

# School Lane, Ollerton

## Conservation Area Management Plan

Draft for consultation  
October 2021

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# School Lane, Ollerton, Conservation Area Management Plan Consultation Draft: August 2020

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## 1. Introduction to the Management Plan

The aim of this management plan is to complement existing national and local policies by providing further advice on the management of the School Lane Ollerton 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 School Lane Ollerton Conservation Area Management Plan has been prepared in accordance with the Historic England documents *Conservation Area Designation, Appraisal and Management*, Advice Note 1, 2<sup>nd</sup> ed. 2019.

The purpose of the Management Plan is to set out management actions to ensure that the character and appearance of the School Lane Ollerton 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.

The Management Plan has been developed from, and should be considered in conjunction with, the School Lane Ollerton 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.

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 and regular appraisals help to identify threats and opportunities which can be developed into a management plan.

## 2. Statutory Controls

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

- 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.
- 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.
- 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 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.
- Stricter rules apply in conservation areas with regard to the type and size of advertisements that can be erected without advertisement consent.
- The desirability of preserving or enhancing a conservation area is a material issue in determining a planning application.

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**

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 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**

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>

### **Building Preservation Notice**

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 the character as a building of such interest. A BPN provides protection to a building in that, for a

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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.

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**

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**

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>

**The above controls are in addition to any which apply as a result of the Conservation Area's location within Green Belt.**

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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

Identification and protection are the first steps in managing conservation areas. To better identify and protect the heritage in the School Lane Ollerton 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. Additionally, in the context of development works, promote archaeological investigation and broaden the understanding of the archaeological deposits within the Conservation Area.

#### 3.2. Listed Buildings

##### Context

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. C

##### Issue/ Threat

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

##### Action

##### **Objective 1: Listed Buildings**

- Carefully consider proposals in the context of policies BE 15, 16, and 18 of the Macclesfield Local Plan Strategy, Policy SE7 of the Local Plan Strategy and government guidance contained within the National Planning Policy Framework;
- Continue to provide pre application advice and seek to work with owners to develop strategy for maintenance and repair works.
- Monitor the listed buildings condition through the Cheshire East Buildings at Risk Strategy

#### 3.3. None designated heritage assets

##### Context

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.

A Local List was published and adopted on 14th November 2010. It was the intention that future buildings within the conservation areas within Cheshire East were not added to the local list, as identifying those buildings/features as "making a positive contribution to the conservation area" was more appropriate and in line with guidance. There is one locally listed building within the conservation area boundary namely the Ollerton Water Tower on Moss Lane.

Omission from the Cheshire East Local List should not have an impact as to whether a building contributes to the special interest of a designated heritage asset. Those buildings which are considered to make a positive contribution are identified within the conservation area appraisal which is seen as a positive way to manage the conservation in the future.

### **Issue/ Threat**

The conservation area appraisal identifies a number of unlisted buildings which make a positive contribution to the character of the conservation area.

The matter of whether a building can be classified as a NDHA is ultimately a judgement for the local planning authority, not the applicant.

### **Action**

**Objective 2: Buildings which make a positive contribution to the conservation area.**

Seek the retention of buildings and structures which make a positive contribution to the conservation area as a designated heritage asset.

## **3.4. Review of the Boundary**

### **Context**

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>7</sup> Guidance suggests reviews should take place where there is pressure for change, and where the original designation took place many years ago. The following should be considered on boundary review: the boundary should be coherent and, wherever possible, follow features

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

<sup>7</sup> Planning (Listed Buildings & Conservation Areas) Act 1990, section 69(1)(a).

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.

### **Issue/ Threat**

The School Lane Ollerton Conservation Area was designated in 1995 and the boundary has not been reviewed since then. The Conservation Area Appraisal considered that the boundary of the conservation area should be extended in several areas to protect the setting, protect integral parts of the periphery and to provide a coherent boundary. The Appraisal proposed that the Conservation Area boundary be altered and extended in several areas:

- on the west side of the existing conservation area, repositioning the boundary further west following historic field boundaries and Victorian drainage ditches;
- including the northern section of School Lane and placing the boundary at the junction with Chelford Road, the logical historic northern gateway to the settlement; to the west the boundary encloses traditional field boundaries/drainage ditches; to the east it largely follows the line of the hedgerow of the road;
- extending to the boundary to the south of the conservation area along both School Lane and Moss Lane as far as Percivals Lane, including the associated property plots on the roads as well as the land enclosed by these roads;
- extending further south to include the area to the south of Percivals Lane and associated properties at the south end of the dispersed settlement.

### **Action**

#### **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.

## **3.5. Development and Development Briefs**

### **Context**

With regard to the development of housing in rural areas, NPPF is concerned to promote sustainable communities but to avoid the development of isolated homes unless one or more of the following circumstances apply:<sup>8</sup>

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it: is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and also would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

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**

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. Underutilised or redundant farm buildings as a group may represent a future development opportunity and in such a case a development brief might be appropriate. In principal any development should ensure that the footprint of new buildings and their scale fits into the agricultural nature of the settlement and respects the character of the area.

### **Action**

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

- Where possible and appropriate, a development brief (s) may be considered for key sites in Ollerton, whether for regeneration or complete new development.
- Historic England Guidance<sup>10</sup> should be used as a guidance where agricultural buildings or setting are the focus of the site. <sup>11</sup>

<sup>8</sup> Ministry of Housing, Communities and Local Government, *National Planning Policy Framework* (London, 2021) para. 80.

<sup>9</sup> Historic England, *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1, 2<sup>nd</sup> edition* (London: Historic England, 2019) 37.

<sup>10</sup> Historic England Best Practice Guidance; *Adapting Traditional Farm Buildings* 2017

<sup>11</sup> Historic England National Farmstead Assessment Framework 2015

## 3.6. Demolition

### Context

NPPF defines the elements of the historic environment that are worthy of consideration in planning matters as 'heritage assets'. Conservation areas are defined as heritage assets. The process of designation identifies them as having a level of significance that justifies special protection measures.

Harm could be caused to the significance of the conservation area through harmful changes such as demolition of features which make a positive contribution to the conservation area; paragraphs 197-207 of the NPPF<sup>12</sup> are relevant when considering proposals within the conservation area.

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>13</sup>

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."

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>14</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>15</sup> This can then be safeguarded within the Cheshire Historic Environment Record.

### Issues/ Threats

The loss of buildings which make a positive contribution to the character of the conservation area damages the integrity of the area.

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<sup>12</sup> Department for Communities and Local Government, *National Planning Policy Framework* (London: Department for Communities and Local Government 2021).

<sup>13</sup> Department for Communities and Local Government, *National Planning Policy Framework* (London: Department for Communities and Local Government 2021) para.196.

<sup>14</sup> Historic England, *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1, 2<sup>nd</sup> edition* (London: Historic England, 2019).

<sup>15</sup> Historic England, *Understanding Historic Buildings: A Guide to Good Recording Practice* (London: Historic England, 2016).

## Action

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

In considering applications for planning permission for the demolition of a building or feature that makes a positive contribution to the character of the Conservation Area,

- 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 guidance set out set out by Historic England<sup>16</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.

## 3.7. **Restriction on PD rights through Article 4 Directions**

### Context

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, resulting in a loss of amenity or well-being.

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, reducing local amenity or well-being. They can relate to the entire conservation area or a specified section.

Research has found that the impact on resources due to an increase in planning applications is actually minimal because clear, concise controls, supported by

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<sup>16</sup> Historic England, *Local Heritage Listing, Historic England Advice Note 7* (London: Historic England, 2016) 9.

appropriate design guidance, encourage like-for-like repair or replacement in matching materials.<sup>17</sup>

### **Issue/ Threat**

There is currently no Article 4 Direction in School Lane Ollerton Conservation Area. There is some evidence of cumulative harm to the character of the conservation area from a series of relatively minor alterations which would not have needed consent, including altering boundaries through replacing hedges with walls or railings, changing gates and altering porches and windows.

Provision of clear guidance on appropriate alterations and maintenance of properties, including boundary treatments to property owners and builders/developers can limit such harm.

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,
- excessive installation of outdoor lighting,
- erection, alteration or removal of gate, fence, wall or other means of enclosure,
- making a hard-standing.

### **Action**

**Objective 6: Guidance on Appropriate Permitted Development and Restriction on PD rights through Article 4 Directions**

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<sup>17</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.

The Local Authority may:

- 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;
- seek 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;
- prepare clear and concise guidance on development likely to receive consent in applications for permission made as a result of the Article 4 direction;
- assess the impact of permitted development rights on the character and appearance of the area;
- on publication of any proposed amendment to the General Permitted Development Order (GPDO), assess its potential impact on the Conservation Area, and determine what measures, if any, would be needed, were the GPDO to be amended.

### 3.8. Promotion of Archaeological Investigation

#### Context

It is of note that the amount of archaeological investigation undertaken in Ollerton is unusually low, as recorded in the HER. Given the fact that there has been little change to both the landscape and the settlement and field patterns, there is potential for developing a greater understanding of the area's history. The lack of archaeological work undertaken in Ollerton is not a reflection of the lack of potential archaeological deposits; this should be considered an area with good levels of potential archaeological deposits due to its lack of development. The archaeological features, relating to buildings and landscapes seen on the old maps of the area, are most likely still intact as below ground features and any development should require an element of archaeological observation in order to identify where these potential deposits are, to what depth they survive and how any proposed developments will impact this preserved landscape.

#### Issue/Threat

It is imperative that any and all development work seek planning permissions where these will then be evaluated by the development control archaeologist and an assessment made through the planning process for the requirement of archaeological work. This will identify and record any below ground remains and also develop the archaeological and historical understanding of Ollerton and its surrounding preserved landscape.

#### **Objective 7: Promotion of Archaeological Investigation**

To promote archaeological investigation and broaden the understanding of the archaeological deposits within Ollerton, in considering applications for planning permission for development proposals within the Conservation Area, the Local Authority will seek:

- That all building works, extensions and new services are offered for consultation to the development control archaeologist to identify those areas which hold likely archaeological deposits.
- Ensure any boundary alterations, extensions or excavations are offered for consultation by way of planning application. Ensure the proposal is fully justified against the criteria laid out in NPPF;
- Encourage the Parish Council to consider a programme of community archaeological engagement to survey the landscape by way of field walking and organised metal detector surveys supervised by an accredited Metal Detector. This will identify areas of casual loss and unstratified artefacts which may indicate locations of potential archaeological deposits.

## 4. Street, Traffic and Highway Management

### 4.1. Introduction

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

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.”

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.”

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

There is no specific speed limit in the Conservation Area; as a country road the speed limit which applies is 60 m.p.h. However, in many areas the roads are too narrow to accommodate two cars passing. Where there is a pavement, in many places it is overgrown, restricting its effective width. Views are also often restricted by curves and high hedgerows, so that there may be little warning of a horse or a slow tractor ahead. Milk tankers are also common although there is a restriction on vehicles of over 7.5 tons.

## Action

### **Objective 7: Street and Traffic Management**

The Local Authority will, in collaboration with the Parish Council:

- review the need for both enhancing visibility and introducing a speed limit within the conservation area;
- advise residents of the need to regularly prune garden vegetation which impacts on pavement accessibility.

## **4.3. Highway Works**

### Context

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

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

Historic maps document two areas of highway within the Conservation Area which effectively served as public open space. In more recent times these have come under threat, possibly exacerbated by the apparent absence of map data of the extent of the public highway/public

space and despite the sense of community ownership exhibited through community maintenance activities.

Street furniture within the Conservation Area is limited to Parish Council noticeboards, the postbox within the wall and the bench around the Jubilee Tree. There is no marking of the entrance to the Conservation Area nor public interpretation, both of which could contribute to promoting the awareness of the settlement's identity and special interest. The junction of School Lane and Hall Lane, which formerly had well defined boundaries, is now overgrown with a mixture of surfaces. There is no street lighting, which contributes to the rural character and the preservation of dark skies.

## **Action**

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

The Local Authority should:

- in collaboration with the Parish Council seek to register the land at the junction of School Lane and Moss Lane comprising the Jubilee Tree and the Pond as a Village Green;
- in collaboration with the Parish Council introduce appropriate interpretation and street furniture enhance the open space and to strengthen the identity and communicate the special interest of the Conservation Area;
- retain and reintroduce historic surfaces including kerbs, stone sets and gullies, as well as grass verges;
- preserve the dark skies approach with the absence of street lighting;

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

### 5.1. Introduction

Open spaces in conservation areas may include historic routes, public footpaths, 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 the School Lane Conservation Area and the proposed extensions are currently categorised as streets and have been therefore discussed in the previous section.

### 5.2. Open Spaces

#### Context

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. Paragraphs 101 and 102 explain 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. Thus, should it not be possible to register the junction of School Lane and Moss Lane as a Village Green, it could be registered as an Asset of Community Value as part of the development of the Neighbourhood Plan.

#### Issues/Threat

Part of the School Lane Conservation Area's special character derives from its rural qualities and the way its character and setting are indivisible from the surrounding fields and countryside. Most of the land is privately owned but there is public access along the roads and footpaths. Maintenance of these paths, the verges and hedgerows, as well as the area around the road junction is haphazard.

#### Action

##### **Objective 9: Open Spaces**

There are currently no designated Local Green Spaces within the conservation area.

### 5.3. Trees and Landscaping

#### Context

Section 211 of the Town and Country Planning Act 1990, as amended, requires that anyone proposing to cut down, top or lop a tree with a diameter greater than 75mm at a height of 1.5m from the ground 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.

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.

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".

For any planning application in the area involving development which may affect trees, it will be necessary for the applicant to provide a detailed tree survey, 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.

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**

The number and diversity of mature trees as well as the hedgerows are important to the character of School Lane Conservation Area. Many of the trees in the gardens on School Lane are protected through individual and group TPOs. However, the Jubilee Tree at the junction of School Lane and Moss Lane is not explicitly protected, nor are a number of trees planted as commemorative trees by the community. Trees can also be damaged through earthworks in their vicinity.

### **Action**

**Objective 10: Trees and Landscaping**

The Local Authority will where possible:

- consider the need for further TPOs, such as for the Jubilee Tree and commemorative trees, and 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 that 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);

## 6. Enforcement and Remediation Strategy

### 6.1. Introduction

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

Historic England guidance recommends the development of procedures<sup>18</sup> for monitoring change in conservation areas on a regular basis, such as photographic surveys and recording.

#### Issue/ Threat

The lack of a detailed dated photographic record can frustrate enforcement actions as the enforcement action cannot be taken unless the un-authorized alteration can be shown to have been carried out within the previous four years. The cumulative effects of the deteriorating condition of a conservation area generally, and buildings at risk in particular, can go unnoticed without regular monitoring.

#### Action

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

- Where there is individual interest within the local community , a nominated champion(s) could monitor change within the Conservation Area at a local level. This could also include; dated photographic survey of every building, boundary wall and significant area of public realm in the Conservation Area; update the photographic survey periodically;
- Listed buildings within the conservation area are also being surveyed at the time of writing as part of the listed building survey work.

<sup>18</sup> Historic England, *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1, 2<sup>nd</sup> edition* (London: Historic England, 2019) 42-3.

### 6.3. Enforcement and Remediation Strategy

#### Context

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

#### Issue/ Threat

The Conservation Area is currently in good condition. However, unauthorised works erode the character and appearance of the conservation area. To positively manage the area in the future, suspected breaches of planning control will be investigated by relevant officers to ensure a positive outcome for the conservation area where possible.

#### Action

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

Unauthorised works within the conservation area will be passed to enforcement officers to investigate. What/ if any can appropriate action can be taken, will follow Cheshire Easts service specific enforcement policy for Planning. Within this strategy relates to Conservation Areas and Listed Building. Much of the unauthorised works within conservation areas or works to listed buildings fall under .1 Priority 1 – High - Site visit within one working day

- Unauthorised works to listed buildings
- Unauthorised demolition in 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

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

National planning guidance promotes early public involvement in policy formulation and decision making. 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>19</sup> Regular information, consultation and participation with the Local Authority and Parish Council, local amenity societies, environmental groups, residents' associations, chambers of commerce and local business organisations helps sustain community involvement.

#### Issue/ Threat

Given the dispersed character of the Conservation Area with the very limited community facilities, the level of active local community involvement with regards to local heritage and conservation areas is unclear. Nevertheless, it appears that interest in and commitment to local heritage and the preservation of the special interest of the Conservation Area is strong. Ollerton is a small community where most members have been resident for a long time.

#### Action

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

Conservation Officers within the Development Management team can be contacted to discuss issues and also to assist residents and support the future management of the conservation area.

<sup>19</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

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

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.' The Cheshire East Borough Design Guide 2017 provides more details of landscape and architectural character and identifies Ollerton within the Settlement Character Area 'North Cheshire Fringe'.

To be considered as appropriate, any development proposal must preserve or enhance the character of the conservation 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 farmsteads, often with an 18<sup>th</sup> century core, although there are smaller numbers of designed buildings from the late 18<sup>th</sup> and early 19<sup>th</sup> centuries, as well as later buildings which contribute to the character of the Conservation Area.

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 CABI 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, eg 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**

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**

- 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 applicants to use design to enhance the conservation area;
- consider from time to time the need for specific topical guidance.

All new design in the conservation area should aim to

- 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 harmoniously complement them.

### 8.3. **Boundary Treatments**

#### **Context**

Due to the rural nature of the area, the paddock fences and hedgerows of the fields and the boundary picket fences and hedges of the houses, sometimes with plain brick walls near the house, 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**

There are several examples of where traditional boundary treatments have been replaced with more elaborate and/or extensive brick walls, ornate railings or solid gates rather than the traditional 5-bar timber gates, which are more suburban in character.

#### **Action**

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

- Historic boundary treatments should be retained where possible, whether hard or soft landscaping
- Repairs to historic walls should be carried out using traditional materials and methods.
- Proposals for new boundary treatments should respect the rural character of the conservation area.

### 8.4. **Extensions**

#### **Context**

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**

Inappropriate extension of historic buildings in terms of size of location 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.

### **Action**

#### **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 and choice of mortar colour;
- 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.
- Recording of the building where appropriate.

## **8.5. Windows**

### **Context**

Government guidance advocates the retention of historic material and features within conservation areas to preserve the historic character of the area. To retain the historic character, it is desirable that future works should be in the historic character of the building.

### **Issue/Threat**

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 and the introductions of new windows in forms that are not in keeping with the age or style of the building have a negative effect on the character of the conservation area.

## **Action**

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

When considering proposals involving windows within the Conservation Area proposals shall aim to

- Retain structural elements of the window, historic glass and original window furniture;
- Replacement windows should match the original in opening function and fabric detail where retention is not possible
- Carefully consider the windows in new buildings or extensions to be of an appropriate style in comparison to those in the area;
- ensure windows have timber frames or material that is original to the building;

## **8.6. Doors and Porches**

### **Context**

Government guidance advocates the retention of historic material and features within conservation areas to preserve the historic character of the area. While the most common form of door in traditional cottages and houses of the Conservation Area was a timber plank door, the Georgian houses usually have a timber panelled door, possibly with a fanlight above. Doors are generally painted not stained. Where there is a porch it is generally small; larger porches with a gable roof or in another style are usually later additions. The design of a porch should take the style and scale of the original building as a starting point and aim to be proportionate and sympathetic.

### **Issue/ Threat**

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. Some more recent porches are out of proportion to the size and/or character of the original building.

## **Action**

### **Objective 18: Doors and Porches - Design Guidance**

Proposals involving doors should aim to :

- Retain the original door-cases and door furniture wherever possible;
- Use colours and materials 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;
- Ensure that the style and scale of a porch is proportionate to the original building.

## **8.7. Roofs, Chimneys and Rainwater Goods**

### **Context**

Roofs are one of the most important elements of any building. They are also a very important visual element within the Conservation Area. The degree 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**

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, located on the rear slope of the property. 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 aim to:

- 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;
- rooflights on rear roof slopes; these should be conservation rooflights;
- repair rainwater goods if original or reinstate in original materials
- where plastic guttering and downpipes have been installed or are proposed, seek a more appropriate material consistent with the area.
- guttering and downpipes;
- Seek retention 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 and Outbuildings**

### Context

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).

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.

**\*\*In the case of Listed Buildings, works of repointing will often require listed building consent\*\***

### **Issue/ Threat**

As a historic agricultural settlement of dispersed farmsteads and crofts, a number of properties in the Conservation Area include outbuildings, barns and stables. It is important that these remain in use and are kept in good repair. Within the area there are still farms operating as agricultural businesses and others which have found ways to diversify, through converting redundant old farm buildings to new uses such as recreational, residential or commercial. Such buildings both illustrate the economic traditions and agricultural identity of the area and provide a counterpoint to the residential buildings with their larger scale and groupings, often around a courtyard. Where buildings become redundant (especially the 19<sup>th</sup> century or earlier buildings), it is important to find new viable uses and adaptations which enable the special interest to be retained. This includes respecting and retaining the character of the yards and traditional groupings of buildings and the way they open on to the yard rather than the road frontage. Similarly, many of the larger houses had their own outbuildings, including large stable blocks. These too form part of the local character and history and where they are redundant, any conversion should retain their recognisable form, including yards with setts if present.

Some underused buildings are showing the effects of poor maintenance and in some cases inappropriate repairs. This is the case both with houses and outbuildings. 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.

### **Action**

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

Encourage individuals to take pride in their homes including outbuildings, understand appropriate techniques including pointing and ensure that the buildings are well-maintained.

## **8.9. Car Parking and Garages**

## **Context**

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**

Most houses within the School Lane Conservation Area have repurposed existing outbuildings as garages or built garages. However where there is a perceived need for more facilities (garages or hard standing) this should be carefully sited and follow the guidelines with regard to roof form and materials. Safe on-street parking is limited in much of the area but, with the absence of communal facilities, there is little demand.

## **Action**

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

- Developments will need to comply with Local Authority’s car parking standards as found in the Local Plan Strategy, Appendix C and the 2010 revision to Cheshire East's Parking Strategy.
- Carefully consider conversion of existing garages into domestic accommodation if this places further pressure to accommodation vehicle storage.

## **8.10. Micro Energy Generation**

### **Context**

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.

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**

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**

The use of micro energy generation systems is to be generally encouraged, equipment should, where possible not be fixed to building frontages, principal or visible elevations or prominent roofscapes where they would have a negative impact upon the character of the School Lane Conservation Area.

## **8.11. Satellite Dishes**

### **Context**

Satellite dishes are viewed as inappropriate modern additions to conservation areas that if sited inappropriately can have a negative affect the streetscape and diminish historic character. 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**

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. Where this is the case, all reasonable attempts will be made ensure the impact of the installation is located where it would have least impact.

## **Action**

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

When considering applications for the installation of satellite dishes, the Local Authority will aim to :

- ensure installations are not in locations visible from the road;
- continue to provide advice and information on unobtrusive and suitable locations for satellite dishes on buildings within the Conservation Area;
- enforcement inappropriately sited satellite dishes and antennas where possible.

## **8.12. Outdoor Lighting**

### **Context**

External lighting can be extremely disturbing to a variety of plants and animals, especially to nocturnal species by disrupting their circadian rhythms or by altering the feeding habitats of nocturnal hunting birds. Despite a widespread belief that ‘more light equals less crime’, published Home Office statistical evidence indicates that the presence or absence of light is of little or no importance. Historic England also maintain that poorly designed external lighting can result in light pollution (*External Lighting on Historic Buildings*, English Heritage, 2007, 11). Since 2006 light pollution from artificial light falls under the Statutory Nuisance Regime.

### **Issue/Threat**

There is no street lighting within the Conservation Area and Ollerton benefits from the resultant ‘dark skies’. Inappropriately designed or excessive outdoor and security lighting erodes the character of the area. Lighting proposed for listed buildings or to other historic buildings in the conservation area should be carefully considered, so as not to cause damage.

## **Action**

### **Objective 23: Outdoor Lighting – Design Guidance**

When reviewing complaints about outdoor lighting, the Local Authority will consider:

- is it necessary and if so, does it have to be on all night;
- can security be achieved by other measures;
- can it be at a lower level or angled, so as to cause less harm.

## **8.13 Dormer Conversions**

### **Context**

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**

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**

When considering the application for dormer conversions the Local Authority will ensure that applications for the conversion of attic space and the insertion of dormer windows will be positively managed through the development management process.

## **Appendix**

### **Relevant Legislation and National Planning Policies**

The Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF) 2021 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 Masterplanning 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

## Sources

- Cheshire East. *Local Plan Strategy, 2017*.
- Cheshire East Borough Design Guide Supplementary Planning Document, 2017.
- Department for Communities and Local Government. *National Planning Policy Framework*. London: Department for Communities and Local Government, 2021.
- English Heritage. *Streets for All*. London: English Heritage, 2006.
- English Heritage. *Streets for All North West*. London: English Heritage, 2006.
- English Heritage. *Vacant Historic Buildings: an Owner's Guide to Temporary Uses, Maintenance and Mothballing*. London: English Heritage, 2011.
- Historic England. *Stopping the Rot: A Guide to Enforcement Action to Save Historic Buildings*. London: Historic England, 2016.
- Historic England. *Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1. 2<sup>nd</sup> edition*. London: Historic England, 2019.
- Historic England. *Local Heritage Listing, Historic England Advice Note 7*. London: English Heritage, 2016.
- Historic England. *Heritage Champions*. London: Historic England, 2016.
- Planning (Listed Building and Conservation Areas) Act 1990

## 9. Contacts

### **Cheshire East Council Contacts**

General development control enquiries concerning the Ollerton 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 Ollerton Conservation Area and listed buildings should be referred to the Local Authority's Conservation Officer. Telephone: 0300-1235014.

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)