

Enquiries to: Neil Bearcroft

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The Dyehouse
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HD4 7PDDate: 14-May-2019
Our Ref: 2019/90967

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015
NOTIFICATION OF PROPOSED CHANGE OF USE AND BUILDING OPERATIONS
APPLICATION NUMBER: 2019/90967
AT: barn adj, Lower Hey Farm, Holt Head Road, Slaithwaite, Huddersfield, HD7 5TU

I refer to your submission of details relative to the proposed change of use and any building operations as described below which was received by the Local Planning Authority on 25-Mar-2019.

Prior notification for change of use from agricultural building to one dwelling and associated operational development

The proposal is not acceptable to the Council, and notice is hereby given that the details submitted have been refused for the following reason(s);

1. Permitted development rights (PDR) under Class Q (b) of Part 3, Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 allow for building operations 'reasonably necessary' to 'convert' the building referred to in Class Q (a) to a dwellinghouse. National Planning Policy Guidance states (in paragraph ID 13-105-20180615) that these PDR assume that the agricultural building is capable of functioning as a dwelling and that only where the existing building is already suitable for conversion to residential use can it be considered to have the permitted development right conveyed by Class Q. In this case the works required to alter the use to a dwelling are of such a magnitude that they go beyond what is reasonably necessary to be a conversion of the building, utilising only the concrete portal frame and limited breeze block walls of the existing structure. The agricultural building is not suitable for conversion to residential use; as such the development is not permitted development within Class Q.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	3265 (0-) 01		25/3/2019
Existing site layout plan	3265 (0-) 02		25/3/2019
Existing plans and elevations of building	3265 (0-) 03		25/3/2019
Proposed site layout plan	3265 (0-) 04		25/3/2019
Proposed plans and elevations	3265 (0-) 05		25/3/2019
Structural inspection report	MDL-2375		25/3/2019
Supporting statement	March 2019		25/3/2019

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. For the reason set out in the reason for refusal the development it was not considered that amended plans could address the reasons for refusal and would not improve the environmental conditions of the area.

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse details of the proposed development, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of issue of this notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that approval of details could not have been granted by the Local Planning Authority having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

Further correspondence regarding this application should bear the reference on this letter.

Customer Feedback

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully



Simon Taylor
Head of Development and Master Planning