



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 an Existing Use or Operation or Activity, including those in breach of a planning condition

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	Heymoor Farm, East Barn
Address Line 1	Abbey Road
Address Line 2	Shepley
Address Line 3	Kirklees
Town/city	Huddersfield
Postcode	HD8 8EP

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

Easting (x)	Northing (y)
420258	410598
Description	

Applicant Details

Name/Company

Title

Mrs

First name

Aimee

Surname

Thompson

Company Name

Aimee Thompson Transport Planning

Address

Address line 1

Birdsedge Farmhouse

Address line 2

Birdsedge

Address line 3

Town/City

Huddersfield

County

West Yorkshire

Country

United Kingdom

Postcode

HD8 8XP

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ☒ An existing use
☐ Existing building works
☐ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

Other

Other (please specify)

Residential Curtilage / Garden associated with a C3 Dwelling House

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

As shown on the title plan the area shaded in blue is described as residential curtilage and measures circa 0.28 acres (1,150 sqm) and the areas shaded in yellow, pink and brown are described as agricultural land which total circa 3.43 acres.

A section of the land shaded pink on the title plan located to the east and south of the dwelling and measuring circa 0.88 acres (3575 sqm) has been used as residential curtilage / formal garden for over 10 years and as such which is the subject of this application for a certificate of lawfulness.

See attached supporting note and drawings for further details.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- ☒ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The use as a single dwelling house began more than four years before the date of this application
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
- ☒ No

Please state why a Lawful Development Certificate should be granted

The land has been used as residential curtilage / garden since 2005 with it boundaries formalised further in 2011, so more than 10 years. As such this land is now legally residential curtilage / garden and as such a lawful development certificate should be granted. Evidence is provided to support this.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

25-01-2005

In the case of an existing use or activity in breach of conditions has there been any interruption?

- ☐ Yes
- ☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- ☒ Yes
- ☐ No

If Yes, please provide details

The area of land which is the subject of this application for a certificate of lawfulness has been used as residential curtilage / formal garden by the previous owner of East Barn since they purchased the property in 2005 and from this date has been cultivated to include various shrubs and plants, a wendy house and children's play equipment including a sunken trampoline. In 2011 the previous owner had the same area of land professional landscaped which included boundary treatments, still present to this day, a fixed fire pit and seating areas and additional planting.

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- ☐ Yes
- ☒ No

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

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

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

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Aimee Thompson

Date

17/04/2024