Hinckley & Bosworth Borough Council

A Borough to be proud of

Planning (Listed Buildings and Conservation Areas Act) 1990

LISTED BUILDING CONSENT

Name and Address of Applicant	**Name and Address of Agent (if any)**
Mr B Kerslake	Jonathan Burke
50 Main Street	42 Woodland Road
Desford	Hinckley
Leicestershire	Leicestershire
LE9 9GR	LE10 1JG

Part I - Particulars of Application

Date of Application	**Application No.**
28 January 2009	09/00065/LBC

Particulars and location of development:

EXTENSIONS AND ALTERATIONS TO DWELLING

50 Main Street Desford Leicester Leicestershire LE9 9GR

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies:

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as: its scale, form and design would not detract from the architectural or historical character of the building or its setting; it would retain architectural features and details that contribute to that character and it would be constructed of appropriate materials.

Hinckley & Bosworth Borough Council Local Plan (2001):- BE1, BE4, BE5, BE7 and T5

In pursuance of its powers under the Town and Country Planning Act, 1990, the Hinckley & Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following condition(s):-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. This permission relates to the application as revised by amended plan Nos. 08432/P03A, 08432/P02C and 08432/P01D received by the Local Planning Authority on 26th March 2009.

3. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed extensions and alterations shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

4. Notwithstanding the details submitted on the approved plan, before any development commences full details of all the doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

5. Prior to commencement of development, a 1:10 scale cross section of the orangery together with ridge, eaves, cills and abutment details shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

The reasons for the conditions are:-

1. To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. To define the permission.

3. To ensure that the development has a satisfactory external appearance to accord with policy BE1, BE4 and BE7 of the adopted Hinckley & Bosworth Local Plan.

4. To allow a more detailed assessment to be made and to ensure that the development has a satisfactory external appearance and does not detract from the architectural character of the Listed Building to accord with policy BE4 of the adopted Hinckley & Bosworth Local Plan.

5. To allow a more detailed assessment to be made and to ensure that the development has a satisfactory external appearance and does not detract from the architectural character of the Listed Building to accord with policy BE4 of the adopted Hinckley & Bosworth Local Plan.

NOTES TO APPLICANT:-

1. Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2. List of Plans used in the determination of this application:- 08432/P03A; 08432/P02C; 08432/LBC1; 08432/P01D.

3. In relation to Condition 3, and notwithstanding the details submitted on the approved plan, the external materials should be natural and reclaimed rather than new samples.

T. M Prowse

Date:- 27 March 2009

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.

2. If the applicant is aggrieved by the decision of the Local Planning Authority to grant listed building consent subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 10 of the Planning (Listed Building & Conservation Areas) Act 1990 within **six months** of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Room 305(K), Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by telephoning 0117 372 6372). The Secretary of State has power to allow a longer period for the giving of 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 the 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 10 of the Planning (Listed Building & Conservation Areas) Act 1990, to the provisions of the development order and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Building & Conservation Areas) Act 1990.

4. This consent relates to planning control only and is without prejudice to any other statutory consents or approvals that may be required under the Building Regulations or under other enactment's.

5. The obtaining of listed building consent for the demolition of a listed building does not free the applicant from his duty to give specific notice of the intended demolition to the Local Planning Authority under Section 29 (3) of the Public Health Act 1961.

6. Attention is drawn to Section 8 of the Planning (Listed Building & Conservation Areas) Act 1990 the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority or the Secretary of State for the Environment) until notice of the proposal has been given to the Royal Commission on Historical Monuments, Fortress House, 23 Saville Row, London W 1, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that it has completed its record of the building or that it does not wish to record it.

7. This consent does not grant or imply permission for any material change in the use of the building(s) to which it relates, nor for the redevelopment of the site of the building(s) after its (their) demolition.

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