Application Number	
Date Logged	
Receipt No	Fee Received
Card	Other
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

82 Park View

Address Line 1

Park Side

Address Line 2

Flockton

Address Line 3

Kirklees

Town/city

Wakefield

Postcode

WF4 4AF

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

Easting (x)

424286

Northing (y)

415296

Description

Applicant Details

Name/Company

Title

Mrs

First name

Lisa

Surname

Mcculloch

Company Name

Address

Address line 1

82 park view

Address line 2

Flockton

Address line 3

Town/City

Wakefield

County

West Yorkshire

Country

United Kingdom

Postcode

Wf44af

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

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

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

This is a joint application submitted on behalf of 82,84 park view .each property is looking to use the Land directly behind them for allotment/orchard purposes only.each renter via Kirklees council would be responsible for any fence bordering of the land at a height no greater than allowed under permitted development,to the boundaries marked with an inward ,T, On the accompanying plan.
No livestock would be permitted on the site ,except for poultry. No machinery,buildings or permanent structures whatsoever would be placed on the land .

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The historical use of the area formed part of an allotment site prior to closure in 1994.upon closure , some tenants purchased the plots and others did not including our addresses take up any offers .the whole site was then used as grazing land ,although has been unused and left to overgrow since the grazing tenancy was terminated a number of years ago .

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 land would be converted back into the pre 1994 usage of an allotment/orchard area, with no permanent buildings or structures build on the land whatsoever and no livestock to be kept on the land, except a few poultry. On the plan it can be seen that when the land was previously available for purchase, a number of properties opted to proceed, this set a precedent for further properties located on Park View to do the same. Each purchaser of the land would be responsible for erecting and maintaining suitable fencing at a height no greater than allowed under permitted development, (boundaries marked with an inward facing 'T' mark on plan in supporting documents). This would be done within 6 months upon completion of the transaction.

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

- Location Plan, this defines the land in question with a red line boundary and sets out the new property boundary lines with a 'T' to define which property is responsible for erecting and maintaining each fence.
-Historic map evidence of Allotment Use Pre 1994

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

Change of 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.

Change of 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.

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

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

The land itself has historically been used as an allotment area pre 1994, but is now unused and overgrown. Upon closure, some tenants (including the current neighbours, next door to 91 Park View) purchased the plots, however others did not take up the offer. The whole allotment site was then used as grazing, although has been unused and left to overgrow since the tenancy terminated a number of year ago. The proposed use of the land would be as an allotment/orchard area once again. The new use will tidy up the land and enhance the aesthetics of the area for onlookers.

Fantastic opportunity to create an orchard & allotment to grow our own food & make use of land left overgrown would also create a great area for bees

Site Visit

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

- [x] Yes
- [ ] No

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

- [ ] The agent
- [x] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [x] 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

***** REDACTED ******

Surname

***** REDACTED ******

Reference

Date (must be pre-application submission)

01/09/2022

Details of the pre-application advice received

Although no formal advice from the planning department has been sought for this application. Both 2 properties no 82 ,84 park view flockton have been in discussions with Corinne Wilson, Disposals & Acquisitions Officer at Kirklees & ian broadbent of Kirklees Council. Corinne advised us to obtain a Certificate of Lawful Use, for the proposed use of the land, prior to exchanging contracts to rent the land and also advised that a joint planning application could be submitted on behalf of the properties named above

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

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED ******

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

Lisa Mcculloch

Date

03/01/2023