

# Hinckley & Bosworth Borough Council

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990,  
Section 38**

**(As amended by the Planning and Compensation Act 1991)**

**Listed Building Enforcement Notice for unauthorised works**

Issued to:

Edwin Stanley Davies, Ye Olde Red lion Hotel, 1 Park Street, Market Bosworth  
Nuneaton, CV13 0LL

Elizabeth Anne Davies, Ye Olde Red lion Hotel, 1 Park Street, Market Bosworth  
Nuneaton, CV13 0LL

Ye Olde Red Lion Market Bosworth Ltd, Stables End Court, Main Street, Market  
Bosworth, Nuneaton CV13 0JN

Hames Partnership Ltd Stables End Court, Main Street, Market Bosworth,  
Nuneaton, Warwickshire, CV13 0JN

Marston's Pubs Limited, St Johns House, St Johns Square, Wolverhampton,  
WV2 4BH

The Owners/The Occupiers, Ye Olde Red Lion Hotel, 1 Park Street, Market  
Bosworth, Nuneaton, CV13 0LL

Issued by:

Hinckley & Bosworth Borough Council, Hinckley Hub, Rugby Road, Hinckley,  
Leicestershire LE10 0FR

- 1. This is a formal notice** which is issued by Hinckley & Bosworth Borough Council as the local planning authority (herein referred to as the "Council") because it appears to them that works have been carried out to the listed building referred to in paragraph 2 below in contravention of Section 7 of the above Act. The Council considers it is expedient to issue this notice, having regard to the effect of the works on the character of the said building as one of special architectural or historic interest. The Annex at the end of this notice contains some important additional information.

## 2. THE BUILDING TO WHICH THE NOTICE RELATES

The building known as **Ye Olde Red Lion Hotel, 1 Park Street, Market Bosworth, Nuneaton, CV13 0LL**, (the “Land”), shown edged red on the attached plan (the “Plan”), which is included within the list of buildings of special architectural or historic interest compiled or approved under section 1 of the said Act.

## 3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF LISTED BUILDING CONTROL

Without Listed Building Consent, the demolition of the red brick boundary wall that pre-dated 1948, and replacement with close boarded timber fencing (the “unauthorised works”), as shown in photographs attached at **Appendix 1** of this notice.

## 4. REASONS FOR ISSUING THIS NOTICE

The unauthorised works relate to a building included on the Statutory List of Buildings of Special Architectural or Historic Interest (Grade II).

The replacement close boarded timber fencing causes significant adverse impacts and less than substantial harm to Market Bosworth Conservation Area and the Red Lion heritage asset, through its incongruous design and materials; contrary to Policies DM11 (Protecting and Enhancing the Historic Environment) and DM12 (Heritage Assets) of the Site Allocations and Development Management Policies DPD (SADMP DPD); paragraphs 194, 200 and 202 of the NPPF and Policy CE1 (Character and Environment) of the Market Bosworth Neighbourhood Plan.

The Council considers it expedient to issue this notice having regard to the effect of the works on the character of the building as one of special architectural or historic interest. The Council does not consider that Listed Building Consent should be granted for the works because they adversely affect the character of the building and conditions could not overcome these objections.

## 5. WHAT YOU ARE REQUIRED TO DO

The Council requires you to take the steps specified below for the purposes of restoring the boundary wall to its former profile, to alleviate the effect of the works carried out without listed building consent:

- a. Remove the unauthorised close boarded timber fencing from the Land (shown in Appendix 1) and re-instate the boundary wall to its original profile before the unauthorised works took place, using red bricks or similar like for like materials (see **Appendix 2** of this notice).

**6. TIME FOR COMPLIANCE**

3 (three) months beginning with the day on which this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect **on 24<sup>th</sup> January 2024**, unless an appeal is made against it beforehand.

**Date issued: 5<sup>th</sup> December 2023**

**Signed:** 

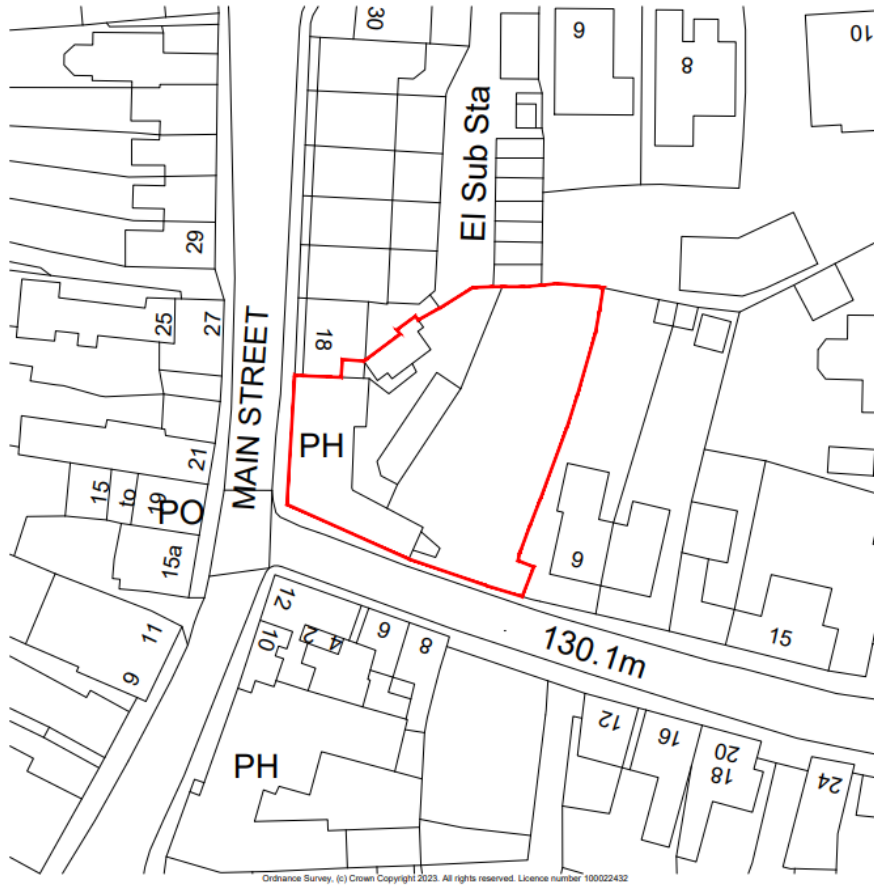
**Duly Authorised Officer of the Council**

Hinckley & Bosworth Borough Council  
Hinckley Hub, Rugby Road,  
Hinckley, Leicestershire  
LE10 0FR

## THE PLAN

Ye Olde Red lion Hotel, 1 Park Street, Market Bosworth Nuneaton, CV13 0LL

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**Appendix 1**

**Photographs of unauthorised works – close boarded fencing**







**Appendix 2**

**Photograph of listed wall before it was demolished**



## ANNEX

### EXPLANATORY NOTE

Hinckley & Bosworth Borough Council has issued an enforcement notice relating to land at **Ye Olde Red Lion Hotel, 1 Park Street, Market Bosworth, Nuneaton, CV13-0LL** and you are served with a copy of that notice as you have an interest in the Land. The notice has been served on all parties listed at the head of this notice.

### YOUR RIGHT OF APPEAL

Please note that a separate appeal form must be completed for each individual person or organisation.

You can appeal against this notice, but any appeal must be received, by the planning inspectorate before the specified date when the notice takes effect, which is the **24<sup>th</sup> January 2024**

You can submit your appeal on-line through the Planning Portal using the Planning Casework Service. This is an on-line service that gives people in England and Wales wider and easier access to the planning system. It allows you to track the progress of your case.

For more information, along with grounds of appeal, please visit:

<https://www.gov.uk/government/publications/listed-building-enforcement-notice-appeals-how-to-complete-your-appeal-form>

or, by contacting:

The Planning Inspectorate,  
Customer Support Team  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

[Customer Form: Customer Services and general enquiries.](#)

Telephone: 0303 444 5000

Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)