

A Brief Guide to
Living in a
Conservation Area



Nayland with Wissington Conservation Society

Registered Charity 268104

A brief guide to living in a Conservation Area

A conservation area is defined as 'an area of special architectural or historic interest, the character of which it is desirable to preserve or enhance'. Usually this constitutes the 'historic core' of a settlement and will probably itself contain a number of listed buildings, which have their own individual protection. The majority of buildings within a conservation area may be unlisted, but are nevertheless important as they can provide the setting for the listed buildings, enclose interesting spaces or form an identifiable group in their own right.

The boundaries of the Nayland Conservation Area are shown edged in green on the reverse of this leaflet. If your property is within the conservation area the following restrictions shall apply to you property.

Minor development

You are required to obtain planning permission before making some changes, which might normally be permitted outside a conservation area, in order to ensure that any alterations do not detract from the area's appearance. The following development therefore requires planning permission within conservation areas:

- cladding to the exterior of a house with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- side extensions;
- rear extensions of more than one storey;
- roof extensions and dormer windows;
- any building or enclosure within the grounds of a house required for a purpose incidental to the enjoyment of the dwelling (including swimming pools, garden sheds, garages and summerhouses), which is between a side elevation of a dwelling house and the property boundary;
- a container used for domestic heating purposes (for the storage of oil or liquid petroleum gas), which is between a side elevation of a dwelling house and the property boundary;
- installation/alteration/replacement of a chimney, flue or soil and vent pipe on a dwelling house (where they front a highway and are on the principal or side elevation).

In dealing with any applications for planning permission Babergh Council will consider the effect of the proposed development upon the character and appearance of the area.

Satellite dishes and solar panels

Planning permission is required to install any satellite dishes on any wall, roof slope or chimney, which both faces onto and is visible from a highway. If a dish is to be installed within the conservation area, then the very highest standards of care in locating and installing the equipment will be required in order to protect the special character of such an area.

Specific good practice guidance is available in relation to the appropriate size and siting of satellite dishes on buildings, both within and outside conservation areas, by contacting the Conservation and Listed Buildings Service at Babergh District Council

Also note that planning permission will be required if solar panels are to be fitted on the front or side elevation walls and they are visible from the highway. If panels are to be fitted to a building in your garden, they should not be visible from the highway.

Demolition

Any buildings or structures located within the conservation area may not be demolished, either completely or in part, without planning permission.

Planning permission to demolish is not required if (a) any building with a total cubic content not exceeding 115 cubic metres (as ascertained by external measurement) or any part of such building other than a pre-1925 tombstone (b) any gate, wall, fence or means of enclosure which is less than one metre high where abutting a highway, public footpath or bridleway, waterway or open space or less than two metres in height in any other case (c) any building erected since 1st January 1914 and in use, or last used, for the purposes of agriculture or forestry

Trees in Conservation Areas

As Babergh District Council is under a duty to preserve or enhance the character or appearance of the conservation area as a whole, a key part of that character and appearance may be the trees located within the area.

Anyone proposing to carry out works to a tree in the conservation area must give at least six weeks notice to the Council. There are exceptions to this requirement, including when the tree is dead, dying or has become dangerous. This notice period gives the Council the opportunity to decide if it is necessary to impose a tree preservation order on the tree in order to discharge its duty to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

If the authority decides the tree is not a part of the special character or appearance of the area it may give consent or allow the notice to lapse without response. Otherwise it should refuse consent and consider imposing a tree preservation order. It is a criminal offence to carry out works to a tree where consent has been refused or where notice was required and not served on the local planning authority.

Trees in conservation areas that are already subject to tree preservation orders are subject to that regime only and no separate conservation area notice is required.

Where a tree in a conservation area has been removed illegally or because it is dead, dying or dangerous or causing a nuisance, a replacement tree must be planted by law. The tree must be of an appropriate size and species. The Council can enforce this requirement and ultimately come onto the land itself to carry out the planting and then recover the cost from the owner.

Listed Buildings

Our conservation area contains many listed buildings (buildings which have been listed by national government as being of architectural and/or historic interest). If you live in such a building, further restrictions apply to the type of works that can be undertaken without planning permission or Listed Building Consent. It is therefore always advisable to discuss your proposals with the Planning and Development department prior to carrying out any external or internal alterations, demolition or development within the boundaries of your property.

Some other buildings, although not protected by having been listed at the national level, are never the less "locally listed", meaning that they have been designated by Babergh District Council as buildings of local historical significance. The Council will pay particular attention to proposals affecting such buildings; and demolition is unlikely to be supported.

The aim of the Conservation and Listed Buildings Service at Babergh District Council is to provide assistance and guidance to owners of listed buildings to help them conserve and enhance our built heritage and to increase public awareness, appreciation and understanding of the historic environment.

The Conservation and Listed Building Officers provide specialist, professional guidance to owners, agents, builders and anyone else involved in the care, repair or development of listed buildings in our historic environment. This normally involves pre-application negotiations, commenting on applications and agreeing details on schemes that have been approved. We recommend you contact one of their professional team for specialist advice before starting any listed building project.

Further information may be obtained from:

Babergh District Council Planning Department

01473 825858

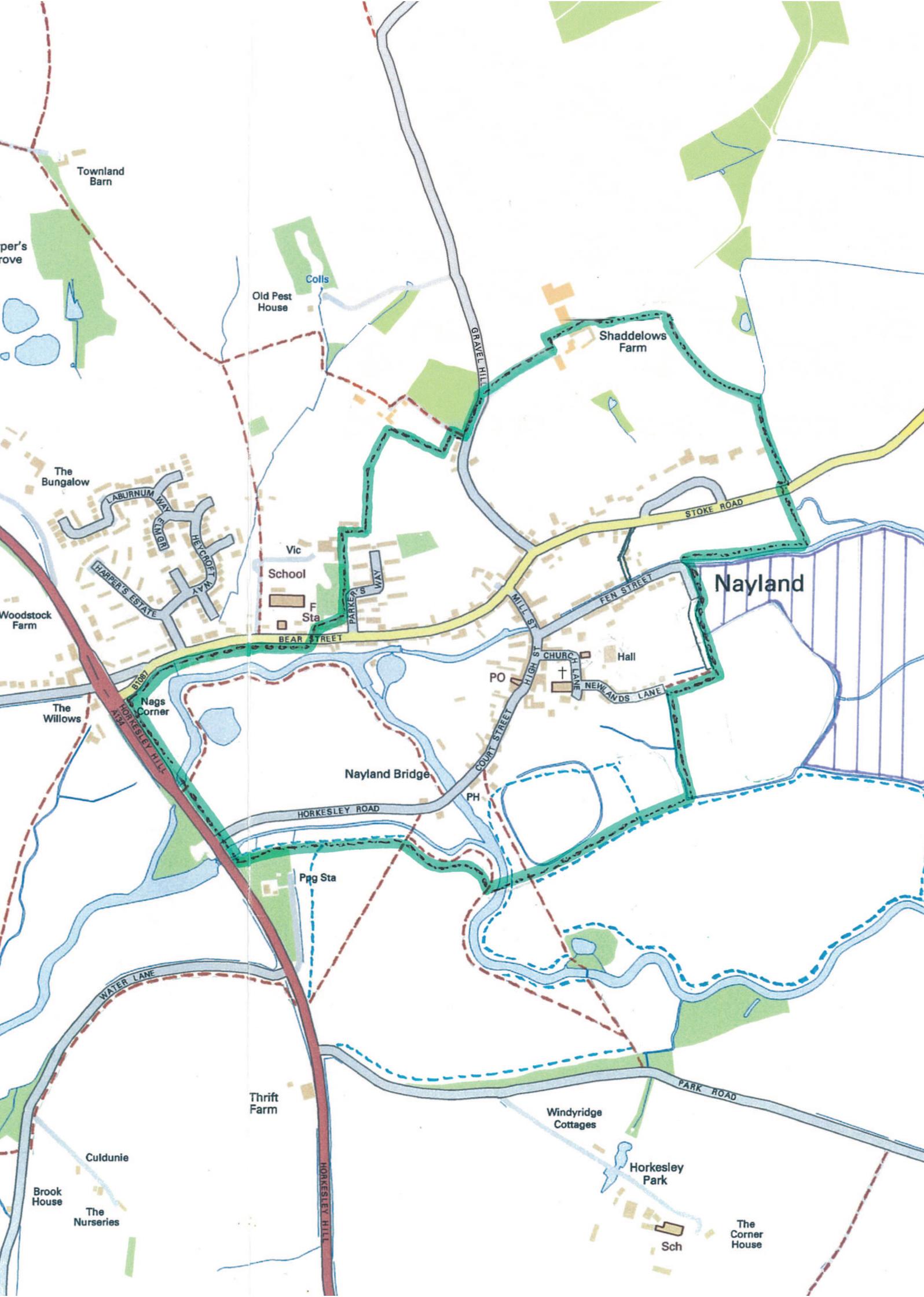
Email: planning.control@babergh.gov.uk

Historic England

020 7973 3001

Email: customers@HistoricEngland.org.uk

This leaflet is intended to be informative only and provides a basic overview of a complex subject. You should take specific professional advice prior to undertaking any changes or works and accordingly the Society will not accept any duty of care to any party seeking to rely upon the content of this leaflet.



Townland Barn

per's
rove

Old Pest House

Colls

Shaddelows Farm

The Bungalow

LABURNUM WAY
HEYGROVE WAY
HARPER'S ESTATE

Vic
School
F Sta

PARKER'S WAY

STOKE ROAD

Nayland

Woodstock Farm

MILL ST

FEN STREET

BEAR STREET

PO

CHURCH

HALL

NEWLANDS LANE

The Willows

Nags Corner

Nayland Bridge

COURT STREET

HORKESLEY ROAD

PH

Pg Sta

WATER LANE

PARK ROAD

Thrift Farm

Windyridge Cottages

Culdunie

Horkesley Park

Brook House

The Nurseries

Sch

The Corner House

HORKESLEY HILL