Local Development Framework

Conservation Areas
Supplementary Planning Document

September 2008
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1. INTRODUCTION

DEFINITION AND PURPOSE OF CONSERVATION AREAS

1.1 Conservation Areas are defined as ‘areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’.

1.2 When a conservation area has been designated, it increases the Council’s controls, with planning applications judged by their impact on the character and appearance of the area. Greater controls over the demolition of buildings and structures are imposed whilst the rights which owners have to do works to their properties without planning permission (known as ‘permitted development rights’) are reduced or can be taken away. Stricter controls are also exercised over the design of new buildings, and owners must give the Council six weeks notice of their intention to carry out works to trees. Planning applications affecting a Conservation Area must be advertised on site and in the local press to give people opportunity to comment.

PLANNING POLICY CONTEXT

1.3 This section sets out the relevant national and local planning guidance which relate to the Supplementary Planning Document.

1.4 Planning Policy Guidance Note 15: Planning and the Historic Environment (1994) stresses the value of a clear and comprehensive appraisal of the special character which justifies the designation of a conservation area as a sound basis for development control decisions within the area and the formulation of proposals for its preservation and enhancement.

1.5 The Oadby and Wigston Local Plan sets out a number of policies that will influence development within conservation areas. The relevant policies are as follows:

- Landscape Proposal 1: Design of new development
- Landscape Proposal 3: New development in Conservation Areas
- Landscape Proposal 9: Significant urban open space

1.6 QuBE Planning Ltd was appointed by the Borough Council to produce Conservation Area Appraisals and Development Control Guidance for each of the Borough’s 9 Conservation Areas. The documents were subject to public consultation and adopted as policy statements of the Borough Council. The Development Control Guidance policy statements have been reviewed and brought together within this SPD. The relevant Conservation Area Appraisal must be read in conjunction with this Supplementary Planning Document.

AIMS OF THE SUPPLEMENTARY PLANNING DOCUMENT

1.7 The objectives of the Supplementary Planning Document are as follows:

- To assess and define opportunities and threats within the Conservation Areas; and
- To provide policy guidance to ensure that the character and appearance of the Conservation Area will be maintained through the effective management of change and that those opportunities to enhance the character and appearance are maximised.
STRUCTURE OF DOCUMENT

1.8 Part A of the document sets out generic development control guidance which applies to all conservation areas within the Borough.

1.9 Each conservation area has its own individual and unique character; therefore Part B sets out management tools relating specifically to each conservation area so that proposals can be considered against this guidance.

1.10 Once adopted this Supplementary Planning Document will supersede the existing Development Control Guidance documents.
PART A

GENERAL CONSERVATION AREA DEVELOPMENT CONTROL GUIDANCE
2. SUBMISSION OF PLANNING APPLICATIONS

OUTLINE PLANNING APPLICATIONS

2.1 Outline applications for development within a 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.

2.2 On major development sites this may include a masterplan supported by detailed design codes or statements to demonstrate the form which new buildings will take.

FULL PLANNING APPLICATIONS FOR NEW BUILDINGS

2.3 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 accompanying Conservation Area Appraisals (especially the ‘Key Characteristics’ Section) and a Design Access Statement which clearly sets out how the proposal is felt to preserve or enhance the character and appearance of the area.

LISTED BUILDING CONSENT

2.4 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.

CONSERVATION AREA CONSENT

2.5 This is required for the demolition of any unlisted building within a Conservation Area. In order to justify the works, a statement will be required which 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.
- Details of the recording of the building to be demolished.

2.6 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 Access Statement which accompanies any planning application.
3. DEMOLITION

3.1 Listed Buildings (including their outbuildings and lodges) and Significant Local Buildings will enjoy a general presumption against their demolition.

3.2 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; and
- Demolition would not result in a long term cleared site to the detriment of adjacent listed buildings or the conservation area.

3.3 The demolition of unsympathetic extensions to buildings will be approved provided that the intention is to return the building to its original state, or where any replacement extension will better respect the special architectural or historic interest of the building.

3.4 The demolition of other buildings (and boundary walls over 1 metre high fronting public highways) 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 Access Statement which describes how the new building respects the ‘Key Characteristics’ of the area as defined in the accompanying Conservation Area Appraisals, and;
- The building is carefully dismantled so that the building materials are either salvaged for re-use or recycled (in line with RWS Policy 7).
4. **ALTERATIONS AND EXTENSIONS**

4.1 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:

- Respect the prominent building line;
- Do not destroy symmetry of balanced elevations or groups;
- Do not lead to terracing (excluding South Wigston Conservation Area);
- Do not interfere with key architectural features of the composition;
- 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; and
- Explore the opportunity to implement energy efficiency measures.

4.2 Specific guidance on alterations and extensions is provided for ‘The Lanes’, Midland Cottages and Oadby Court Conservation Areas.
5. Works to Listed Buildings

5.1 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.

5.2 Additional guidance is provided for Oadby Hill Top and Meadowcourt Conservation Area.
6. SIGNIFICANT LOCAL BUILDINGS

6.1 The buildings identified as Significant Local Buildings in the Oadby and Wigston Local Plan and in the Conservation Area Appraisals make a positive contribution to the character and appearance of the area. In order to protect these properties and their boundaries from unsympathetic alterations, consideration will be given to making Directions under article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995.

6.2 ‘Article 4 Directions’ effectively remove a 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; and
- alteration of roof profiles and replacement of roofing materials.

6.3 Non-residential properties do not have permitted development and planning permission must be sought for many of the types of development listed above. Development which will adversely affect the buildings character/appearance or its setting will not be permitted.
7. PROPOSALS AFFECTING THE SETTING OF A CONSERVATION AREA

7.1 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 accompanying Conservation Area Appraisals.

7.2 Any future development of sites adjacent to a conservation area should have special regard to the special character identified within the accompanying conservation area appraisal. Particular attention should be given the design, layout and massing of new buildings their relationship to the conservation area, the impact on car parking and landscape proposals.