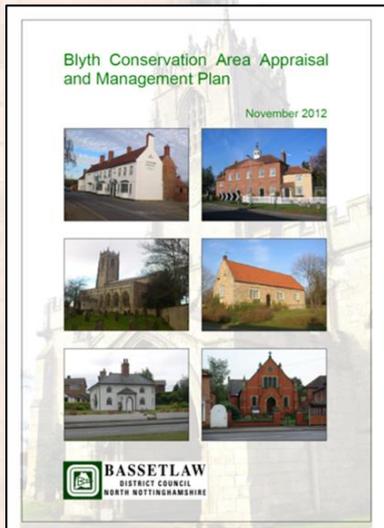
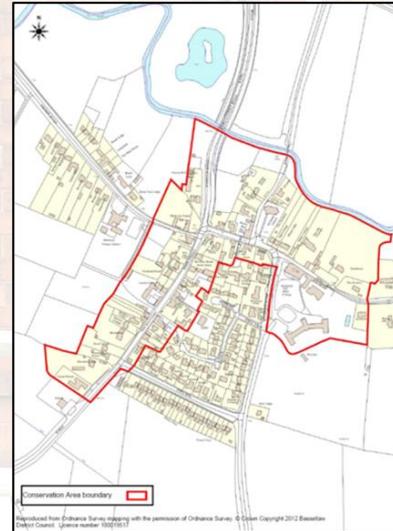


Conservation Areas in Bassetlaw

A guide for householders to the effects of Conservation Area designation



Updated October 2014



BASSETLAW
DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

CONSERVATION AREAS IN BASSETLAW

31 Conservation Areas have been designated in Bassetlaw District since 1967. These are listed below, together with links to the relevant *Conservation Area Appraisal & Management Plan* or *Designation Statement* document:

- | | |
|----------------------------|---|
| 1. Bevercotes | Bevercotes Designation Statement |
| 2. Blyth | Blyth Conservation Area Appraisal & Management Plan |
| 3. Bothamsall | - |
| 4. Carlton in Lindrick | Carlton in Lindrick Conservation Area Appraisal & Management Plan |
| 5. Clayworth | - |
| 6. Cuckney | Cuckney Designation Statement |
| 7. East Drayton | - |
| 8. East Markham | Draft East Markham Conservation Area Appraisal & Management Plan |
| 9. Everton | Everton Conservation Area Appraisal & Management Plan |
| 10. Gamston | - |
| 11. Gringley on the Hill | Gringley on the Hill Designation Statement |
| 12. Holbeck | Holbeck Designation Statement |
| 13. Lound | - |
| 14. Mattersey | Mattersey Designation Statement |
| 15. Mr Straws' (Worksop) | Mr Straws' Conservation Area Appraisal & Management Plan |
| 16. Nether Langwith | Nether Langwith Designation Statement |
| 17. Norton | Norton Designation Statement |
| 18. Oldcotes | Oldcotes Designation Statement |
| 19. Old Gateford (Worksop) | Old Gateford Conservation Area Appraisal & Management Plan |
| 20. Retford | Retford Conservation Area Appraisal & Management Plan |
| 21. Retford South | Retford South Conservation Area Appraisal & Management Plan |
| 22. Saundby | Saundby Designation Statement |
| 23. Scaftworth | Scaftworth Designation Statement |
| 24. Scrooby | - |
| 25. Shireoaks | - |
| 26. Sunnyside (Worksop) | Sunnyside Conservation Area Appraisal & Management Plan |
| 27. Tuxford | Tuxford Conservation Area Appraisal & Management Plan |
| 28. West Stockwith | - |
| 29. Wheatley | Wheatley Designation Statement |
| 30. Wiseton & Drakeholes | - |
| 31. Worksop | Worksop Conservation Area Appraisal & Management Plan |

1. WHAT IS A CONSERVATION AREA?

- 1.1 Legislation defines a Conservation Area as an “area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”¹.
- 1.2 Conservation Areas vary in size and character. Their character is often derived from many features, including the architecture of individual buildings or groups of buildings, the historic layout of property, boundaries and thoroughfares, views and vistas along streets and between buildings, characteristic materials, scale and detailing of buildings, shop fronts, street furniture, hard and soft surfaces, trees and open spaces.
- 1.3 The designation of a Conservation Area follows a survey by the District Planning Authority, which assesses the quality of the area and defines the boundaries. Once a Conservation Area is designated, the District Planning Authority has a statutory duty to oversee its preservation or enhancement.



- 1.4 In addition, the District Planning Authority is required, from time to time, to formulate and publish proposals for the preservation and enhancement of its Conservation Areas². These proposals take the form of a Conservation Area Appraisal & Management Plan. All the Council's Conservation Area Appraisal & Management Plan documents are available on the 'Conservation and Heritage' section of the website at:

http://www.bassetlaw.gov.uk/planning_and_building/conservation_heritage.aspx

- 1.5 This guidance is aimed solely at householders within the district's Conservation Areas. For advice on how the designation of a Conservation Area affects other land uses (such as agriculture, business, retail, etc), please contact the Council's Conservation Team (contact details at the end of this document).

¹ [Section 69 of the Planning \(Listed Buildings and Conservation Areas\) Act 1990.](#)

² [Section 71 of the Planning \(Listed Buildings and Conservation Areas\) Act 1990.](#)

2. WHAT RESTRICTIONS ARE THERE WITHIN A CONSERVATION AREA?

- 2.1 In addition to the standard planning controls over development, there are further controls that apply specifically to land and buildings within Conservation Areas. For householders, these additional controls relate to development 'within the curtilage of a dwellinghouse³' such as extensions, cladding, roof alterations, chimney alterations, new outbuildings satellite dishes or solar photovoltaic equipment. Further controls may also be put in place by the District Planning Authority through the implementation of an Article 4 Direction. Wider restrictions in the Conservation Area also cover the demolition of buildings and boundary structures, works to trees and the display of advertisements.
- 2.2 New development is also required to be designed so as to be sympathetic to the character and appearance of the Conservation Area rather than harmful. Issues which need to be considered include design, scale, layout, form and materials.
- 2.3 Enforcement action may be taken against unauthorised development/works which are harmful to the character and appearance of a Conservation Area.

Development within the curtilage of a dwellinghouse

- 2.4 In addition to controls that apply to all dwellinghouses, there are **further controls that relate solely to dwellinghouses within Conservation Areas**, as set out in full in the Town and Country Planning (General Permitted Development) Order 1995 (as amended). They are also summarised below:

❖ ***Extensions to dwellinghouses***

Planning permission will be required for any extension that would extend beyond a wall forming a side elevation of the original house or if the extension would have more than one storey and extend beyond the rear wall of the original house.

❖ ***Cladding or rendering the exterior of a dwellinghouse***

No part of the exterior of a dwellinghouse can be clad in stone, artificial stone, pebble dash, render, timber, plastic or tiles without planning permission.

❖ ***Alterations to the roof of a dwellinghouse***

Planning permission must be obtained for any enlargement of the house, which would consist of alterations to the roof (e.g. through a loft conversion). Any alterations that would protrude more than 150mm beyond the plane of the original roof or would result in part of the roof being higher than the highest part of the original roof will require planning permission.

❖ ***Erecting new outbuildings in the grounds of dwellinghouses***

The provision within the curtilage (grounds) of any building or enclosure, swimming pool or other pool required for a purpose incidental to the enjoyment of the house, or the maintenance, improvement or alterations of such buildings or enclosures will require planning permission if the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the house and the boundary of the curtilage of the house.

❖ ***Installing, altering or replacing chimneys, flues or soil vent pipes on dwellinghouses***

The installation, alteration or replacement of a chimney, flue [including for biomass or combined heat and power systems] or soil vent pipe on the wall or roof slope which fronts a

³ From the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

highway and forms either the principal elevation or side elevation of the house will require planning permission.

❖ ***Microwave antennas (including satellite dishes)***

The installation of an antenna on a chimney, wall or roof slope which faces onto, and is visible from a highway, or on any building which exceeds 15 metres in height, requires planning permission in Conservation Areas. Generally, planning permission is needed for all of the following: more than two antennas; a single antenna over 100cm in length; two antennas which do not fit the relevant size criteria (e.g. only one may exceed 60cm); an antenna installed on a chimney, where the antenna length would exceed 60cm or it would protrude above the chimney; an antenna with the cubic capacity in excess of 35 litres; an antenna installed on a roof without a chimney where the highest part of the antenna exceeds the highest part of the roof; or in the case of an antenna installed on a roof with a chimney, if the highest part of the antenna would be higher than the highest part of the chimney, or 60cm measured from the highest part of the ridge tiles of the roof, whichever is lower.

❖ ***Installing, replacing or altering solar PV (solar photovoltaics) or solar thermal equipment on a dwellinghouse***

If the solar PV/solar thermal equipment on the roof of a house or building within the curtilage of the house will protrude more than 200mm beyond the plane of the roof slope when measured perpendicular with the external surface of the roof, or would be higher than the highest part of the roof excluding the chimney, planning permission will be required. Permission is also required if it is to be installed on a wall forming the principal elevation of the house and is visible from the highway. Similar requirements also relate to non-domestic buildings.

❖ ***Installing, replacing or altering stand-alone solar within the curtilage (grounds) of a dwellinghouse***

Planning permission is required for a stand-alone solar unit within the grounds of a dwellinghouse if it would result in the presence within the curtilage of more than one unit. Permission is also required if the stand alone solar unit would: exceed 4 metres in height above the ground; be situated within 5 metres of the curtilage boundary; be within the curtilage of a listed building; have a surface area over 9 square metres or any dimension (including housing) would exceed 3 metres. In a Conservation Area, permission is also needed if the stand alone solar would be visible from the highway.

❖ ***Installing, altering or replacing a ground or water source heat pump within the curtilage (grounds) of a dwellinghouse***

Within the curtilage of a dwellinghouse, the installation/replacement of a ground or water source heat pump does not require planning permission.

Article 4 Directions

- 2.5 Planning authorities have the power to introduce strict planning controls in Conservation Areas by means of an Article 4 Direction⁴. An Article 4 Direction further removes permitted development rights where it is considered that such rights would have a damaging effect on the character of an area. They can ensure that traditional details, such as sash windows, timber doors or chimneys, are not removed or altered without planning permission. Currently there is one Article 4 Direction in Bassetlaw, covering the Mr Straws Conservation Area.

Demolition

- 2.6 A listed building will always require Listed Building Consent (LBC) for demolition. However, the total or substantial demolition of unlisted buildings within a

⁴ Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Conservation Area over 115 cubic metres requires Planning Permission. The substantial or total demolition of any wall over 1 metre high facing a highway, waterway or open space, or any wall over 2 metres high elsewhere, will also require Planning Permission.

Works to trees

2.7 [Section 211 of the Town and Country Planning Act 1990](#) states that six weeks' notice must be given to the District Planning Authority for any cutting down, topping, lopping or up-rooting of trees in Conservation Areas. There are, however, two main exceptions:

- ❖ Where a tree is covered by a Tree Preservation Order (TPO), a formal application seeking approval to carry out works to trees protected by a TPO must be made to the District Planning Authority; and
- ❖ Where works to trees have been approved by planning permission in conjunction with development proposals, tree applications are not required.

Display of advertisements

2.8 Advertisements are regulated by controls set out in the [Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#) (and as later [amended in 2012](#)). The display of advertisements in Conservation Areas are subject to additional restrictions. Illumination, for example, often requires Advertisement Consent. Tethered balloons, illuminated signs in retail parks and business premises, certain flags (such as those displayed by house builders) and advertising hoardings around building sites also require Advertisement Consent.

New development within Conservation Areas

2.9 The purpose of a Conservation Area designation is not to arrest development, but rather, to guide it so that the special character of an area is not adversely affected. New developments should be sympathetic in their design, form and layout, whilst also using appropriate materials. They should complement established patterns and strengthen local distinctiveness, but not necessarily imitate existing buildings. Before applying for planning permission, it is advisable to contact the Council to discuss your proposals. The value of employing a suitably qualified architect/designer with a track record of conservation projects to draw up your proposals cannot be stressed too highly.

2.10 All applications for development or works within Conservation Areas are subject to **Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990**. This states that for new development in Conservation Areas:

“special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

2.11 Applications in Conservation Areas are also subject to Policy DM8 of the [Bassetlaw Core Strategy and Development Management DPD](#):

POLICY DM8: THE HISTORIC ENVIRONMENT

Support will be given to development proposals or regeneration schemes (particularly in central Worksop, Retford and Tuxford) that protect and enhance the historic environment and secure its long-term future, especially the District's Heritage at Risk. Support will also be given to proposals from the Welbeck Estate for the re-use of heritage assets, where these will result in the enhancement of the assets. Such proposals must recognise the significance of heritage assets as a central part of the development. They will be expected to be in line with characterisation studies, village appraisals, conservation area appraisals (including any site specific development briefs that may be found within them), archaeological reports and other relevant studies.

A. Definition of Heritage Assets

Designated heritage assets in Bassetlaw include:

- i. Listed Buildings (including attached and curtilage structures)³⁵;
- ii. Conservation Areas;
- iii. Scheduled Monuments; and
- iv. Registered Parks and Gardens.

Non-Designated assets in Bassetlaw include:

- v. Buildings of Local Interest³⁶;
- vi. Areas of archaeological interest;
- vii. Unregistered Parks and Gardens³⁷; and
- viii. Buildings, monuments, places, areas or landscapes positively identified as having significance in terms of the historic environment.

B. Development Affecting Heritage Assets

There will be a presumption against development, alteration, advertising or demolition that will be detrimental to the significance of a heritage asset.

Proposed development affecting heritage assets, including alterations and extensions that are of an inappropriate scale, design or material, or which lead to the loss of important spaces, including infilling, will not be supported.

The setting of an asset is an important aspect of its special architectural or historic interest and proposals that fail to preserve or enhance the setting of a heritage asset will not be supported. Where appropriate, regard shall be given to any approved characterisation study or appraisal of the heritage asset. Development proposals within the setting of heritage assets will be expected to consider:

- i. Scale;
- ii. Design;
- iii. Materials;
- iv. Siting; and
- v. Views away from and towards the heritage asset.

C. Change of Use Affecting Heritage Assets

The change of use of heritage assets, including Listed Buildings and buildings in Conservation Areas, will only be permitted where the proposed use is considered to be the optimum viable use that is compatible with the fabric, interior and setting of the building³⁸. Evidence supporting this will be submitted with proposals³⁹. New uses that adversely affect the fabric, character, appearance or setting of such assets will not be permitted.

D. Shopfronts

Proposals for replacement shopfronts, or alterations to shopfronts, affecting heritage assets will be expected to ensure that traditional shopfronts are retained wherever possible irrespective of the use of the property. New shopfronts will be expected to utilise traditional materials such as timber and be designed to respect the special interest of the building and its setting⁴⁰.

³⁵ Any object or structure fixed to the principal listed building or any object or structure within its curtilage that has formed part of the land since before 1 July 1948 may also be protected;

³⁶ As identified in the Nottinghamshire Historic Environment Record or by the District Council using the guidance publication *Non-Designated Heritage Assets: Criteria (July 2012 Update)*.

³⁷ As identified in the Nottinghamshire Historic Environment Record.

³⁸ NB. The most viable use that is compatible with the fabric and setting of the building may not always be the most profitable.

³⁹ Requirements to be detailed in forthcoming SPD.

⁴⁰ Requirements to be detailed in forthcoming SPD.

2.12 Similar guidance is found in the [National Planning Policy Framework](#) (Sec. 12).

Enforcement of unauthorised works

2.13 Where work has been carried out without planning permission and it is considered that such works are harmful to the character of the Conservation Area, then an enforcement notice may be served requiring remedial measures to be taken. For more information on the enforcement of planning control, please contact the Council's Planning Enforcement Team.

Contact Us

For further advice on issues relating to conservation areas, please contact one of the Council's Conservation Officers:

- ❖ Michael Tagg: Michael.Tagg@bassetlaw.gov.uk; (01909) 533484;
- ❖ Oliver Scott: Oliver.Scott@bassetlaw.gov.uk; (01909) 533191; or
- ❖ Simon Britt: Simon.Britt@bassetlaw.gov.uk; (01909) 533427.

Alternatively, please write to: **Conservation Team, Planning Policy and Conservation, Bassetlaw District Council, Queen's Buildings, Potter Street, Worksop, Nottinghamshire, S80 2AH.**

For help and advice on submitting applications for Planning Permission or Listed Building Consent, please contact Planning Customer Services:

- ❖ Tel: (01909) 533264, (01909) 533220 or (01909) 534430; or
- ❖ Email: planning@bassetlaw.gov.uk.



Disclaimer: This leaflet is intended to be a general guide and does not purport to be a definitive guide to the legislation covering conservation areas. For specific proposals, you should seek advice from the District Planning Authority.