



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 Tel: 01484 414746

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	48
Suffix	
Property Name	
Address Line 1	Crosland Fold
Address Line 2	Lindley
Address Line 3	Kirklees
Town/city	Huddersfield
Postcode	HD3 3WR

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

Easting (x)	Northing (y)
410608	418644
Description	

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

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.

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 application seeks to confirm the lawfulness of operational development comprising the construction and continued use of a single storey rear extension at 48 Crosland Fold, Huddersfield, HD3 3WR.

The works relate specifically to the erection of a permanent rear extension attached to the original dwellinghouse. The extension is constructed in materials consistent with the host property and is physically integrated into the existing building, forming a seamless addition to the rear elevation. It occupies land within the established residential curtilage of the property and does not extend beyond the domestic planning unit.

The extension has been completed to a permanent standard and is not temporary or ancillary in a detached sense. It forms part of the main built envelope of the dwelling and has been fully enclosed and roofed since completion. There have been no subsequent structural alterations or modifications since the works were finished.

In terms of use, the extension functions as integral living accommodation associated with the primary residential use of the property (Use Class C3). It is used for normal domestic purposes and operates as part of the single planning unit. There has been no material change of use arising from the development, and the extension has remained in continuous residential use since its completion.

The entirety of the development subject to this application relates solely to the rear portion of the dwellinghouse and its associated curtilage. No other uses, operations, or activities are included within the scope 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).

If the certificate is sought on 'Other' grounds please give details

The certificate is sought on the basis that the operational development has become lawful through the passage of time, in accordance with Section 191 of the Town and Country Planning Act 1990 (as amended).

The single storey rear extension was substantially completed in or around April 2021 and has remained in continuous use as part of the dwellinghouse since that time. No enforcement action has been taken by the Local Planning Authority within the relevant statutory period.

As the development was completed prior to 25 April 2024, it benefits from the transitional provisions introduced by the Levelling-up and Regeneration Act 2023, meaning the former four-year rule applies. The four-year period for enforcement therefore expired in or around April 2025.

On this basis, the development has become immune from enforcement action and is now lawful. The certificate is therefore sought to formally confirm this lawful status.

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

A Lawful Development Certificate should be granted as the applicant has demonstrated, on the balance of probability, that the development has become lawful through the passage of time in accordance with Section 191 of the Town and Country Planning Act 1990 (as amended). The evidence submitted confirms that the single storey rear extension was substantially completed in or around April 2021. This is clearly established through dated aerial and satellite imagery, which shows the absence of the extension in April 2020 and its full construction by April 2021, with continued presence thereafter.

The extension has remained in continuous use as part of the dwellinghouse since its completion, with no material alterations or interruptions. Importantly, no enforcement action has been taken by the Local Planning Authority within the relevant statutory period.

As the development was substantially completed prior to 25 April 2024, it falls within the transitional provisions of the Levelling-up and Regeneration Act 2023. Accordingly, the previous four-year rule applies, rather than the extended ten-year period. The four-year period therefore expired in or around April 2025, at which point the development became immune from enforcement action.

The application is supported by clear, consistent and objective evidence which satisfies the required legal test. As such, the Local Planning Authority is required to issue a Certificate of Lawfulness, confirming that the development is lawful.

Information in support of a Lawful Development Certificate

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)?

01-01-2021

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

Nathan Millin

Date

21/04/2026