

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

Mrs Hughes
Clare's Barn Farm
26 Sheepy Road
Twycross
CV9 3PG
Atherstone

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Notification	Reference No.
5 February 2025	25/00089/P3CQ

Particulars and location of development :

Notification to determine if Prior Approval is required for the change of use of an agricultural building to a dwellinghouse (Class C3)

Clares Barn Farm 26 Sheepy Road Twycross Atherstone Leicestershire

Information that the developer provided to the local planning authority:

- | | |
|--|-------------------------|
| • Application Form | (submitted: 05.02.2025) |
| • Block Plan Dwg No 2203- 05 | (submitted: 05.02.2025) |
| • Contamination Report G23127 | (submitted: 05.02.2025) |
| • Design and Access Statement | (submitted: 05.02.2025) |
| • Existing Elevations Dwg no 2203- 01 | (submitted: 05.02.2025) |
| • Existing Floor Plans Dwg no 2203- 02 | (submitted: 05.02.2025) |
| • Location Plan Dwg no 2203- 04 | (submitted: 05.02.2025) |
| • Proposed Elevations & Floor Plan (2203-02) | (submitted: 05.02.2025) |
| • Report on Structure | (submitted: 05.02.2025) |
| • Waste & Recycling Plan Dwg no 2203- 06 | (submitted: 05.02.2025) |

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 not sought prior approval before beginning the development. Works have already commenced on site and therefore the proposal is not eligible for consideration within with the limitations of Paragraph Q.2(1) and (2) 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 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).

3. The scheme's partial demolition works of 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 Class 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 Applicant has failed to demonstrate that the location and the siting of the existing building are considered to make its conversion from an agricultural use to a use falling within Class C3 (dwellinghouses) to be practical and desirable. Therefore, the proposal does not comply with the limitations of Paragraph Q.2(1)(e) 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 Applicant has failed to demonstrate that the existing structure is provided with a safe or suitable access to the public highway. Therefore, the proposal does not comply with the limitations of Paragraph Q.2(1)(a) of Class Q of Part 3 of Schedule 2 of Article 3 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.

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date : 01 April 2025