



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](mailto: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

Bronte

Surname

Bassue

Company Name

Tiny Tribe Play Cafe

### Address

Address line 1

86 Wolfenden Way

Address line 2

Address line 3

Town/City

Wakefield

County

West Yorkshire

Country

United Kingdom

Postcode

WF1 3FA

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

Tiny Tribe Play Café will operate primarily as a high quality café offering premium coffee, drinks, and a selection of light meals and snacks in a relaxed, stylish, and family-friendly setting. The core function of the business is the preparation and sale of food and drink for consumption on the premises, making it fully compliant with Class E use.

While a modest and well-curated play area will be incorporated into the café environment, this is wholly ancillary to the main use. It exists to enhance the café experience for our primary customers - parents and caregivers of children aged 0-4 years. The design and layout ensure that the majority of the floorspace is allocated to café seating, counter service, and hospitality operations, with the play area proportionately smaller and integrated within the main space.

Tiny Tribe is not a childcare facility, nor does it operate as a standalone play centre. The café will only admit children who are accompanied by a responsible adult, and the play offering will be non-supervised and incidental to the primary café use. Access to the play space will only be possible through the café itself.

The café will be open to pre-booked customers only, allowing the business to manage attendance numbers for safety, cleanliness, and service quality. Operating hours will be Monday to Saturday, 9:30am to 4:00pm, with private hire available on Sundays. All guests will be expected to purchase food and/or drink during their visit, and no external food will be permitted on site.

No industrial machinery will be installed. The only equipment in use will be:

- A commercial coffee machine
- Coffee grinder
- Hot water boiler
- Domestic or light commercial dishwasher
- Panini press and refrigerated storage

All machinery will be installed in the kitchen or behind the café counter, completely inaccessible to children and compliant with health and safety regulations.

This set-up supports the café's vision as a welcoming, inclusive space for new parents and caregivers, encouraging community, comfort, and conversation; with the added benefit of a stimulating but secondary environment for young children.

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

The last known use of the premises was as a restaurant, trading under the name "The Cinnamon Lounge," an Indian dining establishment. Based on publicly available information, including Google reviews and business listings, the premises ceased trading on or around 26th January 2015. Since then, the unit has remained vacant and unused for commercial purposes.

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

I will be a tenant of the premises and not the property owner, so I have had no involvement in the previous use of the building. However, to my knowledge, the last lawful use of the premises was as a restaurant (The Cinnamon Lounge), which falls within Class E of the current Use Classes Order. No external or structural alterations are proposed that would affect the lawful use of the building, and all activities planned for the site (primarily operating a café with ancillary play provision) are in line with Class E, which includes restaurants, cafés, and indoor recreational uses where ancillary.

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

None at this stage. Supporting plans and a business summary are included to assist with understanding the proposed use.

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

E(b) - Sale of food and drink for consumption mostly on the premises

### Information about the proposed use(s)

Select the use class that relates to the proposed use.

E(b) - Sale of food and drink for consumption mostly on the premises

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 should be granted because the proposed use of the premises falls firmly within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended). The primary function of Tiny Tribe is that of a café; offering food, drinks, and a welcoming, inclusive environment for parents and caregivers. The addition of a modest, age-appropriate play area is entirely ancillary to the café use and serves only to enhance the experience for visiting families.

Crucially, this is not a childcare facility, soft play centre, or standalone indoor recreation venue. The café remains the core operation, with bookings required and all children accompanied by a parent or guardian. There is no separate access to the play area, no charges independent of café admission, and no standalone recreational use.

The proposed use does not trigger a material change of use or conflict with the established lawful use of the premises (formerly a restaurant), and no structural changes are being made that would require express planning permission. The business aligns closely with family-friendly cafés that commonly feature incidental play areas or child-friendly facilities, which have long been accepted as falling within Class E.

In light of the above, we respectfully request that a Certificate of Lawful Development be granted, confirming that the proposed use does not constitute development requiring planning permission.

## 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

Surname

\*\*\*\*\* REDACTED \*\*\*\*\*

Reference

Planning.Enforcement@kirklees.gov.uk

Date (must be pre-application submission)

19/06/2025

Details of the pre-application advice received

Good afternoon,

I hope you're well,

Thank you for your enquiry.

The café use in itself would fall within Class E. The addition of a children's play area does muddy the waters slightly. I am aware that you have said that this will be ancillary, if this is the case there should be no issue. Without more information we cannot make a formal assessment – a certificate of lawful development application would be required to make a formal judgement. However, where the play area is concerned there are a few things to consider, for example:

The size of the play area (would this be subservient to the main use of the land/building as a café?)

The functional relationship between the café and the play area (would the play area only function by virtue of the main use of the café, e.g. you cannot use the play area without using the café, no separation of the use of the play area with the use of the café etc.)

Access to the play area (would access to the play area be separate to the access to the café etc.)

The above is all a matter of fact and degree.

Kind regards,

Planning Enforcement  
Development Management  
Place Directorate

PO Box 1720, Huddersfield, HD1 9EL

My Response (19.06):

Hello there,

I am very well thank you, I hope you are too.

Thank you so much for your prompt and informative response, I really appreciate the guidance you've provided.

To further clarify, while the play area is certainly a valued part of the overall offering, the dominant use of the premises is as a café. The primary focus of Tiny Tribe is to provide a calm, stylish, and supportive environment for parents and caregivers (especially new Mums); where they can relax, enjoy high-quality food and drinks, and connect with like-minded people. The café will not be open to the general public for walk-ins, all 'play café' sessions must be booked in advance to ensure cleanliness, controlled footfall, and the safety of our youngest guests.

The play element will be modest in scale and subservient to the café function, with the majority of the floor space allocated to café seating and service. There will only be one entrance to the premises, and only food and drink purchased from the café can be consumed on-site. The play area exists purely to complement the café and enhance the experience for families, not as a standalone attraction

I completely understand that a Certificate of Lawful Development may be necessary to make a formal determination, however I would be incredibly grateful to hear your informal view on whether, based on the above, the proposed use is likely to be considered Class E with the play aspect being ancillary?

Many thanks again for your time and advice, it's much appreciated.

Many thanks,

Bronte Creary

## 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

Bronte Creary

Date

01/07/2025