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Our ref. PP-12336256
Your ref.

26th July 2023

Dear Sir/Madam,

APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE OR OPERATION OR ACTIVITY, INCLUDING THOSE IN BREACH OF A PLANNING APPLICATION TO ESTABLISH LAWFUL COMMENCEMENT OF DEVELOPMENT

SECTION 191 OF THE TOWN AND COUNTRY PLANNING ACT 1990

LAND ADJACENT TO FORMER ROSE AND CROWN, 43 NORTHGATE, ALMONDBURY, HUDDERSFIELD, HD5 8RX

PLANNING PORTAL REF: PP – 12336256

We have today submitted an application for a Lawful Development Certificate for an existing use or operation or activity, associated with land adjacent to former Rose and Crown, 43 Northgate, Almondbury, Huddersfield, HD5 8RX. This application is being made under Section 191 of the Town and Country Planning Act 1990 to seek confirmation from the Local Planning Authority of a lawful commencement of development on the application site.

This site was granted full planning permission on 13th April 2022 (Application Ref: 2021/62/92501/W) for the erection of a two storey building (Use Class E) with associated landscaping (within a conservation area).

The application documents forming this submission are as follows:-

- Socotec Site Inspection Report – June 2023 (Project No. 151950)
- Email from John Holmes (Deputy Team Leader) Kirklees Council

Forming part of the submission material for this application is a Site Inspection Report carried out by Socotec who are a provider of testing, inspection and certification services. The report identified that on completion of a site inspection at the application site on 9th June 2023, the drainage to the main building had commenced with a rain water pipe branch from the new building into a new manhole had been laid. Illustrations and photographs have been included within the report providing visual evidence of the works

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that have been carried out. It is through the details provided within the Site Inspection Report the applicant considers there is sufficient grounds to demonstrate a lawful start has commenced on this site.

Following the production of the report by Socotec, the applicant contacted the Local Authority to obtain confirmation that the works undertaken constituted a start on site. The applicant received an email from John Holmes (Deputy Team Leader) on 13th June 2023 advising that a start may have been undertaken however there are some conditions attached to the full planning permission that require discharging. For the avoidance of doubt and as advised by the applicant within the email correspondence supporting this submission, there are no conditions attached to the planning permission which require discharge until the building gets above slab level. The Officer advised within his email that in order to obtain a formal determination on the matter of a legal start, an application is required for a Certificate of Lawfulness of Existing or Proposed Use or Development.

It is the opinion of the applicant that a lawful start has been made on site as demonstrated by the report produced by Socotec and as provisionally agreed in writing by the Local Planning Authority. Therefore, I consider there to be no issues why the Local Authority would be unable to support this application.

If you have any questions in relation to this application then please do not hesitate to contact me.

I look forward to hearing that this application has been validated.

Yours faithfully



Jennie Hanbidge
Senior Planner