

Conservation areas

Frequently asked questions

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How are conservation areas chosen?

It is our responsibility, as a local planning authority, to decide which parts of the city are worthy of protection as conservation areas and to designate these after public consultation. There are presently sixteen conservation areas in Derby.

How does a conservation area affect my property?

For land and buildings in conservation areas planning controls tend to be stronger than elsewhere. The details are complex, but are summarised below. Further advice is available on the Planning Portal website at

www.planningportal.co.uk/ or by emailing Built.Heritage@derby.gov.uk



Demolition Control: Planning permission is needed for most demolition (defined by the courts as the removal of all or almost all of a structure). The exceptions are for listed buildings (which are fully controlled under listed building legislation), buildings under 115 cubic metres and for gates, walls and fences less than 1 metre high fronting a highway and built before 1948; or 2 metres high elsewhere. Where the building or structure to be demolished makes a positive contribution to the character or appearance of the conservation area we are unlikely to give permission for its demolition.

Permitted Development: Minor building work is often possible without applying for planning permission. The limits of this “permitted development” are stricter inside a conservation area in order to protect the character and appearance of the area. For houses, cladding or rendering, side extensions or outbuildings, garden structures, chimney stacks, satellite dishes, solar panels and dormers to rear as well as front roof slopes, are subject to special controls. To further protect the character of its conservation areas, the Council has made additional “Article 4 Directions” for certain works to houses to be subject to planning permission. In the conservation areas at Allestree, Arboretum, Darley Abbey, Hartington Street, Highfield Cottages, Little Chester, Markeaton, Mickleover, Spondon and Strutts Park planning permission is required for alterations to doors, windows or roof coverings facing a highway. Additionally, you require planning permission to alter or erect any type of boundary treatment (e.g. walls, fences, gates, etc) which face a highway, in the following conservation areas: Arboretum, Hartington Street and Strutts Park.



New development, alterations and extensions: Where work needs planning permission this must be of a high standard appropriate to its surroundings and every effort should be made to retain historic fabric and detail. The law requires that we consider whether proposed development “preserves or enhances” the special character of the conservation area. For this reason outline planning applications are not usually acceptable. It is our policy to ask for the use of traditional materials for buildings in conservation areas. This does not mean however that new imaginative design will be resisted. It is important that each generation contributes something of its time to each area, but to be successful, this new design must acknowledge its special context.

Works to trees: Trees are an essential part of the character of most conservation areas. Anyone wishing to carry out works to a tree in a conservation area, which is not already covered by a tree preservation order, must complete our Works to trees application form, describing what you want to do, at least six weeks before the work starts. This gives us an opportunity to consider protecting the tree with a tree preservation order. You do not need to give notice of work on a tree in a conservation area less than 7.5 centimetres in diameter, measured 1.5 metres above the ground (or 10 centimetres if thinning to help the growth of other trees). For further information, or to download an application form, visit our Tree preservation orders web page at www.derby.gov.uk/environment-and-planning/conservation/tree-preservation-orders/

How can I get the right advice?

Because of the need to make sure that development in conservation areas requiring planning permission, or for works to trees are of a high standard, it is recommended that all but the simplest work is handled by a suitably qualified professional with the appropriate experience. The links below give contacts for finding an appropriate specialist:

Historic England
www.historicengland.org.uk/

Royal Institute of British Architects (RIBA)
www.architecture.com/

Royal Institution of Chartered Surveyors (RICS)
www.rics.org/uk/

The Society for the Protection of Ancient Buildings (SPAB)
www.spab.org.uk/

The Victorian Society
www.victoriansociety.org.uk/

The Georgian Group
www.georgiangroup.org.uk/

Derbyshire Historic Buildings Trust
www.dccpt.org.uk/craftsregister.php

Arboricultural Association
www.trees.org.uk/

Historic Environment Service Provider Recognition
www.ihbc.org.uk/hespr/

Twentieth Century Society
www.c20society.org.uk/

The Buildings Conservation Directory
www.buildingconservation.com/books/bcd.htm

More information

Derby City Council, Planning
www.derby.gov.uk/environment-and-planning/planning/

Planning Portal
www.planningportal.co.uk/