

# Advice on Planning Controls in Conservation Areas.

This document is an advice note explaining additional the planning controls that are applicable when a property is located within a Conservation Area.

## Demolition

Many buildings or structures within a conservation area may not be demolished, either completely or in part, without the Council's prior consent in writing via the granting of planning permission. Generally, the demolition of any building larger than 115 cubic metres requires planning permission; but there are exceptions to this, and it is always best to contact the Council to check before undertaking any works.

Demolition of a boundary wall, fence or gate will require planning permission if it is more than 1 metre high, where abutting a highway, or more than 2 metres high elsewhere.

Generally, there is a presumption in favour of retaining buildings and parts of buildings which make a positive contribution to the character or appearance of the conservation area; and the Council will not grant planning permission for demolition until planning permission for the building's replacement has been granted.

## Minor development

If you live in a conservation area, you are required to make an application for planning permission before making some changes which might normally be Permitted Development<sup>1</sup> outside a conservation area, in order to ensure that any alterations do not detract from the area's appearance. The following development therefore requires explicit planning permission within conservation areas:

- cladding to the exterior of a house with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- construction of additional storeys;
- side extensions;
- rear extensions of more than one storey;
- roof extensions and dormer windows;
- any building or enclosure within the grounds of a house required for a purpose incidental to the enjoyment of the dwelling (including swimming pools, garden sheds, garages and summerhouses), which is between a side elevation of a dwellinghouse and the property boundary;

---

<sup>1</sup> Permitted development rights allow certain works to take without the need to apply for planning permission. They derive from a general planning permission granted not by the local authority but by Government.

- a container used for domestic heating purposes (for the storage of oil or liquid petroleum gas), which is between a side elevation of a dwellinghouse and the property boundary;
- installation/alteration/replacement of a chimney, flue or soil and vent pipe on a dwellinghouse (where they front a highway and are on the principal or side elevation);
- paving over front gardens with non-permeable surfacing of an area greater than five square meters (n.b. this particular item requires an application for planning permission in any location).

In dealing with any applications for planning permission within conservation areas, the Council will consider the effect of the proposed development upon the character and appearance of the area.

In addition, various other works may require planning permission relating to the designation of Article 4 Directions.

## Satellite dishes & solar panels

In a conservation area, explicit planning permission (that is, you must make an application to the Council) is required to install any satellite dishes on any wall, roof slope or chimney which both faces onto and is visible from a highway or on a building more than 15 metres in height. If a dish is to be installed within a conservation area, then the very highest standards of care in locating and installing the equipment will be required in order to protect the special character of such an area.

If your property is in a conservation area, explicit planning permission will be required if solar panels are to be fitted on the front or side walls and they are visible from the highway. If solar panels are installed on a roof slope they should not be installed above the highest part of the roof (excluding the chimney) and should project no more than 200mm from the roof slope. Explicit planning permission would also be required for solar panels on the wall of a building within the curtilage of a house that would be visible from a highway.

## Trees within conservation areas

Trees are recognised as making an important contribution to the character of the local environment. Anyone proposing to cut down, prune, top or lop a tree in a conservation area which is not covered by a Tree Preservation Order (TPO) has to give six weeks' notice in writing to the Local Planning Authority prior to carrying out any works to the tree. The notification should include a description of the tree and any works to be carried out. This applies to surgery works or felling of any tree with a trunk over 75mm in diameter measured 1.5 metres above ground level. The authority can then consider the contribution the tree makes to the character of the area, and if necessary, make a TPO to protect it.

Are there any exemptions, when written notice is not required?

- Yes, when working on trees with stem diameters of less than 75mm (measured at 1.5 metres from ground level)
- If the works being carried out are to help promote the growth of other trees, then trees with stem diameters of less than 100mm (at 1.5 metres) may be removed or pruned
- In addition, works which are exempt under the TPO regulations also apply here i.e. removal of dead wood, dying or dangerous trees

However, tree owners would be prudent to provide the Council with at least five working days' notice prior to cutting down any tree which the owners deem to be dead, dying or dangerous, unless such works are required in an emergency. Carrying out works without giving notice is an offence. It is the tree owner's responsibility to provide proof that the tree was indeed dead, dying or dangerous in the case of challenge. It is always advisable to request an inspection by staff from the City Council's Trees & Woodlands Team prior to carrying out any tree felling operations within a conservation area.

## Flats and commercial properties

Flats and commercial properties do not have the permitted development rights available to other residential properties (houses and bungalows). As such, many of the items listed above already require planning permission from the council when applied to flats, and the conservation area status simply provides an additional consideration in the assessment of any related planning applications.

## Advertisements

Under the Town and Country Planning (Control of Advertisements) Regulations 2007, certain advertisements are 'permitted' without the need for express consent. In Conservation Areas, there are additional restrictions that require an application to be submitted on:

- illuminated advertisements;
- flag advertisements;
- advertisements on hoardings;
- captive balloon advertisements;
- advertisements on telephone kiosks.

See detailed advice: [Government guidance on advertisements](#)