

#### **List 4 Local Information Requirements for an:**

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

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

Information listed within 'Section 1: National Requirements' is required to be submitted with all of the above types of applications.

The Council cannot formally adopt a local list for the above types of application. It is recommended, however, that applicants review the list and submit information that they consider necessary for determining the application. Any additional information required, but not submitted, will be requested by the case officer within 21 days of the Council receiving the application. The information requested will be required to be submitted and received within 14 days of the request.

To speed up the consideration of your application, please consider whether these are likely to be required and submit them with your application.

### **6a Certificate of Lawfulness for a Proposed Development or Use (LDC)**

#### **Required for Lawful Development Certificates**

##### **Building works for proposed use or development**

Submit plans, elevations and sections at scale 1:100 or 1:50 that clearly show the full extent of use or building works. Plans should be correctly titled, with individual drawing numbers on each plan and annotated with either dimensions or with a scale bar (horizontally and vertically).

##### **Alterations to the roof including extensions, dormer windows, roof lights:**

- Provide a schedule setting out existing and proposed cubic content of the roof space. You also need to show how you reached your calculation.
- If you are proposing to install roof lights please confirm how far they project from the roof slope by marking the measurement on the drawings.
- If you are proposing dormer windows please confirm the distance between the eaves of the original roof and the bottom of the dormer window.
- Annotate your drawings to confirm if you are cladding any part of the extension.

##### **Change of use**

Details of the previous lawful use of the building and why it is considered that no planning permission is required.

## **6b Certificate of Lawfulness for an Existing Use or Development (CLEUD)**

**An application for a Certificate of Lawfulness is assessed purely on the basis of the evidence submitted in support of it (for example affidavits, receipts, photographs etc.), and on any evidence that the Council may have, such as its own records, or may obtain during processing of the application**

### **Required for Certificate of Lawfulness for Existing Use or Development (CLEUD)**

An application for a Certificate of Lawfulness is assessed purely on the basis of the evidence submitted in support of it (for example affidavits, receipts, photographs etc.), and on any evidence that the Council may have, such as its own records, or may obtain during processing of the application

#### **Building works existing use or development**

- Submit plans, elevations and sections at scale 1:100 or 1:50 that clearly show the full extent of use or building works considered lawful. Plans should be proportionate to the nature and size of the proposal, correctly titled, with individual drawing numbers on each plan, show paper size and annotated with either dimensions or with a scale bar (horizontally and vertically) and not having 'Do Not Scale' or equivalent.

#### **Alterations to the roof including extensions, dormer windows, roof lights:**

- Provide a schedule setting out the cubic content of the roof space, including any previous increases in roof space to a dwelling compared to when originally built. You also need to show how you reached your calculation.
- If the application relates to roof lights please confirm how far they project from the roof slope by marking the measurement on the drawings.
- If the application relates to dormer windows please confirm the distance between the eaves of the original roof and the bottom of the dormer window.

#### **Change of use**

Details of the use of the building and why it is considered lawful is required.

#### **Evidence**

You should explain in your own words why you consider a Lawful Development Certificate should be granted. The evidence necessary to prove your entitlement to a certificate will depend on what is being applied for, but you should always remember that the emphasis is on the applicant to convince the Local Planning Authority that a certificate should be issued. Therefore, the evidence submitted should be clear and convincing. Where some questions of fact are involved, the Local Planning Authority will usually expect to see statements from persons who have a direct knowledge of

those facts. It is normal to require such statements in the form of a sworn 'state declaration' and you should seek advice from a Solicitor or Planning Agent as to how this should be set out. In some cases, letters or unsworn statements may be acceptable (for instance if there is some additional documentary evidence backing the statement). Letters may be acceptable if they back a sworn statement, but statements from owners or applicants which give crucial evidence should always be sworn in the proper form. Any other further evidence that can be provided will assist the application (such as photographs, invoices or documentation indicating the length of time it has been there).