Certificate of Lawfulness Planning Statement

33 Fixby Road, Huddersfield, HD2 2JG

1. Purpose of the Application

This application is submitted under Section 192 of the Town and Country Planning Act 1990 for a Certificate of Lawfulness for a proposed use at 33 Fixby Road. The applicant seeks confirmation that the intended use does not amount to a material change requiring planning permission.

2. Existing Use and Site Context

The site is currently in lawful use as a place of worship (Use Class F1(f)). The building has functioned as a church and remains structurally suitable for assembly-based and educational/community uses.

3. Proposed Use Overview

The applicant proposes to use the building for the following purposes:

- Community Centre activities (e.g., support groups, educational classes, social groups)
- Martial arts and dance classes (physical wellbeing)
- Community kitchen (ancillary cooking activities, workshops, and event catering - not a commercial restaurant)
- Event venue for small-scale private or cultural events (birthdays, community celebrations, talks)

These activities will take place within the existing internal layout, with no structural works proposed.

4. Planning Analysis

- The primary activities still involve public assembly, education, and community interaction, which are aligned with F1 uses.

- Some uses (martial arts/dance classes) may fall under Class E(d) (indoor recreation). However, if they are occasional, community-run, or ancillary to the overall community function, they may not trigger a material change.

- Kitchen use is ancillary, as food preparation supports events or community gatherings.

- Event hire is the most sensitive use. If events are:

- Community-based, not-for-profit, or religious in character;

- Held at a similar intensity to church gatherings;

- Without public bar or amplified late-night entertainment

then they may not constitute a material change or may be considered ancillary to the main lawful use.

This application seeks confirmation that the overall character of use remains similar in nature to F1(f), or constitutes a mixed use that does not materially differ in planning terms from the current use.

5. Operational Notes

- Hours of use: typically 8:00 AM - 10:00 PM

- No external alterations proposed

- No sale of alcohol or commercial trading proposed on-site

6. Conclusion

The proposed mix of uses at 33 Fixby Road builds upon the building's existing lawful use as a church and community gathering place. The applicant respectfully submits that these uses:

- Are either within the scope of Use Class F1(f), or
- Are ancillary to the main function of a community space, or
- Do not result in a material change of use requiring planning permission

Accordingly, a Certificate of Lawfulness is sought to confirm that the proposed uses are lawful under current planning legislation.