



## City of Westminster

### **PLEASE NOTE**

The Unitary Development Plan (UDP) policies and planning, building control and other legislation and regulations referred to in the text of this guide were current at the time of publication. Because this guidance is an electronic version of the printed guidance as approved and adopted, these references have NOT been changed. For ease of contact; names, telephone numbers and locations have been regarded as non-material editorial changes and have been updated.

As UDP policies and government legislation may have changed over time, before carrying out any work, it is recommended that you consult the current UDP

<http://www.westminster.gov.uk/planningandlicensing/udp/index.cfm> for policy revisions and you may wish to check with planning and/or building control officers about your proposals.

## **CONSERVATION AREAS A Guide for Property Owners**



## ***Aerial photograph Maida Vale Conservation Area, W9 (part)***

### **1. Introduction**

This leaflet is one of a series produced by the City Council providing planning guidance supplementary to the Unitary Development Plan (As Placed on Deposit, November 1991). Many areas of Westminster are of high townscape quality or have a distinctive character worthy of protection and enhancement. They are individually important and collectively contribute to the character of the City. Approximately 75% of Westminster is covered by conservation areas. This leaflet explains what conservation area status means to owners and to the City Council.

### **2. What is a Conservation Area?**

Conservation areas are defined by the Civic Amenities Act 1967 as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Earlier legislation had given protection to individual buildings of special architectural or historic interest (listed buildings). Conservation areas often contain listed buildings but most of the properties are not listed and it is the character of the area, rather than individual buildings, that the conservation area legislation seeks to preserve or enhance.

Westminster City Council has, to date, designated 53 different conservation areas. These are of very varied age and character, ranging from the historic core of the City around Westminster Abbey and Whitehall to the oldest surviving residential and commercial properties in Soho; from the expensive residential developments of the eighteenth and nineteenth century in Mayfair and Belgravia to more modest residential areas, such as the Queen's Park Estate, of the late nineteenth century and twentieth century buildings, some of which make a significant contribution to the character and appearance of the area.

Westminster's conservation areas are shown on the map below. If you are not sure whether your property lies within a conservation area you can see detailed maps at the City Council's One Stop Services (see the Westminster Contacts List link below). You can also enquire by telephone (020) 7641 2513 or Fax (020) 7641 2515 or write to Development Planning Services (see Contacts).



***Smith Square Conservation Area,  
Lord North Street from Smith Square,  
SW1***

### **3. What does Conservation Area Status Mean for the Property Owner?**

#### **3.1 Background**

Most people welcome the fact that their property is in a conservation area because it means that the City Council will take special care to protect and enhance the quality of the area. In order to do this the Council has powers under the Planning (Listed Buildings and Conservation Areas) Act 1990 to require property owners to apply for permission to do works, which would not need permission outside a conservation area. When applications are made the Council has to consider them carefully and consult more widely than in non-conservation areas.

#### **3.2 Planning Permission**

In a conservation area most new building work (to both listed and unlisted buildings) and most changes of use require planning permission. If you are considering some demolition, followed by new building work

and/or a change of use, then applications for both conservation area consent and planning permission must be submitted to the City Council. They should be submitted together, as one application will not normally be progressed without the other.

Minor building works such as a very small extension to a single family dwelling or the paving of the front garden area to allow a car to be parked off the street may not require planning permission because the government has given certain permitted development rights, especially to single family dwellings. In conservation areas these rights are fewer, and you need for example, to apply for planning permission for any enlargement to a property consisting of an addition or alteration to its roof; you are again strongly advised to write to the Development Division giving full details of your proposals if you are not sure whether planning permission is required.

To ensure that new developments in conservation areas do not harm their appearance or character, the City Council expects all applications for planning permission to be in 'full' rather than 'outline' form, providing full details of the appearance of the proposal in the context of its surroundings and the materials and detailed design proposed.

The notes for applicants accompanying the City Council's planning application and conservation area consent forms state what information is required. In drawing up proposals for development you should take into account the fact that the City Council will expect a high standard of design, materials and detailing in order to preserve or enhance the character of the particular conservation area. Development proposals close to conservation areas will be also assessed in terms of their impact upon the adjacent conservation area.



***St. James's Conservation Area,  
Cleveland Row, SW1***

### **3.3 Demolition of Buildings**

You must apply for conservation area consent for the demolition of whole (unlisted) buildings, including some free-standing walls, or the demolition of parts of them, such as the stripping out of traditional shopfronts or the removal of a house extension. The demolition or the removal of small structures or parts of buildings do not always need consent but you are strongly advised to contact the Development planning Services (see address at end of this leaflet) providing photographs and detailed scaled drawings of the existing and proposed alterations. Do not start to demolish any existing structure until consent has been granted by the City Council or you are sure that it is not needed. The City Council may take enforcement action to make you put back any demolished structures.

### **3.4 Listed Buildings**

Any alterations to a listed building, including internal works which in the Council's opinion affect its character, will require listed building consent. The City Council has published a separate leaflet to give guidance to the owners of listed buildings. Most works affecting the outside of listed buildings will also require planning permission and in considering whether to grant permission, the effect of the proposal on the character and appearance of the conservation area as well as that of the listed building, will be

considered. Proposals affecting listed buildings should be discussed with officers from the City Council and from English Heritage (see addresses at the back of this leaflet). It is a criminal offence to demolish all or part of any listed building or structure without having first obtained listed building consent.



***Regents Park Conservation Area, Cornwall Terrace, NW1***

### **3.5 Trees**

If you want to undertake works to a tree (apart from those under a specified size or dead, dying or dangerous) in a conservation area, e.g. lopping a branch, felling the tree completely or cutting its roots when excavating, you must give the City Council 6 weeks notice of the work so the implications for the character and appearance of the conservation area can be assessed. If you are unsure whether you will need specific consent please write to the Arboricultural Manager of the City Council giving full details of the type, location, size and spread of the tree, ideally with scaled plans and photographs so your proposal can be considered more rapidly. Unauthorised works to trees in conservation areas, including starting work before the end of the 6-week period for notification to the City Council, can lead to a fine of several thousand pounds. Planning applications involving works likely to affect trees should contain similar information and level of detail.

There is a presumption in favour of protecting trees that make a contribution to a conservation area, and the City Council may at any time make a Tree Preservation Order on a tree considered to be of particular merit.

A large number of privately-owned trees in conservation areas already are protected by Tree Preservation Orders and records of these are kept at One Stop Services at City Hall, 313 Harrow Road and 91-93 Church Street, or can be checked by telephoning or writing to the Arboricultural Manager. Further information about trees is contained in two City Council leaflets: 'Trees: Legislation and Procedure' and 'Planting and Care' available from One Stop Services.



***Maida Vale Conservation Area, Howley Place, W2***

### 3.6 Advertisements

Local authorities have additional powers in conservation areas over the type of advertisements that require advertisement consent. A separate guidance note is being published by the City Council on this subject and specific policies for advertisements are contained in the Unitary Development Plan. Advertisements should always be sympathetic to and in scale with the appearance of the conservation area.

***Mayfair Conservation Area, Old Bond Street, W1***



***Covent Garden Conservation Area  
(former Market Building), WC2***

**Designated Conservation Areas in Westminster 2004**



### Key to Conservation Areas

1	St John's Wood	19	Whitehall	37	Knightsbridge Green
2	Regents Park	20	Westminster Abbey & Parliament	38	Aldridge Road Villas & Leamington Road Villas
3	Maida Vale	21	Smith Square	39	Hanway Street
4	Dorset Square	22	Knightsbridge	40	Medway Street
5	Westbourne	23	Belgravia	41	Royal Parks
6	Bayswater	24	Grosvenor Gardens	42	Leicester Square
7	Molyneux Street	25	Birdcage Walk	43	Churchill Gardens
8	Portman Estate	26	Westminster Cathedral Area	44	Cleveland Street
9	Harley Street	27	Pimlico	45	Dolphin Square
10	Stratford Place	28	Millbank	46	Fisherton Estate
11	Mayfair	29	Queen's Park Estate	47	Hallfield Estate
12	Regent Street	30	Vincent Square	48	Haymarket
13	Charlotte Street	31	Adelphi	49	Lillington Gardens
West		32	Savoy	50	Lisson Grove
14	Soho	33	East Marylebone	51	Regency Street
15	Covent Garden	34	Broadway & Christchurch Gardens	52	Peabody
16	Strand	35	Paddington	53	Queensway
17	St James's	36	Albert Gate		
18	Trafalgar Square				

### 4. Amenity Societies

The City Council formally recognises 14 local Amenity Societies whom it consults on applications within conservation areas. The City Council places great value on the contribution that these Societies make to the consideration of applications within conservation areas. Property owners interested in contributing to the future development of the area are encouraged to join their local society. The list of Societies, the areas they cover and contact names are available from One Stop Services.

## 5. What does Conservation Area Status Mean for the City Council?

### 5.1 The Designation and Review of Conservation Areas

All local authorities have a duty, from time to time, to consider which parts of their borough are suitable for conservation area designation. The last major review by the City Council was in 1990 when advertisements were put in local papers; local amenity societies, other relevant organisations and major land owners were consulted and the Council's Planning and Development Committee decided to designate nine new conservation areas, amend the boundaries of a number of previously designated conservation areas and to rename certain areas for clarification.

One of the main implications of designating a conservation area is the additional powers granted to a local authority to protect buildings and trees in the area and to control works affecting them.



**Covent Garden Conservation Area, Covent Garden Piazza, WC2 (photo, 1984)**



**Mayfair Conservation Area, Chancery Street, W1**

### 5.2 Conservation Area Consent

Applications for conservation area consent, which is concerned solely with the principle of demolition of all or parts of unlisted buildings, will be judged both on the contribution that the existing building makes to the character and appearance of the conservation area and on the desirability and potential of the new development (if one is proposed) to preserve or enhance the conservation area. There is a presumption in favour of retaining buildings which make a contribution to a conservation area. The architectural quality and integrity of the existing building will be taken into account and also the condition of the building and, in the case of proposals for total demolition, its ability to be adapted for continued use. There is also a presumption that demolition and redevelopment of any sites within a conservation area will take place as one continuous building operation to ensure that the site remains vacant for as short a period as possible.

Proposals for the demolition of an unlisted building behind its facades will be considered in terms of its structural stability, the measures proposed to protect the retained elements during building works and the architectural integrity of the retained elements.

The City Council will take into account any adverse effect on the character and appearance of a conservation area caused by the creation of open plan space or by the insertion of mezzanine floors behind retained facades. The effect of such alterations at night is taken into account. In some circumstances it may be appropriate, particularly in the case of eighteenth century buildings, to retain the cellular structure of the building.

In the absence of satisfactory proposals for a replacement building or part of a building, the City Council may refuse conservation area consent on the grounds of prematurity.

In considering applications for conservation area consent the Council refers all applications to English Heritage for comments and seeks the views of major local Amenity Societies. The Council also invites comments from the general public by publicising these applications by means of site notices and by making the proposals available for inspection by interested members of the public.



***Belgravia Conservation Area, Eaton Mews North, SW1***

### **5.3 Planning Permission: Advertising and Consultations**

When it receives an application for planning permission within a conservation area the City Council has to consider whether the proposal, if approved, is likely to affect the character or appearance of the conservation area. If so it announces that an application has been received for that address in the Public Notices section of the local newspaper. Dependent on the location of the building in question the City Council places notices in the Marylebone Mercury, The Paddington Mercury and the Westminster and Pimlico News.

The City Council also arranges for a notice to be put up or near the site, for at least 7 days, stating that an application has been received and seeking comments upon it within 21 days. Copies of the application drawings can be inspected at One Stop Services, City Hall.

Copies of these applications are also sent to the local recognised Amenity Society for comment. Members of the Societies may be able to view those drawings, subject to the agreement of the Societies' officers.

***Lillington Gardens Estate Conservation Area, SW1***



### **5.4 Planning Permission: Consideration of Applications**

In considering applications for planning permission within a conservation area the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that particular conservation area. This does not mean that no new development will be allowed but that new

development should at least preserve the existing qualities and normally should enhance them. In most of Westminster's conservation areas there are some buildings which make little or no contribution to the character or appearance of the conservation area; these could be replaced wholly or partly with suitable new development that could make a positive contribution to the area.

All new development within conservation areas should be closely integrated into its surroundings. Within areas of uniform townscape new development should respect the proportions, form and characteristics of adjoining buildings. In some areas good modern design is often acceptable if disciplined by its townscape context, and is preferable to pastiche (the superficial use of architectural detail). The higher the quality of areas of unified townscape, the greater the discipline that should be placed on new development. In many groups of buildings where the architecture is strongly unified, replica facades may be the most appropriate design solution, if development can be accepted in principle.



***Whitehall Conservation Area, King Charles Street, SW1***

### **5.5 Article 4 Directions**

In some locations where buildings within conservation areas have a coherent appearance, even minor alterations such as small extensions and replacement doors or windows can adversely affect the visual quality of the area. In such areas the City Council may seek to control alterations which would not normally require the benefit of planning permission, through introducing an Article 4 Direction. Such a Direction requires the approval of the Office of the Deputy Prime Minister. Examples in Westminster include the Queen's Park Estate. Advice about the restrictions arising from Article 4 Directions is available from the relevant area team in Development Planning Services.



***Queen's Park Estate Conservation Area, W10***

### **Further Information**

This leaflet has been based on the advice and policies contained in Chapter 9 of the City of Westminster Unitary Development Plan As Placed on Deposit, November 1991, DoE Circular 8/87 'Historic Buildings and Conservation Areas - Policy and Procedures' and the Planning (Listed Buildings and Conservation Areas) Act 1990, which can all be consulted for more detailed information. Advice about specific properties or proposals is available from the relevant area team of Development Planning Services, see contacts link below.

Further leaflets providing guidance on specific design issues and maps and brief notes on the character of individual Conservation Areas are also available from Development Planning Services, Department of Planning and City Development and One Stop Services and can be found on the Westminster City Council Website.

### **Contacts**

CLICK HERE FOR LINK TO  
WESTMINSTER CITY COUNCIL  
CONTACTS LIST

### **English Heritage**

Central and West London Team  
23 Savile Row  
London W1X 1AB  
Tel: **(020) 7973 3000**

Some photographs in this document are by the courtesy of The Royal Commission on the Historical Monuments of England and Mr P B Berkshire.

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