

Local List – Validation of Planning and other Applications Annex D.1

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity including those in Breach of a Planning Condition

Form

- 1.0 One original plus three copies of the Standard Application Form are required.

Declaration

- 1.1 The Declaration must be signed by the applicant or the agent (if one has been employed), and it must be dated.

Fee

- 2.0 The correct fee must be submitted with the application – see the attached list of fees (Annex J).

Plans, Drawings and Supporting Information

- 3.0 The burden of proof in a Lawful Development Certificate lies firmly with the applicant. Therefore, sufficient and precise information must be provided before the application is registered. This may include some, or all, of the following. In each case, four copies are required.
- 3.1. *In all cases* – **Location Plan** at a scale of 1:1250 (towns and villages) or 1:2500 (rural) showing:
- the application site area outlined in red (this should include all land necessary to carry out the proposed development e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings);
 - any other land in the same ownership / control close to or adjoining the application site outlined in blue;
 - which way is north;
 - the scale used; and
 - the surrounding roads, paths, buildings and structures.
- 3.2 *If the existing use, operation or activity has altered an existing building/structure footprint, or created a new building/structure footprint* – a **Block Plan** at a scale of 1:500 or **Site Plan** at 1:200 showing:

- the proposed development within the context of the existing buildings and structures, the property boundaries and accesses, the road and adjacent buildings and structures;
- any existing or proposed vehicle parking spaces / areas;
- the position of all trees on the site, and those on adjacent land that could influence or be affected by the development;
- detailed landscape proposals including the extent and type of any hard surfacing;
- the location of any existing or proposed drainage;
- which way is north; and
- the scale used.

3.3 *If the existing use, operation or activity has created, altered or added to a floor –* **Floor Plans** to a scale of 1:50 or 1:100 showing:

- the **before** and **after** layout of the whole of each floor that will be created, altered or added to by the proposal;
- the name of each of the rooms or areas;
- details of the existing and proposed drainage;
- where the proposal will amend a planning permission, all proposed changes should be clearly marked on the proposed floor plans; and
- the scale used.

3.4 *If the existing use, operation or activity has created, altered or added to a building/structure –* **Detailed Elevation Drawings** to a scale of 1:50 or 1:100 showing:

- the **before** and **after** view of each side of the building or structure that will be altered or added to by the proposal;
- ground level;
- existing and proposed floor levels;
- where the proposal relates to the conversion of a barn / outbuilding, information about which parts of the original building fabric that will be retained and which parts that will comprise new build;
- where the proposal will amend a planning permission, all proposed changes should be clearly marked on the proposed elevation drawings; and
- the scale used.

3.5 *In all cases –* **Sworn affidavit(s)** from people with personal knowledge of the existing use, operation, activity or works carried out.

3.6 *In all cases –* **Documents** which provide evidence of an existing use e.g. utility bills, council tax statements, rental history etc..

Guidance

4.0 The Department of Communities and Local Government has published *Lawful Development Certificates: A User's Guide*. This is available from www.comunities.goc.uk.