

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015

PRIOR APPROVAL REFUSED

Name and Address of Applicant

Donna Vann
Root2Lean Ltd
C/O Agent

Name and Address of Agent (if any)

Mr Ben Rayner
Holland Lloyd
Offiss, Falcon Point
Floor 2
Park Plaza
Cannock
WS12 2DE

Part I - Particulars of Application

Date of Notification

30 September 2024

Reference No.

24/00887/P3CQ

Particulars and location of development :

Notification to determine if Prior Approval is required for the change of use and conversion of four agricultural buildings to form six dwellinghouses (Class C3)

39 Main Road Ratcliffe Culey Atherstone Leicestershire CV9 3NY

Information that the developer provided to the local planning authority:

- Application Form (received 23/09/24)
- Planning Statement (received 23/09/24)
- Proposed Site Plan (received 07/11/24)
- Building 1 Proposed Floor Plans and Elevations (received 23/09/24)
- Building 3 Proposed Floor Plans and Elevations (received 07/11/24)
- Building 4 Proposed Floor Plans and Elevations (received 07/11/24)
- Building 5 Proposed Floor Plans and Elevations (received 07/11/24)
- Structural Inspection Building 1 (received 23/09/24)
- Structural Inspection Building 3 (received 23/09/24)
- Structural Inspection Building 4 (received 23/09/24)
- Structural Inspection Building 5 (received 23/09/24)

Part II - Particulars of decision

I write further to your recent application under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for prior approval with respect to the above proposal.

It is hereby confirmed that the Council's **prior approval is refused**.

1. The application submission confirms that that the site was not used solely for an agricultural use as part of an established agricultural unit on the relevant dates. Therefore, insufficient information has been provided demonstrating that the development would comply with criteria Q.1 (a) of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. There is insufficient evidence to confirm the extent of the established agricultural unit. Therefore insufficient information has been provided to demonstrate the cumulative number of separate dwellinghouses or the cumulative floor space of dwellinghouses developed under Class Q on the established agricultural unit. Therefore, it cannot be confirmed that the development would comply with criteria Q.1 (d) or (g) of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. The proposed works to Building 1 are not considered to be reasonably necessary to carry out the building operations, as detailed within Paragraph Q1.(j) (i) and (ii) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
4. Buildings 3 and 4 would not be provided with adequate levels of natural light in all habitable rooms, due to the layout of the site and the internal floor plans of the dwellinghouses. This is contrary to Paragraph Q2. (g), of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
5. The curtilage for houses 4, 5, and 6 would exceed the area of land occupied by the respective buildings. This is contrary to Paragraph Q3. (1) (b) of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Therefore, the proposal is contrary to Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is not considered to benefit from Permitted Development Rights and the application for prior notification is refused.



Christopher Brown MRTPI
Head of Planning

Date : 15 November 2024