

APPLICATION NO.	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY (PLUS THE ORIGINAL)

PLANNING - PO Box B93, Civic Centre 3, Huddersfield, HD1 2JR **Tel:** 01484 414746 **E-mail :** dc.admin@kirklees.gov.uk

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: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.

Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	<input type="text"/>
Suffix	<input type="text"/>
Property name	Magma Ceramics
Address line 1	Low Road
Address line 2	Earlsheaton
Address line 3	<input type="text"/>
Town/city	Dewsbury
Postcode	WF12 8BU

Description of site location must be completed if postcode is not known:

Easting (x)	425324
Northing (y)	421014

Description

2. Applicant Details

Title	<input type="text"/>
First name	<input type="text"/>
Surname	Magma Ceramics
Company name	<input type="text"/>
Address line 1	c/o Agent
Address line 2	8 Wharf Street
Address line 3	<input type="text"/>

2. Applicant Details

Town/city	Leeds
Country	
Postcode	LS27EQ
Are you an agent acting on behalf of the applicant?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

Title	Mr
First name	Alan
Surname	Powell
Company name	Den Architecture Ltd
Address line 1	8 Wharf Street
Address line 2	
Address line 3	
Town/city	LEEDS
Country	United Kingdom
Postcode	LS2 7EQ
Primary number	
Secondary number	
Fax number	
Email	

4. Description of Use, Building Works or Activity

Please indicate why you are applying for a lawful development certificate

- An existing use
 Existing building works
 An existing use, building work or activity in breach of a condition

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 select the relevant use class. If the use class is not shown, please select 'Other' and provide details.

Use Classes	B2 - General industrial
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5. Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

The building in question is a Staff Amenity Block providing welfare facilities for staff working across the existing Industrial site. The building was built in 2018 to provide permanent and appropriate staff welfare facilities to replace temporary portacabin accommodation

6. Grounds for application of a Lawful Development Certificate

Under what grounds is the certificate being sought

- 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 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).

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

Permitted Development Policy in respect of Warehouse and Industrial buildings states:

The erection, extension or alteration of an industrial building or warehouse is considered to be permitted development, not requiring an application for planning permission, subject to the following limits and conditions shown below.

Applicable to all:

Development must be within the curtilage of an existing industrial building or warehouse

•Gross floor space must not exceed:

o10% of the original building or 500 square metres (whichever is lesser) on designated land

o25% of the original building or 1,000 square metres (whichever is the lesser) on a site of special scientific interest

o150% of the original building or 1,000 square metres (whichever is the lesser) in all other cases

•No development to come within 5m of the curtilage boundary

•No development within the curtilage of a listed building

•On designated land any new, extended or altered buildings to use materials similar in external appearance to those used for existing industrial building or warehouse

•Developments that would reduce space available for parking or turning vehicles are not permitted development

•Any new, extended or altered industrial building must relate to the current use of the original building, the provision of staff facilities or for research and development of products or processes

•Any new, extended or altered warehouse must relate to the current use of the original building or the provision of staff facilities

•No new, extended or altered building to provide staff facilities:

oBetween 7pm and 6.30am, for employees other than those present at the premises of the undertaking for the purposes of their employment

oAt all, if a notifiable quantity of hazardous substance is present

The Staff Amenity block providing staff amenity facilities for the full site meets the criteria set out above, specifically in relation to the provision of Staff facilities for existing use across the site and size (the gross external floor area of the building at 168sqm being below the threshold).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

Yes No

Please state why a Lawful Development Certificate should be granted

As stated in 'Other' grounds section, the Staff Amenity block meets the requirements set out in Warehouse and Industrial permitted Development rules and as such it is considered that a Certificate of Lawfulness should be granted.

7. Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

30/11/2018

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

Yes No

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

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

Yes No

8. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

8. Site Visit

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
- The applicant
- Other person

9. 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):

Officer name:

Title

First name

Surname

Reference

Date (Must be pre-application submission)

Details of the pre-application advice received

10. Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

11. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

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

It is an important principle of decision-making that the process is open and transparent.

Yes No

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 above statements apply?

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.

Date (cannot be pre-application)