



New local plan for Cheshire East

Historic environment topic paper (draft)

March 2024

Open

Fair

Green

Front cover images (clockwise from top-left):

- Crewe Market Hall and Municipal Buildings
- Arclid north plant site and lake (image supplied by Bathgate Silica Sand Ltd)
- Jodrell Bank Observatory
- Lamberts Lane Bridge, Congleton
- Tabley Park, Northwich Road, Knutsford

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1 Cheshire East's historic environment

1.1 This topic paper provides further information to support the 'Historic environment' section of the issues paper.

1.2 Cheshire East contains a varied and unique heritage, which includes many forms of cultural and environmental designated assets such as Macclesfield's industrial heritage, Little Moreton Hall, Crewe's railway heritage, Tatton Park, Lyme Park, Styal Mill, Tegg's Nose, as well as the canal network, historic towns and parks and parts of the Peak District National Park. It also has many non-designated heritage assets such as areas of archaeological potential and locally listed buildings.

1.3 The council needs to make sure these historic assets are adequately protected against loss or unacceptable change, by developing appropriate planning policies in the new local plan.

1.4 Our policies need to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect or decay. This must include the ability to sustain and enhance the significance of heritage assets, by allowing viable uses consistent with their conservation. Our policies must also set out our preferred approach to new development to make sure it too can make a positive contribution to local character and distinctiveness.

2 Cheshire Historic Environment Record 2022

2.1 According to the Cheshire Historic Environment Record 2022, there are:

- 77 **conservation areas** of varying size and scale - designated as a result of the special character of development that has taken place within them.
- 2,648 **listed buildings**; those of particular merit, for reason of architectural quality, their social or economic history, association with well known characters or events or because of their group value with other listed buildings.
- 17 registered **parks and gardens of historic interest** - viewed as a distinctive and much cherished part of our inheritance.
- 10 **areas of archaeological potential** - Parts of the country where it is deemed likely that buried archaeology has survived;
- 1 **registered battlefield** - Designated as a result of the importance of events that took place there and most recently
- 1 **UNESCO World Heritage Site** – in 2019, in recognition of its internationally significant science, heritage and cultural impact, Jodrell Bank Observatory was awarded UNESCO World Heritage Site status and was inscribed onto the World Heritage List.

2.2 These assets, collectively and individually, constitute Cheshire's historic environment which requires a level of protection and conservation through the planning system so that they can be enjoyed for their contribution to the quality of life for this and future generations.

2.3 Local plans need to develop policies to conserve, enhance and enjoy the historic environment as a strategic priority.

3 Planning policy

National planning policy

3.1 The National Planning Policy Framework (NPPF) states the local plan should provide a positive strategy setting out: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment to the character of a place.

Local plan policy

3.2 However, national policy can potentially leave locally listed buildings and buildings of heritage interest, such as churches and community buildings, more at risk from eventual demolition than statutorily listed buildings.

3.3 Existing local policies seek to protect and enhance the historic environment, including conservation areas, listed and locally listed buildings, and historic parks and gardens.

4 Dealing with non-designated heritage assets and buildings at risk

4.1 In April 2023 Cheshire East confirmed an Article 4 Direction covering a locally listed building in Handforth. This removed the usual permitted development rights in that area to ensure the proposed demolition, of the building would require planning permission. This allowed the council to have more control and involvement in the building's future.

4.2 The use of the Article 4 Direction in the management of non-designated assets is somewhat of a last resort and comes with potential financial consequences to the council if decisions are successfully contested.

4.3 The wider issue is how buildings at risk and other non-designated assets can be positively managed and the resourced to afford them appropriate protection in the face of permitted development. Locally listed buildings and historic parks and gardens are plotted, but not necessarily on a formal register, and non-designated assets can be discovered almost anywhere, such as archaeological remains unearthed through development.

4.4 'Stopping the Rot' - A Guide to Enforcement Action to Save Historic Buildings - Historic England was updated in January 2023¹ is a comprehensive list of existing heritage planning legislation and enforcement actions open to a local authority in the face of building at risk becoming lost, such as Urgent works notices, or even compulsory purchase.

4.5 Our planning policy could seek to allow more weight, in planning terms, to be given to the importance of our non-designated assets in future to assist in their preservation and retention.

¹ <https://historicengland.org.uk/images-books/publications/stoppingtherot/heag046b-stopping-the-rot>

5 Heritage solutions climate change and achieving net zero goal

5.1 Sensitive adaptation and retrofit schemes can not only help to preserve what is important about our nation's heritage and limit our carbon footprint but also provide much-needed residential opportunities at the heart of our communities and cities.

5.2 Retrofitting involves making necessary improvements and upgrades to existing buildings to enhance their energy efficiency and overall sustainability. By putting this first – prioritising it over demolition and rebuilding, the advantages of existing structures can be exploited, costs reduced and carbon footprints minimised.

5.3 Whether or not to retrofit will always be decided on a case-by-case basis, as upgrading buildings to modern net-zero-carbon standards may not always be viable, but in adopting retrofit-first and only pursuing other approaches where retrofit is not viable, the UK can work to improve its existing building stock and create a sustainable built environment for the future.

5.4 Paragraph 157 of the NPPF says that the planning system should "support the transition to a low carbon future in a changing climate [and] encourage the re-use of existing resources, including conversion of existing buildings".

5.5 In November 2023 Historic England issued draft advice for planning authorities and consultants on reducing carbon emissions and improving energy efficiency in historic buildings.

5.6 It followed a survey of conservation staff which revealed an "urgent need" to publish an advice note to help planning authorities determine applications for building adaptations as only 16% said they felt very confident making decisions on energy-efficiency retrofit proposals. The poll also showed 59% of respondents said the volume of casework involving decisions, advice, or pre-application enquiries about retrofit had increased in the past year.

5.7 The draft advice note covers the need for planning permissions or other consents for some of the common changes required to decarbonise and improve the energy efficiency of historic buildings, as well as examples of typical adaptation proposals. It also looks at how local plans and other planning mechanisms can deliver a positive strategy for historic buildings to support climate action.

5.8 Other features include key homeowner questions about listed buildings and homes in conservation areas, with advice on insulation, boilers and heating systems, heat pumps, draft-proofing, replacing or adapting windows, and installing solar panels. Historic England said "this will dispel some of the myths" about actions that can be taken by owners who live in a listed building or conservation area.

5.9 Director of policy and evidence Ian Morrison said the note "demonstrates how historic buildings can become more energy efficient and help to reduce carbon emissions".

5.10 He added: “It’s not a question of ‘if’ change can happen, it’s a question of ‘how’, and this new advice will make it clearer for us all to ensure historic buildings are adapted appropriately to respond to the climate crisis.”

5.11 The draft advice note is being consulted on and is available on the Historic England website.²

Climate change and Historic Buildings Adaptation Advice Note – consultation

5.12 The new Historic England Advice Note (HEAN) covers climate change and historic building adaptation. It aims to provide advice to local planning authorities, and others involved in the planning process, on:

- the need for planning permissions and/or other consents for some of the common changes required to decarbonise and improve the energy efficiency of historic buildings
- determining proposals to decarbonise and improve the energy efficiency of historic buildings to enable positive climate action
- how local plans and other planning mechanisms can deliver a positive strategy for historic buildings that proactively supports climate action

5.13 The final version will be supported by a series of online case studies and training for local authorities.

5.14 This is the first HEAN to set out a more progressive stance on climate change mitigation and is a key action in the delivery of Historic England’s Climate Change Strategy.³ Other areas of our work are set out in the Historic England Corporate Plan.⁴

5.15 The government has signalled an indication to review the NPPF, in light of the Levelling-up and Regeneration Act receiving Royal Assent on 26 October. Historic England will keep the HEAN, along with the need for further advice and training, under review, in response to any future legislative or policy changes.

Recent case studies: balancing heritage and climate change

5.16 A recent landmark decision in July 2023 by Michael Gove, was to refuse the demolition of the Oxford Street M&S building placing great weight on retention and refurbishment of existing buildings and demonstrated a clear drive to place the climate crisis at the forefront of decision-making. It is difficult to predict the ramifications of the verdict at this stage, with the decision notice itself suggesting that each application should be assessed in its own right and set of circumstances. What is evident is that heritage is part of the climate solution and should be viewed as an opportunity rather than a constraint.

2 <https://historicengland.org.uk/about/what-we-do/consultations/guidance-open-for-consultation/>

3 <https://historicengland.org.uk/advice/climate-change/our-strategy/>

4 <https://historicengland.org.uk/images-books/publications/he-corp-plan-2023-26/>

5.17 In another recent case for a 38 hectare solar farm, a planning inspector determined that the benefits of a proposal did not justify the negative impacts of the installation on the Green Belt and a grade I listed building.

5.18 He acknowledged that the proposal would contribute to national energy targets, including the net zero strategy and would generate up to 24 megawatts, enough to power some 6,300 family homes and reduce carbon emissions by 5,490 tonnes each year of its 35-year lifespan.

5.19 However, the inspector found that there were not “wider public benefits of sufficient magnitude” to outweigh the proposal’s harm to the listed building. Nicholson ultimately found that there were no ‘very special circumstances’ justifying the scheme’s green belt impact. The appeal was dismissed.

6 National Design Guide and heritage

6.1 In 2019 the government published the National Design Guide,⁵ containing ten characteristics or attributes of well-designed places. Relating to the character of development, this document highlights the importance of response to context, identity and built form.

“Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones. Some features are physical, including: the existing built development, including layout, form, scale, appearance, details, and materials; local heritage and local character.”

6.2 Paragraph 139 of the NPPF says “Development that is not well designed should be refused.”

6.3 Together, these two make a powerful combination, essentially suggesting that a burden of proof falls on development to demonstrate it is well-designed, whether according to the National Design Guide or an equivalent, such as local policy.

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf

7 Jodrell Bank World Heritage Site

7.1 Jodrell Bank is a World Heritage Site and a working observatory, at the cutting edge of astrophysics research. In the area around Jodrell Bank there is a need to make sure that new development does not harm the unique heritage of the site or interfere with the telescopes and prevent the observatory from carrying out its work.

7.2 On 7 July 2019, in recognition of its internationally significant heritage, science and cultural impact, Jodrell Bank Observatory (JBO) was awarded UNESCO World Heritage Site (WHS) status and has been inscribed on the World Heritage List.

7.3 JBO has been awarded WHS status by UNESCO under three criteria:

1. It is a masterpiece of human creative genius related to its scientific and technical achievements.
2. It represents an important interchange of human values over a span of time and on a global scale.
3. It is an outstanding example of a technological ensemble which illustrates a significant stage in human history. It directly and tangibly associated with events and ideas of outstanding universal significance.

Jodrell Bank Observatory draft supplementary planning document

7.4 The draft JBO SPD⁶ provides further guidance on how applicants should consider the impact of their proposals on Jodrell Bank and how they can demonstrate they have met the criteria of local plan policies.

6 <https://cheshireeast-consult.objective.co.uk/kse/event/36328>