FORM CLP1.09

Certificate of Lawful Use or Development in Respect of a Proposed Use or Development Application

Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008
(Please refer to accompanying Notes for Guidance when completing this application)

For official use only Ref ☐☐☐☐☐☐☐☐☐☐☐ Date Rec._____

Rec. No_____ Chq. No_____ Fee Paid_____ Taken By_____

1 This application is to ascertain whether:

Please tick relevant box

Any proposed use of buildings or other land would be lawful ☐

Any operations proposed to be carried out in, on, over or under land would be lawful ☐

2 Applicant's Details

Name.....

Address.....

..... Postcode.....

Tel..... Email.....

3 Agent 's Details *(If form completed by agent)*

Name.....

Address.....

..... Postcode.....

Tel..... Email.....

4 Site address or location of the land *(Include postcode and OS grid reference if known)*

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5 Nature of applicants interest in the land

Please tick relevant box

Owner ☐ Tenant ☐ Lessee ☐ Occupier ☐ None ☐

Other *(Please specify)*.....

If applicant does not have an interest, or sole interest in the land:

(a) Give name and address of anyone you know has an interest in the land and state the nature of their interest.
(Continue on a separate sheet if necessary)

Name and Address..... Nature of Interest *(If known)*.....

....

....

(b) State whether they have been informed about this application YES ☐ NO ☐

6 Commencement

Has the proposal been started? YES ☐ NO ☐

7 Building or other operations

If the proposal consists of, or includes, carrying out building or other operations give a detailed description of all such operations including any proposal to alter or create a new access, layout any new street, construct any associated hardstandings, means of enclosure or means of draining the land / buildings and attach such plans or drawings as are necessary to show their precise nature. (In the case of a propose building, the plans should indicate its precise situation and exact dimensions).

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Dumfries & Galloway COUNCIL

8 Change of use of the land or building

If the proposal relates to a change of use of the land or building(s):

(a) Give a full description of the scale and nature of the proposed use, including the processes to be carried on, any machinery to be installed, and the hours the proposed use will be carried on;

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(b) Fully describe the existing use or the last known use with the date when this use ceased.

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9 Claim of lawful use

Briefly explain why you consider the existing, or last, use of the land is a lawful, or why you consider that any existing buildings which it is proposed to alter or extend are lawful. (You can use Section 11 of this application to state your case more fully). Specify the supporting documentary evidence (such as planning permission) which accompanies this application.

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10 Use Class

(a) If you consider the **existing**, or **last** use is within a use class in the Town and Coutry Planning (Use Classes) (Scotland) Order 1997, state which one. .....
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(b) If you consider the **proposed** use is within a use class in the Town and Country Planning (Use Classes) (Scotland) Order 1997, state which one.....
.....

11 Temporary or permanent

Is the proposed operation or use temporary or permanent? If temporary, give details.

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12 Reasons certificate should be granted.

State why you consider that a Certificate should be granted. *(Continue on a separate sheet if necessary)*

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Declaration

I/We hereby apply for a lawful use or development certificate under Section 151 of the 1997 Act in respect of the proposed use, operations or activity described in this application and the documents, drawings and plans which accompany it.

Signed: _____ **Date:** _____

On behalf of: _____ *(Insert name of applicant if signed by agent)*

Warning: *Section 153 of the 1997 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. A person guilty of an offence under section 153 is liable on summary conviction to a fine not exceeding £5,000 and on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine or both. Section 152 enables the council to REVOKE, at any time, a certificate they may have issued as a result of such false or misleading information.*