

CONSERVATION AREAS

A guide for owners and occupiers



Penwith District Council

What are conservation areas?

They are areas of special architectural or historic interest with a character or appearance which merit preserving or enhancing. They are usually the historic parts of our towns and villages and can also be used to protect unique areas such as historic harbours and mining settlements. Conservation areas invariably have a concentration of historic buildings but the area's character and attraction comprise more than just buildings alone. The uses they are put to and the spaces around and between them are also important – so a conservation area protects the whole area and not just the buildings within it.

Conservation areas are designated by Penwith District Council following public consultation. From time to time the Council reviews the areas and their boundaries. Penwith District is a very special area with a built heritage of international importance.

What has it got to do with me?

The Council is committed to 'give priority and special attention to conservation areas'. There are extra controls which may affect alterations to an existing building or a new dwelling you are considering building and we will apply special criteria when assessing these planning applications.

The aim is not to prevent all change but to control and manage it to preserve what is special about the area, and, where possible, improve it. The Council is well aware that conservation areas are home to many people and businesses, whose needs must also be considered.

Are there any controls over demolition?

Yes. You will need consent to demolish almost any building and certain other structures in the conservation area even when you intend to rebuild in replica.

There are some exceptions but it is best to seek advice from the Council's Planning Service.



Maypole Gardens, Marazion with view towards St Michael's Mount.



A good example of period properties, Treneglos Terrace, Gulval.



Zennor Conservation Area in its rural setting.

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Are there any controls over demolition? (continued)

Remember, if you demolish a building in a conservation area without consent you have committed a criminal offence and you could be liable to prosecution.

Do these controls extend to trees?

Yes. Anyone who wants to fell or prune any part of a tree or carry out work which might damage a tree in the conservation area must inform the Council at least six weeks in advance. This is to give the Council time to inspect the tree and consult locally and if necessary, to consider serving a Tree Preservation Order (TPO). Trees can make a significant contribution to the character of a conservation area.

How are planning applications dealt with?

All applications affecting the Conservation Area are advertised in local newspapers (this can also be accessed on the web site www.penwith.gov.uk). The Council will also post a notice on the site, consult neighbours where appropriate and consult the Town or Parish Council. Applications should show how the proposed works relate to neighbouring buildings so that we can judge how your proposal will appear alongside them.

How will the Council decide what is acceptable?

The Council's officers will visit the site. They will consider the proposals in light of Government advice and adopted planning policies in the Penwith Local Plan. In all cases the Council will insist on a high standard of design and therefore recommend that applicants engage the services of a suitably qualified practitioner. Copies of the Local Plan can be obtained from, or inspected at, the Council's offices in St Clare, Penzance.

How will the Council decide what is acceptable? (continued)

Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a duty to ensure that all proposals preserve or enhance the character or appearance of the area.

Is planning permission required for minor work?

Planning permission is sometimes required where otherwise minor work would have been considered permitted development. The rules are complicated and it is always best to seek advice from Development Control Officers. The Council may consider removing some permitted development rights where it believes such changes are spoiling the Conservation Area.

The Council does this by making an Article 4 Direction. Not all conservation areas in Penwith are currently covered by Article 4 Directions.

To ascertain whether such a direction affects your property call the Planning Office before commencing work as you may require Planning Permission.



The cobbled streets in Newlyn add to its special character.

What sort of development is acceptable?

Something that fits into the local scene. The best starting point is to look at the area around your property – the shapes and proportions of buildings; the architectural styles and materials; the boundary treatments; the quality of traditional craftsmanship and those small details that make your conservation area particularly special.

The Council would not normally give permission for proposals which would:

- ...❖ Be out of keeping in any way with the special character of the area;
- ...❖ mean the loss of buildings or features which contribute to the character or look of the area;
- ...❖ result in the loss of important open spaces, garden areas, tress, hedgerows, walls or views;
- ...❖ be below the standard of design which already distinguishes the area, or use materials of an insufficient high standard;
- ...❖ involve demolition which will leave an unsightly gap or spoil the conservation area in some way, whether in the long or short term, or
- ...❖ create unacceptable levels of traffic, noise or other nuisance

This does not mean that all new buildings have to be exact replicas of past styles. The Council welcomes innovation and imagination in design – so long as the proposal is in character with and, ideally, enhances the conservation area.

The character of an area depends not just on the street frontages of its buildings, but on their integrity as historic structures and the contribution which they make in all dimensions within the public realm. In addition character and appearance can be affected by the uses that take place in an area, for example the interrelating uses in a town centre or a fishing port which not only affect the appearance of buildings but also the movement of vehicles and pedestrians and the general ambience of a place which help to make up its special quality. Therefore uses will only be permitted when they are consistent with maintaining the viability and historic character or appearance of an area.

Where can I get more information?

This leaflet only provides a summary of what a conservation area involves but the Council's Conservation and Design Service along with the Planning Service are available to advise you.

Conservation areas are designated by the Council under Section 69 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Government advice is set out in Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG 15) which explains conservation legislation and its implications. The Council's policies for conservation areas are contained in its Local Plan.



Trees can so often add interest to an area.

FRONT COVER: Mousehole Conservation Area.

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