



Notice of Prior Approval Determination

TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 SCHEDULE 2 PART 3 CLASS MA

Correspondence Address:

JRB Designs Ltd.
1 Saville Street
Cudworth
Barnsley
S72 8LT

Decision Date:

22/08/2023

APPLICATION NO: 2023/0521

DESCRIPTION: Conversion from design studio/antiques showroom into a single dwelling
(Application to determine if prior approval is required for a proposed change of use)

LOCATION: The Old Chapel, Chapel Street, Ardsley, Barnsley, S71 5AY

APPLICANT/AGENT: Mr Andrew Sefton JRB Designs Ltd.

Prior approval is **not required** for the development described above; subject to the following standard conditions:

- 1 Development must be completed within a period of 3 years starting with the prior approval date.
Reason: In accordance with paragraph MA.2 (5) of Part 3, Class MA of the GPDO.
- 2 Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.
Reason: In accordance with Paragraph MA.2 (6) of part 3, Class MA of the GPDO.
- 3 The development hereby approved shall be carried out strictly in accordance with the plans MAS001-001 & MAS001-004 and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 4 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.
- 5 Prior to the first occupation of the property for the use hereby permitted, at least two parking spaces having minimum dimensions of 5m x 2.5m shall be provided within the site and shall be made available for the parking of motor vehicles and be retained for that sole purpose at all times. Areas to be used by vehicles must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the duration of the permitted use.
Reason: To ensure that there are adequate parking facilities to serve the use which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway; and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 6 Any gates at the vehicular access shall be designed so as to only open inwards and be permanently retained as such for the duration of the permitted use.
Reason: To ensure the safe and unobstructed use of the adopted highway is maintained in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 7 Any redundant vehicular accesses shall be reinstated as kerb (and footway) prior to the first occupation of the property for the use hereby permitted.
Reason: In the interests of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

Additional information:

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 2 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226- 772576, or directly from www.naturalengland.org.uk
- 3 Notwithstanding the proposed plans and elevations as submitted, no improvement or other alteration to the external appearance of the building shall be carried out without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

Signed

Dated 22/08/2023

For and on behalf of Group Leaders,
Andrew Burton/Matthew Smith

Development Management

NOTES:

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.