



**Hinckley & Bosworth
Borough Council**

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Hinckley Hub
Rugby Road
Hinckley
Leics
LE10 0FR

Application for a Non-Material Amendment Following a Grant of Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	22
Suffix	
Property Name	
Address Line 1	Market Place
Address Line 2	
Address Line 3	Leicestershire
Town/city	Market Bosworth
Postcode	CV13 0JR

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
440616	303046

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Eligibility

Does the applicant have an interest in the part of the land to which this amendment relates?

- ☒ Yes
- ☐ No

If the applicant is not the sole owner, has notification under Article 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) been given?

- ☒ Yes
- ☐ No
- ☐ Not applicable

Please add details of all persons notified

Name of person notified:
***** REDACTED *****

House name:
The Old Bank

Number:

Suffix:

Address line 1:
1: Kilwardby St

Address Line 2:

Town/City:
Ashby-de-la-Zouch

Postcode:
LE65 2FR

Date notice served:
23/04/2024

Description of Your Proposal

Please provide the description of the approved development as shown on the decision letter

Change of use of building from financial and professional services (Class E) to (Class F1) for the provision of education 22 Market Place, Market Bosworth, Nuneaton, Leicestershire, CV13 0LE.

Reference number

24/00603/FUL

Date of decision

29/07/2024

What was the original application type?

Full planning permission

For the purpose of calculating fees, which of the following best describes the original development type?

- ☐ **Householder development:** Development to an existing dwelling-house or development within its curtilage
- ☒ **Other:** Anything not covered by the above category

Non-Material Amendment(s) Sought

Please describe the non-material amendment(s) you are seeking to make

To omit any reference to the use of the building solely as a "drama school" within the delegated report and decision notice and specifically condition 3 that states:

3. Opening hours for the drama school, hereby permitted, shall be between the hours of 08:00 hrs and 17:00 hrs on weekdays only unless otherwise agreed in writing.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Please state why you wish to make this amendment

For the avoidance of doubt as the concern is the reference to the use as a "drama school" could open the school to possible enforcement action when viewed in the light of the judgement associated with the case of University of Leicester v Secretary of State for Communities and Local Government [2016] EWHC 476 (Admin), where the court had to decide whether the planning permission for the halls of residence could, once built, be used lawfully for both students and for those attending conferences.

Condition 3 could potentially expose the school to future enforcement action and the remedy is to amend the wording of the condition so it reads as below:

"the opening hours for the use hereby permitted..."

Are you intending to substitute amended plans or drawings?

- ☐ Yes
- ☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
- ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
☐ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

24/00603/FUL

Date (must be pre-application submission)

31/07/2024

Details of the pre-application advice received

Hi Simon,

Thanks for your email and for outlining the concerns you have with the wording of Condition 3 of 24/00603/FUL. If you wish to amend the condition via a non-material amendment application it is likely to be viewed favourably & would be dealt with as expediently as possible.

With regards,

David Spring
Planning

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Declaration

I/We hereby apply for Non-Material Amendment as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Simon Cheshire

Date

08/08/2024