

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015

PRIOR APPROVAL IS REFUSED

Name and Address of Applicant

Mr H Milner
Hoo Hills Farm
Bosworth Road
Wellsborough
Leicestershire
CV13 6PA

Name and Address of Agent (if any)

Mr Martin Sansom
Sansom Hamilton
The Estate Office
Barns Heath Farm
Appleby Magna
Swadlincote
DE12 7AJ

Part I - Particulars of Application

Date of Notification

20 April 2023

Reference No.

23/00348/AGDO

Particulars and location of development:

Portal framed general purpose farm building

Hoo Hills Farm Bosworth Road Wellsborough Nuneaton Leicestershire

Part II – Particulars of decision

This document confirms that **prior approval required under Schedule 2 Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 is refused** for the proposed development at the address shown above, as described by the description shown above, and in accordance with the information that the developer provided to the local authority.

Information that the developer provided to the local planning authority:

- Application Form, received 11 April 2023
- Site Location Plan, received 20 April 2023
- Site Plan, received 20 April 2023
- Elevation, received 20 April 2023
- Elevation 2, received 20 April 2023
- Floor Plan, received 21 April 2023

Reason for refusal:

The proposal would involve the provision of a building not considered reasonably necessary for the purposes of agriculture at Hoo Hills Farm.

The proposal cannot therefore take place under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the application for prior notification is refused and planning permission is required.



Christopher Brown MRTPI
Planning Manager (Development Management)

Date : 18 May 2023

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made “promptly and in any event within three months of the decision”. The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. The full limitations and conditions of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 can be found at <http://www.legislation.gov.uk/ukxi/2015/596/schedule/2/made>
4. If you want to appeal against your Local Planning Authority’s decision then you must do so within 12 weeks of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

PANOTES (02/07/2014)