

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

Dr And Mr Julia And Stephen Pointon
Roberts Farm
4 Church Street
Scalford
Melton Mowbray
LE14 4DL

Name and Address of Agent (if any)

Miss Lydia Brant
HSSP Architects Limited
Pera Business Park
Nottingham Road
Melton Mowbray
LE13 0PB

Part I - Particulars of Application

Date of Notification	Reference No.
14 February 2025	25/00127/P3CQ

Particulars and location of development :

Notification to determine if Prior Approval is required for the change of use of three agricultural buildings to seven smaller dwellinghouses (Class C3)

Carlton House Farm Shackerstone Walk Carlton Nuneaton Leicestershire

Information that the developer provided to the local planning authority:

- Application Form
- Design and Access Statement 9138 Rev B
- Structural Survey
- Phase I Desk Study
- Site Location Plan 9138-01-01 PL2
- Site Plan 9138-01-020
- Survey Barn A-B 9138-01-021
- Survey Barn D 9138-01-0224
- Proposed Site Plan 9138-03-01 PL3
- Proposed Site Plan Wider Context 9138-03-010 PL2
- Proposed Floor Plans Plot 01-02 9138-03-020 PL2
- Proposed Floor Plans Plot 03-04 9138-03-021 PL2
- Proposed Floor Plans Plot 05-07 9138-03-022 PL2
- Proposed Elevations Plot 01-02 9138-03-031 PL2
- Proposed Elevations Plot 03-07 9132-03-030 PL3

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 Applicant has failed to demonstrate that the proposal benefits from permitted development rights by way of being a conversion of the three buildings rather than a rebuild. Consequently, it is the opinion of the Local Planning Authority that the works required to the structures would be of such magnitude that they would go beyond what might sensibly or reasonably be described as a conversion. The proposal therefore 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 (as amended).
2. The Applicant has failed to demonstrate that the scheme's demolition of the existing fourth agricultural

building is reasonably necessary to facilitate building operations allowed by Paragraph Q.1(j). Furthermore, the demolition of the building is not considered to represent a partial demolition reasonably necessary to facilitate building operations, but instead the full demolition of an existing building. The proposal therefore exceeds the limitations of, and does not comply with, Paragraph Q.1(j)(ii) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) order 2015 (as amended).

3. The dwellings would not be provided with adequate levels of natural light to all habitable rooms, due to the layout of the site and the design of the dwellings. The proposal therefore does not comply with 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 (as amended).
4. The curtilage for the three buildings would exceed the area of land occupied by the respective buildings. The proposal therefore does not comply with Paragraph Q.3(1) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) order 2015 (as amended).

Therefore, the proposed change of use 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. The application for prior notification is refused.



Christopher Brown MRTPI
Head of Planning

Date : 11 April 2025