ENGLISH HERITAGE

26 MAR 2009

EAST MIDLANDS REGION

Mr R Wright
Hinckley & Bosworth Borough Council
Council Offices
Argents Mead
Hinckley
Leicestershire
LE10 1BZ

Direct Dial: 07771885126
Direct Fax: 01604 735401

DEVELOPMENT SERVICES
26 MAR 2009
RECEIVED

Our ref: L00072552

23 March 2009

Dear Mr Wright

Planning (Listed Buildings and Conservation Areas) Act 1990
Environment/DCMS Circular 01/2001
Town and Country Planning (General Development Procedure) Order 1995

50 MAIN STREET, DESFORD, HINCKLEY AND BOSWORTH, LEICESTERSHIRE, LE9 9GR
Application No 09/00112/FUL

Thank you for your letter of 18 March 2009 notifying English Heritage of the application for listed building consent/planning permission relating to the above site. On the basis of the information provided, **we do not consider that it is necessary for this application to be notified to English Heritage** under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or if there are other reasons for seeking the advice of English Heritage, we would be grateful if you could explain your request. Please do not hesitate to telephone me if you would like to discuss this application or the notification procedures in general.

We will retain the application for four weeks from the date of this letter. Thereafter we will dispose of the papers if we do not hear from you.

Yours sincerely

pp SJTMiley

Kerry Babington
Assistant Historic Buildings and Areas Advisor
E-mail: kerry.babington@english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.

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Enclosure: List of applications requiring notification to English Heritage

APPLICATIONS REQUIRING NOTIFICATION TO ENGLISH HERITAGE

English Heritage must be notified of the following **planning applications** (by virtue of s.67(3) and (4) and 73(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the direction in paragraph 8 of DETR & DCMS Circular 1-01 Arrangements for Handling Applications - Notification and Directions by the Secretary of State - except where indicated otherwise):

(**a**) development which in the opinion of the local planning authority affects the setting of a grade I or II* listed building; or (**b**) development which in the opinion of the local planning authority affects the character or appearance of a conservation area and which involves: (i) the erection of a new building or the extension of an existing building where the area of land in respect of which the application is made is more than 1,000 square metres; (ii) the material change of use of any building where the area of land in respect of which the application is made is more than 1,000 square metres; or (iii) the construction of any building more than 20 metres in height above ground level.
(**c**) development likely to affect any grade I or grade II* historic park or garden (Article 10(1)(o) of the Town and Country Planning (General Development Procedure) Order 1995); (**d**) development likely to affect the site of a scheduled monument (Article 10(1)(n) of the Town and Country Planning (General Development Procedure) Order 1995).

In addition paragraph 11 of Circular 01/01 advises that "it would be helpful if authorities would also send English Heritage details of applications for planning permission for development likely to involve the demolition of the whole or part of, or the material alteration of, a grade I or II* building (including ecclesiastical buildings shown in the list as grade A, B or C)".

English Heritage must be notified of the following **listed building consent applications** (by virtue of s.15 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the direction in paragraph 15 of DETR & DCMS Circular 1/01 Arrangements for Handling Applications - Notification and Directions by the Secretary

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of State - except where indicated otherwise:

(**a**) for works in respect of any grade I or II* listed building; (**b**) for works for the demolition of a principal grade II (unstarred) listed building; (**c**) for works for the alteration of any grade II (unstarred) listed building which comprise or include: (i) the demolition of a principal external wall of the principal building*; or (ii) the demolition of all or a substantial part of the interior of the principal building*.

* For these purposes: (**a**) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) shall be treated as a proposal for the demolition of a principal external wall;
(**b**) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure shall be treated as a proposal for the demolition of a substantial part of the interior.

English Heritage, November 2003

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