

South Kesteven District Council

Development Management
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SOUTH
KESTEVEN
DISTRICT
COUNCIL

Mr Mike Sibthorp
Mike Sibthorp Planning
Logan House
Lime Grove
Grantham
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NG31 9JD

REFUSAL OF PRIOR NOTIFICATION DETAILS

(Change Of Use – Agricultural to Dwelling)
Town and Country Planning (General Permitted Development) Order 2015 – Part 3 Class Q

Part I – Particulars of application

Application No:	S23/0200
Date Registered:	1st February 2023
Applicant:	Mr G Fearn
Proposal:	Conversion of barn to 5(No.) dwellings (comprising 4(No.) smaller dwelling houses and 1(No.) larger dwelling house)
Location:	Barn At The Willows Main Street
Decision/Date	DETAILS REFUSED 29th March 2023

Part II – Particulars of decision

The South Kesteven District Council hereby give notice that the **details have been refused** for the development referred to in Part I notated above, for the following reason(s):-

1. The proposed development is contrary to Q.1 g)iii) of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015, the proposed development to convert the existing building to 5no. dwellings does not constitute permitted development, as on the balance of probability, the building is not considered to have been in agricultural use during the period which is 10 years before the date development under Class Q would begin.

A planning application would be required.

Note(s) to Applicant:

- 1 Your attention is drawn to the attached notes explaining your rights of appeal regarding this decision.

Emma Whittaker
Assistant Director Of Planning
29th March 2023

GENERAL DEVELOPMENT PROCEDURE ORDER 2015
TOWN AND COUNTRY PLANNING ACT 1990

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 this is a decision on a planning application relating to the same, or substantially the same, land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same, or substantially the same, land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of the service of the enforcement notice **or** within six months of the date of this notice (whichever period expires earlier).

If you want to appeal against other decisions, except for Householders which are 12 weeks, then you must do so within 6 months of the date of this notice. Appeals should be submitted using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Tel: 0303 444 5000 (Customer Services)
Email: enquiries@planning-inspectorate.gsi.gov.uk
Website: <https://www.gov.uk/planning-inspectorate>

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.