



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: 2026/CL/90873/E

To: Andy Cronin,
Cronin Development Consultancy Ltd
53, Springfield Crescent
Walmley
Sutton Coldfield
B76 2SS

For: MATHEW GADSBY, IBSTOCK PLC

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED
ERECTION OF A TEMPORARY BUILDING

SECOND SCHEDULE C R Longley And Co Ltd, Ravensthorpe Road, Thornhill Lees,
Dewsbury, WF12 9EF

**KIRKLEES COUNCIL HEREBY REFUSES TO CERTIFY THAT ON 01-APR-2026 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 temporary building proposed at C R Longley And Co Ltd, Ravensthorpe Road, Thornhill Lees, Dewsbury, WF12 9EF would not meet the criteria for permitted development as set out in Schedule 2, Part 4, Class A of the Town and

Country Planning (General Permitted Development) Order 2015 as the temporary building would be of a significant size, scale, would have a high degree of permanence by virtue of its design as well as its timeframe for retention and would not be required to directly support operations to implement an extant planning permission, thus failing to comply with A.1 of the Order.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	PP-14688931v1		30th March 2026
Existing Site Plan	P-001 – Rev: 1		30th March 2026
Proposed Site Plan	P-002 – Rec: 1		30th March 2026
Block Plan	P-040 – Rev: 1		30th March 2026
Existing Elevations	P-010 – Rev: 1		30th March 2026
Proposed Elevations	P-011 – Rev: 1		30th March 2026
Existing Floor Plan	P-003 – Rev: 1		30th March 2026
Proposed Floor Plan	P-004 – Rev: 1		30th March 2026
Temporary Building Floor Plan	P-005- Rev: 1		30th March 2026
Existing and Proposed Perspectives	P-030 – Rev: 1		30th March 2026
Existing and Proposed Sections	P-020 – Rev: 1		30th March 2026
Plans x 5	ST-26-JW-41642-1 - Ibstock(A)		30th March 2026
Spec Sheet – Thermo Roof			30th March 2026
Spec Sheet – Steel sheet cladding			30th March 2026
Spec Sheet – Temporary building frame			30th March 2026
Spec Sheet – D1 single personnel door			30th March 2026
Spec Sheet – Electric roller shutter door			30th March 2026
Planning Letter	Cronin Development Consultancy Ltd		10th July 2026
Application Form	PP-14688931		30th March 2026

Development within a Coal Mining Area

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

<http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.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](http://thePlanningInspectorate.website). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](http://thePlanningInspectorates.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: 24-Jul-2026

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**