

Town and Country Planning Act 1990: Section 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 39

REFUSAL OF CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Correspondence Address:	Application Number:
Mr Mathew Benson Storah Architecture Storah Architecture 46 Halifax Road Todmorden OL14 5QG	24/00350/CPL
Location	Description of Development
Exiting Barn To The South Side Of Fordoe Lane At The Junction With Lower Knowl Lane, 365M Meters From East Knowl Farm	Certificate of lawfulness for proposed change of use from agricultural barn to dwelling (C3)

This Authority has determined to **REFUSE** to issue a certificate of lawful use or development for the use and operations described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this decision.

The use and operations are **NOT CONSIDERED TO BE LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 for the following reasons:

Reasons:

- 1 Despite the failure to provide notice of the decision within 56 days of the receipt of the application, the proposals do not constitute permitted development as the application fails to demonstrate that the existing barn has been used solely for an agricultural use as part of an established agricultural unit as required by paragraph Q.1(a) of Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In light of this, requirement for the Council to determine whether or not prior approval is required or granted, and the provisions of Class W, Part 3 are not triggered and the requirement for the Council to notify the applicant of the decision within 56 days is not relevant.

First Schedule

Certificate of lawfulness for proposed change of use from agricultural barn to dwelling (C3)

Second Schedule

Exiting Barn To The South Side Of Fordoe Lane At The Junction With Lower Knowl Lane,
365M Meters From East Knowl Farm

Melanie Hale
Head of Planning Services

Date: 14 June 2024

Your attention is drawn to the attached notes:

If the applicant is aggrieved by the decision the applicant may appeal to the Secretary of State under section 195 of the 1990 Act (appeals against refusal or failure to give decision on application).