

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:	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.
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