

Living in a Conservation Area

City and County of Swansea



This leaflet provides an overview of the issues/ considerations of owning a building and/ or living in a conservation area. This leaflet cannot address every eventuality, nor every conservation area, so you should read through first and contact the Council if you have any specific queries.

What is a Conservation Area?

Conservation areas are defined as:

'areas of special architectural or historic interest,'

When making planning decisions, the Council has a statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

There are currently 31 designated conservation areas within the City & County of Swansea. These are:

- Mumbles
- Ffynone
- Reynoldston
- Parkmill
- Port Eynon
- Cheriton
- Ilston
- Horton
- Landimore
- Llanmadoc
- Llanngennith
- Penrice
- Morryston
- Wind Street
- Penclawdd
- Rhossili
- Vivianstown
- Oxford St/ Nelson St/ Union St
- Oxwich Green
- Oxwich Village
- Maritime Quarter
- Alexandra Road
- Holt's Field
- Llangland Bay
- Mount Pleasant
- Bishopston
- Llansamlet
- Newton
- Loughor
- Llanrhidian
- Sketty

What is important about a Conservation Area?

The designation of a conservation area seeks to preserve or enhance the character and appearance of the area.

The character of these areas does not come from just the quality of the buildings alone. The historic layout of streets; public spaces; lanes and boundaries; characteristic materials; a particular 'mix' of uses; trees; street furniture and particular views - all help make up the special character of the area.

Information on the special architectural or historic interest of each of these areas is available from the Council web site at:

www.swansea.gov.uk/ca

Information relating to conservation areas in Gower can be found within the Gower Design Guide at:

www.swansea.gov.uk/spg



What does Conservation Area designation mean?

Conservation area designation helps to protect an area's special architectural or historic interest by providing:

- policies written by the Council to guide planning decisions to preserve or enhance all aspects of the character or appearance of the conservation area;
- control over the demolition of unlisted buildings and walls
- control over works to trees within a conservation area;
- stricter planning controls within a conservation area;
- introducing a statutory requirement for the local planning authority to consider the impact of a proposed development upon the character or appearance of a conservation area.



What is a Conservation Area Review?

The Council is required to review conservation areas 'from time to time'. This review must involve the local community and stakeholders and the end result is a two part document:

■ Character Appraisal

This is an assessment of an area's special interest and its character or appearance. This clearly outlines the special architectural or historic interest that warrants the designation and provide a reference for those preparing proposals for change as well as a framework for decision making by the Council.

■ Management Plan

This builds upon the positive features and addresses the areas of concern identified in the Character Appraisal and provides recommendations for improvement and change within the area.

How are Conservation Areas cared for?

The designation of a conservation area should help to safeguard the special character particular to the locality. Designation therefore creates additional responsibilities for those involved (including all Council Departments) as well as those who own properties and/or live in the area. It is beneficial for local people become involved in the care of conservation areas through residents' associations, amenity groups and local history groups to ensure standards are maintained.

Small scale enhancement schemes such as retention of historic street details including paving and street lights as well as the reintroduction of traditional paving materials and more appropriate but efficient street lighting are often beneficial to the appearance of a conservation area.

There are many instances when a seemingly small alteration can damage the historic character and appearance of an area,

including:

- replacing natural slate or clay tiles with interlocking concrete tiles;
- painting or rendering over stonework or brickwork;
- replacing original timber doors with 'off the shelf' plastic or tropical hardwood doors;
- replacing original timber sash or casement windows with plastic or tropical hardwood windows that do not match the original glazing pattern or design;
- removing or replacing boundary walls, railings and hedges with materials not traditional in character.

What works to houses in Conservation Areas are controlled?

In conservation areas the Permitted Development rights granted under the Town and Country Planning (General Permitted Development) 1995 (as amended) are limited. Planning permission is required for certain external works to a house within a conservation area, which would not normally require planning permission elsewhere. House extensions in conservation areas are subject to greater restrictions than those not in such areas. There are also further restrictions on works to houses, for example:

- cladding any part of the exterior with stone, artificial stone, pebble dash, render, timber, plastic, metal, tiles or external wall insulation
- adding to or altering the shape of the roof. The insertion of roof lights and the removal, alteration or replacement of chimneys
- erecting a building, enclosure, pool or container within the curtilage of a house larger than 10 cubic metres where this is situated more than 20m from the dwelling or where any part of the building etc. would be situated to the

side of the dwelling between this and the side boundary of the curtilage

- installing an antenna on a building which exceeds 15 metres in height or to a wall or roof slope which fronts and is visible from a highway

Some conservation areas have additional restrictions on permitted development rights (known as article 4 directions) and you should always check first with Planning Services.

What works to flats and commercial properties in Conservation Areas are controlled?

If you are an owner or tenant of a flat or a commercial property in any location (not necessarily a conservation area) then your property does not benefit from the same Permitted Development rights as houses and as such you are governed by planning controls for many external alterations. In addition to this the conservation area designation will mean that particular care will be taken to ensure that, if planning permission is required then the character or appearance of the conservation area is preserved or enhanced.

What about new development in Conservation Areas?

The Council will require all new building work and development to preserve and/or enhance the existing character or appearance of the



conservation area, and will typically insist that planning applications include justification in the form of a design and access statement explaining how the development meets these statutory tests.

There is no set design approach for a conservation area, but the key requirement is to relate sensitively to the context and to be high quality. Special regard should be given to such matters as scale, height, form, massing, detailed design and quality of materials in the interests of harmonizing the new development with its neighbours. Density of development is an intrinsic part of the character of conservation areas. Proposals to subdivide grounds or large gardens will not normally be permitted unless it can be demonstrated that such proposals will not harm the character or appearance of the conservation area.

It is strongly recommended that all development proposals in Conservation Areas make use of the Council's pre-application planning advice service prior to the submission of a planning application.

What demolition in conservation areas is controlled?

Subject to some exceptions, works for the substantial demolition of all or part of an unlisted building in a conservation area would require Conservation Area Consent (CAC).

In some cases works which involve the



removal of only a small part of a building may not require conservation area consent.

Whether the works are substantial is a matter of fact and degree which will depend upon the circumstances in each case. You should always check first with Planning Services when considering works of demolition.

What demolition of boundary walls in conservation areas is controlled?

Consent is required for the demolition of boundary walls over 1m in height where these face a highway or public footpath and 2m everywhere else in the conservation area.

Further controls on Permitted Development rights will apply if the Council has made an 'Article 4 Direction'. Further guidance is set out in Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas. As circumstances may vary you should always check first with Planning Services.

What works to trees in conservation areas are controlled?

Local authorities are required to preserve or enhance the character or appearance of conservation areas as a whole, not just the character or appearance of buildings within them. A major element in the character or appearance of many conservation areas is the



trees, gardens and other open spaces within them.

Careless works to trees, such as any cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree may not only lead to the loss of the trees themselves, but may also harm the appearance of the conservation area surrounding them and spoil the setting of any buildings nearby.

If you wish to erect a shed or carry out any development in a conservation area under Permitted Development which is close to a tree then you are required to notify the Council in the same way as if you were carrying out works to the tree.



All trees with a trunk diameter of 75mm measured at 1.5m above ground level within conservation areas are protected under Section 211 of the Town and Country Planning Act 1990. Any proposed works to such trees will require a written notification to the Council six weeks prior to beginning those works.

It is a criminal offence to carry out works to such trees within a conservation area without giving prior notice to the Council.

In addition, many trees within conservation areas will be subject to **Tree Preservation Orders (TPO)** in which case a formal application will be necessary before any works can proceed. The Council will have regard to the character of the area and the significance of the tree in determining any such application.

There are exemptions from the general protection given to such trees in the conservation area, namely:

- Trees that are dead, dying or that have become dangerous.
- Pruning of fruit trees in accordance with good horticultural practice.
- Trees that are the subject of a legal nuisance.

Where the loss of a tree is unavoidable, replanting with species that are native or traditional to the area may be required.

You should always check the position first with the Planning Services before undertaking any works to your property or to trees within the conservation area,

Unauthorised works to property or to trees could result in legal proceedings being taken against those involved.

What is the relevant Legislation?

Current legislation relating to conservation areas is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990.



Further guidance on this Legislation is provided in Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas.

Information regarding Conservation Areas can also be found in National Planning Policy documents such as:

- The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations
- Planning Policy Wales (Edition 8, January 2016) - Chapter 6—Conserving the Historic Environment
- Technical Advice Note (TAN) 24: Historic Environment (Draft)

Who should advise me?

You can contact the Council using the details in this leaflet if you require further advice with regard to a specific issue or site in a Conservation Area. Please note that there is a charge for this pre-application planning advice service.

It is strongly recommended that you use an architect or designer with experience of working in historic areas. Their expertise with projects in a historic area is generally reflected in their qualifications and accreditations, so you should ask them whether they are a member of the Institute of Historic Building Conservation (IHBC), a Conservation Architect or what projects they have worked on in Conservation Areas before.



Further Information:

The City & Council of Swansea Planning Services is always happy to give information, advice and guidance in relation to conservation areas, listed buildings and trees.

For information, advice and guidance on Conservation Areas and Listed Buildings contact the Design & Conservation Team:

☎ 01792 637341

✉ designswansea@swansea.gov.uk

For information, advice and guidance on works to trees within Conservation Areas contact the Landscape Team:

☎ 01792 635724

✉ protectedtrees@swansea.gov.uk

For information, advice and guidance on pre-application submissions and Planning Permission contact the Planning Department:

☎ 01792 635701

✉ planning@swansea.gov.uk

All the above teams are located at:

City & County of Swansea, Civic Centre,
Oystermouth Road, Swansea, SA1 3SN

