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
Leicestershire Independent Educational Trust
Mr Anthony Madigan
Dixie Grammar School
Market Place
Market Bosworth

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application	**Application No.**
4 March 2009	09/00158/LBC

Particulars and location of development:

ALTERATIONS

Dixie Grammar School Market Place Market Bosworth Nuneaton Leicestershire

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the representations received and the relevant provisions of the development plan, as summarised below, it is considered that the proposed work would be in accordance with the development plan and would not materially harm the appearance of the listed building or the character or appearance of the conservation area.

SUMMARY OF DECISION - The proposal is in conformity with Policies BE1, BE4, BE7 & BE16 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

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. Notwithstanding the submitted drawings, detail drawings of the framing and panelling to the windows, the suspended ceiling adjacent to the windows and the removable floor panel adjacent to the original fireplace shall be submitted to the local planning authority for written approval. The conversion works shall be implemented in accordance with the approved drawings.

3. Alterations shall not take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording. This work shall be conducted in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority. A photographic record of any surviving historic fabric revealed by the removal of the library fittings shall be provided and deposited with the County archives and the Local Planning Authority. The record shall only be carried out by a suitable qualified body approved in writing by the Local Authority.

The reasons for the conditions are :-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

2. In the interests of the appearance and character of the Listed Building to accord with policies BE1 and BE4 & BE7 of the adopted Hinckley and Bosworth Local Plan.

3. To ensure satisfactory archaeological investigation and recording in accordance with Policy BE16 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. This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

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

4. The "Programme of Work" referred to in the recommended condition will in this case be historic building recording prior to development, in accordance with the Specification to be agreed. The work should be undertaken by a historic building specialist to a standard agreed with our office (on behalf of the planning authority) before alteration commences. We will be able to provide a brief for the work and to approve any specification submitted to meet the condition. It shall also include a photographic record and measured drawing of the screen wall

5. List of plans used in the determination of this application:-
21028-901, Existing and Proposed Elevations, Proposed Library Floor Layout

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 14 May 2009

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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