



# Wigston Spa Lane Conservation Area Development Control Guidance

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# 1.0 Introduction

- 1.1 This document has been produced in tandem with the Conservation Area Appraisal written for Wigston Spa Lane. Its purpose is to provide guidance to prospective developers by clearly setting out the key issues which will influence the Local Planning Authority's decision on any application.
- 1.2 Conservation Area designation is not intended to 'pickle' an area by preventing all new development. This guidance therefore seeks to ensure that the area continues to thrive, but without prejudicing the key features which define the character and appearance of the area.
- 1.3 This guidance should be read in conjunction with the Conservation Area Appraisal for the area and the supporting policies in the adopted Local Plan / Local Development Framework.

## **2.0 Consultation**

- 2.1 This document was subject to public consultation before being considered by the Full Council of the Borough Council on 18 December 2006. Following an appraisal of the Conservation Area, changes were made to the boundary, which come into effect on 15 January 2007.
- 2.2 A 'Report of Consultation' has been produced by the Borough Council which summarises all the representations received during the public consultation exercise which accompanied the production of this document.

## 3.0 Submission of applications

### 3.1 ***Outline planning applications***

Outline applications for development within the Conservation Area will not be accepted unless they contain sufficient supporting information by which the impact of the proposed development on the character and appearance of the Conservation Area can be judged.

### 3.2 ***Full planning applications for new buildings***

These will need to include sufficient detail by which the full impact of the proposals on the character and appearance of the area can be judged. This will need to include consideration of the issues raised in the Conservation Area Appraisal (especially the 'Key Characteristics' Section) and a design statement which clearly sets out how the proposal is felt to preserve or enhance the character and appearance of the area.

### 3.3 ***Listed Building Consent***

This is required for any works which affect the architectural or historic interest of the interior or exterior of any listed building and any building constructed before 1 July 1948 which stands within its curtilage. Applications must include a statement which demonstrates an understanding of the aspects of the building to be affected, describes why the work is needed, explains why any alternative options were discounted and considers how the damage to any historic fabric will be minimised.

### 3.4 ***Conservation Area Consent***

This is required for the demolition of any unlisted building within the Conservation Area. In order to justify the works, a statement may need to include consideration of: the importance or otherwise of the building to the character and appearance of the area; the structural condition of the building and the works necessary to repair or convert the building; details of why the building is incapable of beneficial reuse; and details of the recording of the building to be demolished. Where a building is to be replaced by a new structure, consideration of how the building will contribute to the character and appearance of the area will need to be included in the Design Statement which accompanies any planning application.

## 4.0 Demolition

- 4.1 Listed Buildings (including their outbuildings) and Significant Local Buildings will enjoy a general presumption against their demolition.
- 4.2 The demolition of such buildings will only be approved where it can be proved that:-
- The building is structurally unsound and repairs would involve the significant loss or alteration of the original structure and any elements of particular historic interest; or
  - It cannot continue in its current use, and it is not capable of being converted to a suitable new use in its current form; and
  - The building has been offered for sale on the open market at a sensible market price for at least six months and that no reasonable offer has been received; and
  - Any proposed replacement building will make an equal or greater contribution to the character and appearance of the area.
  - demolition would not result in a long term cleared site to the detriment of adjacent listed buildings or the Conservation area
- 4.3 The demolition of other buildings will be approved provided that:-
- The building makes either a negative or insignificant contribution to the character or appearance of the area
  - Any replacement building or feature will preserve or enhance the character and appearance of the Conservation Area. Any application for a replacement building must be accompanied by a design statement which describes how the new building respects the 'Key Characteristics' of the area as defined in the Conservation Area Appraisal.
  - To avoid unsightly gaps in the Conservation Area, a condition will be imposed on any grant of Conservation Area Consent which prevents the demolition taking place until a contract has been let for the redevelopment of the site.
  - The building is carefully dismantled so that the building materials are either salvaged for re-use or recycled (in line with RWS Policy 7).

## 5.0 Development of vacant sites

- 5.1 The vacant land within the Conservation Area forms unsightly areas which detract from its appearance. It is important that any proposed development of these vacant areas should be of a high quality both in terms of design and materials in order to ensure that the Conservation Area is visually enhanced by the scheme. The guidance provided in this document (see Section 7: The Design of New Buildings) should inform the design of any proposed development on these sites.
- 5.2 The following sites have long term potential for enhancing the character of the Conservation Area:
- 5.3 ***Former Filling Station site, Bull Head Street***  
Currently vacant garage site secured by temporary fencing  
Flanked by two residential Significant Local Buildings (Nos. 20-22 & 36) Potential to significantly improve aspect to Bull Head Street  
Potential housing or commercial site
- 5.4 ***Mowsley End / Spa Lane***  
Currently contains Kwik Fit garage, various light industrial buildings and vacant plots  
Potential housing or commercial site, possibly linking into Filling Station site  
Identified Significant Local Buildings and buildings of townscape value should be retained and integrated into any new development  
Potential to significantly improve aspect to Mowsley End / Spa Lane & Bull Head Street  
Main vehicle access for any development should be via Mowsley End / Spa Lane
- 5.5 ***Ford Dealership, Spa Lane***  
Currently workshop/garage and showroom with surrounding car parking area  
Adjoining buildings to northeast are Listed Buildings and those to southwest are of townscape value  
Potential to significantly improve aspect to Spa Lane and setting of Listed Buildings  
Possible site for housing and opportunity to establish appropriate building line

## 6.0 Change of use

6.1 The conversion of former industrial or commercial buildings of townscape value will be considered if the site would make an important contribution towards improving the environment and where their conversion would not result in an unacceptable loss of employment land. A mixed use scheme, which retains employment uses on the site, will be encouraged provided that:-

- The appearance of the building will be maintained without the need for disfiguring extensions or alterations.
- The amenity of adjoining residents will not be significantly affected.
- Adequate car and cycle parking and refuse storage can be provided and suitably screened from public view.
- Existing vehicle accesses are adequate, or appropriately sized accesses can be provided without affecting the townscape quality of the area, the setting of the building or involving the loss of any important tree or boundary.
- Any important 'lost', altered or dilapidated architectural details will be restored.

6.2 The change of use of residential dwellings to non residential uses will not normally be permitted.

## 7.0 The design of new buildings

- 7.1 The Spa Lane Conservation Area Appraisal describes the area's 'grain', i.e. how the area's existing buildings relate to the street. Section 7 'Key Characteristics' summarises information such as boundary treatments, building heights and line, materials, detailing, etc. Paying particular attention to the street in which the new building(s) will sit will establish appropriate design principles and ensure that the new buildings will respect the Conservation Area's existing character.
- 7.2 In order to be acceptable, the design of any new building will need to respect the character and appearance of the Conservation Area by:-
- Being of an appropriate mass and scale to avoid dominating the two-storey residential properties and to maintain an appropriate juxtaposition of scales
  - Being of an appropriate form to sit comfortably with the mix of residential, industrial and commercial styles of the buildings in the area
  - Having interesting roof forms and producing an interesting silhouette
  - Use materials and detailing which follow on from the design principles which influenced the basic form of the building, i.e. which either reflect those found on traditional buildings in the area or, as part of a very high quality design approach, produce a successful contrast
  - Providing a Design Statement as part of a Planning Application which sets out the rationale behind the design of the building
  - Responding to the differences in detailing where a development covers more than one street
  - Creating positive street corners with active frontages on all elevations
- 7.3 High standards of energy efficiency will also be encouraged in new buildings and the possibility of on-site generation of energy from renewable sources should be explored. The visual impacts on the Conservation Area, however, must be carefully considered and any energy efficiency/generation measures must not adversely affect the character or appearance of the Conservation Area.

## 8.0 Alterations and extensions

- 8.1 Alterations and extensions should normally be confined to the rear or least important elevations unless the result would sustain or improve the architectural character of the building in its setting. Planning permission will be granted for proposals which:-
- Do not interfere with key architectural features of the composition.
  - Retain existing weavers' windows
  - Are subordinate and appropriate to the form of the main building and either of the same materials as the main building or provide an appropriate contrast.
  - Serve to reinstate missing traditional features, such as doors, windows, front porches and other decorative features
  - Use traditional and, where appropriate, reclaimed or recycled building materials
  - Explore the opportunity to implement energy efficiency measures

## **9.0 Works to Listed Buildings**

- 9.1 Works which affect the special architectural or historic interest of a Listed Building require Listed Building Consent. This applies to works to the main building, any outbuildings or boundaries (built before 1 July 1948) and the interior of any building. The acceptability of works to Listed Buildings is governed by relevant local and national planning policy.

## 10.0 Significant Local Buildings

- 10.1 The residential buildings identified as Significant Local Buildings in the Oadby and Wigston Local Plan and in the Conservation Area Appraisal make a positive contribution to the character and appearance of the area. In order to protect these properties and their boundaries from unsympathetic alterations, the Borough Council will consider making Directions under article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995.
- 10.2 'Article 4 Directions' effectively remove householders' permitted development rights. The types of development which might be controlled would include:-
- painting, cladding or rendering of building facades
  - insertion or replacement of doors and windows
  - removal or replacement of boundary walls and fences
  - alteration of roof profiles and replacement of roofing materials
- 10.3 Non-residential properties do not have permitted development rights and planning permission must be sought for many of the types of development listed above. Development which will adversely affect the building's character / appearance or its setting will not be permitted.

## **11.0 Proposals affecting the setting of the Conservation Area**

- 11.1 Development will not be permitted which, although not within the conservation area, will have an adverse effect upon the area's special character or appearance, including intruding into any significant vista or view into, out of, within or across the area which is identified in the Conservation Area Appraisal.