

OPEN

## **Environment and Communities Committee**

**11<sup>th</sup> March 2024**

### **Conservation Area Appraisals and Management Plans**

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**Report of: Peter Skates, Interim Executive Director of Place**

**Report Reference No: EC/36/23-24**

**Ward(s) Affected: Legh Road, Gawsworth, Holmes Chapel, Bollin Hill Wilmslow**

#### **Purpose of Report**

- 1 This report seeks approval to adopt Conservation Area Appraisals and Management Plans for Legh Road Knutsford, Holmes Chapel, Gawsworth and Bollin Hill Wilmslow, following a four-week public consultation.

#### **Executive Summary**

- 2 This report seeks approval to adopt Conservation Area Appraisals and Management Plans for Legh Road Knutsford, Holmes Chapel, Gawsworth and Bollin Hill Wilmslow. These areas are part of a three-year work programme to review the Council's Conservation Areas and have been supported and commissioned by each of the respective Parish and Town Councils.
- 3 Cheshire East Council's Corporate Plan sets out three aims. These are to be an open and enabling organisation, a Council that empowers and cares about people, and to create thriving and sustainable places. In striving to create thriving and sustainable places, a key objective is to protect the historic environment and appropriately control development to protect and support our borough. As such, these Conservation Area Appraisals and Management Plans sets out guidance on how planning decisions can contribute to these aims.
- 4 The Conservation Area Appraisals add detailed guidance on how the policies of the Local Plan Strategy (LPS) and the Site Allocations and

Development Policies Document (SADPD) should be applied to manage change in the Conservation Areas. Each conservation area has a management plan to assist in future management of the area and provides guidance and support for applicants and homeowners in decision making regarding their property or land.

### **RECOMMENDATIONS**

The Environment and Communities Committee is recommended to:

- 1) Consider the feedback from the public consultation (Appendix E).
- 2) Approve the Legh Road Conservation Area Appraisal (including a boundary review) and Management Plan (Appendix A) for adoption.
- 3) Approve the Holmes Chapel Conservation Area Appraisal and Management Plan (Appendix B) for adoption.
- 4) Approve the Gawsworth Conservation Area Appraisal and Management Plan (Appendix C) for adoption.
- 5) Approve the Bollin Hill Wilmslow Conservation Area Appraisal and Management Plan (Appendix D) for adoption.

### **Background**

- 5 The Conservation Area reviews have been undertaken by consultants on behalf of Town or Parish Councils in the relevant area. The documents have then been reviewed by the Council's Conservation Officers to ensure policy compliance and deliverability and made into Cheshire East branded documents.
- 6 The Appraisal and Management plans for each area have been subject to a public consultation and full consideration has been given to the feedback of the proposed changes to each of the four conservation areas and their communities. The final drafts have been amended where required to take account of the feedback received. The documents are now ready to be considered for adoption.
- 7 Once adopted, the Conservation Area Appraisals and Management Plans will provide additional planning policy guidance, primarily related to the implementation of Local Plan Strategy policy SE7 "Heritage" and SE1 "Design". Policies within the SADPD also provide detailed requirements that applicants must satisfy in order to gain planning consent, most relevant are policies HER1-HER 8. The Conservation Area Appraisals once adopted, will be a material consideration in

decision making and support the delivery of key policies in the Development Plan.

## **Consultation and Engagement**

- 8 The Planning (Conservation Areas and Listed Building) Act 1990 does not contain a statutory requirement for consultation on conservation areas. However, Historic England's best practice guidance advocates wider community consultation as part of the review process.
- 9 The public consultation on the four Conservation Area Appraisals took place between the 5<sup>th</sup> June – 3<sup>rd</sup> July 2023. Homeowners and business within the conservation area boundary (and proposed) were sent letters informing them of the consultation period and where the documents could be viewed. The consultation was advertised in the local newspaper, on the Cheshire East website and social media platforms where available. There was also the opportunity to have a telephone call with a conservation officer to discuss any issues.

### **Legh Road**

- 10 There were 37 responses from the Legh Road consultation, 25 objections, 3 neutral responses and 9 in support. Themes coming out of the consultation largely centred around three points, these were: objection to removal / boundary amendment of the conservation area; removal of property security signage; issues relating to damage to the grass verges. Each consultation has been considered and, notwithstanding the level of public support for the retention of the areas identified for removal, for the reasons set out in Appendix A it is proposed to retain these areas within the Conservation Area.
- 11 The wording within the appraisal regarding the grass verges and security signage has been altered to reflect the general concerns raised by residents and to reflect the balance between protecting property and ensuring the conservation area significance is protected. The boundary of the conservation area will not be altered.
- 12 A few minor amendments have also been carried out in response to the feedback regarding minor errors.

### **Gawsworth**

- 13 The Gawsworth consultation received two responses, one neutral and one in support. A minor change has been made to the appraisal because of the feedback. A proposal to amend the boundary will be supported and adopted resulting in the very northern section of Church Lane forming the amended boundary, where it was considered the tree

lined avenue terminates and becomes typical tree cover found elsewhere in Gawsorth Village.

### **Bollin Hill**

- 14 Bollin Hill, Wilmslow, received one response; minor changes have been made to the document.

### **Holmes Chapel**

- 15 Holmes Chapel received two responses; minor changes have been made to the document.
- 16 Local Ward Councillors were informed of the consultation and of the intention to proceed to adoption following minor amendments. Where there is a proposed boundary alteration to a conservation area, formal notification must be provided to the London Gazette and to the land charges team in the Council upon adoption of the amendments. The documents will be made available on the heritage section within the Council's website.

## **Reasons for Recommendations**

- 17 Within the Cheshire East Local Plan there are policies set out for the protection of the Borough's designated heritage assets. However, these are not area specific. Conservation Area Appraisals and Management Plans are a recognised way of putting in place additional planning guidance, providing a more detailed level of understanding and protection for heritage, and are a material consideration in determining planning applications. They should assist applicants when making relevant planning applications, and the Council in determining them.

## **Other Options Considered**

- 18 The Council could choose not to adopt the Conservation Area Appraisals or Management Plans. Any relevant planning application would continue to be assessed against existing planning policies. However, this would not allow the Council to provide additional practical guidance on specific heritage matters or give clarity to the approach that should be employed by all parties in a consistent way that gives certainty to applicants and decision makers whilst protecting the heritage of the borough.

## **Implications and Comments**

### *Monitoring Officer/Legal*

- 19 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the Council to determine which

parts of their area are areas of special architectural or historic interest, and the character or appearance of those areas which it is desirable to preserve or enhance. Those areas should be designated conservation areas.

- 20 Section 70 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local authority to notify the Secretary of State for Digital, Culture, Media and Sport and Historic England of the designation. Also, to advertise the designation both in the London Gazette and a local newspaper.
- 21 The designation must be based on an up-to-date, available evidence base to demonstrate the area's need for additional protection (the character appraisal and extension).
- 22 The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which Conservation Area Reviews should be prepared.

#### *Section 151 Officer/Finance*

- 23 There will be minor administrative costs associated with the adoption of the four appraisals, this will include notification to residents within the conservation area where a boundary extension or alteration is proposed, and the cost of paying for advertisements to be placed in the local newspapers advising of the formal adoption and notification within the London Gazette. These costs will be met within the Planning Service budget.
- 24 The Appraisals written by consultants have been funded by the relevant Town / Parish Council with no impact on the Council's budgets.

#### *Policy*

- 25 The Conservation Area Appraisals will provide additional guidance to assist applicants and decision makers on how to apply relevant policies of the development plan.
- 26 Each of the parishes have a neighbourhood plan in place and each of the Conservation Area Appraisals have been reviewed to ensure consistency with the relevant neighbourhood plan.

#### *Equality, Diversity and Inclusion*

- 27 The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it; foster good relations

between persons who share a “relevant protected characteristic” and persons who do not share it.

- 28 The approach to the public consultation has been considered and has provided opportunities for all within each of the communities to engage and provide an input. There are no Equalities implications for the adoption of the CAA.

#### *Human Resources*

- 29 There are no implications for human resources.

#### *Risk Management*

- 30 The adoption of planning documents can be subject to judicial review. The risk is mitigated by following the process for the preparation of a Conservation Area Appraisal and boundary review, which is governed by legislative provisions (as set out in the legal section of the report).
- 31 The preparation of appraisals and management plans can assist planning application decision-making. They need to be carried out in line with relevant statutory requirements. Public consultation is recommended as a matter of good practice, and this will assist in enabling material weight to be given to the documents in decision making.

#### *Rural Communities*

- 32 Conservation area appraisals and management plans can cover rural and non-rural communities. At Gawsworth the proposed extension to the conservation area covers peripheral more rural areas. Where this is applicable, the area will benefit greatly from the progression of the plans to provide an up-to-date assessment of the heritage in the area and how this is to be positively managed, preserving the character of the rural area.

#### *Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

- 33 There are no immediate implications for children and young people resulting from this report’s recommendations, however, the progression and approval of the conservation area plans has the potential to provide wellbeing benefits to children and young people through long-term heritage, conservation and environmental benefits in the local area.
- 34 *Public Health*

- 35 Whilst there are no direct implications for public health arising from the review of these conservation areas, in a general way the preservation of valued characteristics in an area can contribute to the area's overall quality and the well-being of residents and visitors.

*Climate Change*

- 36 Whilst the conservation area reviews do not have any direct climate change implications, guidance is available in regard to the maintenance of historic buildings which contributes to making buildings more energy efficient, and guidance is also available in regard to ensuring new building within a conservation area is of a high standard and in keeping with Government guidance on sustainability.

<b>Access to Information</b>	
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Appendices:	Appendix A: Legh Road Knutsford Appraisal and Management Plan  Appendix B: Holmes Chapel Conservation Area Appraisal and Management Plan  Appendix C: Gawsworth Conservation Area Appraisal and Management Plan  Appendix D: Bollin Hill Wilmslow Appraisal and Management Plan  Appendix E: Consultation responses
Background Papers:	N/A