

### **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 preserve or enhance.

There are currently 34 conservation areas throughout the Island and nearly 10,000 throughout England.

### **What does conservation area designation mean?**

Conservation area 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. Further information (such as windows, doors, landscaping and materials) should also be provided in sufficient detail. 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)

In conservation areas, 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.

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.

The materials used on any alteration or extension should be appropriate to the special character and appearance of the conservation area.

### **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. Justification for the loss of any building should be submitted as part of the application. 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, planning permission will probably be required for the changing of windows and doors and you are advised to seek confirmation from the local authority.

### **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 the stem diameter is less than 7.5cm, measured at 1.5 metres above ground level) the local authority must be given 6 weeks notice in writing, unless the tree is dead, dying or dangerous and 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 **does not** mean that development cannot take place within the conservation area or within its setting. Designation means that special consideration will be given to applications within the conservation area to ensure that any demolition is fully justified and that schemes (which are acceptable on all other planning grounds) are of a suitable design, are high quality and appropriate to the special character. This additional level of consideration allows the Council to insist upon the best possible standards of design within a conservation area, and equally to refuse development proposals on the grounds of poor design or quality.

Conservation area appraisals produced in partnership with the community can assist with community planning to explore the best ways for an area to develop and grow whilst ensuring that it keeps its local character and sense of identity.

### **Article 4 Directions**

The local authority has the power to serve an Article 4 Direction to bring activities, which do not normally require planning permission, under planning control. The removal or alteration of any door or window, other alterations to a dwelling house, the removal of boundary features, and the creation of hardstanding, are all matters which may require planning permission where it fronts a public highway. Please note, this does not affect like for like repair and maintenance, it does not

apply retrospectively and any application that is required as a result of an Article 4 Direction does not incur a fee. Refer to the separate Article 4 Direction leaflet for further information.

The purpose of such controls is to ensure that the special qualities of an area are not slowly eroded by continuous alterations that could cumulatively have the same adverse effect as an inappropriate large development.

### **Conservation Areas**

Arreton, Bembridge, Bonchurch, Brading, Briary, Brightstone, Brook, Calbourne, Carisbrooke, Cowes, East Cowes (Esplanade), East Cowes (Centre), Freshwater, Godshill, 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:

Conservation and Design  
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)

Website: [www.iwight.com/conservation](http://www.iwight.com/conservation)

Revised: 27<sup>th</sup> February 2012

# CONSERVATION

# CONSERVATION AREA ADVICE



# PLANNING SERVICES