

National and Local Checklist Guidance for Applications for Lawful Development Certificate of Existing Use or Development Including Those in Breach of a Planning Condition

All applications must be accompanied the appropriate fee. All submitted plans must incorporate a drawing number and title (revised plans submitted must include suffixes and specify the nature of the revision).

This note is for guidance only and the Council welcomes pre-application discussions, particularly for more complicated applications, to help ensure that the right information is submitted.

National Requirements

1. Application Form

The completed application form should be signed and dated including a clear and concise description of the proposed development. A signature is not required on electronic submissions.

2. Site Location Plan

This is to enable the Local Planning Authority, consultees and the public to identify the property. The site location plan (ordnance survey based) drawn typically at a scale of 1:1250 or 1:2500 but wherever possible the plan should be scaled to fit onto A4 or A3 size paper. Plans should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.

The application site must be edged clearly with a red line (the red line should include all land necessary to carry out the proposed development, for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). A blue line must be drawn around any other land owned by the applicant.

We will accept any location plans downloaded from the Planning Portal website www.planningportal.gov.uk and plans can also be obtained from Penrith Library.

3. Block Plan

The block plan (if applicable) must be drawn at an identified standard metric scale (preferably at 1:200 or 1:500) and must accurately show:

- The direction of North
- The proposed development in relation to the site boundaries and other existing buildings on the site

The following must also be provided, unless these would **not** influence or be affected by the proposed development:

- All the buildings, roads and footpaths on land adjoining the site including access arrangements
- The position of all trees on the site, and those on adjacent land
- The extent and type of any hard surfacing
- Boundary treatment including walls or fencing where proposed
- The number of existing and proposed car parking spaces
- All public rights of way crossing or adjoining the site

4. Existing and Proposed Elevations

We require existing and proposed elevation plans for all elevations which will be visually altered as part of the development. These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials together with the style, materials and finish of windows and doors.

5. Existing and Proposed Floor Plans

We require existing and proposed floor plans for each floor if the proposed development directly links to that floor, and for roof extensions a plan of the existing floor below will be required. These should be drawn at a scale of 1:50 or 1:100, and show clearly the proposed works in relation to what is already there. All rooms must be clearly annotated for both existing and proposed floor plans.

6. Existing and Proposed Site Levels and Section Drawings

We require existing and proposed site levels and section drawings where a proposal involves a change in ground level(s). These should be drawn at a scale of 1:50 or 1:100 showing a cross section(s) through the proposed building(s).

On sloping sites, full information is required concerning alterations to levels, the way in which a proposal sits within the site and, in particular, the levels between existing and proposed buildings. The drawings may take the form of contours, spot levels, or be cross or long sections as appropriate.

7. Additional Information

A letter describing all uses and/or operations within the site claimed to be lawful. Evidence detailing the following:

- Date of commencement of use and/or operations;
- Date of commencement/cessation of any intervening uses/operations.

A statement containing grounds on which certificate is being sought.

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

In certain circumstances, it may be beneficial to provide a statutory declaration from those persons with direct knowledge of existing use or works carried out.