

# Conservation Areas

## *What is a Conservation Area?*

A Conservation Area is defined by the Planning (Listed Buildings and Conservation Areas) Act 1990 as 'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.

Conservation Areas usually comprise groups of historic buildings and/or areas of attractive landscape closely associated with the built environment. They can be large enough to include historic cores of town centres such as Leek and Cheadle, or small in scale to contain attractive village scenery or special features such as a canal or historic parkland.

## *Where are the Conservation Areas?*

There are currently 14 Conservation Areas within the area covered by the Staffordshire Moorlands Local Planning Authority. These are designated at Alton and Farley, Bagnall, Biddulph Grange, Caldon Canal, Caverswall, Cheadle, Checkley, Cheddleton, Endon, Horton, Ipstones, Leek, Stanley and Upper Tean.

There are currently 20 Conservation Areas in the area of Staffordshire Moorlands, that is within the Peak District National Park.

## *What does inclusion in a Conservation Area mean?*

Designation seeks to preserve and enhance the character and appearance of Conservation Areas by imposing additional controls over demolition, development, advertisements and the protection of trees.

Conservation Area Consent is required from the Local Planning Authority for the demolition of most buildings, boundary walls, gates, fences, railings and structures.

In a Conservation Area, Planning Permission is required for:

- ❖ Most domestic extensions and additions, including garages and conservatories
- ❖ Most additions and alterations to the roof of a house, including dormers and solar panels
- ❖ The installation of a satellite dish on elevations facing the road or a public footpath, or projecting above the roof line, or on buildings over 15m high
- ❖ Cladding the exterior of a house
- ❖ Other work specified in a detailed notice to residents known as an Article 4 or 4(2) Direction.

Anyone wishing to carry out work affecting trees in a Conservation Area must give six weeks notice to the District Council.

The District Council will only grant Planning Permission for development which preserves or enhances the character and appearance of the Conservation Area. It is always advisable to contact the Conservation Section to discuss your proposals.

## *What help is available regarding Conservation Areas?*

Specialist advice on development proposals in Conservation Areas and on the procedure for making a planning application and/or a Conservation Area Consent application is available from the Conservation Section. A range of useful leaflets is also available including general design guidance on alterations, pointing techniques and windows and doors. Specialist advice is also available regarding trees and work to trees.

Occasionally, enhancement schemes are initiated in Conservation Areas to improve unsightly areas, restore frontages or repair/reinstate traditional features such as paving or railings. Small grants may be available for enhancement schemes and the repair of prominent historic buildings in Conservation Areas.

## *Further Information*

The above guidance is by no means definitive and it is always advisable to contact the Conservation Section if you are thinking of carrying out any work. You are also encouraged to seek your own specialist technical advice including architectural or legal advice if appropriate.

For further advice about Listed Buildings and Conservation Areas please contact the Conservation Section on 0345 605 3013 or go to the website.

If you live in the area of Staffordshire Moorlands that lies within the Peak District National Park you should contact the National Park Authority about Listed Buildings and Conservation Areas on 01629 816200.

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Available in alternative formats on request

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# Listed Buildings & Conservation Areas

in the Staffordshire Moorlands



# Listed Buildings

Buildings and places of architectural or historic interest are protected. The historic buildings and settlements, which characterise the Staffordshire Moorlands, are an irreplaceable part of our cultural heritage. They are given special consideration where they are listed for their special architectural or historic interest or where they are within a designated Conservation Area.

This leaflet contains advice for people owning a listed property or a property within a Conservation Area. The law covering Listed Buildings and Conservation Areas is complicated and it is advisable to contact the Conservation Section for more information.

## *What is a Listed Building?*

Buildings of special architectural or historic interest are recognised by inclusion on a register or 'list' which is compiled by the Department of Culture, Media and Sport. Listing protects the interior as well as the exterior of the building and its setting, which can cover land and buildings outside the property boundary. According to the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990, a Listed Building specifically includes:

- ❖ Any object or structure fixed to the Listed Building
- ❖ Any object or structure within the curtilage or property boundary of the Listed Building which, although not fixed to it, forms part of the land and has done so since before 1st July 1949.

## *Which Buildings are Listed?*

A building may be listed for a number of reasons including architectural or historic interest, group value with other buildings, or close historical association with nationally important people or events. Age and rarity are important considerations and so all buildings dating from before 1700 which survive in anything like their original condition are listed, and most buildings from 1700 - 1840 are listed, although careful selection is exercised. Buildings dating from 1840 - 1914 of definite quality and character are listed. Only some buildings dating from after 1914 are listed, and those less than thirty years old must be of outstanding quality.

Listed Buildings are classified in Grades to show their relative importance. Buildings of exceptional interest, such as medieval churches and stately homes are listed as Grade I ('Grade One'). Buildings of particular importance are listed Grade II\* ('Grade Two Star') and buildings of special interest are listed Grade II ('Grade Two').

## *What does Listed Building status mean?*

The fact that a building is listed does not necessarily mean that it must remain unaltered for all time. The main purpose of listing is to ensure that care is taken over decisions affecting its future, that any alterations respect the particular character and interest of the building, and that the case for its preservation is taken fully into account when considering the merits of any development proposal.

## *What is Listed Building Consent?*

If you wish to demolish, partly demolish, alter or extend a Listed Building in any way that affects its character as a building of special architectural or historic interest, you must apply for 'Listed Building Consent' from the District Council or the Peak District National Park Authority, depending on where the Listed Building is situated.

It is a criminal offence to carry out such work without consent, the penalties can be severe and could include a very heavy fine. The Local Planning Authority can also serve injunctions to prevent unauthorised work and take enforcement action to reverse it.

Listed Building Consent will be required in addition to Planning Permission, although applications are often considered together. No fee is charged to submit a Listed Building Consent application.

## *What works can I carry out without Listed Building Consent?*

Even relatively minor works such as painting may affect the character of a Listed Building. It is always advisable to consult the Conservation Section before starting work. Historic features, such as original windows and doors, should be retained and repaired.

'Like for like' repairs do not need Listed Building Consent. This means repairs which exactly match the original construction in terms of materials, design, technique and workmanship. The replacement of traditional materials with modern materials such as concrete roof tiles or UPVC windows is not acceptable.

## *What are my responsibilities as a Listed Building owner?*

If you own a Listed Building you are encouraged to keep it in reasonable repair. Where a building has deteriorated and is at risk, the District Council has powers to take action.

These powers include:

- 1 Serving an Urgent Works Notice which requires emergency repairs to be carried out to keep a Listed Building weatherproof and safe from collapse. If an owner does not comply with the Notice, the Council has the power to carry out these works and reclaim all the costs from the owner.
- 2 Serving a Repairs Notice which requires an owner to undertake work specified by the Planning Authority to be reasonably necessary for the proper preservation of the building. If an owner fails to comply, this procedure can lead to compulsory purchase.

The condition of Listed Buildings within the Staffordshire Moorlands is surveyed and monitored on a regular basis so that Listed Buildings 'at risk' can be identified for special attention.

## *What help is available to Listed Building owners?*

Specialist advice on maintenance or alteration of Listed Buildings and guidance on the procedure for making an application for Listed Building Consent can be obtained from the Conservation Section. Advice is also given on appropriate methods of repair, on the availability of grant aid for repairs to the historic fabric of a building and exemption from VAT. Leaflets are also available on pointing techniques and general design guidance.