Application Number	
Date Logged	
Receipt No	Fee Received
Card	Other
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 a Proposed Use or Development

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: 5

Suffix:

Property Name: Dale Street Mills

Address Line 1: Dale Street

Address Line 2: Longwood

Address Line 3:

Town/city: Huddersfield

Postcode: HD3 4DT

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

Easting (x): 411174

Northing (y): 416443

Description:

Unit 5 dale street mills. A first floor unit in dale street mills

Applicant Details

Name/Company

Title

Miss

First name

Rebecca

Surname

Kane

Company Name

Kane Martial Arts Ltd

Address

Address line 1

20 Chapel terrace

Address line 2

Crossland moor

Address line 3

Town/City

Huddersfield

County

Country

GB

Postcode

Hd4 5dz

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Applicant Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

◯ Yes
⊘ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

⊘ Yes
◯ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The premises will be operated by Kane Martial Arts Ltd (Kane Academy) as a commercial indoor martial arts, dance, sport and fitness gym within Use Class E(d).

Activities will include kickboxing, Filipino martial arts, self-defence, boxing fitness, Irish dance, other dance styles, fitness classes, personal training, physical conditioning, sports workshops, training seminars, grading assessments, sporting demonstrations and competitions associated with the academy's principal sporting activities.

The premises will provide supervised individual and group training for children, teenagers and adults, including regular classes, beginner and advanced training courses, after-school sporting activities, school holiday sports and fitness programmes, and adapted training for participants with additional needs.

An ancillary retail area will provide the sale of sporting equipment, martial arts uniforms, sports clothing, footwear, protective equipment, training accessories and related merchandise to members and customers.

The premises will include designated training areas, protective flooring, punch bags, fitness and exercise equipment, weights, dance equipment, storage facilities, reception, customer waiting areas and associated administration facilities.

Training facilities may also be used by visiting instructors and external sporting organisations for activities consistent with the principal indoor sport, recreation and fitness use.

Activities will generally involve supervised small and medium-sized groups, subject to safe occupancy limits.

No industrial machinery or manufacturing processes are proposed.

Proposed Operating Hours: Monday to Sunday, 6:00am–10:00pm, including evenings, weekends and school holidays.

The principal use of the premises will be indoor sport, recreation and fitness within Use Class E(d), together with ancillary retail sales of sporting goods and associated reception, administration, storage and customer facilities.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The premises have previously been associated with commercial businesses, including Patrol Base Limited, a retailer of sporting goods, airsoft equipment, clothing and accessories. E useage For over 15 years starting in 2009 as stated on companies house.

Companies House records confirm that Patrol Base Limited changed its registered office from Unit 5, Dale Street Mills, on 10 January 2025.

The precise date on which physical occupation or the last operational use ceased has not been confirmed.

Has the proposal been started?

- [x] Yes
- [ ] No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The premises form part of Dale Street Mills, an established commercial mill complex which has historically accommodated business, retail, storage and workshop activities.

Unit 5 has previously been associated with commercial occupiers, including Patrol Base Limited for over 15 years which was a retail company selling sporting goods.

The applicant considers that the existing building has an established history of commercial use and was not constructed specifically for the proposed activities.

No structural alterations or extensions are proposed as part of this application.

The applicant is seeking confirmation of the lawfulness of the proposed use, having regard to the established commercial history of the premises. The precise lawful planning use classification remains subject to confirmation.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Evidence that Patrol Base specialising in sporting and recreation were in the unit for years. They specialised in retail of sporting equipment.

Select the use class that relates to the existing or last use.

E(a) - Display/Sale of goods other than hot food

Information about the proposed use(s)

Select the use class that relates to the proposed use.

E(d) - Indoor sport, recreation, or fitness - Excluding motorised vehicles, firearms, swimming, and skating

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Unit 5, Dale Street Mills has a longstanding history of commercial occupation dating back to the 1980s, with businesses understood to have operated in uses now falling within Class E.

Most recently, the premises were occupied from approximately 2009 until 2025 by Patrol Base, a specialist sporting goods and equipment retailer, undertaking activities characteristic of retail use within Class E(a).

Section 171B(3) of the Town and Country Planning Act 1990 provides a ten-year limitation period for planning enforcement action in respect of relevant changes of use. Where a qualifying use has continued for the requisite period without significant interruption and is immune from enforcement, it may be recognised as lawful for planning purposes.

The premises' approximately 16-year history of retail occupation is therefore relevant to establishing the lawfulness of the existing retail use, subject to supporting evidence and the absence of applicable enforcement action or other legal restrictions.

The proposed operation by Kane Martial Arts Ltd (Kane Academy) will comprise an indoor martial arts, dance, sport and fitness gym within Use Class E(d), together with ancillary retail sales of sporting goods, clothing and equipment.

Under the Town and Country Planning (Use Classes) Order 1987, as amended, movement between activities within Class E does not ordinarily constitute development requiring separate planning permission, where the existing lawful use is established and no relevant restrictions apply.

No material external alterations or extensions are proposed.

The applicant considers that the historical retail occupation, the statutory provisions relating to established lawful uses and the proposed activities within Class E provide grounds for issuing a Certificate of Lawfulness under Section 192 of the Town and Country Planning Act 1990.

The applicant respectfully requests that Kirklees Council confirm the lawfulness of the proposed Class E(d) use with ancillary retail facilities.

Community Infrastructure Levy

Your development may be liable for a charge under the Community Infrastructure Levy if it involves new or additional gross internal area for residential and non-residential buildings, including extensions or a new dwelling. If your scheme is liable, this charge is payable after development begins.

Information on the CIL charges can be found on the local authority website. In London both Mayoral and local borough CIL charges may be applicable.

Your answers below, and in the application, will enable the local authority to establish if your development is liable for a charge and to calculate it accurately.

Further information on CIL, and what to do if you are liable can be found on the Planning Portal.

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

Liability for CIL

Does the application include new build development (including extensions and replacement) of 100 square metres gross internal area or above?

◯ Yes
⊘ No

Note: Answer No if either:

- the new or additional internal area only relates to a building into which people do not normally go or only go into intermittently for the purposes of inspecting or maintaining fixed plant or machinery; or
- the new or additional internal area solely relates to an internal/mezzanine floor and no other works or change of use are proposed.

Does the application include creation of one or more new dwellings (including residential annexes) either through new build or conversion (except the conversion of a single dwelling house into two or more separate dwellings with no additional gross internal area created)?

◯ 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

If Other has been selected, please provide contact details:

Title

***** REDACTED ******

First name

***** REDACTED ******

Surname

***** REDACTED ******

Phone Number

***** REDACTED ******

Email

***** REDACTED ******

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

⊘ Yes
◯ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED ******

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

Phone call 30/10/2026

Date (must be pre-application submission)

30/10/2026

Details of the pre-application advice received

*****REDACTED*****

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

Interest in the Land

Please state the applicant's interest in the land

◯ Owner
⊘ Lessee
◯ Occupier
◯ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED ******

Declaration

I/We hereby apply for Lawful development: Proposed 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

Rebecca Kane

Date

03/11/2026