

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

PRIOR APPROVAL REFUSED

Name and Address of Applicant

Mr John Knott
The Gate House
Cadeby Lane
Nuneaton
CV13 0BA

Name and Address of Agent (if any)

Miss Jane Tillotson
Hayward Architects
Ground Floor
19 Station Road
Hinckley
LE10 1AW
United Kingdom

Part I - Particulars of Application

Date of Notification

18 September 2024

Reference No.

24/00884/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)

Land South Of Bosworth Road Bull In The Oak Cadeby Leicestershire

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. In accordance with the application form we have assessed the application based on the permitted development right as it stood prior to 21 May 2024 under current transitional arrangements.

It is hereby confirmed that the Council's **prior approval is refused** for the following reasons:

1. Insufficient information has been provided demonstrating that the site was used solely for an agricultural use as part of an established agricultural unit on the relevant dates. Therefore insufficient information has been provided demonstrating that the development would comply with criteria Q.1 (a) of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. Insufficient information has been submitted demonstrating the established agricultural unit. Consequently insufficient information has been provided to establish the cumulative number of dwellinghouses developed under Class Q or the total floorspace of dwellinghouses developed under Class Q within the established agricultural unit. Nor cannot it be established whether development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit. Therefore insufficient information has been provided demonstrating that the development would comply with criteria Q.1 (b), (ba), (c), (d) and (g) of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
3. Insufficient evidence has been provided to demonstrate that the proposed development would not require building operations that would go beyond what would be reasonably necessary for the buildings to function as a dwellinghouse. Therefore insufficient information has been provided demonstrating that the development would comply with criteria Q.1 (i), of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
4. The curtilage of the development exceeds the requirements of paragraph X 'Interpretation of Part 3' of Schedule 2, Part 3 of the GPDO. It follows that, based on the evidence submitted, the development would not be permitted under Schedule 2, Part 3, Class Q of the GPDO.

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.

A handwritten signature in grey ink that reads "C. Brown."

Christopher Brown MRTPI
Head of Planning

Date : 13 November 2024