the Local Planning Authority is respectfully requested to issue a Lawful Development Certificate.

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

Pre-application Advice

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

- ☐ Yes
- ☒ No

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.

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?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Joseph Burnie

Date

04/08/2026