



Planning Services
Kirklees Council
Civic Centre 3,
High Street,
Huddersfield,
HD1 2TG

March 2025

To Whom it may concern,

Prior Approval for a proposed change of use from Agricultural building to 3No Dwellinghouses and associated operational development to barns at Barley Fields Farm, Oxford Road, Gomersal, BD19 4HA

On behalf the applicant, Mr and Mrs Newman, I hereby submit a prior approval application in respect of the above development.

This letter is in support of a Prior Approval application made under Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended 2024) in respect of an agricultural barn located at Barley Fields Farm, Oxford Road, Gomersal, BD19 4HA.

Class Q considers the principle of the change of the use of the building and related works and assesses whether the Council's prior approval is required in terms of the following matters:

- transport and highway impacts
- noise impacts
- contamination risk
- flood risk and
- whether the location or siting of the building makes it otherwise impractical or undesirable to be a dwelling
- the design or external appearance of the building

Class Q of the General Permitted Development Order 2015 (as amended 2024) allows:

Development consisting of—

(a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or

(b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

The submitted floorplans as proposed would result in the creation of 3No dwellinghouses. The proposed dwellinghouses would have a cumulative floor area within the 465sqm larger homes limit allowed within the transitional amendments to the General Permitted Development Order 2015 (December 2024 version). The development as submitted would NOT result in the external dimensions

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of the building extending beyond the external dimensions of the existing building. Some removal of bays will be required to facilitate the creation of garden area for the resultant dwellings.

The barn is not a listed building, within Article 2(3) land or in a SSSI. As such, the agricultural barn subject to this application, is capable of benefiting from a Change of Use under Class Q of the GPDO. The barn itself was constructed as an agricultural barn associated with other barns in the local area. The applicant is considering options to diversify their existing holding, as such this Class Q application has been prepared.

As can be seen in the aerial image below, the barn is largely in its original form. A structural appraisal report (by Marsh Design) has confirmed that the foundations to the barns appear to be substantial and structurally adequate and we consider it to be suitable to support the nominal increase in loads from the proposed conversion into a habitable dwelling and the sizes of steelwork, timber members used in the construction of the barn is typical of sizes used in modern day construction, and we consider these to be adequate for their intended use, it can be deemed to be of a substantial and permanent construction suitable and capable for its proposed conversion into habitable dwellings.



As can be seen from the images above, and those within the submitted structural appraisal. The buildings clearly agricultural barns, and no other use has commenced, and no change of use application is evident on the public access webpage that has been implemented.

As set out within the submitted architectural plans, the proposed dwellings are designed to utilise the existing steel frame. The larger barn will be altered through the removal of some sections of walling to subdivide the barn into two detached dwellings, the roof is recommended to be replaced with a more modern insulated composite panel roof covering in the structural report which would also facilitate the modest demolition to subdivide the two properties. The operational development required to facilitate the conversion of the larger barn to two detached dwellings is the minimum amount required and all existing external walls would be retained where they would form external walls of the resultant dwellings. The smaller barn would not require any demolition to convert to a single dwelling and all operational development would be to create a detached dwelling of modern

built standard and insulation levels. The operational development to create the 3No dwellings would be reasonably necessary in line with the allowances of Class Q sub paragraph (b) defined as:

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i)

This application seeks to establish if the Council's prior approval is required for the change of use and building operations necessary to convert the building as shown in the submitted plans and elevations. Again, the criterium by which the council consider if their prior approval is required is below:

- transport and highway impacts
- noise impacts
- contamination risk
- flood risk and
- whether the location or siting of the building makes it otherwise impractical or undesirable to be a dwelling
- the design or external appearance of the building
- the provision of adequate natural light in all habitable rooms of the dwellinghouses

Assessment of the prior approval procedure under Class Q

1. Transport and Highways Impacts

This change of use involves the creation of 3No dwellings, which will replace all existing vehicular movements associated with the agricultural use of the building. The submitted drawings show the dwellings will be accessed via the existing access to Oxford Road, which is currently used to access the buildings for agricultural purposes and the associated residential dwellings. Given the existing use and ownership of the access track, and the limited usage for 3 dwellings it is established that Prior Approval would not be required for the transport or highways impacts. The existing access would serve the proposed dwellings and two existing residential properties, the level of comings and goings is deemed appropriate for the access track and Oxford Road. However, the applicant is proposing to incorporate a number of passing places along the access track as shown on the submitted plans.

Notwithstanding the above, the site plans submitted for this application demonstrate appropriate parking can be incorporated into the scheme, this would be used for allocated private vehicle parking (including EV Charging), a formal courtyard driveway would allow vehicles to enter and exit the site in a forward gear, visibility splays are unchanged onto Oxford Road. Visitor Parking spaces can be accommodated on the dedicated spaces or informally within the courtyard.

2. Noise Impacts

It is not expected that the development of 3No dwellings through conversion of the Barns would produce an unacceptable amenity impact in terms of noise. Appropriate conditions would be applied to any permission granted limiting construction hours to prevent unnecessary noise to neighbouring properties through the construction phase, although these properties are owned by the applicant.

3. Contamination Risk

It is unlikely that there are any contamination issues on site, particularly within the Barn itself, appropriate conditions would be applied to any grant of permission relating to unexpected contamination found during the construction process and for the testing of any imported soil.

4. Flood Risk

The building is located in Flood Zone 1 of the Environment Agency Flood Map and at low risk of flooding. It is likely that appropriate conditions are likely to be applied to any permission requiring details of Foul and Surface Water Drainage details. The proposed development would reduce the quantum of hard surfacing on site, through the creation of residential gardens, to the benefit of surface water attenuation.

5. Whether the location or siting of the building makes it otherwise impractical or undesirable to be a dwelling

The building is located within an enclave of agricultural barns (subject to the application) and residential properties. The location is considered acceptable for residential use, is well connected to local services via Oxford Road to the north and PROW Footpath connecting to Oxford Road in the south west also which is a main arterial bus route.

This proposal would result in 3No properties, which would replace all associated agricultural use within the buildings therefore removing any smells and noise associated with livestock.

The location and siting of the building is appropriate and would be desirable to buyers overlooking the adjacent fields whilst being in close proximity to shops, pubs and services serving day to day needs.

6. The design or external appearance of the building.

The external appearance of the properties would remain of an agricultural appearance other than the addition of windows, rooflights and sliding doors. Given the scale of the existing barn, sections of the existing building are to be removed to create parking and outdoor garden space. The remaining steel frame would be the basis of the proposed dwellings, the cladding would need to be replaced through the need to insulate the barns and close the traditional gaps between the Yorkshire timber slatted cladding, and the conversion would be constructed in line with the submitted structural survey. The dwellings would clearly be read as former agricultural barns with a clear rural character and scale.

Overall, the alterations are those reasonably necessary to convert the agricultural barn to 3No dwellings in line with Class Q(b), the appearance of the resultant dwellings would be of a high quality whilst retaining the former agricultural character of the barn.

7. the provision of adequate natural light in all habitable rooms of the dwellinghouses

As can be seen in the submitted floorplans and elevations, all habitable rooms including bedrooms benefit from windows and as a result all benefit from the provision of more than adequate natural light without creating overlooking issues.

As set out within Paragraph X (Interpretation of Part 3) definitions, “curtilage” means, for the purposes of Class Q, R or S only—

- (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or
- (b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building,

whichever is the lesser;

In the design of the proposed Class Q Conversion, the land included within the enclosed private garden space defined as 'curtilage' (as shown within the submitted site plan) is no more than the footprint of each individual barn combined.

As demonstrated in the preceding paragraphs, the proposed development as submitted accords with the requirements of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended 2024). It is demonstrated the proposed development is acceptable in accordance with the prior approval criteria.

I trust that you have all the information required to validate the application, if you require anything further in the meantime, please do not hesitate to contact the undersigned.

Yours faithfully

Redacted

Joe Flanagan MPLAN
Principal Planner