

Hinckley & Bosworth Borough Council

Planning (Listed Buildings and Conservation Areas Act) 1990

Listed Building Consent

Name and Address of Applicant

Mr R Litherland
Witherslack Group Limited
Lupton Tower
Lupton
Cumbria
LA6 2PR

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application

6 July 2023

Application No.

23/00668/LBC

Particulars and location of development:

Change of use of The Old Rectory from dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1), alterations to the building and other works within the curtilage of listed building.

The Old Rectory 8 Rectory Lane Market Bosworth Nuneaton Leicestershire

Part II - Particulars of decision

In pursuance of its powers under the Planning (Listed Buildings and Conservation Areas 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 works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
 - o Arboricultural Impact Plan Rev B (submitted: 27.09.2023)
 - o Existing Elevation (submitted: 12.08.2023)
 - o Existing First Floor Plan (submitted: 12.07.2023)
 - o Existing Ground Floor Plan (submitted: 12.07.2023)
 - o Existing Roof and Basement (submitted: 12.07.2023)
 - o Existing Site Layout (submitted: 12.07.2023)
 - o Proposed Elevation (submitted: 12.07.2023)
 - o Proposed External Building (submitted: 12.07.2023)
 - o Proposed First Floor Plan Rev C (submitted: 31.08.2023)
 - o Proposed Ground Floor Plan Rev D (submitted: 31.08.2023)
 - o Proposed Site Layout Rev E (submitted: 26.09.2023)
 - o Site Location Plan (submitted: 12.07.2023)

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

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

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date:- 15 December 2023

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant listed building consent subject to conditions, you 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, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Listed Building Consent Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.

LBNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commence conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Development Details

Planning application ref:	23/00668/LBC
Proposal:	Change of use of The Old Rectory from dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1), alterations to the building and other works within the curtilage of listed building.
Site Location:	The Old Rectory 8 Rectory Lane Market Bosworth Nuneaton Leicestershire

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk