

Enquiries to: Nicole Helliwell

Fiona Tiplady
Canalside House
Brewery Lane
Skipton
BD23 1DR

Kirklees Direct
Tel: 01484 414746
Email: nicole.helliwell@kirklees.gov.uk

Date: 08-May-2025
Our Ref: 2025/90727

Dear Madam

**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: 2025/90727
AT: Popeley Farm, Muffit Lane, Gomersal, Cleckheaton, BD19 4QS**

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 14-Mar-2025.

Prior notification for change of use of agricultural building to one dwelling

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);

The building operations described in the application are considered to go beyond works that could reasonably be described as development to convert an existing agricultural building and as thus considered as a matter of fact and degree to constitute a re-build and therefore cannot benefit from a general planning permission by virtue of Article 3(1) and Class Q, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	1101	A	14/03/2025
Unit A Floor Plan As Existing	1103	-	14/03/2025
Site Plan Unit A As Proposed	1106	-	14/03/2025
Unit A (B2) Floor Plan As Proposed	1107	-	14/03/2025
Unit A (B2) Mezz Floor Plan As Proposed	1108	-	14/03/2025
Unit A (B2) North & West Facing Elevations	1109	A	14/03/2025
Unit A (B2) North & East Facing Elevations	1110	-	14/03/2025
Barn 2 Structural Inspection for Planning	-	1.0	14/03/2025
Coal Mining Risk Assessment	Muffit Lane/BD19 4QD/2023	-	14/03/2025
Addendum to Structural Inspection Report for Planning (Barns 1 & 2)	-	1.0	14/03/2025
Letter from Bombus Ecology	-	-	14/03/2025
Fire Tender Swept Path Analysis	2301703	-	1 4/03/2025

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 has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. In this instance, the alterations required would be beyond the scope of the application. As such, no amendments were sought thereafter.

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 [The Planning Inspectorate Website](#) . Further information on the Planning Appeal process can be found online at [The Planning Inspectorate Website](#).

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

Mathias Franklin
Head of Planning and Development