

|                                          |                                   |
|------------------------------------------|-----------------------------------|
| APPLICATION NO.                          |                                   |
| DATE LODGED                              |                                   |
| RECEIPT NO.                              | FEE RECEIVED                      |
| CARD                                     | OTHER                             |
| KIRKLEES COUNCIL<br>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](mailto:dc.admin@kirklees.gov.uk)

Application for a Lawful Development Certificate for a Proposed use or development.  
Town and Country Planning Act 1990: Section 192, 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" value="20"/>                   |
| Suffix         | <input type="text"/>                              |
| Property name  | <input type="text" value="Wellhouse Heights"/>    |
| Address line 1 | <input type="text" value="Upper Wellhouse Road"/> |
| Address line 2 | <input type="text" value="Wellhouse"/>            |
| Address line 3 | <input type="text"/>                              |
| Town/city      | <input type="text" value="Huddersfield"/>         |
| Postcode       | <input type="text" value="HD7 4EU"/>              |

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

|              |                                     |
|--------------|-------------------------------------|
| Easting (x)  | <input type="text" value="409491"/> |
| Northing (y) | <input type="text" value="415249"/> |

Description

**2. Applicant Details**

|                |                                                      |
|----------------|------------------------------------------------------|
| Title          | <input type="text" value="Dr"/>                      |
| First name     | <input type="text" value="Bruce"/>                   |
| Surname        | <input type="text" value="Grieve"/>                  |
| Company name   | <input type="text"/>                                 |
| Address line 1 | <input type="text" value="Wellhouse Heights"/>       |
| Address line 2 | <input type="text" value="20 Upper Wellhouse Road"/> |
| Address line 3 | <input type="text" value="Golcar"/>                  |
| Town/city      | <input type="text" value="Huddersfield"/>            |

2. Applicant Details

Country

United Kingdom

Postcode

HD7 4EU

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Primary number

Secondary number

Fax number

Email address

3. Agent Details

No Agent details were submitted for this application

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

☐ Yes ☒ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

☐ Yes ☒ No

Has the proposal been started?

☐ Yes ☒ No

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

This is a Class-E application which relates to area within the curtilage of an existing permitted dwellinghouse.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Please note that the property, i.e. Wellhouse Heights, 20 Upper Wellhouse road, HD7 4EU, has NOT had its 'permitted development rights removed'. There is an incorrect designation to that effect on the Planning Portal (ref: 94/94135). The reference 94/94135 relates to neighbouring property, i.e. 24 Upper Wellhouse road. This error has been confirmed following a phone conversation with the relevant planning officer at Kirklees Planning Office on 2/6/21 (ref: 4226851)

Select the use class that relates to the existing or last use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Other

Other

Class-E, i.e. the area within the curtilage of an existing permitted dwellinghouse.

Information about the proposed use(s)

Select the use class that relates to the proposed use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Other

Other

## 5. Grounds for Application

Class-E application, i.e. the provision, within the dwellinghouse curtilage of a wooden outbuilding

Is the proposed operation or use

☒ Permanent ☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The application for a Lawful Development Certificate is requested for a wooden structure, i.e. a storage shed with dual usage as an occasional study or personal office space. For clarification, the structure will predominantly comprise of a timber frame and walls, with inset glazed door and windows. It will have external dimensions of: 4.34 m width x 3.25 m depth x 2.48 m ridge height (highest point to front) & 1.99 m eaves height (lowest point to rear). It will have a single pitched roof and no foundations.

This complies with Class-E, i.e. the provision within the curtilage of the dwellinghouse of a building for a purpose incidental to the enjoyment of the dwellinghouse.

This building will be compliant with Class-E usage as follows:

1. It will not be located to the side of the house.
2. The property is not listed.
3. It will not be located more than 20 metres from any wall of the house.
4. It will not be located forward of the principal elevation of the house.
5. At under 15 square metres surface footprint the it will not exceed 50% of the total area of land around the original house including taking into account all outbuildings and extensions to the original house.
6. It will not be a self-contained living accommodation and does not contain a microwave antenna.
7. It will not have a maximum eaves height above 2.5 metres.
8. It will not exceed 2.5 metres in overall height.
9. It will not have a balcony or a veranda.

## 6. Site Visit

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

☒ Yes ☐ No

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

## 7. 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      | unknown               |
| First name |                       |
| Surname    |                       |
| Reference  | Kirklees Ref: 4226851 |

Date (Must be pre-application submission)

02/06/2021

Details of the pre-application advice received

The details of the timber outbuilding's construction and nature were discussed with a planning officer, from Kirklees Council's Planning Department, with specific responsibility for dwellinghouses in county's conservation areas. It was confirmed that structure was correctly designated as a Class-E building and that the size and location of the planned outbuilding would make it compliant with being exempt from the need for planning permission at 20 Upper Wellhouse road, HD7 4EU (the property).

The officer also checked the status of the 'permitted development rights' at 20 Upper Wellhouse road, HD7 4EU and confirmed that for this property they had NOT been removed. The neighbouring property, 24 Upper Wellhouse road, HD7 4EU, was subject to having had its 'permitted development right removed' under Planning Portal ref: 94/94135. The reference 94/94135, relates solely to the neighbouring property, i.e. 24 Upper Wellhouse road, which is owned by an unrelated 3rd party.

## 8. 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

8. Authority Employee/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?

9. Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

10. 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)