

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 Part 6 of Schedule 2 of the Town and Country Planning
(General Permitted Development) (England) Order 2015

PRIOR APPROVAL IS REFUSED

Name and Address of Applicant

Mr Richard Andrews
C/o Agent

Name and Address of Agent (if any)

Mr Richard Newey
Brown & Co
5 Geoff Monk Way
Leicester
Warwickshire
LE4 3BU

Part I - Particulars of Application

Date of Notification

15th January 2026

Reference No.

26/00034/AGDO

Particulars and location of development :

Notification to determine if Prior Approval is required for the erection of a covered yard between two existing buildings

Elm View Farm Dadlington Lane Stapleton Leicester Leicestershire

Part II – Particulars of decision

I write further to your recent application under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for prior approval with respect to the above proposal.

By virtue of the use of the application site based on historic imagery and the site inspection of the Case Officer, the Applicant has failed to demonstrate that the application site is utilised for agricultural uses in association with an established agricultural business, nor that the development would be reasonably necessary for the purposes of agriculture within this unit in these site-specific circumstances. As a result, the proposal would not benefit from Permitted Development Rights under Class A of Part 6 of Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and **prior approval is refused** and an application for planning permission is required.

The construction of the proposed covered yard cannot therefore take place under Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Date : 30th April 2026

C. Brown.

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 six weeks 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 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 can be found at <http://www.legislation.gov.uk/ukSI/2015/596/schedule/2/made>
4. As this is notification that prior approval for a larger home extension is refused, 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>). You must use a Householder Planning Appeal Form when making your appeal. 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.