



KIRKLEES COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 2015: ARTICLE 39**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Application Number: 2025/CL/91034/W

To: Aaron Basi
Planning-By-Design
167-169, Great Portland Street
London
W1W 5PF

For: R Harji

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED CHANGE
OF USE AND ALTERATIONS TO DWELLING (C3) TO FORM 5
BED HMO (C4)

SECOND SCHEDULE CARR LEA HOUSE, 56, RAWTHORPE LANE, DALTON,
HUDDERSFIELD, HD5 9NU

**KIRKLEES COUNCIL HEREBY CERTIFY THAT ON 27-MAY-2025 THE USE &
OPERATIONS DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT OF
THE LAND SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED RED ON
THE PLANS ATTACHED TO THIS CERTIFICATE WOULD BE LAWFUL WITHIN THE
MEANING OF SECTION 192 OF THE TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED), FOR THE FOLLOWING REASONS:**

On the balance of probabilities, to change the use of part of the building known as Carr Lea House, 56, Rawthorpe Lane, Dalton, Huddersfield, HD5 9NU to create a separate ground floor residential flat benefits from planning permission reference 2023/92608 and to change the use of part of the ground and first floor from Class C3 use to Class C4 as defined by Schedule 1 of the Use Classes Order 1987 (as amended) benefits from a general planning permission granted by virtue of Article 3(1) and Part 3, Class L of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

The ground floor window alteration benefits from planning permission granted by virtue of planning permission reference 2023/92608.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	01-V6		22nd April 2025
Existing block plan	02-V6		22nd April 2025
Proposed block plan	03-V6		22nd April 2025
Existing floor plans	04-V6		22nd April 2025
Proposed floor plans	05-V7		22nd April 2025
Existing elevations	06-V6		22nd April 2025
Proposed elevations	07-V6		22nd April 2025
Design and Access Statement	Planning by Design		22nd April 2025
Email received	Planning by Design		4th June 2026

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

If the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

NOTES:

- (1) This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
- (2) It certifies that the use & operations specified in the First Schedule taking place on the land described in the Second Schedule would be lawful on the specified date and, thus, were not liable to enforcement action under Section 172 of the 1990 Act on that date.

- (3) This certificate applies only to the extent of the use & operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use(s) & operation(s) which are materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
- (4) The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
- (5) If the applicant is aggrieved by the decision of the Local Planning Authority to issue a certificate of lawfulness of development, for any part development applied for (including any modification or substitution of the description of the uses or operations), s/he may appeal to the Secretary of State in accordance with Sections 195 and 196 of the Town and Country Planning Act 1990 (as amended). Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#)

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 22-Jul-2025

Signed:



David Shepherd
Executive Director for Place

Address to which all communications should be sent:-

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL