

Certificate of Lawfulness Validation Checklist

Introduction

Submitting your application can be made easier if you include all of the relevant information listed below. Failure to provide all relevant information may result in delays in validating your application. While our best efforts have been made to cover most Certificate of Lawfulness applications, further information to that listed below may be required in some instances.

Definition

Certificate of Lawfulness applications are made to determine if:

- The existing use of buildings or other land is lawful;
- Operations that have been carried out are lawful such as building works;
- Failure to comply with a condition or limitation attached to a planning permission is lawful;
- Any proposed use of buildings or other land is lawful; or
- Any operations proposed to be carried out are lawful such as building works.

An application for a Certificate of Lawfulness is assessed purely on the basis of the evidence submitted in support of it, and on any other evidence that the Council may have, such as its own records, or may obtain during processing of the application.

Checklist

DOCUMENTATION REQUIREMENTS
To assist with application process it would help if all forms, plans and documents relevant to the application were submitted on a compact disc (CD).
Maximum file size is 5mb. Any file greater should be divided into parts and suitably named. See submission guidance on last page.
<p>Drawing Confirmation All plans and drawings should include: correct scale; key dimensions; key to scale as well as a drawing numbers.</p>
NATIONAL REQUIREMENTS
The Town and Country Planning (Development Management Procedure) Order 2010 requires three copies plus the original (unless submitted electronically or unless a lesser amount is deemed acceptable by the local authority). The London Borough of Hackney requires an original plus two (2) copies of all plans forms and documents are required where the application is not submitted via Planning Portal.
<p>Completed Application Form The completed application forms, signed and dated.</p>
<p>Supporting Evidence Detailed documentation/plans to help substantiate that the development/use is lawful.</p>
<p>Other Information As is considered to be relevant to the application.</p>
<p>The Appropriate Fee The correct fee as outlined in Communities and Local Government Circular 04/2008 Planning-Related Fees.</p>
<p>The Location Plan</p> <ul style="list-style-type: none"> ▪ All applications must include copies of a location plan based on an up to-date map. This

should be at a scale of 1:1250 or 1:2500 and should identify all the land to which the application relates. The original plus two copies (unless submitted electronically) should be submitted. 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 should be edged clearly with a red line.
- A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

The Site Plan

A site plan should be submitted, the original plus two copies, unless submitted electronically. The site plan should be drawn at an identified standard metric scale. It should show accurately:

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

LOCAL REQUIREMENTS

The following information may also be required. Please contact the Planning Service before submitting your application for further information.

An original plus two (2) copies of all forms, plans and documents is required where the application is not submitted via Planning Portal.

Existing Elevations

These should be drawn to a scale of 1:50 or 1:100 and show clearly the works in relation to what is existing. All elevations must be shown and these should indicate, where possible, the building materials and the style, materials and finish of windows and doors. Blank elevations must also be included.

Not required for existing use unless operational development involved.

Existing Floor Plans

These should be drawn to a scale of 1:50 or 1:100 and should explain the existing development in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s).

Not required for existing use unless operational development involved.

Proposed Elevations

These should be drawn to a scale of 1:50 or 1:100 and show clearly the works in relation to what is proposed. All elevations must be shown and these should indicate, where possible, the building materials and the style, materials and finish of windows and doors. Blank elevations must also be included.

Only required for proposed use or development.

Proposed Floor Plans

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposed development in detail. The drawings submitted should show details of the proposed new buildings should also be shown in context with adjacent buildings, including property numbers where applicable.

Only required for proposed use or development.

Supporting Information for existing uses/developments

For operational development or change of use to a single dwelling house, including changes to flats, evidence needs to be provided for 4 years. In respect of other changes of use and breaches of conditions, evidence needs to be provided for 10 years. The onus of proof is on the applicant.

You must provide us with sufficient factual information for us to consider your application. A sworn affidavit(s) from people with personal knowledge of the existing use or works carried out must be submitted. Other information to be submitted might include the following list which is not exhaustive:

- Suppliers who had had dealings with the business in the past;
- Contractors who had had dealings with the business in the past;
- Receipts of invoices for goods and services;

- Vehicle registration documents;
- VAT receipts for commercial businesses or residential premises;
- Previous rates, such as council tax, community charge bills;
- Any dated photos indicating the previous use of the site or buildings;
- Original property sales details relating to the land or buildings;
- Utility bills.

Submitting an application via the Planning Portal or on CD

It is recommended that Certificate of Lawfulness Applications are submitted using the Planning Portal and the following requirements met:

File Type

- All drawings should be attached as **.pdf (Adobe Acrobat)** files rather than .tif files.
- Other files types that will be accepted are .jpg, .doc and .xls files only. We are unable to accept CAD files.

File Size

- The maximum size of any single attachment must be no more than 5MB.
- All drawings submitted electronically must be A3 or smaller.

Electronic Plan Information Requirements

All drawings must include the following information:

- The print (paper) size;
- The relevant scale at that print size, such as 1:50, 1:100;
- A scale bar showing the length of one metre and ten metres;
- Key dimensions.

Questions

Please contact the Duty Planning Officer if you have any queries about the information provided in this document, or have any further questions.

Phone: Monday to Friday 9am–5pm on 020 8356 8062.

Face to Face: Monday to Friday 10am–12pm or 2pm–4pm at Hackney Service Centre, 1 Hillman Street, London E8 1DY.

Email: planning@hackney.gov.uk