The Planning Inspectorate

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(Date received)

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QUESTIONNAIRE (Online Version)

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

Appeal Ref:	APP/K2420/A/10/2124138
Appeal By:	Mr P Finney
Address	Finney Hill Heath Road Bagworth Leicetershire
Postcode	LE67 3LE
Grid Reference: Easting	4454531
Northing	3070119

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **within 2 weeks of the 'starting date'** given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1 Despite our initial letter, do you consider that this appeal can be dealt with by the written representation procedure? ☑ YES ☐ NO

Do you wish to be heard by an Inspector at;

☐ a local inquiry? or

☐ a hearing ?

How long do you expect an inquiry would last? _____ days

How many witnesses do you intend to call? _____

What are the preferred Inquiry/Hearing dates you have agreed with the appellant/agent?
(2 dates should be provided, or more if possible.)

Note: If the written procedure is agreed the Inspector will visit the site <u>unaccompanied</u> by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

2 a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? ☐ YES ☑ NO

b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? ☑ YES ☐ NO

Please explain:

Not all of the site is visible from public land

2 c. Are there any known health and safety issues that would affect the conduct of the site inspection? ☐ YES ☑ NO

3 Please provide the name, telephone number and e-mail address of the officer we can contact to make arrangements for the site visit, hearing or inquiry.

Name Jenny Birstow Phone 01455 255748
Email planning@hinckley-bosworth.gov.u

4 Does the appeal relate to an application for approval of reserved matters? ☐ YES ☑ NO

5 Was a GDPO 1995 Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application? ☐ YES ☑ NO

6 Did you give publicity to the application in accordance with either Article 8 of the GDPO 1995, Section 67/73 of the Planning (Listed Buildings & Conservation Areas) act 1990 or Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990? ☑ YES ☐ NO
☑ *Document provided*

7 Is the appeal site within;

a. A Green Belt? ☐ YES ☑ NO

b. An Area of Outstanding Natural Beauty? ☐ YES ☑ NO

8 Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? ☐ YES ☑ NO
☐ *Document provided*

9 a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? ☐ YES ☑ NO
Please give our reference numbers and if necessary attach details:
☐ *Document provided*

b. Are there any other appeals or matters relating adjacent or close to the site still being considered by us or the Secretary of State? ☐ YES ☑ NO
Please give our reference numbers and if necessary attach details:
☐ *Document provided*

10 Would the development require the stopping up or diverting of a public right of way? ☐ YES ☑ NO
Please provide an extract from the Definitive Map and Statement for the area, and any other details.
☐ *Document provided*

11 a. Is the site in a Conservation Area? ☐ YES ☑ NO
Please attach a plan of the Conservation Area
☐ *Document provided*

b. Does the appeal relate to an application for conservation area consent? ☐ YES ☑ NO

12 a. Does the proposed development involve the demolition, alteration or extension of a listed building? ☐ YES ☑ NO

Date of listing: ☐ I ☐ II* ☐ II

b. Would the proposed development affect the setting of a listed building? ☐ YES ☑ NO

Please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historical Interest.

☐ *Document provided*

13 Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? ☐ YES ☑ NO

14 a. Would the proposals affect an Ancient Monument (whether scheduled or not)? ☐ YES ☑ NO

b. Was English Heritage consulted? ☐ YES ☐ NO

Please send a copy of any comments. ☐ *Document provided*

15 Is any part of the site subject to a Tree Preservation Order? ☐ YES ☑ NO

Please send a plan showing the extent of the Order and any relevant details. ☐ *Document provided*

16 Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning and Compulsory Purchase Act 2004) relating to the application site? ☐ YES ☑ NO

Please attach a copy of the relevant order. ☐ *Document provided*

17 Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? ☑ YES ☐ NO

18 a. Is the appeal site in or adjacent to or likely to affect an SSSI or an Internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)? ☐ YES ☑ NO
Please attach the comments of Natural England ☐ *Document provided*

b. Are any protected species likely to be affected by the proposals? ☐ YES ☑ NO
Please attach details. ☐ *Document provided*

19 **Environmental Impact Assessment**

Environmental Statement (ES)

Schedule 1

a. (i) Is the proposed development Schedule 1 development as described in Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? ☐ YES ☑ NO

(ii) Under which description of development? (ie Nos 1-20)

Schedule 2

b. (i) Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? ☐ YES ☑ NO

(ii) Under which description of development in Column 1? (ie Nos 1-13)

(iii) Is the applicable threshold/criteria in Column 2 exceeded/met? ☐ YES ☑ NO

c. Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? ☐ YES ☑ NO
☐ *Document provided*
Please provide details in the box below:

Screening

d. (i) Have you issued a screening opinion (SO)? ☐ YES ☑ NO
Please attach a copy of the SO that was placed on the planning register, and any other related correspondence.
☐ *Document provided*

(ii) Did the SO state that the proposed development is EIA development as defined by the EIA Regulations? ☐ YES ☑ NO
If you decided that the proposed development is not EIA development as defined by EIA Regulations, please attach brief descriptions for your opinion.
☐ *Document provided*

Environmental Statement (ES)

e. Has the appellant supplied an environmental statement? ☐ YES ☑ NO
Please supply any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the ES, having regard to The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 and Circular 2/99.
☐ *Document provided*

Publicity

f. If applicable, please supply a copy of the site notice and local advertisement published under Article 8 of the GDPO 1995, as required for EIA development.
☐ *Document provided*

20 Have all the notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? ☑ YES ☐ NO
Please attach copies of any comments that you received in response.
☑ *Document provided*

21 **Copies of the following documents must, if appropriate, be attached to this questionnaire;**
Tick the 'Applies' checkbox to the right of each applicable document, then select whether you intend to send it by post or attach it now.

a. a copy of the letter with which you notified people about the appeal; ☑ Applies

b. a list of the people you notified and the deadline you have for their comments to be sent to us; ☑ Applies

Deadline: 24 Apr 2010

c. all representations received from interested parties about the original application; ☑ Applies

d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes; ☑ Applies

e. any representations received as a result of a GDPO 1995 Article 7 (or Regulation 6) notice; ☑ Applies

f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan) You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination; ☑ Applies

List of Policies: Adopted Core Strategy- Policies 18 and 21

g. extracts of any relevant policies which have been 'saved' by way of a Direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004, that you consider necessary. Please attach a copy of the Direction and a copy of the letter from the Government Office which accompanied the Direction. ☑ Applies

List of Policies: NE5, NE10, T5

h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when; ☐ Applies

i. extracts from any supplementary planning document, that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached; ☐ Applies

j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this to the other questionnaire papers, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement; ☑ Applies

k. any other relevant information or correspondence you consider we should know about; ☐ Applies

22 **For appeals dealt with by written representations only.**

Do you intend to send a 6 week statement about this appeal? ☑ YES ☐ NO

a. the relevant planning history, including a full list of the plans submitted with the application; ☐ *Applies*

b. any supplementary reasons for the decision on the application or what the decision notice would have said; ☐ *Applies*

c. matters which you want the Inspector to note at the site visit; ☐ *Applies*

d. how the relevant development plan policies relate to the issues of this appeal; ☐ *Applies*

23 **For the Mayor of London cases only**

a. Was it necessary to notify the Mayor of London about the application? ☐ YES ☐ NO
Please attach a copy of that notification
☐ *Document provided*

b. Did the Mayor of London issue a direction to refuse planning permission? ☐ YES ☐ NO
Please attach a copy of that notification
☐ *Document provided*

Council's Reference: 09/00995/COU

☑ I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

Completed by Sarah Humphries (name)

On behalf of Hinckley and Bosworth Borough Council

STATEMENT
Do you wish to attach your statement of case? ☐ YES ☑ NO
☐ *Document provided*

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Site Address:	Finney Hill Heath Road Bagworth Leicetershire LE67 3LE

The following documents should be sent to us within 2 weeks of the 'starting date' (***unless otherwise specified***)

Description	No. Sent
********** * The Documents Listed Below Will Follow By Post * ********** ** 6a. Copy of the notice published ** 6b. Representations received ** 20. Has all notifications or consultations taken place? ** 21a. A copy of the letter with which you notified people about the appeal ** 21b. A list of the people you notified and the deadline you gave for their comments ** 21c. All representations received from interested parties. ** 21d. The planning officers report on the application and any other relevant documents. ** 21e. Any representations received as a result of a GDPO 1995 Article 7 ** 21f. Extracts from any relevant statutory development plan policies ** 21g. Extracts from any relevant policies which have been 'saved' by way of a Direction under paragraph 1(3) of Schedule 8 ** 21j. A list of comprehensive conditions which you consider should be imposed if planning permission is granted.	

Completed By	Sarah Humphries	**Date**	29 March 2010
LPA	Hinckley and Bosworth Borough Council		

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US.