

3rd January 2019

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Our ref: EP993/SE
Your ref: PP-07522431

Dear Sirs

FORMER ROYAL BRITISH LEGION, HANSON LANE, HUDDERSFIELD HD1 3UW

I refer to the above property and to the application for a Certificate of Lawfulness of Proposed Use or Development, made pursuant to s.192 of the Town and Country Planning Act. 1990 (as amended).

This letter provides supporting information in respect of the application, submitted on behalf of the Royal British Legion, the current owners of the property.

The property comprises a large mid-terraced building situated between nos. 4 and 6 Hanson Lane. The building is constructed from traditional stone beneath a pitched slate roof. To the front there is a large stone central decorative parapet engraved with the Baptist School and the date of construction – 1848. The property still retains its appearance as a municipal-styled building with traditional timber doors painted in the Royal British Legion corporate blue colour and full height painted timber sash windows at ground and first floor level. One door is accessible by steps, the other has a gently sloping ramp.

There is a small lawned area in front of the building separated from the road by a stone wall and railings with a double gate. At the rear there are a number of more recent single-storey extensions to the ground floor accommodation. An external fire escape provides egress from first floor level.

Internally, the ground floor accommodation comprises a large hall at ground floor level with the extended areas containing a kitchen and toilets as well as additional storage areas. The first floor comprises a number of separate meeting rooms, accessed from a central hallway along the length of the building. The gross internal area extends to around 532sqm.

Originally built as a school the building was subsequently operated by the YMCA until its purchase by the Royal British Legion in May 1969. It was used by the Legion's Huddersfield Branch for regular weekly meetings involving campaigning work for the Armed Forces community, the local administration of the Royal British Legion's annual Poppy Appeal and arrangements for the annual celebration of Remembrance Tide and Remembrance Day including storage, planning and preparation.

In addition, the Branch rented meeting rooms by the hour/half-day/day etc. to local community groups in order to supplemented Branch funds. The building was not used as a social club or bar.

Unfortunately, dwindling attendance at the Legion branch and a lack of volunteers to fill key posts forced its demise in January 2014.

Most recently, the property has been occupied by The Ark Church (known as the Hanson Lane Centre). The church only met occasionally at Hanson Lane for Sunday worship, but the centre was in regular use by the church for local community uses including, but not limited to:

- 'Ark Tots' - a popular weekly parent and toddler group,
- 'Who Let the Dads Out' - A monthly father and child event where fathers and children shared activities,
- 'Alpha Courses' - A regularly held public 10-week course including a meal, about faith in God,
- 'Crafternoon' - A regular Saturday afternoon meeting for those interested in craft work,
- 'DASH' - A weekly meeting of an Asylum Seekers charity for friendship, a meal, clothing provision etc.,
- 'LifeGroup' - A weekday afternoon meeting of those exploring how to work out their faith in everyday life.

The lease to the Ark Church expired in Spring 2017, and the property has remained vacant since that time.

In the absence of any planning permission establishing the use of the property, and on the basis of its most recent and longer-term use(s), it is considered that the lawful use falls within use class D1 – Non-residential institutions of the Use Classes Order, 1987 (as amended).

On this basis, a change to any of the following uses would not require planning permission and could be undertaken without the need to comply with any conditions or limitations on scale, nature, hours of operation, staff employed or customers served etc.

- (a) for the provision of any medical or health services,
- (b) as a crèche, day nursery or day centre,
- (c) for the provision of education,
- (d) for the display of works of art (otherwise than for sale or hire),
- (e) as a museum,
- (f) as a public library or public reading room,
- (g) as a public hall or exhibition hall,
- (h) for, or in connection with, public worship or religious instruction,
- (i) as a law court.

In addition, by provision of the General Permitted Development Order, 2015 (as amended) a change of use to a temporary flexible use falling within Use Classes A1/A2/A3 and B1; or for commercial film making would be permitted development. A change to any of the following uses for a temporary period of up to two years would therefore not require planning permission:

- (a) for the retail sale of goods other than hot food,
- (b) as a post office,
- (c) for the sale of tickets or as a travel agency,
- (d) for the sale of sandwiches or other cold food for consumption off the premises,
- (e) for hairdressing,
- (f) for the direction of funerals,
- (g) for the display of goods for sale,
- (h) for the hiring out of domestic or personal goods or articles,

- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,
- (k) as an internet café.

for the provision of:

- (a) financial services,
- (b) professional services (other than health or medical services),
- (c) any other services which it is appropriate to provide in a shopping area.

Use for the sale of food and drink for consumption on the premises

- (a) as an office other than a use within class A2 (financial and professional services),
 - (b) for research and development of products or processes, or
 - (c) for any industrial process,
- being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Whilst no new occupier for the property has yet been confirmed, it is necessary for the applicants' letting agents to provide sufficient certainty to any prospective tenant and their legal advisors that the occupation of the property by any user in the lists set out above would be lawful in planning terms.

On the facts of the case and relevant planning law, it is considered that the application is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

On the basis of the evidence provided in this letter it is considered that the applicants have described their proposals with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved.

Please do not hesitate to contact us if you require any further information or clarification.

Yours faithfully

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