BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
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:
27 Willow Bank
Barnsley
S10 1PF

Decision Date:
18/02/2021

APPLICATION NO: 2021/0019
DESCRIPTION: Conversion of lower floor/basement into 2no apartments -Change of use prior approval from Offices (Class B1(a)) to Dwellinghouses (Class C3)
LOCATION: 1 - 3 Eastgate, Barnsley, S70 2EP
APPLICANT: Kieron Armstrong

We hereby advise you that prior approval is required, and it is the decision of the Local Planning Authority to **refuse** to approve the submitted details of the scheme for the following reasons:

1 The applicant has not submitted sufficient details to demonstrate that the part of the building subject to this application has a B1(a) use and not an A2 use. As such, Part 3 'Changes of Use', Class O, 'Offices to Dwellinghouses' of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is not applicable in this case. Furthermore, as the building is on article 2(3) land Part 3 'Changes of use', Class M 'retail, takeaways and specified sui generis uses to dwellinghouses' of the GPDO is not applicable either.

2 The proposal would also be unacceptable under class O given the lack of information provided to fully assess the impacts of noise from commercial premises on the intended occupiers of the development. Furthermore, given the limited space between the front elevation of the building and the adopted highway there is only limited opportunity to create lightwells to serve the basement rooms. As such, the proposed bedrooms to the front of the proposed apartments would fail to meet criteria E set out in Class O which requires 'the provision of adequate natural light in all habitable rooms of the dwellinghouse'. This is further compounded that the main living areas in the proposed apartments to the rear of the building are East facing and are enclosed by neighbouring elevations, again limiting the natural light into the properties.

Signed

Dated 18/02/2021

Joe Jenkinson
Head of Planning and Building Control