



**South Hams
District Council**

Certificate of lawfulness (existing & proposed) local requirements

Please see the required standards for on-line submissions which includes the required files sizes and format to submit documents and drawings electronically.

For further information about Validation Requirements please visit the Department for Communities and Local Government website <http://www.communities.gov.uk/corporate/> and refer to the 'Guidance on Information Requirements and Validation' document.

Summary of National and Local Requirements

See CHECKLIST

2 copies plus the original of all drawings and supporting documents are required for applications that are not submitted online

- completed form
- site location plan (requirements)
- block plan (local requirements)
- evidence verifying information included in the application
- other relevant information
- [fee calculator](#)

Requirements for a proposed certificate:

- **north point** - required for the site location plan and block plan.
- **paper size and an appropriate scale bar** indicating a minimum of 0-10 metres, **or** an appropriate scale bar for plans and drawings at 1:1, 1:10 and 1:20 required for **all** plans and drawings.
- **Block plan** (at a scale 1:500) showing all adjoining properties and any proposed extension hatched
- Existing and proposed floor plans (at a scale 1:100)
- Existing and proposed elevations (at a scale 1:100)
- **photographs/photo montages** - at the applicant's discretion

Requirements for an existing certificate:

- **north point** - required for the site location plan and block plan.
- **paper size and an appropriate scale bar** indicating a minimum of 0-10 metres, **or** an appropriate scale bar for plans and drawings at 1:1, 1:10 and 1:20 required for **all** plans and drawings.
- **Block plan of the site** (at a scale 1:500) showing all adjoining properties and any proposed extension hatched
- Existing and pre-existing floorplans (at a scale 1:100)
- Existing and pre-existing elevations (at a scale 1:100)
- **photographs/photo montages** - at the applicant's discretion
- **minimum of 2 pieces of evidence**
- **statement to 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 onus is on the applicant to convince the local authority that a certificate should be issued. the evidence submitted should be clear and convincing.

Where questions of fact are involved, the local authority will expect to see statements from persons with a direct knowledge of those facts. it is normal to require these statements in the form of a 'sworn affidavit'



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(original documents must be submitted). You should seek advice from a solicitor or planning agent on how this should be set out.

In some cases, letters or unsworn statements may be acceptable, for example where there is additional documentary evidence backing up the statement. Letters may be acceptable if they back a sworn statement, however statements from owners or applicants which give crucial evidence should always be sworn in the proper form and be original documents.

Additional documentary evidence could include:

- Building Control Final Inspection Certificate
- copies of rent or account documents
- Council tax/valuation tax letter/statements specifically addressed to the flat number or floor or clearly identifying the unit in question

Further evidence that can be provided and will assist the application can also include:

- photographs
- invoices or documentation indicating how long the development has been in existence



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Lawful Development Certificate - Checklist

These certificates confirm that either:

- A proposed development does not need planning permission OR
- Development that has already taken place either did not need permission, or took place so long ago that it is immune from enforcement action.

[Government Guidance on Lawful Development Certificates](#) [92kb pdf]

information required (click for details)	proposed development	proposed use	existing development	existing use	Reason
Application Form	yes	yes	yes	yes	National Requirement
Site Location Plan	yes	yes	yes	yes	National Requirement
Block Plan	yes	no	yes	no	National Requirement
All drawings to have paper size and scale bar and block plans to show proposed extension hatched	yes	yes	yes	yes	PARSOL - Electronic application and consultation guidance
Pre-existing Floor Plans	no	no	yes	yes	Communities and Local Government Guidance on information requirements and validation March 2010
Existing Floor Plans	yes	yes	yes	yes	As above
Proposed Floor Plans	yes	yes	no	no	As Above
Pre-existing Elevations	no	no	yes	yes	As above
Existing Elevations	yes	yes	yes	yes	As above
Proposed Elevations	yes	yes	no	no	As above
Photographs or Photomontages	applicants discretion	applicants discretion	applicants discretion	applicants discretion	N/A
2 pieces of evidence	no	no	yes	yes	Communities and Local Government Guidance Lawful Development Certificate 'A users guide'
Fee	yes	yes	yes	yes	National Requirement

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Standards for On-line (Planning Portal) Applications

The Planning Authority Standards are:

1. File Sizes for Electronic Submissions

1. No individual file is greater than 5 Mb.
2. No .zip or .exe files are submitted.
3. Additional material can be submitted on CD/DVD for major applications.

2. Drawings

1. Drawings submitted in single layer PDF format.
2. Where possible supply drawings in A3.
3. Do not supply drawings with optional scales at different paper sizes.
4. Scanned drawings are a minimum 200 dpi resolution.
5. List of drawings supplied to include drawing number, description and paper size.
6. Critical dimensions checked on PDF and are in scale.
7. Orientation of PDF drawings correct when viewed on screen.
8. Include a scale bar and key dimensions on all drawings.

3. Other Documents

1. Letters, reports must be in PDF format.

4. Photographs

1. List of photographs/photo montages annotated with title and context/purpose explained.
2. Size of each photograph file to be below 1 Mb.
3. Photographs can be provided on CD/DVD.
4. Photographs to be a maximum size of 15x10cm.

5. Electronic File Naming

1. A list of all submitted documents is included.
2. All document/drawing file names comprise brief description in plain English.

6. Drawings/documents supplied on CD/DVD

1. As for Standards 1-5 above.
2. The CD/DVD will not be accepted if the files do not meet these standards.

Please ensure the Planning Authority Standards for submitting quality applications are met when applying on-line