

## **What is a conservation area?**

Local planning authorities have a duty under The Planning (Listed Buildings & Conservation Areas) Act 1990 to designate as conservation areas any areas considered to be of special architectural or historic interest, the character or appearance of which it is desirable to protect or enhance. There are now 34 conservation areas throughout the Island. 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 define its special architectural or historic interest. Designation enables control over the demolition of unlisted buildings, works to trees and stricter planning controls within a conservation area and introduces a statutory requirement for the local authority to consider the impact of a proposed development upon the character or appearance of a conservation area.

## **Why designate a conservation area?**

When a conservation area is designated it is the character of the area, the familiar and cherished local scene, which the designation seeks to protect. The special character of these areas does not come from the quality of the buildings alone. Areas may also comprise of the following: historic streets, i.e. roads, paths, boundaries and street furniture; prevailing building and paving materials; open spaces, private and public i.e. parks and greens and the trees and vegetation within these areas; and the range of uses to which land and buildings are put.

These features are an irreplaceable record which contributes to our understanding of both the past and present. Their presence adds to the quality of our lives, by enhancing the familiar and cherished scene and sustaining the sense of local distinctiveness which is an important aspect of the character of the Island's towns, villages & countryside. However, conservation area

designation is only the first step in protecting an area as there are a number of responsibilities for the preservation and enhancement of the area that the local authority and residents have to adopt.

## **Resident responsibilities**

Planning legislation requires that planning permission must be sought from the local authority for certain types of development and that any application includes a Heritage Statement to assess the impact on the protected character of the Conservation Area. The main controls and issues are summarised below.

## **Extensions and alterations to dwellings**

A change to householder permitted development regulations came into force on 1 October 2008. The determination as to whether an extension is permitted development is primarily determined by virtue of the location, ground coverage and dimensions of the alteration and an impact assessment. Advice is available on the planning portal website.

[www.planningportal.gov.uk/house](http://www.planningportal.gov.uk/house)

Planning permission is required if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse or if the extension would have more than one storey and extends beyond the rear wall of the original dwellinghouse. There are also restrictions on the siting, size and height of extensions.

The materials employed on any alteration or extension should be of similar appearance to the existing.

Any roof extension or alteration which would materially alter the shape of the roof (including dormers on any elevation) will require planning permission from the local authority.

Cladding any part of the exterior of a dwelling house within a Conservation Area (e.g in artificial stone, render, timber or tiles) requires planning permission.

## **Garages and outbuildings**

Additional buildings are not permitted if the building would be situated on land forward of or between the side elevation of a dwelling and boundary of the curtilage of the dwellinghouse. Further criteria also apply; advice is available on the planning portal website.

## **Demolition of structures**

Conservation Area Consent must be obtained for any proposal to totally demolish a building with a cubic content greater than 115 cubic metres or a structure such as a wall if it is higher than 1 metre adjacent a highway and 2 metres elsewhere. Demolition of listed buildings is already controlled under the Planning Acts.

## **Windows & Doors**

Ordinary unlisted dwellings do not require planning permission for the changing of windows or doors. However, if a property contains flats, incorporates a commercial element or has permitted development rights removed or is subject to an Article 4 direction, planning permission will probably be required for the changing of windows and doors and you are advised to seek confirmation from the local authority. Original period doors and windows contribute greatly to the character of the conservation areas and where possible they should be retained. Original doors and windows can preserve historic glass and be examples of quality local craftsmanship. When historic doors or windows are beyond repair and replacements are sought, the preference will be for exact like for like replacements, incorporating the retained glazing and fixtures and fittings, where possible. Proposals involving replacement double glazed timber, aluminium or upvc units will only be supported when the proposal closely replicates

the existing window or door. With regard to windows, the appearance must match that of the existing window in terms of glazing proportions, glazing bars and opening method. Proposals that fail to accurately replicate existing windows or doors in principle elevations of a dwelling that is adjacent a public highway or open space will be considered to materially alter the external appearance of the building. This constitutes development and will require planning permission. Applications seeking approval for such changes are unlikely to gain consent. However, where replacement units have been carefully considered and closely reflect the existing windows or doors planning permission will not be required. Proposals involving the replacement of non-original windows or doors with more appropriate units of a different design will require planning permission but are likely to be supported.

#### **Trees**

If a tree is protected by a tree preservation order (TPO) you will need the local authority's permission to undertake any works. For works on all other trees within a conservation area (unless they are less than 7.5cm in diameter, measured at 1.5 metres above ground level) the local authority must be given 6 weeks notice in writing, unless it is dead, dying or dangerous. In such cases at least 5 days notice should be provided. For further information you should contact the local authority's tree section on (01983) 823893.

#### **Satellite Dishes**

A satellite dish is not permitted on a chimney, wall or roof slope which faces onto and is visible from a highway or on a building which exceeds 15 metres in height. Other criteria apply with further advice available on the planning portal website.

#### **Local planning authority responsibilities**

Designation of a Conservation Area is not an end in itself and the local authority must develop policies which clearly identify the special qualities

of the area which should be preserved or enhanced and set out the means by which that objective will be achieved. Current policy is not to halt or obstruct change but to ensure, through positive management and control, that new development accords with an area's special interest, allowing the community to remain alive and prosperous.

#### **Article 4 Directions**

The local authority has the power, following public consultation, to serve an Article 4 Direction to bring activities, which do not normally require planning permission, under planning control. The removal, alteration or change in materials of any door or window, the enlargement, improvement or other alteration of a dwelling house and the alteration of front gardens are all matters that may require planning permission. Planning applications relating to Article 4 Directions are free. Refer to the separate Article 4 Direction leaflet for further information.

#### **Conservation Areas**

Arreton, Bembridge, Bonchurch, Brading, Briary, Brighstone, Brook, Calbourne, Carisbrooke, Cowes, East Cowes (Esplanade), East Cowes (Centre), Freshwater, Godshell, Hulverstone, Mottistone, Newport, Newtown, Norton Green, Pound Green, Ryde, Sandown, Seaview, Shalfleet, Shanklin, Shorwell, St Helens, St Johns (Ryde), St Lawrence, The Duver (St Helens), Ventnor, Yarmouth, Whippingham, Whitecroft.

Further advice can be obtained from the planning portal website ([www.planningportal.gov.uk/house](http://www.planningportal.gov.uk/house)) and from planning enquiries on 01983 823 552.

The conservation and design team can be contacted at: Planning Services, Seaclose Offices, Fairlee Road, NEWPORT, Isle of Wight, PO30 2QS. 01983 823552. E-mail: [conservation@iow.gov.uk](mailto:conservation@iow.gov.uk) LEAFLET CON10 01/12

## **CONSERVATION**

## **CONSERVATION AREA ADVICE**



## **PLANNING SERVICES**