

11. HERITAGE AND CONSERVATION

PART ONE POLICY

POLICY CHO1 - THE PROTECTION OF HERITAGE

IN CONSIDERING ALL DEVELOPMENT PROPOSALS THE LOCAL PLANNING AUTHORITY WILL PAY PARTICULAR ATTENTION TO THE PROTECTION OF:

- (i) BUILDINGS, STRUCTURES AND OTHER FEATURES OF RECOGNISED ARCHITECTURAL OR HISTORIC IMPORTANCE;**
- (ii) HISTORIC AREAS OF DISTINCTIVE QUALITY AND CHARACTER; AND**
- (iii) IMPORTANT ARCHAEOLOGICAL SITES AND MONUMENTS.**

PROPOSALS WHICH WOULD SIGNIFICANTLY PREJUDICE THESE OBJECTIVES WILL NOT BE PERMITTED.

POLICY CHO1 - REASONED JUSTIFICATION

- 11.1 The need for new development must be seen alongside the high priority to be given to conserving Wirral's built and archaeological heritage and the need to protect areas of special environmental quality. Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and other archaeological sites all represent important landmarks throughout the Borough which directly contribute to the wider character of the area. They are worthy of special protection in their own right.
- 11.2 Such heritage is vulnerable to change. Once lost or altered it cannot be adequately replaced and it is important that the most valuable sites and structures are not needlessly or thoughtlessly destroyed. Policy CHO1, therefore, specifically provides for the best examples of Wirral's cultural heritage to be preserved and seeks to ensure that the case for preservation is fully considered when assessing all proposals for new development

Policy CH1 - Development Affecting Listed Buildings and Structures

Development likely to affect a building or structure listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be permitted where:

- (i) the proposals are of a nature and scale appropriate to retaining the character and design of the building or structure and its setting; and**
- (ii) adequate provision is made for the preservation of the special architectural or historic features of the building or structure.**

When granting consent, special regard will be given to matters of detailed design, to the nature, quality and type of materials proposed to be used, and to the need for the alteration or development proposed, in terms of securing the viable, long-term future of the building or structure.

POLICY CH1 - REASONED JUSTIFICATION

- 11.3 Listed Buildings are buildings recognised to possess special architectural or historic interest which it is especially desirable to preserve. They are formally "Listed" under a national registration scheme approved by the Secretary of State for National Heritage. Wirral has over 1,600 such buildings or structures. Ten list entries are of Grade 1 or outstanding interest, eighteen of Grade II* and another six hundred and fifty-four are listed as Grade II. Once "Listed" a building is subject to additional controls, beyond normal planning powers, which are designed to ensure that the structure and character of the buildings are not altered without specific written consent.
- 11.4 The Local Planning Authority are under a legal duty to pay special regard to the desirability of preserving a Listed Building and its setting, as well as any of the features of special or historic interest that it may possess. Policy CH1, therefore, sets out criteria by which development affecting a Listed Building or structure will be assessed. The objective of Policy CH1 is to ensure that development will only be permitted where its nature and scale are consistent with retaining an appropriate setting for the building and are compatible with retaining its historic or architectural interest.
- 11.5 Policy CH1 also indicates the matters to which the Local Planning Authority will pay special regard when granting planning consent. These primarily relate to measures which are required in order to ensure that any new development will be in keeping with the fabric and setting of the building, but also relate to practical considerations related to the effective preservation of the building in the longer term. As the key to the effective preservation of many Listed Buildings is to keep them in active use, Policy CH1 provides for instances where the changes or alterations proposed are necessary or desirable in order to secure an appropriate and viable long-term use for the building.

Policy CH2 - Development Affecting Conservation Areas

Development located within, adjacent to, or otherwise affecting the setting or special character of a Conservation Area, will be permitted where the visual and operational impact of the proposals can be demonstrated to preserve or enhance:

- (i) the distinctive characteristics of the Area, including important views into and out of the designated Area;**

- (ii) the general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces; and
- (iii) the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.

When granting consent, special regard will be given to matters of detailed design, especially within main frontages and prominent elevations, and to the nature, quality and type of materials proposed to be used.

POLICY CH2 - REASONED JUSTIFICATION

- 11.6 Conservation Areas are identified and designated by the Local Planning Authority as areas which have special architectural or historic interest. Designation places the Local Planning Authority under a duty to formulate proposals for their preservation and enhancement and, in deciding planning applications, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area. It also enables the Local Planning Authority to operate additional controls over demolition, permitted development, trees and other damaging alterations.
- 11.7 The primary means of securing the objectives of designation is, however, by guiding the form and location of new development. This should control damage or erosion to features which are recognised as giving the Area its special character and should provide for new development in order to enhance those areas which currently detract from its overall appearance. Policy CH2, therefore, identifies, in general terms, those aspects which are most likely to define or constitute "special character" and which the Local Planning Authority will normally be most concerned to preserve and enhance.
- 11.8 Policy CH2 also specifically extends planning control beyond the immediate boundary of the designated Area to include the "setting" of the Conservation Area. This will, in particular, be taken to include proposals within the immediate locality or street scene which form a part of important views into or out of the Area or which because of their nature or scale would have a direct effect on the character and environment of the designated zone.
- 11.9 The features of greatest significance within each individual Conservation Area are set out within Policies CH4 to CH23 below, and additional background information is contained within Supplementary Guidance Notes 18 to 37.

Policy CH3 - Demolition Control within Conservation Areas

The demolition of buildings or structures within a designated Conservation Area, other than Listed Buildings or structures, will only be permitted where:

- (i) **the building or structure to be removed has little historic importance, visual merit or group value, or otherwise detracts from the special character of the Area; and**
- (ii) **detailed plans for redevelopment have been approved by the Local Planning Authority and would serve to enhance the character of the Area.**

POLICY CH3 - REASONED JUSTIFICATION

- 11.10 Demolition can often leave discordant gaps in the local townscape and, where undertaken prematurely, can lead to unsightly areas of neglected land which may persist over a long period of time. This is especially detrimental within Conservation Areas. For this reason, special controls exist for the Local Planning Authority to regulate demolition within the designated Area in order to refuse it or mitigate its impact. These controls relate only to non-listed buildings, as separate legal provisions apply to the demolition of Listed Buildings or structures.
- 11.11 Despite their limited value in architectural terms, non-listed buildings can often make an important contribution to the character of a Conservation Area and to the setting of any Listed Buildings within them. This is especially the case where they relate well in style, scale, age, materials and layout to other buildings of importance within the Area and where they help form part of characteristic views into or out of the designated Area.
- 11.12 In general terms, demolition will only be acceptable where the premises or structures involved have little or no merit in terms of their contribution to the history, character or appearance of the Conservation Area concerned. The Local Planning Authority will, however, normally encourage proposals to develop or replace buildings or areas which are out of harmony with the wider character of the Area, providing those proposals are carefully designed in order to enhance the overall appearance of the Conservation Area.
- 11.13 Demolition required under these circumstances will normally be approved. However, Policy CH3 specifically guards against the premature loss of a building by ensuring that demolition is only permitted where directly related to plans for redevelopment or site treatment which are acceptable to the wider objectives of Conservation Area control.

Policy CH4 - Bidston Village Conservation Area

In relation to Bidston Village Conservation Area the principal planning objectives for the area will be to:

- (i) **preserve the rural character of the historic village and the visual separation of the village from the modern, built-up areas nearby;**

- (ii) retain the character, scale and setting of remaining agricultural buildings and cottages;
- (iii) preserve unifying features of design, such as window treatments, stone parapets, gabled entrance porches, the mix between brick and stone as building materials, and stone boundary walls; and
- (iv) retain tree-belts on the lower slopes of Bidston Hill behind Bidston Hall, and on land between Lennox Lane and Bidston Village Road.

Priority will be given to retaining primarily rural land-uses within the precincts of Church Farm, Ivy Farm, Yew Tree Farm and Bidston Hall Farm, and to retaining the open aspect of land between Boundary Road and Bidston Hall, and at the junction of Lennox Lane and Bidston Village Road.

POLICY CH4 - REASONED JUSTIFICATION

- 11.14 Bidston Village Conservation Area was designated in 1972 and was the first Conservation Area to be designated within the Borough. Its boundaries are principally drawn around the original linear settlement but also includes areas of open land and woodland which provide an important separation between the village and the areas of modern development nearby.
- 11.15 The village is early medieval in origin and was the ancient parochial centre for a wide area stretching as far as Moreton, Saughall Massie and Claughton. However, today the village retains the character and appearance of a traditional rural English village. This character principally derives from buildings such as St. Oswald's Church, and the collection and design of modest cottages, and farmhouses, with their associated outbuildings and paddock areas.
- 11.16 The objective of Policy CH4 is to preserve features which contribute towards the distinctive historic character of the village, reinforce the sense of separation between the village and the surrounding area, and which retain the agricultural character and setting of former farm buildings to the north and south of Bidston Village Road. This includes the preservation of predominantly rural land-uses within the remaining areas of open land.

Policy CH5 - Hamilton Square Conservation Area

In relation to Hamilton Square Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the historic character, formal setting and sense of enclosure within the central square;
- (ii) retain the unity of design and elevational treatment of buildings overlooking the central gardens;

- (iii) preserve the wider visual setting of the Square by controlling the design and scale of new buildings located outside but visible from the central square; and
- (iv) secure renewed economic, residential and leisure activity within the Area.

Notwithstanding the designation of the site as Urban Greenspace under Proposal GR2, priority will be given to retaining the historic and formal character of the central garden area.

POLICY CH5 - REASONED JUSTIFICATION

- 11.17 Hamilton Square Conservation Area was designated in July 1977 and extended in June 1994. It contains the largest, Grade 1 Listed, Victorian square outside London and has major significance for the historical development of Wirral. It represents one of the first residential areas for businessmen and the professional classes to be built in the newly formed town of Birkenhead, following the introduction of steam ferries across the River Mersey.
- 11.18 The Area still forms the primary focus for the commercial office centre of Birkenhead and is also a focus for urban tourism together with other nearby attractions allied to the Birkenhead Heritage Trail. However, the future prosperity of the Area relies upon the continued promotion of a strongly proactive, mixed land-use strategy. This strategy has been confirmed by the allocation of Single Regeneration Budget resources for the period 1995 to 2002 to the Hamilton Quarter.
- 11.19 The principal character of the Area derives from the grand scale of the architecture, the sense of enclosure and the general uniformity of design and elevational treatment throughout the central square. The objective of Policy CH5 is, therefore, to preserve these elements in the design and appearance of the Square and to retain the open aspect and formal arrangement of the central garden area.
- 11.20 The boundary of the Conservation Area includes period property along Argyle Street, Hamilton Street and Market Street which provide an important and complementary "visual envelope" to the main Square. However, this boundary does not include all the buildings or land which have potential to detract from its wider visual setting. Policy CH5, therefore, requires all new development located outside but visible from the central Square to be of a scale and design appropriate to maintaining the Area's historic character.

Policy CH6 - Birkenhead Park Conservation Area

In relation to Birkenhead Park Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the character and appearance of an extensive Victorian public park;
- (ii) preserve unifying features of design, such as gate piers, boundary fences and stone walls, and the nature and extent of landscaping throughout the Area; and
- (iii) restrict the non-residential use of existing buildings within the Area, unless a primarily domestic setting would be retained.

Notwithstanding designation as Urban Greenspace under Proposal GR2, priority will be given to preserving uninterrupted, tree-lined, open vistas within the "inner park" as delineated by the route of Park Drive.

POLICY CH6 - REASONED JUSTIFICATION

11.21 Birkenhead Park Conservation Area was designated in June 1977. It is universally acknowledged to be the first publicly-funded park in Britain, and provided the inspiration for the design of Central Park, New York and for the Victorian "Public Parks Movement", which extended a permanent influence throughout this Country and beyond. It currently possesses Grade 1 status within the English Heritage Register of Historic Parks and Gardens.

11.22 The character and appearance of the Area principally derives from its wide and varied collection of period buildings and structures set within and around a mature parkland setting, unified by common features of design such as gate piers, boundary railings and substantial landscaping. Policy CH6, therefore, provides for these features to be retained and restricts new uses which would by their nature or design prejudice the landscaped appearance of the area or detract from the primarily domestic character of period buildings. Policy CH6 also restricts new development falling within the area of open land bounded by Park Drive in order to preserve the open landscaped setting of the central parkland area.

Policy CH7 - Oxton Village Conservation Area

In relation to Oxton Village Conservation Area the principal planning objectives for the area will be to:

- (i) retain the character of the early Victorian commuter settlement;
- (ii) preserve the sense of contrast between houses in spacious grounds and cottage-scale groups of dwellings;
- (iii) retain unifying features throughout the Area, such as narrow roads and paths, mature trees, and stone walls; and
- (iv) retain visual coherence within the retail area, in terms of elevational treatment and the design of shop fronts.

Outside the retail area, only primarily residential uses will be permitted.

POLICY CH7 - REASONED JUSTIFICATION

- 11.23 Oxton Village Conservation Area was designated in April 1979. Its boundaries were drawn to reflect the extent of the early Victorian commuter settlement which developed over the summit of Oxton Hill during the nineteenth century.
- 11.24 The variety of period buildings, ranging from terraces, stone-built cottages and detached stuccoed villas in extensive grounds, give the Area a character unique within Birkenhead. This character is reinforced by details such as elevational treatments, window styles and ornate cast-iron porches, as well as the overall setting of the Area with its narrow roads, lanes and paths, sandstone walls, "cottage" gardens and extensive tree cover. The objective of Policy CH7 is, therefore, to ensure that these distinctive features are preserved and enhanced.
- 11.25 These considerations will also apply within the Oxton Village retail area. Applications for development, including new shop fronts, will, therefore, be specifically required to respect and "mirror" the historic context of the Area. Outside this area, Policy CH7 restricts non-residential uses in order to retain the principally domestic character of the Area and of its historic buildings.

Policy CH8 - Rock Park Conservation Area

In relation to Rock Park Conservation Area the principal planning objectives for the area will be to:

- (i) retain the original character, design and layout of the former merchants' estate;
- (ii) preserve public access along the Esplanade and views across the Mersey Estuary; and
- (iii) retain unifying features, such as the irregular, looped, landscaped driveway and the density, scale, massing and woodland setting of the developed areas.

Only primarily residential uses will be permitted within the Area and notwithstanding designation as Urban Greenspaces under Proposal GR2, priority will be given to retaining the open, landscaped character of Rock Park Linear Open Space and Rock Park Esplanade Open Space.

POLICY CH8 - REASONED JUSTIFICATION

- 11.26 Rock Park Conservation Area was designated in February 1979. It represents a purpose-built, out-of-town, residential estate formed by Liverpool merchants and sited near the local cross-river ferry terminal. The riverside estate also benefits from fine views across the Mersey Estuary and can be clearly recognised from viewpoints on the opposite bank of the River.

- 11.27 The character of the Area mainly derives from the design and layout of the estate. The original estate formed forty-four residential plots, laid out around an irregularly looped landscaped driveway. Each plot was then sold with articles of agreement regulating the density, design and nature of the development subsequently undertaken. The objective of Policy CH8 is, therefore, to ensure that these planned aspects of design and layout continue to be respected.
- 11.28 Rock Park Esplanade and the former ferry landing point is one of few public access points to the riverfront, south of Tranmere. Rock Park Esplanade Open Space is also a prominent landmark in views of the peninsula from the Liverpool riverfront. Policy CH8, therefore, also provides for these features to be preserved.

Policy CH9 - Port Sunlight Conservation Area

In relation to Port Sunlight Conservation Area the principal planning objectives for the area will be to:

- (i) **preserve the planned layout of the village and unifying features, such as the scale, massing, and design of buildings, including the use of superblocks, together with their landscape setting;**
- (ii) **to retain the historic factory frontage overlooking the village from Wood Street; and**
- (iii) **to preserve the visual setting of the Church and Art Gallery, including the formal axis of The Diamond.**

Priority will be given to retaining primarily residential uses within the Area and notwithstanding designation as Urban Greenspace, to preserving the formal character and layout of the open spaces and landscaped areas designated under Proposal GR2.

POLICY CH9 - REASONED JUSTIFICATION

- 11.29 Port Sunlight was designated a Conservation Area in March 1978. The Village is an innovative, planned settlement conceived by William Lever in order to house the workers of his nearby soap and chemical works. It has an international reputation as an early and classic example of English philanthropy, which combined a concern for sanitary living conditions with the objective of providing an attractive, landscaped suburb for the working classes.
- 11.30 The Village still represents a residential environment of rare quality within the built-up area. The objective of Policy CH9 is, therefore, to retain and preserve essential elements in the "planned" form, layout and architectural detail of the Village. This especially includes the formal layout of open spaces which provide the setting for prominent "public" buildings, such as

Christchurch and the Lady Lever Art Gallery. Policy CH9 also provides for the primarily domestic character and scale of the Village to be preserved and for the historic factory frontage to be retained as a continuing reminder of the purpose and history of the Area.

Policy CH10 - Eastham Village Conservation Area

In relation to Eastham Village Conservation Area the principal planning objectives for the area will be to:

- (i) maintain a sense of separation from the surrounding built-up area through the retention of open spaces around the village core;**
- (ii) preserve the setting and sense of enclosure afforded by boundary walls, hedges and mature landscaping; and**
- (iii) preserve the visual setting of the village cross and war memorial and the Church of St.Mary, with its yard and lych-gate.**

In considering new proposals within the Area, special attention will be given to preserving the group value of period buildings, the irregular development pattern, and the relationship between the design, scale and setting of property and the use of building materials.

POLICY CH10 - REASONED JUSTIFICATION

11.31 Eastham Village Conservation Area was designated in April 1974. While many of its historic buildings are Victorian or later, the settlement is mediaeval in origin and the Village still retains its mediaeval street pattern. It is this street pattern and the group value of a rich variety of irregularly clustered period buildings which largely determines the distinctive character of the Area.

11.32 The character and appearance of the Village is in stark contrast to the mundane, planned layout of the modern housing estates nearby. The objective of Policy CH10 is, therefore, not only to retain the distinctive character of the settlement but also to maintain the open or woodland setting of the village and a sense of separation from the surrounding urban area. Policy CH10 also provides for the visual dominance of major focal points within the Village such as the church, and the village cross and war memorial to be preserved.

Policy CH11 - Caldy Conservation Area

In relation to Caldy Conservation Area the principal planning objectives for the area will be to:

- (i) retain the character of a low density, maturely landscaped suburb with substantial houses in large grounds;**

- (ii) retain the unifying features of design, layout and building materials within the old village core;
- (iii) preserve the unity of strongly enclosed boundary treatment incorporating high walls, dense landscaping or dark-stained, close-boarded, timber fences in the area outside the old village core; and
- (iv) preserve, wherever practicable, views of the Dee Estuary and of the North Wales coast beyond.

Only primarily residential uses will be permitted within this Area.

POLICY CH11 - REASONED JUSTIFICATION

- 11.33 Caldy Conservation Area was designated in October 1974. It is situated on a prominent, wooded, west-facing slope, offering dramatic views over the Dee Estuary to North Wales. The boundary, therefore, contains those areas where uncontrolled change would do significant harm to the special quality of the environment.
- 11.34 The Area not only includes the small nucleus of the old historic village, but also the areas of large detached dwellings set in extensive grounds which now primarily define the character of the Area. While the old village is almost exclusively constructed of red ashlar sandstone and contains buildings dating back to the seventeenth century, the surrounding area has slowly been developed since 1906, as a spacious residential district.
- 11.35 The development of the wider area was first regulated by the owning control of the Caldy Manor Estate Company, but has latterly been regulated through design and density controls applied by the Local Planning Authority. Policy CH11, therefore, provides for these controls to be maintained in order to respect the established architectural and landscape standards elsewhere within the estate.

Policy CH12 - Frankby Village Conservation Area

In relation to Frankby Village Conservation Area the principal planning objectives for the area will be to:

- (i) retain the character and appearance of an historic rural village;
- (ii) preserve a compact settlement form, which is separate and distinct from the modern, built-up areas nearby;
- (iii) retain unifying features of scale, layout, design and materials and the focus of buildings around the central green; and
- (iv) preserve the rural character of former farm buildings.

New development will not be permitted upon the area of common land known as Frankby Green.

POLICY CH12 - REASONED JUSTIFICATION

- 11.36 Frankby Village was designated a Conservation Area in October 1974. It represents a compact, historic, rural village which, despite becoming an essentially residential community, still retains many of the historic features of its agricultural past.
- 11.37 The distinctive character and setting of the Village is reinforced by its continued separation from the more modern built-up areas nearby. Policy CH12, therefore, provides for this separation to be preserved, together with the essentially compact nature of the historic settlement. It also provides for the character of remaining rural buildings to be retained, including the character of those which have already passed out of agricultural use, together with their distinctive unifying features of scale, layout and design.
- 11.38 The buildings within the Village are also principally grouped around a small area of common land known as Frankby Green. Policy CH12 provides for this focus to be retained and, owing its visual importance within the setting of the Village, specifically provides for this area of open land to be retained free from development.

Policy CH13 - Gayton Conservation Area

In relation to Gayton Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the character and scale of a small farming township in a woodland setting at the urban fringe;**
- (ii) retain unifying features, such as unmade paths and country lanes, boundary walls and hedges;**
- (iii) preserve the wooded and open grounds of the Gayton Hall estate; and**
- (iv) retain and enhance the sequence of open views to the Dee Estuary and the North Wales coast beyond.**

New uses should respect and retain the quiet, rural character of the Area.

POLICY CH13 - REASONED JUSTIFICATION

- 11.39 Gayton Village Conservation Area was designated in April 1979. While the original settlement is of mediaeval origin and can be traced back to the Domesday Book, the oldest buildings which remain relate to the seventeenth century.
- 11.40 The Area contains much of the original township and largely retains the

character of a small farming community, based around the manorial estate of Gayton Hall. This appearance is enhanced by the scale and character of the buildings themselves, their vernacular form and construction in common local materials, their relationship to the Hall, with its extensive grounds, and their wooded, rural setting. Set within the Dee Coast Area of Special Landscape Value the Village also offers attractive views across the Dee Estuary.

- 11.41 Policy CH13 provides for the rural charm and woodland setting of the Area to be preserved, including distinctive features, such as cobbled streets, unmade paths and country lanes, boundary walls, hedges and cottage gardens, and views across the Dee. It also excludes uses which would be out of keeping with the quiet, domestic character of the settlement.

Policy CH14 - Heswall Lower Village Conservation Area

In relation to Heswall Lower Village Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the character of the old village core, including the setting and character of its former farm buildings and cottage scale dwellings;
- (ii) preserve the character and setting of the surrounding area characterised by substantial property in large, well-landscaped grounds and by the denser more modest scale development to the north of Dawstone Park;
- (iii) retain unifying features such as stone walls, the character of narrow lanes such as School Hill, Brow Lane, West Grove and Feather Lane and areas of mature landscaping.

Notwithstanding designation as Urban Greenspace under Proposal GR2, special attention will be given to retaining the historic character of Dawstone Park.

POLICY CH14 - REASONED JUSTIFICATION

- 11.42 Heswall Lower Village Conservation Area was designated in April 1979. Its boundaries are drawn to encompass the original nucleus of the small fishing village which pre-dated the suburban expansion of Heswall after the arrival of the railway in the late nineteenth century, as well as some of the earliest and best of the later suburban development.

- 11.43 The heart of the original settlement, based around Village Road, Raby Close and The Lydiate, can still be discerned and retains much of the character of a typical English Village, including its church and rectory, public house, village hall, shops and groups of cottage scale dwellings, and former farm buildings such as Lydiate Farm and The Old Smithy. One objective of Policy CH14 is, therefore, to ensure that the distinctive character of the old village continues to be preserved.

- 11.44 Policy CH14 also seeks to preserve the setting and appearance of the surrounding area. This area can be split into two distinct segments: the area characterised by substantial houses set in large grounds, situated towards and along Dawstone Road; and the more clustered modest scale development, based around Dee View Road, The Mount and the upper part of School Hill. In accordance with Policy CH14, new proposals will be required to reflect the specific character of the sub-area in which it is located.
- 11.45 The special character of Dawstone Park, and the significance of its location at the junction of these three distinct areas in the historic development of the Village, also merits special protection. Policy CH14, therefore, provides for the historic character of this open space to be preserved.

Policy CH15 - Thornton Hough Conservation Area

In relation to Thornton Hough Conservation Area the principal planning objectives for the area will be to:

- (i) retain a compact settlement pattern within the setting of the historic country estate;**
- (ii) preserve the consistency of scale, and the variety of design, building materials and architectural detailing of individual buildings and cottage terraces within the Area; and**
- (iii) preserve the settings of St. George's Church and All Saints Parish Church, as focal points within the Village.**

Priority will be given to retaining the open character of Thornton Hough Recreation Ground in order to preserve the visual setting of the Village as viewed from Neston Road.

POLICY CH15 - REASONED JUSTIFICATION

- 11.46 Thornton Hough was designated a Conservation Area in April 1979. The boundary is drawn to reflect the compact settlement, built during the late nineteenth and early twentieth centuries as an "estate village" to house the employees of the Leverhulme Estate.
- 11.47 The character of the Area is largely determined by the scale, building materials and architectural detailing of buildings and terraces which comprise the Village, and which directly reflect the different phases of its development. The objective of Policy CH15 is, therefore, to retain the contrast between the areas of the Village developed by Joseph Hirst and those subsequently built by William Lever, and to preserve the visual richness which arises from the wide variety of design and architectural detailing they introduced.
- 11.48 While views into and out of the Village are not long or significant when approaching from Thornton Common Road, Manor Road or Raby Road, the

view of the Village from Neston Road rising up the hill towards the focal points of St. George's Church and All Saints Parish Church, across the cricket ground with its thatched pavilion, presents a picture of the English rural ideal. Policy CH15, therefore, aims to preserve this distinctive view and the general picturesque setting of the village from this direction, by restricting new development within Thornton Hough Recreation Ground.

Policy CH16 - West Kirby Old Village Conservation Area

In relation to West Kirby Old Village Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the remaining semi-rural, low density character of a former medieval hamlet in a woodland setting;**
- (ii) preserve the open aspect of remnant fields which originally surrounded the Village;**
- (iii) retain the scale and massing of buildings at the Village core, between 14-32, Village Road, and the open setting of The Ring O' Bells, The Rectory and St. Bridget's Church; and**
- (iv) retain unifying features, such as woodlands, tree groups, stone walls, and the character of narrow unmade paths.**

Priority will be given to retaining the open setting of land and woodland to the east and west of Echo Lane and of open land to the east of Church Walk.

POLICY CH16 - REASONED JUSTIFICATION

- 11.49 The "old village" area of West Kirby was designated as a Conservation Area in September 1973. It incorporates the nucleus of the old medieval hamlet and includes many of the oldest buildings in West Kirby.
- 11.50 The character of the Area is primarily derived from its historic associations but is significantly enhanced by the design and setting of its major buildings, such as St. Bridget's Church and Rectory, unifying features such as red sandstone walls, woodland areas, narrow unmade paths and lanes, and by the open aspect of remnant fields which originally surrounded the Village.
- 11.51 The objective of Policy CH16, therefore, is to ensure that these distinctive features are preserved and that aspects of the Area which serve to indicate the original character of the Village are, wherever possible, enhanced and retained.

Policy CH17 - Saughall Massie Conservation Area

In relation to Saughall Massie Conservation Area the principal planning objectives for the area will be to :

- (i) preserve the rural setting, scale and character of the old Village core;
- (ii) preserve a compact settlement form which is separate and distinct from the modern, built-up areas nearby; and
- (iii) retain unifying features such as stone walls, narrow lanes enclosed by mature hedgerows, a courtyard layout to building groups and construction materials.

POLICY CH17 - REASONED JUSTIFICATION

11.52 Saughall Massie Village Conservation Area was designated in January 1974. It contains a small, agricultural settlement as well as some of the surrounding fields which continue to provide an appropriate rural setting for the Village. While the original settlement is of mediaeval origin, most of the historic buildings which remain date from the early to mid seventeenth century.

11.53 Two farms still operate from the Village and while some buildings have been converted, the primarily agricultural character of the Area has been retained. This is reinforced by the setting of the Area, the character, scale, and form of the buildings themselves, and other characteristic features such as stone walls, mature hedgerows and narrow roads and lanes. The objective of Policy CH17 is, therefore, to preserve the historic layout, small scale and essentially agricultural nature of the Village and its buildings. Policy CH17 also provides for the Village to continue to remain separate and distinct from the urban area nearby.

Policy CH18 - Wellington Road (New Brighton) Conservation Area

In relation to Wellington Road Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the character of a series of Victorian Villas and terraced gardens with an open coastal aspect;
- (ii) retain common aspects of villa design such as gabled roofs, barge-boarding, stuccoed elevations, decorated friezes and cast-iron balconies overlooking the coastal promenade; and
- (iii) preserve the historic character of Marine Park for formal public recreation.

Only primarily residential uses will be permitted within the existing built-up area and notwithstanding designation under Proposal GR2, priority will be given to retaining the open aspect of land designated as Urban Greenspace to the north and east of the Conservation Area.

POLICY CH18 - REASONED JUSTIFICATION

11.54 Wellington Road Conservation Area was designated in December 1973. It represents the earliest area developed as part of the "new" resort of New

Brighton and was the only part of James Atherton's first design for the original resort to be implemented. It contains a series of villas, overlooking Liverpool Bay, built to take advantage of the change in ground levels along the coastal strip.

- 11.55 The character of the Area principally derives from the group value of the cliff-top villas, which form a strong visual line when viewed from the promenade. Despite variety in design, they form a cohesive group by virtue of their scale and layout and common features such as gabled roofs, barge-boarding, stuccoed elevations and their long, north-facing, terraced gardens which also form a characteristic part of the historic New Brighton waterfront.
- 11.56 Policy CH18 provides for these aspects of the historic design and character of the Area to be preserved but also provides for development to be restricted on the areas of flat open land forming the coastal strip along Kings Parade Promenade. These sites, allocated as Urban Greenspace in Section 8 of the UDP, form an essential part of the setting of the Area, enhancing the cliff-top aspect of the villas which overlook them, and include Marine Park, which was formally laid out for public recreation during the latter part of the nineteenth century. Policy CH18 also restricts proposals which would be out of keeping with retaining the domestic character of period buildings.

Policy CH19 - Thurstaston Conservation Area

In relation to Thurstaston Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the character of a traditional English Village and the character of its historic agricultural buildings;**
- (ii) preserve the setting of the Village's "public" buildings including St. Bartholomew's Church, Thurstaston Hall, and the School House;**
- (iii) retain unifying features, such as building materials, stone walls, hedges and unmade tracks, and the layout of farm buildings of traditional form grouped around a central courtyard; and**
- (iv) maintain tree groups to the north of Thurstaston Hall, south-west of the Station Road/ Telegraph Road junction, and to the east of Station Road between the two lodges.**

New development will not be permitted in the area of open land in front of St. Bartholomew's Church.

POLICY CH19 - REASONED JUSTIFICATION

- 11.57 Thurstaston Village Conservation Area was designated in February 1981. It is situated within the Dee Coast Area of Special Landscape Value. While originally a farming community, the settlement still retains the image of a

traditional English rural village, with its Church, Hall, School House and surrounding farmsteads.

- 11.58 The character of the Area primarily derives from its topographical setting, the surrounding landscape including a number of important tree groups within the Village itself, and the character, design and layout of the remaining historic buildings and enclosures. Policy CH19, therefore, specifically provides for these historic features to be preserved.
- 11.59 Policy CH19 also provides for the setting and character of the historic "public" buildings of the Village to be retained and restricts development on open land at the entrance to the Church and Hall, which in visual terms serves the function of a village green.

Policy CH20 - Bromborough Village Conservation Area

In relation to Bromborough Village Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the historic character of the Village core, based around the landmarks of St. Barnabas' Church and Bromborough Cross;**
- (ii) preserve the character and setting of the Church and its precincts, including the courtyard, Hall, school, school house and lych-gate; and**
- (iii) retain unifying features such as stone walls, narrow lanes and shared elements of building design and materials.**

No infill development will be permitted between 2 and 22, The Rake, inclusive.

POLICY CH20 - REASONED JUSTIFICATION

- 11.60 Bromborough Village was designated as a Conservation Area in July 1982, and is one of the smallest in the Borough. The boundary to the Area has been drawn tightly in order to include the core of the old village and remaining vernacular buildings along The Rake and Bromborough Village Road.
- 11.61 Originally a compact, nucleated village, centred around St. Barnabas' Church, it has largely been overtaken by more modern development. However, enough of the historic centre remains to enable the character of the original settlement to be discerned. This character is principally derived from the historic market cross, the setting and visual dominance of the Church, and the courtyard formed by its associated buildings at Church Lane.
- 11.62 The objective of Policy CH20 is, therefore, to ensure that the character and setting of these historic features is retained, wherever possible. Policy CH20

also specifically restricts infill development affecting period property along The Rake, in order to preserve the distinctive character and scale of the remaining domestic property within the Village.

Policy CH21 - Barnston Village Conservation Area

In relation to Barnston Village Conservation Area the principal planning objectives for the area will be to:

- (i) preserve the domestic scale and quiet character of an historic, rural village;
- (ii) retain unifying features, such as the character of historic farm buildings, stone walls and mature trees;
- (iii) preserve the wooded scenic corridor to the north of the Village along Barnston Road; and
- (iv) retain the character, setting and group value of imposing buildings in spacious grounds, focussed in a loose square around the Church precincts.

POLICY CH21 - REASONED JUSTIFICATION

11.63 Barnston Village Conservation Area was designated in December 1983. While the original village can be traced back to the Domesday Book, the earliest remaining buildings in the Village date from the eighteenth century. Still dominated by working farms, the Village retains its essentially rural character and represents a good example of a post medieval nucleated settlement.

11.64 The appearance of the Village is dominated by two distinctive groups of buildings: the old core of domestic buildings, centred around Old Lane and its junction with Barnston Road; and the Church precincts, framed by imposing sandstone buildings formed in a loose square whose open side is presented to Barnston Road. Policy CH21, therefore, provides for these features of the Village to be preserved.

11.65 Policy CH21 also provides for the rural character of the Area to be preserved and, in particular, for the wooded, scenic corridor along Barnston Road to be protected. This corridor, leading out of the built-up area towards Barnston Dale, forms an important visual complement to the wider setting of the Village.

Policy CH22 - Bromborough Pool Conservation Area

In relation to Bromborough Pool Conservation Area the principal planning objectives for the area will be to:

- (i) retain the uniform, planned form of the historic, industrial workers village;
- (ii) preserve the open aspect of land providing an important separation function from surrounding modern industrial uses;
- (iii) retain unifying features of design, including the grid-iron pattern, terraces of four, materials, scale, elevational treatment and garden areas; and
- (iv) retain the high wall bounding the Village along Dock Road South.

Only primarily residential uses will be permitted within the Area and notwithstanding designation as sports grounds under Proposal RE6, priority will be given to retaining the primarily open aspect of land used as playing fields at The Green and fronting South View.

POLICY CH22 - REASONED JUSTIFICATION

- 11.66 Bromborough Pool Village Conservation Area was designated in October 1986. It was developed as a model village in 1854 to provide homes for workers in the nearby Price's Candle Factory. Development of the Village continued throughout the rest of the century to incorporate a school, hospital, village hall and Church, all of which remained in the ownership of the factory. The Village, therefore, represents one of the earliest examples of English private company philanthropy.
- 11.67 Policy CH22 provides for essential elements in the planned form of the Village to continue to be preserved, including the uniformity of layout and the setting and detailed design of individual buildings. It also provides for the Village to remain a Primarily Residential Area and to remain essentially separate from its modern industrial surroundings, by restricting new development on open land which serves as an essential buffer between the Village and the modern factory premises nearby.

Policy CH23 - Flaybrick Cemetery Conservation Area

In relation to Flaybrick Cemetery Conservation Area the principal planning objectives for the area will be to:

- (i) retain the quiet character and landscape quality of the early Victorian cemetery;
- (ii) preserve extensive views of Birkenhead and across the River Mersey to Liverpool;
- (iii) retain unifying features, such as stone walls and railings, symmetrical composition and the gothic style of chapels and lodges; and
- (iv) preserve the visual dominance and style of the main processional avenue.

New development within the main cemetery area will be restricted to small scale facilities required for visitors or for cemetery maintenance.

POLICY CH23 - REASONED JUSTIFICATION

- 11.68 Flaybrick Cemetery Conservation Area was designated in 1990. It represents a fine example of a formal Victorian cemetery and possesses considerable local significance, containing the graves of many people prominent in the early growth of Birkenhead. Developed over the period since 1864, it also commands fine views of Birkenhead and across the River Mersey to Liverpool.
- 11.69 The character and appearance of the Area primarily derives from the quality of landscaping, formality of design and from the topographical setting of the cemetery. Policy CH23, therefore, provides for these distinctive features of the cemetery to continue to be preserved, together with unifying features, such as the central, tree-lined processional avenue, the prominence and setting of the twin chapels and the sandstone perimeter wall with cast-iron coping railings.
- 11.70 Policy CH23 also restricts new development within the main cemetery area. The cemetery is not an appropriate location for new development other than that specifically required for its continued maintenance.

Policy CH24 – Development Affecting Scheduled Ancient Monuments

The following sites, shown on the Proposals Map, are Scheduled Ancient Monuments for the purposes of Section 1 of the Ancient Monuments and Archaeological Areas Act 1979:

1. Grange Beacon, Column Road, West Kirby.
2. Birkenhead Priory, Tranmere.
3. Site of Pre-Norman and Medieval Church, Upton.
4. Storeton Hall, Bebington.
5. Irby Hall, Moated Site.
6. Bromborough Court House, Moated Site and Fish-Ponds.

Development proposals liable to destroy, damage or otherwise disturb features of archaeological interest in these areas or which would have a detrimental impact on their setting will be refused.

POLICY CH24 - REASONED JUSTIFICATION

- 11.71 Scheduled Ancient Monuments are designated by the Secretary of State by virtue of the historic, architectural, traditional, artistic or archaeological interest attaching to them. They are of national importance. Separate legal provisions exist to prevent works involving removal, alteration or damage to the Monument without written consent from the Secretary of State.

11.72 It is national policy that a Scheduled Ancient Monument and its immediate setting is preserved, wherever possible, in-situ and in good condition. This objective is, therefore, directly reflected within Policy CH24. Policy CH24 will also be held to apply to additional monuments of national importance which are discovered or formally scheduled during the UDP period.

Policy CH25 - Development Affecting Non-Scheduled Remains

In assessing development proposals liable to affect areas known or suspected to contain important un-scheduled archaeological remains, the Local Planning Authority will in particular consider:

- (i) the potential importance of the archaeological interest of the site, in terms of the rarity, condition and estimated age of the remains; and
- (ii) whether it is desirable or practical, owing to the fragility or importance of the remains, to preserve those remains in-situ.

In order to satisfy these requirements, the Local Planning Authority will require applicants to provide a desk-based evaluation of existing information related to the archaeological interest of the site.

Where a desk-based study indicates that important remains may exist on the site, the applicant will be expected to arrange for an archaeological field evaluation, in order to define the character and extent of the remains and to identify the appropriateness of potential options for minimising or avoiding damage were development to take place.

These evaluations must be undertaken by an accredited archaeological organisation or archaeologist.

Where archaeological remains are of minor importance or it is not considered necessary to preserve them in-situ, the Local Planning Authority will grant planning permission, subject to the excavation and recording of the remains before construction commences.

Where archaeological remains are of significant importance and can only be appropriately preserved in-situ, the Local Planning Authority will assess the impact of the proposals, in terms of the potential disturbance to be caused to those remains and their setting. Where those remains cannot be accommodated within the layout of a revised development scheme or where it is not appropriate to do so, planning permission will be refused.

POLICY CH25 - REASONED JUSTIFICATION

11.73 Policy CH25 sets out the general approach the Local Planning Authority will adopt in regard to the control of development and the protection of archaeological remains. It seeks to ensure that the archaeological interest a site may possess is properly taken into account where important remains are known to exist or where there is good reason to believe that important remains exist.

- 11.74 It is Government policy that nationally important remains, whether scheduled or not, together with their setting, should normally be preserved in-situ. However, because of the essentially invisible and undetermined nature of many archaeological sites, the justification for preservation should be assessed on the individual merits of each case. Policy CH25, therefore, provides for an assessment of the potential archaeological value of a site to be undertaken before the decision to allow development is made.
- 11.75 All planning applications received by the Local Planning Authority are routinely reviewed for their archaeological implications. Applicants will, therefore, be informed, as soon as possible, if their proposals are likely to affect a known or presumed archaeological site. However, in order to avoid unnecessary delay and abortive design work, prospective applicants are strongly advised to seek to establish the archaeological importance of their land at the earliest possible stage.
- 11.76 The archaeological status of land in Wirral can best be established by reference to the Archaeological Sites and Monuments Record for Merseyside which contains a constantly maintained and updated database of all known archaeological sites throughout the Borough. It is currently held by Liverpool Museum, National Museums and Galleries on Merseyside and is available for public inspection, by appointment with the Merseyside SMR Officer.
- 11.77 The assessment procedure, set out under Policy CH25, will only be required where the proposals are likely to affect important archaeological remains. It may take two forms. The first is a desk-study in order to review existing published information related to the archaeological interest of the site. This should start with the relevant entries within the Sites and Monuments Record for Merseyside. Where necessary, and for the purpose of clarification, a field assessment, involving limited ground survey methods such as small scale trial trenching, should also be undertaken. This should enable a reliable estimate to be made of the intrinsic value of the remains and their likely condition and vulnerability to disturbance. It should also allow for a realistic assessment to be made of the need for preservation, including options for mitigating the effects of the development proposed.
- 11.78 When granting planning permission under Policy CH25, the Local Planning Authority will normally require mitigating measures to be undertaken in order to avoid disturbance to archaeological remains. These may involve the re-siting or re-design of development proposals or the use of suitable alternative methods for the construction of foundations. However, Policy CH25 specifically provides, where the case for physical preservation in-situ is overwhelming and can be verified by a competent archaeological consultant, for planning permission to be refused. This will particularly be the case where the measures undertaken to safeguard archaeological remains are inadequate or where the setting of important remains would be severely compromised.

11.79 Further advice with regard to un-scheduled archaeological remains is contained within Supplementary Planning Guidance Note 38.

Policy CH26 - The Preservation of Historic Parks and Gardens

The Local Planning Authority will pay special regard to sites included in the English Heritage Register of Parks and Gardens of Special Historic Interest and will only permit development within, adjacent to, or otherwise likely to affect the setting of such a site, where the proposals:

- (i) would not involve the loss of features considered to form an integral part of the special character or appearance of the park or garden; and**
- (ii) would not otherwise detract from the enjoyment, layout, design, character, appearance, or setting of the park or garden;**

In granting consent, special consideration will be given to matters of design, including landscaping and visual impact, in order to preserve the character and setting of the designated area.

POLICY CH26 - REASONED JUSTIFICATION

11.80 English Heritage have established a national Register of Parks and Gardens of Special Historic Interest in England. Within this Register, parks and gardens are graded with regard to the extent of interest they possess.

11.81 Wirral currently has two parks and gardens within the Register - Birkenhead Park and Thornton Manor Gardens at Thornton Hough. Birkenhead Park is of exceptional historic interest (Grade I) and Thornton Manor Gardens is of special historic interest (Grade II). They are both worthy of preservation in their own right.

11.82 National planning policy guidance indicates that local planning authorities should protect registered parks and gardens, both when preparing development plans and in determining planning applications. This extends not only to the integrity of the park itself but also to its wider setting. Policy CH26, therefore, seeks to ensure that the special character of such sites, together with their setting, is protected from inappropriate development.