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
Shenton Properties Ltd - Mr Gary French
Shenton Hall
Bosworth Road
Shenton
Nuneaton

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application	**Application No.**
3 March 2009	09/00151/LBC

Particulars and location of development:

ALTERATIONS TO BUILDING

Shenton Hall Bosworth Road Shenton Nuneaton Leicestershire

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the condition of the existing roof coverings and gutters, the 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 alteration would be in accordance the development plan and national policy guidance and would not be to the detriment of the appearance of the listed building or the character of the street scene and the wider conservation area.

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE4 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. Before any development commences, representative samples of the replacement tiles and stone to be used on the roof and chimneys of the building shall be deposited with and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved materials.

3. Not withstanding the submitted drawings and following further investigation work, detail drawings through the new gutters, abutments, rooflights, catch pits, outlets and the roof over the bays shall be submitted to the Local Planning Authority for written approval. The works shall be implemented in accordance with the approved drawings.

4. Notwithstanding the submitted Heritage Statement and as agreed on site with the English Heritage Inspector, the repairs to the stone inserts in the chimneys shall be achieved insitu and without incurring the partial demolition of these structures

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

5. The agent shall afford access at all times to the Borough Council's Conservation Officer and shall allow him/her to observe the works and observe items of interest throughout the period that the works are taking place.

The reasons for the conditions are :-

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

2. To ensure that the roof has a satisfactory external appearance 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. The approved documents are drawings SHN 02/10A,15A, & 09/00151/LBC and the Heritage Statement for Shenton Hall received 11 March 2009

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 5 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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