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01727 819344 or 819345



The District Council Offices textphone number is **01727 819570**. The service is for customers with a hearing impairment.

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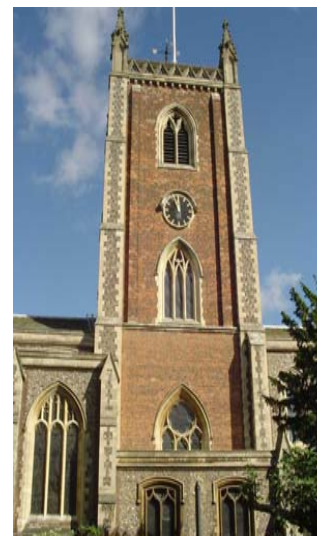
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Planning Advisory Leaflet



LIVING IN A CONSERVATION AREA

What is a conservation area?

These are areas that are considered by the Council to be of 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.

Conservation areas are aimed at protecting the overall character created by the quality and special interest of areas, as well as the individual buildings.

There are 18 conservation areas in St Albans District at present (detailed maps of these areas can be seen at the District Council offices).

How are conservation areas designated?

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate conservation areas. The Council, as the Local Planning Authority, is under a continuous duty to consider if it should designate new conservation areas, or extend existing ones. The Council can also remove the designation of an area or part of an area if it loses its special interest.

When considering the designation of a conservation area the Council will take into account the factors that create special character within an historic area, for example historic buildings, historic street patterns, layout of property boundaries and thoroughfares; characteristic materials; landscaping and important open spaces; the quality of advertisements, shop fronts, street furniture and landscaping; views along streets and between buildings; and details that provide 'local' character.

The first stage in the designation of a conservation area will usually be an appraisal of the area to determine its special architectural or historic character and to assess its worthiness as a conservation area. A public consultation exercise may be carried out to determine the views of the people who live in that area. This appraisal report will then be considered by the Portfolio Holder, and

a decision made as to whether or not the area should be designated. Once an area has been designated, a public notice describing the boundary will be published in at least one local newspaper and in the *London Gazette*. The Council must also notify the Secretary of State for Culture, Media and Sport, and English Heritage.

What are locally listed buildings?

In addition to statutorily listed buildings (see the Council's advisory leaflet, *Listed Buildings*), there are a number of valuable 18th, 19th and 20th century buildings which are considered to be of some architectural or historic importance, and which positively contribute to the character of the conservation area, but are not on the statutory list. Although often of more modest quality, they have nevertheless become an important part of the familiar scene and help to illustrate the social, historic and architectural development of the area. Many contain architectural features and details that are unlikely to be repeated in modern buildings. These buildings will normally be identified during the initial conservation area appraisal or later during a more detailed study, and will be considered and agreed by the Portfolio Holder.

Proposals to demolish such buildings, or that involve unsympathetic alterations including the loss of valuable features, are unlikely to receive consent.

How am I affected as a homeowner in a conservation area?

Some minor alterations to residential properties and the erection of some outbuildings can normally be carried out without planning permission from the Council. This development is called residential 'permitted development'. The designation of a conservation area introduces extra restrictions to 'permitted development'. For example, all dormer windows, various types of cladding, large extensions to a house (including garages), some satellite dishes and certain garden buildings are not 'permitted development' in a conservation area and will therefore require planning permission.

Most demolition work requires Conservation Area Consent and it is advisable to check with the Council's Conservation and Design team before carrying out *any* demolition in a conservation area. For example, the demolition of a fence, wall, railing or gate, which is next to a road and over one metre high or over two metres high elsewhere, will require Conservation Area Consent. Where the Council has not yet produced a 'local list' of buildings for a particular conservation area, the Council will have to consider whether or not a particular building makes a positive contribution to the conservation area as part of the consideration of an application. If it does contribute, it will be treated in the same way as a locally listed building. Conservation Area Consent for the demolition of a locally listed building will not be granted unless either points 1) **and** 3) or points 2) **and** 3) below apply.

- 1) The Council is satisfied that the applicants have demonstrated that the viability of alternative uses for the buildings has been fully explored (including the possibility of sale to an alternative user) and that the building cannot, at reasonable expense, be retained.
- 2) Substantial planning benefits to the community will decisively outweigh the loss resulting from demolition.
- 3) There are acceptable and detailed plans for any redevelopment, which show what is to be substituted and how it will fit into the area.

Some individual houses contribute greatly to the overall character of the area. Unfortunately, they may suffer from alterations that do not always need planning permission – it is therefore important to avoid unsympathetic alterations that can be damaging to the historic street scene such as unsuitably designed replacement windows. A booklet, *Planning. A Guide for Householders*, setting out best practice for maintaining the character of your house exterior is available from the Council. Estate agents now agree that where original features like windows and doors are retained, houses will hold their value to a much greater extent, and that unsympathetic alterations can reduce the value of your property.

What is an Article 4 Direction?

Within certain parts of a conservation area an 'Article 4 Direction' may also exist. The aim of an 'Article 4 Direction' is to retain or encourage reinstatement of historically correct features of the street. They are designed to protect particularly vulnerable parts of conservation areas from potentially harmful alterations. Within these areas most types of 'permitted development' rights are withdrawn, so that nearly all types of development and external alterations need planning permission. Please check with the Council's Conservation and Design team (leaflets on the St Albans Article 4 Direction areas are also available from the Customer Service Centre or can be downloaded from the Council's website).

Trees

Trees have legal protection in conservation areas. This means before you top, lop, fell or uproot any trees over 75mm in diameter, you must give the Council's Trees and Woodlands Officer at least six weeks' written notice.

Applying for consent to develop in a conservation area

A designated conservation area does not mean that all changes will be prevented; it simply means that the Council must, and will, pay special regard to whether the proposed change will 'preserve or enhance' the character or appearance of a conservation area. Most applications in a conservation area should be accompanied by the following:

- a plan with the application building or site outlined in red;
- a brief description of the proposed works;
- fully detailed and clearly labelled 'before and after' drawings of all affected external elevations, including the relationship to adjacent buildings;
- a hard and soft landscaping scheme (if relevant).

How long does it take?

Applications for development affecting conservation areas must normally be advertised in the local paper and a site notice will also normally be put up. As a rule, the decision will be given within eight

weeks. For this to be done, it is essential that the necessary information is supplied with the application to avoid delay. Should your application be refused, you are entitled to appeal to the Secretary of State. However, it is advisable to discuss proposals with the officer who dealt with your application, because you may instead be advised to submit a revised proposal that would be acceptable.

Other sources of information

Planning Policy Guidance Note 15: *Planning and the Historic Environment* (September 1994) published by the Department of the Environment and Department of National Heritage.

St Albans District Plan Review 1994, St Albans City and District Council

Conservation Area Character Statements, St Albans City and District Council

The Victorian Society

1 Priory Gardens
Bedford Park
London W4 1TT
Tel: 0208 994 1019

The Twentieth Century Society

70 Cowcross Street
London EC1 M6BP
Tel: 0207 250 3857

Further information

This advisory leaflet is intended to be a helpful and useful source of information and not binding on any party. The Council offers no guarantee or warranties concerning the accuracy of the information supplied.

For more information about the contents of this leaflet contact:

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