

HG/JC/2903

6th February 2023

Kirklees Council
Development Management
PO Box B93
Huddersfield
HD1 2JR

Dear Sir/Madam

Certificate of Lawful Development

**Alterations to building to erect sides to the north and south facing elevations,
and confirmation that the established use is General Industry (B2) at Lowlands
Works, Hurst Lane, Mirfield, WF14 8LY**

Please find enclosed an application for a Certificate of Lawful Development for alterations to an industrial building comprising the erections of sides to the north and south facing elevation and confirmation that the established use for the building is for General Industrial (B2) use.

Alterations to the building:

We believe the proposed development accords with Class H of Part 7 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which allows *the erection, extension, or alteration of an industrial building or warehouse*.

The development does not comprise an extension or any new floorspace and therefore sub-paragraphs H.1 (a), (b), (c), and (d) do not apply.

In relation to sub-paragraph H.1 (e), aerial photographs show the building to be approximately 5m from the boundary, however the landownership extends to beyond what appears to be the boundary by more than 1.5m (see land registry plan below), which means the building is more than 5m from the boundary of the premises.

In relation to sub paragraph H.1 (f), the proposed development does not reduce the space available for parking, and the development is not within the curtilage of a listed building and therefore sub-paragraph H.1 (g) does not apply.

Fig 1 – Copy of Land Registry Plan showing boundary to premises.



Established Use of the Building is General Industry (B2):

The building in question was erected as a timber storage shed after planning permission was granted in 1984 (Ref: 84/03091). Whilst the building was referred to as a store, the building has always been used as part of the wider industrial use by the British Bung Manufacturing Company Ltd, who has operated on the site for many years and was the name on the 1984 planning application for this building. We therefore conclude that the established use for the building is the same as the wider industrial area which is B2 General Industry.

We therefore conclude that erection of sides to the building is permitted development and that the established use for the building is general Industry (B2).

Yours faithfully

Hamish Gledhill BSc (Hons), Dip TP, MRTPI