

Delegated Report

Planning Reference 26/00295/AGDO
Applicant(s) Mr and Mrs IT & T Greenfield
Ward Ambien



Hinckley & Bosworth
Borough Council

Application Site Land South of Bosworth Road, Wellsborough

Proposal Notification to determine if Prior Approval is required for a concrete yard renewal of two areas on the same yard

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

1.1. Prior Approval Not Required

2. Planning Application Description

- 2.1. This application seeks to determine whether Prior Approval is required for a concrete yard renewal of two areas on the same yard at land south of Bosworth Road, Wellsborough. The first area would be 45.7 metres in length by 4.5 metres in breadth, whereas the second area would be 10.1 metres in length by 5 metres in breadth.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located 73 metres to the south of Bosworth Road, approximately 3 kilometres west of Market Bosworth in the designated open countryside. The site is surrounded by open agricultural fields but The Dixie Grammar Junior School is on the opposite side of Bosworth Road, a further agricultural site, Manor Farm, is located over 130 metres to the east, and the Hornsey Rise residential estate is approximately 117 metres to the west. The application site benefits from several agricultural units, one of which was granted prior approval for its conversion into a dwellinghouse via 23/00636/P3CQ.

4. Appraisal

- 4.1 Class A of Part 6 of Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended) ('GPDO') states that Permitted Development consists of:

"The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of:

- (a) works for the erection, extension or alteration of a building; or*

(b) *any excavation or engineering operations,*

which are reasonably necessary for the purposes of agriculture within that unit."

- 4.2 The proposal would be for the renewal of two areas of the concrete yard for the farm, which is not related to fish farming. Therefore, the proposal would be reasonably necessary for, and designed for, the purposes of agriculture in accordance with the limitations of Class A and Paragraphs A.1(d) and (j) of this Class. The scheme would also accord with the size limitations of Paragraphs A.1(e), (f), and (g) of this Class. As the proposal is for a concrete yard, Paragraphs A.1(c), (i), and (k) of this Class would not be applicable to the proposal.
- 4.3 The development would not be carried out on a separate parcel of land forming part of the unit that is less than one hectare in area, it would not be within 25 metres of a metalled part of a trunk road or classified road, nor would it be on land that is, or is within the curtilage of, a scheduled monument. Although it is appreciated that prior approval was granted for a Class Q development via 23/00636/P3CQ, the current proposal would not consist of the erection or an extension of an agricultural building. The proposal would therefore accord with the limitations of Paragraphs A.1(a), (b), (h), and (l) of this Class.
- 4.4 To summarise, the proposal would be considered to comply with the limitations and conditions of Class A of Part 6 of Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and it is recommended that prior approval is granted.

5. Equality Implications

- 5.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; and
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 5.3 There are no known equality implications arising directly from this development.

- 5.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

6. Conclusion

- 6.1 The proposal would be considered to comply with the limitations and conditions of Class A of Part 6 of Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and it is recommended that prior approval is not required.

- 6.2 This conclusion is made on the basis of details provide by the Applicant, and as shown on the following documents received by the Local Planning Authority on 27 March 2026:

- Application Form
- Block Plan
- Site Location Plan

7. Recommendation

- 7.1 **Prior Approval Not Required**