KIRKLEES COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 191
(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

Application Number: 2026/CL/91356/E

To: Marcus Walsh,
Martin Walsh Architectural
Firth Buildings, 99-103, Leeds Road
Dewsbury
WF12 7BU

For: Michael Graves

FIRST SCHEDULE	CERTIFICATE OF LAWFULNESS TO CONFIRM VALID COMMENCEMENT OF DEVELOPMENT OF ONE DWELLING APPROVED UNDER PLANNING PERMISSION 2022/91299 FOR ERECTION OF RESIDENTIAL DEVELOPMENT OF NINE DWELLINGS WITHIN THE 3 YEAR TIME LIMIT GIVEN IN CONDITION 1
SECOND SCHEDULE	298, WHITECHAPEL ROAD, SCHOLES, CLECKHEATON, BD19 6HW

KIRKLEES COUNCIL HEREBY CERTIFY THAT ON 22-MAY-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 PLANS ATTACHED TO THIS CERTIFICATE WERE LAWFUL WITHIN THE MEANING OF SECTION 191 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), FOR THE FOLLOWING REASONS:

NOTES:

(1) This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).

(2) It certifies that the operations 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 operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation(s) which are 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 191 (6) 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 operations), s/he may appeal to the Secretary of State for the Environment 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 https://www.gov.uk/planning-inspectorate. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Application Form	PP-14947824		19th May 2026
Location Plan	GFWR-MWA-XX-XX-DR-A-0001-P1		19th May 2026
Existing Site Plan	GFWR-MWA-XX-XX-DR-A-0002-P1		19th May 2026
Proposed Site Plan	GFWR-MWA-XX-XX-DR-A-0003-P11		19th May 2026
Planning Statement	GFWR-MWA-XX-XX-RP-A-0002_S2_P01		19th May 2026

Plan Type	Reference	Version	Date Received
Remediation Addendum	E21/7893/MD/04		19th May 2026

Development within a Coal Mining Area

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

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

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: **09-Oct-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