

Conservation Areas – A Brief Guide

Conservation Areas: Are designated under Section 69 of the 1990 Planning Act which defines Conservation Areas as "Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance."

There are many different kinds ranging from whole town centres to squares, terraces and village centres as is evident from the different characteristics of each conservation area within Warwick District.

Conservation areas may be designated by Local Authorities, the Secretary of State and in London - English Heritage. Local residents can apply to local planning authorities to have their areas designated.

The designation of a conservation area has several formal consequences as set out below. These are designed to protect the best qualities of the Conservation Area for the benefit and enjoyment of everyone.

- The demolition of most buildings is controlled, requiring conservation area consent from the local authority. It is always preferable to consult the Local Authority before carrying out demolition in a Conservation Area. Partial demolition is not always controlled and advice can be given on this by a Planning Officer at the local authority.
- Notification of Trees Works. Notification must be made to a local authority if works are proposed on a tree with a trunk of 75 mm diameter, or greater, at a height of 1.5 metres from the ground. If tree removal for thinning purposes is proposed then the diameter raises to 100 mm. The Act does refer to trees and not shrubs as this applies to timber which is 1.5 metres high with the requisite diameter trunks. All shrubs and hedges lower than 1.5 metres can be cut back without the requirement to make a notification. Any overhanging branches or hedges onto a highway can be cut back under the Highway Act without the requirement for notification. Pruning fruit trees within the bounds of good horticultural practice is permitted without the need for notification.

Once notification has been made, the Local Planning Authority may do one of three things: make a tree preservation order in the interests of the amenity of the area; decide to do nothing within a six week period, after which the proposed works may be carried out, or decide not to make a tree preservation order and inform the applicant.

It is an offence to carry out works to trees which fall within the category of notification without first going through this process.

- The amount of "Permitted Development" which can be built without Planning Permission is more limited, although some minor extensions are still permissible without planning approval. The Local Authority Planning Department should always be contacted before carrying out any development.

Article 4 Directions gives the local planning authority the power to restrict selectively, certain permitted development rights in conservation areas and could cover: the painting of external facades, replacement of roofs, replacement of rainwater goods, replacement of windows, replacement of doors, external boundary treatment. Where Article 4 Directions have been designated, Planning Permission will be required to carry out works covered by the designation. A public consultation exercise is required before a designation can be made.

- A Local Authority may apply to the Secretary of State, to designate a conservation area as an area of special control of advertisements, which largely affects commercial properties in the conservation areas.
- A Local Authority Planning Department must give special consideration to any new developments or alterations to existing buildings or requests to demolish a building, to ensure that the proposal will either enhance the area and not detract from the quality of the Conservation Area. Conservation Area Status does not, however, mean that new development in an area is not possible. Guidance on the management of the Historic Environment is given in Planning Policy Guidance Note 15 (PPG15) – this document is currently under revision.

Various guidance leaflets relating to Conservation Areas are available on request from Warwick District Council and some are available on the Council's website www.warwickdc.gov.uk. These include guidance on aspects of development relating to Conservation Areas and Listed Buildings.

Planning Officers at the District Council are always happy to discuss any issues relating to Conservation Areas in the District.

Character statements have been published by the District Council for the conservation areas in Warwick District and are available in leaflet form for the Rural Conservation Areas and as the Urban Conservation Area statements for Leamington Spa, Warwick, Kenilworth and Whitnash.

Alan Mayes
Principal Architect Planner