

THE IMPLICATIONS OF CONSERVATION AREA DESIGNATION

What is a Conservation Area?

A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. This means that when a conservation area is designated, the Council has recognised that the area has a special character and identity, which is worth protecting. There are 69 designated conservation areas within Salisbury district.

The Legislation

Current legislation relation to conservation areas is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990, the effects of which are explained in Planning Policy Guidance Note 15.

Planning and the Historic Environment (PPG 15), published September 1994, and also in Environmental Circular 14/97 Planning and the Historic Environment Notification and Directions by the Secretary of State, published August 1997.

What does Conservation Area Designation Mean?

The Council is required, by legislation, to seek the preservation or enhancement of the special character of each conservation area. Proposals for change of use or for new development have to be considered in the light of this requirement.

Conservation area designation helps to protect an area's special architectural or historic interest by providing:

- The basis for policies designed to preserve or enhance all aspects of the character or appearance of an area that defines its special architectural or historic interest
- Control over the demolition of unlisted buildings and works to trees within a conservation area
- Stricter planning controls within a conservation area.

Whilst it is true that conservation area status may be accompanied by added restrictions, and possibly extra expense, there are a number of benefits of living or working within a conservation area.

- Retaining and enhancing special features maintains the character of the area, and as a result property values are likely to be higher
- Most properties are of a particular design or character which cannot be easily replicated in new developments
- Maintaining properties within a conservation area ensures the attractiveness of the area is preserved
- Owning a building within a conservation area can stimulate the appreciation and local history of the area.

Managing Change in Conservation Areas

The intention of Conservation Area designation is not to inhibit further development, or to preserve the area unaltered, but to ensure that the character of the area is strengthened and not diminished, by future development.

In practice, this can be achieved by the preparation of a character appraisal for each area, by creating specific policies and prudent development control.

The Special Character of Conservation Areas

When a conservation area is designated it is the character of the area, the familiar and cherished local scene that conservation area designation seeks to protect. The special character of these areas comes from: the quality of their buildings; the historic layout of road and boundaries; characteristic building and paving materials; the particular mix of building uses; public and private spaces; the history of the place which gives rise to a particular pattern of development; the 'sense of place'; the setting of buildings; the palette of materials; and the social significance of the area.

Conservation areas give broader (but less onerous/prescriptive) protection than listing individual buildings: all the features, listed or otherwise within conservation areas are recognised as part of its character (although clearly there will be some built features that will detract from the character of an area).

Control of Works to Dwellinghouses in Conservation Areas

In addition to the regular planning controls, planning permission is required for certain external works to a dwellinghouse with a conservation area, which includes house extensions of more than 50 cubic metres or 10% of the original dwellinghouse (whichever is the greater) and subject to certain restrictions including:

- The cladding of any part of the exterior
- Any addition or alteration to the roof (not the repair of)
- The erection within the curtilage of the dwellinghouse of a building eg a garden shed, which is larger than 10 cubic metres
- The installation of an antenna (satellite dish) on a chimney, or on a building that exceeds 15 metres in height, or on a wall or roof slope which fronts a highway.

Control of Works to Flats and Commercial Properties in Conservation Areas

If you are an owner or tenant of a commercial property or a flat, you are already governed by the regular planning controls, and most external alterations (such as the erection of a satellite dish) require planning permission.

Checking with the Planning Office (Development Services)

These additional planning controls which apply in conservation areas are only a summary. We recommend that you always check with a planning officer, who can be contacted on telephone number 01722 434541 (NB. please ask for the Duty Officer when calling).

New Development in Conservation Areas

Where the council considers new development to be appropriate, a high standard of design is expected. The council's expectations regarding design (whether inside a conservation area or outside) can be found in 'Creating Places: A guide to achieving high quality design in new development' – the council's design guide. This can be accessed via the website (www.salisbury.gov.uk). Initial informal design advice for development in conservation areas can also be obtained by contacting the Planning Office on 01722 434541.

In general the Council will require new building work to preserve or enhance the existing character or appearance of the conservation area. Special regard should be given to such matters as scale, height, form, massing, detailed design and quality of materials, in the interests of harmonising the new development with its neighbours. Density of development is an intrinsic part of the character of conservation areas. Proposals to subdivide grounds or large gardens will not normally be permitted unless it can be demonstrated that such proposals will not harm the character or appearance of the conservation area.

Control of Demolition in Conservation Areas

Designation introduces a general control over the total or substantial demolition of unlisted buildings of 115 metres cubed or greater and some boundary walls (see below). Such control provides the basis for policies designed to preserve and enhance all the aspects of character or appearance that define an area's special interest. Conservation Area Consent would be required from the council for the total or substantial demolition.

Control of Demolition of Boundary Walls in Conservation Areas

Conservation Area Consent is also required for the demolition of walls which are in excess of 1 metre high that adjoin a highway, open space, or for the demolition of walls more than 2 metres high elsewhere.

Conservation Area Consent for Demolition

In assessing whether or not to grant Conservation Area Consent the local planning authority will have regard to the desirability of preserving or enhancing the character or appearance of the conservation area in which the building/structure is situated.

The local authority or the Secretary of State may take enforcement action or institute a criminal prosecution if the demolition works are carried out without first obtaining the necessary consent. It should be noted that if the property is a listed building, in ecclesiastical use, or a scheduled ancient monument, different legislation applies, details of which can be obtained from the Planning Office (Development Control telephone number 01722 434541).

Works to Trees in Conservation Areas

It is the whole character and appearance of conservation areas that the local authority seeks to preserve or enhance, not just the character of the individual buildings within them. A major element of the character and appearance of many conservation areas is the trees and gardens within them. Therefore, ill-considered works to trees may not only lead to the loss of the trees themselves, but also ruin the appearance of the area, and spoil the setting of any buildings nearby.

All trees with a trunk diameter of 75mm measured at 1.5m above ground level within conservation areas are protected. Any works to them, which include pruning and felling, will require a written notification to the Council six weeks prior to commencing those works.

Exemptions are

- Trees that are dead, dying or that have become dangerous.
- Pruning of fruit trees in accordance with good horticultural practice to prevent or control a legal nuisance.
- Where the loss of a tree is unavoidable, replanting with species that are native or traditional to the area will be encouraged.

Caring for Conservation Areas

The designation of a conservation area should help to preserve the special character particular to a locality.

It is important, therefore, that amenity groups, residents' associations and local people are involved to ensure standards are maintained and enhancement targets achieved.

Small-scale enhancement schemes, such as the reintroduction of traditional paving materials, or more appropriate but efficient street lighting, are often beneficial to the appearance of a conservation area.

There are many instances when a seemingly small alteration can enhance the character and appearance of an area.

Where to Get Copies of Legislation and Guidance

The Planning (Listed Building and Conservation Areas) Act 1990, can be viewed on the following website: http://www.opsi.gov.uk/acts/acts1990/Ukpga_19900009_en_1.htm

Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG 15) can be viewed on the following website: <http://www.communities.gov.uk/index.asp?id=1144041>.

Contacting the Planning Office for Advice

For further information on planning related issues or Conservation Area Consent please telephone the Planning Office 01722 434541 and ask for the Duty Officer

Or email: developmentcontrol@salisbury.gov.uk

Or write to:
Development Services
The Council Offices
61 Wyndham Road
Salisbury
Wiltshire SP1 3AH

For further information on Conservation Area designation and advice about listed buildings, please telephone 01722 434362 and ask to speak to a Conservation Officer,

Or email: forwardplanning@salisbury.gov.uk

Or write to:
Forward Planning
The Council Offices
61 Wyndham Road
Salisbury
Wiltshire SP1 3AH