

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) Section 191/192**

**DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF  
LAWFUL DEVELOPMENT**

Reference no.: 2025/CL/90436/W

Site: Bar House, Penistone Road, Hepworth, Holmfirth,  
HD9 2TR

Description: Certificate of lawfulness for existing use of land as  
residential curtilage

Case Officer: Chris Cockroft

**Decision Reference: EXISTING USE REFUSED**

**I hereby authorise the refusal of this application for the reasons set out  
in the officer's report and recommendation annexed below in respect of  
the above matter.**

Kevin Walton

**AUTHORISED OFFICER**

**Date 13-May-2025**

**APPLICATION 2025/90436**  
**APPLICATION FOR CERTIFICATE OF LAWFUL USE (LDC)**  
**APPLICANT: Mr D Mosley**

**Certificate of lawfulness for existing use of land as residential curtilage**

**1. Application**

- 1.1 The site comprises a detached dwelling house, known as Bar House, located on the southern side of Penistone Road, and some associated land forming a roughly rectangular area measuring 43m from north-west to south-east (along the length of the road) and approximately 12.5m in depth together with a narrow strip of land either side of the dwelling, meeting the highway.
- 1.1 The applicant seeks a certificate of lawful development from the Local Planning Authority to confirm that the land is residential curtilage and can be lawfully used for purposes incidental to the enjoyment of the owners / occupiers of Bar House. Curtilage is not a use of land and as such the description of development is changed to land used for purposes incidental to the enjoyment of the dwellinghouse to reflect the existing use applied for.

**2. Lawful Use Certificates**

- 2.1 Section 191(1) (a) of the Town and Country Planning Act 1990 (“the Act”) permits any person who wishes to ascertain whether any operations or use of buildings or other land would be lawful to make an application to the Local Planning Authority.
- 2.1 Section 191(2) of the Act provides that uses are lawful if at any time if no enforcement action may be taken in respect of them and they do not constitute a contravention of any the requirements of any enforcement notice then in force.
- 3.3 Section 191(1) (a) of the Town and Country Planning Act 1990 (“the Act”) permits any person who wishes to ascertain whether any existing use of buildings or other land would be lawful to make an application to the Local Planning Authority.
- 3.4 Section 191(2) of the Act provides that uses and operations are lawful (a) “if no enforcement action may be taken against them because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason” and (b) “they do not constitute a contravention of any the requirements of any enforcement notice then in force”.

**3. The Relevant Test**

- 3.1 The burden of proof lies firmly with the Applicant and the relevant test for whether the use can be deemed lawful is the “balance of probability”.
- 3.1 The Applicant’s evidence does not need to be corroborated by “independent” evidence. If the Local Planning Authority have no evidence of their own, or from others, to contradict or otherwise make the Applicant’s version of events less than probable, there is no good reason to refuse the Application, provided the Applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

#### **4. Limitations**

4.1 A LDC must contain precise details of what use or operations are found to be lawful, why and when. These details will not be legally equivalent to a planning condition or limitation. They will be a point of reference specifying what was lawful at a particular date, against which any subsequent change may be assessed. If the use subsequently intensifies or changes in some way to the point where a “material” change of use takes place, a Local Planning Authority may then consider further development has taken place.

#### **5. Relevant Information**

##### **5.1 Relevant Planning History**

2022/92597 Certificate of lawfulness for existing use of land for purposes incidental to the enjoyment of the occupiers/owners of Bar House - Refused - Appeal Dismissed

#### **6. Evidence submitted in support of the Application**

- 6.1 Five letters from 4 separate addresses close to the site submitted with the application:
- Three of the submissions provided no additional information to that provided in 2022/92597
  - One submission simply states Mr Cass mowed the area shown and planted daffodils. Seems to lack clarity on where daffodils were planted or any other information how the land was used as garden.
  - One submission is light on information or clarity over how the land was used, particularly as they say it is to their best knowledge.

#### **7. Evidence provided in support of the previous application 2022/92597**

7.1 The previous 2022/92597 application Planning Statement makes, in brief, the following claims:

- Historic maps dating from 1941 to 1904 all appear to show an enclosed area to the rear of the property;
- The area to the western side of the house is fenced off from the surrounding land, has a formal grassed area and is occupied by domesticated flowers, and with two outbuildings attached to or abutting the host building;
- The former occupant used this land for purposes incidental to the enjoyment of the dwellinghouse until his death in 2014. Since then it has been neglected but not abandoned.
- The shed was used as a kitchen or washing up area;
- A 2009 image shows a domestic motor vehicle parked on the amenity space to the rear;
- Google Earth aerial images from 2001 to 2021 show the area demarcated and maintained as a garden and for parking;
- A square parcel of land is shown on the 1943 title deed plan.

7.2 Historic maps dated 1854, 1887-88, 1903-4.

7.3 Google Earth images dated 2001, 2003, 2009, 2016, 2018-21.

7.4 Letters from third parties, as an appendix.

- 6 letters from 4 separate addresses close to the site. These confirm that the previous occupant, a Mr Cass, gardened the land that is the subject of this application and parked his car there.
- One letter from another third party who claims to have done work on an agricultural building on site for the present owner and confirms that the land has been recently used as a garden, although it does not give dates.
- A further letter from the applicant, who claims to have lived at a nearby farm for 76 years up to the 14<sup>th</sup> February 2022. Confirms that a terraced garden to the rear of the property was created in the early 1950s, that the owner at the time grew vegetables and kept pigs and chickens, and that the land was mown “sporadically” from that date onwards.

7.5 From the previous 2022/92597 application, four additional letters were submitted 14<sup>th</sup> November 2022. These specified which areas of land the previous occupant mowed (described as being up the side of the house, then around the back up to the terrace). This it is claimed, was continuous starting in the 1970s, or over a 50-year period according to one party. Finally, a letter clarifying that hens and pigs were kept by the applicant but in wooden structures along the length of the wall opposite the house itself, that is, to the south adjacent to the adjoining field on Law Slack Road, not in the area claimed as garden.

## **8. Evidence submitted against the Application**

8.1 None has been submitted. Publicity was undertaken in the form of a single notice displayed near the site (in accordance with Kirklees procedures but not a statutory requirement under the Development Management Procedure Order), expiry date 25-Mar-2025. No representations were received as a result of that notice.

## **9. Site Visit**

9.1 Case officer viewed the site.

## **10. Assessment of the Evidence**

10.1 The application is asking for the Council to confirm the land is incidental to the enjoyment of the dwellinghouse. Since the historic use of the land is presumed to be agricultural or simply open grassland, the Council acting as Local Planning Authority should initially consider, in the absence of any planning permission, whether there is any evidence to show that at any time in the past the land has undergone a material change of use to land incidental to the use of the dwelling house, that this use has been carried on for a 10 year period, and has not subsequently been abandoned.

10.2 Secondly, if such a material change of use cannot, on the balance of probabilities, be found to have occurred, then a second consideration could be whether any of the land can reasonably be regarded as curtilage to the dwellinghouse and as such domestic in nature by virtue of close association. In assessing this matter, the tests derived from the Courts should be used. These are: (i) ownership past and present (ii) layout and (iii) functional relationship with the dwellinghouse.

10.3 In assessing whether a material change of use has occurred it should be noted that certain activities, such as the keeping of livestock or poultry, or the growing of vegetables would not in themselves be considered to constitute

a material change of use, since they likely not to be materially different to agricultural even if the scale or nature of the use is not commercially viable. This is notwithstanding the provision paragraph E.4 of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015( as amended) which clarifies the erection of a building within curtilage for such purposes can be incidental to the enjoyment of the dwellinghouse. In the latter circumstances the land would need to be considered domestic curtilage in the first place and the purpose of paragraph E.4 is to clarify that the keeping on livestock etc does not mean the land cannot continue to be curtilage if any new building is used for those purposes.

10.4 A long period in which a former use is allowed to lapse may in some cases amount to an abandonment of the former use. In this instance, the neglect of the land during the period 2014-2022, which is mentioned in the supporting 2022/92597 statement, may have been an unavoidable consequence of the owner's circumstances and subsequent non-occupation of the property. It does not necessarily imply an intention on the part of the current or previous owner to permanently cease any former uses or put the land to an alternative use. So, if the evidence were to establish a material change of use, this short period of non-use would not amount to abandonment of the former use in planning terms. The key consideration in this instance is whether there is sufficient evidence to show a material change of use has occurred and the Local Planning Authority was able to take enforcement action at any point over a 10-year period.

10.5 The case officer undertook a site visit in April 2025 and observed that the land to the rear of the dwelling, that is the subject of this application, is as described on the site visit for 2022/92597. It is currently separated from the surrounding agricultural land by a post and wire fence to the south-east, south-west and north-west. The middle part of the site consists of three roughly-formed terraces consisting of short grass which seems to have been recently mown judging from the site visit and is separated by two areas of historic banking or retaining walls. At the top of the upper bank are several trees, that give the impression of being deliberately planted rather than self-seeded as they form a straight row and are of similar age. The left-hand part is also grassed but consists of an unbroken incline leading up to a field gate in the rear boundary fence that allows access to the field behind. The right-hand, or north-western part, does not have clearly defined terraces but also consists of grass with a few trees (mostly deciduous). The state of the land in this part of the site does not appear as a continuation of the deciduous tree plantation on the other side of the fence where the trees have been planted more densely than on the application site and in rows. It is not possible to say when the fence was erected, but it is still capable of keeping livestock from wandering into the site. Finally, a wooden bench, a child's swing, a small folding table and two chairs have been placed near the north-western end of the site. This domestic paraphernalia appear to be recently placed on the land along it is not known for what purpose as the property appears to continue to be unoccupied.

10.6 Adjoining the dwelling to the north-west is a small shed or outbuilding made of corrugated metal and other lightweight materials, and adjacent there are remains of another outbuilding of stone and brick. Next to the outbuildings is a narrow strip of land extending to the public highway. It is not possible to determine the current or most recent use of the stone outbuilding and shed on the basis of an external viewing, but given their location adjoining or abutting the host building, it is reasonable in the absence of any evidence to the contrary to assume that they were used as domestic outbuildings when the house was last occupied.

10.7 The land that is the subject of the application, as shown on the red line boundary, measures approximately 14m from the rear elevation of the dwelling to the south-western site boundary. Based on officer observations, this is about the distance from the rear wall of the dwelling to the post and wire fence referred to earlier. The application site therefore appears to correlate very closely with the fenced area and does not include any of the surrounding agricultural land. In short, the state of the land – based on recent site observations alone – may indicate an intent on the part of the current owner to annex and use the land for non-agricultural purposes. However, it does not follow that a material change of use has occurred if the land is or was not used solely for agriculture particularly as it does not have all the characteristics of a garden and is simply a grassed area. Features often associated with domestic gardens such as paths, patios, beds, ornamental shrubs or other planting, are absent.

10.8 Google street-view images are available to view online from 2023, 2021 and 2009. The 2009 image shows a parked car but beyond this only rough grass, scrub and small trees are visible and there is no sign of any stock fencing or any other boundary markers between the application site and the field beyond. It should be noted however that the street-view images only allow a small part of the site to be seen, so they can have only limited evidential value. The 2021 image seems consistent with the case officer's own observations from this year in that the site appears to have been mown short and some stock fencing is visible. The 2023 image is consistent with the current state of the property as observed by the case officer when visited in April 2024. A stone track has been constructed from the highway as far as the gate to the east of the property. The track, observed on the site visit, continues to the gate at the boundary to the rear, but is rutted rather than constructed of stone, suggesting vehicular activity. The site still appears to be mown short.

10.9 The applicant provided historic Google Earth images in the 2022/92597 application, which viewed together with historic aerial photographs held by Kirklees Council, provide further insight into the condition of the site through time and its possible historic uses. On the 2000 Kirklees image a parked car is visible in the south-eastern part of the site, but the photograph is considered too grainy to have evidential value regarding the remainder of the site. The 2002 image, again, shows a car parked on the site a short distance to the south-east of the dwelling, and many small trees or bushes which might indicate ornamental planting or the cultivation of fruit and vegetables as a

hobby. The grass however does not appear to have been mown in a manner consistent with use as a domestic garden and is not clearly distinguishable from the surrounding grass/agricultural land. There are also what may appear to be two small structures near the centre of the site, approximately 10m and 13m from the rear wall of the dwelling house, which could be sheds.

10.10 On the 2006 historic aerial photograph held by Kirklees Council, one shed is retained, the grass appears to have been mown up to the rear boundary of the application site (and beyond), but the mown area extends far outside the application site to the south-east and south-west and there are still no clear boundary markers (walls, fences or hedges) surrounding the site except along the boundary with the highway verge. A car is parked on the site in a similar position to the 2000 and 2002 images. On the 2009 image, an area appears to have been mown to form a vehicular parking space and turning head, there is a smaller mown area near the centre of the site, and there is a shed close to it. On other parts of the site, however, the grass has not been neatly mown and, once again, does not appear markedly different from the grassland outside the site. The north-western part of the site has more tree cover than the central part and it is difficult to distinguish it from the belt of woodland that continues some 40m to the north-west outside the red line. The 2012 Kirklees image shows the turning head maintained but most of the site appears to be rough grassland.

10.11 On the 2018 and 2021 aerial historic aerial photograph held by Kirklees Council, there is no longer a vehicle parked on the site, nor any sign of the land being maintained as a turning head, and the north-western part seems to have completely reverted to woodland. This appears consistent with the land not being maintained after the death of the last occupant, with only minimal maintenance being carried out, as it says in the applicant's statement. The drystone retaining wall to the lower terrace can be clearly seen on the 2018 and 2021 aerial views, situated approximately 5-6m back from the rear wall of the house, which accords with officer observations on site.

10.12 The applicant's 2009 3-D aerial image provided in the 2022/92597 application, shows a car parked on the mown turning head. The accompanying text states that it "clearly" shows "two defined levels of rear garden, separated by a row of trees, now removed". Officer observations are that at least part of the upper tier of the site appears to have been mown short, but not the part close to the turning head. The lower part, below the central line of trees, also does not appear to have been mown in a manner that would suggest use as a domestic garden.

10.13 The applicant's other aerial images provided in application 2022/92597, the earliest being 2001 and the latest 2021, are not considered to provide any additional evidence over and above that which can be obtained from the Council's own aerial photographs. None show the side or rear boundaries of the site demarcated by a clear physical barrier.

10.14 Overall the Kirklees and Google Maps aerial photographs from 2000 to 2012 give, at most, limited support to an area of land corresponding to the

application site having been maintained and used for domestic purposes during that period. It may be speculated that aerial photographs between 2001 and 2009 may indicate some use different to the wider field although it is not possible to reasonably conclude this is a material change to domestic garden or indeed covers a 10-year period in time. According to paragraph 6 of the National Planning Policy Guidance on lawful development certificates, evidence should be “precise and unambiguous” to be accepted. It is considered that the historic and recent aerial photographs are ambiguous concerning both the nature and extent of the uses historically undertaken on site and therefore do not demonstrate on the balance of probabilities that the land has lawful use for purposes incidental to the enjoyment of the dwelling house.

10.15 Historic maps available to the Council do not consistently show an area attached to Bar House that could comprise domestic curtilage. The 1907 Kirklees map (and the 1854 and 1903-4 maps supplied as part of the applicant’s statement) show a rectangular area of about 25 by 33m located to the west and southwest of the dwelling. This does not correspond closely to the red line as submitted and it is impossible to tell from the maps whether the land was a domestic garden, a smallholding, or put to some other use. Bar House is not covered by the 1922, 1933, 1965 or 1980 historical maps held by the Council, and the 1955 and 1970 show the house itself but do not indicate any sort of enclosed area associated with the property.

10.16 The applicant provided a location plan in application 2022/92597, which was submitted as part of the 2015 application for the erection of an agricultural building on land outside the application site which shows Bar House and the surrounding field edged in blue. The base map shows a rectangular area to the rear of Bar House which “omits the parking/turning area indicates that the replicated OS map picked up the fenced boundaries of the garden area.” Assuming that all features of the map shown are in fact copied from an OS map, the fact that the lines only demarcate an area covering less than half the area being claimed as land incidental to the enjoyment of the dwelling house does not assist the applicant’s case.

10.17 The applicant’s statement, provided in application 2022/92597, goes on to say that it “appears to follow an historical abstract of a title deed dated 15<sup>th</sup> September 1943 where the square parcel of land is clearly marked on the transfer plan” and that the parcel of land is 1,239sqm, or an area roughly twice that of the application site. The parcel of land shown on the deeds plan, again, does not correspond to the application site, in that it does not include any land south-east of a line formed by the side wall of the dwelling.

10.18 Whilst some of the historical maps suggest that there was, for a time, a defined parcel of land that might have had some association with the dwellinghouse, this has not been consistent through time. The historic maps therefore do not amount to clear or unambiguous evidence. Furthermore, it is not possible to tell what its use was. It is possible that it could have been a smallholding, a domestic garden, or some combination of these.

10.19 The supporting letters submitted by third parties with this application, have been examined:

- Three of the submissions provided no additional information to that provided in 2022/92587
- One submission simply states Mr Cass moved the area shown and planted daffodils. Seems to lack clarity on where daffodils were planted or any other information how the land was used as garden.
- One submission is light on information or clarity over how the land was used, particularly as they say it is to their best knowledge.

10.20 The supporting letters submitted with the 2022/92597 application, from third parties, have been examined. The original letters (from 6 local residents) are consistent with each other in so far as they state that the last occupant took vehicular access to the left-hand side of the property and regularly parked his car there. They also state that an area to the rear of the property was “gardened”. This does not provide much clarity regarding the extent or nature of the gardening activities that took place, or for what length of time they were carried on.

10.21 The 4 letters submitted with the 2022/92597 application on 14<sup>th</sup> November 2022 give further details. They specifically refer to the area to the south-eastern side and the rear of the dwelling being maintained as garden, but they do not all give dates. One letter does not attempt to give even approximate dates. Another letter reiterates that the formation of the terracing was undertaken in the 1950s, two letters state that maintenance of the land as garden was being done as far back as the 1970s (or possibly longer, if the “50 plus years” is taken to mean the time up to the cessation of gardening in 2014 rather than up to the present).

10.22 Regarding the nature of the activities undertaken, and their physical extent, the letters are not consistent. One letter states that the writer has “seen the planning application and the garden area edged in red. I can confirm this is the garden area historically used by Mr Cass and then the current owner”. A different letter, however, states that poultry and pigs were kept on land belonging to the former occupant “in wooden structures such as lean-tos and open sheds along the length of the wall opposite the house itself”. The length of wall could mean the stone retaining wall in the middle of the garden, in which case the sheds referred to were on the middle terrace and therefore within the application site. Keeping pigs or poultry, even on an amateur and small-scale basis, is not considered to be materially different to an agricultural activity and would therefore does not amount to evidence for a material change of use of the land. Two other letters, meanwhile, state that land was maintained as garden “up to the back terrace”. If this is understood to mean the more south-easterly of the two retaining walls or banked areas, then this would include most of the site but would still not include the upper terrace. Finally, one of the letters states that the last occupant planted daffodils “all around the house but especially on the back terrace”. Whilst this

claim might lend weight to the land being a domestic garden, there is not enough clarity to show how the flowers were tended in a domestic manner. It should be noted none of the other letters mention any ornamental planting of flowers, shrubs or other plants being undertaken.

10.23 In conclusion, the Inspector, in their reasoning for dismissing the appeal APP/Z4718/X/23/3317784, stated ‘...Therefore, there is a degree of uncertainty with respect to the extent of the area used for purposes incidental to the enjoyment of the residential property and the activities that took place within any fenced off or designated area. As such the body of evidence contained within the letters does not provide the level of certainty required to be considered as unambiguous for the purposes of proving the use took place for the material period.’

It is considered the evidence submitted is of limited assistance and the other imagery available to the Council does not provide clear or unambiguous evidence that the entirety of the land within the red line boundary has undergone a material change of use from agricultural land to purposes incidental to the enjoyment of the dwelling house, or that such a use has been maintained for a period of 10 years. On the balance of probability, it is noted that some of the land could have been used by the occupant, such as the area where the parked car can be seen on aerial imagery with perhaps a degree of mown land next to the gate and land occupied by outbuildings to the north west of the dwellinghouse although this is only part of the land within the red-line boundary and given the clarity of imagery it is not possible to precisely show any specific part of the land has undergone a material change of use for a continuous period of 10 years to the degree all or some of the land previously accrued an establish use as domestic land. Overall, the applicant has not provided any significant additional information to clearly overcome the conclusions reached under the previous application and that of the Planning Inspector.

10.24 If a material change of use cannot be demonstrated, a certificate of lawful use can still be granted if the land is judged to be domestic curtilage. The question of curtilage is a matter of fact and degree. A number of Court judgements may be referred to in assessing the possible status of a piece of land as curtilage:

- i) Sinclair Lockharts Trustees v Central Land Board [1950] 1 P & CR 195 where the Court held that it is enough that it (the land) serves the purposes of the house in some necessary or reasonably useful way.
- ii) Methuen Campbell v Walters [1979] QB 525 the land had to be associated with the main building such that it would lead to the reasonable conclusion that the land was part and parcel of the main building.
- iii) Dyer v Dorset CC (1989) QB 346 CA and McAlpine v Secretary of State for the Environment [1995] 1 PLR 16 which considered the size of the curtilage along with functional association.

- iv) Attorney General ex rel Sutcliffe v Calderdale MDC [1982] 7 WLUK 340 which established three tests to establish curtilage land.
- v) Skerritts of Nottingham v Secretary of State for Environment Transport and the Regions [2000] JPL 7689 established along with previous caselaw that the question of curtilage is a matter of fact and degree.
- vi) Lowe v First Secretary of State [2003] EWHC 537 where the judge expressed that curtilage is land attached to a dwellinghouse not restricted in size but must be fairly described as being part of one enclosure and could include outbuildings and “might” include accommodation land such as a small paddock and finally Burford v Secretary of State for Communities and Local Government [2017] EWHC 1493 where the Court upheld the three tests set out in Sutcliffe along with reaffirming that the land must form part and parcel of the house, functional association and that it is not restricted in size.

#### 10.25 Ownership past and present

The Land Registry information available to the Council confirms that the land is now in single ownership (deed registered 2014). It is not possible to assess how long it has been in the same ownership, but since the Council has no evidence to the contrary, it may be assumed that was in single ownership before this time. The rectangular parcel of land shown on the 1943 title deeds plan, as previously stated, excludes the parking space and turning head. However, the extent of curtilage is not inevitably fixed through time and may expand or contract as land ownership (or other factors) change.

#### 10.26 Physical Layout

In terms of layout, it is doubtful that all the land could be fairly regarded as being in one enclosure with the dwellinghouse for the reasons set out in the paragraphs above, especially 10.8-10.23. Examination of historic aerial photographs, maps and other sources does not provide compelling evidence beyond the balance of probability that all or some of the land within the red line historically formed a single enclosure with the dwelling house.

#### 10.27 Use and Function of the land past and present

In terms of functional association, the Courts have judged the land would have needed to serve the dwellinghouse in a useful and necessary manner for it to be considered curtilage. Considering solely the area that appears to have been used as a parking and turning space between 2000 and 2012, this test could be deemed to have been passed. But based on the evidence submitted and available to the Council and assessed in paragraphs 10.7-10.22 there is insufficient evidence to show that all of the land within the red line boundary to the rear serves, or historically has served, the dwellinghouse in “necessary and useful manner”. It is therefore considered that the land within the application site fails two of the three tests.

## **11. Recommendation.**

11.1 It is considered that the evidence available does not demonstrate that, on the balance of probabilities, the land edged in red on the location plan was used for purposes incidental to the enjoyment of the dwelling house for a period of 10 years before the date of the application. While the land edged red on the location plan falls within the same ownership title as the dwellinghouse, the physical layout, appearance and function leads to a conclusion that as a matter of fact and degree, that it does not have the characteristics of curtilage land.

## Decision Authorisation - Delegated Powers

**Application Number: 2025/90436**

### Officer Recommendation: Refuse Certificate

It is considered that the evidence available does not demonstrate that, on the balance of probabilities, the land edged in red on the location plan was used for purposes incidental to the enjoyment of the dwelling house for a period of 10 years before the date of the application. While the land edged red on the location plan falls within the same ownership title as the dwellinghouse, the physical layout, appearance and function leads to a conclusion that as a matter of fact and degree, that it does not have the characteristics of curtilage land.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			18-Feb-2025
Location plan	22/757/01a – Location Plan		18-Feb-2025
Block Plan	22/757/02a		18-Feb-2025
Further supporting evidence	Letters from third parties		18-Feb-2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

**Report Dated:** 16-Apr-2025