



Application Number	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk Tel: 01484 414746

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Land adjacent to High Street and Challenge Way

Address Line 1

High Street

Address Line 2

Address Line 3

Hanging Heaton

Town/city

Batley

Postcode

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

Easting (x)

426041

Northing (y)

423240

Description

Land located adjacent to High Street and Challenge Way

Applicant Details

Name/Company

Title

Mr

First name

Andy

Surname

Coates

Company Name

Vistry Partnerships Yorkshire

Address

Address line 1

Vistry Partnerships Ltd

Address line 2

1 Red Hall Avenue

Address line 3

Town/City

Wakefield

Country

United Kingdom

Postcode

WF1 2UL

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

Postcode

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of Proposal

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

☒ Yes

☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

NPG Sub-Station as part of a new residential scheme which Planning Consent 2021/91871 was granted on the 27 January 2022

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

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

The proposed NPG sub-station is less than 27sqm, therefore is classed under the Permitted Development Rights

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

Planning Approval 2021/91871
Site Plan 4807-02-C
NPG Sub-station Plans and Elevations

Select the use class that relates to the existing or last use.

Please select...

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.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

Please select...

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.

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

We have spoken with Northern Powergrid (Philip Weston, Design Engineer) who has advised us that the sub-station is below the 27m³ threshold and would therefore be considered as Permitted Development Part 15 Class B. This is development by statutory undertakers for the 'for the generation, transmission, distribution or supply of electricity'.

If we need formal confirmation we will need to apply for a Certificate of Lawfulness.

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

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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

E-mail

02/02/2022

Details of the pre-application advice received

I believe that the most relevant PD right would be Part 15 Class B. This is development by statutory undertakers for the 'for the generation, transmission, distribution or supply of electricity'. Presumably you're in discussion with National Grid (or equivalent), so I'd suggest querying it with them as I'd assume they are more than familiar with what PD powers they have.

If Part 15 Class B does not apply, I can't think of another PD right which would be applicable.

GPDO 2015: <https://www.legislation.gov.uk/uksi/2015/596/schedule/2/made>

If you think you can use Part 15 Class B (or other) I can't give formal confirmation via email. You'd need to apply for a Certificate of Lawfulness.

Yours sincerely,

Nick Hirst MRTPI,
Senior Planning Officer

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.

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?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Andrew Croxall

Date

30/09/2022