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Meeting	CABINET
Time/Day/Date	5.00 pm on Tuesday, 20 August 2024
Location	Abbey Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services (01530 454512)

AGENDA

Item	Pages
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
3. PUBLIC QUESTION AND ANSWER SESSION	
4. MINUTES	
To confirm the minutes of the meeting held on 23 July 2024	3 - 6
5. DISTRICT-WIDE WEEKLY FOOD WASTE COLLECTIONS	
The report of the Strategic Director of Communities Presented by the Communities and Climate Change Portfolio Holder	7 - 18
6. ASHBY 'TOWN' CONSERVATION AREA: ADOPTION OF CHARACTER APPRAISAL AND BOUNDARY REVIEW	
The report of the Strategic Director of Place Presented by the Planning Portfolio Holder	19 - 70
7. HEMINGTON CONSERVATION AREA: ADOPTION OF CHARACTER APPRAISAL AND BOUNDARY REVIEW	
The report of the Strategic Director of Place Presented by the Planning Portfolio Holder	71 - 100

8. SUPPLEMENTARY ESTIMATES, VIREMENTS AND CAPITAL APPROVALS

The report of the Strategic Director of Resources
Presented by the Corporate Portfolio Holder

101 - 110

9. EXCLUSION OF PRESS AND PUBLIC

The officers consider that the press and public should be excluded during consideration of the following items in accordance with Section 100(a) of the Local Government Act 1972 as publicity would be likely to result in disclosure of exempt or confidential information. Members are reminded that they must have regard to the public interest test and must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available.

10. COALVILLE MEMORIAL WORKSPACE - AWARD OF CONTRACT FOR REFURBISHMENT AND CONVERSION

The report of the Strategic Director of Place
Presented by the Housing, Property and Customer Services Portfolio Holder

111 - 118

Circulation:

Councillor R Blunt (Chair)
Councillor M B Wyatt (Deputy Chair)
Councillor T Gillard
Councillor K Merrie MBE
Councillor N J Rushton
Councillor A C Saffell
Councillor A C Woodman

MINUTES of a meeting of the CABINET held in the Abbey Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 23 JULY 2024

Present: Councillor R Blunt (Chair)

Councillors M B Wyatt, T Gillard, K Merrie MBE, A C Saffell and A C Woodman

In Attendance: Councillors D Everitt, J Legrys, P Moulton and S Sheahan

Officers: Mrs A Thomas, Mr A Barton, Miss E Warhurst, Mr P Stone, Mr T Devonshire, Mr M Murphy and Mr P Wheatley

19. APOLOGIES FOR ABSENCE

Apologies were received from Councillor N Rushton.

20. DECLARATION OF INTERESTS

There were no interests declared.

21. PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

22. MINUTES

The minutes of the meeting held on 25 June 2024 were considered.

It was moved by Councillor T Saffell, seconded by Councillor A Woodman and

RESOLVED THAT:

The minutes of the meeting held on 25 June 2024 be confirmed as an accurate record of proceedings.

23. PUBLIC SPACES PROTECTION ORDERS - CAR CRUISE

The Communities and Climate Change Portfolio Holder presented the report.

A Member, and resident of Castle Donington, noted their support for the extension of the Order which had so far proved successful in combatting the issue of car cruises.

It was moved by Councillor M Wyatt, seconded by Councillor T Saffell, and

RESOLVED THAT:

- 1) The introduction of the Public Space Protection Order as set out within Appendix 1 be approved.
- 2) Authority be delegated to the Strategic Director of Communities to vary the Order or discharge the Order at any point during the three year period of the Order.
- 3) The financial level of fixed penalties issued by the Council for failing to comply with PSPO orders be set at £100, payable within 14 days of the service of the fixed penalty notice, with no option for reduced rate for early repayment.
- 4) Authority be delegated to the Strategic Director of Communities in consultation with the Section 151 Officer to amend the financial level of the fixed penalty for failing to comply with the PSPO.

Reason for decision: The affected areas have suffered significant nuisance from vehicles and people engaged in car cruising activities during the last eight years. An order will help to control anti-social behaviour caused by car cruising and associated activities which has a detrimental effect on the quality of life of those in the locality.

24. COUNCIL DELIVERY PLAN - PERFORMANCE REPORT - QUARTER 1 2024/25

The Infrastructure Portfolio Holder presented the report. The areas he particularly highlighted were as follows. The improved performance in the process of planning applications in excess of Government targets. Within Communities and Housing he noted the reduction in non-compliant private landlord properties, and the achievement of the target that 80% of food businesses be rated as very good; within the Clean and Green priority he noted that the Waste Services Review was progressing and was on track to be completed by October 2024. In terms of being a Well Run Council, the target of living within our financial means was on track with the approval of the Transformation Plan and work on the budget options for 2025/26 underway; the Statement of Accounts for 2021/22 was also published during the quarter. The target for complaints was showing improvement but still needed more work. A complaints action plan had been developed to assist with further progress.

On behalf of the Corporate Portfolio Holder, the Chair set out the work Officers were doing to clear the accounts backlog, the resources mobilised to this end, and the communications carried out between the S151 Officer and the Audit and Governance Committee and the Corporate Scrutiny Committee. He reiterated the Council's commitment to signing off the delayed accounts by the end of the financial year, with the expectation that the Council would be in a position to comply with statutory deadlines when auditing the 2024/25 accounts. Additionally, he set out the work being done, and the work envisaged moving forwards, including relevant consultations, so to achieve medium term financial sustainability in line with that KPI.

The Housing, Property and Customer Services Portfolio Holder said that he had recently met with the Head of Housing to discuss complaints in the Housing Service. He set out the measures in place, including increased staffing resources and extra funding towards Housing Repairs, to address them, noting that Housing accounted for the greatest prevalence of complaints. He then set out the general measures that were being put in place to address all complaints and respond to feedback appropriately.

The Chair commended the increased focus on complaints.

The Business and Regeneration Portfolio Holder was pleased to see the green KPI ratings for the Economic Regeneration Team and noted the upcoming regeneration projects in Kegworth, Moira, and Coalville.

It was moved by Councillor K Merrie, seconded by Councillor R Blunt, and

RESOLVED THAT:

The Monitoring Report be considered and the elements making positive progress and those where there is a need for early intervention be highlighted.

Reason for decision: To make Members aware of the early progress of the Plan.

25. PROTECTED CHARACTERISTICS FOR CARE LEAVERS

The Infrastructure Portfolio Holder presented the report.

In response to the Chair, the Head of Human Resources and Organisation Development said that it was important for the Council to accommodate the needs of Care Leavers, a potentially disadvantaged group.

It was moved by Councillor K Merrie, seconded by Councillor R Blunt, and

RESOLVED THAT:

- 1) Care leavers to be afforded the same protections as those groups having protection under the Equality Act 2010 insofar as the law allows, be approved.
- 2) Authority be delegated to the Chief Executive, as the Head of Paid Service, to make any necessary changes to related policies to recognise the above non-legal designation.

Reason for decision: The Council's aim is to move beyond simply fulfilling legal obligations in relation to equalities and its legislation, and to determine where more can be done to continue to fulfil the Council's duties under the Public Sector Equality Duty (PSED) as stipulated by the Equality Act 2010.

26. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor R Blunt, seconded by Councillor T Saffell, and

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Reason for decision: To enable the consideration of exempt information.

27. FACILITIES MANAGEMENT SYSTEM

The Housing, Property and Customer Services Portfolio Holder presented the report.

A brief discussion was had.

It was moved by Councillor A Woodman, seconded by Councillor R Blunt, and

RESOLVED THAT:

The recommendations within the report be approved.

Reason for decision: The Contract Procedure Rules require Cabinet to approve contracts that are of a value of £100,000 or more and outside of approved budget. The intention is to fund the costs of the contract from the Business Rates Reserve and approval to release funds from this reserve is a Cabinet function.

28. ACQUISITIONS AND DISPOSALS

The Housing, Property and Customer Services Portfolio Holder presented the report.

Councillor K Merrie left the meeting at this point.

A brief discussion was had.

It was moved by Councillor A Woodman, seconded by Councillor R Blunt, and

RESOLVED THAT:

The recommendations contained within the report be approved.

Reason for decision: To provide high quality housing to the district.

Councillor K Merrie left the meeting at 17:19

The meeting commenced at 5.00 pm

The Chair closed the meeting at 5.22 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 20 AUGUST 2024



Title of Report	DISTRICT-WIDE WEEKLY FOOD WASTE COLLECTIONS	
Presented by	Councillor Michael Wyatt Communities and Climate Change Portfolio Holder	
Background Papers	Capital Strategy Group considered the district-wide weekly food waste collections on 30 July 2024	Public Report: Yes
		Key Decision: Yes
Financial Implications	The estimated capital cost of purchasing vehicles and containers is £1.154m. However, the total capital grant allocation is £1.062m leaving a shortfall of £0.092m. The shortfall will be funded from business rates reserve. Details are set out in section 2.0 of the report.	
	In addition to the capital costs, there are ongoing and one-off revenue costs, details of which are set out in Annex A. Details of the Council's allocation are still awaited, therefore, there is a risk that there may be a funding shortfall. To reduce potential financial risks, the Council will establish a contingency fund within its budget planning for the financial year 2025/26. This measure will be taken should there be no confirmation from the Government regarding the Council's financial allocation prior to the budget formulation in February 2025.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Cabinet has already awarded a contract that included the purchase of food waste containers, in anticipation of the upcoming food collection changes. That contract was compliantly procured and was approved by Cabinet in August 2022. No further approvals are therefore required in relation to that contract.	
	The value of the procurement of waste vehicles is of a level that requires Cabinet approval. The procurement of any such contracts will be carried out in accordance with the Action Plan in Annex C and Cabinet is being asked to approve the award of those contracts up to the value of £895,542	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	A feasibility study completed through Webapsx and North west Leicestershire District Council (NWLDC) in 2021 confirmed the required staffing arrangements to be able to operate a weekly food waste collection service as follows: <ul style="list-style-type: none"> • Eight non-HGV drivers • Eight loading staff 	

	<ul style="list-style-type: none"> • One supervisor
	Signed off by the Head of Paid Service: Yes
Purpose of Report	To seek Cabinet approval to commence the procurement of vehicles and containers to support a district-wide weekly food waste collection service.
Reason for Decision	The Environment Act 2021 requires all local authorities in England to provide statutory weekly separate food waste collections to all households by 31 March 2026.
Recommendations	<p>THAT CABINET:</p> <ol style="list-style-type: none"> 1. APPROVES ADDITIONAL EXPENDITURE OF £92,072 TO FUND THE SHORTFALL RESULTING FROM THE FURTHER FUNDING REQUEST NOT BEING APPROVED BY DEFRA. 2. NOTES THE RECEIPT OF £1,062,066 NEW BURDENS CAPITAL FUNDING FROM DEFRA TO INTRODUCE WEEKLY SEPARATE FOOD WASTE COLLECTIONS. 3. NOTES THE INTENTION TO PURCHASE FOOD WASTE CONTAINERS UNDER AN EXISTING THREE-YEAR CONTRACT AWARDED TO IPL GLOBAL BY CABINET IN AUGUST 2022. 4. AGREES TO THE AWARD OF ONE OR MORE CONTRACTS UP TO THE VALUE OF £895,542 FOR THE PURCHASE OF FOOD WASTE VEHICLES AND DELEGATES AUTHORITY TO THE HEAD OF COMMUNITY SERVICES IN ASSOCIATION WITH THE DIRECTOR OF RESOURCES AND PORTFOLIO HOLDER TO FINALISE AND ENTER INTO THE NECESSARY AGREEMENTS. 5. ENDORSES THE ADDITIONS TO THE CAPITAL PROGRAMME IN RELATION TO THE FOOD WASTE COLLECTION VEHICLES OF £895,542 AND FOOD WASTE CONTAINERS OF £258,596 FUNDED FROM A DEFRA CAPITAL GRANT OF £1,062,066 AND THE REMAINING £92,072 FUNDED FROM THE BUSINESS RATES RESERVE AND RECOMMENDS IT TO COUNCIL FOR APPROVAL AT ITS MEETING ON 10 SEPTEMBER 2024.

1.0 BACKGROUND

- 1.1 Recycle more was a programme adopted in 2019, its main aim was to increase the number of materials residents can recycle at the kerbside, as well as increasing the district's overall recycling rate. It subsequently led to a weekly food waste collection trial for 2,000 households, which in 2020 was expanded to a further 2,000 households. To date, the trial has successfully diverted 849 tonnes of food waste

away from disposal (either landfill or incineration). Instead, it is recycled via an anaerobic digestion facility in Atherstone where it is used to produce green energy and a bio-fertiliser for use on farmland. The food waste recycled to date represents a carbon saving of 637 tonnes CO₂ equivalent.

- 1.2 The requirements to collect food waste has been key to the review of the overall waste service. It has been factored in when developing the modelling options in partnership with Eunomia (an environmental consultant). The review will be reported to Scrutiny and Cabinet later this year.
- 1.3 The Environment Act 2021 requires all local authorities in England to introduce weekly separate food waste collections to all households by 31 March 2026.
- 1.4 Government engaged the Waste and Resources Action Programme (WRAP) to set up a formula to determine how to compensate each local authority to help them pay for new equipment and vehicles. This is to meet new burdens capital expenditure such as new vehicles and containers. In January 2024, the Department for the Environment, Food and Rural Affairs (Defra) allocated capital funding to local authorities to introduce weekly separate food waste collections. The Council was awarded £1,062,066 to purchase dedicated food waste collection vehicles, as well as indoor and outdoor food waste containers for residents to use. Defra confirmed the capital funding awarded in a letter dated 9 January 2024.
- 1.5 Officers have reviewed the capital funding awarded by Defra and identified a funding shortfall. The purchase of food waste collection vehicles will cost £179,442 more than the funding which has been allocated by Defra. Furthermore, the capital funding does not cover the provision of wheeled bins for communal properties, which would be used for food waste, this cost is estimated to be £1,196. Therefore, the total shortfall is £180,638. There is a mechanism to challenge Defra if local authorities believe the capital funding is not adequate.
- 1.6 As such, a request for further capital funding was submitted to Defra on 5 March 2024, which was fully supported by relevant and appropriate evidence. The Head of Community Services has been regularly requesting updates from Defra, these being on 23 April 2024, 20 May 2024, 10 and 21 June 2024.
- 1.7 On 25 July 2024 the Council received notification from Defra that its request for a review of our allocation did not meet the required criteria, therefore no additional capital funding will be provided. The response stated that their model is based on extensive data, inclusive of food waste yields, participation rates, and vehicle round sizes. This information is obtained from local authorities and other industry sources. It is tailored to reflect the rurality and deprivation of a Local Authority and incorporates productive and non-productive collection time.
- 1.8 The capital funding of £345,966 awarded for the purchase of indoor and outdoor food waste containers for standard properties is deemed to be sufficient to meet the costs. The costs of purchasing food waste containers is estimated at £257,400 leaving a surplus of £88,566. A sum of £1,196 of this surplus would be used to purchase wheeled bins for communal properties, leaving £87,370. This would be used to reduce the funding gap from £179,442 to £92,072 for purchasing the vehicles, please refer to Annex B. This leaves a shortfall in capital funding of £92,072.
- 1.9 New burden capital funding for waste containers makes no allowance for their delivery\distribution, as Defra consider this to be a revenue cost, which is estimated to be £105,750. However, in the letter from Defra dated 9 January 2024 regarding the capital funding award, it also confirmed the following:

- (1) Resource transitional funding will be provided from the 2024/25 financial year. This money will be provided to waste collection authorities that either need to implement a weekly food waste collection service partially or fully.
- (2) Ongoing resource/revenue costs will be provided from 1 April 2026 and will be provided to all waste collection authorities, including those that have already fully implemented a food waste collection service.

The resource transitional funding, this being one-off funding would be used for the revenue costs associated with setting-up and implementing a weekly food waste collection service. It is unknown how much funding will be allocated to and what it will cover, however it's anticipated it could possibly fund the following:

- Recruitment of staff, including personal protective equipment (PPE) and medical fees.
- In-cab technology, including iPads and mobile phones.
- Delivery of food waste containers, food waste guide, and food waste liners to each household.
- Publicity and promotion of the service to residents.

The ongoing /revenue costs would be used to operate and maintain a weekly food waste collection service. It is unknown how much funding will be allocated and what it will cover, however it is anticipated it could possibly fund the following:

- Ongoing staffing costs to operate the service.
- Ongoing vehicles costs, including fuel and maintenance.
- Ongoing replacement costs for food waste containers.

Annex A details the estimated revenue costs, both ongoing and one-off, to operate district-wide food waste collections.

2.0 FINANCE, PROCUREMENT AND GOVERNANCE

- 2.1 A project board has been established for this emerging project with key representation from each relevant internal stakeholder and this report has been drafted taking on board the advice.
- 2.2 A shortfall of £179,442 has been identified for the purchasing of food waste collection vehicles. This is based on the Council requiring eight vehicles and one spare vehicle to operate the service, with an estimated average cost of £99,505 per vehicle. This average cost is based on quotes received from two manufacturers in February 2024, both of whom supply dedicated food waste collection vehicles. The funding received from Defra of £716,100 would potentially only cover the cost, equivalent to 7.5 vehicles, but to operate collections, nine vehicles are required.
- 2.3 However, when the capital funding from Defra was awarded for the food waste collection vehicles and containers it was not ring-fenced. Therefore, the identified surplus of £88,566 for the containers can contribute towards the purchasing of the vehicles. A sum of £1,196 of this would be used to purchase wheeled bins for communal properties, leaving £87,370. This would be used to reduce the funding gap from £179,442 to £92,072 for purchasing the vehicles, please refer to Annex B.
- 2.4 The shortfall of £92,072 will have to be funded from the business rates reserve.

- 2.5 It is proposed to procure the food waste collection vehicles from an existing framework most likely to be The Procurement Partnership Limited (TPPL) using Lot 3, then from it run a mini competition for 30 days.
- 2.6 There will be an estimated annual capital replacement cost of £5,720 for 1,000 outdoor and 1,000 indoor food waste containers which are lost/damaged/stolen and for new builds. This is already incorporated into the Council's capital programme.
- 2.7 Depot capacity for storage and parking will accommodate the new food waste vehicles within the overall site of the depot.
- 2.8 There are ongoing and one-off revenue costs of delivering the service, details of which are set out in Annex A. However, Defra have not confirmed the allocation of revenue funding. There is a significant risk that there will be a shortfall in ongoing revenue funding for the 2026/27 financial year. Any shortfall in the ongoing revenue budget will have to be addressed as part of the budget setting process for 2026/27.
- 2.9 As the rollout of food waste collection will commence in 2025/26, there is a further risk that the one-off transitional funding will be insufficient. In the event that the Council does not receive details of the transitional funding allocation for 2025/26, , the Council will establish a contingency fund within its budget planning for the financial year 2025/26. This measure will be taken should there be no confirmation from Defra regarding the Council's financial allocation prior to the budget formulation in February 2025.

3.0 PROJECT RISKS

- 3.1 Defra is yet to confirm what revenue support will be provided to the Council. There is a risk of a significant shortfall which will be mitigated by the creation of a contingency budget in 2025/26 in the event that revenue funding allocations are not confirmed at the time of setting the revenue budget 2025/26. This has been reflected in the Council's Corporate Risk Register.
- 3.2 Extended build and lead times for food waste collection vehicles are anticipated. To provide food waste collections by 31 March 2026, it will potentially create a bottle neck in the supply chain for the vehicles as local authorities in England will need to purchase them. Officers have received from two food waste collection vehicle manufacturers estimated build and lead times of between seven to 12 months.
- 3.3 Ongoing management of the risks and issues associated with this project will be managed via a project board reporting progress to the Capital Strategy Group.
- 3.4 Recruitment of appropriate staff can be challenging; therefore, the project will allow sufficient time for recruitment, and this risk will be managed via the project board.
- 3.5 The recent change of Government may impact the legislative requirements.
- 3.6 Delays to vehicle procurement and build, along with container procurement could create delays in roll out plans as recorded in the action plan, refer to Annex C.

4.0 RISK IMPLICATIONS

- 4.1 Risk Management will be a central consideration of each action.

5.0 ANNEXES

- 6.1 Annex A NWLDC estimated annual revenue costs

- 6.2 Annex B Defra capital funding and NWLDC estimated capital costs
 6.3 Annex C Action Plan

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Developing a clean and green district by providing residents the opportunity to recycle food waste. - Ensure where possible all waste is sent for recycling or reprocessing, diverting it away from landfill or incineration. - The Councils' current delivery plan commits to "Being a carbon neutral Council by 2030"
Policy Considerations:	Our fleet management strategy under the Council's Zero Carbon roadmap commits the Council to explore available fleet options at the point of procurement. However Defra has only provided enough funding to support internal combustion engine vehicles not the electric alternative which are three times as expensive.
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	Learnings from the current food waste trial will shape the interaction with our residents.
Economic and Social Impact:	N/A
Environment and Climate Change:	The vehicles will be fuelled by hydrotreated vegetable oil (HVO).
Consultation/Community Engagement:	Change is driven by national legislation. Community engagement will be outlined in the communications strategy.
Risks:	See relevant section above
Officer Contact	Paul Sanders Head of Community Services paul.sanders@nwleicestershire.gov.uk

6.1 Annex A - estimated annual ongoing revenue and one-off costs to operate district-wide weekly food waste collections

Staffing	Unit cost	Estimated annual ongoing revenue costs	Estimated one-off costs	Notes
8 x Drivers (Band C, non-HGV) 37 hours per week	£36,029 to £38,611	£298,560		Based on 1 x Driver and 1 x Loader per vehicle, on the average of each grade and including 2024/25 and 2025/26 estimated pay award.
8 x Loaders (Band B) 37 hours per week	£34,812 to £35,414	£280,904		
1 x Supervisor 37 hours per week	£52,180 to £57,373	£54,777		
Drivers & Loaders - holiday & sickness cover (including national insurance & pension)		£77,791		
Medical fees	N/A	£2,000		
Ongoing vehicle costs				
Washing down the outside of vehicles	N/A	£9,053		
Scheduled maintenance/insurance/tyres etc.	£4,400	£39,600		
Non-scheduled maintenance	£660	£5,940		
Fuel (hydrotreated vegetable oil)	£9,130	£73,040		
Communications and other expenses				
Publicity & Promotion	£2,000	£2,000		1 x food waste guide leaflet (A5, 8 pages max.)
50,000 x 100% compostable liners (roll of 52) for 7 litre indoor caddy	£46,188	£46,188		
Delivery of food waste containers, 1 x roll of compostable food waste liners and leaflet to each household	£1.95		£105,750	
A4 vinyl stickering of 80 x 180 litre wheeled bins, both the bin body and lid	N/A		£150	Required for 40 communal sites - residents need to decant their food waste into wheeled bins.
Route Optimisation	£7,700		£7,700	
Purchase of iPads	£350		£2,800	
Mobile phones & iPads rental costs	£420	£3,360		
Personal Protective Clothing	£265	£4,505		
		£897,717	£116,400	
		estimated annual ongoing revenue costs	estimated one-off costs	
		Total costs: £1,014,117		

6.2 Annex B - Defra capital funding and NWLDC estimated capital costs

Item	Defra capital funding received	NWLDC estimated capital costs	Funding Gap / Surplus
Diesel/HVO powered food waste collection vehicles (including installation of health & safety equipment)	£716,100	£895,542	-£179,442
Food waste containers (indoor and outdoor) for standard properties	£345,966	£257,400	£88,566
Food waste wheeled bins for communal properties	£0	£1,196	-£1,196
Total	£1,062,066	£1,154,138	-£180,638 (excluding using surplus from containers)
Total	£1,062,066	£1,154,138	-£92,072 (including surplus from containers used to off-set cost of vehicles and communal bins)

6.3 Annex C – Action Plan

No.	Action	Date
1.	Request at the Capital Strategy Group meeting on 30 July 2024 to add this project to the Capital Programme.	Q2 2024/25
2.	<p>The project has been added to the forward plan, so that a report can be considered by Cabinet on 20 August 2024, presenting the capital costs, revenue costs, and funding gap identified for the project.</p> <p>The report will request to approve the additional capital expenditure of £92,072 if the request for this is not successful from Defra. Also, approval will be sought for the capital expenditure of £1,062,066 already awarded by Defra for the procurement of food waste collection vehicles and food waste containers.</p> <p>Cabinet approval will also be sought regarding the procurement process for the collection vehicles and permission to purchase the containers from an existing three-year contract awarded to IPL Global in August 2022.</p>	Q2 2024/25
3.	<p>Commence the procurement process for the food waste collection vehicles as below:</p> <ul style="list-style-type: none"> • Compile tender documentation. • Issue invites to tender using an existing framework, most likely to be The Procurement Partnership Limited (TPPL) using Lot 3, then from it run a mini competition for 30 days. • Evaluation of tender submissions. • Standstill period of eight working days before awarding contract. • A contract will be awarded by delegation to the Head of Service, along with the Lead Cabinet member and Section 151 Officer. 	Q2 & Q3 2024/25
4.	Initiate a recruitment programme with support from Human Resources for staffing of the service.	Q3 2024/25
5.	Initiate a communication strategy to support service adoption by key stakeholders and engage their participation through education of why the service is being introduced, how it will operate, and when it will commence.	Q3 & Q4 2024/25
6.	Commence and complete roll out of the service between 1 April 2025 and 31 March 2026. This will be undertaken in phases per quarter to approximately 10,000 households.	Q1 2025/26 Q2 2025/26

		Q3 2025/26 Q4 2025/26
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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 20 AUGUST 2024



Title of Report	ASHBY 'TOWN' CONSERVATION AREA: ADOPTION OF CHARACTER APPRAISAL AND BOUNDARY REVIEW	
Presented by	Councillor Tony Saffell Planning Portfolio Holder PH Briefed <input checked="" type="checkbox"/>	
Background Papers	Historic development of Ashby town centre (link). Draft documents available on our website (link).	Public Report: Yes
		Key Decision: Yes
Financial Implications	There are no financial implications arising from this report.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal services reviewed the report. There are no direct legal implications arising from this report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no direct staffing implications arising from this report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	(a) To consider responses to the recent public consultation; (b) To adopt the revised character appraisal and boundary review for the Ashby 'town' conservation area.	
Reason for Decision	Adoption of the revised character appraisal and boundary review would support the Council in fulfilling its duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the designation and review of conservation areas. It would support the Council in fulfilling the aims of the Council Delivery Plan relating to planning and regeneration.	
Recommendation	THAT THE CABINET ADOPTS THE CHARACTER APPRAISAL AND BOUNDARY REVIEW FOR THE ASHBY 'TOWN' CONSERVATION AREA.	

1.0 BACKGROUND

- 1.1 Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") defines a conservation area as an area of special architectural or historic interest, the character of which it is desirable to preserve or enhance.
- 1.2 The Council has a duty under Section 69(1) of the 1990 Act to determine periodically which parts of its area meet this definition and to designate these areas as conservation areas.

- 1.3 The Council also has a duty under Section 69(2) of the 1990 Act to review periodically the past exercise of this duty and to consider whether any further parts of their area meet this definition and to designate those parts as conservation areas accordingly.
- 1.4 Council officers prepared a draft character appraisal and boundary review for the Ashby 'town' conservation area in accordance with Section 69(2) of the 1990 Act. The draft documents were informed by initial consultation with representatives of Ashby Civic Society, Ashby Museum and Ashby Town Council.
- 1.5 Council officers have prepared a revised character appraisal and boundary review following a period of public consultation. The revised character appraisal would provide the basis for making informed and sustainable decisions about the future of the area. It may inform decisions on applications for development that would affect the conservation area. It may inform the development of a management plan for the conservation area.

2.0 CONSULTATIONS

- 2.1 Between 14 February and 27 March 2024 the following people and organisations were consulted regarding the draft character appraisal and boundary review:
- Members for Ashby 'Castle', 'Ivanhoe', 'Money Hill' and 'Willesley' wards;
 - Ashby Town Council and Leicestershire County Council;
 - Ashby Civic Society and Ashby Museum;
 - Ashby BID Company;
 - Historic England and the seven National Amenity Societies;
 - Owners and occupiers affected by the draft boundary review.
- 2.2 The Council's Conservation Officer held drop-in sessions at Ashby Library on the 1 and 11 March 2024. The Conservation Officer met with Ashby Civic Society on the 4 March and the Town Council's planning and licensing committee on the 25 March.
- 2.3 Nine 'general' publicity posters were displayed in the conservation area, as follows:
- On the south side of Wood Street;
 - On the north side of Leicester Road;
 - On Market Street, near St Helen's House;
 - On Market Street, near the Bull's Head PH;
 - On Market Street, near the Royal Mail delivery office;
 - At the south end of Union Passage;
 - On the Green, near the Bowling Green PH;
 - At the north end of Churchside Walk;
 - At the north end of Bath Street.
- 2.4 Six publicity posters relating to the boundary review were displayed as follows:
- On the south side of North Street;
 - On the north side of Wood Street;
 - On the south side of South Street;
 - On the west side of Derby Road;
 - On Hill Street;
 - On the south side of Kilwardby Street.

- 2.5 A 'notice to leaseholders' was displayed adjacent to 2 Derby Road ('The Regency') instead of writing to all fourteen leaseholders individually.
- 2.6 Appendix 1 records the consultation responses received and explains how these responses have been taken into account.

3.0 PUBLIC CONSULTATION RESPONSES

- 3.1 Five consultation responses were received (see appendix 1). Substantial responses were received from Ashby Civic Society, Ashby Town Council and a member of the public as follows.
- 3.2 Following advice from the Town Council, it is no longer proposed to remove 1 and 3 Hill Street or 'Trentham Close' from the conservation area. Contrary to advice from the Town Council and a member of the public, it is still proposed to remove 11 to 27 Derby Street from the conservation area, for the reasons set out in appendices 1 and 3. Contrary to advice from the Civic Society, it is not proposed to add Ashby Library to the conservation area, for the reasons set out in appendices 1 and 3.
- 3.3 It is proposed to divide the conservation area into the 'Castle', 'Spa' and 'Town' conservation areas, as described in the revised conservation area boundary review (see appendix 3). The Civic Society expressed its support for the proposed subdivision.
- 3.4 The revised character appraisal and boundary review reflect best practice and they take appropriate account of the responses received during the public consultation period. It is recommended that the Cabinet adopts the revised character appraisal and boundary review for the Ashby 'town' conservation area.

Policies and other considerations, as appropriate	
Council Priorities:	Adoption of the revised character appraisal and boundary review would support the Council in fulfilling the aims of the Council Delivery Plan relating to planning and regeneration.
Policy Considerations:	The adopted local plan recognises that the Council has a "key role in the conservation of heritage assets" and that this role includes "undertaking conservation area appraisals" (paragraph 11.12).
Safeguarding:	No considerations made.
Equalities/Diversity:	No considerations made.
Customer Impact:	No direct impact identified.
Economic and Social Impact:	No direct impact identified.
Environment, Climate Change and Zero Carbon:	No direct impact identified.
Consultation/Community/Tenant Engagement:	Please refer to section 2.0 above.

Risks:	<p>If the character appraisal and boundary review are not adopted, then the Council may not fulfil its relevant duties under the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>If the character appraisal and boundary review are amended prior to adoption, then they may not reflect best practice or take appropriate account of the public consultation responses received.</p>
Officer Contact	<p>James White Senior Conservation Officer james.white@nwleicestershire.gov.uk</p>

Ashby ‘town’ conservation area: Character appraisal and boundary review

Summary of public consultation responses

Appendix 1

Consultee	Consultee’s response	NWLDC officer comments
Ashby Town Council	<p>Area 2: The Town Council “suggested” that 1 and 3 Hill Street should not be removed from the conservation area, because it contains “two of the oldest cottages in the town”</p> <p>Trees: The Town Council sought assurance “that any tree removed from the conservation area” would be “assessed as to whether a TPO should be placed on it”.</p>	<p>Accepted. It is not proposed to remove 1 and 3 Hill Street from the conservation area. Paragraph 2.22.11ff of the revised character appraisal refers to the ‘Hill Street’ character zone.</p> <p>Accepted. It is not proposed to remove 1 and 3 Hill Street or ‘Trentham Close’ from the conservation area. The boundary review concludes that trees at Lockton House and Top Garden “contribute positively to public amenity and should be subject to a tree preservation order (TPO)”. A tree outside ‘Shenanna’ is a street tree and therefore not appropriate for a TPO.</p>
<p>Ashby Town Council</p> <p>Member of the public</p>	<p>Area 7: The Town Council “suggested” that 11 to 27 Derby Road should not be removed from the conservation area, because it did not “understand the rationale” for doing so.</p> <p>Area 7: Objected to the removal of 11 to 27 Derby Road from the conservation area. Described the terraced houses as “properties of age” (said that the properties are “charming” and “add considerably” to the town’s character).</p>	<p>Not accepted. The properties do not contribute to an area of special interest, for the reasons outlined in paragraphs (b) and (k) of the boundary review. Like ‘Shrubbery Terrace’ the properties are early Victorian terraced houses (they are not ‘properties of age’). Unlike ‘Shrubbery Terrace’ they are not high status properties. Their character has been affected adversely by the addition of render and concrete tile.</p>

Ashby Civic Society	<p>Subdivision: The Civic Society supported “splitting the original conservation area into three” (the society said that this proposal “makes sense”).</p> <p>Library and Museum: The society proposed that the library and museum should be added to the conservation area.</p> <p>Legibility: The society referred to the difficulty of viewing the documents “on screen”. The society also requested a map “which makes clear what the new areas are”.</p>	<p>Noted.</p> <p>Not accepted. The library would be remote from the designated boundary following the removal of properties on the south side of North Street. The library is a local heritage asset.</p> <p>Accepted. The character appraisal has been separated into a historic development report and a character appraisal, in part to reduce the length of the character appraisal and thus aid legibility. The revised boundary review includes a map to illustrate the ‘Castle’, ‘Spa’ and ‘Town’ conservation areas.</p>
Ashby School	<p>Area 13: The school offered “no objections to the changes proposed in relation to Lockton House”.</p>	Noted.
Householder Area 12	<p>Area 12: The householder offered “no objection to being removed from the conservation area”.</p>	Noted.
Member of the public	<p>Area 3: Objected to the removal of 6 to 14 Hill Street from the conservation area. Said that the removal of this area would “damage the ambience of Hill Street” (described the “eclectic mix of houses along Hill Street” as “delightful”).</p>	<p>Not accepted. The properties do not contribute to an area of special interest, for the reasons outlined in paragraphs (b) and (g) of the boundary review.</p>

ASHBY 'TOWN' CONSERVATION AREA CHARACTER APPRAISAL

Appendix 2A

**REVISED
JULY 2024**

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1. Introduction

- 1.1. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as an area of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”.
- 1.2. The Ashby-de-la-Zouch conservation area was designated in November 1972 and amendments to the designated boundary took effect in September 1992 and May 2002. A character appraisal was adopted in April 2001. As a result of our most recent boundary review, the conservation area has been divided into the ‘Castle’, ‘Spa’ and ‘Town’ conservation areas and the boundary has been revised further (NWLDC, 2024).

The conservation area since c.2001

- 1.3. Since c.2001 development affecting the conservation area has included the following:
 - Four detached houses off the north side of Wood Street erected c.2000-05;
 - Four terraced houses off Churchside Walk erected c.2002;
 - A mixed use building on Bath Street (‘Castlegate House’) erected c.2003;
 - A mixed use building on South Street (‘Bosworth House’) erected c.2004;
 - Two houses on Wood Street (‘Old Stone Yard’) erected c.2005;
 - A mixed use building on Derby Road (‘The Regency’) erected c.2008;
 - An extension to the ‘design block’ at Ashby School erected c.2010;
 - 32 ‘retirement apartments’ on Kilwardby Street (‘Bainbridge Court’) erected c.2014.
- 1.4. Alpha Cottages¹ (pictured) and the former Hare & Hounds PH were described as long term vacant buildings in April 2001. The properties were brought back into use c.2001 and c.2002 respectively (our references 01/01342/FUL and 02/00042/FUL).
- 1.5. Castlegate House and Bosworth House received design awards from the Civic Society in 2004 and 2008 respectively. The former Hare & Hounds PH received a commendation in 2004.
- 1.6. Since c.2001 our understanding of the conservation area has improved. Robert Hayward’s historic building survey of the conservation area was published in 2004. Robert Jones’ *Illustrated history of Market Street* and *Illustrated history of inns, pubs and ale houses* were published in 2011 and 2012 respectively. Since c.2001 there have been two archaeological investigations in the conservation area, including investigation of a “locally important” archaeological site on the south side of Kilwardby Street (Daniel, 2016).



¹ In June 2000 the local planning authority had published a development brief for the “Bath Street & Kilwardby Street redevelopment site”. The site included Alpha House, Bainbridge Court and a surface car park on Kilwardby Street. The surface car park remains a gap site (see paragraph 6.7).

Context

- 1.7. Ashby-de-la-Zouch is a parish in NW Leicestershire District. Ashby is about 15 miles S of Derby and about 22 miles SE of Nottingham.
- 1.8. The amended NW Leicestershire Local Plan (NWLDC, 2021) recognises Ashby as a ‘key service centre’, i.e. a settlement that provides services and facilities to the surrounding area and that is accessible by some sustainable transport. Because of its role as a key service centre, a significant amount of development will take place in Ashby.
- 1.9. The District Council has permitted the erection of about 1460 dwellings including 675 dwellings on land at Burton Road (13/004686/OUTM and 14/00578/OUTM) and 605 dwellings on land at Money Hill (15/00512/OUTM). The District Council has allocated “land north of Ashby” for the erection of a further 1750 dwellings.
- 1.10. For statistical purposes, England and Wales is divided into Lower Super Output Areas (LSOAs). Kilwardby Street is in ‘NW Leicestershire 6C’. The level of deprivation in this LSOA is similar to the national median. Three LSOAs cover the remainder of the conservation area; all three are in the 20% least deprived neighbourhoods in the country².
- 1.11. The west end of Market Street is situated at less than 125m AOD, on the Lower Coal Measures formation of sedimentary bedrock. On Moira Road the water tower is situated at about 140m AOD on the Helsby sandstone formation. The junction of Wood Street and Upper Church Street is situated at about 140m AOD on the Wingfield Flags sandstone formation.
- 1.12. The Gilwiskaw Brook flows from N to S across the settlement core. Brook Street and Union Passage follow the route of the culverted brook³.

2. Character analysis

- 2.1. The character of an area may be defined with reference to the age of its buildings and their uses past and present; the overall density, layout and landscaping of development and the scale, massing and materials of the buildings in the area.
- 2.2. Generally the conservation area boundary reflects the extent of the town c.1815-21. The ‘Hill Street’ and ‘Kilwardby Street west’ character zones contain high status development from the early Victorian period. Generally the conservation area is dominated by buildings erected before c.1884. The ‘Bath Street’ character zone is dominated by buildings erected between c.1884 and c.1923. Map 4 indicates those buildings erected after c.1884.
- 2.3. Generally the conservation area is densely developed, with buildings arranged in terraced groups and laid out to the back of the pavement. Red brick is the dominant facing material; the ‘Kilwardby Street east’ character zone is dominated by rendered buildings. Map 7 shows the facing material used on the principal elevation of each building.

² There are 34378 LSOAs in England and Wales. These are ranked by deprivation with 1 being the most deprived and 17189 being the national median. NW Leicestershire 6C is ranked 16242. NW Leicestershire 3A, 3B and 3C are ranked 29097, 29807 and 28003 respectively.

³ White (1863) says that “a new street between Market Street and the Green” was formed after 1823.

- 2.4. Generally traditional roofing materials survive; there are twice as many plain tile roofs as natural slate roofs. The 'South Street west' character zone is dominated by natural slate roofs. Non-traditional roofing materials intrude to a greater extent in the 'Upper Church Street' and 'Wood Street west' character zones. Map 8 shows the roofing material used on the principal roof slope of each building.
- 2.5. The conservation area may be considered as thirteen character zones. In this respect height and use are defining characteristics. In terms of use, four zones are characterised by retail and other 'A' class uses; three zones contain a diversity of uses while six zones are characterised by residential uses. Generally this pattern reflects the extent of the primary shopping area and the town centre. Map 5 indicates the uses of buildings.
- 2.6. In terms of height, six zones are characterised by buildings that are 2½ to 3 storeys tall; five zones are characterised by buildings that are 1½ to 2 storeys tall while two zones contain a diversity of heights. Map 6 indicates the heights of buildings.
- 2.7. The conservation area may be considered as thirteen character zones; nine zones closely reflect the general character of the conservation area. The character zones are shown on map 1 and may be described as follows:

Retail zones

- 2.8. The following four character zones are dominated by retail and other 'A' class uses. The character of each zone closely reflects the general character of the conservation area.

Market Street west

- 2.8.1. Generally buildings are arranged in terraced groups around a linear open space; some courtyard development survives. Generally buildings are three storeys tall. Most buildings are faced in red brick but a substantial minority are faced in render. The character zone contains 29 listed buildings.



- 2.8.2. Four buildings on the south side of Market Street do not contribute positively to character. In the long term there are opportunities to enhance character through the replacement of these buildings:

- **12 and 14 Market Street:** The building does not reflect the massing and materials of the character zone.
- **42 to 48 Market Street:** This large building does not reflect the scale of the character zone; it contributes negatively to views of the church tower from the west. 42 Market Street has an untreated aluminium shop front.

- **r/o 52 Market Street:** The building does not reflect the massing and materials of the character zone; the boundary treatment also contributes negatively.
- **1 Union Passage:** The single-storey flat-roofed structure to the rear of 28 to 32 Market Street does not reflect the scale and massing of the character zone.

Soft landscaping

- 2.8.3. The character zone contains garden land associated with two listed buildings; this land contributes positively to character. Garden land at 53 & 53A Market Street is bounded by a tall red brick wall. Garden land at 62 & 64 Market Street (the former Leicestershire Bank) contains mature trees.

Market Street east

- 2.8.4. Generally buildings are arranged in terraced groups and laid out to the back of the pavement. Some courtyard development survives but much was demolished c.1948-71. Generally buildings are three storeys tall. Most buildings are faced in red brick but a substantial minority are faced in render. The character zone contains 22 listed buildings. The Bulls Head PH (67 Market Street) is a grade II* listed building.



- 2.8.5. Two buildings in the character zone do not contribute positively to character. In the long term there are opportunities to enhance character through the replacement of these buildings:
- **57 and 59 Market Street:** This large building does not reflect the scale of the character zone.
 - **73 and 75 Market Street:** The two-storey flat-roofed building does not reflect the scale and massing of the character zone.
- 2.8.6. To the west of the Market Hall, flat-roofed elements do not reflect the scale and massing of the character zone. Buildings to the south west of Bakery Court were demolished after 1971. The buildings were replaced by a surface car park that does not contribute positively to character. In the long term there is an opportunity to enhance character through the demolition of the flat-roofed elements and the redevelopment of the surface car park.

Bath Street

- 2.8.7. This character zone is dominated by buildings erected between c.1884 and c.1923. Generally buildings are arranged in terraced groups and laid out to the back of the pavement. Generally buildings are 2½ or 3 storeys tall. Generally buildings are faced in red brick. The Shoulder of Mutton PH (1 & 3 Market Street) is a grade II listed building.

The Green

- 2.8.8. Generally buildings are arranged in terraced groups around an irregular open space (pictured right). Generally buildings are 1½ or 2 storeys tall. Generally buildings are faced in red brick. 8 to 12 The Green, 1 North Street and a former lamp standard are grade II listed buildings.



The primary shopping area

- 2.9. The amended NW Leicestershire Local Plan (2021) designates a primary shopping area. The designation coincides with the 'Market Street east', 'Market Street west' and 'Bath Street' character zones.
- 2.10. In 2012 and 2019 the District Council commissioned retail study updates (Roger Tym & Partners, 2012; Lichfields, 2019). In 2012 the primary shopping area displayed "generally good levels of vitality and viability"; in 2019 it "appears to be performing well". In 2012 there were ten vacant properties, "considerably below the UK average". In 2019 there were eight vacant properties.
- 2.11. The retail study updates describe the primary shopping area as "attractive"; the 2012 update noted a "high quality streetscape". In 2017 the town's evening economy achieved Purple Flag accreditation, which reflects a "clean and safe" environment.
- 2.12. The retail study updates noted "significant levels of traffic" on Market Street, although the 2019 update noted that "three pedestrian crossings are provided". The greater part of the town is subject to a 7.5 tonne vehicle weight restriction.

Shop fronts

- 2.13. Market Street and Bath Street are characterised by a mix of surviving traditional shop fronts and modern shop fronts in a traditional style. Pevsner (1984) notes a "good row of nineteenth century shop fronts inserted in Georgian houses" on the north side of Market Street including numbers 53 and 65. The District Council has adopted a supplementary planning document (SPD) 'Shop fronts and advertisements' (2019).
- 2.14. A typical shop front of the period before c.1850 would feature pilasters with capitals supporting a shallow classical frieze and cornice. The shop windows would be bowed and divided into small panes. A typical shop front of the period after c.1850 would feature

pilasters and brackets supporting a deep fascia and cornice. The shop windows would be flat and would contain plate glass. 51 and 65 Market Street contain shop fronts of the period before c.1850. Shop fronts of the period after c.1850 include:

- 16 Market Street;
- 34A Market Street (installed c.1930 for Melias Ltd);
- 53 Market Street (installed c.1880);
- 71 Market Street⁴;
- 76 Market Street (installed c.1902);
- 81 Market Street.

2.15. The SPD advises that “shop fronts should respect the materials of the building” and encourages “shop fronts constructed of painted timber”. Three listed buildings contain untreated aluminium shop fronts (28 Market Street⁵; 52 Market Street; 63 Market Street). Note also the untreated aluminium shop front at 42 Market Street.

2.16. The SPD advises that “shop fronts should respect the size of the building” and says that “as a rule of thumb the height of the fascia and cornice should be no more than one-sixth of the height of the shop front overall. The SPD advises that “shop fronts should not extend into the storey above”. The terraced group 15 to 33 Market Street contains several large fasciae. 33 Market Street has a very large fascia that extends over the first floor window sills.

2.17. The SPD encourages trough lighting “set flush to the fascia” but advises that “swan neck lights are rarely acceptable in historic contexts”. Three listed buildings feature swan neck lights; all are hot food takeaways (77 Market Street; 85 & 85A Market Street; 88 Market Street). The SPD advises that a new shop front may accommodate lighting “within or under the cornice”; 25 Market Street is an example of good practice.



2.18. The SPD advises that signs “should be considered as an integral element in the design”. It advises that “where there is no fascia, consider applying lettering to the shop window or upper floors”. At 94 and 96 Market Street fascia signs have been installed in a manner that obscures the frieze and cornice. At 50 and 84 Market Street panel signs have been attached to buildings “where there is no fascia”⁶. The SPD advises that lettering should be “painted directly onto the shop front rather than on a board which is then stuck onto the shop front”; 72 Market Street is an example of bad practice.

⁴ 71 Market Street has an unusual shop front comprising a “large angular bay” under an “enriched” frieze and cornice.

⁵ In 1978 we permitted a new shop front at 28 Market Street (our ref 78/0095/P).

⁶ In 1977 we granted permission for “taking out shop fronts and building up” at 84 Market Street (our ref 77/1166/P).

Hard landscaping

- 2.19. On Bath Street and Market Street the footways are covered with small concrete pavers. On Bath Street and the west part of Market Street there are granite kerbs, while on the east part of Market Street there are concrete kerbs. Generally courtyards do not contain hard landscaping of note, but the list entry for the Queen's Head PH refers to a "pavement surface of granite setts ... extending under the archways [sic] to Market Street".
- 2.20. Footways are covered with brick pavers on Mill Lane Mews and the north part of the Green. There are granite kerbs on the north-west side of the Green and on either side of Elford Street. A traditional brick footway survives in front of 6 Elford Street and 4 to 8 Derby Road⁷.

Non-retail zones

- 2.21. The following five character zones are in residential use or contain a diversity of uses. The character of each zone closely reflects the general character of the conservation area.

Kilwardby Street east

- 2.21.1. This character zone contains a diversity of uses. Generally buildings are arranged in terraced groups and laid out to the back of the pavement. Generally buildings are 3 storeys tall. Generally buildings are faced in render. The character zone contains 9 listed buildings.



- 2.21.2. A non-conformist chapel and school were demolished c.1985 and replaced by an access drive. In 1988 we permitted a large three-storey extension to the rear of the Fallen Knight PH (88/0059/L) and a pair of houses to the rear of Kilwardby Mews (88/0143/P). This development does not contribute positively to significance. In the long term there is an opportunity to enhance character through the redevelopment of the site.

Lower Church Street

- 2.21.3. This character zone contains a diversity of uses. Generally buildings are arranged in terraced groups and laid out to the back of the pavement. Generally buildings are 2½ or 3 storeys tall. Generally buildings are faced in red brick. The character zone contains 13 listed buildings.



⁷ The principal elevations of 4 to 8 Derby Road address Elford Street.

Upper Church Street and Wood Street west

2.21.4. These character zones are in residential use. Generally buildings are arranged in terraced groups and laid out to the back of the pavement; some courtyard development survives. Generally buildings are 1½ or 2 storeys tall. Generally buildings are faced in red brick. Non-traditional roofing materials intrude to a greater extent in these character zones.

2.21.5. The 'Upper Church Street' character zone contains 7 listed buildings. The milestone outside 10 Wood Street is a grade II listed building.



2.21.6. 17 Wood Street was erected after 1923. It does not contribute positively to character; it does not reflect the layout of the character zone. In the long term there is an opportunity to enhance character through the replacement of the building.

Wood Street east

2.21.7. This character zone is in residential use. Generally buildings are arranged in terraced groups and laid out to the back of the pavement; some courtyard development survives. Generally buildings are 2½ or 3 storeys tall. Generally buildings are faced in red brick. Non-traditional roofing materials intrude to a limited extent but note their impact upon the terrace 56 to 62 Wood Street. The character zone contains 9 listed buildings.



Other zones

2.22. The following three character zones are in residential use or contain a diversity of uses. The character of each zone does not closely reflect the general character of the conservation area.

South Street west

2.22.1. This character zone is in residential use. It contains a mixture of detached, semi-detached and terraced buildings laid out behind shallow forecourts. It contains a diversity of building heights. Generally buildings are faced in red brick. Generally roofs are covered with natural slate but note the use of concrete tile at 'Loudoun Court'. 'Ivanhoe Terrace' is a grade II listed building.

2.22.2. To the west of the former Police Station, a short terrace was demolished after 1923. The terrace was replaced by a surface car park that does not contribute positively to character. In the long term there is an opportunity to enhance character through the redevelopment of the site.



2.22.3. Front gardens at 'Ivanhoe Terrace' contribute positively to character. Gardens are bounded by a mix of palisade railings and privet hedges. 'Loudoun Court' offers an opportunity to enhance character through the introduction of similar boundaries.

Kilwardby Street south

2.22.4. This character zone contains a diversity of uses. Generally buildings are arranged irregularly. The zone contains a diversity of building heights and facing materials. The Church of the Holy Trinity and Hendon House are grade II listed.



2.22.5. To the west of the 'Old Bank', buildings were demolished after 1923. The buildings were replaced by a surface car park that does not contribute positively to character. In the long term there is an opportunity to enhance character through the redevelopment of the site. In 2017 the District Council permitted the erection of a three-storey building containing a mix of uses (our reference 17/00430/FUL).

2.22.6. Holy Trinity churchyard contributes positively to character. The front of the churchyard is bounded by a low stone wall. The entrance is flanked by a pair of Corsican pines and the approach to the church is defined by an avenue of pollarded limes. These trees are subject to a tree preservation order (TPO).

2.22.7. To the east (ritual north) of the church headstones have been laid flat and inscriptions are obscured. Better presentation of the headstones would enhance the character of the conservation area. Generally land to the north (ritual west) of the church appears to have been cleared of headstones; some tombs survive.

Kilwardby Street west

2.22.8. This character zone is in residential use. It contains high status development from the early Victorian period. It contains a mixture of detached, semi-detached and terraced houses laid out behind shallow forecourts. Generally buildings are two storeys tall. The zone contains a diversity of building heights and facing materials. Non-traditional roofing materials intrude to a limited extent but note their impact upon 'Shrubbery Terrace'. 26 and 26A Kilwardby Street are grade II* listed.



2.22.9. Garden land at the 'Mansion House' and 'Glenridding' contributes positively to character. Garden land at 44 Kilwardby Street contributes positively to character.

2.22.10. Since 2017 we have received three informal enquiries regarding the development of garden land in this character zone. Generally the garden land contains development constraints including trees that contribute positively to significance. In 2019 we received an application to develop garden land at 26 Kilwardby Street, adjacent to the conservation area boundary (19/00101/FUL).

Hill Street

2.22.11. This character zone is in residential use. It contains high status development from the early Victorian period. Generally buildings are laid out irregularly. Garden land at 2 to 4 Hill Street contributes positively to character. Garden land at 4 Hill Street contains mature trees. Generally buildings are 1½ or 2 storeys tall.



2.22.12. Generally buildings are faced in red brick beneath plain tile roofs. 1 Hill Street was erected after c.1700 but retains "earlier features". It is faced in render, with elements of timber framing and rubble stone, beneath a thatched roof. 1 and 3 Hill Street are grade II listed buildings; curtilage structures associated with 'Larach Beag' are also grade II listed.

2.22.13. Garden land to the west of 1 and 3 Hill Street contains a shelter belt formerly associated with 'Highfields'. The shelter belt contributes positively to significance⁸.

3. Setting elements

3.1. To the south the conservation area adjoins the 'Castle' and 'Spa' conservation areas, which will be the subject of future appraisals. Proceeding clockwise from the 'Spa' conservation area, the elements that comprise the setting of the conservation area may be described as follows (please refer to map 2).

West of the conservation area

3.2. The west side of the conservation area is bounded by a mix of traditional and modern developments as follows:

- a) Trinity Close: Detached houses erected in the grounds of Hill House c.1963-67⁹;
- b) Tower Gardens: Detached houses erected on the site of 'Highfields' c.1971-73;
- c) 7 to 11A Hill Street: Two pairs of semi-detached houses erected c.1923-48;
- d) Burton Road: Victorian and later development including the Council School and Primitive Methodist Chapel;
- e) Trinity Court: Between Burton Road and Kilwardby Street, modern development including 4A Hill Street, Trinity Court (c.1975) and a supermarket (c.1985).

3.3. Victorian development on Burton Road makes a neutral contribution to setting. Generally modern development makes a negative contribution.

3.4. Tower Gardens and Trinity Close are subject to tree preservation orders (TPOs). Land at 1 to 4 Trinity Close contains a roadside boundary wall and a shelter belt formerly associated with Hill House. These features contribute positively to setting; the wall is grade II listed.

North of the conservation area

3.5. The north side of the conservation area is bounded by sites that were redeveloped after 1923. The sites make a neutral or negative contribution to setting. The sites are as follows:

- f) Elford Street: Two semi-detached houses erected c.1923-48 and a 'dwelling and two flats' erected c.1976;
- g) Mill Bank: 27 houses in terraces and semi-detached pairs erected in 1964;
- h) North Street (north side): A factory erected c.1984, a health centre erected in 1974¹⁰ and a surface car park laid out c.1948-71;
- i) North Street (south side): Development including a club, a mixed use development ('Huntingdon Court') and surface car park.
- j) North Street (east side): Three houses erected c.1948-71;

⁸ In 2022 a tree fell onto 1 Hill Street during a storm. Leicester Mercury (21 February 2022) *Tree crashes onto thatched Ashby house ... as Storm Franklin leaves its mark.*

⁹ A tree preservation order (TPO) was made in 1963. In October 1964 the contractor was "starting to build" (Burton Observer & Chronicle, 15 October 1964). The latest advertisement for the 'Aurora' house type ("a large three bedroomed detached house") appears in the Burton Observer & Chronicle, 20 July 1967.

¹⁰ In 2017 the District Council obtained prior approval to demolish the health centre (17/00205/DEM).

- k) Wood Street (north side): Four detached houses erected c.2000-05 and a detached house (65 Wood Street) erected c.1923-71.

- 3.6. The access drive between 55 and 57 Wood Street offers a glimpse into countryside (pictured). This glimpse illustrates the historic relationship between the settlement core and the surrounding countryside. The District Council has permitted the erection of 605 dwellings on land at Money Hill (15/00512/OUTM). The master plan indicates that the access drive would be retained as a “pedestrian link” bounded by hedges.



East of the conservation area

- 3.7. The east side of the conservation area is bounded by modern development as follows:

- l) Nottingham Road and Wood Street: Three semi-detached pairs erected c.1923-48;
- m) Lockton House: Early C19; Wood (1837) indicates ‘The Hollies; Thomas Dewes Esq’;
- n) Design block: A ‘design block’ at the Girls’ Grammar School erected in 1971;
- o) Leicester Road: Five houses erected c.1923-48 and a detached house erected c.1971-74.

- 3.8. Lockton House makes a positive contribution to setting. The houses erected c.1923-48 make a neutral contribution while modern development makes a negative contribution.

South of the conservation area

- 3.9. The south side of the conservation area is bounded by traditional and modern development as follows:

- p) Surface car park etc.: A surface car park and detached house laid out c.1923-71;
- q) ‘Priest House’ and 18 to 23 South Street: A detached house and a terrace (pictured) erected in the early or mid-nineteenth century;
- r) Telephone exchange etc.: A telephone exchange¹¹ erected c.1962 and four detached houses erected c.1923-71.



¹¹ The Burton Observer & Chronicle, 13 September 1962, refers to “plans for an automatic telephone exchange building in South Street”.

3.10. The 'Priest House' and 18 to 23 South Street are grade II listed and they contribute positively to setting. Generally the modern development makes a negative contribution.

4. Views and landmarks

4.1. The conservation area enjoys views of five principal landmarks, all of which (excepting the Church of the Holy Trinity) are outside the conservation area. From west to east they are as follows:

- The former **Water Tower** (pictured right) is a landmark in views looking west along Kilwardby Street. On the south side of Kilwardby Street the view is framed by a shelter belt of trees formerly associated with Hill House. The shelter belt is subject to a tree preservation order (TPO).
- The tower of the **Church of the Holy Trinity** is a landmark in views looking west along Market Street¹². The church nave is obscured by 2 to 6 Bath Street (the 'Old Bank' et al) and an alteration to the roof of this building may affect the view substantially. Note the positive contribution made by mature trees beyond.
- The grade II listed **RC Church of Our Lady of Lourdes** (pictured right) is a landmark in views looking west along South Street. On the south side of South Street the view is framed by mature trees at Rawdon House.
- The grade II* listed **Loudoun Monument** is a landmark in views looking south along Bath Street. Note the positive contribution made by mature trees at Rawdon House.
- The tower of the grade I listed **Church of St Helen** is a landmark in views looking east along Kilwardby Street¹³. Note the positive contribution made by mature trees beyond. Note the negative contribution made by 42 to 48 Market Street.



¹² The list entry notes that the spire was dismantled c.1899.

¹³ Pevsner (1984) notes that "Market Street runs north of the church and castle, so that neither building plays a part in the urban scene".

4.2. 3 Lower Church Street closes the view east along Market Street and the view south along North Street¹⁴. The gable end of the 'Old Stone Yard' is prominent in the former view. The Shoulder of Mutton PH closes the view north along Bath Street. The view east out of the Green does not benefit from a terminating feature (i.e. there is a 'space leak').

4.3. A mature sycamore closes the view south along Hill Street. The tree is subject to a tree preservation order (TPO). A semi-mature tree closes the view north along Lower Church Street and west along Wood Street.

4.4. 55 Wood Street (pictured right) is a prominent feature at an 'entrance' to the conservation area. The building is situated at the brow of a hill. It is three storeys tall and laid out to the back of the pavement; adjacent buildings are two storeys tall and laid out behind shallow forecourts.



4.5. The access drive between 55 and 57 Wood Street offers a glimpse into countryside. This glimpse illustrates the historic relationship between the settlement core and the surrounding countryside. The District Council has permitted the erection of 605 dwellings on land at Money Hill (15/00512/OUTM). The master plan indicates that the access drive would be retained as a "pedestrian link" bounded by hedges.

5. Opportunity areas

Claridge Place

5.1. Properties including a 'coal yard' were demolished c.1978-81 and replaced by 28 flats. The flats are laid out behind shallow forecourts and introduce soft landscaping in a manner that does not reflect the 'Green' character zone. The flats are arranged in large blocks with unbroken eaves and ridge lines; they do not reflect the diverse height and massing of buildings in the 'Green' character zone.



5.2. 5A Brook Street was erected in 1979 (our ref 79/0672/R). It is subservient in scale to the principal building (5 Brook Street) but it does not reflect the height of buildings in adjoining character zones.

¹⁴ 1 Lower Church Street was demolished for road widening c.1923-71.

- 5.3. In the long term there is an opportunity to enhance character through the replacement of these buildings. The replacement buildings should reflect the layout of the 'Green' character zone. They should reflect the diverse height and massing of buildings in that character zone.

Derby Road

- 5.4. Properties were demolished c.1906 for the Burton & Ashby light railway; public conveniences were erected c.1923-48. Further properties were demolished piecemeal after 1948 and replaced by shops.



- 5.5. The public conveniences are laid out behind a shallow forecourt and they introduce soft landscaping in a manner that does not reflect adjoining character zones. They do not reflect the height of buildings in adjoining character zones. Land at the Shoulder of Mutton PH makes a neutral contribution to character but 'hoop top' railings are uncharacteristic.

- 5.6. 'Bath Street Corner' does not reflect the massing and materials of buildings in adjoining character zones. It is a 'cross wall' structure with a shallow pitched roof. 11 Market Street makes a neutral contribution to character but the previous character appraisal notes the "extensive blank façade" addressing Derby Road.

- 5.7. In the long term there is an opportunity to enhance character through the replacement of these buildings. The replacement buildings should reflect the character of the adjoining 'Bath Street' and 'Market Street west' character zones. They should be laid out to the back of the pavement; the opportunity to recreate the historic street layout should be explored. They should be faced in red brick. They should offer active frontages to each street elevation.

The Farm

- 5.8. Properties were demolished c.1948-71. The site contains a large amount of soft landscaping that does not reflect adjoining character zones. The soft landscaping is dominated by cotoneaster and laurel while 47 & 49 Wood Street is bounded by a privet hedge. In the long term there is an opportunity to enhance character through the redevelopment of the site.



- 5.9. New buildings should reflect the adjoining 'Upper Church Street' and 'Wood Street east' character zones. New buildings should be laid out to the back of the pavement; they may reflect traditional courtyard development. They should be faced in red brick. They should reflect the diverse heights of buildings in the adjoining character zones. Redevelopment would offer an opportunity for the investigation of below-ground remains.

South Street east

- 5.10. Properties were demolished c.1948-71; a club (now 'Legion House') opened in 1966. Legion House does not reflect the layout, massing or materials of adjoining character zones. Its layout does not reflect traditional court development. It has a shallow pitched roof, a deep roof span and a complex roof shape. It is faced in brown brick with a non-traditional roof covering.



- 5.11. To the rear of 76 Market Street, single-storey flat-roofed garages do not reflect the scale and massing of adjoining character zones. To the rear of 92 Market Street, a large flat-roofed building does not reflect the scale and massing of adjoining character zones. 'Castle Flats' and 'Castle House' make a neutral contribution to character.
- 5.12. In the long term there is an opportunity to enhance character through the redevelopment of the site. New buildings should reflect the adjoining 'Market Street east' and 'Lower Church Street' character zones. They should be laid out to the back of the pavement; they may reflect traditional courtyard development. They should be faced in red brick. They should be 2½ or 3 storeys tall.
- 5.13. 26 & 27 South Street were erected before 1884. This building contributes positively to character.

Wood Street central

- 5.14. On the north side of the street, 29 Wood Street was demolished and replaced c.1948-71 by a 'depot'. On the south side of the street, a garage was erected c.1923-48. 16 to 20 Wood Street were demolished in 1960. In all respects the development does not reflect adjoining character zones.



- 5.15. In the long term there is an opportunity to enhance character through the replacement of these buildings. The replacement buildings should reflect the character of the adjoining 'Upper Church Street' and 'Wood Street west' character zones. They should be laid out to the back of the pavement; they may reflect traditional courtyard development. They should be faced in red brick. They should be 1½ or 2 storeys tall.

6. Other opportunities

Development opportunities

6.1. We have identified thirteen opportunities to enhance the character of the conservation area through the redevelopment of modern buildings (please refer to map 3).

6.2. On the north side of Kilwardby Street [a] a non-conformist chapel and school were demolished c.1985 and replaced by an access drive. In 1988 we permitted a large three-storey extension to the rear of the Fallen Knight PH (88/0059/L) and a pair of houses to the rear of Kilwardby Mews (88/0143/P). This development does not contribute positively to significance. Replacement buildings should reflect the character of the 'Kilwardby Street east' character zone.



6.3. To the west of the Market Hall [b], flat-roofed elements do not reflect the scale and massing of the character zone; demolition would enhance character. Buildings to the south west of Bakery Court were demolished after 1971. The buildings were replaced by a surface car park that does not contribute positively to character. Replacement buildings should reflect the character of the 'Market Street east' character zone.

6.4. We have identified four development opportunities in the 'Market Street west' character zone, as follows. In each case the replacement building should reflect the qualities of the character zone.

c) **12 & 14 Market Street:** The building does not reflect the massing and materials of the character zone. A shallow pitched roof addresses Market Street and a flat roof addresses South Street. The rear elevation contains non-traditional facing materials (pictured right).



d) **1 Union Passage:** The single-storey flat-roofed structure to the rear of 28 to 32 Market Street does not reflect the scale and massing of the character zone.

e) **42 to 48 Market Street:** This large building does not reflect the scale of the character zone. It is 'double width' (i.e. it occupies two traditional plots). It is more than three storeys tall and it has a deep roof span. 42 Market Street has an untreated aluminium shop front.

- f) **r/o 52 Market Street:** The building does not reflect the massing and materials of the character zone. It has a shallow pitched roof and a deep roof span. It uses non-traditional facing and roofing materials. The boundary treatment also contributes negatively and in the short term there is an opportunity to enhance character through its replacement.

6.5. We have identified two development opportunities in the 'Market Street east' character zone, as follows. In each case the replacement building should reflect the qualities of the character zone.

- g) **57 & 59 Market Street:** This large building does not reflect the scale and massing of the character zone (pictured). It is 'double width' (i.e. it occupies two traditional plots) and it is more than three storeys tall. It has a flat roof.



- h) **73 & 75 Market Street:** These two-storey flat-roofed buildings do not reflect the scale and massing of the character zone.

6.6. 17 Wood Street [i] does not reflect the layout of the 'Wood Street west' character zone; it is set back behind a front garden. A replacement building should be laid out to the back of the pavement.

6.7. The conservation area contains two gap sites (please refer to map 3). In the long term there are opportunities to enhance character substantially through the development of these sites. Each gap site offers an opportunity for the investigation of below-ground remains. The sites are as follows:

- j) **South Street west:** A building was demolished after 1923 and replaced by a surface car park. A replacement building should reflect the character of the South Street west character zone.

- k) **Kilwardby Street south:** Buildings were demolished after 1923 and replaced by a surface car park. Replacement buildings should reflect the character of the Kilwardby Street south character zone. In 2017 the District Council permitted the erection of a three-storey building containing a mix of uses (our reference 17/00430/FUL).



6.8. The 2001 character appraisal noted buildings and land of “poor visual quality”. Since that date three of the identified buildings and three of the identified gap sites have been redeveloped; generally this development has made a positive or neutral contribution to significance. The developments are as follows:

- Four terraced houses off Churchside Walk erected c.2002;
- A mixed use building on Bath Street (‘Castlegate House’) erected c.2003;
- A mixed use building on South Street (‘Bosworth House’) erected c.2004;
- Two houses on Wood Street (‘Old Stone Yard’) erected c.2005;
- A mixed use building on Derby Road (‘The Regency’) erected c.2008;
- 32 ‘retirement apartments’ on Kilwardby Street (‘Bainbridge Court’) erected c.2014.

Landscaping opportunities

6.9. Front gardens at ‘Ivanhoe Terrace’ contribute positively to character. Gardens are bounded by a mix of palisade railings and privet hedges. ‘Loudoun Court’ offers an opportunity to enhance character through the introduction of similar boundaries.



6.10. At Holy Trinity churchyard, headstones have been laid flat and inscriptions are obscured. Better presentation of the headstones would enhance the character of the conservation area.

Materials and details

6.11. Non-traditional roofing materials intrude to a greater extent in the ‘Upper Church Street’ and ‘Wood Street west’ character zones. These character zones offer an opportunity to enhance character through the reinstatement of traditional roofing materials.



6.12. The use of render or the use of a non-traditional roofing material may appear more jarring where it is used on part of a terrace or on one half of a symmetrical pair. On this basis the ‘Upper Church Street’ character zone offers four opportunities for enhancement:

- 1 to 7 Leicester Road (pictured);
- 9 to 23 Leicester Road;
- 1 to 5 Upper Church Street;
- 38 to 48 Wood Street.

6.13. The remainder of the conservation area offers five opportunities for enhancement:

- ‘Shrubbery Terrace’, 32 to 42 Kilwardby Street;
- 78 & 80 Market Street;
- 38 North Street and 7 Wood Street;
- ‘Loudoun Court’, South Street;
- 56 to 62 Wood Street.

Shop fronts

6.14. Market Street and Bath Street are characterised by a mix of surviving traditional shop fronts and modern shop fronts in a traditional style. Other shop fronts offer an opportunity to enhance character:

- Two listed buildings contain untreated aluminium shop fronts (52 Market Street (pictured); 63 Market Street).



- The terraced group 15 to 33 Market Street contains several large fasciae. 33 Market Street has a very large fascia that extends over the first floor window sills.
- At 94 and 96 Market Street fascia signs have been installed in a manner that obscures the frieze and cornice (pictured below). At 50 and 84 Market Street panel signs have been attached to buildings “where there is no fascia”.
- Lettering should be painted directly onto the shop front rather than on a board which is then stuck on; 72 Market Street is an example of bad practice.
- Three listed buildings feature swan neck lights; all are hot foot takeaways (77 Market Street; 85 & 85A Market Street; 88 Market Street).



7. Problems and pressures

7.1. Traffic makes a neutral to negative contribution to character. The 2012 retail study update said that “Market Street is congested” and “the presence of vehicle is strong [sic]”. It said that traffic noise is “often notably audible” and this detracts from “the environmental quality of the centre”. The 2019 update agreed that “Market Street can get busy with road traffic”, although “three pedestrian crossings are provided”. The retail study updates noted the wide pavements on either side of Market Street.

- 7.2. A pressure to maintain or increase the amount of parking may conflict with the desire to redevelop gap sites in the conservation area (see paragraph 6.7). Adjacent to the primary shopping area, in 2017 the District Council permitted a mixed use development on the site of a surface car park (our reference 17/00430/FUL).
- 7.3. Since 2017 we have received three informal enquiries regarding the development of garden land in the 'Kilwardby Street west' character zone. Generally the garden land contains development constraints including trees that contribute positively to significance.

Condition of buildings

- 7.4. In 2018 and 2019 the District Council and volunteers from Ashby Museum surveyed about 300 traditional buildings in the conservation area. More than 90% were found to be in good condition. The 'Market Street west' and 'Kilwardby Street east' character zones were found to contain concentrations of buildings in fair or poor condition.

- Three listed buildings in the 'Market Street west' character zone were found to be vulnerable (20 Market Street; 47 Market Street; 50 Market Street). The terraced group 43 to 49A Market Street (pictured right) was found to be in fair condition¹⁵.
- The former Fallen Knight Hotel and 16 and 18 Kilwardby Street were found to be vulnerable. In 2019 the District Council permitted alterations to the buildings to form three 'town houses' and eight apartments (our reference 18/00286/FULM).



¹⁵ In April 2021 the local planning authority refused to grant planning permission for the demolition of an outbuilding at 49 Market Street but acknowledged that there was "clear and convincing justification for immediate remedial works" (21/00373/FUL).

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Pevsner N (1984) *The buildings of England: Leicestershire and Rutland*

Roger Tym & Partners for NWLDC (2012) *NW Leicestershire retail study update*

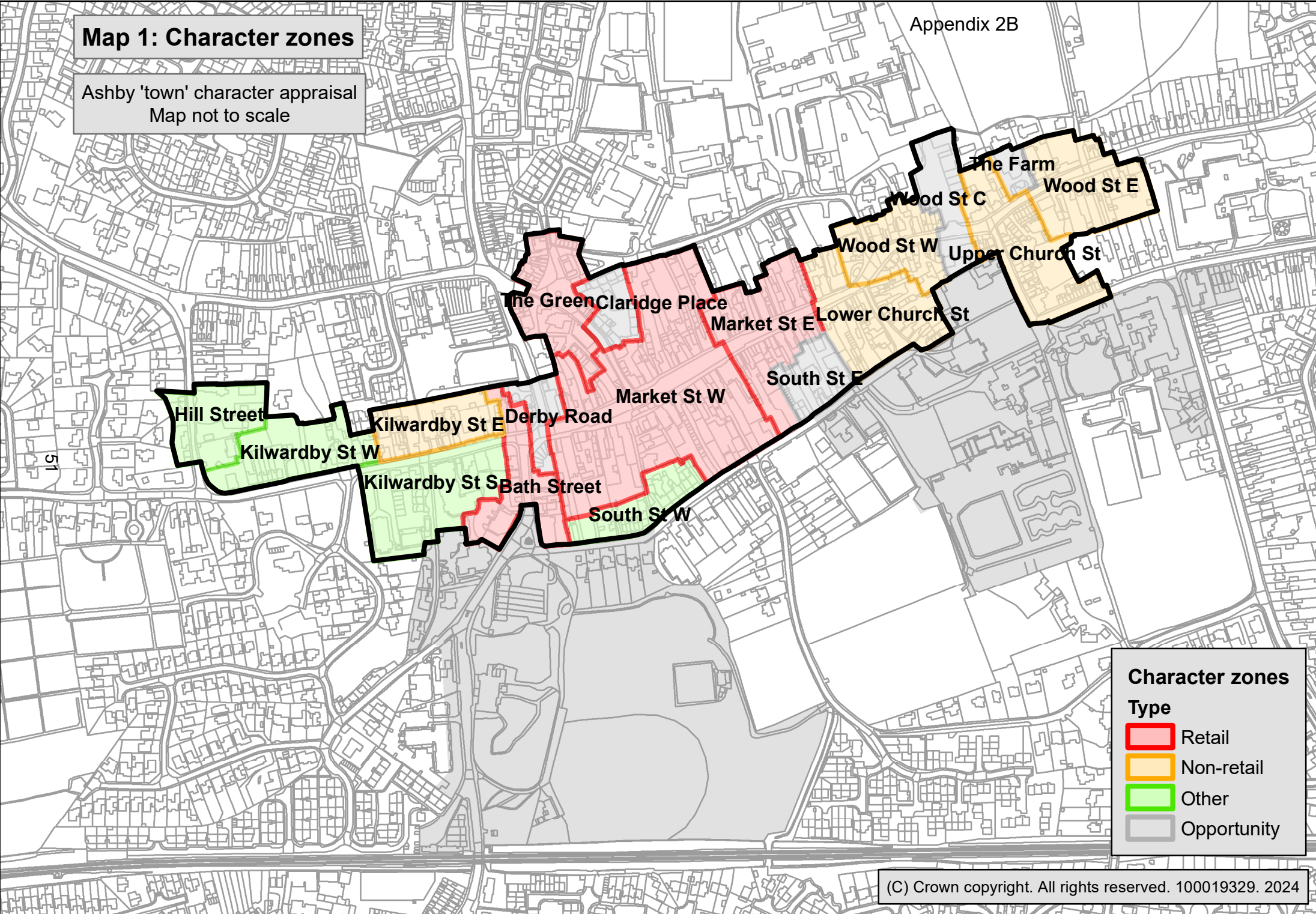
White W (1863) *Directory of Leicestershire & Rutland*

Wood J (1837) *Plan of Ashby-de-la-Zouch*

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Map 1: Character zones

Ashby 'town' character appraisal
Map not to scale



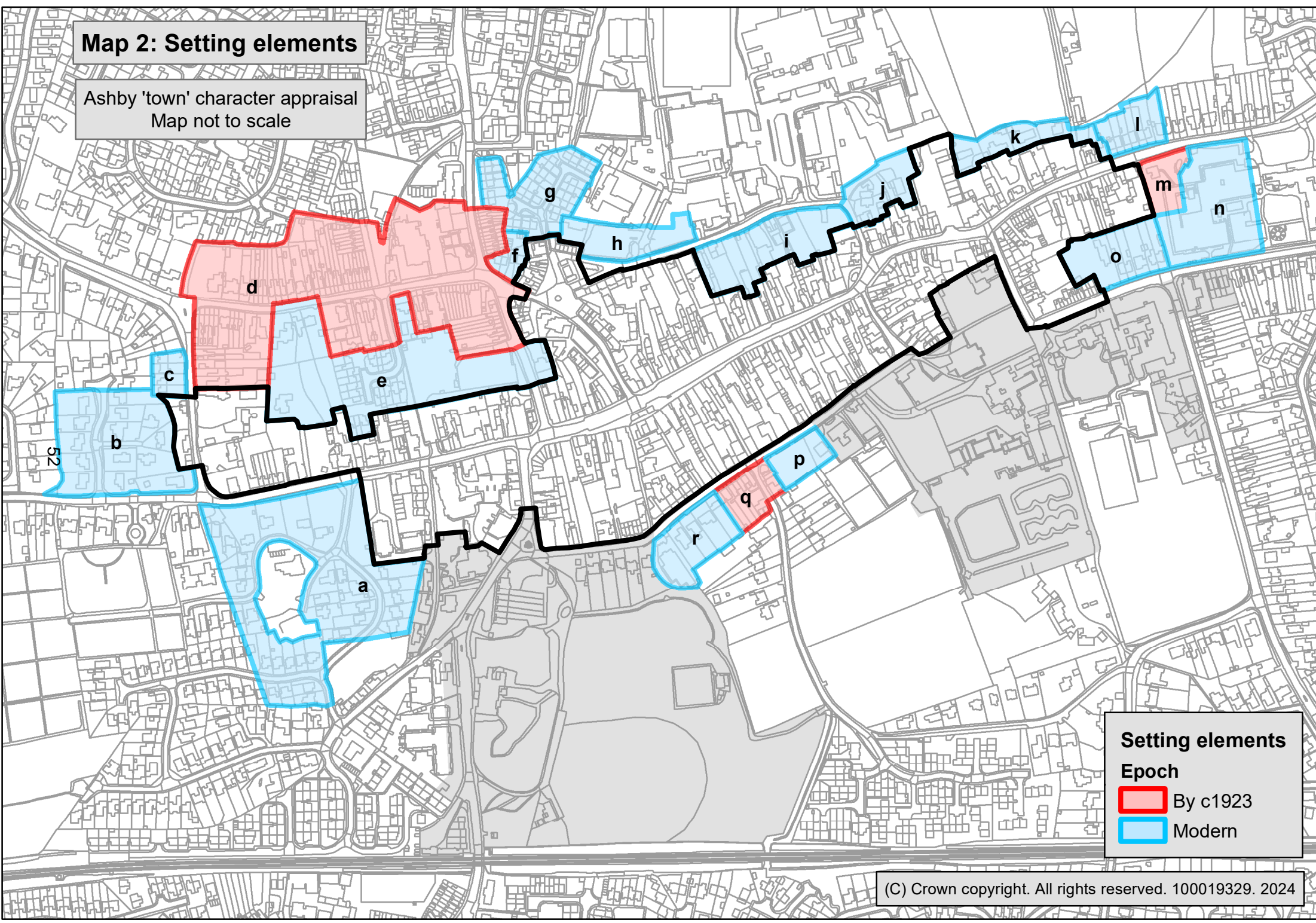
Character zones

Type

- █ Retail
- █ Non-retail
- █ Other
- █ Opportunity

Map 2: Setting elements

Ashby 'town' character appraisal
Map not to scale



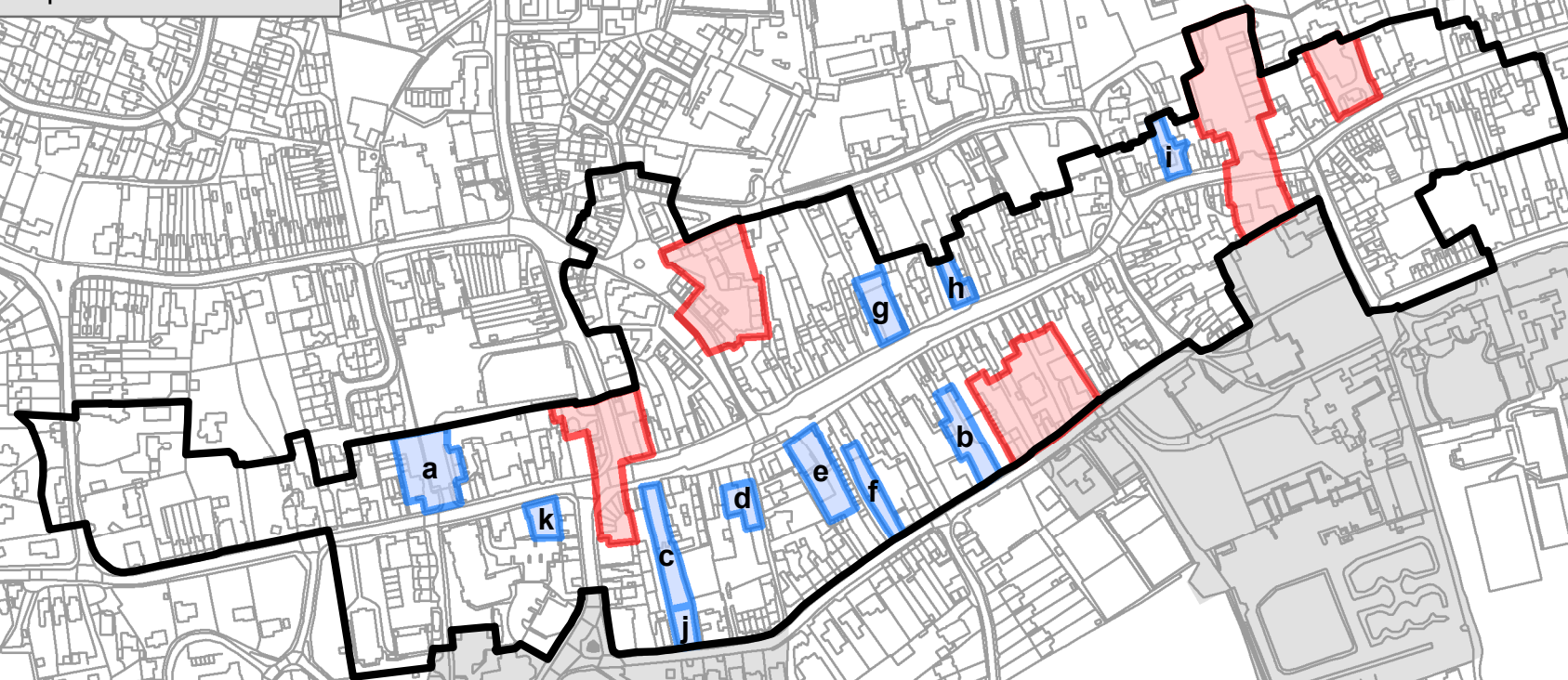
Setting elements

Epoch



- By c1923
- Modern

Map 3: Development opportunities

Ashby 'town' character appraisal
Map not to scale



Type

-  Opportunity zones
-  Development opportunities

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Map 4: Age of buildings

Ashby 'town' character appraisal
Map not to scale



Age of buildings

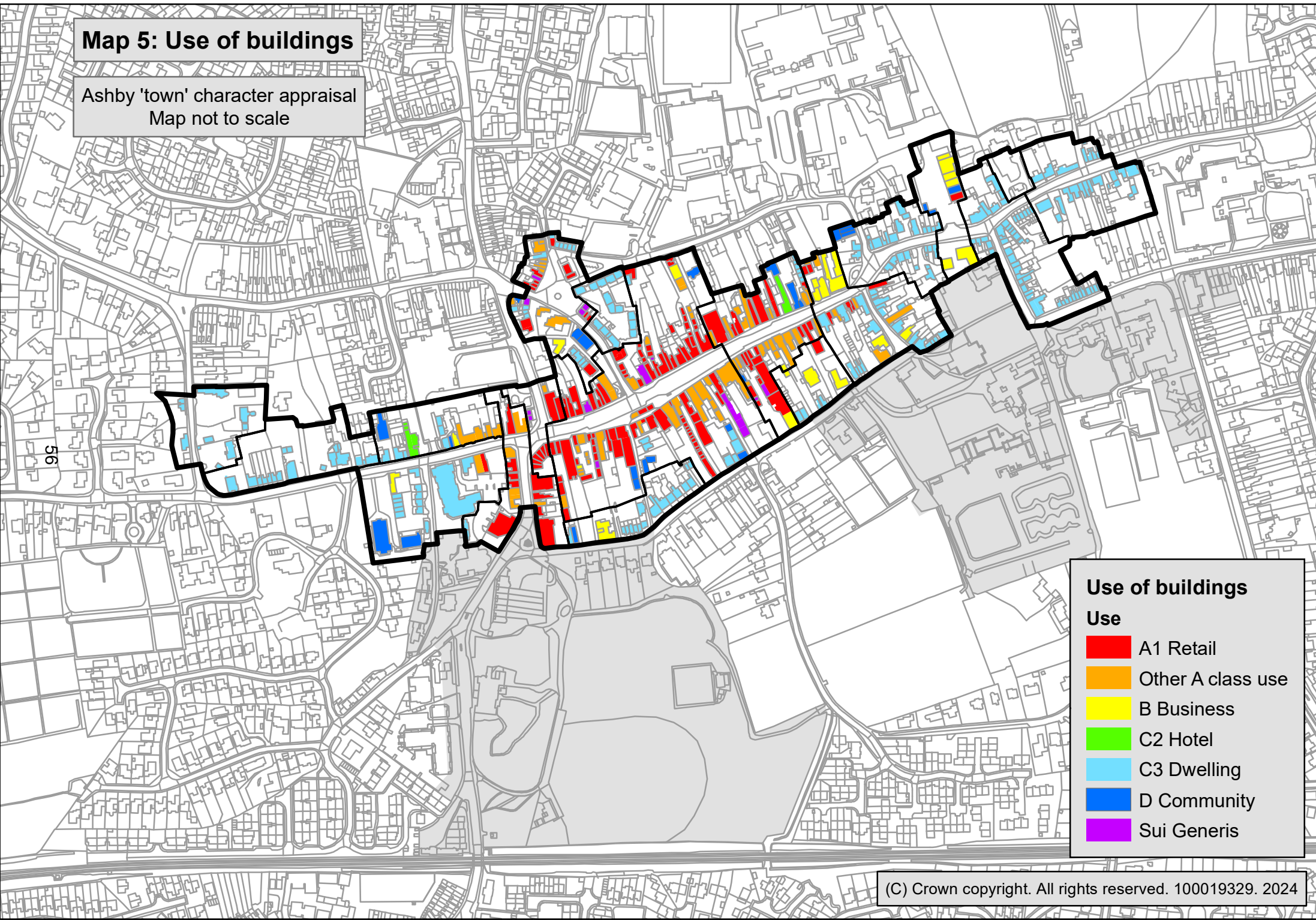
Age

■ Late Victorian

■ Selected modern

Map 5: Use of buildings

Ashby 'town' character appraisal
Map not to scale



Map 6: Indicative heights

Ashby 'town' character appraisal
Map not to scale



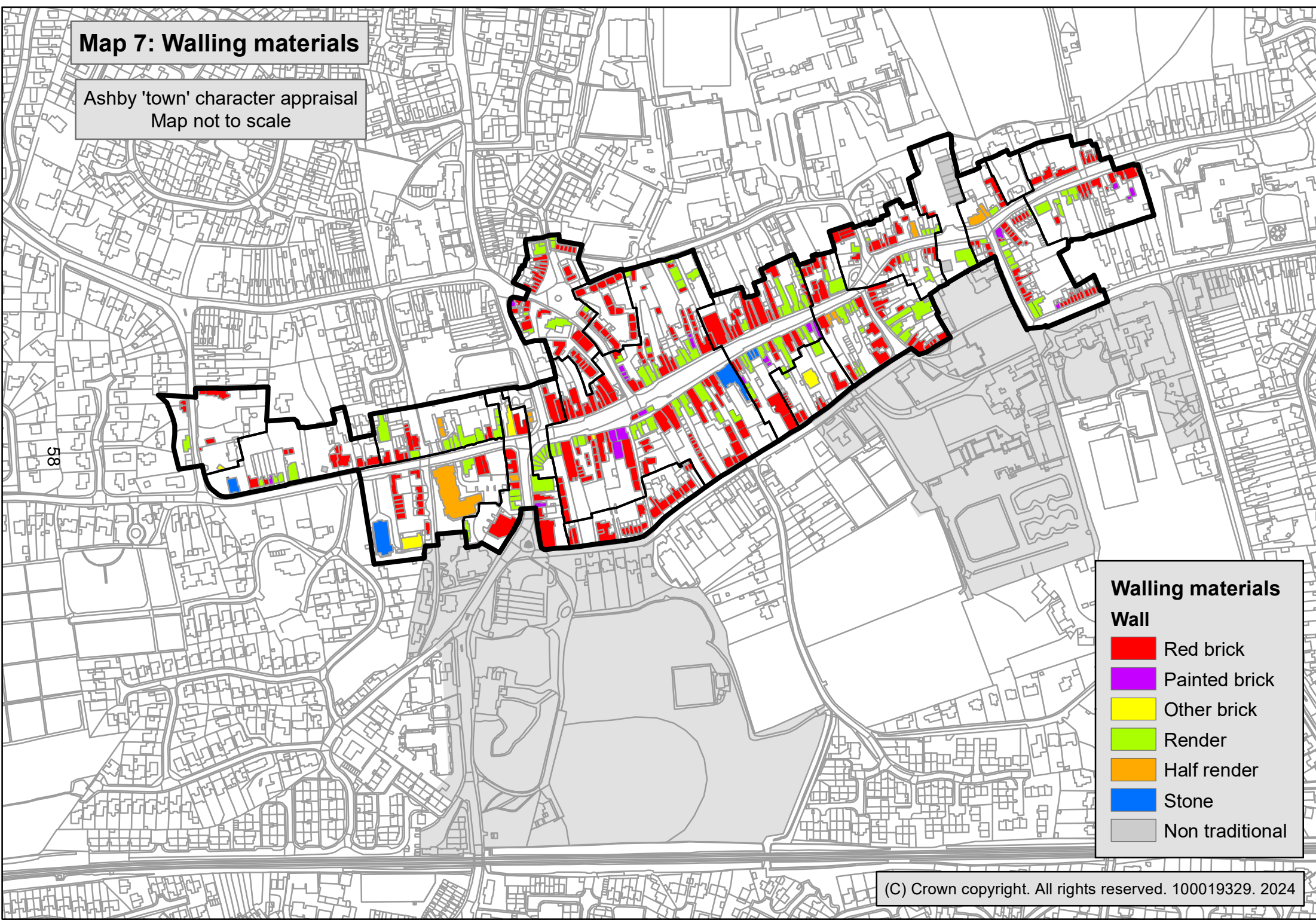
Indicative heights

Height

- 1 storey
- 1.5 storeys
- 2 storeys
- 2.5 storeys
- 3 storeys
- Unidentified

Map 7: Walling materials

Ashby 'town' character appraisal
Map not to scale



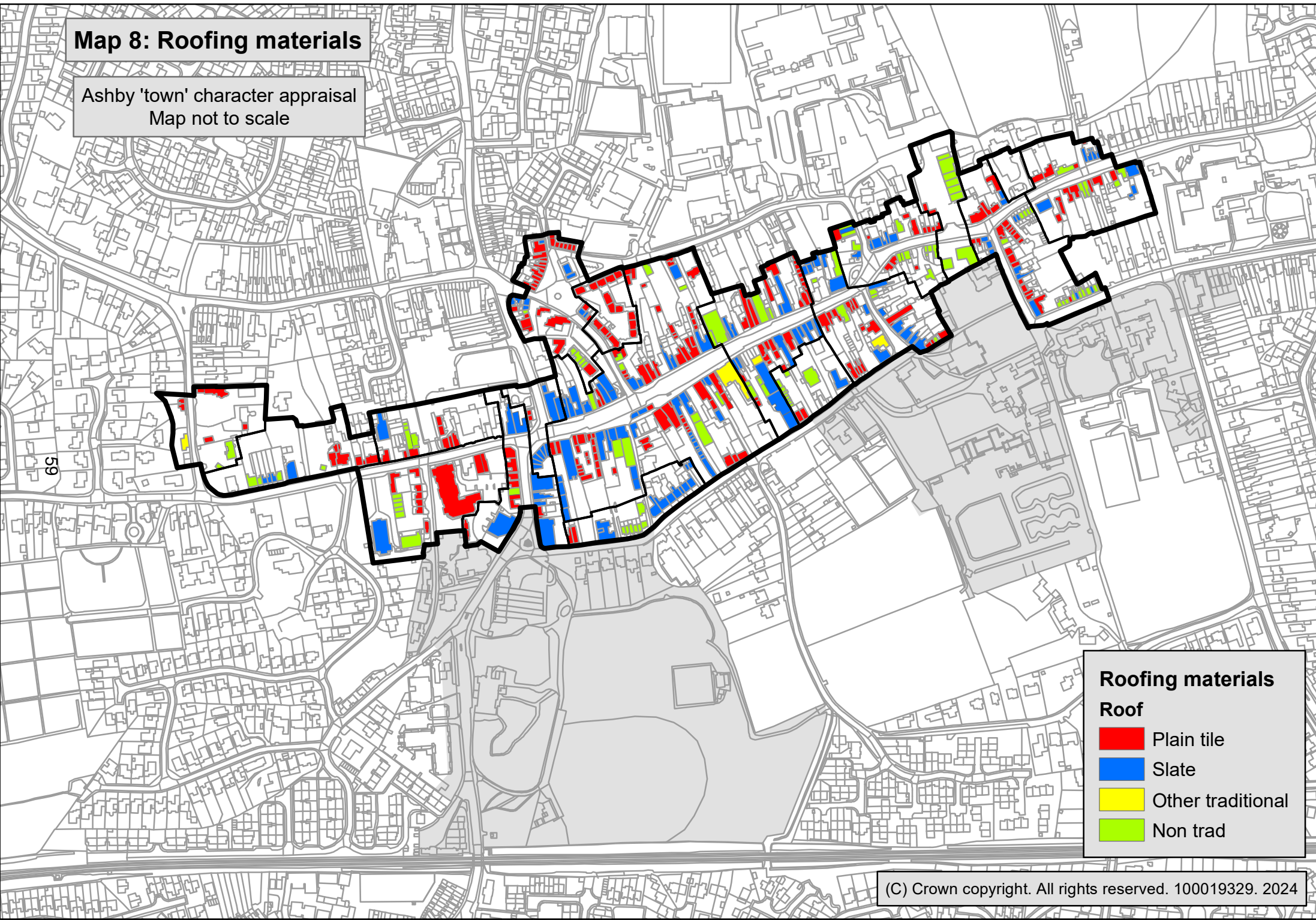
Walling materials

Wall

- Red brick
- Painted brick
- Other brick
- Render
- Half render
- Stone
- Non traditional

Map 8: Roofing materials

Ashby 'town' character appraisal
Map not to scale



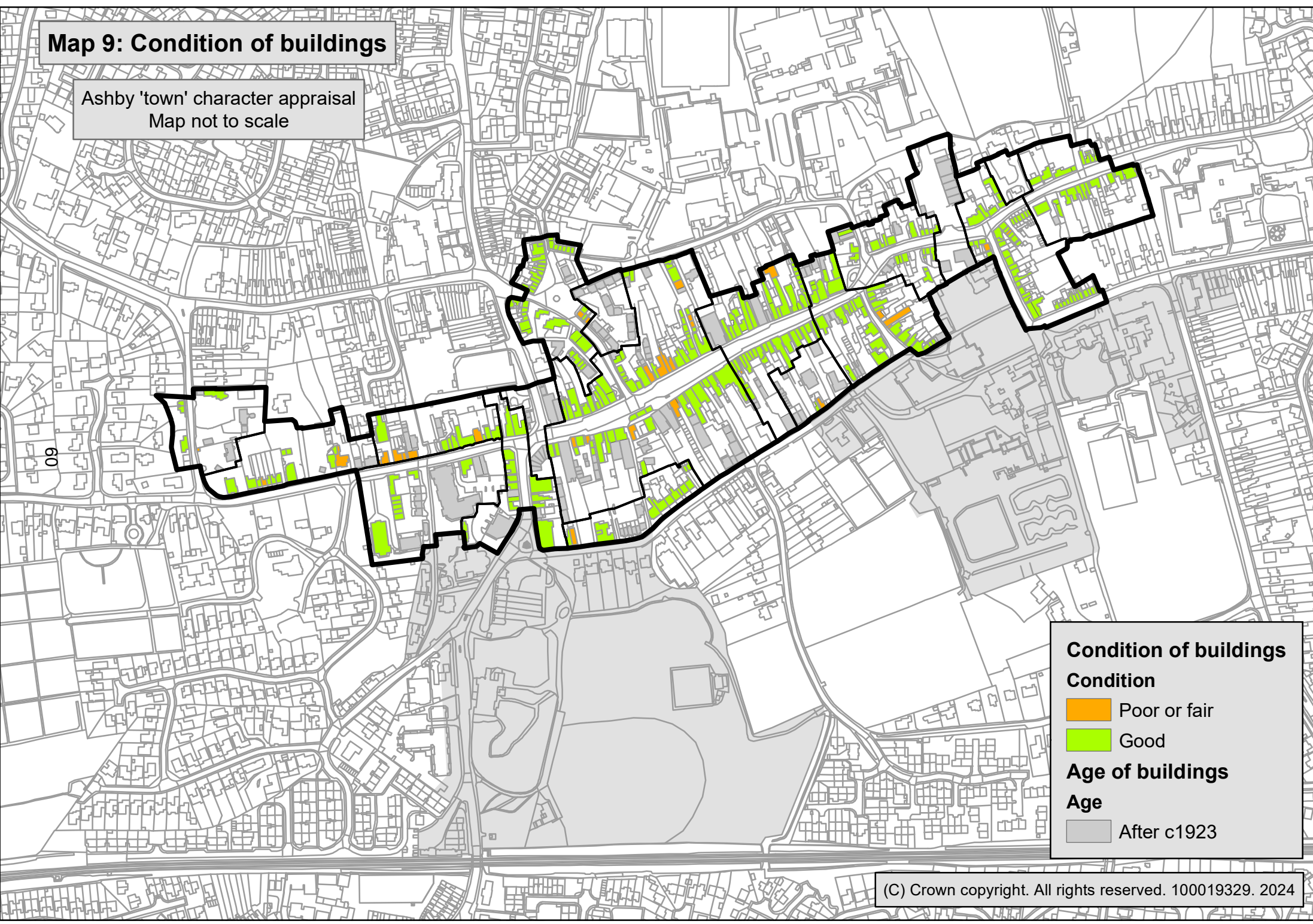
Roofing materials

Roof

- Plain tile
- Slate
- Other traditional
- Non trad

Map 9: Condition of buildings

Ashby 'town' character appraisal
Map not to scale



Condition of buildings

Condition

- Orange: Poor or fair
- Green: Good

Age of buildings

Age

- Grey: After c1923

ASHBY 'TOWN' CONSERVATION AREA BOUNDARY REVIEW

Appendix 3A

**REVISED
JULY 2024**

Contents

Introduction

- 1 Land at 1 to 4 Trinity Close
- 2 6 to 14 Hill Street
- 3 Land at 'Strawberry Hill'
- 4 Land and buildings at 'Mansion House'
- 5 'Cooperative Food' and 'The Regency', Derby Road
- 6 11 to 27 Derby Road
- 7 1 & 2 Kenilworth Terrace
- 8 17 North Street
- 9 South side of North Street
- 10 Properties off the north side of Wood Street
- 11 65 Wood Street
- 12 Lockton House
- 13 Land at 'Top Garden'
- 14 South side of South Street

Introduction

- a) Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as an area of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. The Ashby-de-la-Zouch conservation area was designated in November 1972 and amendments to the designated boundary took effect in September 1992 and May 2002.
- b) The character appraisal says: *Generally the conservation area boundary reflects the extent of the town c.1815-21. The ‘Hill Street’ and ‘Kilwardby Street west’ character zones contain high status development from the early Victorian period. Generally the conservation area is dominated by buildings erected before c.1884. The ‘Bath Street’ character zone is dominated by buildings erected between c.1884 and c.1923.* Considering these general principles, further boundary revisions are proposed.

Division of the conservation area

- c) It is proposed to divide the conservation area into the ‘Castle’, ‘Spa’ and ‘Town’ conservation areas. Dividing the conservation area would reflect the problems and pressures experienced in different parts of the settlement. Generally the ‘Town’ conservation area would coincide with the defined town centre; the ‘Castle’ and ‘Spa’ conservation areas would not. The character appraisal describes the health of the primary shopping area; this description is not relevant to the ‘Castle’ or ‘Spa’ conservation areas.
- d) Dividing the conservation area would also reflect the historic development of the settlement. For instance the ‘Town’ conservation area would reflect the extent of the town c.1815-21 but the ‘Spa’ conservation area would not.

Area 1: Land at 1 to 4 Trinity Close

- e) It is proposed to **remove** land at 1 to 4 Trinity Close from the conservation area. The conservation area boundary does not reflect boundaries that appear on the ground. The land contains a roadside boundary wall and a shelter belt formerly associated with Hill House.
- f) Four houses were erected c.1948-71; they would not contribute to an area of special architectural or historic interest. The roadside boundary wall is grade II listed and its inclusion in the conservation area would offer no additional protection. Similarly the shelter belt is subject to a tree preservation order (TPO) and its inclusion in the conservation area would offer no additional protection.



Area 2: 6 to 14 Hill Street

- g) It is proposed to **remove** 6 to 14 Hill Street from the conservation area. Terraced properties were erected in the early Victorian period. The properties are similar in age and character to 53 to 67 Burton Road, which are not in the conservation area. They do not contribute to an area of special architectural or historic interest. Their character has been affected adversely by the addition of render and concrete tile. They are arranged with their rear elevations addressing the street and their contribution to the street scene is therefore limited.



Area 3: Land at 'Strawberry Hill'

- h) It is proposed to **add** land at 'Strawberry Hill' to the conservation area, to reflect the boundaries that appear on the ground.

Area 4: Land and buildings at 'Mansion House'

- i) It is proposed to **add** land and buildings at 'Mansion House' to the conservation area, to reflect the boundaries that appear on the ground. The OS 1:500 map of 1883 indicates a greenhouse and this building appears to contribute to an area of special architectural and historic interest.

Area 5: 'Cooperative Food' and 'The Regency', Derby Road

- j) It is proposed to **remove** properties on Derby Road from the conservation area. A supermarket was erected c.1985; a mixed use building was erected c.2008. The supermarket does not reflect the character of traditional development nearby. In the context of other boundary revisions proposed (below) it is considered that the properties do not contribute to an area of special architectural or historic interest.



Area 6: 11 to 27 Derby Road

- k) It is proposed to **remove** 11 to 27 Derby Road from the conservation area. Terraced properties were erected in the early Victorian period. The properties are similar in age and character to 1 to 21 Burton Road, which are not in the conservation area. They do not contribute to an area of special architectural or historic interest. Their character has been affected adversely by the addition of render and concrete tile.

Area 7: 1 & 2 Kenilworth Terrace

- l) It is proposed to **add** 1 & 2 Kenilworth Terrace to the conservation area. The properties were erected before c.1837 and they reflect the general character of 'The Green'. They contribute to an area of special architectural or historic interest.



Area 8: 17 North Street

- m) It is proposed to **remove** 17 North Street from the conservation area. The property was erected c.1984 in a location peripheral to the historic settlement core (our reference 84/0073/P). It does not reflect the character of the 'Green' character zone. It does not contribute to an area of special architectural or historic interest.

Area 9: South side of North Street

- n) The District Council considers that land on the south side of North Street does not contribute to an area of special architectural or historic interest. It is proposed to **remove** the following properties from the conservation area:

- **'Ashby Castle Day Nursery' to 'Belton' and 'Braces':** Properties were demolished c.1923-71. Replacement development does not contribute to the significance of the conservation area.
- **Huntingdon House and St Helens House:** Properties including 36 North Street were demolished c.1971-74. Land to the rear of Huntingdon House and St Helens House has been laid out for surface car parking. Two houses were erected to the rear of Huntingdon House c.1980. The land does not contribute to the significance of the conservation area.



Area 10: Properties off the north side of Wood Street

- o) It is proposed to **remove** properties off the north side of Wood Street from the conservation area. The properties were erected c.2000-05 in a location peripheral to the historic settlement core. The properties make a neutral contribution to an area of special architectural or historic interest. The properties are set back from Wood Street and their contribution to the street scene is therefore limited.

Area 11: 65 Wood Street

- p) It is proposed to **remove** 65 Wood Street from the conservation area. The property was erected c.1923-71 in a location peripheral to the historic settlement core. It does not reflect the character of the ‘Wood Street east’ character zone. It does not contribute to an area of special architectural or historic interest.



Area 12: Lockton House

- q) It is proposed to **remove** Lockton House from the conservation area. The conservation area boundary does not reflect boundaries that appear on the ground. An extension to the ‘design block’ was erected c.2010¹. The extension reflects the character of the ‘design block’; it does not contribute to an area of special architectural or historic interest.
- r) Lockton House does not reflect the character of the ‘Wood Street east’ character zone. It is a grade II listed building and its inclusion in the conservation area would offer no additional protection. Trees at Lockton House contribute positively to public amenity and should be subject to a tree preservation order (TPO).

Area 13: Land at ‘Top Garden’

- s) It is proposed to **remove** land at ‘Top Garden’ from the conservation area. The conservation area boundary does not reflect boundaries that appear on the ground. ‘Top Garden’ was erected c.1971-74 in a location peripheral to the historic settlement core. It would not contribute to an area of special architectural or historic interest. Trees at ‘Top Garden’ contribute positively to public amenity and should be subject to a tree preservation order (TPO).



¹ Our references 09/00374/COM and 10/00403/COM. LCC references 2009/0374/07 and 2010/0403/07.

Area 14: South side of South Street

t) The District Council considers that land on the south side of South Street does not contribute to an area of special architectural or historic interest. It is proposed to **remove** the following properties from the conservation area:

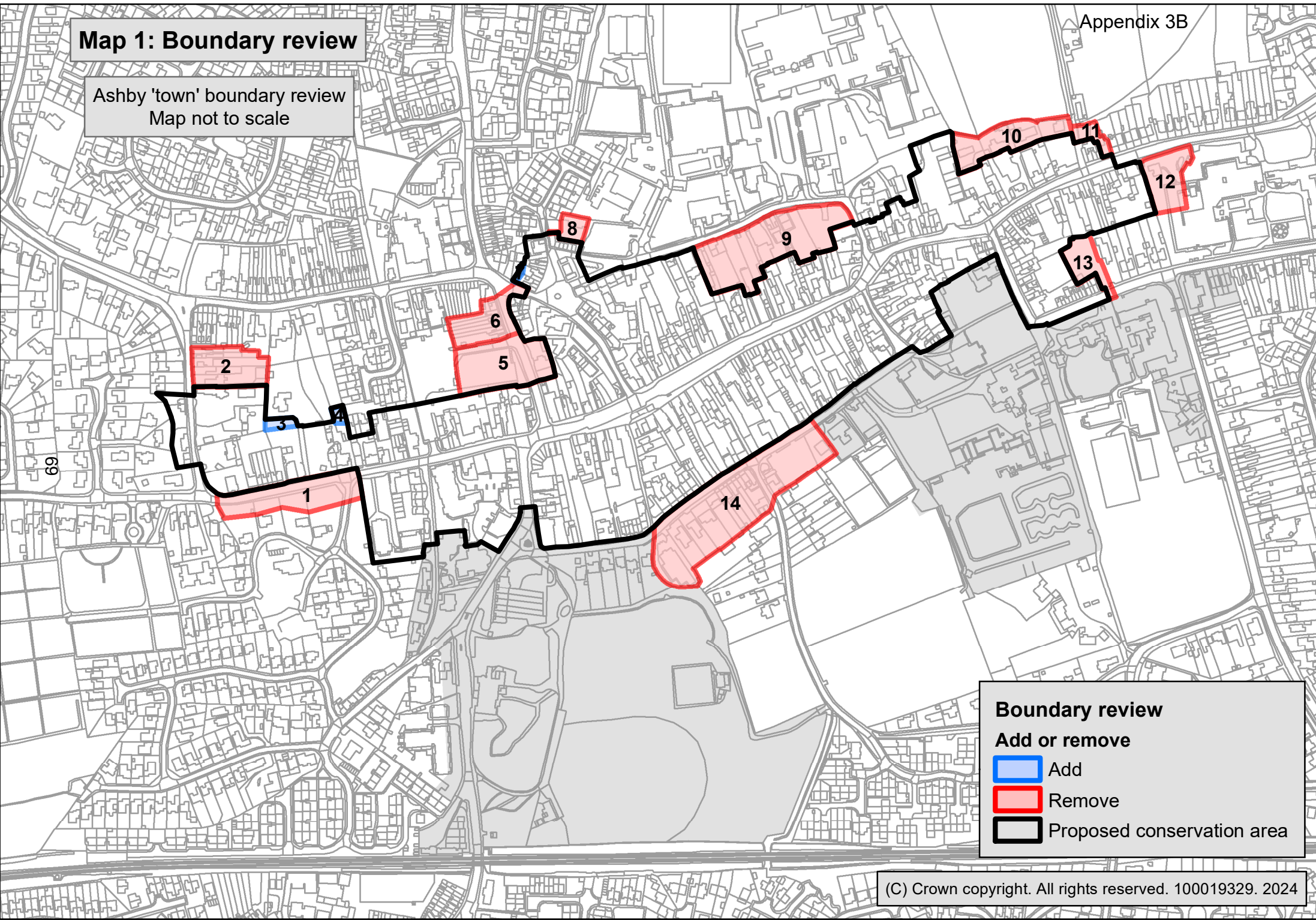
- **'Shenanna'**: A detached house and a surface car park were laid out c.1923-71. They do not contribute to the significance of the conservation area.
- **'Rowena' to 'Waverley Lodge'**: Four detached houses were erected c.1923-71; a telephone exchange was erected c.1948-71. They do not contribute to the significance of the conservation area.
- **'Priest House' and 18 to 23 South Street**: These properties are separated from the 'Castle' and 'Spa' conservation areas by the development described above. The properties are grade II listed and their inclusion in the conservation area would offer no additional protection.






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Map 1: Boundary review

Ashby 'town' boundary review
Map not to scale

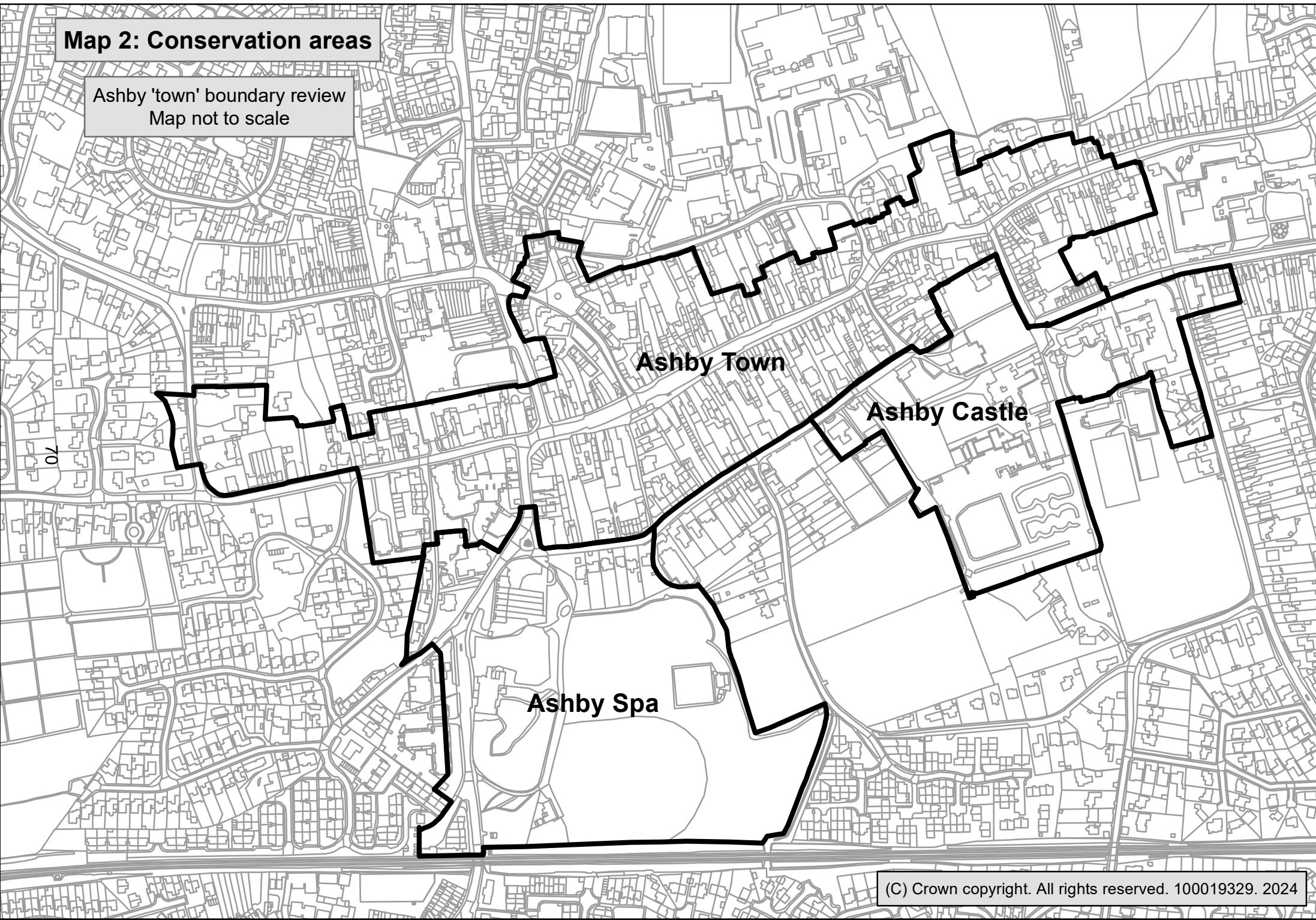


Boundary review
Add or remove

-  Add
-  Remove
-  Proposed conservation area

Map 2: Conservation areas

Ashby 'town' boundary review
Map not to scale



NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 20 AUGUST 2024



Title of Report	HEMINGTON CONSERVATION AREA: ADOPTION OF CHARACTER APPRAISAL AND BOUNDARY REVIEW	
Presented by	Councillor Tony Saffell Planning Portfolio Holder PH Briefed <input checked="" type="checkbox"/>	
Background Papers	Historic development of Hemington (link) Draft documents available on our website (link)	Public Report: Yes
		Key Decision: No
Financial Implications	There are no financial implications arising from this report.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal Services have reviewed the report. There are no direct legal implications arising from the report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no direct staffing or corporate implications arising from this report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	(a) To consider responses to the recent public consultation; (b) To adopt the revised character appraisal and boundary review for the Hemington conservation area.	
Reason for Decision	Adoption of the revised character appraisal and boundary review would support the Council in fulfilling its duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the designation and review of conservation areas. It would support the Council in fulfilling the aims of the Council Delivery Plan relating to planning and regeneration.	
Recommendation	THAT THE CABINET ADOPTS THE CHARACTER APPRAISAL AND BOUNDARY REVIEW FOR THE HEMINGTON CONSERVATION AREA.	

1.0 BACKGROUND

- 1.1 Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) defines a conservation area as an area of special architectural or historic interest, the character of which it is desirable to preserve or enhance.

- 1.2 The Council has a duty under Section 69(1) of the 1990 Act to determine periodically which parts of its area meet this definition and to designate these areas as conservation areas.
- 1.3 The Council also has a duty under Section 69(2) of the 1990 Act to review periodically the past exercise of this duty and to consider whether any further parts of their area meet this definition and to designate those parts as conservation areas accordingly.
- 1.4 Council officers prepared a draft character appraisal and boundary review for the Hemington conservation area in accordance with Section 69(2) of the 1990 Act. The draft documents were informed by initial consultation with the Parish Council.
- 1.5 Council officers have prepared a revised character appraisal and boundary review following a period of public consultation. The revised character appraisal would provide the basis for making informed and sustainable decisions about the future of the area. It may inform decisions on applications for development that would affect the conservation area. It may inform the development of a management plan for the conservation area.

2.0 CONSULTATIONS

- 2.1 Between 7 February and the 20 March 2024 the following people and organisations were consulted regarding the draft character appraisal and boundary review:
 - Councillor Carol Sewell (Daleacre Hill);
 - Lockington-Hemington Parish Council and Leicestershire County Council;
 - Historic England and the seven National Amenity Societies;
 - Owners and occupiers affected by the draft boundary review
- 2.2 The Council's Conservation Officer held a drop-in session at the Jolly Sailor public house on the 28 February 2024. The Conservation Officer met with Lockington-Hemington Parish Council on the 14 March.
- 2.3 Six publicity posters were displayed in the conservation area, as follows:
 - On the north side of Church Lane, near to footpath L76;
 - On the west side of Hemington Hill, near to footpaths L79 and L82;
 - On Main Street, at the junction with the Horse Shoes;
 - On the west side of Main Street, near to the Jolly Sailor PH;
 - On Main Street, opposite the junction with Grange Farm Close;
 - On the south side of Lockington Lane, at the play area.

3.0 PUBLIC CONSULTATION RESPONSES

- 3.1 Two consultation responses were received as follows.
- 3.2 An occupier of Grange Farmhouse objected to the removal of Grange Farm Close from the conservation area. The occupier said that "the farmhouse is very much in keeping with its age ... developing a nice cottage feel to the area". They said that "this has followed through to the detached properties and ... the whole area looks in keeping, with a courtyard effect".
- 3.3 It is proposed to remove Grange Farm Close from the conservation area, for the reasons outlined in section 1 of the boundary review. The boundary review recognises

that the farmhouse “contributes positively to character”. However, the “detached properties” (2 to 6 Grange Farm Close) do not reflect the character of the conservation area in terms of their age, density or layout.

- 3.4 An occupier of Kelham’s Court objected to the addition of land to the conservation area. The occupier described the land as “functional” and said that it “does not have any special architectural or historic interest”. They said that the addition of the land for “administrative” purposes “does not appear to follow Historic England’s guidance”.
- 3.5 It is proposed to add land to the conservation area, for the reasons outlined in section 4 of the boundary review. In 2011 the local planning authority granted planning permission for the alteration of farm buildings to form five dwellings (11/00172/FUL). It is proposed to add land to the conservation area to reflect the boundaries that appear on the ground following that development.
- 3.6 Historic England (2019) *Conservation area appraisal, designation and management* says that the conservation area boundary should run “around rather than through a space or plot”. It says that the boundary should “generally be defined by physical features” and hence it should avoid (e.g.) “running along the middle of a street”. Hence amendment of the conservation area boundary to reflect the boundaries that appear on the ground does follow Historic England’s guidance.

Policies and other considerations, as appropriate	
Council Priorities:	Adoption of the revised character appraisal and boundary review would support the Council in fulfilling the aims of the Council Delivery Plan relating to planning and regeneration.
Policy Considerations:	The adopted local plan recognises that the Council has a “key role in the conservation of heritage assets” and that this role includes “undertaking conservation area appraisals” (paragraph 11.12).
Safeguarding:	No considerations made.
Equalities/Diversity:	No considerations made.
Customer Impact:	No direct impact identified.
Economic and Social Impact:	No direct impact identified.
Environment, Climate Change and Zero Carbon:	No direct impact identified.
Consultation/Community/Tenant Engagement:	Please refer to section 2.0 above.
Risks:	If the character appraisal and boundary review are not adopted, then the Council may not fulfil its relevant duties under the Planning (Listed Buildings and Conservation Areas) Act 1990. If the character appraisal and boundary review are amended prior to adoption, then they may not reflect best practice or take appropriate account of the public consultation responses received.

Officer Contact	James White Senior Conservation Officer james.white@nwleicestershire.gov.uk
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HEMINGTON CONSERVATION AREA CHARACTER APPRAISAL

Appendix 1

**REVISED
JULY 2024**

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1. Introduction

- 1.1. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as an area of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”.
- 1.2. The Hemington conservation area was designated in January 1974. The District Council adopted a character appraisal in April 2001. Revisions to the designated boundary took effect in May 2001. As a result of our most recent boundary review, the conservation area boundary has been revised further (NWLDC, 2024).

The conservation area since c.2001

- 1.3. Since c.2001 development affecting the conservation area has included the following:
 - 23A and 23B Main Street: An outbuilding attached to the Jolly Sailor PH was demolished c.2000-02. Two detached dwellings were erected.
 - In 2010 we permitted the erection of a detached outbuilding at 6 Church Lane (10/00119/FUL).
 - In 2011 we permitted the alteration of farm buildings at Hemington House Farm to form five dwellings (11/00172/FUL).
 - In 2013 the County Council permitted a ‘classroom extension’ at the Primary School (our reference 13/00231/COM).
 - In 2014 we issued a certificate of lawful existing development for a stable block on land off Church Lane, adjoining the conservation area (19/00005/CLE).
- 1.4. In 2001 the ruined church was “included on the ‘at risk’ register prepared at a national level by English Heritage” (NWLDC, 2001). A management agreement was signed in about 2000. In 2005 the ruined church was in good condition. The war memorial was added to the statutory list in May 2020. It was unveiled in April 1921.



Context

- 1.5. Hemington is a village in NW Leicestershire. The parish is Lockington cum Hemington¹. Hemington is about 10 miles SE of Derby and about 12 miles SE of Nottingham. It is about 1 mile west of Lockington.
- 1.6. The amended NW Leicestershire Local Plan (NWLDC, 2021) recognises Hemington as a ‘small village’, i.e. a settlement “with very limited services and where development will be restricted to the conversion of existing buildings and the redevelopment of previously developed land” and for the delivery of “rural exception sites for affordable housing”.

¹ The ecclesiastical parishes were united before 1557. The parish registers commence at that date (Leicestershire Record Office DE575). The civil parishes were united c.1938-39. Records of Lockington cum Hemington Parish Council commence in 1939 (Leicestershire Record Office DE8674).

- 1.7. For statistical purposes England is divided into Lower Super Output Areas (LSOAs). Hemington is in 'NW Leicestershire 1B'. The level of deprivation in this LSOA is similar to the national median².
- 1.8. The settlement core is situated below 35m AOD on superficial deposits of sand, silt and gravel. Hemington Hill rises steeply; the junction with Diseworth Lane is at 45m AOD. The terrace 3 to 9 Hemington Hill is at 55m AOD on the Helsby sandstone formation³.
- 1.9. A water course runs northwards along the east side of Main Street.

2. Character zones

- 2.1. The character of an area may be defined with reference to the age of its buildings and their uses past and present; the overall density, layout and landscaping of development and the scale, massing and materials of the buildings in the area. The conservation area may be divided into two broad character zones; each broad character zone may be divided into two narrow character zones.
- 2.2. Generally the conservation area boundary includes the extent of the village in 1846, except (i) land to the south of the village that was deserted before c.1885 and (ii) land to the north of the village that was redeveloped substantially c.1964-97. The conservation area includes late Victorian designed landscape elements to the east of the village.

Church Lane

- 2.3. The southern part of the settlement core is clustered around the junction of Church Lane, Hemington Hill and Main Street. The broad character zone contains former farmsteads now in residential use. Buildings are arranged in dense clusters – sometimes around courtyards – with substantial open spaces to the peripheries of the character zone. As a result soft landscaping makes a substantial contribution to character. The broad character zone contains a diversity of building heights. Generally roofs are covered with plain tiles.

Hemington Hall

- 2.4. The former manorial complex is on the north side of Church Lane. The narrow character zone contains significant medieval and early post-medieval fabric including the fourteenth century standing remains of the church, the sixteenth century hall and the seventeenth century kitchen (the 'nunnery').
- 2.5. The hall, the 'nunnery' and the standing remains of the church are faced in stone. 3 Church Lane is a red brick house erected c.1989; it incorporates an earlier stone farm building. Generally stone boundary walls contribute positively to character⁴.
- 2.6. Early Ordnance Survey maps indicate a designed landscape to the west of the 'nunnery' with mixed tree planting. The designed landscape is subject to a tree preservation order (T38). It

² There are 32844 LSOAs in England. These are ranked by deprivation with 1 being the most deprived and 16422 being the national median. NW Leicestershire 1B is ranked 17946.

³ Fisher's *Victoria history of Castle Donington* (2016) describes how the Helsby formation "runs almost due east-west" across Castle Donington and "falls away sharply to a low-lying plain".

⁴ Note the stone boundary wall between 2A and 2B Main Street.

was designated as a 'sensitive area of open space' in the 1991-2006 local plan. It is bounded by a stone wall and a water course; the latter contributes positively to character.

- 2.7. The boundary of the designed landscape is planted with a mix of limes and sycamores underplanted with yews; a sycamore is prominent in views along Main Street from the north. The designed landscape contains mixed tree planting including beech, silver birch, black pine and spruce.



- 2.8. The hall and the 'nunnery' are listed buildings; the 'nunnery' is listed at grade II*. The standing remains of the church have been designated as a scheduled monument.

- 2.9. 2 and 2A Main Street were erected c.1964. The houses are faced in red brick beneath non-traditional roof coverings; they do not contribute positively to character⁵. The houses reflect the density and layout of houses on Main Street.

Farmsteads

- 2.10. The narrow character zone is dominated by buildings erected before c.1885. Generally buildings are faced in red brick. Peggs Farm has a late sixteenth century rear wing; it is a timber framed structure with a thatched roof. In 2011 we permitted the alteration of farm buildings at Hemington House Farm to form five dwellings.



- 2.11. Early Ordnance Survey maps indicate a garden and orchards to the south of Peggs Farmhouse. The land is bounded by a stone wall and conifer hedge. The garden is subject to a tree preservation order (T49); the garden contains a Scots pine and a yew. Land between the orchards and the road is subject to the same tree preservation order. The land contains an ash, a cedar and two yews. The garden to the south of Hemington House is bounded by tall red brick walls. The garden contains two yew trees that are subject to a tree preservation order (T233) as well as a black pine.
- 2.12. The narrow character zone contains four listed buildings. The war memorial is a grade II listed building. It is laid out at one end of a small lawn known locally as the village green. The parish council enhanced the village green recently and described it as "effectively the centre of the village".
- 2.13. 2 and 4 Church Lane were erected c.1963-74. 2 Church Lane has a non-traditional roof covering. The houses make a neutral contribution to character. 1A Main Street was erected

⁵ NWLDC (2001) said that the houses were "suburban in character" and "paid little regard to the materials of existing buildings within the village".

c.1997. It does not reflect the layout or scale of the narrow character zone; it does not contribute positively to character⁶.

Main Street

- 2.14. The northern part of the settlement core is quite densely developed and laid out in a linear manner. The broad character zone is dominated by buildings erected before c.1885. Two properties are known to contain *in situ* cruck trusses and three properties exhibit box framing externally.
- 2.15. The character zone is in residential use excepting the public house and the school. In the past it contained a greater diversity of uses. For example 37 Main Street contained a shop in the late nineteenth century and 7 Main Street contained a post office in the mid twentieth century. A nonconformist chapel was altered c.1965 to form a shop⁷. The Three Horseshoes PH was altered to form a dwelling c.1993.

Main Street south

- 2.16. The narrow character zone comprises detached and semi-detached buildings laid out to the back of the pavement. As a result soft landscaping makes little contribution to character. Buildings are 1½ or 2 storeys tall. Most buildings are faced in red brick; generally roofs are covered with plain tile or thatch.
- 2.17. The narrow character zone contains five listed buildings including the K6 telephone booth.
- 2.18. 3A Main Street was erected c.1993. The house does not reflect the layout of other houses in the character zone; it is set back from the street behind a small front garden.



Main Street north

- 2.19. The narrow character zone is dominated by short terraces. Most buildings are laid out behind shallow forecourts or front gardens. The narrow character zone contains a diversity of building heights. Most buildings are faced in red brick but a substantial minority are faced in render or painted brick. Most buildings have plain tile roofs but a substantial minority have slate or thatched roofs. Non-traditional roof coverings intrude to a limited extent.

⁶ NWLDC (2001) said that “although sympathetic in terms of its construction materials”, 1A Main Street “appears out of scale with surrounding properties” and this is “compounded by its location some distance back from the street frontage”.

⁷ In October 1965 permission was granted for the alteration of the chapel to form a “general store and post office”. NWLDC (2001) said that the alterations were “particularly insensitive ... resulting in the loss of most external features”. By September 1966 the post office was at 12 Main Street. In October 1975 permission was granted for the use of the former chapel as a house (75/1230/P).

2.20. Between 1789 and 1846 properties on the east side of Main Street encroached into the street. Hence 4 to 14 Main Street are set back behind front gardens. Soft landscaping and trees make a positive contribution to character (note the oak tree in front of 6 Main Street). 4 and 6 Main Street are bounded by a water course that contributes positively to character. Front boundary walls at 36 to 46 Main Street contribute positively to character.



2.21. The side garden at 6 Main Street appears on the enclosure map (1789). It contributes positively to character and it offers a view from Main Street toward the 'shelter belt'. The narrow character zone contains two listed buildings.

2.22. 27 to 35 Main Street were erected c.1976. The terrace makes a neutral contribution to character. Front gardens offer a view toward 37 Main Street⁸.

3. Setting elements

3.1. Proceeding clockwise from Hemington Hill the elements that comprise the setting of the conservation area may be described as follows:

West of the conservation area

3.2. There is countryside between the conservation area and the boundary with Castle Donington parish. Generally the land makes a positive contribution to character. It was designated as an 'area of separation' in the 1991-2006 local plan. Policy S3 of the adopted local plan supports some forms of development in the countryside if the development would not "undermine ... the physical and perceived separation and open undeveloped character between nearby settlements"⁹. The land comprises:



⁸ The view toward 37 Main Street is apparent on the enclosure map (1789) and the 'township map' (1846). It was obscured by a farm building erected c.1846-85. Before 2017 a silver birch at 35 Main Street was removed; a tree replacement notice was not served (our reference E/17/00131/TPO).

⁹ In 2019 the District Council refused planning permission for a mixed use development to the east of Castle Donington because it would have "significantly reduced ... the physical separation of the settlements of Castle Donington and Hemington", hence "undermining the separate identities of those settlements" (our reference 17/01135/OUTM).

- a) Countryside (i): Undeveloped land adjoins the conservation area to the south-west. It makes a positive contribution to character. From north to south the land rises steeply from 35m AOD to 55m AOD. The land contains public footpaths that offer views across the settlement core. Five trees are subject to a tree preservation order (T49) and they contribute positively to setting¹⁰.
- b) Countryside (ii): Undeveloped land adjoins the crofts to the west of the conservation area. It makes a positive contribution to character. The land is flat.

North of the conservation area

3.3. The north side of the conservation area is bounded by housing development erected since c.1948. Generally the development makes a neutral contribution to character. From west to east it comprises:

- c) 2 to 6 Grange Farm Close: Five detached houses erected c.1990-97.
- d) 39 to 45 Main Street: Two semi-detached pairs erected c.1964.
- e) 1 and 7 to 11 Grange Farm Close and 47 to 49A Main Street: A traditional farmhouse and threshing barn; a detached house and three terraced houses erected c.1997.
- f) 52 to 54 Main Street and 1 to 7 Lockington Lane: Three semi-detached pairs erected c.1948-49.
- g) 9 to 27 Lockington Lane: A long terrace flanked by semi-detached pairs erected c.1954-63.
- h) 6 to 16 Lockington Lane: Three semi-detached pairs erected c.1949.

East of the conservation area

3.4. There is countryside between the conservation area and the boundary with Lockington township. Generally the land makes a positive contribution to character. It comprises:

- i) Countryside (iii): The 1921 OS map indicates parkland with scattered trees. The trees do not survive. The land is flat.



3.5. Undeveloped land adjoins the conservation area to the east (pictured above). From north to south the land rises from 35m AOD to above 50m AOD. It is bisected by a public footpath that runs east-west and offers views toward the 'shelter belt', Hall Gardens and the spire of Castle Donington parish church beyond.

¹⁰ Coaker (1989) says that five oak trees "were planted in 1897 to commemorate Queen Victoria's diamond jubilee". The trees have been "known ever since as Findern Clump".

South of the conservation area

3.6. The south side of the conservation area is bounded by countryside. Generally it makes a positive contribution to character. From NW to SE the land rises from 35m AOD to about 70m AOD. The land contains recreation and tourism uses¹¹. From east to west it comprises:

- j) Equestrian development including a stable erected in 2014.
- k) Land in a “mixed agricultural and equestrian use”.
- l) Agricultural land including land that was “deserted” in 1885.
- m) A wooded water course.
- n) On the west side of the water course, land in use as a camp site.

4. Open spaces

The ‘crofts’

- 4.1. The enclosure map (1789) indicates ten crofts on land to the west of Main Street; the 1921 OS map indicates eight crofts. Generally the crofts survive as a series of open land parcels maintained as grassland. The crofts are defined by hedge boundaries that reflect the boundaries indicated on historic maps. These qualities contribute positively to character.
- 4.2. The open space includes modern agricultural buildings at Post Office Farm. The buildings do not reflect the character of traditional buildings in the conservation area, but they are an appropriate form of development in the countryside.

Chapel close

- 4.3. In 1907 a portion of the estate of the late Hugo Harpur Crewe was “appropriated” for use as a public park. The 1921 OS map indicates parkland to the east of the settlement core with scattered trees. The parkland is bisected by a public footpath; to the south of the footpath the parkland trees survive. They include two clumps of mature lime trees and a clump of mature horse chestnut trees. Chapel close contributes positively to character due to its association with the Harpur Crewe family, its openness and its mature trees.

Shelter belt

- 4.4. A shelter belt was planted c.1884-1903 to the rear of properties on the east side of Main Street. The shelter belt contains a mix of mature deciduous trees that contribute positively to character. The shelter belt is visible from Main Street; note the view across the side garden at 6 Main Street. The shelter belt is also visible from the public footpath that runs east-west across the countryside to the east of the conservation area.

¹¹ The local plan supports recreation and tourism uses in the countryside (policy S3). In 2018 we granted permission for the change of use of land to “mixed agricultural and equestrian” use (18/02267/FULM). In 2019 we issued a certificate of lawful existing development for a stable block (19/00005/CLE). In 2019 we granted permission for the change of use of land to a camp site (19/02215/FUL).

Play area

4.5. In July 1897 the play area on Lockington Lane was given to the village. 2 Lockington Lane was erected c.1990 on a portion of the 'shelter belt' (our reference 90/0091/R). The front boundary contains three mature horse chestnut trees and two mature lime trees. The trees contribute positively to character; 2 Lockington Lane makes a neutral contribution.



4.6. A triangle of open space at the corner of Lockington Lane and Main Street contains four mature deciduous trees (including two sycamore trees). The open space contributes positively to character. The trees contribute positively to views out of the conservation area facing north.

5. Views and landmarks

5.1. Land on the Helsby sandstone formation is at least 15m higher than the settlement core. Public footpaths on land to the west and east of the conservation offer views across the settlement core. Land to the west of the conservation area offers views of the 'crofts' while land to the east of the conservation area offers views of the 'shelter belt' and Hall Gardens.

5.2. 37 Main Street is a landmark in views north along Main Street. The view extends beyond the house to include a group of trees at the corner of Lockington Lane and Main Street. The side elevation of the house forms a 'pinch point' that defines the north entrance to the conservation area¹².



5.3. A sycamore tree is a landmark in views south along Main Street. The view extends beyond the sycamore tree to include the thatched rear wing of Peggs Farm and the trees to the south of that building (including 'Findern Clump' beyond the designated boundary).

5.4. The 2001 appraisal says that the shelter belt provides "an attractive backdrop when viewed from Main Street through the gaps between properties". The side garden at 6 Main Street offers a view from the street toward the 'shelter belt'.

¹² The 2001 appraisal noted the landmark value of Hemington House at the south entrance to the conservation area.

6. Opportunity areas

The Horseshoes

- 6.1. Development at 'The Horseshoes' does not reflect the character of traditional buildings on Main Street, but the development has limited visual impact and it makes a neutral contribution to character.
- 6.2. Three detached houses were erected c.1993. The houses are laid out around three sides of a courtyard. The development has a complex massing with porches, dormers etc. It does not reflect the layout and massing of traditional buildings on Main Street.

Hemington Court

- 6.3. Development to the rear of Hemington Court does not reflect the character of traditional buildings on Main Street, but the development has limited visual impact and it makes a neutral contribution to character.
- 6.4. 1 to 6 (cons) Hemington Court were erected c.1993. The development comprises two terraces of three bungalows with non-traditional roof coverings. To an extent the development reflects "the footprint of lost buildings" but it does not reflect the scale or materials of traditional buildings on Main Street.
- 6.5. 23A and 23B Main Street were erected c.2001-02. The "backland" development of two detached dwellings does not reflect the layout of traditional buildings on Main Street.¹³

2B to 2D Main Street

- 6.6. Three houses were erected c.1963-74. Each house is two storeys tall with a single storey lean-to element in front. Each house has a non-traditional roof covering. The houses do not reflect the massing or materials of traditional buildings on Main Street.



Hall Gardens

- 6.7. Development at 'Hall Gardens' has a limited visual impact upon Church Lane but it is prominent in views into the settlement core from the countryside to the east.
- 6.8. Seven detached houses were erected c.1999. 'Hall Gardens' is a cul-de-sac and the houses are laid out loosely around three sides of a courtyard. The development has a complex massing with gable features, porches etc. It does not reflect the layout and massing of traditional buildings in the conservation area.

¹³ In 1999 the appeal inspector said that "backland development would be acceptable in principle" but a detached dwelling "would be incongruous with the pattern of development in the conservation area" (99/0902/P). In 2001 prior to determination the local planning authority had encouraged a layout that would "take its lead from the traditional terraced form of dwellings within the village".

7. Problems, pressures and threats

- 7.1. The Parish Council has identified an existing problem arising from a recent “increase in HGV incursions”. Hemington is subject to a 7.5 tonne weight restriction. In Leicestershire weight restrictions are enforced by Leicestershire Police.
- 7.2. In September 2021 the local planning authority (LPA) refused planning permission for development of up to 9.25ha of storage and distribution units (B8), industrial units (B2) and light industrial units (B1c) and associated works.
- 7.3. The LPA found that the development would harm views across the conservation area from public footpaths to its west (see paragraph 2.7 above). However the LPA concluded that the public benefits of the development would “more than outweigh” the harm.

Condition of buildings

- 7.4. A survey in May 2017 identified 68 traditional buildings in the Hemington conservation area. 42 buildings (63%) were found to be in good condition; 21 buildings (31%) were found to be in fair condition and 5 buildings (7%) were found to be in poor condition. On this basis the Hemington conservation area is considered to be ‘not at risk’.
- 7.5. In 2005-06 the County Council assessed the condition of 15 listed buildings in the Hemington conservation area¹⁴. 11 buildings (73.3%) were found to be in good condition; 1 building (6.7%) was found to be in fair condition and 3 buildings (20%) were found to be in poor or very bad condition.
- 7.6. In 2017 the District Council assessed the condition of the same 15 listed buildings¹⁵. 10 buildings (66.7%) were found to be in good condition; 4 buildings (26.7%) were found to be in fair condition and 1 building (6.7%) was found to be in poor condition. In 2017 the following listed buildings were found to be either ‘at risk’ or ‘vulnerable’:



- A boundary wall at Peggs Farmhouse (‘at risk’);
- 7 Main Street (‘vulnerable’);
- An outbuilding at 7 Main Street (‘at risk’);
- A boundary wall at Hemington Hall (‘at risk’);
- Boundary walls to the ruined church (‘at risk’).

¹⁴ Three buildings (including an outbuilding at 13 Main Street) were surveyed in 1990.

¹⁵ In 2017 a listed K6 telephone booth was found to be ‘vulnerable’. Since about 2018 the telephone booth has been used as a book exchange.

- 7.7. An outbuilding at 13 Main Street was found to be 'at risk' in 1990. The County Council described the outbuilding as "completely dilapidated". In 1994 we granted consent for the part rebuilding of the outbuilding (94/0054/P). In 2017 the outbuilding was no longer at risk.
- 7.8. In 2001 the ruined church was "included on the 'at risk' register prepared at a national level by English Heritage" (NWLDC, 2001). A management agreement¹⁶ was signed in about 2000. In 2005 the ruined church was in good condition.

8. Bibliography

Coaker (1989) *A short history of Lockington and Hemington*

NW Leicestershire District Council (2001) *Hemington conservation area appraisal and study*

NW Leicestershire District Council (2021) *NW Leicestershire Local Plan*

NW Leicestershire District Council (2024) *Historic development of Hemington*

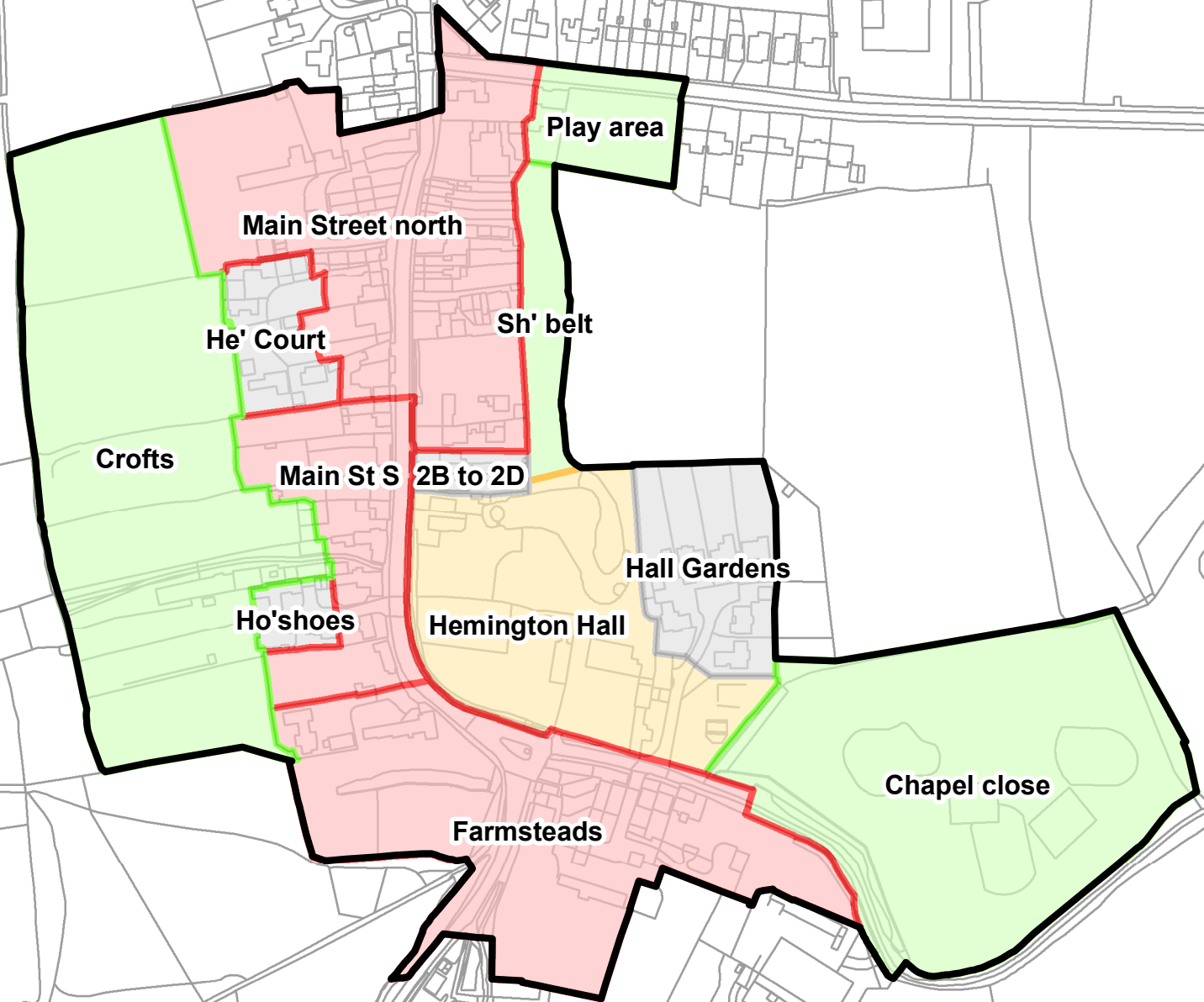
NW Leicestershire District Council (2024) *Hemington conservation area boundary review*

¹⁶ Under s17 of the Ancient Monuments & Archaeological Areas Act 1979. Jordan R, pers comm (2020).

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Map 1: Character zones

Hemington character appraisal
Map not to scale



Character zones

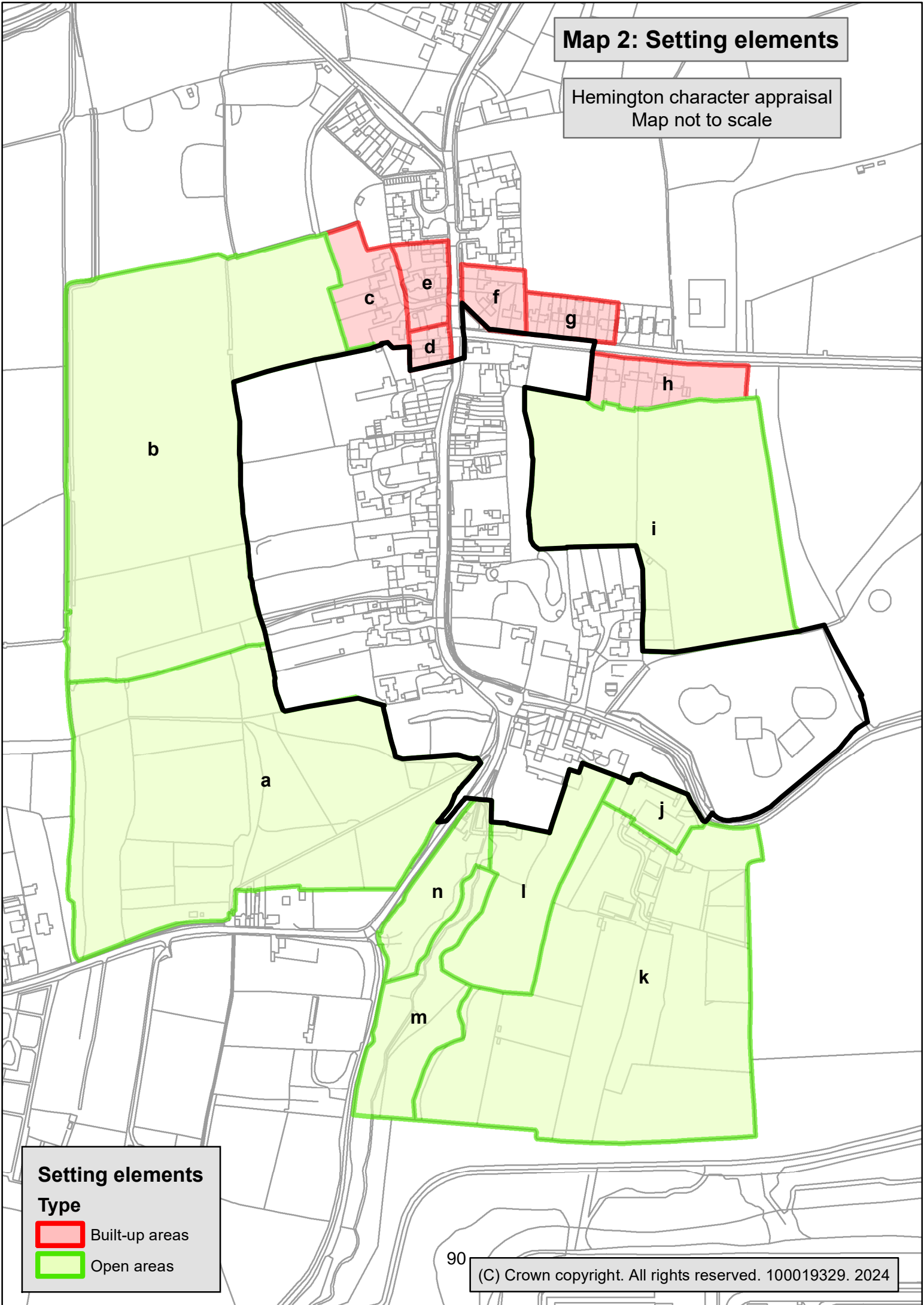
- █ Built up areas

Type

- █ Semi-open areas
- █ Open areas
- █ Opportunities

Map 2: Setting elements

Hemington character appraisal
Map not to scale



Setting elements

Type

- Built-up areas
- Open areas

Map 3: Age of buildings

Hemington character appraisal
Map not to scale

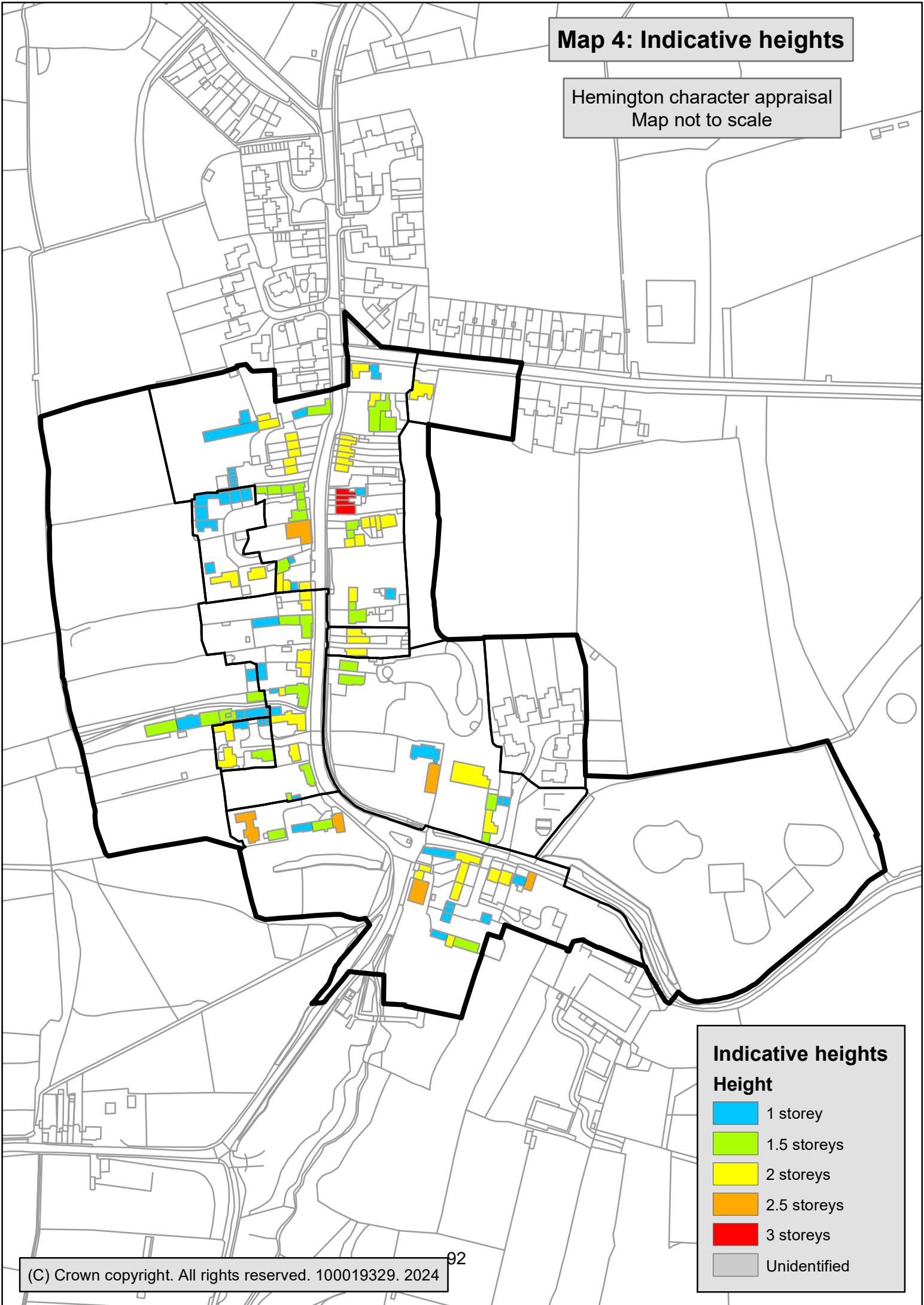


Age of buildings
Age

- Late Victorian
- Selected modern

Map 4: Indicative heights

Hemington character appraisal
Map not to scale



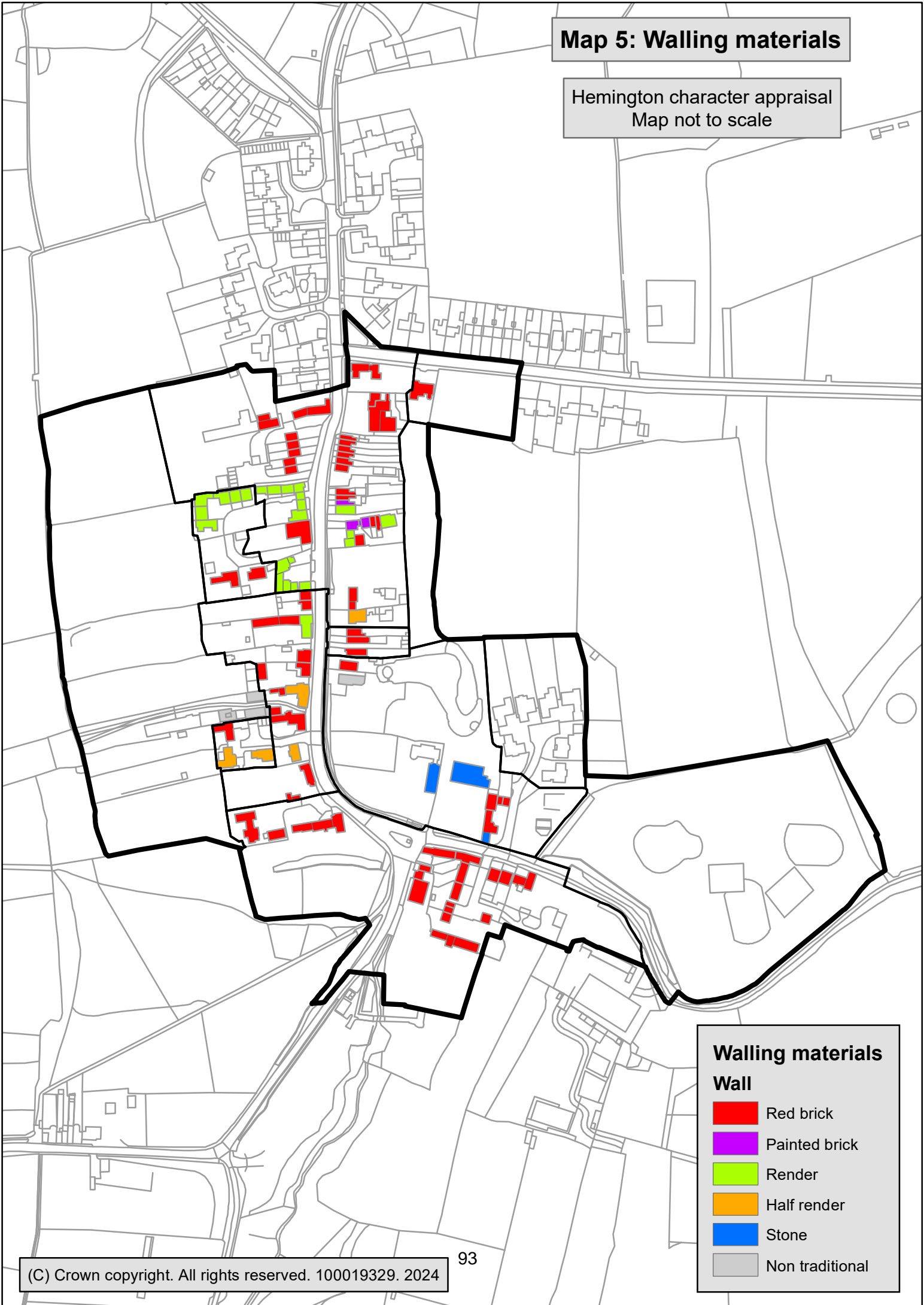
Indicative heights

Height

- 1 storey
- 1.5 storeys
- 2 storeys
- 2.5 storeys
- 3 storeys
- Unidentified

Map 5: Walling materials

Hemington character appraisal
Map not to scale



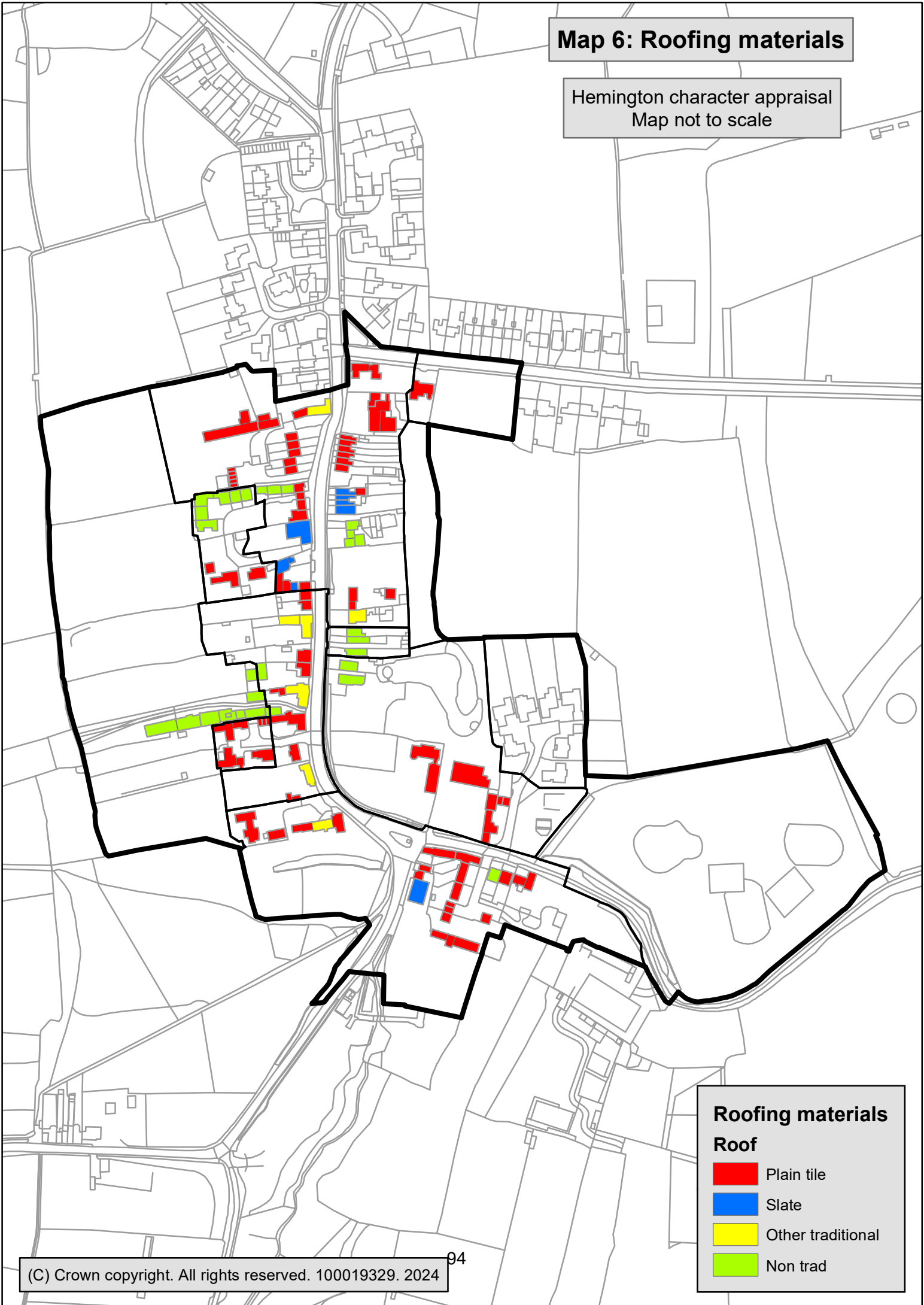
Walling materials

Wall

- Red brick
- Painted brick
- Render
- Half render
- Stone
- Non traditional

Map 6: Roofing materials

Hemington character appraisal
Map not to scale



Roofing materials

Roof

- Plain tile
- Slate
- Other traditional
- Non trad

HEMINGTON CONSERVATION AREA BOUNDARY REVIEW

Appendix 2A

**REVISED
JULY 2024**

Contents

- i Introduction
- 1 Grange Farm Close and 39 to 49A Main Street
- 2 Play Area
- 3 Land at Hemington House
- 4 Land at Kelham's Court
- 5 Land at Hemington House Farmhouse
- 6 Chapel Close

Introduction

- i. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines a conservation area as an area of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. The Hemington conservation area was designated in January 1974 and revisions to the designated boundary took effect in May 2001.
- ii. The draft character appraisal says: *Generally the conservation area boundary includes the extent of the village in 1846, except (i) land to the south of the village that was deserted before c.1885 and (ii) land to the north of the village that was redeveloped substantially c.1964-97. The conservation area includes late Victorian designed landscape elements to the east of the village.*
- iii. Considering these general principles, further boundary revisions are proposed, as indicated on map 1. The proposed conservation area boundary is shown on map 2.

Grange Farm Close and 39 to 49A Main Street

1. The District Council considers that these properties do not contribute to an area of special architectural and historic interest. The properties are beyond the north “entrance” to the conservation area as described in the draft character appraisal. It is proposed to **remove** the following properties from the conservation area:
 - **39 to 45 Main Street:** Two semi-detached pairs were erected c.1964. The houses have non-traditional roof coverings. In terms of their age, layout and materials, the houses do not reflect the character of the Main Street ‘north’ character zone.
 - **2 to 6 Grange Farm Close:** Five detached houses were erected c.1990-97. In terms of their age, density and layout, the houses do not reflect the character of the Main Street ‘north’ character zone.
 - **1 and 7 to 11 Grange Farm Close; 47 to 49A Main Street:** Farm buildings were demolished c.1997 and replaced by a detached house and three terraced houses. A traditional farmhouse and threshing barn survive. The detached house does not reflect the character of the Main Street ‘north’ character zone. Other properties contribute positively to character, but they are separated from the historic settlement core by the development described above.

Play Area

2. It is proposed to **add** the play area to the conservation area. In July 1897 the play area was given to the village. It contains mature trees that contribute positively to character. The play area is one of three late Victorian designed landscape elements that are associated with the Harpur Crewe family.

Land at Hemington House

3. It is proposed to **add** land at Hemington House to the conservation area. Historic maps indicate garden land to the south of Hemington House and orchard land to its south-east¹. The garden land and the former orchard land is enclosed by a substantial and traditional red brick wall that contributes positively to character.

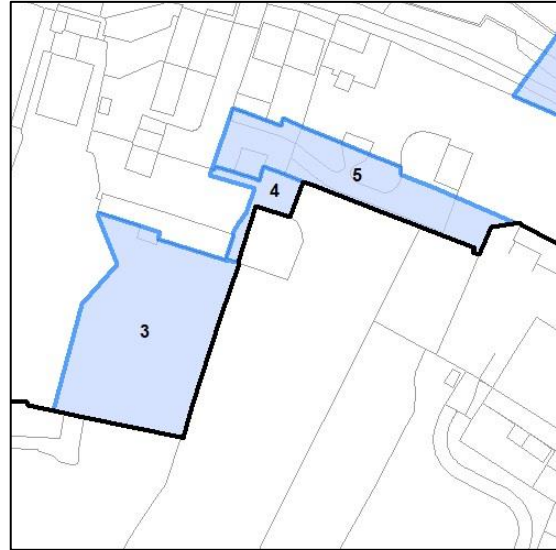
¹ The layout of garden land and orchard land is indicated on Grundy’s *Complete map of the lordship of Hemington* (1740) and on the OS 1:2500 maps of 1885, 1903 and 1921. The enclosure map (1789) does not differentiate between the garden land and the orchard land.

Land at Kelham's Court

4. It is proposed to **add** land at Kelham's Court to the conservation area, to reflect the boundaries that appear on the ground. In 2011 we permitted the alteration of farm buildings to form five dwellings (11/00172/FUL). It is proposed to add land to the conservation area to reflect the boundaries that appear on the ground following that development.

Land at Hemington House Farmhouse

5. It is proposed to **add** land at Hemington House Farmhouse to the conservation area. In 2010 we permitted development including a "new access" (10/00119/FUL). The "new access" does not make a strong positive contribution to character, but its inclusion in the conservation area would ensure consistent treatment of the whole of the residential curtilage.



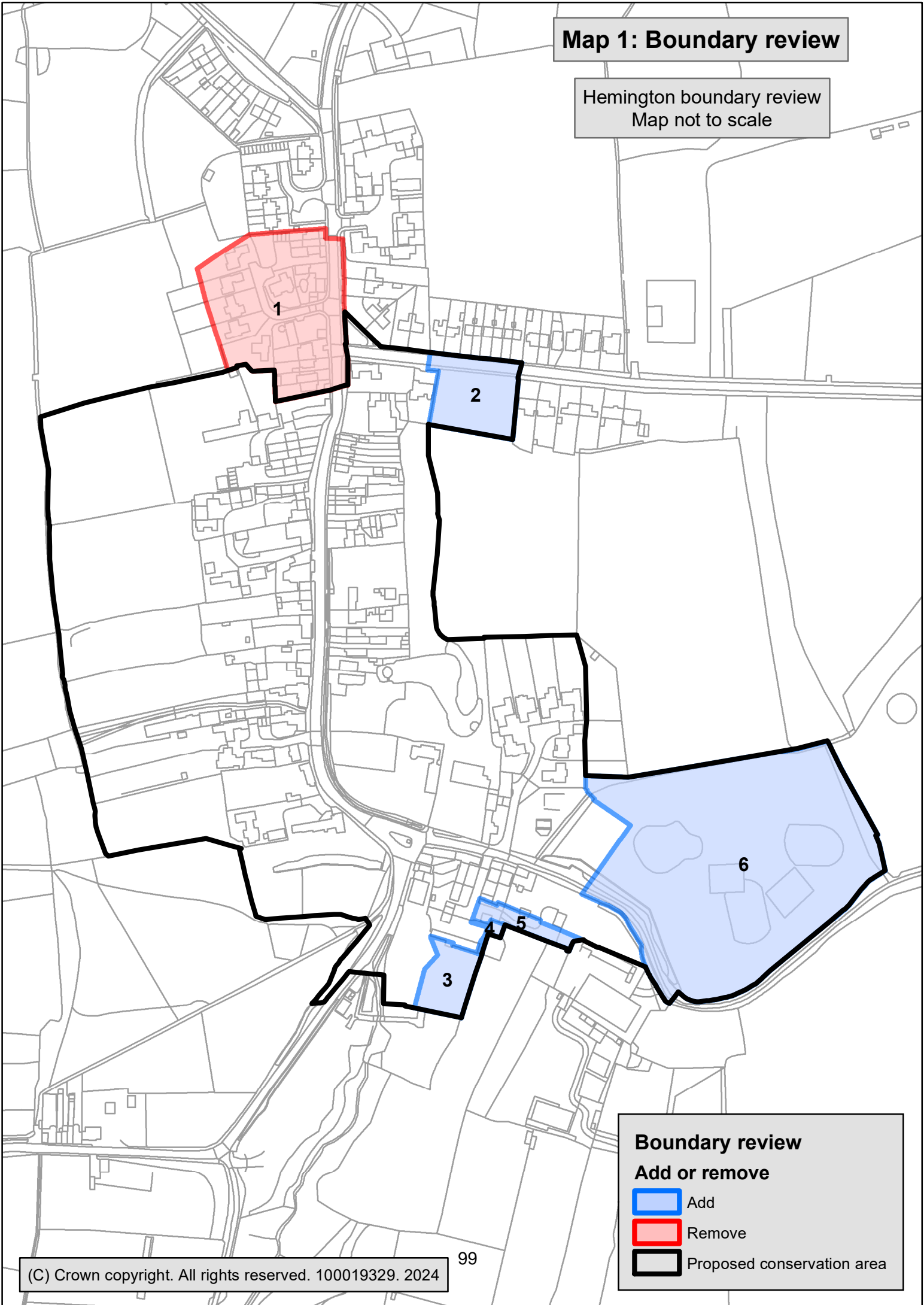
Inset map: Boundary review areas 3 to 5

Chapel Close

6. It is proposed to **add** Chapel Close to the conservation area. In 1907 a portion of the estate of the late Hugo Harpur Crewe was "appropriated" for use as a public park. Surviving parkland trees include two clumps of mature lime trees and a clump of mature horse chestnut trees. The trees contribute positively to character. The parkland is one of three late Victorian designed landscape elements that are associated with the Harpur Crewe family.
7. It is not proposed to add land to the north of Chapel Close to the conservation area. Since c.1921 this land has been subdivided from the park and all trees have been felled.

Map 1: Boundary review

Hemington boundary review
Map not to scale



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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 20 AUGUST 2024



Title of Report	SUPPLEMENTARY ESTIMATES, VIREMENTS AND CAPITAL APPROVALS	
Presented by	Councillor Nick Rushton Corporate Portfolio Holder PH Briefed <input checked="" type="checkbox"/>	
Background Papers	Supplementary Estimates, Virements and Capital Approvals – Cabinet 25 June 2024 Social Housing Decarbonisation Fund: Wave 2.2 Cabinet Report April 2024	Public Report: Yes Key Decision: Yes
Financial Implications	Appendix 2 details the supplementary estimates for approval. There is one external funded grant of £132,750 and one internally funded supplementary estimate of £60,000 which is to be funded from the Medium-Term Financial Plan (MTFP) reserve. On 23 April 2024, Cabinet approved receipt of a grant allocation of £2.8m. Following this, the Housing Revenue Account (HRA) Capital Programme's budget for the financial years 2024/25 and 2025/26 was adjusted upwards to incorporate the newly acquired funds. The reduced grant funding will be reflected in future financial monitoring reports to be considered by Cabinet. Signed off by the Section 151 Officer: Yes	
Legal Implications	There are no direct legal implications arising from this report. Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	The staffing implications arising from this report are detailed in the body of the report and the attached appendices. Signed off by the Head of Paid Service: Yes	
Purpose of Report	To seek approval of the supplementary estimates, virements and capital scheme movements.	

Reason for Decision	As required by the Council's Constitution.
Recommendations	<p>THAT CABINET:</p> <ol style="list-style-type: none"> 1. NOTES THE DECISION MADE BY THE HEAD OF SERVICE AND SECTION 151 OFFICER IN RESPECT OF SUPPLEMENTARY ESTIMATES DETAILED ON APPENDIX 2 WHICH ARE BELOW £100K AND ARE EXTERNALLY FUNDED. 2. APPROVES THE SUPPLEMENTARY ESTIMATES DETAILED ON APPENDIX 2 WHICH ARE BETWEEN £100K AND £250K AND ARE EXTERNALLY FUNDED. 3. APPROVES ALL SUPPLEMENTARY ESTIMATES DETAILED ON APPENDIX 2 WHICH ARE BELOW £100K AND COUNCIL FUNDED. 4. APPROVES THE MOVEMENT FROM THE DEVELOPMENT POOL TO THE ACTIVE PROGRAMME FOR THE CAPITAL SCHEMES DETAILED IN TABLE 2. 5. ACCEPTS THE REVISED SOCIAL HOUSING DECARBONISATION FUND GRANT OFFER OF UP TO £1,009,877.52 FROM GOVERNMENT AS DETAILED IN THE REPORT AND DELGATES TO THE STRATEGIC DIRECTOR WITH RESPONSIBILITY FOR HOUSING ALL NECESSARY AGREEMENTS TO RECEIVE THE GRANT IN LINE WITH THE CONSTITUTION.

1.0 INTRODUCTION

- 1.1 This report seeks approval for virements and supplementary estimates as required under the Council's Constitution. This is a regular report to Cabinet to enable the approval of virements and supplementary estimates in a timely manner for the efficient operation of the Council.
- 1.2 The report also seeks approval for the movement of capital schemes from the development pool to the active programme as required in the Council's Capital Strategy approved by Council on 22 February 2024.
- 1.3 The report covers both the General Fund and the Housing Revenue Account.

2.0 SUPPLEMENTARY ESTIMATES

- 2.1 A supplementary estimate is an addition to the Council's agreed budget and should only be considered after all other options such as virements or savings have been considered.
- 2.2 Supplementary estimates include budgets fully funded by external grants or contributions.

- 2.3 Supplementary estimate levels were approved as part of the Constitution by Council in February 2024. These approval levels are detailed in Appendix 1.
- 2.4 All supplementary estimates which will be Council funded require Cabinet approval whereas those fully externally funded are reported to Cabinet below £100k but require approval over £100k. Those above £250k require Council approval.
- 2.5 Appendix 2 details all supplementary estimates grouped by value and funding with details of the reasons for the requests which are summarised in the table below.

Table 1: Supplementary estimates

	General Fund		HRA	
	Revenue	Capital	Revenue	Capital
Externally Funded Between £0 and £99,999 (for info)	7,200	-	-	-
Externally Funded Between £100,000 and £249,999 (For Cabinet Approval)	132,750	-	-	-
Externally Funded Over £250,000 (Requires Council Approval)	-	-	-	-
Total Externally Funded	139,950	-	-	-
Council Funded Between £0 and £249,999 (For Cabinet Approval)	60,000	-	-	-
Total Council Funded	60,000	-	-	-
Total Supplementary Estimates	199,950	-	-	-

3.0 VIREMENTS

- 3.1 A virement is where one or more budget(s) are reduced to fund an increase in another budget(s). There is no net change in the total budget agreed by Council arising from a virement.
- 3.2 Virement approval levels were approved as part of the Constitution by Council in February 2024. These approval levels are detailed in Appendix 1.
- 3.3 There has been no virement requests during the first four months of the year that require approval by either Cabinet (over £100k) or Council (over £250k).

4.0 CHANGES TO THE CAPITAL PROGRAMME

- 4.1 Schemes in the capital programme are grouped under two categories and these are:
 - Development Pool: These are schemes not yet fully costed or funding sources identified. A full business case is required to be prepared and presented to the Capital Strategy Group for consideration before the scheme can go ahead.
 - Active Programme: Schemes in this category have been approved (by Capital Strategy Group, Cabinet or Council), fully funded and are being delivered.
- 4.2 Table 2 below provides details of schemes for Cabinet approval to move from the development pool to the active projects.

Table 2: Capital Scheme Movements

Scheme	Fund	Budget £	Reason for Movement
Existing Schemes - movement from Development Pool to Active Programme			
New Build	HRA	300,000	See paragraph 4.3
		300,000	

- 4.3 At the Cabinet meeting of 22 July 2024 an agreement for various Housing Revenue Account (HRA) home purchases were agreed. An error has been identified between the recommendation and the financial implications of that decision. The recommendation agreed £1.8m of funding whereas the financial implications sections requested £2.1m. The implications section was correct and the above change to the capital programme corrects this error to the intended recommendation. Since the July decision, government has also enabled 100% funding via Right to Buy receipts for these types of transactions. Therefore, the Council's Section 151 Officer will seek to maximise this change regarding this purchase.

5.0 SOCIAL HOUSING DECARBONISATION FUND UPDATE

- 5.1 At its meeting on 23 April 2024, Cabinet agreed to accept a Social Housing Decarbonisation Fund (SHDF) grant of up to £2.8m from the Government. The Government has committed £3.8bn of funding over a 10-year period as part of its pathway to Net Zero 2050. The grant offers up to 50% match funding to improve the Energy Performance Certificate (EPC) ratings of the Council's Council homes by a fabric first approach.
- 5.2 At the Council meeting on 7 May 2024, approval was given for an increased budget for the Housing Revenue Account (HRA) Capital Programme. This increase was specifically allocated to zero carbon projects. The original budget of £2.5m, approved by Council on 22 February 2024, was amended to match the £2.8m grant offer. This adjustment ensured that for the financial years 2024/25 and 2025/26 the capital programme for HRA zero carbon projects was funded.
- 5.3 Since Cabinet approved the acceptance of the grant in April 2024, the Government has carried out due diligence as part of its grant approvals process in relation to deliverability during the required time period. Following that process, the Government department has recalculated the grant and offered a revised amount of £1.01m. The following sections set out the reasons and a recommendation that the revised SHDF grant offer of up to £1,009,977.42 from Government is accepted seeks Cabinet's approval.

SHDF Bid

- 5.4 The initial grant application was based on an earlier programme of SHDF funding for a longer spend period, and a slightly different criterion (known as Wave 2.1). The Council's grant application was unsuccessful at that time.
- 5.5 The same grant application was then resubmitted at the point at which the second programme was introduced (known as Wave2.2) to ensure that the Council had provided a bid for every opportunity available to help support the Council's Zero Carbon ambitions. Due to the relevant timeframes for submissions, there was insufficient capacity available in the housing service at the time to revise the bid, which is why the same application was submitted. The Council made the Government

aware of this approach at the time of submission and a grant was initially awarded to the Council on this basis.

- 5.6 Following Cabinet approving the acceptance of the grant and the acceptance paperwork being returned to Government, the grant offer has gone through a process of final assessment and moderation as is normal practice in grant application processes by Government. This resetting of the baseline process has updated the contents of the bid, (for example by updating on works completed it was originally drafted in 2022/23) and adjusted it to reflect the remaining time available to spend the grant (by 31 March 25). The bid has also been updated to match the criteria for this bidding round (known as Wave 2.2). This has resulted in the Council's grant offer now being updated to up to £1,009,877.52. This was notified to the Council in late July and has been delayed by the change of government during this process, and the availability of key staff in the government department.
- 5.7 Due to this change, this report seeks Cabinet agreement to accept the revised grant offer.

Management and Monitoring

- 5.8 As per the Cabinet report of April this year, the grant funding is a single year allocation and must be spent by 31 March 2025 (although the programme runs for two years enabling the Council's match funding to run up to 31 March 2026). The grant operates on the basis that claims are submitted in arrears i.e. the Council must provide evidence of eligible expenditure to support claims. The scheme is governed by significant guidance which can be found using the link in the background papers section of the report header.
- 5.9 The Council is in the process of making arrangements to accept the grant and to comply with government-imposed timelines it has already submitted the required acceptance paperwork in draft form. However, the grant will not be formally accepted until Cabinet has approved the acceptance of the grant in accordance with the recommendations. The deadline to respond to this was 16 August 2024, however, officers have sought a short extension to this to enable Cabinet to consider this report. The required due diligence has been completed by the legal and finance teams in order to accept the grant.
- 5.10 Reporting will be through financial monitoring reports already scheduled to be presented to future Cabinet and Corporate Scrutiny Meetings.

Financial Implications

- 5.11 At the Council meeting on 7 May 2024, approval was given to the HRA capital programme to fully match the initial notification level of the grant. As such the HRA is sufficiently funded to enable the conditions of the grant to be fulfilled.
- 5.12 The HRA capital programme does not need to be revised. Progress against the programme will be reported through financial monitoring reports to Cabinet. The grant will be used on a substitution basis, replacing planned HRA spend where it can, to enable this to be spent in future years. This has the effect of extending the Carbon Zero element of the programme. No HRA capital funding will be lost and this will be recycled into future years planned asset works.

Policies and other considerations, as appropriate	
Council Priorities:	- A Well Run Council - Communities and Housing - Clean, Green and Zero Carbon
Policy Considerations:	The Council's Financial Procedure Rules, sections A24 – A28, set out the details of the virement and supplementary estimates, as shown at Appendix One of this report.
Safeguarding:	N/A at this strategic level – however individual works will comply with normal processes in this regard
Equalities/Diversity:	N/A at this strategic level – however individual works will comply with normal processes in this regard
Customer Impact:	Works of the type covered by this funding can be disruptive for tenants. The Housing Service will work with its engagement teams to seek to both communicate clearly on planned works and the longer-term benefits of the works being completed for the tenants.
Economic and Social Impact:	N/A
Environment, Climate Change and Zero Carbon:	The programme of works will improve the EPC rating and therefore efficiency of Council homes where works are undertaken. This will assist in both warmer homes, and reduction in running costs as well as contributing to the Council's 2050 carbon targets.
Consultation/Community/Tenant Engagement:	See Customer Impact above.
Risks:	There are Risks to any project – the main ones impacting on these works are: - Inability to deliver on the basis of supplier, contractor or other resource constraints. - Tenant resistance to works being undertaken - Non-compliance with grant conditions. A full risk assessment is in place as part of the grant process
Officer Contact	Anna Crouch Head of Finance Anna.Crouch@nwleicestershire.gov.uk

Extract from 'The Council's Constitution' May 2024 Version

Virement

- A.1 **Full Council** is responsible for agreeing procedures for **Virement** of expenditure between **Budget** headings. The definition of a Virement is set out in Section 5 of the **Policy & Budget Framework** as follows:

*Steps taken by the **Cabinet**, a **Cabinet Member**, a group of the Cabinet, or Officers, or **Joint Arrangements** to implement Council policy shall not exceed the budgets allocated to each relevant **Budget** head. However, such bodies or individuals shall be entitled to vire across Budget heads within such limits as shall be laid down in the **Financial Procedure Rules**. Beyond those limits, approval to any **Virement** across Budget heads shall require the approval of the **Full Council**.*

*A **Virement** is defined as where one or more **Budget(s)** are reduced to fund an increase in another **Budget(s)**. There is no net change in the total Budget agreed by Council arising from a Virement.*

- A.2 The table below sets out the approval level required based on the value of the **Virement**.

Value	Approval Level Required		
	Within a Budget Head	Between Budget Heads in same Directorate	Between Directorates
Between £0 - £4,999	Heads of Service	Heads of Service	Heads of Service
Between £5,000 and £24,999	Heads of Service and Strategic Directors	Strategic Directors and Portfolio Holder(s)	Strategic Directors and Portfolio Holder(s)
Between £25,000 and £99,999	Strategic Directors and Portfolio Holder(s)	Strategic Directors and Portfolio Holder(s)	Strategic Directors and Portfolio Holder(s)
Between £100,000 and £249,999	Cabinet	Cabinet	Cabinet
£250,000 and over	Full Council	Full Council	Full Council
Notes:			
1. In all circumstances Virements require approval by the S151 Officer.			
2. All relevant parties listed above must be in agreement.			
3. Virements should not be artificially disaggregated.			
4. Virement rules apply to capital and revenue.			

Supplementary Estimates

- A.3 A supplementary estimate is an addition to the Council's agreed **Budget**. Supplementary estimates can be one-off or recurring. In either case, supplementary

estimates should only be considered after all other options, such as **Virements**, or savings, have been considered. Supplementary estimates include budgets fully funded by external grant or contribution.

A.4 The table below sets out the approval level required based on the value of the supplementary estimates.

Value	Approval Level Required	
	Fully Externally Funded	Requires Council Funding
Between £0 and £9,999	S151 Officer	S151 Officer
Between £10,000 and £99,999	Head of Service [then reported to Cabinet at next meeting]	Cabinet
Between £100,000 and £249,999	Cabinet	Cabinet
£250,000 and over	Full Council	Full Council
Notes:		
<ol style="list-style-type: none"> 1. In all circumstances Supplementary Estimates require approval by the S151 Officer. 2. Council funding includes (but is not limited to) revenue budget, reserves, Section 106, capital receipts and borrowing. S151 Officer decision will undertaken an assessment. 3. Supplementary Estimates should not be artificially disaggregated. 4. Supplementary Estimates rules apply to capital and revenue. 		

A.5 Where in exceptional or unexpected circumstances a Directorate is faced with a material increase in its net expenditure, which cannot reasonably be contained within its resource allocation figure for the year, the **Chief Executive** or **Strategic Directors** must (wherever possible, prior to incurring the expenditure) submit a request to **Cabinet** or **Council** for a supplementary estimate to cover the additional expenditure. The Cabinet or Council will also decide how the expenditure will be funded, e.g. from grant, revenue, reserve, loan or otherwise.

Supplementary Estimates - General Fund, HRA & Special Expenses (Capital & Revenue)

Capital/ Revenue	General Fund/ HRA / Special Expenses	Directorate	Service	Service Area	Recurring/ One-Off	Amount £	Funded By	Reason For Request
Externally Funded Between £0 and £99,999 (for info)								
Revenue	General Fund	Communities	Communities	Environmental Health	One off	7,200	Grant	Chewing Gum Grant
						7,200		
Externally Funded Between £100,000 and £249,999 (For Cabinet Approval)								
Revenue	General Fund	Communities	Housing	Housing	One off	132,750	Grant	Asylum Seeker Dispersal Grant
						132,750		
Externally Funded Over £250,000 (Requires Council Approval)								
						0		
TOTAL EXTERNALLY FUNDED						139,950		
Council Funded Between £0 and £249,999 (For Cabinet Approval)								
Revenue	General Fund	Resources	Finance		One off	60,000	MTFP Reserve	Additional staffing to support with the backlog in the Bank Reconciliation following the implementation of Unit 4
109						60,000		
TOTAL COUNCIL FUNDED						60,000		
TOTAL SUPPLEMENTARY ESTIMATES						199,950		

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Likely to contain exempt information under paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 10.

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