BARNSLEY
Metropolitan Borough Council

Place Directorate
Economic Regeneration
Planning and Building Control
Head of Service: Joe Jenkinson

Notice of Prior Notification Determination

Town & Country Planning (General Permitted Development) Order 2015
Schedule 2 Part 3 Changes of Use

Correspondence Address:
Wake Architects Ltd
1 Dunford Road
Holmfirth
HD8 2DP

Decision Date:
18/12/17

APPLICATION NO:	2017/1482
DESCRIPTION:	Change of use of agricultural building to dwelling house (Prior Notification)
LOCATION:	Keresforth Hall Farm, Off Keresforth Hall Road, Barnsley
APPLICANT:	Mr Timothy Hemingway

Prior approval is hereby refused for the development described above, for the following reasons:

Lack of Info

Insufficient details have been submitted alongside the application to enable an adequate assessment to be made of the effect of potential contamination on the proposed residential use.

The proposed development is not permitted development as set out under Schedule 2 Part 3, Class Q.1 (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 because the existing building is not structurally strong enough to take the loading and new structural elements would be required. The work required for the conversion goes above and beyond 'building operations reasonably necessary to convert the building'.

Signed

Joe Jenkinson
Head of Planning and Building Control

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within twelve weeks of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

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.