**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 (GENERAL DEVELOPMENT PROCEDURE) ORDER 2015: ARTICLE 39**

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

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**Application Number: 2026/CL/91121/E**

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To: Alder King Planning Consultants
Pembroke House
15, Pembroke Road
Clifton
Bristol
BS8 3BA

For: Aspris Children's Services Ltd

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OF CHILDRENS HOME AS DWELLING

SECOND SCHEDULE 15, ROBIN ROYD LANE, MIRFIELD, WF14 0LQ

**KIRKLEES COUNCIL HEREBY CERTIFY THAT ON 22-APR-2026 THE USE DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT OF THE LAND SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED RED ON THE PLANS ATTACHED TO THIS CERTIFICATE WOULD BE LAWFUL WITHIN THE MEANING OF SECTION 192 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE FOLLOWING REASONS:**

On the balance of probability the occupation of 15 Robin Royd Lane, Mirfield, WF14 0LQ as a family dwelling would not constitute a material change in the use of this building and as such is not considered to amount to development as defined within Section 55 of the Town and Country Planning Act 1990 (as amended) and would therefore be lawful pursuant to section 192 of the Act.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location Plan and Site Plan | 26146 01 | | 22nd April 2026 |
| Existing and Proposed Floor Plans | 26146 02 | | 22nd April 2026 |
| Application Form | PP-14873802 | | 22nd April 2026 |
| Covering Letter | JB/102032 | | 22nd April 2026 |

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 2015 and otherwise actively engaged with the applicant in dealing with the application. Due to the nature of the application, no further information was requested.

**Development within a Coal Mining Area**

**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**

**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) This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).

(2) It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule would be lawful on the specified date and, thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.

(3) This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

(4) The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

(5) If the applicant is aggrieved by the decision of the Local Planning Authority to issue a certificate of lawfulness of development, for any part development applied for (including any modification or substitution of the description of the use), 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 Inspectorates website. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website

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-Jun-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**