



PLANNING SERVICES

CONSERVATION AREAS

1. Why should I read this?

Kirklees Council is committed to the preservation and improvement of buildings in conservation areas and their settings. This guidance note gives advice on the general principles that will be followed when an application for planning permission or conservation area consent is considered.

2. What's the procedure?

Some types of development in conservation areas need 'conservation area consent' even if planning permission is not required. Additional restrictions apply within conservation areas, particularly in relation to demolition (full or partial) and, if planning permission has to be applied for, design standards. You are advised to contact Planning Services prior to undertaking any work to check whether planning permission is required. Alternatively you can complete our [online self assessment](#) and we will tell you if you require planning permission. Applications forms and notes for guidance are available from the Planning Department. A separate leaflet '*How we deal with planning applications*' describes the application process.

Please note accurate drawings of any work that affects the external appearance of a building will be required at a scale of 1:50. They should show the position and size of buildings nearby and should ideally be supplemented with good quality photographs.

3. What are conservation areas?

Conservation area designation is the main instrument available to local planning authorities to protect the character of a particular area. The designation introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve or enhance all the aspects of character and appearance that define an area's special interest. There are a total of 56 conservation areas in Kirklees.

In order to protect their special environment stricter controls over demolition, new development, works to trees and some alterations apply. These controls are not intended as a hindrance to change, but as positive management to safeguard the character of an area as a whole. With all proposals for development in

conservation areas greater care is necessary to ensure that schemes enhance and preserve *'the area's special character'*. Design is of particular importance in this respect.

4. What are the additional controls over demolition?

Conservation area designation introduces control over the demolition of most buildings within conservation areas. Applications for conservation area consent to demolish a building must be made to the local planning authority. The Council will pay special attention to the desirability of preserving or enhancing the character or appearance of the area when determining a conservation area consent application for demolition. Account will be taken of the building's contribution to the architectural or historic interest of the conservation area in which it is sited.

The general presumption is in favour of retaining buildings that make a positive contribution to the character or appearance of a conservation area. In the case of less sensitive buildings, e.g. where a building makes little or no contribution to the character or appearance of a conservation area the Council will need to have full information about what is proposed for the site after demolition. Consent will not be given unless there are acceptable and detailed plans for redevelopment.

The Council will consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area. If consent is granted, the Council may impose a condition to make sure that demolition does not take place until a contract for redevelopment work (which should have planning permission) has been entered into. This is to make sure that ugly gaps do not appear in conservation areas as a result of demolition far in advance of redevelopment.

5. How are trees in conservation areas affected?

Anyone who wants to carry out works to a tree(s) situated within a conservation area must give the Council six weeks prior written notice before work can commence. During this time, the Council can consider whether or not it would be appropriate to make a Tree Preservation Order (TPO). In the meantime, it is an offence to cut down, top, lop, uproot, wilfully damage or destroy a tree including the root system situated within a conservation area. If a TPO is not made the Council will give consent for the works. If you have not heard from the Council after a six week period, which commences from the day the Council receive your written notice, you will be free to proceed with the works proposed.

When considering whether to extend protection to trees in conservation areas, the Council will take into account their visual, historic and amenity contribution. In some instances new planting or re-planting may be desirable where this would be consistent with the character and appearance of the area.

6. How are applications for advertisements in conservation areas dealt with?

All outdoor advertisements affect the appearance of the building or the neighbourhood where they are displayed. The Council will therefore pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area by applying stricter controls in terms of whether to grant consent for an advertisement. A separate leaflet '*Shop Fronts: Guidelines for Design*' on shop front design, security shutters and advertisements is available from the Council.

USEFUL TELEPHONE NUMBERS

Conservation and Design Section:	01484 416228
Development Control Support (Applications and Fees):	01484 414746
Development Control:	01484 414746

PUBLICATIONS

Kirklees Unitary Development Plan (available from Planning Services and on the Kirklees web site)

- policies BE1, BE2, BE5, BE6, BE7, BE8, BE11 and BE13. (conservation areas)
- policy NE9 (trees)
- policy EP26 (advertisements)

Planning Policy Guidance Note 15: Planning and the historic environment
(HMSO publication, also available on the DCLG web site)

USEFUL ADDRESSES:

Planning & Building Control Services, P.O. Box B93, Civic Centre 3, Huddersfield, HD1 2JR

English Heritage, 37 Tanner Row, York, YO1 6WP

RTPI, Yorkshire Planning Aid, 8 Woodhouse Square. Leeds, LS3 1AD

USEFUL WEB SITES

www.planningportal.gov.uk

www.kirklees.gov.uk/planning

www.communities.gov.uk