

Application for a Lawful Development Certificate for an Existing use, or Operation or Activity in Breach of a Planning Condition

In addition to the National mandatory documents you are also required to submit the following:-

Where the application relates to a use, a building operation, or non-compliance with a condition –

- (a) The date that the use (or breach of condition) started, or the date on which the building was substantially complete
- (b) Any use class the applicant considers to be applicable
- (c) In the case of a breach of condition, details of the relevant application

2 copies of evidence supporting your application. Documentary evidence could include where appropriate:-

- (a) Utility Bills
- (b) Council tax bills
- (c) Tenancy agreements
- (d) Sworn statements or affidavits from people with personal knowledge of the site
- (e) Environmental health records (if related to a commercial premises or hmo's)
- (f) An explanatory statement
- (g) Photographic evidence
- (h) Copies of bills / invoices, company accounts
- (i) Copies of previous planning permissions

If your application relates to a building operation or use of a building you are required to submit 2 copies of the following (in addition to the documents listed above):-

- (a) Existing and original floor plans for all applications involving the use of a building to a scale of not less than 1:100.
- (b) Existing and original elevations for all building works to a scale of not less than 1:100.

The burden of proof in an application for a Certificate of Lawful Development lies firmly with the applicant and therefore clear and precise information, supported by sufficient evidence, must be provided to enable the Council to make a complete and accurate assessment against current planning legislation. Failure to submit all the required information may result in the refusal of your application.