



Application Number	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk Tel: 01484 414746

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x) Northing (y)

Description

Applicant Details

Name/Company

Title

Mrs

First name

Gemma

Surname

Hills

Company Name

JHO Studio

Address

Address line 1

42 heathfield lane

Address line 2

Address line 3

Town/City

bradford

County

West Yorkshire

Country

United Kingdom

Postcode

BD11 2DP

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

Yes

No

Does the proposal consist of, or include, a change of use of the land or building(s)?

Yes

No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The proposal involves a change of use from Class E – Office Use to Class E – Indoor Sport, Recreation or Fitness, for the establishment of Curated Balance, a wellness studio located in Skelmanthorpe.

Curated Balance will be a wellness-focused studio offering a holistic approach to health, fitness, and recovery. The studio will provide professionally guided sessions including Reformer Pilates, Mat Pilates, and Infrared Therapy. The space has been designed to be calm, welcoming, and supportive, with a focus on personalised, small-group instruction and therapeutic practices.

In addition to regular classes, the studio will also host occasional wellness workshops and programs such as posture clinics, recovery education, breathwork sessions, ante- and post-natal Pilates, and parent-and-baby classes. These will be delivered in a structured, scheduled format with limited numbers to ensure a tranquil environment and high-quality experience for participants.

Processes to be Carried Out:

All activities will be carried out internally within the premises and will involve low-impact movement, guided instruction, and passive therapies. There are no high-noise or industrial processes involved. The focus is on bodyweight and light-resistance movement, mindful breathing, and guided recovery sessions.

Machinery to Be Installed:

The studio will use a limited number of non-motorised Pilates Reformer machines, yoga and Pilates mats, small props (e.g., resistance bands, foam rollers), and wall-mounted infrared therapy panels. All equipment is designed for quiet use with no noise, vibration, or emissions impacting neighbouring properties. No external machinery, flues, or extraction systems are required.

Hours of Operation:

Monday: 06:00 – 20:00

Tuesday: 06:00 – 20:00

Wednesday: 06:00 – 20:00

Thursday: 06:00 – 20:00

Friday: 06:00 – 14:00

Saturday: 07:00 – 16:00

Sunday: 07:00 – 16:00

These hours are designed to meet the needs of clients while remaining sensitive to local residential and commercial surroundings.

Additional Information:

The change of use will not require external building works. All signage, if proposed, will comply with relevant advertisement consent requirements. The studio will operate on a booking-only basis, ensuring that attendance is spread evenly throughout the day and peak congestion is avoided. Existing access and parking arrangements will remain unchanged and are adequate to support the proposed use. The site is also accessible via local transport and footpaths.

Curated Balance will contribute positively to the community by offering a supportive and inclusive wellness service that encourages physical and mental wellbeing in a peaceful, design-conscious setting.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

As far as I am aware the last known use of the premises was as office space, falling under Use Class E. The office was used for general administrative and professional functions, with standard internal office fittings such as desks, meeting areas, and basic welfare facilities (e.g. kitchen and toilets).

There were no industrial, customer-facing, or retail elements to the previous use. Activities were carried out entirely indoors, and footfall was limited to staff and occasional visitors.

The office use ceased on October 2024 and the unit has remained vacant since that time. There has been no active business operating from the premises since the cessation of the office use.

Has the proposal been started?

Yes

No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The last known use of the premises as office space is considered lawful on the basis that it was carried out continuously and without interruption prior to cessation, and was not subject to any enforcement action or planning breach. The office use operated in accordance with planning controls and local regulations, and to our knowledge, no conditions were imposed that would restrict its lawful use as offices.

Furthermore, the existing building was constructed and adapted for this purpose with appropriate permissions and has been in place for several years. There are no known planning contraventions or ongoing investigations related to its structure or use.

No external alterations or extensions are proposed as part of this application. All proposed changes relate solely to internal layout and the lawful change of use within Use Class E. Therefore, the current buildings are lawful in planning terms and the proposed internal modifications will not affect the lawful status of the structure.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Select the use class that relates to the existing or last use.

E(g)(i) - Offices - Except where not suitable in a residential area

Information about the proposed use(s)

Select the use class that relates to the proposed use.

E(d) - Indoor sport, recreation, or fitness - Excluding motorised vehicles, firearms, swimming, and skating

Is the proposed operation or use

Permanent

Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

A Lawful Development Certificate for Proposed Use should be granted because the intended change from Class E(g)(i) – office use to Class E(d) – indoor sport, recreation or fitness use falls entirely within Use Class E as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended in 2020).

The proposed use of the premises as a wellness studio — offering Reformer Pilates, Mat Pilates, and Infrared Therapy sessions, along with other low-impact fitness and wellness activities — constitutes an indoor sport or recreation use, which is specifically covered under Class E(d). As both the previous and proposed uses fall within the same overall use class (Class E), the change does not constitute a material change of use under Section 55 of the Town and Country Planning Act 1990.

In addition:

The proposal involves no operational development — there are no external alterations, extensions, or engineering works.

The existing building is lawful and was previously in continuous use as an office until it ceased operation in October 2024.

The proposed use will be conducted entirely indoors, with no anticipated impact on neighbouring amenity or infrastructure.

Therefore, the change of use is lawful and permitted under current planning legislation, and a Certificate of Lawfulness for Proposed Use should be granted to confirm that planning permission is not required.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

5794

Date (must be pre-application submission)

29/05/2025

Details of the pre-application advice received

I spoke with a planning advisor - Reena at Kirklees Council who confirmed that the proposed change of use from Class E(g)(i) – office use to Class E(d) – indoor sport, recreation or fitness use falls within the same overall Use Class (Class E) as defined in the amended Town and Country Planning (Use Classes) Order 1987. As such, they advised that planning permission is not required for this change of use, provided that there are no external alterations or material changes to the building.

The advisor suggested that in order to obtain formal confirmation of this position, I should submit an application for a Certificate of Lawfulness for Proposed Use. They also advised that including full details of the proposed activities, machinery, and hours of operation would help ensure clarity and avoid delays.

Based on this advice, I have prepared and submitted this application, along with supporting documentation to demonstrate the lawful nature of the proposed use.

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
- No

Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED *****

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Gemma Hills

Date

30/05/2025