



Notice of Prior Approval Determination

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

Correspondence Address:

Linwood
Barnsley Road
Dodworth
Barnsley
S75 3JR

Decision Date:

02 July 2020

APPLICATION NO:

2020/0300

DESCRIPTION:

Conversion of ground floor and part first floor to 3 No flats (Prior Notification for a Proposed Change of Use)

LOCATION:

346 Sheffield Road, Birdwell, Barnsley, S70 5TU

APPLICANT:

Architectural Design Consultant

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

- 1 In the opinion of the Local Planning Authority the proposed development fails to meet the criteria set out in Class M 'retail, takeaways and specified sui generis uses to dwellinghouses' of the Town and Country Planning (General Permitted Development) (England) Order 2015 in that the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres, contrary to paragraph M.1(c).
- 2 Despite requests for additional information the applicant has not submitted sufficient details to enable an adequate assessment to be made of the effect of the proposal on parking provision and highway safety.

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 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 6 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.