



KIRKLEES COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 192
(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/92906/W

To: Matthew Stimpson
Zest Eco
Bond House
The Bourse, Boar Lane
Leeds
LS1 5EN

For: ZEST ECO

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED
INSTALLATION OF EVC BAY (WITHIN A CONSERVATION
AREA)

SECOND SCHEDULE LAND AT, STATION ROAD / BACK LANE, HOLMFIRTH

**KIRKLEES COUNCIL HEREBY REFUSES TO CERTIFY THAT ON 16-OCT-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 WOULD BE LAWFUL WITHIN THE MEANING OF SECTION
192 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE
FOLLOWING REASONS:**

The proposed installation of an electrical outlet with equipment housing would not benefit from a general planning permission granted by virtue of Article 3(1) and Schedule 2, Part 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the equipment housing would be within 5 metres of a highway and within 10 metres of a dwellinghouse contrary to E.1(3)(b)(iii) and E.1(3)(b)(iv) of the Order.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	PP-14415839		17th October 2025
Covering letter	Zest		17th October 2025
Location plan	ZST-0000-01 – Rev: B		17th October 2025
Existing layout	ZST-0000-02 – Rev: B		17th October 2025
Proposed layout	ZST-000-03 – Rev: B		17th October 2025
Proposed elevations	ZST-000-09 – Rev: B		17th October 2025
Proposed plans	ZST-000-07-01 – Rev: C		17th October 2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

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](https://www.mra.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 Inspectorate 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 192 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: 15-Dec-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

