

# Bollington Cross and Lowerhouse Conservation Area

Management Plan

April 2020

Working for a **brighter future**  together



# Bollington Cross and Lowerhouse Conservation Area Management Plan

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## 1. Introduction to the Management Plan

- 1.1 The aim of this management plan is to complement existing national and local policies by providing further advice on the management of the Bollington Cross and Lowerhouse Conservation Area. The Conservation Area Appraisal and Management Plan form part of the evidence base for planning matters relating to the historic environment within the Borough. The Bollington Cross and Lowerhouse Conservation Area Management Plan has been prepared in accordance with the Historic England documents *Conservation Area Designation, Appraisal and Management* published in 2016.
- 1.2 The purpose of the Management Plan is to set out management actions to ensure that the character and appearance of the Bollington Cross and Lowerhouse Conservation Area is preserved and enhanced, and assist in interpreting the Local Plan Strategy – in particular Core Strategy Policy SE7 Historic Environment, SE1 Design, SE4 Landscape and SE5 Trees, Hedgerows and Woodland.
- 1.3 The Management Plan has been developed from, and should be considered in conjunction with, the Bollington Cross and Lowerhouse Conservation Area Appraisal. An appraisal assists local authorities by providing an analysis of the significance of the area, by identifying opportunities for beneficial change, or for the need for additional protection and restraint. The role of the Management Plan is to address those threats to the character identified in the appraisal by setting out recommendations, opportunities and actions.
- 1.4 Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 places on local planning authorities the duty to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts. The character and appearance of conservation areas can change through incremental stages or quite suddenly. Regular appraisals help to identify threats and opportunities which can be developed into a management plan.

## 2. Statutory Controls

2.1 Designation as a conservation area brings with it a degree of additional statutory protection under planning legislation, the main consequences of which are as follows:

- I. The extent of 'permitted' development is reduced, such as cladding, extensions to the side of the original dwelling or the installation of satellite dishes visible from the public highway.
- II. Further control measures such as 'Article 4 directions' may be placed upon an area (the introduction of such controls is the subject of consultation with owners to establish their need and support). These may be served to protect windows, doors, boundary walls and posts etc.
- III. Any works to prune or fell any protected tree requires the written consent of Cheshire East Council. In the case of all other trees over 75mm in trunk diameter measured at 1.5m above ground level, six weeks written notice is required to allow consideration for protection. Should a tree be felled, a replacement is usually required.
- IV. Stricter rules apply in conservation areas with regard to the type and size of advertisements that can be erected without advertisement consent
- V. The desirability of preserving or enhancing a conservation area is a material consideration in determining a planning application.

2.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 also provides specific protection for listed buildings (Section 54) and areas of special architectural interest (Section 76) by affording Local Planning Authorities powers to take action in the following circumstances:

### Urgent Works

2.3 Where a historic building has deteriorated to the extent that its preservation may be at risk, the Act enables the Local Planning Authority (or Historic England) to carry out urgent works for the preservation of listed buildings following notice to the owner. These powers can be used in respect of unoccupied parts of listed buildings or unlisted buildings in conservation areas (in the case of the latter, only with the agreement of the Secretary of State, advised by Historic England). The powers are confined to urgent works, such as emergency repairs for example to keep the building wind and water tight and safe from collapse. The Local Planning Authority may recover the cost of such works from the owner.<sup>1</sup>

### Repairs Notice

2.4 If the Local Planning Authority (or Historic England) considers that a listed building is not being properly preserved it may serve a Repairs Notice on the owner. This notice specifies the works, which the authority considers reasonably necessary for the proper preservation of the building and can only be served on statutorily listed buildings.<sup>2</sup>

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<sup>1</sup> Planning (Listed Buildings & Conservation Areas) Act 1990, section 54.

<sup>2</sup> Planning (Listed Buildings & Conservation Areas) Act 1990, sections 47 and 48.

### **Building Preservation Notice**

2.5 A Building Preservation Notice is a form of temporary listing served on the owner of a building which is not listed, but which the Local Planning Authority considers is of special architectural or historic interest and is in danger of demolition or alteration in such a way as to affect its character as a building of such interest. A BPN provides protection to a building in that, for a period of six months after service of the BPN, it is subject to the same rules as if it were in fact listed, allowing time for a formal assessment to be carried out.<sup>3</sup>

### **Section 215 Notice**

2.6 Local Authorities have the power to serve a Section 215 Notice on the owner (or occupier) of any land or building whose condition is adversely affecting the amenity of the area, particularly a conservation area. This Notice requires the person responsible to clean up the site or building, or the authority may carry out the work and reclaim the cost.<sup>4</sup>

### **Compulsory Purchase Orders**

2.6 The Planning Act 1990 affords Local Planning Authorities the power to serve Compulsory Purchase Notices, with the authorisation from the Secretary of State, on land or buildings that are required to secure development, re-development or improvement.<sup>5</sup>

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<sup>3</sup> Planning (Listed Buildings & Conservation Areas) Act 1990, section 3.

<sup>4</sup> Town & Country Planning Act 1990, section 215.

<sup>5</sup> Planning (Listed Buildings & Conservation Areas) Act 1990, section 226.

## **3. Identification and Protection**

### **3.1 Introduction**

3.1.1 Identification and protection are the first steps in managing conservation areas. To better identify and protect the heritage in the Bollington Cross and Lowerhouse Conservation Area, context, issues and actions are considered including: protecting listed buildings; identifying and protecting individual buildings with special local significance; reviewing the boundary of the conservation area; preparing development briefs for significant sites with development potential and controls over demolition.

### **3.2 Listed Buildings**

#### **Context**

3.2.1 The Conservation Area Appraisal recognises the important contribution the listed buildings within the Conservation Area make to the special character and appearance of the Conservation Area. There are 17 listed buildings within the Conservation Area:

- The Corner Shop, 1 Moss Brow
- 9 Moss Brow
- 11 Moss Brow
- 6 Moss Brow (Moss Cottage)
- 10 & 12 Bollington Road (including railings)
- 2 & 4 Bollington Road (Heywoods)
- Orchard House, 7 Bollington Road
- Church of St. Oswald's, Bollington Road
- Barley Grange, 9 Bollington Road
- Cock and Pheasant Inn, 15 Bollington Road
- 50 & 52 Bollington Road
- Heath House, 101 Bollington Road (now Bollin Cross Court)
- Stables at 101 Bollington Road
- Turner Heath 103 Bollington Road
- Lowerhouse Mill, Albert Road
- Lowerhouse Mill Cottage/The Mews, Albert Road

#### **Issue/ Threat**

3.2.2 Inappropriate works to a listed building or its setting could damage the special character of the conservation area.

### Objective 1: Listed Buildings

When considering proposals involving listed buildings or affecting their settings the Local Authority will:

- Determine applications in the context of Policies BE 15, 16, and 18 of the Macclesfield Local Plan Strategy ,policies SE1 and SE7 of the Local Plan Strategy and government guidance contained within the National Planning Policy Framework;
- Continue to provide advice and seek to work with owners to develop a pro-active strategy for maintenance and repair works.
- Maintain an update Buildings at Risk strategy

## 3.4 The Cheshire East Local List of Historic Buildings.

### Context

3.4.1 Buildings which are not of national significance do not merit statutory listing. However, buildings which are valued for their contribution to the local scene, or for local historical associations, may be included on lists of *locally important buildings*, or the *Local Heritage List*. Under the NPPF these are considered to be non-designated heritage assets. Historic England encourages the use of local designation to provide communities with the opportunity to identify and manage those aspects of their heritage that are important to them.<sup>6</sup> Local planning authorities should ensure that local plans set out a positive, proactive strategy for the conservation of the historic environment in their area. Cheshire East Local Plan Strategy SE7 3(b) refers to "Non-designated Assets" but not explicitly to a Local Heritage List.

3.4.2 A Local List was published and adopted on 14th November 2010, stating: 'inclusion in this list, however, does not afford any additional statutory protection or grant aid, but it is intended that every effort will be made to conserve those buildings and structures contained within it in order to benefit the Borough as a whole. This will be achieved by persuasion and the careful consideration of development proposals as they arise.'

### Issue/ Threat

3.4.3 Cheshire East Local Authority's Local List currently only includes one structure in Bollington Cross, the Greg Fountain on Bollington Road. In collaboration with the Bollington Cross Neighbourhood Plan Heritage and Conservation Group, the conservation area appraisal identifies a number of unlisted buildings which make a positive contribution to the character of the conservation area, many of which appear

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<sup>6</sup> Historic England, *Local Heritage Listing, Historic England Advice Note 7* (London: Historic England, 2016) 6.

to meet the criteria for selection for a local heritage list.<sup>7</sup> An initial list of nominations for a future Local List is identified in the Appraisal.

### Objective 2: Local Heritage List

The Local Authority will recognise the contribution of buildings of special local architectural or historic interest in the Conservation Area and will:

- consider the proposals in the Conservation Appraisal for inclusion in the Cheshire East Local List
- consider additions to the Local List in the future;
- apply Policy SE7 3b to protect buildings on the local list from demolition and inappropriate change.

## 3.5 Review of the Boundary

### Context

3.5.1 Section 69(2) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to carry out reviews ‘from time to time’ but there is no indication in law how often this might mean. Good practice is generally accepted to be every 5 years.<sup>8</sup> Guidance suggests reviews should take place where there is pressure for change, and where the original designation took place many years ago.

3.5.2 The following should be considered on boundary review: the boundary should be coherent and, wherever possible, follow features on the ground, the boundary should not be drawn too tightly, so excluding integral parts on the periphery; the boundary should ensure the setting is adequately protected, including landscape features such as open spaces or roads (in such cases, the test should be whether the wider area justifies the controls that conservation areas bring); the boundary should ensure all relevant legislation is used, including that in relation to trees; and the boundary should consider more recent architecture and history which might now be regarded as having special interest.

3.5.2 The Local Authority should follow the same publicity procedures to vary or cancel a designation as they do to designate: a committee decision, an advertisement in a local newspaper and the *London Gazette*, and other statutory notifications. Good practice suggests a proactive approach to consultation which involves the community at an early stage as well as following formal procedures.

### Issue/ Threat

3.5.3 The Bollington Cross Conservation Area was designated in 1993 and the boundary had not been reviewed until the inclusion of the Lowerhouse area came under

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<sup>7</sup> Historic England, *Local Heritage Listing, Historic England Advice Note 7* (London: Historic England, 2016) 9.

<sup>8</sup> Planning (Listed Buildings & Conservation Areas) Act 1990, section 69(1)(a).

discussion during the development of the Neighbourhood Plan. The Conservation Area Appraisal considered that the boundary of the conservation area should be extended in several areas, including Lowerhouse, to protect the setting, protect integral parts of the periphery and to provide a coherent boundary.

3.5.4 The Appraisal proposed that the Conservation Area boundary be extended to include:

- the houses off Moss Brow not currently included, namely 9-15 on the east and 2-8 on the west of Moss Brow;
- the new school building of Bollington Cross School and its associated playing field at the rear of St. Oswald's Church, as well as the new annex and car park to St. Oswald's and the immediate land to the rear of the church, the car park and at the rear of Barley Grange, which was part of its garden and contains a number of mature trees;
- Hall Hill (the area north of Henshall Road to the boundary of Dean Valley School field and west to Moss Brow) and Moss Brow, including its hedgerows, and the area and buildings of the original Lowerhouse Mill and associated community, including the allotments. Specifically Lowerhouse Mill and reservoir, houses and their associated plots west of the Fire Station and Dean Valley School on both sides of Albert Road, all houses and plots on Moss Brow, Moss Land, Ridley Road and Woodlea Drive and the three small commercial buildings on the west side of Albert Road opposite the northwest corner of the mill site;
- the Car Park to the rear of the Cock and Pheasant;
- the west side of Bollington Road south as far as 103, bringing Turner Heath, Heath House and the Stables and Coach House into the Conservation Area, as well as the traditional cottages, such as No 75 and terraces which forms most of the housing on the west side of the road and constituted part of the early development of the settlement. On the east side of the road the proposed boundary would include the front boundary of the properties, many of which have traditional stone walls, and include the triangular open space with the Millennium Bollington Cross.
- the houses and plots (front and rear) on the south side of Bollington Road/Henshall Road between Henshaws (2-4 Bollington Road) and Nursery Road, and 18-38 Bollington Road.

### **Objective 3: Review of the Boundary**

The Local Authority will:

- seek to review the boundary periodically, using relevant guidance and revise the boundary as soon as possible after review;
- seek to include early informal community consultation as well as the formal consultation procedures when reviewing the boundary.

## 3.6 Development Briefs

### Context

3.6.1 Historic England guidance suggests local authorities prepare development briefs to demonstrate how policy and guidance apply to specific sites.<sup>9</sup> Development briefs can be a useful tool for improving the quality and the consistency of advice provided to developers, the efficiency of the planning process and the quality of the built environment. Cheshire East utilise supplementary planning policies (SPG) and development briefs, not as part of the statutory development plan, but they may have the status of a material consideration. However Cheshire East's Local Plan Strategy does not explicitly recommend the preparation of development briefs for sites in conservation areas.

### Issue/ Threat

3.6.2 Clear guidance for development of sensitive sites in or within the setting of conservation areas would benefit both developers, by saving money and time on proposals, and the local authority, on time spent reviewing inappropriate proposals. There is one area within the proposed Lowerhouse extension where there are some small commercial buildings opposite the Mill which may be the focus of development at some future time. Additionally the site to the north of Lowerhouse Mill, which is both in the setting of the proposed extension and of the listed Lowerhouse Mill.

#### **Objective 4: Development Briefs**

The Local Authority will

- where relevant in the preparation, consultation, adoption and promotion of development briefs for key sites in Bollington, for new development;
- follow good practice, take account of the conservation area appraisal, concentrating on conservation and design issues

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<sup>9</sup> Historic England, *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1* (London: Historic England, 2016) 8.

## 3.7 Demolition

### Context

- 3.7.1 The NPPF defines the elements of the historic environment that are worthy of consideration in planning matters as 'heritage assets'. Conservation areas are defined as designated heritage assets. The process of designation identifies them as having a level of significance that justifies special protection measures.
- 3.7.2 Harm could be caused to the significance of the conservation area through harmful changes such as demolition of features which makes a positive contribution to the conservation area; paragraphs 193 - 198 of the NPPF<sup>10</sup> are relevant when considering proposals within the conservation area.
- 3.7.3 The NPPF states "Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision."<sup>11</sup>
- 3.7.4 The Local Authority's Policy implies a presumption in favour of retention: SE7 states: The Council will support development proposals that do not cause harm to the significance of heritage assets and seek to minimise conflict by "requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported."
- 3.7.5 Whether a feature of the conservation area positively contributes should be fully assessed using Historic England Guidance Note 1: Conservation Area Appraisal, Designation and Management<sup>12</sup>. All applications for proposals including demolition should be supported by a heritage impact assessment, from a suitably qualified heritage consultant (IHBC accredited or similar), or in the case where more in depth study and recording is required, a qualified archaeologist in line with current guidance.<sup>13</sup> This can then be safe guarded within the Cheshire Historic Environment Record.

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<sup>10</sup> Department for Communities and Local Government, National Planning Policy Framework (London: Department for Communities and Local Government 2019)

<sup>12</sup> <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>

<sup>13</sup> <https://historicengland.org.uk/images-books/publications/understanding-historic-buildings/heag099-understanding-historic-buildings/>

### Objective 5: Control of Demolition within the Conservation Area

In considering applications for planning permission for the demolition of a building proposed for the Local List or a building that makes a positive contribution to the character of the Conservation Area, the Local Authority will:

- ensure the proposal is fully justified and preserves or enhances the features of the conservation which make a positive contribution to its significance.
- ensure the application for demolition has a parallel submission of a full planning application for a replacement scheme;
- determine whether an unlisted building makes a positive contribution to the character and appearance of the conservation area with reference to the Conservation Area Appraisal, the Local Heritage List, and criteria set by Historic England<sup>14</sup>;
- only allow demolition after a contract for a replacement scheme with approval has been let, unless demolition without implementation of a replacement scheme would leave the character and appearance of the conservation area unharmed;
- take into account any evidence that there has been deliberate neglect or damage to the building when deciding if a building is beyond reasonable economic repair;
- not consider a building is beyond reasonable economic repair if the building was acquired at a price which reflected its perceived redevelopment potential rather than its condition or constraints;
- consider a change of use and/or extension rather than demolition.

## 3.8 Restriction on PD rights through Article 4 Directions

### Context

3.8.1 Permitted Development rights refer to a range of minor developments to domestic dwellings. These permitted development rights are slightly more restricted in conservation areas for some types of development, but this does not prevent various alterations to houses being carried out without the need for permission, which might spoil the special interest or local distinctiveness of the area over time.

3.8.2 An Article, thereby to bring certain types of development back under their control so that they may consider potentially harmful proposals and decide whether or not to grant consent. They are normally used to control a proliferation of often minor alterations to buildings, which can cumulatively erode the character of the conservation area over time. They can relate to the entire conservation area or a specified section.

3.8.3 Research has found that the impact on resources due to an increase in planning applications is actually minimal because clear, concise controls, supported by appropriate guidance, encourage like-for-like repair or replacement in matching materials.<sup>15</sup>

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<sup>14</sup> Historic England, *Local Heritage Listing, Historic England Advice Note 7* (London: Historic England, 2016) 9.

<sup>15</sup> RPS Planning, *Planning Research into the use of Article 4 directions on behalf of the English Historic Towns Forum* 2008, paras 3.18-3.19.

**Issue/ Threat**

3.8.4 There are currently no Article 4 Directions in the Bollington Cross and Lowerhouse Conservation Area. There is evidence of cumulative harm to the character of the conservation area from a series of relatively minor alterations which would not have needed planning permission, including altering boundary walls, removing gateposts, painting gateposts, inserting inappropriate skylights, replacing traditional timber sliding sash windows with plastic casements and replacing traditional timber solid doors with plastic or glazed doors.

3.8.5 Examples highlighted within the Appraisal include the replacement of sliding timber sash windows and timber doors with plastic casements and doors on Long Row, as well as some inappropriate rooflights.

3.8.6 The Article 4 Direction would mean certain works to a dwelling house (or within its curtilage) would need planning permission, if the works would front onto a highway, waterway or open space. The types of works affected include:

- enlargement, improvement or alteration to a dwelling house, including re-pointing,
- cladding, and alteration to windows and doors,
- erection or alteration of an outbuilding, enclosure or pool,
- erection of a porch,
- alteration of a roof including rooflights, dormers, or changes to the material,
- erection, alteration or removal of a chimney,
- painting of exterior walls,
- installation or replacement of a satellite dish and associated cabling,
- erection, alteration or removal of gate, fence, wall or other means of enclosure,
- making a hard-standing.

**Objective 6: Removal of PD rights through Article 4 Directions**

The Local Authority will consider

- where relevant, to make an Article 4 Direction to control the impact of permitted development rights on dwelling houses in the conservation area or in specific parts of the Conservation Area;
- offer advice, guidance and encouragement to householders and developers in order to influence the impact of permitted development rights in the interests of preserving or enhancing the character and appearance of the area
- where harmful changes have taken place, Article 4 Direction may assist in creating positive opportunities to reverse that harm with more appropriate materials or development.

## 4. Street, Traffic and Highway Management

### 4.1 Introduction

4.1.1 Traffic management and highways maintenance schemes can have a significant impact on the character of conservation areas. It is important that a corporate approach is adopted and that potential impacts are addressed in the planning stage.

### 4.2 Street and Traffic Management

#### Context

- 4.2.1 The Historic England guidance, *Streets for All: North West* states that, “Traffic calming measures should be fitted sensitively into the street scene as though they were part of the original design of the area. Local highway and planning authorities are encouraged to integrate their activities to minimise the impact of traffic management on the historic environment.”
- 4.2.2 With specific regards to Conservation Areas they advise, “In conservation areas, particular care needs to be exercised. Local authorities have a duty to ensure that new development preserves or enhances the character or appearance of the area and that should include highway works and traffic calming measures. Major schemes in conservation areas should always be referred to Historic England for advice and guidance.”
- 4.2.3 The application of appropriate planning policies will be more effective if the requirements of highway policies can be implemented sensitively rather than routinely. This would allow consideration to be given, where implementation of highway policies would be in conflict with the preservation or enhancement of the area’s character or appearance.

#### Issue/ Threat

- 4.2.4 The volume of traffic along Bollington Road is high, and furthermore, the amount of traffic currently using Moss Brow is identified as an issue in the Character Appraisal. The lack of pavements on this narrow road for much of its length, as well as the high pedestrian usage, including children and parents going to the schools on Albert Road, is a cause for concern.
- 4.2.5 In some areas there is inadequate off-street parking, with the result that grass verges and areas are used and thereby damaged. Some pavements and car park surfaces are cracked or in poor repair. The street signs and markings and the bright yellow bus stops on Bollington Road, particularly in front of the listed Cock and Pheasant Inn, are visually intrusive and add to the street clutter, making a negative impact on the character of the area.

### Objective 7: Street and Traffic Management

- consider the problem of traffic flow in and around the Conservation Area for consideration of available options and, in the long-term, possible alternative routes for traffic;
- consider implementing a traffic management strategy that reduces the amount of traffic within the conservation area;
- seek to improve and increase safe pedestrian access within the Conservation Area by better signage of the pedestrian paths and a solution to Moss Brow;
- consider solutions for off-road parking which preserve the character of the Conservation Area and the proposed extensions, especially the area to the rear of Long Row;
- seek to enhance the condition and appearance of the paths and pedestrian routes;
- seek to ensure that new and existing hard surfaces, road signage and other items of street furniture will preserve the special character of the Conservation Area.
- Advise owners of private roads to ensure that non-adopted roads, streets and paths are maintained and repaired in an appropriate manner to their location.

## 4.3 Highway Works

### Context

4.3.1 The Historic England guidance *Streets for All: North West* contains detailed advice for the management of highway works in conservation areas. Historic England states that treatments of roads within historic areas should reflect their purpose and location. The general principles for highway works in historic areas are:

- Surface treatments should relate to their urban character
- Retain or reinstate setted edges, cobbles and grass verges, taking into account the needs of all users
- Avoid the unnecessary introduction of kerbs in rural areas
- Use surface dressings to reinforce local distinctiveness
- Use road markings sparingly in sensitive areas, consistent with safety standards
- Consult local disability organisations on detailed design

4.3.2 They also state that in many conservation areas inappropriate street furniture can mask the special character of the area. They advise that Local Authorities should:

- Identify and remove superfluous or redundant items
- Reduce new furniture to a minimum by good design
- Locate signs, traffic signals and lighting onto existing street furniture and buildings
- Co-ordinate style, colour and siting of street furniture
- New designs should be simple, elegant and appropriate to context
- Consult local access groups or disability organisations

### **Issue/ Threat**

4.2.3 The Conservation Area Appraisal identified several issues of highway works. The amount of street signage, the bright colour and width of road markings on Bollington Road, as well as the colour and positioning of the bus shelter in front of the listed Cock and Pheasant Inn have a negative impact on important views within the conservation area, and detract from its character. The streetlights on Bollington Road, Moss Brow and elsewhere in the Conservation Area are of an unsympathetic modern design.

### **Objective 8: Highway Works**

Works within the highway should seek to:

- retain and reintroduce historic surfaces including retention of all stone flagged areas, as well as kerbs, stone sets and gullies such as those in front of 25-61 Bollington Road and on Moss Brow;
- consider options for improving the surfaces and off-street parking solutions to the rear of Long Row;
- consolidate and remove, where appropriate, road & information signs & markings, where they are an issue; and remove redundant or unnecessary street furniture
- replace the current bus shelters within the Conservation Area with a more sympathetic design and siting;
- reconsider road markings and use sparingly where essential;
- repaint yellow road markings in a restricted width and subdued colour;
- consider a more appropriate design/siting/height for street lighting including colour/strength/grade of lighting,
- telegraph poles & wirescape consolidation should be encouraged.

## 5. Trees, Open Space and Green Infrastructure Strategy

### 5.1 Introduction

5.1.1 Open spaces in conservation areas may include historic routes, surfaces, furniture, green spaces and trees. Consideration of the open spaces, trees and green infrastructure should be firmly integrated into management of the overall area. Historic England also encourages protection of trees, and addressing biodiversity within conservation areas. The open spaces within Bollington Cross and Lowerhouse Conservation Area and the proposed extensions are not readily categorised as either: park, garden or public realm. The open spaces comprise Hall Hill (Green Belt and in private ownership), the car park of the Cock and Pheasant (private ownership), the small area around the Millennium Cross and the allotments in Lowerhouse (in private ownership and rented out).

### 5.2 Open Spaces

#### Context

5.2.1 The NPPF introduced Local Green Space Designation, a discretionary designation to be made by inclusion in a local development plan or a neighbourhood development plan. Paragraph 77 explains that it is intended for small areas of land which are local in character and close to the community and additionally is demonstrably special. Reasons can include beauty, historic significance, recreational value, tranquillity or richness of wildlife.

5.2.2 East Cheshire Local Strategy SE6 recognises the importance of a good quality, accessible network of green spaces, referring in particular to the River Dane river corridor. Para 2 refers to "Safeguarding green infrastructure assets to make sure that development does not compromise their integrity or potential value."

#### Issues/Threat

5.2.3 Part of Bollington Cross and Lowerhouse special character is that it is almost completely surrounded by Green Belt, as well as having areas of Green Belt within it. The most important space and one which creates a green space between the settlements of Bollington Cross and Bollington is Hall Hill (private land). The area is not all of the same character; this land is open, while the section from Henshall Road looking up is more overgrown.

5.2.4 The allotments in Lowerhouse are part of the historic special interest of the community. In the past they were surrounded by iron railings whereas now views into the area are restricted by hedges and buildings.

### Objective 9: Open Spaces

- work with owners and users to identify any problems with the open spaces and how they might be enhanced for the benefit of all and for the character of the Conservation Area.
- devise a maintenance strategy for the open spaces and paths within the Conservation Area.
- Ensure that owners of land are engaged in this process

## 5.3 Trees and Landscaping

### Context

- 5.3.1 Section 211 of the Town and Country Planning Act 1990, as amended, requires that anyone proposing to cut down, top or lop a tree in a conservation area must give six weeks' notice to the local planning authority. The purpose of this requirement is to give the authority and opportunity to make a tree preservation order.
- 5.3.2 Legislation gives powers over trees in conservation areas – essentially, anyone proposing to cut down, top or lop any tree has to give notice to the local authority, which can then decide whether to make a tree preservation order (TPO) based on its contribution to the area.
- 5.3.3 Cheshire East Local Strategy Policy SE5 protects trees, hedgerows and woodlands and where development is concerned, "the sustainable management of trees, woodland and hedgerows including provision of new planting within the infrastructure of new development proposals to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity".
- 5.3.4 For any planning application in the area involving development which may affect trees, it will be necessary for the applicant to provide a detailed Arboricultural Assessment, together with a specification of any proposed work to the trees. The application should be specific with regards to external and landscaping works, including levels, hard surface construction, and service trenches.
- 5.3.4 In addition, protection of trees shown as being retained will be required during construction. A scheme showing how this will be achieved will need to be submitted and agreed by the Local Authority before work starts, and adhered to throughout the construction works. Trees and the area underneath them will need to be securely fenced, to protect them during the use of machinery or other vehicles and stock piling of soil or materials.

### Issue/ Threat

- 5.3.5 The number and diversity of mature trees is important to the character of Bollington Cross and Lowerhouse Conservation Area. Many are protected through individual

and group TPOs, including all trees on Hall Hill. Most are in gardens, along field boundaries or on private land. These trees provide an important screen and reinforcement of historic boundaries. In some circumstances the future of these trees may be threatened.

#### **Objective 10: Trees and Landscaping**

- consider the need for further TPOs, as the need arises for trees which make a significant contribution to their surroundings, considering the tree's visual, historic and amenity contributions;
- support the maintenance of existing hedgerows, prominent trees and tree cover, and to enhance landscaping in the area;
- seek to protect any trees that may be affected by a proposed scheme of development;
- seek to ensure a scheme to protect trees during development is submitted and agreed in writing before work starts and adhered to throughout the construction works in accordance with BS5837:2012- Trees in Relation to Design, Demolition and Construction – Recommendations;
- Seek to avoid damage to trees or tree roots during works to the highway by ensuring works are carried out in accordance with National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Volume 4).
- All new development shall seek to ensure compliance with the principles of BS5837:2012- Trees in relation to Design, Demolition and Construction – Recommendations. .

## 6. Enforcement and Remediation Strategy

### 6.1 Introduction

6.1.1 Effective conservation area management requires enforcement and remediation to resolve breaches of planning requirements, non-compliance with conditions on schemes which have consent, and unauthorised works and infringements of planning law. Enforcement and remediation actions are also very effective when used to secure the repair and full use of buildings at risk and to remedy the poor condition or unsightly nature of land or buildings, where it is adversely affecting the amenity of the Conservation Area.

### 6.2 Monitoring Change

#### Context

6.2.1 Historic England guidance recommends the development of procedures<sup>16</sup> for monitoring change in conservation areas on a regular basis, such as photographic surveys and recording.

#### Issue/ Threat

6.2.2 The cumulative effects of the deteriorating condition of a conservation area, generally, and buildings at risk in particular, can go unnoticed without regular monitoring and the lack of photographic record can frustrate enforcement actions.

#### **Objective 11: Monitoring Change**

- seek local champions to assist in monitoring change within the conservation area.
- prepare a comprehensive dated photographic survey of every building, boundary wall and significant area of public realm in the Conservation Area;
- update the photographic survey periodically;
- use the photographic survey to monitor the Conservation Area at regular intervals ;
- use the dated photographic survey as evidence of the condition of the Conservation Area generally and buildings at risk in particular.

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<sup>16</sup> Historic England, *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1* (London: Historic England, 2016) 10.

## 6.3 Enforcement and Remediation Strategy

### Context

6.3.1 Historic England guidance recommends that the special character of conservation areas is protected and enhanced by enforcement of planning controls.

### Issue/ Threat

6.3.2 The Conservation Area is currently in fairly good condition although inevitably the proposed development/works, which have not been subject to the controls imposed on buildings in conservation areas by local planning authorities, show greater variance. In the future the Local Planning Authority have a responsibility for taking enforcement action that may be in the public interest against breaches of planning control. The use of these powers is discretionary. Formal enforcement action can be taken against harmful unauthorised works that have been carried out within the conservation area when the local planning authority thinks that it is expedient to do so, having regard to the development plan and any other material considerations.

### **Objective 12: Enforcement and Remediation Strategy**

- Identify breaches of planning control, these shall be reported to the Local Planning Authority and Cheshire East Council's Enforcement Policy;
- any unauthorised works will be investigated in accordance with national guidance;
- the highest priority will be given to:
  - the demolition or threat of demolition of a listed building, or unauthorised work to a listed building;
  - the demolition or threat of demolition of a building within a conservation area;
  - Unauthorised works to or affecting trees covered by a Tree Preservation Order or in a conservation area,

## 7. Community Involvement Strategy

### 7.1 Introduction

7.1.1 Both Historic England and Government guidance recommend the involvement of residents, interest groups and businesses within conservation areas. Government guidance emphasises the need for local planning authorities to understand the significance of heritage assets to the local community. Community involvement can also assist in efficient conservation area work; ensuring valuable local knowledge is available to influence new development and regeneration within the Conservation Area. The local community can also assist in the promotion of good design and conservation, and in the appreciation of the value of the conservation area.

### 7.2 Community Involvement

#### Context

7.2.1 National planning guidance promotes early public involvement in policy formulation and decision making. In the context of the development of Bollington's Neighbourhood Plan, a Heritage and Conservation Group was established, which has undertaken extensive local consultation. Historic England guidance on the management of conservation areas also stresses the need for local involvement and suggests consultation activity should generally be in line with the Statement of Community Involvement, whether or not it applies technically.<sup>17</sup> Regular information, consultation and participation with the town Local Authority, local amenity societies, environmental groups, residents' associations, chambers of commerce and local business organisations helps sustain community involvement.

#### Issue/ Threat

7.2.2 There is a high level of local community involvement with regards to local heritage and conservation areas. Within the local area there is the very active Bollington Civic Society and, in general, a wealth of local knowledge available to foster participation and involvement in the conservation area management and assist in the preservation of the area.

#### **Objective 13: Community Involvement**

- foster local involvement in conservation area management

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<sup>17</sup> Historic England, *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1* (London: Historic England, 2016) 4.

## 8. Design Guidance

### 8.1 Introduction

8.1.1 Design within a conservation area needs to adhere to specific guidance to ensure that it is appropriate and does not erode the character of that area.

### 8.2 Building Design

#### Context

8.2.1 East Cheshire Local Plan Strategy Policy SE7 para. 4 states: 'For all heritage assets, high quality design should be achieved. It should aim to avoid poorly executed pastiche design solutions and should foster innovation and creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.' SE1 along with the Cheshire East Design Guide aims to guide new development to the highest standards, in line with current guidelines.

8.2.2 To be considered as appropriate, any development proposal must preserve or enhance the character of the area. The specific aspects of architectural style have been summarised in the Conservation Area Appraisal. New developments will, accordingly, need to be of the highest standards of design and materials. The important building styles in the area are generally vernacular and Victorian although there are smaller numbers of Georgian, Edwardian and interwar buildings which contribute to the character of the Conservation Area.

8.2.3 It is in this context that the design of new developments will be considered. The main requirement for new building design is that it should be compatible with both the character and the setting of the area. This is a job for a skilful and sensitive architect and cannot be achieved by following simple guidelines. However it is appropriate to draw attention to some aspects. Successful designs have usually followed the character of the area as expressed in proportion (e.g. of window height to width), roof styles, building form, and materials. The existing line of the street should be adhered to. The CABE and Historic England guidance, *Building in Context, New Development in Historic Areas* urges developers to consider the following questions to ensure that any new design within a Conservation Area is appropriate:

- How does the proposed building relate to its specific site?
- Is there a positive and imaginative response to any problems and constraints?
- Have the physical aspects of the site been considered, e.g. any changes in level within or beyond it? Are access arrangements convenient and existing routes respected?
- Can the amount of accommodation required be fitted on the site in an elegant way?
- How does the proposal relate to its wider setting?
- Are the street pattern and grain of the surroundings respected?

- Are there changes in height between the existing and new development and if so how are they managed?
- Will the result enhance or damage the quality of the townscape?
- How is the density of the proposal related to that of existing and neighbouring uses?
- If there are differences, are they acceptable?
- Has the impact of the building in close views been assessed? Is it either weak or overpowering? Does it respect the scale and rhythm of its neighbours?
- What materials are used?
- How do they relate to those of the surrounding buildings?
- Is the quality as high?
- Are there interesting comparisons or contrasts in the use of materials?
- How will the colours work together?
- Is the architecture of the building suitable for the uses it contains?
- Is it trying to be too grand or pretending to be more modest than it really is?
- How does the architecture present itself to the viewer?
- Is there a strong composition in the pattern of solid to opening in the façade?
- Does the detailing of the materials show signs of careful thought or originality in the way the building is put together?
- What contribution, if any, does the proposal make to the public realm?
- If new open space is created, is it clear that it will provide a positive benefit and have a genuine use?
- In the wider setting, has the impact of the building in views and vistas been considered?
- Does it make a positive or negative impact?
- Does it form an harmonious group with existing buildings or features in the landscape?
- Does it distract the eye from the focus of the view and if so does it provide something better to look at?

### **Issue/ Threat**

8.2.4 Work that negatively affects the external appearance of a building can include the replacement of existing elements or the addition of an extension. Also, new development within the Conservation Area can have a negative impact on the character of the area if the development is not appropriate.

### **Action**

#### **Objective 14: Building Design Guidance**

New development proposals shall:

- Encourage best practice in the use of Design & Access Statements, particularly regarding the need to demonstrate how design has responded to the special character of the site and the conservation area;
- Encourage design to enhance the conservation area
- Ensure major applications are compliant with the Cheshire East design guide.

All new design in the conservation area should:

- Respond to and enhance local distinctiveness and special architectural and historic character;
- Relate to the history of the area as well as the topography and setting;

- sit harmoniously in the pattern of development, uses, spaces, routes & views;
- reflect the layout, height, scale and massing of the surrounding structures;
- reflect a careful choice of brick or stone and choice of mortar colour;
- not propose glass as a cladding material;
- not imitate the historic themes of the surrounding buildings, but complement them.

## 8.3 Boundary Treatments

### Context

8.3.1 Due to the rural nature of the area, both the stone field walls and hedgerows and the boundary walls to the houses make an important contribution to the character and appearance of the area. Historic England guidance advocates the retention of historic boundary treatments and the use of traditional materials.

### Issue/ Threat

8.3.2 There are several examples of where field walls are in poor repair (Moss Brow), where hedges have become overgrown and where inappropriate boundary treatments (rear of Long Row) have occurred. Modern alternatives to the existing stone walls, such as timber panelled fencing or concrete panels have a negative effect on the character of the area and are deemed to be inappropriate. Retaining the rhythm of the openings on the street is also important.

### **Objective 15: Boundary Treatments- Design Guidance**

New development should:

- ensure historic stone walls and openings are retained;
- ensure repairs are carried out using identical materials and in the same style or bond and missing copings replaced to match the existing and it should be noted that the use of a hard cement mortar to re-point joints is unacceptable as this increases the rate of deterioration of sandstone and brickwork in particular.

## 8.4 Extensions

### Context

8.4.1 As stated in Historic England guidance “The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s

significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate”.

### **Issue/ Threat**

8.4.2 Inappropriate extension of historic buildings can not only diminish the historic character of the individual structure, it can also have a negative effect on the significance of the Conservation Area.

#### **Objective 16: Extensions – Design Guidance**

New design to existing buildings should:

- reflect the detailed architectural and historic characteristics of the building;
- reflect a careful choice of brick or stone and choice of mortar colour;
- not propose glass as a cladding material;
- include materials salvaged from the building where appropriate;
- retain as much historic fabric as possible;
- seek a balance between protecting character and appearance and meeting other requirements such as building regulations and access;
- ensure the junction between old and new fabric is well thought through;
- be reversible, where possible;
- take care to retain historic openings.

## **8.5 Windows**

### **Context**

8.5.1 Government guidance advocates the retention of historic material and features within conservation areas to preserve the historic character of the area. Due to the lack of controls over the extension area, there are a variety of windows that are testament to the evolution of the area over the years. To retain the historic character, it is desirable that future works should be in the historic character of the building.

### **Issue/Threat**

8.5.2 During research carried out by Historic England in 2003 they found that small scale changes such as replacement plastic windows, satellite dishes and paved over front gardens to conservation areas were slowly degrading the historic character of these areas. Alterations and modern additions to windows within conservation areas are having a negative effect on the character of the area.

### Objective 16: Windows – Design Guidance

Proposals in the conservation area involving windows should,

- ensure that retention must always be the first consideration, including not only structural elements of the window but also historic glass and original window furniture;
- ensure that any repair or replacement should match the original;
- ensure that windows in new buildings or extensions should be of an appropriate style in comparison to those in the area;
- seek that windows should have timber frames or be a material that is original to the building;

## 8.6 Doors

### Context

8.6.1 Government guidance advocates the retention of historic material and features within conservation areas to preserve the historic character of the area. There are a variety of doors within the Conservation Area, exhibiting different details and styles.

### Issue/ Threat

8.6.2 Due to the lack of controls in the proposed extension area, there are very few traditional doors remaining in some areas. The loss of historic doors and replacement with inappropriate modern materials has negatively affected the character of the Conservation Area.

### Objective 18: Doors - Design Guidance

Proposals involving doors should:

- ensure original door-cases and door furniture are retained where ever possible;
- ensure colours of materials are similar to those already present in the area;
- ensure replacements match the original in proportion, style and materials and have a painted finish where appropriate.

## 8.7 Roofs

### Context

8.7.1 Roofs are one of the most important elements of any building. They are also a very important visual element within the Conservation Area. The degrees of pitch, the nature of the roof construction and the types of covering have varied over the past few centuries due to the availability of materials, building type and architectural style. These influences combine to give the building its individual character which should be respected when any restoration work or alterations are progressed. The roofs are predominantly of Welsh slate. Chimneys and chimney pots are historic features of the Conservation Area.

### Issue/Threat

8.7.2 Alterations to the roof line or roofing material of a building can have had a negative effect on the visual harmony of the Conservation Area. Where rooflights are installed, these should be conservation-style rooflights which are flush with the roofs rather than standing above the surrounding area. Plastic guttering and downpipes are not appropriate in the Conservation Area. It is considered that the longevity and appearance of cast iron guttering, if properly maintained, repaired and installed outweighs the use of plastic rainwater goods.

### Action

#### **Objective 19: Roofs - Design Guidance**

Proposals involving roofs within the conservation area should:

- avoid alterations to existing roofs;
- usually propose pitched roofs on extensions, garages and other outbuildings;
- retain leadwork, fascias, eaves, bargeboards, diminishing courses and decorative timber barge boards;
- only propose rooflights on rear roof slopes; these should be conservation rooflights;
- repair rainwater goods if original or reinstate in original materials;
- not propose plastic guttering and downpipes;
- not propose the removal of historic chimneys and chimney pots;
- terminate chimney liners in appropriately detailed flue vents;
- incorporate flue terminals into chimneys or locate flue terminals on the side or rear elevations below the ridgelines.

## 8.8 Maintenance, Privies and Outbuildings

### Context

8.8.1 Historic England's guidance on *Looking after Historic Buildings* states with regard to maintenance and repair of older buildings, that:

Maintenance and repair are needed to tackle the inevitable decay and deterioration of building fabric that occurs because of climatic conditions, wear and tear by building users, neglect or other threats. Maintenance can be defined as "routine work necessary to keep the fabric of a place in good order" The main objective of maintenance is to limit deterioration. Repair can be defined as "work beyond the scope of maintenance, to remedy defects caused by decay, damage or use, including minor adaptation to achieve a sustainable outcome, but not involving alteration or restoration" (Conservation Principles 2008).

8.8.2 In particular, Historic England's Guidelines for Best Practice on Re-pointing Brick and Stone Walls states that:

The appearance of brick and stone masonry owes as much to the character of the mortar joints as to the stone and bricks themselves. Unsuitable re-pointing can affect not only the look but also the durability of masonry, and is amongst the most frequent causes of damage to the character and fabric of historic buildings..... Two modern styles of pointing are often found on older masonry but should be avoided as they give the joint too much emphasis against the masonry. They also tend to be associated with hard cement based mortars. These are weather-struck pointing to brickwork, which is slightly proud of the masonry and smoothed off at an angle and ribbon or strap, a style similar to weather-struck being proud of the masonry and smoothed off.

### Issue/ Threat

8.8.3 A number of buildings in the Conservation Area, and the proposed extensions, are showing the effects of poor maintenance and in some cases inappropriate repairs. This is the case both with houses and outbuildings, such as privies, which are currently more likely to be used as garden sheds or bin stores, and possibly undervalued. A building's life can be indefinitely extended by ensuring that roof tiles are replaced, gutters and downpipes checked and where necessary cleared of leaves and debris and greenery growing out of cracks cleared, including roots. Timber door and window frames should be regularly repainted. Where mortar joints decay, appropriate re-pointing should be undertaken.

#### Objective 20: Guidance on Maintenance and Repair

- in the context of the consultation and communication on the enlarged Conservation Area, encourage individuals to take pride in their homes, understand appropriate techniques including pointing and ensure that the buildings are well-maintained;

## 8.9 Car Parking and Garages

### Context

8.9.1 The Historic England guidance *Streets for All North West* states that, “Car parking is a dominant feature that detracts from the visual coherence of the public realm. Authorities are encouraged to adopt comprehensive initiatives, such as the Historic Core Zones project and integrated transport strategies. These strategies encourage alternative modes of transport by reducing through traffic, restricting cars from central areas, implementing pedestrian-oriented schemes, and providing more comprehensive networks”.

### Issue/ Threat

8.9.2 Car parking within the Bollington Cross and Lowerhouse Conservation Area is presently very limited and not all houses have off-street parking. Parking standards for new developments are controlled through the planning system, specifically

#### Objective 21: Car Parking – Design Guidance

- New development proposals should provide parking which would minimise the impact on the character of the conservation area and should use sympathetic materials having regard to local plan policy and design guidance.
- Should be consistent with the Cheshire East Design Guide

## 8.10 Micro Energy Generation

### Context

8.10.1 Historic England provide the following guidance for considering micro energy generation,

“Proposals for microgeneration equipment attached to scheduled monuments that are buildings, listed buildings or historic buildings in conservation areas will generally be acceptable if all of the following criteria are met:

- the change will not result in loss of special interest;
- the visual impact of the equipment is minor or can be accommodated without loss of special interest;
- in fixing the equipment to the building there is no damage to significant historic fabric and installation is reversible without significant long-term impact on historic fabric;
- the cabling, pipework, fuse boxes or other related equipment can be accommodated without loss of, or damage to, significant historic fabric;
- that as part of the justification, the applicant can demonstrate that other energy-saving measures or other locations with less impact on the historic fabric and the special interest have been considered and are not viable;
- the applicant can demonstrate that the proposal has net environmental benefit;
- the local authority imposes a condition requiring removal of the equipment, including cabling and boxes, and making good of the historic fabric as soon as it falls out of use.

8.10.2 For freestanding equipment within scheduled areas, close to listed buildings, sites included in the register of historic parks and gardens, and register of battlefields:

- the appearance or setting of the site or building is not compromised;
- the ground disturbance caused by its installation is minimal and does not compromise the historic significance of the site.”

### **Issue/ Threat**

8.10.3 The installation of micro energy generation devices such as solar panels and micro wind turbines can be damaging to the exterior of historic structures and visually intrusive. These modern pieces of equipment can have a negative impact on the special character of the Conservation Area.

### **Action**

#### **Objective 22: Micro Energy Generation – Design Guidance**

Whilst the use of micro energy generation systems is to be encouraged, they will not be accepted where equipment is fixed to building frontages, principal or visible elevations or prominent roofscapes where they would have a negative impact upon the character of the Bollington Cross and Lowerhouse Conservation Area.

## **8.11 Satellite Dishes**

### **Context**

8.11.1 Satellite dishes are viewed as inappropriate modern additions to conservation areas that negatively affect the streetscape and diminish historic character. The insertion of satellite dishes should be monitored by the local authority. The installation of a satellite dish or antenna installed on a building up to 15m in height, in a conservation area requires planning permission if it is installed on a chimney, wall, or a roof slope which faces onto, and is visible from, a road.

### **Issue/Threat**

8.11.2 Inappropriately sited satellite dishes have a negative impact on the special character and appearance of conservation areas as a result of being fixed in locations which are visible in the street scene. In all areas, it is a condition of installing any antennae or dish that you must site it in such a way that minimises its impact on the external appearance of the building. In many circumstances, planning permission will be required for the installation of a satellite dish or antennae. Satellite dishes will therefore only be acceptable where they cannot be easily seen from public vantage points.

### **Action**

#### **Objective 23: Satellite Dishes – Design Guidance**

when owners of buildings in the conservation area are considering the installation of satellite dishes, the Local Authority will endeavour to:

- refuse applications for installations in locations visible from the road or considered to be harmful;
- support proposed installations where the dishes are unobtrusive and will not cause harm.

## **8.12 Dormer Conversions**

### **Context**

8.12.1 As stated in Historic England guidance “The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate”. When having a dormer conversion, there is an alteration to the scale of the property.

### **Issue/ Threat**

8.12.1 A poorly designed dormer extension could transform the building to a scale and massing that is not historically accurate and is inappropriate.

**Action**

**Objective 24: Dormer Conversions – Design Guidance**

Where planning permission is required for dormer extensions, the proposals should not have a negative effect on the character or appearance of the conservation area.

## Appendix

### Relevant Legislation and National Planning Policies

The Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF) 2019 provide the legislative and national policy framework for conservation area appraisals and management plans.

### Local Plan Policy

This document must be considered alongside the Local Authority's policies concerning development and the use of land as set out in the **Cheshire East Local Plan Strategy**, formally adopted on 27<sup>th</sup> July 2017. Of particular relevance are:

#### Policy SE1 (Sections 1 and 2): Design

Development proposals should make a positive contribution to their surroundings in terms of the following:

1. Sense of place
  - i. Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements;
  - ii. Ensuring sensitivity of design in proximity to designated and local heritage assets and their settings;
  - iii. Ensuring that places are designed around the needs and comfort of people and not vehicles, so that layout, street design and parking is in accordance with the principles set out in Policy CO 1 and Manual for Streets;
  - iv. Ensuring that proposals are underpinned by character and design assessment commensurate with the scale and complexity of the development;
  - v. Encouraging innovative and creative design solutions that are appropriate to the local context; and
  - vi. Ensuring a high quality public realm that enhances conditions for pedestrians and cyclists and creates opportunities for social interaction.
2. Managing design quality
  - i. Ensuring for larger scale and more complex developments that design proposals have positively responded to the Design Review process (62);
  - ii. Ensuring for major developments that Master planning and Design Coding forms an integral part of the design process;
  - iii. Ensuring that housing developments achieve Building for Life 12 (or as updated) standard; and
  - iv. Encouraging sustainable construction practices including the use of appropriate recycled and sustainable materials of high quality.

**Policy SE7 - Historic Environment.** This relates to designated and non-designated heritage assets. Below are the policies that relate to the protection and enhancement of Conservation Areas.

1. Cheshire East has an extensive and varied built heritage and historic environment, described in the justification text to this policy. The character, quality and diversity of the historic environment will be conserved and enhanced. All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of Cheshire East's historic and built environment, including the setting of assets and where appropriate, the wider historic environment.
2. Proposals for development shall be assessed and the historic built environment actively managed in order to contribute to the significance of heritage assets and local distinctiveness. Where a development proposal is likely to affect a designated heritage asset (including its setting) the significance of the heritage asset, including any contribution made by its setting, must be described and reported as part of the application.
3. The council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by:
  - a. Designated Heritage Assets:
    - i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.
    - ii. Considering the level of harm in relation to the public benefits that may be gained by the proposal.
    - iii. The use of appropriate legal agreements or planning obligations to secure the benefits arising from a development proposal where the loss, in whole or in part, of a heritage asset is accepted.
  - b. Non-Designated Assets:

Requiring that the impact of a proposal on the significance of a non-designated heritage asset should be properly considered, as these are often equally valued by local communities. There should be a balanced consideration, weighing the direct and indirect impacts upon the asset and its setting, having regard to the scale of any harm or loss. The presumption should be that heritage assets should be retained and re-used wherever practicable and proposals that cannot demonstrate that the harm will be outweighed by the benefits of the development shall not be supported. Where loss or harm is outweighed by the benefits of development, appropriate mitigation and compensation measures will be required to ensure that there is no net loss of heritage value
4. For all heritage assets, high quality design should be achieved. It should aim to avoid poorly executed pastiche design solutions and should foster innovation and creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.
5. Cheshire East Council will seek to positively manage the historic built environment through engagement with landowners/asset owners and other organisations and by working with communities to ensure that heritage assets are protected, have appropriate viable uses, are maintained to a high standard and are secured and have a sustainable

future for the benefit of future generations. Proposals that conserve and enhance assets on the Heritage at Risk register will be encouraged.

#### **Policy SE4: Landscape**

1. The high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.
  2. Development will be expected to:
    - i. Incorporate appropriate landscaping which reflects the character of the area through appropriate design and management;
    - ii. Where appropriate, provide suitable and appropriate mitigation for the restoration of damaged landscape areas;
    - iii. Preserve and promote local distinctiveness and diversity;
    - iv. Avoid the loss of habitats of significant landscape importance;
    - v. Protect and / or conserve the historical and ecological qualities of an area;
  3. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting. Where development is considered to be acceptable in principle; measures will be sought to integrate it into the landscape character of the area by:
    - i. Protecting, restoring and enhancing the character and appearance of the local area through suitable planting, landscape and / or woodland;
    - ii. Making suitable provision for better public access to, and enjoyment of, the Local Landscape Designation Areas;
4. Where development may affect a local or national designation a full understanding of the context, characteristics and significance should be provided and informed by the Cheshire East Landscape Character Assessment, Historic Landscape Assessment and the Local Landscape Designation Study. In Local Landscape Designation Areas, Cheshire East will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance.

#### **SE5: Trees, Hedgerows and Woodland**

Development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.

The council will seek to ensure:

1. The sustainable management of trees, woodland and hedgerows including provision of new planting within the infrastructure of new development proposals to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity;
2. The planting and sustainable growth of large trees within new development as part of a structured landscape scheme in order to retain and improve tree canopy cover within the borough as a whole.

### **SE6: Green Infrastructure**

Cheshire East aims to deliver a good quality, and accessible network of green spaces for people to enjoy, providing for healthy recreation and biodiversity and continuing to provide a range of social, economic and health benefits. This will be done by:

1. Linking the various assets of Cheshire East's unique landscape – its upland fringes, Cheshire Plain, lowland heath, parkland estates, rivers, canals and watercourses, valleys and cloughs, meres and mosses, trees and woodland and wildlife habitats and its distinctive towns and villages and their urban fringe.
  - i. This network of green infrastructure assets should be safeguarded, retained and enhanced through the development of green networks/wedges and corridors.
  - ii. Areas identified as having a shortage or opportunities for the provision of green infrastructure should be a particular focus for enhancement.
  - iii. Any development should contribute to the creation of a good quality, integrated and accessible multi-functional network of green spaces.
2. Safeguarding green infrastructure assets to make sure that:
  - i. Development does not compromise their integrity or potential value;
  - ii. Developer contributions are secured wherever appropriate in order to improve their quality, use and multi-functionality; and
  - iii. Opportunities to add to the green infrastructure network are maximised through partnership working.
3. Working with partners, to support the potential of strategic green infrastructure assets to contribute to the aims of the wider green infrastructure. The strategic green infrastructure assets identified in Cheshire East, relevant to Bollington Cross and Lowerhouse are:
  - i. Weaver, Bollin, Dane and Wheelock river corridors including cloughs and floodplains
  - iv. Heritage town parks and open spaces of historic and cultural importance
  - v. Public rights of way, cycle routes and greenways
4. Strengthening the contribution that sport and playing fields, open space and recreation facilities make to Cheshire East's green infrastructure network by requiring all development to:
  - i. Protect and enhance existing open spaces and sport and recreation facilities;
  - ii. Encourage multiple use and improvements to their quality;
  - iii. Provide adequate open space (as outlined in Table 13.1);

- iv. Contribute to the provision of outdoor sports facilities in line with Policy SC 2;
- v. Create or add to the networks of multi-functional Green Infrastructure;
- vi. Secure new provision to help address identified shortages in existing open space provision, both in quantity, quality and accessibility;
- vii. Locate open space facilities in appropriate locations, preferably within developments; and
- viii. Promote linkages between new development and surrounding recreational networks, communities and facilities.

### **Macclesfield Local Plan**

Although the Cheshire East Local Plan Strategy has been adopted, some saved policies from the old Local Plans will continue to apply. The following saved policies are those which are relevant to this assessment.

#### **Historic Fabric**

**BE2** The borough council will seek to preserve, enhance and interpret the historic fabric of the environment. Development which would adversely affect the historic fabric will not normally be permitted.

#### **Buildings of Architectural and Historic Importance**

**BE15** The repair and enhancement of buildings of architectural and historic importance (listed buildings) will be encouraged. Development in accordance with the development plan which secures such improvements will normally be permitted.

**BE16** Development which would adversely affect the setting of a listed building will not normally be approved.

**BE18** Listed building consent for alteration, including partial demolition and extensions, will only be granted if the borough council is satisfied that the architectural and historic integrity of the building will be maintained, and that no original or other important features of the building will be destroyed. Proposals to alter or extend should normally satisfy the following criteria:

1. Extensions must respect the character and scale of the original building and not be allowed to dominate it
2. Replacement doors, windows and other features in non traditional materials will not be permitted
3. Particular attention must be paid to the retention of the original plan form, roof construction and interior features, as well as the exteriors of listed buildings
4. Extensions will normally be required to be built of materials matching those of the original building
5. Flat roofed extensions to pitched roof buildings will not normally be permitted

Cheshire East Design Guide ; supplementary planning document Vol. 1/Vol.2 (2017)

## Contacts

### **Cheshire East Council Contacts**

General development control enquiries concerning the Bollington Cross and Lowerhouse Conservation Area should be referred to the North Team. Telephone 0300-1235014/email: [planning@cheshireeast.gov.uk](mailto:planning@cheshireeast.gov.uk).

General enquiries concerning the Bollington Cross and Lowerhouse Conservation Area and listed buildings should be referred to the Local Authority's Conservation Officer. Telephone: 0300-1235014. [Built.heritage@cheshireeast.gov.uk](mailto:Built.heritage@cheshireeast.gov.uk)

Enquiries relating to trees within the conservation area should be addressed to the Local Authority's Arboricultural Officer at the above number.

Enquiries relating to the Cheshire Historic Environment Record should be addressed to Cheshire Historic Environment Record, The Forum, Chester, CH1 2HS, Tel: 01244 973997.

### **National Organisations**

Historic England

North West Office Canada House Chepstow Street Manchester M1 5FW

Tel: 0161 242 1400 [www.english-heritage.org.uk](http://www.english-heritage.org.uk) Email: [northwest@english-heritage.org.uk](mailto:northwest@english-heritage.org.uk)

Victorian Society

The Victorian Society

1 Priory Gardens Bedford Park London W4 1TT

Tel: 020 8994 1019 [www.victorian-society.org.uk](http://www.victorian-society.org.uk) Email: [admin@victorian-society.org.uk](mailto:admin@victorian-society.org.uk)

Georgian Group

6 Fitzroy Square, London W1T 5DX

Tel: 087 1750 2936 [www.georgiangroup.org.uk](http://www.georgiangroup.org.uk) Email: [info@georgiangroup.org.uk](mailto:info@georgiangroup.org.uk)

Twentieth Century Society

70 Cowcross Street London EC1M 6EJ

Tel: 020 7250 3857 [www.c20society.org.uk](http://www.c20society.org.uk) Email: [coordinator@c20society.org.uk](mailto:coordinator@c20society.org.uk)

Institute of Historic Building Conservation

Jubilee House, High Street, Tisbury, Wiltshire SP3 6HA

Tel: 01747 873133 [www.ihbc.org.uk](http://www.ihbc.org.uk) Email: [admin@ihbc.org.uk](mailto:admin@ihbc.org.uk)

# Bollington Cross and Lowerhouse Conservation Area: Management Plan