Application Number	
Date Logged	
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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: 3

Suffix:

Property Name:

Address Line 1: Uplands

Address Line 2: Birkby

Address Line 3: Kirklees

Town/city: Huddersfield

Postcode: HD2 2FS

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

Easting (x): 413444

Northing (y): 418409

Description:

Applicant Details

Name/Company

Title

Mr

First name

Mustak

Surname

Ahmed

Company Name

Lockwood Residences

Address

Address line 1

3 Uplands

Address line 2

Birkby

Address line 3

Town/City

Huddersfield

County

Kirklees

Country

United Kingdom

Postcode

HD2 2FS

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

Application for Lawful Development Certificate.
Change of use from a residential dwelling (C3) to a residential children's home (C2).
The property will be a home for 2 children between the ages of 7 to 17.
There will be 2 staff members on site 24 hours a day plus a manager working office hours from 9 till 5 Monday to Friday.

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

C3 - Dwelling Houses

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

It is accepted that the proposed use falls within Use Class C2 and hence the change of use from C3 is not an automatic permitted change. However, it is nevertheless argued that there is little material difference between the current and proposed use meaning that planning permission is not required. The house will have residents living and carrying out normal residential activities as are expected to happen in a normal residential
household.

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

Location Plan
A decision for a similar property in St Thomas Gardens, Bradley - Application Number 2023/CLD/92829/W
Evidence to verify Application

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

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- (x) Permanent
- ( ) Temporary

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

We wish to provide a home for up to two disadvantaged young people. This is a vital service that enables local authorities to fulfil their legal obligations to provide a safe environment for each young person that needs this level of guidance and support which cannot be provided within his or her own family home. We are seeking to obtain a certificate for lawful use of this property. The house will continue to be a residential property for the young persons who will live there, having their own bedroom and residing in the home as a permanent resident. I do not believe there is any material change of use. It is maintained that the nature of the use is not materially different from the current use as a family home. Comings and goings would be no greater than a typical house, hence there would be no undue disturbance to any neighbours. The local authority is therefore respectfully requested to support the application to allow this much needed facility to be established to provide suitable care and accommodation for vulnerable children who will greatly benefit from the care provided. The house will continue to be a residential property for the young people who will live there, each having their own bedroom and residing in the home as a permanent resident. There are currently no other properties in the immediate area actively providing a home to disadvantaged people. The property benefits from having clear boundaries, adequate street & external lighting, extra secure doors and windows, as well as street parking for up to 3 vehicles and further parking available a 20 second walk away. There is also a secure mail entrance and the property is currently in the process of being fitted out with Secure By Design CCTV systems to provide additional security. The property will also benefit from contracted maintenance such as DBS checked window cleaners and garden maintenance crews to ensure upkeep of the property to the highest standards. Applications for Lawful Development Certificates have been granted previously for similar sized properties where there are 2 children being supported by up to 2 staff during the day and 2 staff overnight. I attach for your perusal a LDC granted for 19, St Thomas Gardens, Bradley, Huddersfield, HD2 1SL (Application number - 2023/CLD/92829/W).

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?

- ( ) Yes
- (x) No

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 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

Mustak Ahmed

Date

19/09/2024