

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 And Mrs H Fisher
Dairy House Farm
Spon Lane
Grenden
Atherstone
CV9 2EX

Name and Address of Agent (if any)

Mr David Keyte
DK Planning & Development Ltd
Suite K, The Old Dutch Barn
Westend Office Suites
Grove Lane
Stonehouse
Gloucestershire
GL10 3GE

Part I - Particulars of Application

Date of Notification

10 December 2024

Reference No.

24/01121/P3CQ

Particulars and location of development :

Notification to determine if Prior Approval is required for the change of use of two agricultural buildings to create five smaller dwellinghouses

Frog Hall Farm Crow Lane Sheepy Magna Atherstone Leicestershire

Information that the developer provided to the local planning authority:

- Agricultural Barn Building 01 Elevations, Sections, Drg No. 2568-1104 Rev A (submitted: 10.12.2024)
 - Agricultural Barn 01 Existing Elevations, Section, Drg No. 2568-0013 Rev A (submitted: 10.12.2024)
 - Agricultural Barn 01 Existing Floor and Roof Plan, Drg No. 2568-0012 Rev A (submitted: 10.12.2024)
 - Agricultural Building 01 Proposed Ground and First Floor Plans, Drg No. 2568-1102 Rev A (submitted: 10.12.2024)
 - Agricultural Bar Building 01 Proposed Roof Plan, Drg No. 2568-1103 Rev A (submitted: 10.12.2024)
 - Agricultural Barn Building 02 Elevations, Sections, Drg No. 2568-1106 Rev A (submitted: 10.12.2024)
 - Agricultural Barn 02 Existing Elevations, Sections, Drg No. 2568-0015 Rev A (submitted: 10.12.2024)
 - Agricultural Barn 02 Existing Floor Plan, Roof Plan Drg No. 2568-0014 Rev A (submitted: 10.12.2024)
 - Agricultural Barn Building 02 Proposed Floor, Roof Plans, Drg No. 2568-1105 Rev A (submitted: 10.12.2024)
 - Application Form (submitted: 10.12.2024)
 - Covering Letter to Application (submitted: 10.12.2024)
 - Ecological Appraisal (submitted: 10.12.2024)
 - Existing Site Plan, Drg No. 2568-0001 Rev A (submitted: 10.12.2024)
 - Proposed Site Plan, Drg No. 2568-1101 Rev A (submitted: 10.12.2024)
 - Site Location Plan, Drg No. 2568-110 Rev A (submitted: 10.12.2024)
 - Statement to Accompany Class Q Application (submitted: 10.12.2024)
 - Structural Report (submitted: 10.12.2024)
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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 failed to demonstrate that the proposal benefits from permitted development rights and that the proposal represents a conversion of the two structures rather than a rebuild. Based on the submitted details, the Applicant has failed to demonstrate that the two structures 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 structures into residential uses would be of such magnitude that they would go a very long way 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).
2. The scheme's partial demolition of the existing structure is not considered to be reasonably necessary to carry out building operations allowed by Paragraph Q.1(i)(i) to the extent reasonably necessary for the building to function as a dwellinghouse. 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).

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 : 4 February 2025