BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Property
Planning and Building Control

Notice of Prior Approval Determination

TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015
SCHEDULE 2 PART 3 CHANGES OF USE

Correspondence Address:
Architect & Town Planner
14 Huddersfield Road
Ingbirchworth
Sheffield
S36 7GF

Decision Date:
25 April 2019

APPLICATION NO: 2019/0274
DESCRIPTION: Change of use of agricultural barn to dwellinghouse (Prior Notification)
LOCATION: Barn, Land at Hornthwaite Hill Road/Cross Lane Junction, Thurlstone, Sheffield, S36 9QL
APPLICANT: Michael A Clynch

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

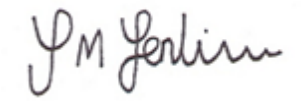
1	The proposed development is not permitted development as set out under Schedule 2 Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 because the work required for the conversion goes above and beyond 'building operations reasonably necessary to convert the building'.
2	The proposed development is not permitted development as set out under Schedule 2 Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015. The curtilage of the proposed dwelling is larger than the land area occupied by the agricultural building. In addition the curtilage prevents access to the windows and doors of the proposed dwelling. Any access to these openings would need to be taken over land outside of the red line boundary of the dwelling and as such would require a much larger curtilage than the one shown in order for the dwelling to properly function.
3	Insufficient details have been submitted alongside the application to show that the agricultural building has been used for agriculture, either on 20th March 2013 or when it was last in use before that date. As such, it is the opinion of the Local Planning Authority, that it has not yet been clearly shown that the scheme meets the requirements of Q.1 (a) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015.
4	By virtue of its layout and siting the proposal fails to comply with condition Q.2 point (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 and point (f) Design or external appearance. The building is sited in a prominent location at the top of a hill. Together with the alterations proposed and the use of the building as a dwelling, the proposal would be undesirable and harmful to the visual amenity and openness of the Green Belt and on this basis the proposed development is not permitted.

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to refuse permission for the proposed development 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 12 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.

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*