

1. INTRODUCTION

1.1 Conservation Areas are defined as “areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance “ (Section 69 (1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Appleby Magna Conservation Area was originally designated by the District Council in June 1995. In September 2001 the Conservation Area boundaries were revised by the District Council and the existing designated boundaries of the Area are shown on Map 1.

1.2 This Appraisal/Study document aims to fulfil two key roles. The Appraisal outlines the historical development of the settlement and defines the special interest, character and appearance of the built and natural environment within and surrounding the existing Conservation Area boundaries. The Study identifies future opportunities for the preservation and enhancement of the Area. (The numbers **in bold** in the text refer to an associated plate/photograph).

2. LOCATION, POPULATION AND TOPOGRAPHY OF THE SETTLEMENT

2.1 Appleby Magna is a village of some 1095 people* situated 2.5 km to the south-west of Measham and some 3 km to the west of Snarestone. The village is situated within its own Parish, which also includes Appleby Parva (population 36 people*) to the south-west. The parish lies within a largely agricultural landscape close to Leicestershire's boundaries with Staffordshire, Warwickshire and Derbyshire; the latter within which areas of the village and the parish were situated as detached parts of the county until 1897.

2.2 Appleby Magna occupies a shallow valley created by the brook which flows north-south through the settlement towards its confluence with the River Mease. The principal streets, largely established by the time of Prior's Map of 1777, comprise Church Street, Stoney Lane, Black Horse Hill, Top Street (formerly Over Street) and Mawby's Lane. Duck Lake (formerly The Lakes) runs northwards away from Mawby's Lane alongside the brook to join Stoney Lane. Old End is a short northern continuation of Duck Lake.

2.3 Appleby Magna is less than one kilometre to the south-east of the former crossroads junction of the Nottingham to Tamworth road (former A453; now B5493) and the Burton-Upon-Trent to Coventry road (the A444). With the opening of the A42 in January 1990, the crossroads were replaced with a roundabout (Junction 11).

* Mid -1998 Estimate : Leicestershire County Council

3. ORIGINS AND HISTORICAL DEVELOPMENT OF THE SETTLEMENT

3.1 Appleby Magna had been established by 1002 and by the end of the reign of Henry II (1154-1189), the de Appleby family had built their manor house on the site now occupied by the Moat House off Mawby's Lane (Hoskins, 1950, pp14-16) **(1)**. The location of the Parish Church **(2)** immediately to the west and the remains of former village closes to the east suggest that the land bounded by Church Street, Mawby's Lane and Top Street is the likely core of the early settlement. The south aisle of the Church is directly associated with the de Appleby family, who relinquished control of their lands in the parish with the sale of the manor by George Appleby in 1560 (Hoskins, 1950, pp14-16).

3.2 The northern aisle of the Parish Church is given over to the Moore family who purchased the manor of Appleby Parva in 1599. By the nineteenth century the family, whose residence was Appleby Hall, owned much of the land in the parish. The Moore estate was sold in 1919 and the Hall largely demolished in the 1920s, although within Appleby Magna, the Misses Moores Almshouses (1839) on Mawby's Lane **(3)** and the clock to the parish church (1850) remain as legacies to the family.⁽¹⁾

3.3 Appleby Magna developed with a predominantly agricultural based economy until the second half of the twentieth century. The enclosure of the agricultural lands of the Parish was completed in 1772,⁽²⁾ after which new farmsteads were established within the former open fields. Many farms, however, remained within the village, including Home Farm and Church Farm **(4)**. A brick making industry flourished around the village between the seventeenth and nineteenth centuries.

Plate 1 : The Moat House, Mawby's Lane

Plate 2 : Church of St. Michael, Mawby's Lane/Church Street

Plate 3 : Misses Moores' Almhouses, Nos. 32-40 Mawby's Lane

Plate 4 : Church Farmhouse, No. 22 Church Street

- 3.4 In the twentieth century, there was a decline in agricultural employment and the village increasingly became dormitory in character, particular with the development of areas of new housing after the Second World War. Within the historic core new housing was particularly concentrated in the area between Church Street, Stoney Lane/Black Horse Hill and Mawby's Lane and resulted in the introduction of suburban style cul-de-sac housing layouts; St. Michaels Drive and Hillside. Other new cul-de-sac developments included Wren Close off Church Street and more recently Didcott Way, Moore Close and Garton Close off Top Street. Other areas, such as Old End, witnessed substantial additional development. This new housing development has led to an increasingly compact settlement form.
- 3.5 The dormitory role of the settlement was reinforced in the latter years of the twentieth century with the development of the surrounding strategic road network, particularly the opening of the A42/M42 link in January 1990.

Notes

1. The major legacy of the family is the Sir John Moore School on Top Street (beyond the Conservation Area), built between 1693 and 1697 to the designs of the Leicester architect Sir William Wilson (DoE, 1983, p10). Sir Christopher Wren had prepared earlier designs for the building (Pevsner and Williamson, 1992, p75).
2. The enclosure of the Parish essentially created an agricultural landscape with straight field boundaries. Within this landscape, however, visual evidence of earlier farming methods remains in the form of medieval ridge and furrow ploughing patterns; the field area opposite Overstreet House (No. 42 Top Street) providing such an example.

4. FACTORS CONTRIBUTING POSITIVELY TOWARDS THE CHARACTER OF THE CONSERVATION AREA

Character Statement

- 4.1 The special character of the Conservation Area is derived both from the historic inter-relationship of the Moat House site and the Parish Church and from the grouping of farmhouses, their outbuildings and cottages along the curvatures of Church Street, Top Street and Mawby's Lane. The overall pattern of the pre-enclosure settlement remains largely evident within the Area.
- 4.2 The buildings within the Area are of various periods and reflect the transition from vernacular building traditions to the polite architecture of the late Georgian and Victorian periods. Many properties are two storeys, although the differing heights of buildings along the street frontages ensures that the roofline created is of visual interest **(5)**. Some farmhouses are of two and half/three storeys in height.
- 4.3 There are a number of non-domestic buildings within the Area including St Michael's Church, the village hall **(6)** and the Crown Inn; all along Church Street, and the Black Horse Inn, Taylor's Butchers and the Village Shop/Post Office; all along Mawby's Lane. Other shops formerly existed in the village; the shop window of circa 1850 to the dwelling at No. 17 Church Street belying its former use. A doctors surgery is located adjacent to No. 42 Top Street.
- 4.4 The individual factors considered to make a positive contribution to the character of the Conservation Area are shown on Map 2.

Plate 5 : Properties to the Eastern side of Church Street

Plate 6 : Village Hall (former Primary School), Church Street

Building Materials and Local Details

- 4.5 A number of the earliest secular buildings - fifteenth to seventeenth century in origin - incorporate elements of timber framed construction. The Moat House, the Black Horse Inn and Home Farmhouse (No. 44 Top Street) are visually the most obvious examples. The Moat House has fine close studding (to its rear wing), whilst the Home Farmhouse (in part) and the public house have large square panels with diagonal cross bracing **(7)**. Other properties, however, including Overstreet House (No. 42 Top Street) and the Village Post Office (No. 26 Mawbys Lane) also contain sections of timber framing, largely only visible to their interiors. The panels to timber framed buildings were originally of wattle and daub construction, although this has largely been replaced by brick and/or stone infill. Many panels have a rendered plaster and white colourwash finish.
- 4.6 The exterior of the fourteenth century Parish Church is faced with ashlar. Dressed local stone was used in the construction of the front wing of the Moat House (the former gatehouse to de Appleby manor house) and in the building of Nos. 10-16 Top Street in the seventeenth century **(8)**.
- 4.7 From the seventeenth century, however, until the late nineteenth century, the predominant building material was local brickwork. This brick, which is of a dark red colour was often laid in a Flemish or Suffolk bond in the construction of new buildings; Hill House (No. 1 Top Street) and No. 26 Top Street are both built of local brick laid in a Flemish bond with dark vitreous headers to give a pleasing chequered effect. The dutch gabled side elevation to No. 42 Top Street (Overstreet House) has 'HMS 1692' picked out in vitrified headers.

Plate 7 : Black Horse Inn, Mawby's Lane/Top Street

Plate 8 : Nos. 10-16 Top Street

- 4.8 Characteristic features to brick built structures include plain and dog tooth eaves detailing and raised string coursing. Stone quoins are also evident to some buildings, including No. 1 Top Street and within the terraced group comprising Nos. 12, 14 and 16 Top Street. Some properties incorporate stone or brick plinths, which suggests that the existing brick built properties may have been constructed upon the foundations of earlier timber framed structures.
- 4.9 The original roof covering to timber framed buildings was of locally grown long straw, although thatch remains to only one property - No. 42 Top Street (Overstreet House) **(9)**. Most properties were subsequently re-roofed in the dark clay plain tiles which predominate throughout the Area; the steep pitch of a roof such as that to Rock House (No. 8 Mawby's Lane) belying the fact that the building was formerly thatched **(10)**. The latter part of the nineteenth century witnessed some introduction of Welsh slate as improved transportation reduced its cost. A number of buildings incorporate half hipped roofs and many incorporate bold chimney stacks placed centrally to ridges, both at gable ends and within the plane of roofs.
- 4.10 The predominant window type to pre-nineteenth century vernacular buildings was the Yorkshire horizontal sliding sash (Figure 1), although there are surviving examples of early opening casements. In the late eighteenth/nineteenth century, vertical sliding sashes of various designs (Figure 2) were often installed to new properties of any architectural pretension, set recessed within openings typically having stone sills and lintels. The finish to timber window units is largely of a white or off-white paint.

Plate 9 : Overstreet House, No. 42 Top Street

Plate 10 : Rock House, No. 8 Mawby's Lane

4.11 Many window openings (and some door openings) to brick built properties have shallow segmental brick arches above **(11)**. There are stone mullions to window openings within the group of seventeenth century built properties at Nos. 12, 14 and 16 Top Street. The timber doors to many older properties are of a paneled design (Figure 3). This design replaced simple vertically boarded ledged and braced doors (Figure 4), which survive to a small number of properties.

4.12 Black cast iron rainwater goods are prevalent to pre-Second World War built properties throughout the Area.

Plate 11 : Shallow Segmental Brick Arches above Window Openings

Architectural and Historic Quality of Listed and Unlisted Buildings

- 4.13 There are a number of buildings in the Area which are included on the list of buildings of special architectural or historic interest (Appendix A). The Parish Church of St Michael's and The Moat House are listed at Grade II* as being buildings of particular importance.
- 4.14 The Parish Church has a west tower and a nave of five bays with identical north and south aisles. The interior was largely restored in circa 1830 and contains contemporary box pews and west gallery (Pevsner and Williamson, 1992, p73).
- 4.15 The Moat House comprises three distinct phases of development. The front wing incorporates the remains of the two storey fifteenth century stone built gatehouse to the former de Appleby manor house. The two storey rear wing of timber framed construction is of a sixteenth century date and is connected to the former gate house by a brick built nineteenth century link.
- 4.16 The remaining buildings are listed at Grade II as being of special interest and include a sixteenth/seventeenth century dovecote to the west of the Moat House, the Black Horse Inn and the Moore's Almshouses (Nos. 32 - 40 Mawby's Lane). Eastgate House (26 Top Street) of 1720 **(12)**, which has a deep space between the second storey and the eaves to accommodate the attics, is a typical development in this area which led to the Midland three-storey farmhouse (Pevsner and Williamson, 1992, p75). The twentieth century is represented by the Type K6 telephone kiosks (a 1935 design by Giles Gilbert Scott) on the eastern side of Top Street and on the western side of Church Street **(13)**.

Plate 12 : Eastgate House, 26 Top Street

Plate 13 : Type K6 Telephone Kiosk, Church Street (west side)

4.17 There are also a number of unlisted buildings and structures of some architectural or historic merit which are considered to make a positive contribution to the streetscape of the Conservation Area (Appendix B). Many of these buildings are in the polite architectural style of the nineteenth century, including the (formerly) uniform rows of artisan housing on the eastern side of Church Street; Nos. 39-43 and Nos. 45-51 **(14)** and the former village primary school (now Village Hall). The Crown Inn at No. 23 Church Street was in existence by 1857.

Plate 14 : Nos. 39-43 and Nos. 45-51 Church Street

Boundary Treatments and Ground Surfaces

- 4.18 Many buildings along the eastern side of Church Street and the western side of Top Street are situated up to the back edge of the highway and thus boundary treatments are not a feature to these properties.
- 4.19 Fine boundary treatments do, however, exist in parts of the Area. These include the nineteenth stone retaining wall (with stone copings) to the Church Street and Mawby's Lane frontages of St. Michael's churchyard. The churchyard enclosures along with the coped stone boundary wall to the Mawby's Lane frontage of the Missses Moores' Almshouses are of particular group value **(15)**. These walls, along with the seventeenth/eighteenth century rusticated stone gate piers to the Church Street frontage of St. Michael's Church are listed at Grade II.
- 4.20 Other fine boundary treatments include the brick built boundary walls to the Church Street frontage of the Village Hall (formerly the primary school) and to the frontage of Hill House (No. 1 Top Street).
- 4.21 Within the Area, roads are largely of grey tarmacadam. Pathways, also of grey tarmacadam, often run along only one side of a highway and thus grass verges are a feature of the western side of Church Street and the eastern side of Top Street. Mawby's Lane has no footpath for part of its length **(16)**.
- 4.22 There is evidence of earlier surface treatments at the Moat House where a cobbled yard stretches beneath the property (Pevsner and Williamson, 1992, p74).

**Plate 15 : Boundary Walls to Churchyard and Moore's Almshouses along
Mawby's Lane**

Plate 16 : Grass verges along Mawby's Lane

The Archaeological Significance and Potential of the Area

4.23 The area around the Moat House is designated a Scheduled Ancient Monument.

The designation encompasses the following features :-

- the square moat, approx. 60 m in width x 60 m in depth, which surrounds the present Moat House. Such moats were largely intended as a status symbol rather than a practical military defence (English Heritage, 1993, p2).
- below ground remains of the medieval manor house within the moated site
- a dry hollowed out horseshoe shaped area to the west of the moated site that would have been dammed to provide a head of water for a watermill situated on the platform now occupied by the Post Office (No. 26 Mawby's Lane)
- a terrace which formerly had buildings upon it to the west of the moated site
- an area of low rectangular earthworks to the east of the moated site which may indicate the site of a garden, divided into four parts.
- A hollow way apparently a former back lane to this part of the village
- a small paddock called the "bull-ring" containing some traces of possible building foundations with evidence of small-scale quarrying at the edges.

4.24 The site "is an example of a moated site in excellent condition which retains important early buildings (ie : the former Gate House) in tact" (English Heritage, 1993, p2).

4.25 With regard to standing building archaeology, Home Farmhouse (44 Top Street); although superficially of an early nineteenth century date; has an earlier sixteenth/seventeenth century core (DoE, 1983, p15). The interior of the Post Office (26 Mawbys Lane) incorporates surviving elements of timber framing

The Contribution of Green Spaces and Natural Elements

- 4.26 Within the Conservation Area, the Local Plan identifies two sites as Sensitive Areas of Open Space (Policy E1), namely; the agricultural land to the south of Church Farmhouse and the area surrounding the Moat House **(17)**. The Local Plan also identifies two Sensitive Areas of Open Space which are adjacent to, but outside the Conservation Area, namely; lands opposite Overstreet Farm, Top Street and to the north of the cemetery on Church Street. The cemetery itself contributes to the open character of the western side of Church Street.
- 4.27 Within the Area there are a group of five mature ash trees covered by a Tree Preservation Order adjacent to the brook within the substantial rear garden area to No. 37a Church Street (The Coach House). Other trees which make a significant contribution to the streetscape include a mature specimen in the grounds of the Misses Moore's Almshouses and a fine group within the churchyard of St. Michael's Church **(18)**. The cemetery contains fine individual mature tree specimens; including a Wellingtonia, a Cedar of Lebanon and numerous yews.
- 4.28 The rear garden areas to properties fronting onto the eastern side of Church Street and which descend towards the brook, collectively contribute an open appearance to the Area. A similar contribution is made by the lands to the rear of Nos. 24/26 Top Street and that between Garton Close and the brook. Historically, a number of these gardens/paddocks incorporated areas of orchard, and in places fruit trees survive. Mature hedges along Mawby's Lane and Top Street add to the rural character of the Area.

Plate 17 : Open space to west of The Moat House, Mawby's Lane

Plate 18 : Mature group of trees within Churchyard to Parish Church

The Character and Relationship of Spaces Within the Area

- 4.29 The area around the Moat House demonstrates the complex relationships between such a moated site and its associated settlement. The changes in such relationships at the site are demonstrated by the conversion of part of the settlement site and field system into formal garden for the de Appleby manor house in the early post-medieval period (English Heritage, 1993, p2).
- 4.30 St. Michael's Church occupies a raised position within the north-western part of the Area and its tower with recessed spire is a landmark which is visible from many parts of the Area **(19)**. Views of the tower are often framed between buildings **(20 & 21)**. Public footpaths provide linkages between different parts of the Area and into the surrounding countryside.

Plate 19 : View of Church Tower Eastwards along Mawby's Lane

Plate 20 : View of Church Tower northwards along Church Street

Plate 21 : View of Church Tower between Nos. 18 and 24 Top Street

5. THE EXISTENCE OF NEUTRAL AREAS

5.1 The Conservation Area contains one substantial area of new development constructed following the designation of the Area - that at Garton Close **(22)**. The cul-de-sac development which is accessed off Top Street contains houses which incorporate elements of architectural detailing which generally reflect the character of established properties within the Area. Overall the development represents a good example of new development assimilated within an historic environment, although the use of pvcU window units, some in a mock 'vertical sliding sash style' does to some extent undermine the scheme. This is particular the case with the dwellings fronting onto Top Street itself.

Plate 22 : Late Twentieth Century Development on Garton Close

6. FACTORS HAVING A NEGATIVE IMPACT ON THE CHARACTER OF THE CONSERVATION AREA

'Wirescape' and Street Furniture

- 6.1 A confusion of supply poles and overhead wires creates visual clutter in the streetscape and this occurs particularly along Mawby's Lane and Top Street **(23)**.
- 6.2 There is no overall cohesive style in street furniture within the Area and this visually detracts from the character of the streetscape. Some elements such as streetlights and litter bins appear of urban rather than rural form and thus impinge on the character of the Area.

Plate 23 : Visual Clutter created by 'Wirescape' at Top Street/Mawby's Lane

Permitted Development Rights

- 6.3 A significant detrimental impact on the Area has occurred as a result of the alterations undertaken to dwellings under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and its predecessors.
- 6.4 Although permitted development rights are generally more restricted in Conservation Areas than other parts of the District, this has not prevented the loss and alteration of features to older residential properties which are not listed. The permitted works have included the removal of traditional timber window and door units and their replacement with modern units of aluminium and pvcU construction **(24)**. Some replacement window units, whether of pvcU, aluminium or even of timber, have also resulted in the introduction of window types such as a mock top hung 'sashes' and picture windows, which do not reflect traditional fenestration details of properties within the Area.
- 6.5 Other works detrimental to the character of the Area include the capping or removal of chimney stacks, the replacement of black cast iron rainwater goods with grey pvcU products and the removal of clay plain tile roof coverings and their replacement with concrete plain or interlocking tiles.
- 6.6 Within the Area, there has been an application of modern cement based render to the facades of a number of buildings. This has to some extent undermined the previously predominant red brick character of properties within the streetscape **(25)**. Where this has occurred within symmetrically built terraces, such as Nos. 39-43 and Nos. 45-51 Church Street it is particularly apparent.

Plate 24 : PvcU window units to dwelling : No. 51 Church Street

Plate 25 : Rendered facades to dwellings along eastern side of Church Street

7. FUTURE OPPORTUNITIES FOR PRESERVATION AND ENHANCEMENT

7.1 The historic environment of the Appleby Magna Conservation Area contributes towards the attractiveness of the village to residents along with its proximity to the strategic road network. The housing market within the village appears buoyant; being reflected in the relatively low number of properties remaining vacant and the pressures for infill development within the settlement. Properties are generally in good repair and the pressures for change on the existing historic built fabric are largely being generated by 'restoration' and 'modernisation' works.

Planning Policies

7.2 The Conservation Area is largely located within the Limits to Development for Appleby Magna as defined in the Local Plan. Within the Area the land around the Moat House and to the south of Church Farm as Areas of Sensitive Open Space are the subject to Policy E1 of the Local Plan which indicates that development will not be permitted on the respective sites which would adversely affect or diminish the present open character of the area and the contribution it makes to the character, form and setting of the settlement, the streetscape generally or the relationship with the adjoining countryside.

7.3 Any proposals for new development in the Conservation Area will be considered against the policies of the Local Plan (Policies E10 and E11) and in this respect it should be emphasised that the omission of any particular feature or space in this Conservation Area Appraisal/Study should not be taken to mean that it is of no interest.

- 7.4 Separate policies in the Local Plan relate to proposals affecting listed buildings (Policies E13, E14, E15 and E16) and to sites of archaeological interest (Policy E19). The Local Plan policies as they relate to the historic environment are outlined in Appendix C.

The Removal of Permitted Development Rights

- 7.5 The effect of alterations to older unlisted residential properties as a result of permitted development rights have been detrimental to the character of the Conservation Area. As a mechanism to increase local planning authority controls on such works, an Article 4(2) Direction under the provisions of the Town and Country (General Permitted Development) Order 1995 allows authorities without any referral to the Secretary of State to withdraw certain categories of permitted development rights in respect of alterations and extensions to residential properties in Conservation Areas.
- 7.6 The District Council has generally not utilised such Directions, but rather has sought to provide advice and education on the use of appropriate materials to properties in such Areas. This is the position the Council has resolved to take with regard to Appleby Magna and in this respect has produced a guidance note for residents of properties within the Conservation Area (available from the Planning and Environment Division). A leaflet is also available from the Division giving advise on re-pointing and pointing works.

Environmental Enhancements and Repairs to Historic Fabric

- 7.7 Where resources become available the Local Authority will endeavour to undertake works on public land to enhance the character of the Conservation Area. Such works could include the repair or replacement of street furniture. The Council will also endeavour where practicable to work with other bodies such as statutory undertakers in relation to encouraging the sensitive siting of services, road signage etc.
- 7.8 With regard to the repair of existing built fabric, the District Council operates a discretionary historic buildings grant scheme which makes available grant aid for private individuals in relation to the repair of listed buildings and unlisted buildings which are considered to contribute positively to the character of a Conservation Area. Full details of the scheme (which has a limited budget) are available from the Planning and Environment Division. A similar scheme is operated by the Heritage and Resources Team in the Environmental Management Department at Leicestershire County Council.
- 7.9 Where any historic buildings become subject to long term vacancy or neglect, the District Council will attempt to work with owners/prospective purchasers to secure the long term future of any building. The District Council does, however, have more formal powers in the form of Urgent Works Notices and Repairs Notices to require that repairs be undertaken to listed buildings and other buildings of architectural or historic merit in Conservation Areas.

**8. APPENDIX A : LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR
HISTORIC INTEREST**

Grade II *

Church of St Michael, Church Street (14th century)
The Moat House, Mawby's Lane (partly medieval/16th century in origin)

Grade II

Gate piers and Retaining Wall to Church Yard at Church of St Michael,
Church Street/Mawby's Lane (17th/18th century)
17 Church Street (c.1800)
Church Farmhouse, 22 Church Street (18th century)
Telephone Kiosk (Type K6), Church Street (1935 design by G.G. Scott)
Moore's Almshouses, 32 - 40 (even) Mawby's Lane (1839)
Wall to Moore's Almshouses, Mawby's Lane (c.1839)
Dovecote at Moat House, Mawby's Lane (16th/17th century)
Telephone Kiosk (Type K6), Top Street (1935 design by G.G. Scott)
Hill House, 1 Top Street (17th century)
Black Horse Inn, Top Street (17th century)
8/12/14/16 Top Street (17th century)
24 Top Street (early 19th century)
Eastgate House, 26 Top Street (1720)
Overstreet House, 42 Top Street (17th century)
Home Farmhouse, Top Street (early 19th with 16th/17th century core)

Source : Department of the Environment, 1983, pp2-14 (as amended)

NB The above list does NOT include all those buildings in the parish which are included in the list of buildings of special architectural or historic interest. The list is correct as at 1 October 2001.

APPENDIX B : UNLISTED BUILDINGS CONSIDERED TO MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OF THE STREETScape IN THE AREA*

Units 1, 2 and 3 Church Farm, Church Street

Village Hall (former Primary School), Church Street

The Crown Inn, 23 Church Street

29 Church Street

31 Church Street

35 Church Street

37 Church Street

Outbuilding to front of No. 37a Church Street

41 Church Street

43 Church Street

45 Church Street

47 Church Street

49 Church Street

2 Mawby's Lane

4 Mawby's Lane

7 Mawby's Lane

8 Mawby's Lane (Rock House)

Post Office, 26 Mawby's Lane

3 Top Street

Outbuilding to south of No. 3 Top Street

10 Top Street

18 Top Street

22 Top Street

34 Top Street

36 Top Street

Outbuilding to south-east of No. 42 Top Street

Outbuilding to south-west of Doctors Surgery, Top Street

The buildings outlined **in bold** are considered to have listed building status by reason of their location within the historic curtilage of a principal listed building

* see pages 39-40 in respect of the Black Horse Hill/Old End area

List prepared in line with the criteria set out in the Appendix to the English Heritage advise note 'Conservation Area Appraisals' (English Heritage, 1997)

UNLISTED BUILDINGS : ASSESSMENT CHECKLIST

In assessing whether or not unlisted buildings make a positive contribution to the special architectural or historic interest of a conservation area, the following questions should be asked:

- Is the building the work of a particular architect of regional or local note?
- Has its qualities of age, style, materials or any other characteristics which reflect those of at least a substantial number of the buildings in the conservation area?
- Does it relate by age, materials or in any other historically significant way to adjacent listed buildings, and contribute positively to their setting?
- Does it, individually or as part of a group, serve as a reminder of the gradual development of the settlement in which it stands, or of an earlier phase of growth?
- Does it have a significant historic association with established features such as the road layout, burgage plots, a town park, or landscape feature?
- Does the building have landmark quality, or contribute to the quality of recognisable spaces?
- Does it reflect the traditional functional character of, or former uses within, the area?
- Has it significant historic associations with local people or past events?
- If a public building, does its function or enclosed public space contribute to the character or appearance of the conservation area?
- If a structure associated with a designed landscape within the conservation area, such as walls, terracing or a minor garden buildings, is it of identifiable importance to the historic design?

In English Heritage's view, any one of these characteristics could provide the basis for considering that a building makes a positive contribution to the special interest of a conservation area, provided that its historic form and qualities have not been seriously eroded by unsympathetic alteration.

Source: English Heritage, 1997, p11.

APPENDIX C : HISTORIC ENVIRONMENT POLICIES OF THE NORTH WEST LEICESTERSHIRE LOCAL PLAN

POLICY E10

Development will not be permitted within Conservation Areas, or where it would affect the setting of such areas, which would:

- (a) Be detrimental to the character or appearance of the Conservation Area in terms of:
 - (i) scale, proportions and massing;
 - (ii) layout, grouping and setting;
 - (iii) detailing and materials of construction.
- (b) Be detrimental to the setting of buildings which contribute positively to the character and appearance of the Conservation Area.
- (c) Result in the loss of open spaces or important views within, into and out of the Conservation Area.
- (d) Result in the loss of particular features which contribute positively to character and appearance of the Conservation Area, including:-
 - (i) Walls and other means of enclosure;
 - (ii) Ground surfaces;
 - (iii) Natural features (such as trees and hedgerows); and
 - (iv) Features of archaeological interest.
- (e) Be detrimental to environmental quality in terms of:-
 - (i) Traffic generation;
 - (ii) Noise and other forms of environmental intrusion.

POLICY E11

Consent for the demolition of buildings which make a positive contribution to the character or appearance of a Conservation Area will not be granted unless:-

- (a) It can be demonstrated that the condition of the building makes it impracticable to repair, renovate or adapt to any reasonably beneficial use for which planning permission would be given; and
- (b) There is clear and convincing evidence that all reasonable efforts have been made to sustain the existing use of the building, or to find a viable and acceptable new use or uses.

In the case of buildings which make little or no contribution to the character and appearance of their conservation area, demolition will not be permitted unless redevelopment of the site or the creation of an open space would make a positive contribution to the character or appearance of the conservation area concerned.

POLICY E12

Replacement or alteration of existing shop fronts within Conservation Areas, or where they would affect the setting of such areas, will only be permitted where:-

- (a) The existing shop front is of insufficient quality to warrant its retention; and
- (b) The replacement or alteration is of a design which is appropriate to the character and appearance of the Conservation Area.

POLICY E13

Consent for the demolition of a listed building will not be granted unless:-

- (a) It can be demonstrated that the condition of the building makes it impracticable to repair, renovate or adapt to any reasonably beneficial use for which planning permission would be granted; and
- (b) There is clear and convincing evidence that all reasonable efforts have been made to sustain the existing use of the building, or to find a viable and acceptable new use or uses.

POLICY E14

Change of use of a Listed Building will only be permitted where no detrimental effect is likely to arise from the proposed use on the character or appearance of the building or its setting.

POLICY E15

Alterations or extensions to Listed Buildings will not be permitted which are detrimental to the special architectural or historic interest of the building or to its character or setting.

POLICY E16

Development will not be permitted which would adversely affect the setting of a Listed Building, in terms of scale, massing, form, siting, design or materials of construction.

POLICY E17

Where a historic byway makes a positive contribution to the character or appearance of the surrounding landscape, development which would significantly diminish that contribution, or otherwise detrimentally affect the setting or amenity value of such byway will not be permitted.

POLICY E18

Development will not be permitted which would adversely affect the character or appearance or setting of historic gardens included in the Register of Parks and Gardens of Special Historic Interest, and identified on the Proposals Map.

POLICY E19

Development will not be permitted which would affect a scheduled ancient monument or other nationally important archaeological site, as shown on the Proposals Map, or subsequently recognised, or its setting or amenity value. Where known sites of county or local significance are affected, planning permission may be granted in terms which would allow preservation in situ, or, where this is impractical, by investigation and recording.

In areas of archaeological potential, planning permission will not be granted without proper evaluation of the archaeological implications of the proposed development.

POLICY E43

Outdoor advertisement consent will be granted where the proposed advertisement respects the interests of amenity and public safety.

In assessing the likely effect of proposed advertisements on such interests, regard will be had to all material factors, and in particular :-

- (a) In the case of amenity, to the general characteristics of the locality, including (where relevant) the presence of any feature of historic, architectural, cultural or similar interest; and
- (b) In the case of public safety, to the effect of the proposal on all aspects of pedestrian or vehicular safety.

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10. BLACK HORSE HILL/OLD END

- 10.1 Black Horse Hill is a narrow sunken lane, which links Old End/Duck Lake/Stoney Lane with Top Street/Mawby's Lane. The lane has steep grass banks towards its south-eastern end which are in part retained by walls of local stone. Old End, which incorporates built development solely on its western side, runs parallel with the stream that flows northwards through the village. The groups of willows on the eastern side of Old End (alongside the stream) are the subject of a Tree Preservation Order and effectively provide the boundary with the adjoining fields. There are no footways along either Black Horse Hill or Old End.
- 10.2 The buildings in the Black Horse Hill/Old End area superficially largely appear to be of a late eighteenth/early nineteenth century date and many are in the local vernacular building tradition. The location of many properties on Old End at right angles to the road suggests that they may be of even earlier origin. Buildings are largely constructed of local red brickwork with blue clay plain tile roofs.
- 10.3 There are no listed buildings in the Black Horse Hill/Old End area, although there are a number of unlisted buildings of some architectural or historic interest. These include Home Leys Farm (No. 24 Black Horse Hill); another of the farmsteads which remained in the village following the enclosure of the agricultural lands of the parish in the latter part of the eighteenth century. At the crossroads junction of Black Horse Hill, Old End, Stoney Lane and Duck Lake, the small single arched bridge over the brook and a pair of brick built cottages at Nos. 28/30 Black Horse Hill comprise a particularly attractive visual grouping.

- 10.4 Other unlisted buildings of some architectural or historic interest are Nos. 11, 13, and 19 Black Horse Hill, No. 23 Black Horse Hill and attached outbuilding and Nos. 11, 15, 17 and 19 Old End.
- 10.5 The crossroads junction of Black Horse Hill, Old End, Stoney Lane and Duck Lake incorporates late twentieth century development which respects the scale and character of surrounding mature properties.
- 10.6 The earlier post war development on the north-eastern side of Black Horse Hill (between No. 12 and Bramble Cottage) was, however, less sympathetic. The properties with their 'suburban' appearance and substantial front garden areas, have little regard to the siting, design and character of established properties in the village.
- 10.7 Another factor detracting from the character of the streetscape is the number of mature unlisted dwellings in the Black Horse Hill/Old End area which have in the past; as was the case with many of the unlisted properties in the Conservation Area; been the subject of unsympathetic alterations to their built fabric. Prominent amongst these works have been the removal of traditional window units and their replacement with pvcU units and the rendering of facades.