

Living In A Conservation Area



■ Living in a conservation area

Whilst many people are familiar with the term 'Listed Building' where an individual building is judged to be of special architectural or historic interest, the concept of a conservation area is not always so easily understood. However there are many parts of our towns and villages which have a special quality, which the Government feels it is desirable to preserve or enhance' using Conservation Area designation. This is due not just to the number of listed buildings there, but also derives from other special characteristics, which can include:

- The way in which the buildings are grouped, in clusters, around greens or enclosing squares or market places, or in rows which are either formal or of an interesting mix of types or styles;
- The variety or special unity of the buildings, of which only some, or even none are listed;
- The spaces themselves, such as winding streets, green islands', or streets that focus at one or both ends on characterful buildings (these may be impressive listed structures such as a church, or humble unlisted workshops or walls of brick and flint);
- Street 'furniture', such as pumps, railings, sign posts and paving materials from formal York stone slabs to simple gravel, cobbles or other pleasing textures;
- Soft landscaping, which can act as a foil for the buildings or become focal points in their own right (these range from mighty oak trees down to grass verges, hedges or formal gardens).

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Whilst living in a conservation area means that a property owner is subject to more planning restrictions than elsewhere, the status given to the area is a recognition of this special character and is thus something to take a pride and an interest in. Even if your building is not individually listed as being of special historic or architectural interest, it may have many interesting features such as traditional materials or local building details, or it will be part of a group of buildings which together have a special visual quality. It will thus be rewarding, both visually and financially, to take extra care over any alterations, changes in roof or walling materials, doors or windows, and even colour schemes, with such buildings. Remember that once an interesting feature is lost it may be impossible or very expensive to recreate it.

What is a conservation area?

A conservation area is defined as 'an area of special architectural or historic interest, the character of which it is desirable to preserve or enhance'. Usually this constitutes the 'historic core' of a settlement and will probably itself contain a number of listed buildings, which have their own individual protection. However the majority of buildings within a conservation area may be unlisted, but are nevertheless important as they can provide the setting for the listed buildings, enclose interesting spaces or form an identifiable group in their own right.

The space between buildings, views and vistas, and boundary features such as walls, hedges and railings, are all vital to the visual character of the area and warrant special attention and safeguarding. Even humble outbuildings, such as old workshops, stores or garden structures can add visual variety and often show how the area has evolved historically.

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Where are the conservation areas?

There are at present 28 conservation areas in Babergh District:

Bildeston, Boxford, Brent Eleigh, Brettenham, Bures St Mary, Chelmondiston (Pin Mill), Chelsworth, Cockfield (Cross Green), East Bergholt, Glemsford, Great Waldingfield, Hadleigh, Hartest, Higham, Kersey, Kettlebaston, Lavenham, Little Waldingfield, Long Melford, Monks Eleigh, Naughton, Nayland, Polstead, Stoke by Nayland, Stoke by Nayland (Thorington Street), Stratford St Mary, Sudbury and Woolverstone.

The Council's duties

Local authorities have a statutory duty to identify and designate such areas within their boundaries, with a special emphasis on the quality and interest of the areas as a whole, rather than on the actual buildings there.

The Council has to show that it has properly appraised new conservation areas, or from time to time re-appraised the existing designations. Appraisal of a conservation area involves careful assessment of the area's geology, topography, archaeology, history, listed buildings, local materials, trees, green spaces, countryside, former uses and a look at its detracting features if any. Most conservation areas have interest at all of these levels, although some may have a particular emphasis or local feature worth preserving.

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Following appraisal, if the area is of sufficient quality, the Council has a duty to designate it as a conservation area. Following designation, the Council will publish proposals for the further preservation and enhancement of the area, inviting public comment. These proposals might include the undergrounding of unsightly overhead wiring, the upgrading or reinstatement of historic paving surfaces or the protection and conservation of village greens. Subject to the availability of funding and resources, the Council will then progress such schemes as and when opportunities arise.

When considering planning applications, as with all its planning functions within the area, the Council will give special consideration to the desire to preserve and enhance the area, as well as consulting more widely than would be the case for an application outside a conservation area. Planning applications in a conservation area have to be advertised locally, both on site and in a local newspaper, giving members of the public a period of 21 days in which to comment upon them. In addition the local amenity groups are invited to comment on applications.

Conservation Area Consent–Demolition

Even if your property is unlisted and it falls within a conservation area you will need to obtain 'Conservation Area Consent' for demolition works which amount to the total or substantial destruction of any building in excess of 115m³. Unlike planning permission, there is no charge for this application and forms are available from the Council.

You will also need Conservation Area Consent to demolish gates, fences, walls or railings over 1m high fronting a highway or public open space, or over 2m high elsewhere in the area.

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There are also other situations where consent is required: please contact Planning Control to discuss any works within the conservation area.

Planning Implications–New Build

New developments in a conservation area, such as new buildings and additions or extensions to existing buildings, will have to pay special attention to preserving or enhancing the character and appearance of the area. In order to secure this, the Council can require you to provide more comprehensive details of the proposal, especially if only an outline planning application is submitted.

The Council will generally require fully detailed schemes to be submitted including plans and elevations showing the new development in its setting, and giving details of siting, building line, massing, construction materials and architectural detailing. Also, where appropriate, details of the location of neighbouring buildings, and in some cases a “street scene” to show the proposal in context. Proposed works should conform to local forms in their scale and massing, and be built using materials of a high quality and as close as possible to those found traditionally in the area. Detailing to elements such as windows, doors, eaves and chimneys needs to be given special attention. There is, however, still a place for innovative new architecture in conservation areas, and the temptation to slavishly copy what is already there is not, in most cases, the only option. Before submitting a detailed scheme it is worthwhile to discuss draft proposals on sensitive sites with one of the Council’s Planning or Conservation Officers.

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Planning Implications–Alterations

The General Permitted Development Order relieves certain minor works from the requirement for planning permission; this is known as 'permitted development'. However in a conservation area you will need planning permission for certain minor works that would be 'permitted development' elsewhere. These include:

- Extensions in excess of 50m³ or 10% of the original building volume (whichever is greater);
- Installation of CCTV cameras, satellite dishes or similar equipment of a certain size in particular locations;
- External cladding of all or part of a house with stone, artificial stone, plastics, timber or tiles;
- Roof alterations that materially change the shape of the roof (the front and rear slopes), e.g. dormer windows;
- Provision, alteration or improvement of ancillary buildings in excess of 10 m³ within the curtilage.

These additional development controls are aimed at maintaining the special character and appearance of the area, and although they curtail individual freedoms, they will tend to increase the value of properties in the area.

Possible Further Restrictions: Article 4 (2) Directions

In addition further permitted development rights may be removed by the Council if it makes 'Article 4 (2) Directions' to control additional minor works, such as door or window replacements, porches and other small extensions. The consequence of removing these rights is that planning permission is then needed to carry out these works, however such applications are free. Permitted development rights can also be removed by the conditions of a planning permission.

Trees in Conservation Areas

Conservation area status gives trees within the area special protection. Trees are defined with reference to a minimum diameter of the trunk of 75mm (3") at a point of 1.5m (5') above the ground. You will have to give six weeks notice, in writing, to the Council of any proposed works to trees in a conservation area. During those six weeks the Council must decide whether or not to make the trees the subject of a Tree Preservation Order.

Planning (Control)

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This document can be made available on audio tape, in Braille, large print or another language upon request by telephoning 01473 826622

