



KIRKLEES COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)**

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

REFUSAL OF CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Application Number: 2025/CL/91651/W

To: Tim Hemingway,
Wake Morley Architects
1, Dunford Road
Holmfirth
HD9 2DP

For: G MASTERS

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF
MOBILE CARAVAN FOR THE PURPOSES OF A HOLIDAY
LET

SECOND SCHEDULE Caravan, Greave Farm, Greave Road, Hade Edge, Holmfirth,
HD9 2AQ

KIRKLEES COUNCIL HEREBY REFUSES TO CERTIFY THAT ON 16-JUN-2025 THE OPERATIONS DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT OF THE LAND SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED RED ON THE SUBMITTED PLANS WAS LAWFUL WITHIN THE MEANING OF SECTION 191 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE FOLLOWING REASONS:

The continued use of the structure at Greave Farm, described as a mobile caravan by the applicant, is not considered to benefit from any immunity from enforcement action provided by Section 171B of the Town and Country Planning Act 1990 (as amended). From evidence provided by the applicant it is considered the initial operations to provide the structure in May 2019 benefited from a temporary planning permission granted by virtue of Part 4, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) while the operations to implement a planning permission for the adjacent dwellinghouse were being carried out.

Thus, the breach of planning control subsequently occurred when the structure was not required for the temporary purposes as set out in Class A in February 2022 as evidenced in the applicant's submissions. Condition A.2 of Class A, Part 4 required the structure to be removed once it was not required.

Plan Type	Reference	Version	Date Received
Location plan	PP-14060026v1		17th June 2025
Site plan, elevations and floor plans	(PL) 01		17th June 2025
Council Tax records	2019 to 2022		17th June 2025
Refuse collection address			18th June 2025
Written Statement/Declaration			18th June 2025
Photographs containing delivery details			18th June 2025
Holiday Let records			17th June 2025
Planning Statement	Wake Morley Architects - Job No. 1860		18th June 2025

Development within a Coal Mining Area

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](#)

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) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse an application for a certificate of lawfulness of development, in whole or part (including any modification or substitution of the description of the use, operations or any other matter), 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](#)
- (2) This decision is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended)

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: **12-Aug-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**