



MAW
TOWN PLANNING LTD

Planning Statement

Application site: 32A Barnsley Road, Brierley, Barnsley, S72 9LD

Proposal: Retention of use of building as a dwelling (Class C3)

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1.0 Summary of the Application

- 1.1 Planning application 2017/ 0376 was for the erection of a detached dwelling with integral garage. The application was granted by Barnsley Council on 9th July 2017. Following this consent, the site owner built a dwelling on the site, but it was not in accordance with the original consent.
- 1.2 A certificate of existing lawful use was submitted for the existing building on the basis that the dwelling built on site was not in accordance with 2017 consent and it had developed immunity from enforcement action by the passage of time. However, the certificate was submitted for the building only (the operational development), rather than its use as a dwelling because the owner had not lived in the property continuously for more than four years. The certificate of lawful use for the building was issued on 29th April 2026 (reference: 2025/0870). This confirms that the building on site is lawful.
- 1.3 This application now seeks planning consent to use the building on site as a residential dwelling. Given the site characteristics and planning history, this would be the most logical use for the building and presumably acceptable in principle. The building works and design of the dwelling are not relevant to the change of use application, but the layout of the dwelling, parking and access would be. A brief overview of these material planning considerations is set out below.

2.0 Layout

- 2.1 The proposed floor plans (and as it is as existing) has a similar layout to the 2017 consent. At ground floor, the front door is relocated to the side elevation. The ground floor layout retains an integral garage and open plan kitchen/diner. The first floor is the same as previously granted. The attic layout is slightly different as the front room in the attic has been split into two rooms to allow for a separate study area. The windows are similar to the 2017. The windows on the side elevations continue to serve non habitable windows. The front rooflights previously served one bedroom but they now serve a bedroom and study area.
- 2.2 It is considered that the layout is generally similar to previously granted and the dwelling would provide a good standard of residential accommodation. The habitable windows face onto Barnsley Road and the rear garden and therefore do not create any residential amenity issues.

3.0 Parking and Access

- 3.1 The site plan shows that the proposed dwelling would have one off street parking space measuring 5.5m long by 3.9m wide. There is also a garage which could be utilised as a second parking space, although it is slightly smaller than the recommended dimensions of the SYRDG.
- 3.2 The SYRDG recommends that a parking space should be a minimum of 5m long, but when the space is located in front of a garage, it should be increased to 6m. This additional 1m is usually



to provide a clearance area in front of the garage door so the garage door can be opened whilst a car is parked in front of the garage. However, the 1m clearance is only needed for a sliding/ up and over garage door. The existing dwelling is fitted with a roller shutter garage door so there is no clearance needed in front of the garage door and a vehicle can continue to park in front of the garage when the garage is in use. The LPA may wish to add a condition onto any planning consent to require that the garage shall only be fitted with a roller shutter for the lifetime of the development.

- 3.3 The 2017 consent showed a turning area in front of No.32. Although, it is unlikely to have been large enough to even turn a vehicle around in a forward gear. The proposal does not intend to include the area in front of No.32 for parking/ turning. The proposed layout has one off street parking space in front of the dwelling. this would result in the vehicles having to reverse in and out of the parking space. The parking space is set back from the pavement and there is good visibility in both directions. The proposal is for one dwelling, which would generate minimal reversing movements onto Barnsley Road.

4.0 Planning Conditions

- 4.1 The certificate of existing lawful use confirmed that the 2017 consent was never implemented. Therefore, the 2017 consent including its conditions are null and void. Conditions relating to the building works are not relevant to this change of use application. Only conditions that are relevant to the proposal (the change of use of the building to a dwelling) should be applied. In the event that the LPA are minded to approve, a suggested list of conditions is below:

- Approved plans condition
- The garage shall be fitted with a roller shutter door for the lifetime of the development.
- Parking to be retained for dwelling.