



# **Application for a Lawful Development Certificate for an Existing Use or Operation or; Activity including breach of a Planning Condition.**

## **Validation Checklist**

**What information do I submit with my application?**

## Introduction

This document should be used by applicants and agents intending to submit an application for a Lawful Development Certificate to the Authority. It provides a checklist of the supporting documentation that may be required at the time of submission.

The checklist will;

- Give you greater certainty
- Help to minimise the likelihood that validation of your submission will be delayed by us having to request more information.

You can apply for this certificate to determine whether any use or development (unauthorised or otherwise) is lawful or has become lawful through the passage of time and can be continued without planning permission.

A Certificate of Lawful Existing Use or Development (CLEUD) may be granted where it can be proven that:

- There has been a continuous use of land or buildings (other than a dwelling) for more than 10 years.
- A condition or limitation on a planning permission has not been complied with for more than 10 years.
- Building or other operations have been completed for more than 4 years.
- A building (not land) has been used as a dwelling for more than 4 years.

## National Requirements<sup>1</sup>

### Forms

- Completed form (3 copies to be supplied unless the application is submitted electronically)

### Plans

- The National requirements are for 'a plan which identifies the land to which the application relates'. This shall be met by providing a plan based on an up-to-date map at an identified metric scale. For built up areas and within villages the location plan shall be at a scale of 1:1250 (or 1:2500 in the case of larger or more remote sites) and indicate the direction of North. Wherever possible the plan shall be scaled to fit onto A4 or A3 size paper. The location plan will clearly identify the land to which the application relates within a red line and within a blue line for any other land owned by the applicant located adjacent to the application site. Three copies need to be supplied unless the application is submitted electronically.

### Other Information

- Suitable evidence verifying the information included in the application as can be provided
- Suitable information as is considered to be relevant to the application
- The appropriate fee

## Local Requirements

- ALL plans must include a scale bar.
- If paper copies are submitted you must state the scale and original paper sheet size, in order to avoid confusion if the document is reprinted.
- The Planning Authority will determine the application solely on the information provided by you. It is the responsibility of the applicant to provide sufficient information and appropriate evidence to enable the Planning Authority to make a determination. The applicant needs to describe the proposal with sufficient clarity and precision, avoiding ambiguity, in order to enable us to ascertain what is exactly involved.

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<sup>1</sup> The national guidelines are subject to change at short notice but we will endeavour to update these at the earliest opportunity.

## **Note**

If you are successful in receiving a certificate, it will prove that the use or development is lawful and it protects the development from enforcement action. The certificate will be worded precisely in order to fully specify any lawful use, operation or development. The certificate will include a plan to show the land and/or buildings in question.

If your application is refused, it may raise the question of whether you should submit a retrospective planning application or whether the Authority should consider enforcement action.

**Finally....** It will help if you;

- Include all of the information at the start
- Pay the fee at the time of submission
- Include a document schedule
- Avoid the use of large file sizes (please contact us if files are unavoidably large)
- Please correspond via email

The Council has a dedicated mailbox for submitting electronic applications - [planninghub@barrowbc.gov.uk](mailto:planninghub@barrowbc.gov.uk)

Using this mailbox you can:

- submit applications (up to 20MB).
- pay online securely via emailed link to applicant or agent.
- request editable versions of all forms.
- order ordnance survey plans (pdf format).

If you would like more information or would like to speak to someone about electronic planning applications please contact Pam Kayes on the number shown below.

**Contact us:**

Policy Regeneration and Information  
Development Control  
Town Hall  
Duke Street  
Barrow-in-Furness

LA14 2LD Tel 01229 876387 or Email: [planningapp@barrowbc.gov.uk](mailto:planningapp@barrowbc.gov.uk)