



Rutland  
County Council

# Parish Council Forum 20<sup>th</sup> October 2015

Conservation Areas

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## What is a Conservation Area?

Rutland County Council is required to designate as a conservation area:

“Any area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”.

(Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(National Planning Policy Framework states that the local authority should ensure that a conservation area justifies its status because of its special architectural or historic interest)



## Conservation Areas in Rutland

- |                                      |                        |
|--------------------------------------|------------------------|
| Ashwell (1999)                       | Ayston (1979)          |
| Barrowden (1979)                     | Belton (1975)          |
| Braunston (1979)                     | Clipsham (1979)        |
| Cottesmore (1981)                    | Edith Weston (1975)    |
| Egleton (2004)                       | Empingham (1975)       |
| Exton (1971)                         | Great Casterton (1979) |
| Greetham(1981)                       | Hambleton (1975)       |
| Ketton (1972)                        | Langham (2004)         |
| Little Casterton & Tolethorpe (1999) | Lyddington (1970)      |
| Market Overton (1981)                | Morcott (1981)         |
| North Luffenham (1981)               | Oakham (1971)          |
| Preston (1979)                       | Ridlington (1998)      |
| Ryhall (1976)                        | Seaton (1999)          |
| South Luffenham (1977)               | Stretton (2000)        |
| Teigh (2004)                         | Tickencote (1978)      |
| Tinwell (1999)                       | Uppingham (1981)       |
| Whitwell (1979)                      | Wing (1981)            |



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## How are boundaries decided?

- through consultation between the County Council, Parish councils & residents to identify areas of special architectural or historic interest
- some boundaries have been extended to include land important to the setting of the conservation area

but.....

final decision rests with the County Council, as local planning authority.



## Making planning decisions

- Planning (Listed Buildings & Conservation Areas) Act 1990

Section 72 requires that:

“ special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area”.

= statutory presumption

- National Planning Policy Framework 2012:
  - Paragraph 131 - in determining planning applications, local planning authority should take account of the desirability of sustaining and enhancing heritage assets;
  - Para 132 - great weight to be given to conservation of a heritage asset;
  - Para 133/134 - harm/less than substantial harm to be weighed against public benefit;
  - Para 138 - loss of a building that make a positive contribution is either substantial or less than substantial harm.



## Rutland Local Plan policies

### Rutland Core Strategy:

- Policy CS22: Quality and character of the built and historic environment will be conserved or enhanced. Particular protection will be given to character and special features of conservation areas.

### Rutland Local Plan Site Allocations and Policies Development Plan:

- Policy SP20: Development in conservation areas will only be acceptable where the scale, form, siting and design and materials proposed would preserve or enhance the character or appearance of the area. Development will not be acceptable where it would have an adverse effect on:
  - appearance of buildings being altered;
  - immediate setting of the development;
  - street scene and views into and out of the area;
  - other environmental, amenity & highway interests;
  - important features such as trees, hedgerows or important open spaces.



## Conservation Area Appraisals

- RCC presently undertaking a review of conservation areas:
- Appraisals have been adopted for:  
Ashwell, Whitwell, Morcott, Empingham & Lyddington
- Aim is to define the special character and thereby aid planning decisions,  
But:
  - provide opportunity to review boundaries & measures needed to safeguard it (eg Article 4 direction);
  - Draft document subject to consultation with parish council & public before adoption as supplementary planning document to Rutland Local Plan.
- = a material planning consideration.



LYDDINGTON CONSERVATION AREA  
CHARACTER APPRAISAL AND MANAGEMENT  
PROPOSALS



CONSULTATION DRAFT  
APRIL 2015





# Rutland County Council



*The stone boundary wall and verge on the south side of Back Lane, included within the Conservation Area.*



*Open land to the north of High Street has been included within the enlarged Conservation Area on account of its importance to the historic setting and views of the village.*



## Planning controls within a conservation area

More stringent planning controls over new development, demolition and alterations.

Planning applications also subject to extra publicity (site notice & press advert).

New development : does it preserve or enhance?  
(in this context, preserving means “doing no harm”)

Demolition: presumption against demolition of buildings that make a positive contribution to character or appearance;  
Planning permission needed to demolish boundary walls or buildings of more than 115 cubic metres.



## Alterations

Within any conservation area, planning permission is needed to:

- clad buildings in stone, artificial stone, timber, plastic or tiles;
- enlarge a house by an addition or alteration to the roof, such as a dormer window;
- extend beyond the side wall of the original house;
- extend by more than one storey beyond the rear wall of the original house;
- install a satellite dish on a chimney, wall or roof facing and visible from a highway;
- display illuminated advertisements.

But houses still enjoy “permitted development rights”;  
Solar panels do not need consent.



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Trees are also protected – 6 weeks notice needs to be given of any proposal to cut down, lop, top or uproot a tree.

(exceptions are if it is dead, diseased or dying, less than 75mm in diameter 1.5 metres above the ground, or work is by statutory undertakers)





### Article 4(2) directions

- remove householder permitted development rights for alterations fronting the highway or open space –ie visible from the public zone;
- ie planning permission required to change windows, doors, roof material or to pave a front garden.
  
- Declared in 16 conservation areas:

Ashwell	Ayston
Belton	Braunston
Clipsham,	Egleton
Langham	Little Casterton,
Lyddington	Preston,
Ridlington,	Seaton,
Stretton	Teigh
Tinwell	Whitwell
  
- no planning fee required;
- provide greater scrutiny & control over minor alterations which, cumulatively, can erode the character or appearance of an area.
- Article 4 directions should be used only where necessary to protect amenity.

