

Planning Self Assessment

Minor Works



Do I Need Planning Permission for –

- 1) Erecting a fence, wall, railings, etc or
- 2) Formation of a vehicle access

Purpose of this Form

This form is designed to provide simplified guidance on the permitted development legislation as it relates to these common forms of minor works

If you wish to receive a definitive view on whether planning permission is required then you will need to submit an application for a Lawful Development Certificate to Fylde Council. This is a form of application that involves the submission of detailed plans of the proposal so that we can establish if it complies with the permitted development legislation.

If you wish to see further details of the planning and building regulations process, and for further guidance on permitted development legislation please go to the Planning Portal via

<https://www.planningportal.co.uk/>

1) Erecting a Fence or other ‘means of enclosure’

This guidance relates to any ‘means of enclosure’ and so would apply to a wall, railings, fence, trellis, gates, or any combination of these boundary treatments. It does not apply to hedging, trees or other natural features as these are not development and so outside of the scope of planning control.

To use this form please read the questions below. If you can answer ‘no’ to all questions then it is likely that your proposal can be constructed without planning permission being required.

| | Key Question | Y/N |
|---|--|-----|
| 1 | <p>Where the ‘means of enclosure’ is not adjacent to a highway, will it exceed 2m in height above natural ground level?</p> <p>Note: the reference to ‘adjacent to a highway’ will always include those ‘means of enclosure’ that form a front boundary with a road or footpath, and the side boundary where the property is located on a corner. It is also likely to include those areas that are well forward of the building line of the property.</p> | |
| 2 | <p>Where the ‘means of enclosure’ is adjacent to a highway, will it exceed 1m in height above natural ground level?</p> <p>Note: the reference to ‘adjacent to a highway’ will always include those ‘means of enclosure’ that form a front boundary with a road or footpath, and the side boundary where the property is located on a corner. It is also likely to include those areas that are well forward of the building line of the property.</p> | |

| | | |
|---|---|--|
| 3 | <p>Where the 'means of enclosure' is a replacement for a previously existing enclosure, will it exceed the greater of either its former height, or the height that would be permissible under Q 1 or Q2, whichever applies.</p> <p>Note: this is only applicable where there has been a previous 'means of enclosure' in the same location, and does not permit a tall hedge to be replaced with a tall fence, wall, railings, etc.</p> | |
| 4 | <p>Will the 'means of enclosure' be within or around the curtilage of a listed building?</p> | |

2) Formation of a new or widened driveway to a property

There are two elements to this query that have potential planning implications: the formation or widening of a means of access to a highway, and the formation of the driveway and any parking areas.

With regards the formation or alteration of a means of access to a highway there are permitted development rights available for this unless the access is to be to a classified road or a trunk road. These are the A, B or C class roads that are used as 'main roads'. If you are unsure of whether your access would be to a classified or trunk road or not, then you can check that with Lancashire Country Council's Mario website at the link here <http://mario.lancashire.gov.uk/agsmario/>

With regards the formation of the driveway or parking areas then planning permission would only be required if the surface that is to be used is either:

- not constructed in a permeable material so that water will not drain through it, or
- if it is constructed in an impermeable material the water is not directed from it to drain to a permeable area such as a lawn or other part of your garden. (Note: this does not mean that the water can be drained to a sewer or to the highway as planning permission will be required if that is the intention).

Where the access involves works to the adopted highway or associated footway then LCC as the local highway authority will administer that process. Please see the following link on their website for details and to apply: <https://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings/>

Contact details:

Council Website: <https://new.fylde.gov.uk/>

Planning webpage: <https://new.fylde.gov.uk/resident/planning/>

Email: planning@fylde.gov.uk

Tel: 01253 658435 (we should answer this during office hours, but if not please leave a voicemail for a call back within 24 hours)

Legislation:

This form is intended to provide a simple summary to the key elements of the permitted development legislation relating to minor works. The legislation itself is Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) relating to 'means of enclosure' and Class B of Part 2 and Class F of Part 1 relating to means of access and surfacing. The original version of the legislation is available here <https://www.legislation.gov.uk/uksi/2015/596/contents/made>

Disclaimer:

The information and advice contained in this form is NOT a formal determination under S192 of the Town and Country Planning Act 1990. If you require a written determination on the requirement for planning permission an application for a Certificate of Lawful Proposed Development is required to be submitted with the relevant fee and documentation.