

WEYMOUTH AND PORTLAND BOROUGH COUNCIL: SUPPLEMENTARY PLANNING GUIDANCE 2. - LISTED BUILDINGS AND CONSERVATION AREAS.

1. INTRODUCTION

- 1.1 This supplementary planning guidance has been prepared to provide advice about planning legislation relating to listed buildings and conservation areas in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Planning Policy Guidance Note 15 Planning and the Historic Environment.
- 1.2 This guidance also provides additional advice and clarification for the policies set out, primarily, in Chapter 3 of the Borough Council's Weymouth and Portland Local Plan, concerning development in conservation areas or alterations to listed buildings. Specifically policies B8, B9, B10, B11, B12 and Appendix 3, Conservation Area Appraisals.

2. LISTED BUILDINGS

- 2.1 Listed buildings form an important part of the Borough's built environment and make a significant contribution to the historic, social and cultural heritage of the area and help define its own distinctive character. The character and appearance of the buildings vary within the Borough: from Weymouth's Georgian Esplanade, to the cottages of the Wey valley villages or the breakwaters and fortifications of Portland. Their special significance makes them worthy of protection and preservation.
- 2.2 Listed buildings cannot be replaced; and they can be robbed of their special interest as readily by unsuitable alteration as by outright demolition. As well as changes in the appearance of the buildings - the loss of traditional materials or the use of inappropriate modern ones can affect the long term survival of the building. It can also mean losing the link between the skills of past generations of craftsmen and the social conditions that prevailed when the buildings were built. This is of course often a less tangible aspect of the character of listed buildings, but none the less an important one.
- 2.3 Owners of listed buildings, therefore, have an implied 'duty of care' as custodians of the building to protect their historic property, so that it can be enjoyed and appreciated by existing and future generations. Their ownership clearly gives them proprietorial rights but these should be enjoyed in the context that their property has probably survived for more than a century and often much longer, and should hopefully survive, little changed, for far longer.
- 2.4 The Secretary of State for Culture, Media and Sport is responsible for compiling and publishing the Statutory Lists of Buildings of Special Architectural or Historic Interest - listed buildings. The Weymouth and Portland lists are available for inspection at the Council Offices

The Grade of Building

- 2.5 Buildings are included on the List only after careful examination and according to strict criteria. They are graded, I, II* (star) and II. There are six Grade I buildings in the Borough and there are 53 Grade II* buildings which are of outstanding interest. Both nationally and locally Grade II buildings comprise about 94% of all listed buildings. There are over 1100 listed buildings in the Borough, but these represent less than 3% of all the buildings in Weymouth and Portland.
- 2.6 The grade of a building is a material consideration when proposals for alterations to a listed building are made. Many Grade II buildings, however, have been listed precisely because they are relatively unaltered examples of a particular building type and their special interest can be as seriously affected by insensitive alterations as that of Grade I or II* structures. The contribution that an individual listed building makes to 'group value' with other listed buildings is also an important consideration.

Defining A Listed Building

- 2.7 A listed building includes the building itself, any object or structure fixed to it or any object or structure within the curtilage (ie within the boundary of the premises or plot) of the building. It will usually include boundary walls, railings and gates and buildings within the curtilage.
- 2.8 The whole of a building is listed, both its interior as well as its exterior. This can include internal fixtures, fittings and architectural details.
- 2.9 The description of individual buildings contained in the Lists is for identification purposes only. If features are not referred to in the List it does not mean they are unimportant or not part of the listing. Many unrecorded features are of historical or architectural importance and give clues to the age of the building and are part of its special character.
- 2.10 Sometimes the cumulative changes and alterations to a listed building since its construction, reflecting the history of the use and ownership of it, are themselves an aspect of the special interest of that building.

Listed Building Consent

- 2.11 Listed buildings receive special protection in planning legislation and a wide range of work to them requires the consent of the Borough Council. Listed Building Consent is a separate matter from planning permission for development.
- ~ Most small scale alterations and sometimes repairs to a listed building can require listed building consent but probably not planning permission. Major development proposals affecting a listed building will probably require both.
- 2.12 In accordance with PPG15, the Borough Council's policy concerning applications for listed building consent is, that:-

~ **There is a general presumption in favour of preserving listed buildings and the Borough Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.**

~ **Listed Building consent for total or substantial demolition will not be granted by the Borough Council unless a convincing case can be made to justify the demolition. All alternative solutions to demolition must be considered.**

2.13 The Borough Council does accept that many listed buildings can sustain some degree of well-designed and carefully executed alteration or extension to accommodate continuing or new uses.

2.14 Some buildings, however, may be sensitive to even slight alteration - not just great houses, but small cottages or buildings such as watermills with original machinery. In addition some listed buildings may have been subject to successive alterations and unsympathetic minor works in the past, which individually seem of little importance, but cumulatively can be very destructive to a building's special interest.

2.15 As a consequence, applicants for listed building consent will be required to justify their proposals. They will need to show why works which would affect the character of a building are desirable or necessary. They should provide full information to enable the Council to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

2.16 The justification of the proposals should include plans, elevations and associated information in accordance with the Council's Additional Guidance Notes for Listed Building Applications and attached as Appendix A to this guidance. In addition the applicant will be required by the Borough Council as Local Planning Authority to submit an impact assessment.

Listed Building Impact Assessments

2.17 A Listed Building Impact Assessment is a simple statement giving justification for the proposed works to a listed building. The need to submit such a statement should not be perceived as a particularly onerous requirement, additionally such an appraisal of the building and setting should assist in the formulation of the proposals and emphasise the importance of the listed building to the applicants. This form of justification need not be very lengthy and in most cases may be presented on a few pages accompanied by detailed drawings. An impact assessment, however, may have to be based on specialist expertise and will usually require some form of professional input.

2.18 In such assessments the following will need to be considered:-

~ **the importance of the building, its intrinsic architectural and historic interest, its rarity in both national and local terms**

- ~ **the particular physical features of the building - which may include its design, plan, materials or location - that justify its inclusion in the list. This may include internal architectural details as well as external appearance that are of importance, but not referred to in the list description.**
- ~ **the setting of the building and its contribution to the local scene. For example where it is part of a terrace or group that share architectural details and materials.**
- ~ **the benefits to the community that will be derived from granting listed building consent for the proposed works.**
- ~ **the implications of meeting the requirements of the Building Regulations and Fire Regulations.**
- ~ **the Weymouth and Portland Local Plan policies.**

Recording Listed Buildings

- 2.19 English Heritage (previously the Royal Commission on the Historical Monuments of England) must be notified of all proposals to demolish a listed building, or for alterations of a listed building which comprise or include the demolition of any part of that building, for the purposes of recording the building before demolition takes place.
- 2.20 Hidden features of interest are sometimes revealed during works of alteration e.g. fireplaces, panelling, earlier windows. These contribute to the special interest of the building and should be preserved or, where appropriate, be recorded. Applicants should seek advice from the Borough Council when such features are found.
- ~ **The Borough Council will consider in all cases of alteration and demolition whether it would be appropriate to make it a condition of consent that applicants arrange a suitable programme of recording of features that would be destroyed in the course of the works of alteration.**
 - ~ **The Borough Council will attach appropriate conditions to a listed building consent to ensure the retention or proper recording of concealed features, where these may arise.**
 - ~ **The Borough Council in certain circumstances will require exploratory opening up of a building before considering granting listed building consent.**

Building Regulations and Fire Legislation

2.21 The requirements of the Building Regulations and Fire Precautions Act can have a significant detrimental affect on the character of a listed building following approval of proposals to alter the building, often as a consequence of an approved change of use. For example, the replacement of original Georgian panel doors with modern fire doors, the strengthening of floors, the need for insulation or ducting for extractor fans, which can affect the external appearance as well as the interior of a building.

2.22 PPG15 suggests that sufficient flexibility exists within the Building Regulations and Fire Precautions Act to have regard for the possible impact of proposals on the historical or architectural value of a listed building.

~ **Wherever possible the Borough Council will interpret the legislation to avoid the removal or destruction of features which contribute to the character of a listed building and part of its reason for being listed.**

~ **The precise Building and Fire Regulation requirements should be made explicit and included in the Listed Building Impact Assessment. This is to ensure that requirements which affect the historic fabric of a listed building and may be unacceptable, can be considered as part of a listed building consent application, If this information is not provided then the Borough Council may be unable to approve an application because of the lack of sufficient information.**

~ **The Borough Council may not grant listed building consent if the requirements of the Building Regulations or Fire Precaution Acts are such that the special character of the building will be lost if the works proceed.**

Alterations and Extensions to a Listed Building.

2.23 As a general rule, listed building consent is necessary for any works of alteration, extension or demolition. The lists set out below are examples of the most common alterations but do not identify all those that may require consent.

Exterior Alterations:

(a) The replacement of windows, doors including a change of material or installation of rooflights. The introduction of double-glazing, which can affect the external and internal appearance of a listed building. **In this context the replacement of traditional wooden windows with UPVC or aluminium windows is unacceptable and consent will not be given by the Borough Council.**

(b) Alterations to window or door openings.

(c) Replacement of roof coverings, eg replacing natural slate with artificial slate or tiles.

- (d) Painting of previously unpainted surfaces, particularly brick or stone elevations and walls.
- (e) The addition of any type of cladding, for example rendering a previously unrendered wall.
- (f) The removal of cladding, particularly original stucco or lime renders.
- (g) The repointing of brick or stonework, the repainting of walls, windows and doors or the use of certain cleaning techniques may also require listed building consent.

Interior Alterations

2.24 Interior alterations which affect the following features will probably require listed building consent:

- (a) staircases, doors and doorways, panelling, chimney-breasts, and fireplaces
- (b) the removal of original plasters, including cornices, ceiling roses etc
- (c) removal of original internal walls
- (d) the removal of structural timbers and original floorboards
- (e) any other work that affects original architectural features.

2.25 Listed building consent will also be required for the removal of features such as:- balconies, chimneys, chimney pots, porches, and insurance plaques.

2.26 Listed building consent will be required for the attachment of objects to listed buildings, including:- security shutters, meter boxes, sunblinds, advertisements, satellite dishes, burglar alarms and CCTV cameras.

2.27 Listed building consent is also needed to alter or demolish buildings or features within the curtilage (ie the boundary of the plot or premises) of a listed building. This includes changes to garden walls, gates and railings.

Maintenance and Repairs

2.28 The repair and maintenance of listed buildings should always be carried out using the appropriate materials and employing traditional building techniques and craftsmanship. This is not only aesthetically preferable, but often essential to protect the structure of the building - modern materials and techniques can be very damaging to the fabric of historic buildings.

2.29 In many cases it will be preferable to repair rather than replace an existing feature. It will preserve the historic fabric of the building and is often cheaper. For example, an important feature of windows can be the original handmade glass which is usually lost when windows are replaced and modern glass gives windows a completely different appearance. Before deciding on any course of action you should always seek expert advice.

Advice

2.30 This guidance is not a definitive statement concerning the legislation affecting listed buildings. Before undertaking works of repair or alteration to listed buildings or prior to the purchase of such a building it is advisable to speak to a Planning Officer or the Borough Council's Conservation Officer who can give advice on the matters such as:-

- (a) the need for listed building consent in any specific case.
- (b) methods of maintenance and repair.
- (c) alterations and extensions to specified buildings
- (d) suitable materials.

3. CONSERVATION AREAS

3.1 This supplementary planning guidance concerning Conservation Areas should be considered in conjunction with Chapter 3 Design and the Built Environment and Appendix 3 Conservation Area Character Appraisals of the Weymouth and Portland Local Plan. Proposals for new development in Conservation Areas should also take into consideration the supplementary planning guidance concerning Urban Design.

3.2 The Borough Council is required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider from time to time which parts if any, of the Borough are:-

~ **areas of special architectural or historical interest, the character or appearance of which is desirable to preserve or enhance. These areas are then designated as Conservation Areas.**

3.3 Clearly there can be no standard specification for Conservation Areas. For example, within the Borough they range from the densely developed streets of Weymouth town centre and the Esplanade to the rural settings of Radipole or Upwey. Conservation Areas in the Borough are principally based on groups of older buildings, but it is the relationship of these buildings with each other and with the open spaces between them, together with the historic street pattern, gardens (public and private), trees and field systems, views and vistas that all contribute to the unique character of a Conservation Area.

3.4 The character appraisals in Appendix 3 of the Local Plan provide additional information concerning the important features and characteristics of the Borough's Conservation Areas. These appraisals, however, are not site specific, therefore, an applicant should consider an assessment of the site and the surrounding environment to help formulate proposals for new development in the Conservation Area, before submitting an application.

3.5 Owners and applicants may feel that these stricter rules and policies might prevent them doing as they wish with their own property, but equally they prevent others spoiling the character of the area which they, their neighbours, other local residents and visitors all value.

Planning Applications

3.6 Planning laws and regulations assist the Borough Council to control development in the public interest, and additional controls or special considerations are applicable in Conservation Areas.

~ **Designation of an area of the Borough as a Conservation Area does not necessary mean that new development cannot proceed. However, thought must be given to the detailed design of such development.**

- ~ **The Borough Council when considering planning applications will pay special attention to the preservation or enhancement of the character or appearance of a Conservation Area.**
- ~ **Proposals for new development should respect the character of the area in terms of layout, siting, size, materials, design and enhance or reinforce the local distinctiveness of the area.**
- ~ **An application for new development should, where appropriate, include a landscaping and planting scheme including the safeguarding of existing features.**
- ~ **The Borough Council will in all cases require as a minimum illustrative plans to accompany outline applications for new development in a Conservation Area - just 'red line' applications are not acceptable. In the case of particularly sensitive development proposals the Council will require that an application for full planning permission is made accompanied by fully detailed plans.**
- ~ **Applicants when submitting proposals for development in Conservation Areas should employ an architect or a designer of proven ability and experience of preparing schemes within such areas.**

Conservation Area Consent

3.7 Additional permission (Conservation Area Consent) is needed for the total or significant demolition of buildings in Conservation Areas.

- ~ **The Borough Council's policy is to refuse permission to demolish buildings or structures in a Conservation Area where they contribute to the character or appearance of the area - unless there are exceptional reasons to justify the demolition.**

Trees in Conservation Areas

3.8 Trees in Conservation Areas are protected, and anyone proposing to fell, top or lop them must give the Borough Council six weeks notice of their intention before the work is carried out. Permission to undertake the work may not be given, however a decision will usually be made well within this six week period.

The Need for Planning Permission and Permitted Development.

3.9 Individual dwelling houses, have certain 'Permitted Development' rights that allow minor alterations to houses without the need to obtain planning permission. These allowances do not apply to flats or commercial properties. However, the use of inappropriate materials, and poor standards of design can detrimentally affect the

appearance of both individual buildings and the area, which is contrary to the Borough Council's policy concerning Conservation Areas.

~ **The Borough Council can advise owners of their permitted development rights and they should consult the Council before the commencement of work.**

3.10 Where planning permission is required for alterations to unlisted buildings in a Conservation Area the following will apply:-

- a) **Windows** - on principal elevations the replacement of wooden sliding sash or traditional side hung casement windows with windows of inappropriate design including the use of aluminium or UPVC windows will not normally be granted planning permission. Tilt and turn, top or bottom hung windows are also not acceptable replacements for sliding sash or traditional casement windows.
- b) **Doors** - Front doors, door cases, porches etc are considerable importance in adding to the character of the street scene and should be treated with care. Planning permission may be required if these features are altered or replaced.

If windows or doors are replaced without consent then enforcement action may be taken.
- c) **Dormers** - The insertion of dormer windows into roofs on buildings in Conservation Areas will require planning permission. The dormers should be of a size, scale and design appropriate for the appearance and age of the building and the character of the area. In some circumstances the construction of dormer windows will not be acceptable.
- d) **Walls** - The demolition of walls, particularly those facing streets and open spaces, is often detrimental to the character of the area and in these circumstances will not be granted planning permission by the Borough Council.
- e) **Cladding** - The cladding of walls can require planning permission. The Borough Council will not usually grant planning permission for these works. In exceptional circumstances e.g. for the purposes of weatherproofing traditional cladding solutions may be permitted.
- f) **Rendering** - Planning permission may be required for covering brick or stone walls with modern renders. Rendering of good quality facing materials is not recommended by the Council and may be refused planning permission. Apart from any aesthetic considerations the application of such materials

could provide a continuing maintenance problem in the future and affect the fabric of the building.

- g) **Satellite Antenna -** The installation of satellite dishes on to front elevations, or on chimneys of buildings in Conservation Areas requires planning permission. The Borough Council will usually refuse permission for such antenna on the front elevation of buildings.

Traditional Design and Materials

- 3.11 The Borough Council is required to take into consideration whether proposals for development enhance or preserve the character and appearance of a Conservation Area. The Conservation Area appraisals provide a basis for these considerations, but it is often the architectural details of individual buildings or groups of buildings that contribute much to the character of such areas, most noticeably wall and roof materials and window styles. This local distinctiveness can apply to whole settlements or vary within larger Conservation Areas such as Weymouth Town Centre.
- 3.12 The Borough Council when considering planning applications for development in Conservation Areas will expect the materials used and designs to be sympathetic to the character and appearance of the area, including the use of wooden windows of traditional design.
- 3.13 The layout of development should reflect that predominating in the settlement, e.g. narrow lanes, rather than imposing modern highways requirements. Extensions to buildings should match existing original materials and architectural details.
- 3.14 The Borough Council recognises that the use of traditional materials or design can place constraints on new development in Conservation Areas. It should be recognised, however, that within Conservation Areas it is the special architectural and **historic** character and appearance that should predominate and that assertive or unsympathetic modern design can soon dilute these special characteristics and local distinctiveness. Conversely skilful designers can use traditional materials in a contemporary manner and still enhance the appearance of a Conservation Area.
- 3.15 There are of course some sites within Conservation Areas that may permit a new building of the highest architectural quality that does not use traditional materials and is of modern design and this is recognised in Policy B1 of the Local Plan. This should be considered an exception rather than a rule and is more likely to apply to urban Conservation Areas rather than rural ones. It will be for the applicant and designer to prove that a site is such an exception and that the proposals are of high architectural quality.

Enhancement Schemes

- 3.16 In contrast to these more restrictive controls the planning laws require that the Borough Council should consider ways of improving or enhancing the character of its Conservation Areas. Enhancement schemes can include the planting of trees, the

introduction of traditional surfaces or removing eyesores. All schemes have to be the subject of consultation with the public.

3.17 Equally the Council and other public authorities have to have regard to a Conservation Area when carrying out works in the area e.g. road improvements, or street lighting schemes.

~ **The Borough Council will seek to retain or re-introduce traditional materials when undertaking works in Conservation Areas such as traditional cast iron lamp columns and railings, blue lias paving slabs or granite kerbs.**

Living in or owning a property in a Conservation Area clearly places certain responsibilities on both residents and the Council. However these responsibilities should not be considered onerous, because protecting the character of such areas of architectural, historical and cultural interest provides a pleasing and valuable environment within which to live and work - to the benefit of the whole community. Protecting and enhancing Conservation Areas is a practical way whereby we can all demonstrate that we care about retaining our heritage for future generations. Weymouth and Portland have a rich and diverse history: we can help to preserve it.

If applicants are in any doubt about work to be undertaken on a building in a Conservation Area or are considering proposals for new development they should contact the Borough Council who will be pleased to provide advice on the matter.

LIST OF CONSERVATION AREAS

WEYMOUTH

Belle View Road
Broadway
Connaught Road
Lansdowne Square
Lodmoor Hill
Nottingham
Radipole
Sutton Poyntz
Weymouth Town Centre
Wyke Regis
Upwey

PORTLAND

The Grove

Easton
Underhill
Weston