

Environment and Communities Committee Report

Date of Meeting:	20 th January 2021
Report Title:	Draft Conservation Area Appraisal and Management Plans
Report of:	Jayne Traverse, Executive Director of Place
Report Reference No:	EC/28/21-22
Ward(s) Affected:	All

1. Executive Summary

- 1.1.** This report seeks approval to carry out a minimum of four weeks of public consultation on draft Conservation Area Appraisals and Management Plans for the following: Alderley Edge, Ollerton School Lane, and Macclesfield Town Centre. These appraisals are part of a three year work programme to review the Council's Conservation Areas.
- 1.2.** 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 provide guidance and support for applicants and homeowners in decision making regarding their property or space.
- 1.3.** The report also seeks approval to delegate decisions to undertake further consultations on draft Conservation Area Appraisals and Management Plans to the Head of Planning in consultation with the Chair of the Environment and Communities Committee.
- 1.4.** 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.

2. Recommendations

2.1. That the Committee:

- 2.1.1. Approve the draft Ollerton School Lane Conservation Area Appraisal (including a boundary review) and Management Plan and to then make such plan available for a minimum of 4 weeks of public consultation.(Appendix 1a/b)
- 2.1.2. Approve the draft Macclesfield Town Centre Conservation Area Appraisal and Management Plan and to then make such plan available for a minimum of 4 weeks of public consultation.(Appendix 2a/b/c)
- 2.1.3. Approve the draft Alderley Edge Conservation Area Appraisal (including Article 4 Direction) and to then make such plan available for a minimum of 4 weeks public consultation.
- 2.1.4. Delegate future decisions to consult on draft Conservation Area Appraisals and Management Plans to the Head of Planning, in consultation with the Chair of the Environment and Communities Committee.

3. Reasons for Recommendations

- 3.1. Within the Statutory Development 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 and a material consideration in determining planning applications, providing a more detailed level of protection for heritage. They should assist applicants when making relevant planning applications, and the Council in determining them.
- 3.2. Alderley Edge has been on the Historic England Heritage at Risk register for a number of years, this is largely due to the development pressures in the area and the loss of a number of Alderley Villas. The Article 4 Directions are proposed to give the local planning authority greater control over changes which can currently be carried out under permitted development, which is having an adverse impact on the Conservation Area. The purpose of the public consultation is to receive feedback on the principle of taking forward Article 4 Directions where it is recommended. The Article 4 Directions would be brought forward in line with their own statutory requirements.
- 3.3. The Environment and Communities Committee is responsible for the development and delivery of the Local Development Framework, including Conservation Areas. As the Committee meets every two months, delegating decisions to undertake consultation will speed up the consultation process and

the overall time it takes to adopt updated Conservation Area Appraisals and Management Plans. It should be noted that decisions to adopt Conservation Area Appraisals and Management Plans following consultation will continue to be presented to the Committee.

3.4. The current timetable for further Conservation Area Appraisals is:

- **2021/2022** Bollin Hill Wilmslow, and Legh Road Knutsford
- **2022/2023** Highfield Wilmslow, Holmes Chapel, Knutsford Town Centre, Knutsford St Johns
- **2023/ 2024** Gawsworth, Prestbury Road, Disley

4. Other Options Considered

4.1. The Council could choose not to proceed with public consultation of 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 this matter 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.

4.2. The Committee could choose not to delegate these decisions and consider each consultation. However, as the Committee meets every two months this would likely delay progress. Given the volume of Conservation Area Appraisals, it would also reduce the time available for the Committee to consider other matters.

5. Background

5.1. The Conservation Area reviews have been undertaken by private consultants on behalf of the Town and Parish Councils in the relevant area, with the exception of Alderley Edge which has been carried out by Conservation Officers within the Council's Environmental Planning Team. The documents have then been reviewed by the Council's Conservation Officer to ensure policy compliance and deliverability and made into Cheshire East branded documents.

5.2. The Appraisal and Management plan for each area will be subject to a public consultation, which will allow full consideration and feedback of the proposed changes to each of the five conservation areas and their communities. The final drafts will be amended where required to take account of the feedback received. Following this, the documents may then be considered for adoption by the Council.

5.3. 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”. A suite of additional policies set out in the emerging SADPD also provide detailed requirements that applicants must satisfy in order to gain planning consent. 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.

6. Consultation and Engagement

- 6.1.** There is no statutory requirement for consultation set out in the Planning (Conservation Areas and Listed Building) Act 1990. However, Historic England’s best practice guidance advocates wider community consultation as part of the review process.
- 6.2.** It is proposed that the draft Conservation Area Appraisals and Management Plans will be subject to a minimum of 4 weeks consultation. Letters will be sent to residents/businesses within the boundary, including any proposed new boundary changes and invited to attend surgeries where a Conservation Officer is present to talk through the proposals.
- 6.3.** There is also the opportunity to have phone calls with the Conservation Officer if a face-to-face meeting is not possible. The information will be provided in the local libraries for view and on the Council’s website. The consultation will be advertised in the local newspapers and a planning notice placed in a central area within each Conservation Area.
- 6.4.** Following the public consultation period all comments will be considered, and changes made to the documents, as appropriate, before a final version will be presented for approval by the Environment and Communities committee. Following adoption, formal notification must be provided to the London Gazette.
- 6.5.** A further report will be brought back to Environment and Communities Committee with the outcome of the consultation and finalised appraisals and Management Plans for adoption.

7. Implications

7.1. Legal

- 7.1.1.** 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 which is desirable to preserve or enhance. Those areas should be designated conservation areas.
- 7.1.2.** 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.

- 7.1.3. The designation must be based on an up-to-date available evidence base to demonstrate the areas need for additional protection (the character appraisal and extension).
- 7.1.4. The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which Conservation Area Review should be prepared.

7.2. Finance

- 7.2.1. There will be administrative costs associated with the public consultation, will include notification of residents within the conservation area boundaries via a letter sent to each property, statutory advertisements to be placed in the local newspapers and printing costs for hard copies to be placed in each local library. These costs will be met within the 2021/2022 budget for Development Management.
- 7.2.2. The Appraisals written by consultants have been funded by the relevant Town / Parish council.

7.3. Policy

- 7.3.1. The Conservation Area Appraisals will provide additional guidance to assist applicants and decision makers on how to apply relevant policies of the development plan.
- 7.3.2. The Conservation Area Appraisals are consistent with the neighbourhood plan where this is applicable.

7.4. Equality

- 7.4.1. 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
- 7.4.2. The approach to the public consultation has been considered through an Equalities Impact Assessment and will provide opportunities for all within each of the communities to engage and provide an input.

7.5. Human Resources

7.5.1. There are no direct implications for human resources. The work associated with the Conservation Area Reviews will be carried out by existing staff in the Environmental planning Team.

7.6. Risk Management

7.6.1. The adoption of planning documents can be subject to judicial review. The risk is managed by closely 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).

7.6.2. 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.

7.7. Rural Communities

7.7.1. Conservation area appraisals and management plans can cover rural and non-rural communities. Where this is applicable, the area will benefit more 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.

7.8. Children and Young People/Cared for Children

7.8.1. 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.

7.9. Public Health

7.9.1. There are no direct implications for public health.

7.10. Climate Change

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

Access to Information	
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Appendices:	Appendix 1a: Ollerton Conservation Area Appraisal Appendix 1b: Ollerton Management Plan Appendix 2a: Macclesfield Town Centre Conservation Area Appraisal Appendix 2b: Macclesfield Conservation Area Gazetteer Appendix 2c: Macclesfield Town Centre Management Plan Appendix 3: Alderley Edge Conservation Area Appraisal
Background Papers:	N/A