

Planning Controls in Conservation Areas

In addition to normal planning requirements, further controls apply in conservation areas, including control over building demolition and work to trees with a trunk diameter greater than 75mm (3in.).

Listed buildings will also need listed building consent for any proposal affecting their appearance or character, internally or externally. A leaflet on listed buildings is available from our offices. A useful guide to listed buildings and conservation areas is Planning Policy Guidance Note 15 (PPG15) 'Planning and the Historic Environment', available from HMSO.

Legislation is complex and changes from time to time so it is advisable to contact the National Park Authority for up to date advice.

Conservation Area Consent

This is normally needed to demolish all or the very substantial majority of any building with a total cubic content exceeding 115 cu m. Consent is also needed for the entire removal of any gate, wall, fence or railing more than 1 metre high abutting a highway, public footpath or open space, or more than 2 metres high elsewhere.

Planning Permission

Planning controls over what householders can do on their properties in a conservation area are effectively identical to those applying within a National Park.

Planning applications, which, in the opinion of the Authority, would affect the character or appearance of the Conservation Area, must be advertised and opportunity must be given for public comment. This may include proposals outside the Conservation Area which nevertheless affect its setting.

The National Park Authority may also decide to adopt extra planning controls within Conservation Areas by the use of an Article 4(2) Direction. This Direction removes the normal Permitted Development Rights from dwelling houses, meaning that planning permission is required:

- for the erection, alteration or removal of a chimney on a dwellinghouse, or on a building within the curtilage of a dwellinghouse;

and any of the following permitted development rights for development ***which would front a highway, waterway or open space:***

- the enlargement, improvement or other alteration of a dwellinghouse;

- the alteration of a dwellinghouse roof;
- the erection or construction of a porch outside any external door of a dwellinghouse;
- the provision, within the curtilage of a dwellinghouse, of a building, enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;
- the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such;
- the installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage;
- the erection or demolition of a gate, fence, wall or other means of enclosure within the curtilage of a dwellinghouse; and
- the painting of a dwellinghouse or a building or enclosure within the curtilage of a dwellinghouse.

A direction can be selective both between and within these types of development.

Trees

Trees in a conservation area have the same protection as those covered by Tree Preservation Orders. It is an offence to fell or prune such trees without prior written consent from the Local Planning Authority. You need to write to the Authority giving 6 weeks notice of your intention to carry out work to protected trees in a conservation area.

An explanatory leaflet 'Protected Trees – a guide to Tree Preservation Procedures' is available free of charge from the National Park offices.