

**This form is specifically designed to be printed and completed offline.  
 Please complete this form in block capitals using black ink to facilitate scanning.  
 You are advised to read the accompanying guidance notes and per-question help text.  
 If you would rather make this application online, you can do so on our website:  
<https://www.planningportal.co.uk/apply>**

# Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

### Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to the Local Planning Authority in accordance with the legislation detailed on this form and 'The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to the Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

### Local Planning Authority details:

All new applications and amendments submitted between 1st April 2023 and 31st February 2024 may have a date in this column, as our planning system is being updated. We apologise for any inconvenience this may cause.

### Publication on Local Planning Authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website. Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require any further clarification, please contact the Local Planning Authority directly.

#### 1. Applicant Name and Address

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

#### 2. Agent Name and Address

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

### 3. Site Address Details

Please provide the full postal address of the application site.

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (optional):

Description of location or a grid reference. (must be completed if postcode is not known):

Easting:  Northing:

Description:

### 4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?  Yes  No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible:

Officer name:

Reference:

Date (DD/MM/YYYY):   
(must be pre-application submission)

Details of pre-application advice received?

### 5. Lawful Development Certificate - Interest In Land

Please state the applicant's interest in the land:

Owner:  Yes  No Lessee:  Yes  No Occupier:  Yes  No

If Yes to Lessee or Occupier please give details of the owner and state whether they have been informed in writing of this application:

Name	Address	Have they been informed in writing of the application	
		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>

If No to all the above, please give name and address of anyone you know who has an interest in the land:

Name	Address	State the nature of their interest (if known)	State whether they have been informed about this application		If No, please explain why not
			Yes	No	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	

## 6. Authority Employee / Member

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or agent?  Yes  No

With respect to the authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

If Yes, please provide details of their name, role and how you are related to them.

*(This section is crossed out with a large diagonal line.)*

## 7. Description of Use, Building Works or Activity

Please state for which of these you need a lawful development certificate/building works (you must tick at least one option):

An existing use:

Yes

No

Existing building works:

Yes

No

An existing use, building work or activity in breach of a condition:

Yes

No

Being a use, building works or activity which is still going on at the date of this application

If Yes to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

C3 - C3.

granny annexe / garage - residential house dwelling.

## 8. Description of Existing Use, Building Works or Activity

What is the existing site use(s) for which the certificate of lawfulness is being sought? Please fully describe each use and state which part of the land the use relates to:

a domestic house dwelling - family home.  
no 'garage' - a small utility room with a garage door for access. otherwise a regular 3 bedroom home.

## 9. Grounds For Application For A Lawful Development Certificate

Please state under what grounds is the certificate sought (you must tick at least one box):

Where the use, building works or activity **began before 25 April 2024**:

The use began more than 10 years before the date of this application.

The use, building works or activity in breach of condition began more than 10 years before the date of this application.

The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.

The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.

The change of use to use as a single dwelling house began more than four years before the date of this application.

Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Where the use, building works or activity **began on or after 25 April 2024**:

The use, building works or activity began more than 10 years before the date of this application.

The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.

Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details:

If applicable, please give the reference number of any existing planning permission, lawful development certificate or enforcement notice affecting the application site. Include its date and the number of any condition being breached:

Reference Number	2025/0561	Condition Number:		Date (DD/MM/YYYY): (must be pre application submission)	
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Please state why a Lawful Development Certificate should be granted:

It has recently come to light that this property is classed as a 'granny flat above a garage' however this is not the case, the property has its own gas, water and electricity supply. It has sold as a separate entity twice & does not have access to 321 darton lane without walking on the highway. The property has always had a kitchen/diner downstairs, and in 2019/2020 we turned the garage into a living room & created an additional bedroom upstairs. Building Control cert. of completion - 19/01/2020. We have a mortgage on this property & as far as we were aware, the property was a detached bungalow/house.

### 10. Information In Support Of A Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed:

Dec 2009

(date must be pre-application submission)  
(DD/MM/YYYY)

In the case of an existing use or activity in breach of conditions has there been any interruption?

Yes

No

If Yes, please provide details of the dates, duration and any discontinuance of the development which is the subject of this application. If your application is based on the claim that a use or activity has been ongoing for a period of years, please state exactly when any interruption occurred:

[Empty response box for interruption details]

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

Yes

No

If Yes please provide details?

[Empty response box for material change details]

### 10. Information In Support Of A Lawful Development Certificate (Continued) - Residential Information

Does the application for a Certificate relate to a residential use where the number of residential units has changed?  Yes  No  
 If Yes, please complete the following table:

#### Proposed Housing

	Number of Bedrooms					Total
	1	2	3	4+	Unknown	
<b>Market Housing</b>						
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Market Housing Total (a+b+c+d+e+f+g) =</b>						A

<b>Social Rented Housing</b>	1	2	3	4+	Unknown	
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Social Rented Housing Total (a+b+c+d+e+f+g) =</b>						B

<b>Intermediate Housing</b>	1	2	3	4+	Unknown	
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Intermediate Housing Total (a+b+c+d+e+f+g) =</b>						C

<b>Key Worker Housing</b>	1	2	3	4+	Unknown	
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Key Worker Housing Total (a+b+c+d+e+f+g) =</b>						D

**Proposed Housing Grand Total (A+B+C+D) =**

#### Existing Housing

	Number of Bedrooms					Total
	1	2	3	4+	Unknown	
<b>Market Housing</b>						
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Market Housing Total (a+b+c+d+e+f+g) =</b>						E

<b>Social Rented Housing</b>	1	2	3	4+	Unknown	
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Social Rented Housing Total (a+b+c+d+e+f+g) =</b>						F

<b>Intermediate Housing</b>	1	2	3	4+	Unknown	
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Intermediate Housing Total (a+b+c+d+e+f+g) =</b>						G

<b>Key Worker Housing</b>	1	2	3	4+	Unknown	
Houses						a
Flats & Maisonettes						b
Live-Work Units						c
Cluster Flats						d
Sheltered Housing						e
Bedsit/Studios						f
Unknown						g
<b>Key Worker Housing Total (a+b+c+d+e+f+g) =</b>						H

**Existing Housing Grand Total (E+F+G+H) =**

**TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total):**

### 11. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority (LPA) has been submitted.

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

The original and 3 copies\* of a completed dated application form:

The original and 3 copies\* of such evidence verifying the information included in the application as you can provide:

The original and 3 copies\* of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North:

The correct fee:

\*National legislation specifies that the applicant must provide the original plus three copies of the form and supporting documents (a total of four copies), unless the application is submitted electronically or, the LPA indicate that a smaller number of copies is required. LPAs may also accept supporting documents in electronic format by post (for example, on a CD, DVD or USB memory stick). You can check your LPA's website for information or contact their planning department to discuss these options.

### 12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):  
 (date cannot be pre-application submission)

**WARNING:**  
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.

### 13. Applicant Contact Details

Telephone numbers

Country code:  National number:  Extension number:

Country code:  Mobile number (optional):

Country code:  Fax number (optional):

Email address (optional):

### 14. Agent Contact Details

Telephone numbers

Country code:  National number:  Extension number:

Country code:  Mobile number (optional):

Country code:  Fax number (optional):

Email address (optional):

### 15. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?  Yes  No  
If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)  Agent  Applicant  Other (if different from the agent/applicant's details)

If Other has been selected, please provide:  
Contact name:

Telephone number:

Email address: