

# 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 entertainmentthen 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.