



Application Number	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL  
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Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,  
including those in breach of a planning condition

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	<input type="text" value="4"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="Calder Road"/>
Address Line 2	<input type="text" value="Ravensthorpe"/>
Address Line 3	<input type="text" value="Kirklees"/>
Town/city	<input type="text" value="Dewsbury"/>
Postcode	<input type="text" value="WF13 3JS"/>

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

Easting (x)	Northing (y)
<input type="text" value="422460"/>	<input type="text" value="420372"/>

Description

## Applicant Details

### Name/Company

Title

Mr

First name

Ali

Surname

Bashir

Company Name

### Address

Address line 1

11 Huddersfield road

Address line 2

Mirfield

Address line 3

Town/City

County

Country

United Kingdom

Postcode

Wf119hn

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

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

Secondary number

Fax number

Email address

## Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- An existing use  
 Existing building works  
 An existing use, building work or activity in breach of a condition

**Being a use, building works or activity which is still going on at the date of this application.**

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

## Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

The property comprises a two-storey mid-terrace building with a traditional shopfront facing Calder Road.

The front ground-floor room has historically been used as a retail premises (formerly trading as Kola Newsagents), falling within Use Class E(a) – display and sale of goods other than hot food. The space retains its original shop window, separate entrance from the street, and internal layout suitable for retail use.

The rear part of the ground floor contains a kitchen/dining area, and the first floor contains bedrooms and a bathroom, together forming the residential accommodation (Use Class C3).

The application therefore seeks a Certificate of Lawful Existing Use confirming the property's established mixed-use status:

- Class E(a) – Shop at the front ground floor; and
- Class C3 – Dwellinghouse to the rear and upper floors.

No physical works or operational development are proposed as part of this application.

## Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

*Where the use, building works or activity began **before 25 April 2024***

- The use began more than 10 years before the date of this application
- The use, building works or activity in breach of condition began more than 10 years before the date of this application
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- The change of use to use as a single dwelling house began more than four years before the date of this application.
- Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

*Where the use, building works or activity began on or after 25 April 2024*

- The use, building works or activity began more than 10 years before the date of this application.
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.
- Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- Yes
- No

Please state why a Lawful Development Certificate should be granted

The property at 4 Calder Road, Ravensthorpe, Dewsbury WF13 3JS has historically operated as a ground-floor retail shop with residential accommodation to the rear and upper floors.

The front room at ground-floor level was formerly occupied as Kola Newsagents and falls within Use Class E(a) – display and sale of goods other than hot food. The rear ground-floor kitchen/dining area and first-floor rooms form the residential accommodation (Class C3).

Evidence submitted with this application (directory listings, Google Street View imagery, and council property records) demonstrates that the mixed-use arrangement has existed for well over ten years and has not been abandoned or superseded by any subsequent planning permission.

The building continues to retain the original shopfront and internal layout capable of supporting retail use. There are no known planning conditions restricting such use.

Accordingly, on the balance of probability, the mixed-use of the premises as Class E(a) (shop) and Class C3 (dwellinghouse) is lawful under Section 191 of the Town and Country Planning Act 1990, and a Certificate of Lawful Existing Use should therefore be granted.

## Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01-01-2005

In the case of an existing use or activity in breach of conditions has there been any interruption?

- Yes
- No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- Yes
- No

### Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- Yes
- No

### 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

### Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

### 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

## Declaration

I/We hereby apply for Lawful development: Existing 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

Ali Bashir

Date

24/10/2025