

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

Mr Lee Smith
Heath Farm Cottage
Bosworth Lane
Osbaston
Warwickshire
CV13 0DS

Name and Address of Agent (if any)

Mr Will Aust
WA Architecture
10 Castlerigg Close
West Bridgford
Nottingham
NG2 6RN

Part I - Particulars of Application

Date of Notification	Reference No.
16 May 2025	25/00496/P3CQ

Particulars and location of development :

Notification to determine if Prior Approval is required for the change of use of an agricultural barn to a single dwelling

Heath Farm Bosworth Lane Osbaston Leicestershire

Information that the developer provided to the local planning authority:

- Application Form
- Supplementary Information
- Planning Statement
- Structural Report
- Site Location Plan, Entrance, Drg No. 05
- Existing Floor Plan, Elevation, Block Plan, Drg No. 05
- Proposed Floor Plan, Elevation, Section, Block Plan, Drg No. 10

All received 16.05.2025

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 for prior approval with respect to the above proposal.

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

1. The Applicant has provided insufficient information to demonstrate that the site was used solely for an agricultural use as part of an established agricultural unit on the relevant dates and as such it has not been possible to determine whether the proposal complies with the limitations of Paragraph Q.1(a) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (pre-21 May 2024).
2. The Applicant has failed to demonstrate that the proposal benefits from permitted development rights and that the proposal represents a conversion of a structure rather than a rebuild. Based on the submitted details, the Applicant has failed to demonstrate that the existing building can be appropriately converted into a residential use. Consequently, it is the opinion of the Local Planning Authority that the works required to alter the structure into a residential use would be of such magnitude that they would go beyond what might sensibly or reasonably be described as a conversion. Therefore, the proposal does not comply with the limitations of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (pre-21 May 2024).
3. The proposed partial demolition works to the existing structure are not reasonably necessary building operations for the building to function as a dwellinghouse. Therefore, the proposal does not comply with the

limitations of Paragraph Q.1(i)(i) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (pre-21 May 2024).

4. The proposed design of the north-west elevation does not respect the rural vernacular and simplistic design of the original building and would result in a design and external appearance of the dwellinghouse that would harm the character of the surrounding countryside. Therefore, the proposal does not comply with the limitations of Paragraph Q.2(f) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (pre-21 May 2024).
5. The proposed dwellinghouse would not provide adequate natural light to all habitable rooms. Therefore, the proposal does not comply with the limitations of Paragraph Q.2(g) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (pre-21 May 2024).

The proposed change of use cannot therefore take place under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the application for prior notification is refused.



Christopher Brown MRTPI
Head of Planning

Date : 11 July 2025