

How Are Conservation Areas Chosen?

Conservation Areas vary greatly in their nature and character. They range from the centres of our historic towns and cities, through fishing and mining villages, 18th- and 19th-century suburbs, model housing estates, and country houses set in their historic parks, to historic transport links and their environs, such as stretches of canal.

The special character of these areas does not come from the quality of their buildings alone. The historic layout of roads, paths and boundaries; characteristic building and paving materials; a particular 'mix' of building uses; public and private spaces, such as gardens, parks and greens; and trees and street furniture, which contribute to particular views - all these and more make up the familiar local scene. Conservation Areas give broader protection than listing individual buildings: all the features, listed or otherwise, within the area, are recognised as part of its character.

The first Conservation Areas were created in 1967, and there are now over 8000 Conservation Areas in England.

Who Designates Conservation Areas?

Local authorities have the power to designate as Conservation Areas in any area of 'special architectural or historic interest' whose character or appearance is worth protecting or enhancing. This 'specialness' is judged against local and regional criteria, rather than national importance as is the case with listing.

Within a Conservation Area the local authority has extra controls over:

- Demolition
- Minor Developments
- The Protection of Trees

Demolition In Conservation Areas

Applications for consent to totally or substantially demolish any building within a Conservation Area must be made to the local planning authority, or, on appeal or call-in, to the Secretary of State for the Environment. Procedures are basically the same as for listed building consent applications. Generally there is a presumption in favour of retaining buildings that make a positive contribution to the character or appearance of the Conservation Area.

Please see below:

I want to demolish all (or part) of a house/garden shed or other structure

Listed Building or Conservation Area Consent

If the answer to any of the following questions is "**YES**", then Listed Building or Conservation Area Consent is required. If you think your proposal does not require permission, you may wish to seek informal written confirmation from the Planning Division before you start work.

1. Is the structure a Listed Building, or within the grounds of a Listed Building?
2. If the structure is in a Conservation Area, is the overall volume (irrespective of whether all or part is to be demolished) 115 cubic metres or more?
3. Is the structure a gate, wall or fence in a Conservation Area and either:-
 - a. 1 metre or more in height and abutting a Highway, Public Footpath, Bridleway or Public Open Space? **Or**
 - b. over 2 metres high?

Approval for demolition

If you do not require Listed Building or Conservation Area Consent, you may still need prior written approval for the demolition. If the answer to **ALL** the following statements is "**Yes**", then you should contact the Planning Division before starting work.

1. The building is **NOT** a Listed Building or within a Conservation Area; **and**
2. The building **IS** used for residential purposes (e.g. house, hostel, block of flats) or is adjacent to such a building; **and**
3. The demolition is **NOT** necessary due to any of the following:-
 - a. the urgent interests of health and safety; **or**
 - b. the redevelopment of the site following the granting of permission or required through a planning agreement; **or**
 - c. the requirements of a demolition or other relevant Order, Enforcement Notice, or is permitted under other legislation.

If you wish to demolish part of a building, then prior approval may be required and you should contact the Planning Division before starting work.

Where 'Prior Approval' is required, you must display a notice at the site indicating

that an application for prior approval has been submitted. The notice must be displayed for not less than 21 days during the period when the Council is considering the application.

You must also submit a written description of the proposed demolition and a statement that the site notice has been posted with your application to the Council.

Building Regulations

Whether or not your proposal is permitted development or requires a planning consent, you must also consider whether approval is required under the Building Regulations. The Building Regulations control the way in which a building is constructed, or how it is subsequently demolished.

If the answer to the following question is "**YES**", you are required to notify Building Control of your intention to demolish any part of a structure, unless the demolition is in response to a Demolition Order under the Housing Act 1957:

1. Are you intending to demolish all or part of a building where the external volume of the whole building exceeds 50 cubic metres? **NOTE:**
 - i. The demolition of a greenhouse, conservatory, shed or prefabricated garage attached to a larger building is not controlled.
 - ii. You will require a Building Regulation application to demolish an internal load bearing wall.

Information required by Building Control

Six weeks before starting demolition, you must notify the Local Authority, in writing, stating:-

- i. the address of the building;
- ii. the date of commencement of demolitions;
- iii. the duration of the demolition contract; and
- iv. the name and address of the contractor and/or Architect. A copy must also be sent to the occupier of adjacent buildings and the Gas and Electricity Suppliers.

Minor Developments In Conservation Areas

If you live in a Conservation Area, you have to obtain permission before making changes which would normally be permitted elsewhere, to ensure that any

alterations do not detract from the area's appearance. These changes include certain types of cladding, inserting dormer windows, and putting up satellite dishes which are visible from the street.

Under legislation introduced in 1995, local authorities can make further restrictions on the kind of alterations allowed, depending on how these might affect the key elements of buildings in the Conservation Area. Examples might be putting up porches, painting a house a different colour, or changing distinctive doors, windows or other architectural details. The local authority has to have good reason for making these restrictions, and must take account of public views before doing so.

To many owners, any tighter restrictions or additional costs, such as for special building materials, are more than outweighed by the pleasure they derive from living in such an area.

Trees In Conservation Areas

Trees make an important contribution to the character of the local environment. Anyone proposing to cut down, top or lop a tree in a Conservation Area, whether or not it is covered by a tree preservation order, has to give notice to the local authority. The authority can then consider the contribution the tree makes to the character of the area and if necessary make a tree preservation order to protect it.