



Leicester
City Council

**WARDS AFFECTED
CASTLE & AYLESTONE**

CABINET

12th May 2008

Extensions to Boundaries of Market Place and Aylestone Village Conservation Areas

Report of the Corporate Director of Regeneration & Culture

1. Purpose of Report

- 1.1 To confirm the boundary extensions to the Aylestone Village and Market Place Conservation Areas.

2. Summary

- 2.1 Character Appraisals have been undertaken for the two conservation areas listed above and have included proposals to extend their boundaries. The Appraisal documents have been approved under the delegated powers arrangements included in the Scheme of Authorisation. However, the boundary extensions have to be formally approved by the local planning authority. This purpose of this report is to seek that approval.

3. Recommendations

- 3.1 That the extensions to the boundaries of the Aylestone Village and Market Place Conservation Areas, as shown on the accompanying maps, be approved.

4. Report

- 4.1 Every local planning authority is under a continuing duty to consider whether it should designate new conservation areas, or extend existing ones [ss.69(1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990]. A rolling programme of reviews of all 25 of the Leicester's existing conservation areas is being undertaken by officers in the Conservation & Nature Team to comply with this duty.
- 4.2 Of the 19 character appraisals and boundary reviews that have been completed since 2000, seven have included boundary extensions. Of these, five Character Appraisals and boundary revisions were approved by Cabinet between 2000 and 2007. Since May last year, authority to approve Character Appraisals has been delegated to Service Director level, in consultation with the Cabinet Lead for Regeneration & Planning. However, boundary extensions have to have a proper legal basis and must therefore be approved formally by Cabinet.
- 4.3 The new boundaries of the Market Place and Aylestone Village Conservation Areas are shown on Maps 1 and 2 attached to this report. The justification of the boundary extensions is as follows:-

- Market Place: The original designation plan for the Market Place Conservation Area has been lost and the boundary that is currently shown on the Council's website and mapping systems cuts through several buildings at the corners of Victoria Parade. For the avoidance of doubt I feel that the boundary should be formally re-made to include the whole of these buildings, rather than just parts as appears to be the case at the moment.
- Aylestone Village: the extension includes the green space at Marsden Lane/Sanvey Lane, the shops, offices and houses on Church Road and Aylestone Road as well as the Meadow Court Care Home on Old Church Street. The Church Road houses were included by the Council in the draft conservation area appraisal and were not challenged by local people or owners during the consultation period; the Aylestone Road shops, offices and houses have been included at the suggestion of local people. The care home has been included because it will be surrounded by the enlarged conservation area and to exclude it would not be logical.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Financial Implications

- 5.1.1 There are no significant financial implications arising from this report.

M Judson, Head of Finance, ext 29 7390

5.2 Legal Implications

- 5.2.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the City Council as local planning authority to review the past exercise of their functions under s.69 from time to time to determine whether any parts or further parts of its area should be designated as conservation areas. If it so determines, the Council 'shall designate those parts accordingly'.
- 5.2.2 In preparing this report the Service Director has also considered government guidance contained in PPG15 and Circular 01/2001.
- 5.2.3 Designation of, and extensions to, conservation areas, require formal Cabinet approval to comply with relevant guidance and statutory provisions.

A Cross, Head of Litigation, ext 29 6362

6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References within the report
Equal Opportunities	No	
Policy	Yes	City of Leicester Local Plan 2006, Chapter 9
Sustainable and Environmental	Yes	As above
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	

7. Background Papers – Local Government Act 1972

- City of Leicester Local Plan 2006
- ‘Guidance on Conservation Area Appraisals’ (English Heritage)
- Character Appraisal files for Aylestone Village and Market Place Conservation Areas

8. Consultations

8.1 Consultations were carried out as part of the Character Appraisal review process in both conservation areas. The boundary extension in the Market Place Conservation Area as proposed by the Council was not challenged and the extension to the Aylestone Village Conservation Area originates from local people.

9. Report Author

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive