Application Number	
Date Logged	
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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: 90

Suffix:

Property Name:

Address Line 1: Market Street

Address Line 2: Milnsbridge

Address Line 3: Kirklees

Town/city: Huddersfield

Postcode: HD3 4HT

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

Easting (x): 411565

Northing (y): 416130

Description:

Applicant Details

Name/Company

Title

Mr

First name

Ubaid

Surname

Rafi

Company Name

Address

Address line 1

90 Market Street

Address line 2

Milnsbridge

Address line 3

Town/City

Huddersfield

County

Kirklees

Country

Postcode

HD3 4HT

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Applicant Contact Details

Primary number

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

Secondary number

Fax number

Email address

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

Agent Details

Name/Company

Title

Mr

First name

Umar

Surname

Hussain

Company Name

Address

Address line 1

32

Address line 2

Macaulay Road

Address line 3

Birkby

Town/City

HUDDERSFIELD

County

Country

Postcode

HD2 2US

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

Has the proposal been started?

◯ 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 ground floor unit has a long-established shop use. It was occupied by a hair salon (The Hair Shop) until summer 2014 and, after a vacancy of around a year while a new tenant was found, by a model railway shop (Milnsbridge Models) from late summer 2015 until early 2023, followed by a gift shop until summer 2026. Hairdressing and retail both fell within Class A1. The model railway shop was trading on 31 August 2020, so under regulation 7 of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 the premises are treated as being in Class E from 1 September 2020. There is no planning history and no condition restricting the use. The unit has been vacant only since summer 2026 while a new tenant was sought, and the use has not been abandoned. The existing lawful use is therefore Class E(a). In any event, the shop use since 2015 exceeds 10 years and would be immune from enforcement under section 171B of the 1990 Act. Full details are set out in section 2 of the Planning Statement.

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

1. Planning Statement, UHDesign Architectural Services, November 2026
2. Signed statement of the owner, Zhong Qun Shi, dated 9 November 2026 (Planning Statement, Appendix A)
3. Google Street View images of the premises, June 2009 to March 2021 (Planning Statement, Appendix B)
4. Valuation Office rating list entries for the 2017, 2023 and 2026 lists, describing the premises as "Shop and premises" (Planning Statement, Appendix C)
5. Site location plan
6. Existing and proposed ground floor plans, including area schedule

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(b) - Sale of food and drink for consumption mostly on the premises

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

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

The existing lawful use of the unit is within Class E(a). The proposed café falls within Class E(b): the sale of food and drink principally to visiting members of the public where consumption is mostly undertaken on the premises. Under section 55(2)(f) of the Town and Country Planning Act 1990, a change from one use to another within the same use class does not involve development, so planning permission is not required. The café will provide 8 covers, open from 09:00 to 15:00, use no third-party delivery platforms, and have takeaway sales only as an ancillary element, so it is not a hot food takeaway. The customer seating and circulation area (16.5 sqm) is approximately twice the servery and food preparation area (7.7 sqm). No planning conditions restrict the use and no external works are proposed. The full legal assessment is set out in section 4 of the Planning Statement.

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
- [x] 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
- [x] No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

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

- [ ] Yes
- [x] No

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
- [x] No

Interest in the Land

Please state the applicant's interest in the land

- [ ] Owner
- [x] 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

Umar Hussain

Date

11/11/2026