



Application Number	
Date Logged	
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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

Barn House

Address Line 1

Wood Street

Address Line 2

Skelmanthorpe

Address Line 3

Kirklees

Town/city

Huddersfield

Postcode

HD8 9BN

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

Easting (x)

422986

Northing (y)

410691

Description

Applicant Details

Name/Company

Title

mr

First name

Tim

Surname

Keenan

Company Name

Address

Address line 1

Barn House, Wood Street

Address line 2

Skelmanthorpe

Address line 3

Town/City

Huddersfield

County

Country

United Kingdom

Postcode

HD8 9BN

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

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

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

We are proposing to install 19 x 410 kWh Solar PV Panels on our roof, all at the back of our house. None will be visible from the road, and none are on the front side of the house. The panels will conform with planning requirements. Namely, the panels do not exceed the height of the highest part of the roof of the dwelling, and they will not project more than 200mm from the roof slope. No solar panels will be fitted to an elevation which faces a highway.

They will be installed in 3 arrays, as per the attached proposal from Cortech Electrical. Our house is in a conservation area, and some of our trees are covered by TPOs. The trees shield any visibility from street level. We have been advised in writing by Kirklees planning, in response to a submitted question, that we should not need planning permission, but to be safe we are applying for a Lawful Development Certificate.

It is our intention to only commence the work in 2023 after a successful application for a Lawful Development Certificate.

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

1. DM response from Kirklees Planning Department
2. Work proposal, including roof diagrams, from Cortech Electrical, Huddersfield.
3. Site plan and diagram of proposed works.

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.

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?

1. Our panels will comply with the two planning conditions requested by Kirklees planning
2. No panels will be visible from the highway
3. No panels will be on the roof facing Wood Street
4. The panels will be supplied and installed by an experienced local firm, with considerable experience in installations in Kirklees conservation areas

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

4411643

01/09/2022

Details of the pre-application advice received

This is the DM we received from Kirklees Planning on 22 September 2022 in response to a Planning Question submitted 3 weeks earlier:-

Good morning,

With regards to your enquiry regarding the installation of solar panels to your property.

Solar panels could be considered permitted development, therefore without the need for planning permission, submit to meeting the meeting the following conditions:

Panels do not exceed the height of the highest part of the roof of the dwelling.

Panels do not project more than 200mm from the roof slope.

Consideration should be given to siting the solar panels so as to minimise the impact on the external appearance of the dwelling so far as it is practicable.

As your property is located within a conservation area, solar panels cannot be fitted to an elevation which faces a highway under permitted development.

More information is provided on the planning portal website to which I have included a link below:

https://www.planningportal.co.uk/info/200130/common_projects/51/solar_panels/2

The full legislation can be found here: The Town and Country Planning (General Permitted Development) (England) Order 2015 (legislation.gov.uk)

If you would like the Authority to legally state whether the solar panels are a lawful development and accord with the relevant permitted development legislation or not, then you would need to apply for a lawful development certificate. Information on these can be seen here:

Lawful development certificate - What to do next - Planning Portal

Lawful development certificates - GOV.UK (www.gov.uk)

All responses to requests for information are informal opinions given in good faith based on the information presented to Officers and are not binding on the Council in the future.

Kind regards

Kirklees Planning Services

Growth and Regeneration – Planning & Development

PO Box B93

Huddersfield

HD1 2 JR

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

Tim Keenan

Date

14/11/2022