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: 6

Suffix:

Property Name:

Address Line 1: Bolstermoor Road

Address Line 2: Bolster Moor

Address Line 3: Kirklees

Town/city: Huddersfield

Postcode: HD7 4JU

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

Easting (x): 408726

Northing (y): 415487

Description:

Applicant Details

Name/Company

Title

Mrs

First name

Lindsay

Surname

Ainley-Wood

Company Name

Address

Address line 1

6 Bolster Moor Road, Golcar

Address line 2

Bolster Moor Golcar

Address line 3

Town/City

Huddersfield

County

Country

United Kingdom

Postcode

HD7 4JU

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

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

I am proposing to station a mobile home in the garden of my property above. A location plan is attached with the property edged red.
I understand I do not need planning permission to station a mobile home and would be grateful to receive your confirmation.
The mobile home would be stationed within the curtilage of my house.
The mobile home would come within the definition of a caravan in terms of its design, mobility, size and construction.
The mobile home would be placed on the land and would not be fixed to the ground.
The mobile home would be used for an annexe by a family member(s) / additional bedrooms an integral part of the overall use of the house as a single dwelling. It would share services, facilities and access with the house.
I believe the proposed use would not be a material change of use and would be incidental to the enjoyment of the dwelling house.

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

Location Plan
Block Plan
Picture of type of caravan / lodge to be sited

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.

C3 - Dwellinghouses

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

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

I am submitting this application for a Certificate of Lawfulness for the siting of a mobile home in my garden under the Caravan Sites and Control of Development Act 1960 and Town and Country Planning Act 1990. The mobile home will be used solely for ancillary purposes in connection with the main dwelling and will not serve as a separate residence. Its use will remain incidental to the primary house, providing additional living space for family members.

The mobile home meets the legal definition of a "caravan" under UK law, complying with the following specifications:

It will conform to size limits of up to 65 feet in length, 22 feet in width, and 10 feet in height, as set by legislation.
The structure will be capable of being moved in one or two sections as required.
Additionally, case law supports the lawfulness of siting a mobile home within the curtilage of a property for incidental use. In Measor v. Secretary of State for the Environment, Transport and the Regions (1998), it was confirmed that a caravan sited within a residential garden, where it is used in association with the main dwelling, does not require separate planning permission. This precedent demonstrates that the proposed use aligns with established legal principles and practices.

I confirm that all legal requirements governing this type of ancillary structure will be strictly upheld. The mobile home will not result in a change of use of the land and will remain fully compliant with planning and caravan site regulations. As such, I believe this demonstrates that planning permission is not required in this case, and I respectfully request that the Certificate of Lawfulness be granted.

Thank you for considering my application.

Site Visit

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

- [ ] Yes
- [x] 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

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

First Name

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

Surname

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

Reference

Date (must be pre-application submission)

03/10/2024

Details of the pre-application advice received

Advised to put a pre application enquiry in but in his view it consists use of land that would need planning permission.

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 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

Lindsay Ainley-Wood

Date

21/10/2024