



Application Number	
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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

mr

First name

tyiab

Surname

sethi

Company Name

Tuition Time Hub

Address

Address line 1

Rivertree Trust Willow Lane

Address line 2

Birkby

Address line 3

Town/City

Huddersfield

County

Kirklees

Country

United Kingdom

Postcode

HD1 5EB

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

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

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 existing building is part of a long-established office/administrative section of the former Ben Shaws and Britvic site. This particular section of the building has remained structurally and functionally separate from the industrial manufacturing elements of the site and has consistently operated as an independent office and administrative space since its inception in the late 19th century.

There has been no material change of use to this part of the building throughout its operational history, including through changes in ownership (Ben Shaws → Britvic → River Tree Trust → Build A Roof). Therefore, the last known lawful use of the specific area proposed for development is within Use Class E (Offices), as defined by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

As we are not proposing any external structural changes or operational intensification, the existing use remains lawful under Section 191 of the Town and Country Planning Act 1990. The proposed use — as a childcare centre — falls within the same Class E, making it permitted without a material change of use.

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

We are submitting the following supporting documentation to accompany this application:

Planning Application Ref: 97/62/90203/W2 (dated 29 January 1997), which references “refurbishment to factory/offices” and installation of a disabled access ramp. The ramp is still present today and located directly outside the office block in question. This demonstrates that this part of the site was in longstanding office/administrative use as early as the 1990s.

Planning Application Ref: 2011/62/90033/W2 (last updated 14 February 2011), which relates to a different site behind but includes a site plan showing the layout and clearly indicating the independent footprint of the office block. While not the focus of that application, the map is helpful in showing that this portion of the site has historically stood separate from the rest of the factory/industrial estate.

Google Maps and Street View imagery, which will be submitted as supplementary evidence to show the continued use and external features of the building over time.

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(f) - Creche, day nursery or day centre - Except where including a residential use

Is the proposed operation or use

- Permanent
 Temporary

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

We are seeking confirmation that the proposed use of the building as a childcare centre falls within Use Class E and therefore does not constitute a material change of use requiring planning permission.

The existing and last known lawful use of the building is for office and administrative purposes.

Under the revised Use Class E, introduced in September 2020, both the existing office use and the proposed childcare centre use fall within the same use class (E).

There is no operational development proposed — the physical structure remains unchanged.

There is no material intensification or change in nature of use that would impact planning considerations such as parking, access, or amenity.

Therefore, the proposal constitutes permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and a Lawful Development Certificate for the Proposed Use should be granted.

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

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

tyiab sethi

Date

31/07/2025