



KIRKLEES COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 2015: ARTICLE 39**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Application Number: 2020/CL/93677/W

To: Joe Hobson,
Hobson Architectural
27, Carrs Street
Marsden
Huddersfield
HD7 6JL

For: J Moorhouse

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED
INSTALLATION OF WINDOW

SECOND SCHEDULE 107, MILL MOOR ROAD, MELTHAM, HOLMFIRTH, HD9
5LW

**KIRKLEES COUNCIL HEREBY CERTIFY THAT ON 02-NOV-2020 THE
OPERATIONS DESCRIBED IN THE FIRST SCHEDULE THERETO IN
RESPECT OF THE LAND SPECIFIED IN THE SECOND SCHEDULE
HERETO AND EDGED RED ON THE PLANS SUBMITTED WITH THIS
APPLICATION WOULD BE LAWFUL WITHIN THE MEANING OF SECTION
192 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS
AMENDED), FOR THE FOLLOWING REASONS:**

The proposed installation of window opening benefits from a general planning permission by virtue of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) subject to conditions set out in paragraph A.3 of the same Order.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	20-D18-P01 – General Arrangement as Existing and Proposed	-	9.11.20
Plans – Location Plan	20-D18-0S Plan	-	9.11.20
Plans – Proposed Site / Block Layout	20-D18-P02 – Site Layout as Proposed	-	9.11.20
Supp Info – Confidential Items	20-D18_- _Evidence_to_Verify_Application.pdf (non redacted)	-	9.11.20
Supp Info – General	20-D18 – Evidence to Verify Application	-	9.11.20

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local area.

NOTES:

- (1) This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
- (2) It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would be lawful on the specified date and, thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.

- (3) This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation(s) which are materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- (4) The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
- (5) If the applicant is aggrieved by the decision of the Local Planning Authority to issue a certificate of lawfulness of development, for any part development applied for (including any modification or substitution of the description of the operations), s/he may appeal to the Secretary of State in accordance with Sections 195 and 196 of the Town and Country Planning Act 1990 (as amended). Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 22-Dec-2020

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Address to which all communications should be sent:-

**Planning
Investment & Regeneration Service
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR**