

Local Development Framework for Pendle



Conservation Area Design and Development Guidance



Supplementary Planning Document

2008



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Pendle
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Addendum

On the 1st October 2008 changes made by the Government to the General Permitted Development Order came into effect. As a result section 1.14 of this SPD has been superseded and the following paragraph is added in replacement:

1.14 With this in mind, **planning permission** is needed for certain types of development in conservation areas which elsewhere would be classified as 'permitted development'. These include:

- Any side extension to a dwelling house;
- Any rear extension to a dwelling house over 1 storey high;
- Any enlargement of a dwelling house consisting of an addition or alteration to a roof;
- The erection of any outbuildings, means of enclosure, pool or containers to side of a dwelling house;
- The cladding of any part of the exterior of a dwelling house with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- The installation, alteration, or replacement of a chimney, flue or soil and vent pipe to any wall or roof slope which fronts the highway and forms the principal elevation or side elevation of the house;
- The installation, alteration and replacement of a microwave antenna on any chimney, wall or roof slope which faces onto or is visible from a highway or on a building which exceeds 15m in height.

You should speak to a planning officer if considering any of these types of development to be clear whether planning permission is needed.

The purpose of this document

- 1.1 Pendle Borough Council has put in place a framework of local planning policies in order to ensure that all development within or adjacent to Pendle's conservation areas preserves or enhances the character of those areas. The adopted Pendle Local Plan⁽¹⁾ contains policies against which development proposals are assessed. In particular, Policy 10 sets out the Council's policy in relation to Areas of Special Architectural or Historic Interest:

POLICY 10 – AREAS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

10.1 *The Borough Council will seek to conserve areas of identified historic or architectural interest and their setting. These will be designated as Conservation Areas or Historic Parks. The Council will:*

- 1) seek to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. In addition to general design criteria, any development proposals must have regard to the following matters:*
 - the retention of historic buildings and materials, groups of buildings, building lines, vistas, street patterns and floor surfaces;*
 - the impact on open spaces and trees;*
 - the retention of architectural features such as boundary walls, shop fronts and other elements which contribute to the character of the area;*
 - the impact on the wider townscape and roofscape;*
 - the effect on land-use mix, activities, noise levels and sense of place.*
- 2) only grant consent for demolition (where permission is required) where a building is not of townscape, architectural or historic interest, and where an acceptable scheme of replacement or after-use for the site can be reasonably guaranteed.*
- 3) designate new conservation areas where there is considered to be special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.*
- 4) seek to protect and enhance any parks, gardens and cemeteries of historic interest, and their setting, particularly those identified on the English Heritage Register of Parks and Gardens of Special Historic Interest.*

Figure 1.1 Replacement Pendle Local Plan: Policy 10

- 1.2 This **Supplementary Planning Document (SPD)** expands Policy 10 and provides further information and guidance as to how the design of development, or alterations and repairs to buildings, can ensure that the character or appearance of a conservation area is preserved or enhanced. The guidance aims to provide those considering works to buildings or sites within or adjacent to Pendle's conservation areas with advice on the design of new build, alterations, maintenance and repair. Much of the guidance is as applicable to newer buildings as it is to the older stock, although the focus is on the latter.

1 Borough of Pendle (2006): Replacement Pendle Local Plan 2001-2016

1 Introduction

- 1.3** This guidance has been adopted by Pendle Borough Council as a Supplementary Planning Document. It forms part of the Local Development Framework, and is a material consideration in the determination of planning applications within and adjacent to conservation areas.
- 1.4** The guidance in this document is generic in nature and sets out general principles for good practice in Pendle's conservation areas. However, to ensure that development is appropriate for a particular conservation area, it is important to refer also to individual **Conservation Area Character Appraisals** and **Management Plans**, which provide more detailed information for each one.
- 1.5** The SPD has the following **objectives**:
- To ensure new development will preserve or enhance the character of conservation areas and their settings in line with distinct settlement characteristics identified in conservation area appraisals;
 - To provide guidance on the contribution of individual buildings and groups of buildings to the character of conservation areas and to provide information so that new development and repairs can respect this;
 - To ensure that new development takes account of historic street patterns and built form, whilst encouraging improved linkages and accessibility;
 - To ensure that new development respects and contributes to the overall quality of the roofscape and skyline, whilst acknowledging opportunities for design and improvement;
 - To ensure that valued views and vistas are considered and where possible enhanced in the siting of new development, including proposals which are outside conservation areas but may affect views in or out;
 - To ensure the use of traditional or other appropriate materials that preserve or enhance the character and appearance of conservation areas;
 - To retain and where possible enhance the natural environment and landscape, including protecting and improving areas of open space and landscaping;
 - To ensure the consideration of sustainability issues in the design of development and in the sourcing of materials within conservation areas;
 - To encourage sustainable communities by supporting and facilitating the continued use and re-use of existing buildings, where they are considered to contribute positively to the character of conservation areas.

What is a Conservation Area

- 1.6** Conservation areas are designated by the Council where it is considered that an area has '*special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*'. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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. Buildings, open spaces and landscape features, including trees, may all contribute to the special character of a conservation area.

- 1.7** *Planning Policy Guidance 15: Planning and the Historic Environment*⁽²⁾ points out that it is the quality and interest of areas, rather than that of individual buildings, which should be the prime consideration in identifying conservation areas. The Council has a duty to ensure that any development preserves or enhances the special character or appearance that has been identified in conservation areas.

Conservation in Pendle

- 1.8** Pendle currently has 26 Conservation Areas, which together cover some 14% of the area of the Borough:

- Wycoller (designated 1972)
- Higherford (1981)
- Higham (1981)
- Carr Hall/Wheatley Lane Road (1984)
- Carr Hall Road, Barrowford (1984)
- Albert Road, Colne (1984)
- Barrowford (1987)
- Whitehough, Barley (1990)
- Greenfield, Colne (1991)
- Lomeshaye Industrial Hamlet, Nelson (1994)
- Barnoldswick (1997)
- Scholefield & Coldweather, Nelson (1999)
- Lidgett & Bents, Colne (1999)
- Primet Bridge, Colne (1999)
- St. Mary's, Nelson (2000)
- Sabden Fold (2000)
- Newchurch & Spenbrook (2000)
- Winewall & Cottontree (2002)
- Edge End, Nelson (2002)
- Cornmill & Valley Gardens, Barnoldswick (2003)
- Southfield, Nelson (2003)
- Earby (2004)
- Whitefield, Nelson (2004)
- Calf Hall & Gillians, Barnoldswick (2005)
- Trawden Forest (2006)
- Brierfield Mills (2006)

- 1.9** Further information and maps for each conservation area can be found on the Council's website www.pendle.gov.uk

- 1.10** The conservation areas range widely in character and have many different qualities. This is indicative of the extraordinarily wide variety to be found in Pendle's landscape and buildings, which range from the scattered pre-industrial farming settlements of the 16th, 17th and 18th centuries (for example those found at Whitehough, Wycoller,

2 Department of Environment (1994): Planning Policy Guidance Note 15 (PPG15): Planning and the Historic Environment

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Greenfield, Scholefield & Coldweather, Sabden Fold, Edge End and Southfield), to the familiar urban legacy of Victorian terraced housing and textile mills (seen to good effect at Whitefield, Lomeshaye Hamlet, Primet Bridge and Brierfield Mills).

- 1.11** Many conservation areas derive much of their character from the interplay of the built form and the varied topography found in Pendle, which often imparts a dramatic spatial quality. Examples are Colne town centre (Albert Road) where the striking Victorian skyline is viewed astride its ridge, dominating the valleys to either side. Or Newchurch village, seen from across the valley as an appealing cluster of cottages clinging for shelter to the hillside. As a contrast, the wide open moorland spaces of Trawden Forest contain a unique historic landscape of field boundaries and farmsteads relating to the medieval vaccary farms and later copyhold farms.



Picture 1.1 Colne Conservation Area

- 1.12** A unifying feature common to all Pendle's conservation areas is the widespread use of local sandstone, gritstone and stone slate, fashioned into the relatively simple and robust building forms that are characteristic of the common local vernacular. It is often the texture and tones of the local stone set within dramatic landscape that many people would consider to epitomise the unique heritage and character of the Borough.

Additional planning controls in conservation areas

- 1.13** Although the principal form of protection in the historic environment is through the listing of buildings and the scheduling of ancient monuments, the designation of conservation areas brings additional protection, principally through the **control of demolition**, and the additional scrutiny given to planning applications for alterations to existing buildings and the construction of new ones. New development and alterations to existing buildings must preserve or enhance the character and appearance of conservation areas and their setting.
- 1.14** With this in mind, **planning permission** is needed for certain types of development in conservation areas which elsewhere would be classified as 'permitted development'. These include:
- Extensions to dwelling houses if they add more than 10 per cent or 50 cubic metres (whichever is the greater) to the volume of the original building;
 - The erection or alteration of a building which is larger than 10 cubic metres, such as a garden shed or garage, in the curtilage of a dwelling house;

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- The cladding of any part of the exterior of a dwelling house with stone, artificial stone, timber, plastic or tiles;
- Any alterations to the roof of a dwelling house resulting in a material alteration to its shape, notably dormer windows;
- The erection of most satellite dishes, radio masts and equipment cabins.

- 1.15** You should speak to a Planning Officer if you are proposing any of these types of development.
- 1.16** In addition, the Council can introduce **Article 4 Directions** to control specific alterations to houses which would otherwise be automatically permitted under 'permitted development rights'. These are usually implemented in sensitive areas where change could be particularly damaging. So far, the Whitefield Conservation Area in Nelson is the only conservation area in Pendle where Article 4 Directions have been introduced.
- 1.17** Local Plan Policy 10, which this SPD supplements, encourages a high quality of design in conservation areas, and discourages development which would adversely affect the character of a conservation area, or result in a loss of architectural, historic or other features that contribute to its special interest. This can include not only man-made elements or materials, but also other factors such as important views or landmarks, open spaces or landscape, and land uses.
- 1.18** Some additional protection is also given to **trees** in a conservation area. Trees in conservation areas which are already protected by a Tree Preservation Order (TPO) are subject to the normal TPO controls. But the Town and Country Planning Act 1990 also makes special provision for trees in conservation areas which are not the subject of a TPO. Under Section 211 of the Act, anyone proposing to cut down or carry out work to a tree in a conservation area is required to give the Council six weeks prior notice (a 'Section 211 notice'). The purpose of this requirement is to give the Council an opportunity to consider whether a TPO should be made in respect of the tree. During this time no work should be undertaken on the tree.
- 1.19** Simple **repairs** to the existing fabric of most buildings, and exact '**like for like**' **replacement** do not normally require planning permission. Advice on appropriate maintenance and repairs is set out in the Appendix to this SPD. However, **Listed Building Consent** will be required for works to a listed building which affect its special interest and character. This includes work to the interior as well as the exterior, and to any structures within the curtilage of the building. Many of Pendle's listed buildings are located within conservation areas, and make an important contribution to their character.
- 1.20** Some of Pendle's conservation areas contain Scheduled Ancient Monuments. **Scheduled Monument Consent** is required from the Secretary of State for work that affects these.
- 1.21** Where appropriate the Council may produce further guidance for individual sites in the form of **design guides, site briefs or design codes**. These may be used where a particular site requires an individual approach, to ensure that the best development is achieved in that particular situation.

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Heritage Protection Reform

- 1.22** In the future changes will be made to the way heritage is identified and protected in this country. The following changes to the way heritage is managed in the planning process will take place, and this SPD will be revised to accommodate these changes when they take place:
1. A single 'Historic Asset Consent' will replace separate Listed Building and Scheduled Monument Consent. Conservation Area Consent will be merged with Planning Permission.
 2. Local authorities will be given the powers to grant all new Historic Asset Consents. English Heritage will give expert advice where applicable, as it does currently.
 3. Heritage Partnership Agreements between owners, local authorities and English Heritage will let agreed work take place without the need for time-consuming, repetitive consent applications for large or complex sites.

Ensuring your proposal is appropriate

- 1.23** There are several steps that you can take when considering submitting a planning application for development within or adjacent to a conservation area:
- Check that the proposal is acceptable in policy terms (refer to the policies in the Pendle Local Plan) and follow the guidance in this document;
 - The Council may have prepared a **Conservation Area Character Appraisal** or **Management Plan** for the area where development is proposed. This will provide information on the special character of that area, which should be used to inform your proposals;
 - Obtain advice from a suitably qualified architect or building surveyor for all major projects. Look for **Conservation Accredited architects or surveyors** who will have expertise in working with historic buildings;
 - Discuss the proposal with Planning and Conservation Officers prior to submission. See **Section 5 - Useful Contacts** for more information;
 - Demonstrate in your planning application, in text, drawings and photographs, that the design is appropriate to the character of the conservation area, and respects the existing buildings and other key features within it. A **Design and Access Statement** and a **Heritage Statement** must accompany all applications for development within conservation areas. More detailed guidance on the content of these can be found at www.pendle.gov.uk/planning.

How to use this SPD

- 1.24** The information above provides guidance on what extra controls conservation area designation brings, and also what duties the Council has with regard to maintaining the character and appearance of the area. The SPD will be used as a material consideration in the determination of planning applications.
- 1.25** **Sections 2, 3 and 4** set out policy guidance on **new development**, work to the **public realm**, and **alterations to buildings**.

- 1.26** The **Appendix** is provided as **best practice advice** relating to the maintenance and repair of buildings. **Repair and maintenance does not normally require planning permission**, but such advice is included because inappropriate incremental changes, although often well-intentioned, can have a significantly detrimental impact on the character and appearance of a conservation area. Equally, lack of maintenance and repair will also impact on character and appearance.
- 1.27** The Conservation Team are happy to provide advice on any issues concerning conservation areas, and contact details can be found in **Section 5**.