

Dufton Conservation Area Character Appraisal and Management Plan

March 2020

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1. Introduction

1.1 Background to appraisal

- 1.1.1 Conservation areas are defined in planning law as ‘areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’ (Planning (Listed Buildings and Conservation Areas) Act 1990). Local planning authorities have a responsibility to designate areas within their authority which are considered to be of special architectural or historic interest as conservation areas. The planning authority also have a duty to review these designations on a regular basis and where necessary, alter the boundary of the conservation area, or even remove the designation altogether.
- 1.1.2 A character appraisal for Dufton conservation area was published in December 2007 by Eden District Council. This appraisal and management plan includes an up to date description and assessment of the historical, architectural and townscape qualities of Dufton conservation area along with new and/or revised planning policies relating to conservation of the historic environment.

2. Planning Policy Context

2.1 National Planning Policy

Planning (Listed Buildings and Conservation Areas) Act 1990

- 2.1.1 Section 69 requires that local planning authorities shall determine which parts of their area are areas of special architectural or historic interest and shall designate those areas as conservation areas.
- 2.1.2 Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places on local planning authorities the duty to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts.
- 2.1.3 Section 72 of the Act places a duty on the local planning authority in the exercise of their planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 2.1.4 Section 73 of the Act requires the local planning authority to publicise proposals which would in their opinion affect the character and appearance of a conservation area. Such proposals need not be within the conservation area but would affect its setting, or views into or out of the area.

The Enterprise and Regulatory Reform Act, 2013

- 2.1.5 The ERR Act 2013 was introduced in an attempt to simplify heritage regulations. The following measures were taken into account and introduced as part of the Act:
- Measures to provide clarity on what is and is not protected when a building is listed;
 - A Certificate of Immunity from listing can be applied for at any time;
 - The removal of the requirement for Conservation Area Consent but the retention of the requirement to obtain planning permission for demolition of buildings within conservation areas;
 - National and local class consents which automatically grant consent for certain works to listed buildings; and

- The introduction of a Certificate of Lawfulness of proposed works to listed buildings.

National Planning Policy Framework (NPPF), DCLG, 2019

- 2.1.6 The National Planning Policy Framework (NPPF) was published by the Department for Communities and Local Government (DCLG) in 2012 and a revised version was published in July 2018 and again in February 2019. It sets out the Government's planning policies for England and specifies how these policies should be applied.
- 2.1.7 Chapter 16: **Conserving and enhancing the historic environment** sets out policies to conserve heritage assets in a manner appropriate to their significance. Key paragraphs relating to development within conservation areas are outlined in appendix A.

Advice Notes

- 2.1.8 Historic England is the Government's adviser on the historic environment in England. They have published a number of advice notes intended to assist local planning authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy contained within the NPPF and Planning Practice Guidance. A list of the documents can be found in appendix A and can be downloaded from Historic England's website <https://historicengland.org.uk/images-books/publications/>.
- 2.1.9 The document Conservation Principles (2008) sets out criteria used to determine the significance of heritage assets. Significance is assessed against four heritage values:
- **Evidential value** - the potential of a place to yield evidence about past human activity.
 - **Historic value** - derived from the way the past can be connected to the present, it can be illustrative or associative.
 - **Aesthetic value** - the ways in which people draw sensory and intellectual stimulation from a place.
 - **Communal value** - derived from collective experience or memory.
- 2.1.10 A consultation on a revised Conservation Principles document closed in February 2018 and Historic England are working to publish a new version in 2019.

2.2 Local Planning Policy

Local Development Plans

2.2.1 The NPPF 2019 (paragraph 185) sets out policies for the preparation of Local Development Plans by the local planning authority. To be compliant with the NPPF local development plans should set out a positive strategy for the conservation enjoyment of the historic environment including heritage assets most at risk of neglect, decay and other threats. The strategy should take account of the following:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

2.2.2 The Eden Local Plan 2014-2032 adopted in October 2018 sets out how we are planning to manage the growth of new jobs, homes and infrastructure in Eden over the period 2014-2032. Table 1 in appendix A outlines the key policies relating to the historic environment of the Eden District as contained in the Eden Local Plan.

Supplementary Planning Documents

2.2.3 The role of Supplementary Planning Documents (SPD) is to provide guidance on local planning matters. The Management of Conservation Areas SPD is intended to provide guidance to the public and developers when considering proposals in conservation areas. It will also be used as a material planning consideration in the determination of relevant planning, advertisement, listed building and conservation area consent applications as well as to inform management issues in our town centres and villages designated as conservation areas. It will complement other SPDs namely:

- Eden Design Guide Summary (1999)
- Shopfront and Advertisement Design (2006)
- Accessible and Inclusive Environment (2005)
- Housing (Draft 2020)
- Cumbria Landscape Character Assessment Toolkit (2011)
- North Pennines Area of Outstanding Natural Beauty (AONB) Building Design Guide (2011)
- North Pennines Area of Outstanding Natural Beauty (AONB) Planning Guidelines (2011).

Neighbourhood Planning

- 2.2.4 The 2011 Localism Act introduced a new set of tools for neighbourhoods to come together and shape the future of their local areas. One of these tools is neighbourhood plans. Neighbourhood Planning enables Town and Parish Councils or Neighbourhood Forums to prepare, with the community, a formal planning document for their area. It allows local people to take a proactive role in shaping the future of the areas in which they live and greater ownership of the plans and policies that affect their local area. A second tool is a Neighbourhood Development Order which allows neighbourhoods to grant permission for certain developments to take place in their area, without planning permission from the District Council.
- 2.2.5 Within the Eden District there are 13 parishes designated as a Neighbourhood Planning Area and able to produce their own neighbourhood plan or development orders. A further 2 parishes have also applied to be designated as a Neighbourhood Planning Area. See appendix A for the full list.
- 2.2.6 The Upper Eden Neighbourhood Development Plan 2012-2025 was approved at a local referendum and adopted as planning policy by Eden District Council in April 2013.

3. History

3.1 The origins and development of the village

- 3.1.1 The origins of Dufton are not certain, but the Eden Valley in general was populated in Roman times with many small scattered settlements and farmsteads consisting of stone huts and enclosures often found on the higher land. There is an example of such a settlement at Castle Hill 1½ miles to the south of the village.
- 3.1.2 There are two possible explanations for the name of the village. It could derive from Old English meaning “dove farm or settlement”, or the first part could be a personal name Duff. The Old English suffix ‘tun’ now ‘ton’ suggests an early foundation from the late seventh century until the twelfth century. The present layout of the village suggests it was established in its present form by the medieval period.
- 3.1.3 The village has no church within its confines. The Parish Church of St Cuthbert is ¾ mile north west of the village between Dufton and Knock. Re-used fabric indicates the existence of a twelfth century church at this site, supposedly built on one of the many resting sites of St Cuthbert’s body that had been carried by the Lindisfarne monks fleeing from the Vikings during the late ninth century. The church is believed to have been rebuilt in 1784 and again in 1853.
- 3.1.4 In the medieval period the area was surrounded by forest used for hunting and timber. In the early part of the thirteenth century the manor belonged to the Greystokes, from whom it passed in marriage to the Dacres of Gilsland. Afterwards it was owned by Philip Howard, Earl of Arundel, whose grandson Henry granted a lease of the lordship for ninety-nine years to Sir Christopher Clapham in the seventeenth century. Clapham took advantage of an omission in the lease and cut down and sold the whole of Dufton Wood, making more from the timber than he had paid for the whole of Dufton. The lordship was subsequently purchased by John Winder, Esq. and in 1785 it was sold to the Earl of Thanet.
- 3.1.5 No medieval structures are known to survive in the village although their fabric may be incorporated into some of the seventeenth and eighteenth century

remodelled buildings. The plan form of the village displays strong medieval characteristics, suggesting medieval buildings have been rebuilt or remodelled within their existing locations. Dufton Hall, which dates at least from the seventeenth century and possibly the sixteenth, is thought to have been the site of the Manor House. The other oldest surviving buildings date from the seventeenth and early eighteenth onwards.

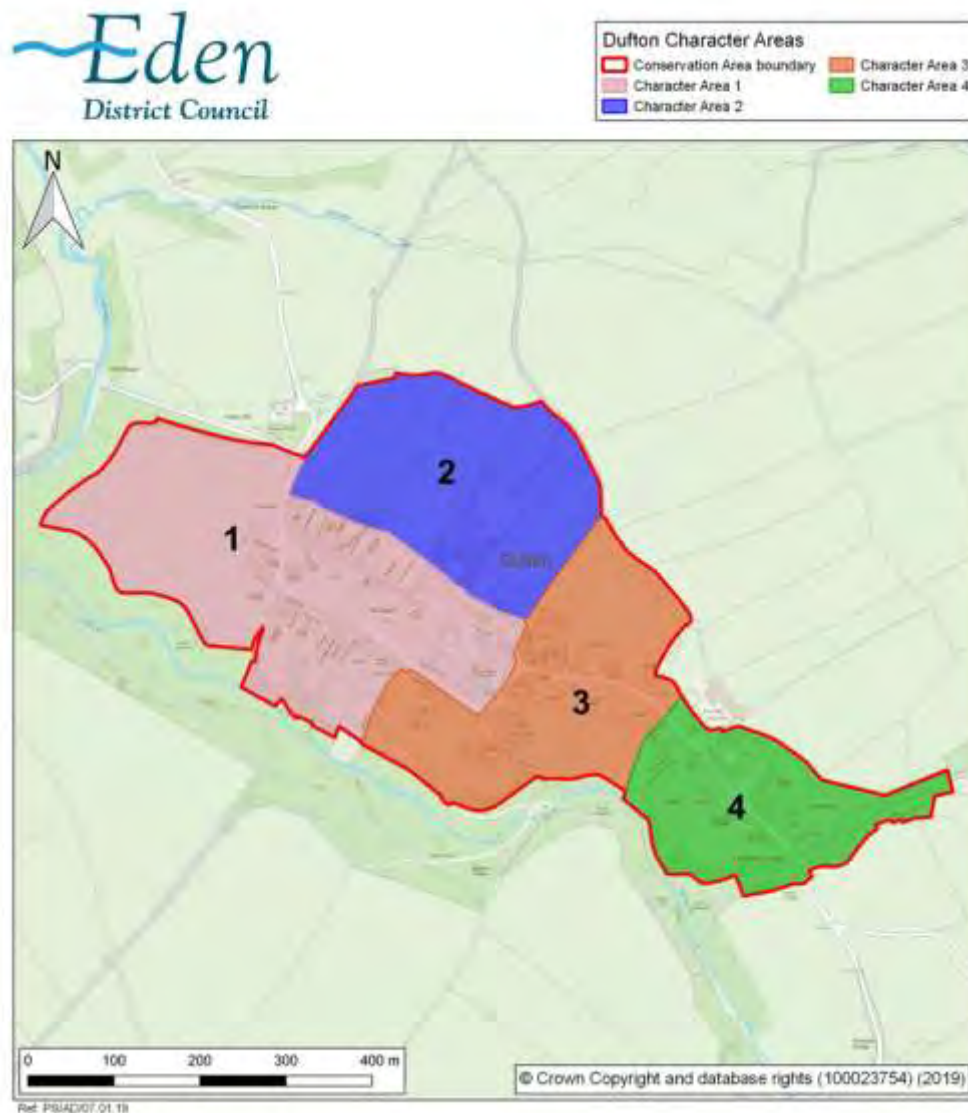
- 3.1.6 St John Boste was born in Dufton in about c1544. He later became a Catholic Priest and was martyred when he was executed at Bryburn, Durham in 1594. He was canonized in 1970.
- 3.1.7 Although there was some lead mining activity in the North Pennines in the medieval period, it only became established as an industry in the late seventeenth and eighteenth centuries, before declining in the nineteenth century. The Quaker owned London Lead Company controlled the mines in the Dufton area from the eighteenth century onwards. As well as developing the mines, it also developed mine workers cottages and farmsteads. The company had a **smelt-mill** to the south of the village and it built a water supply system in the form of a syke, which is still visible on the south side of the village green, and later a piped supply with supply points and central fountain/trough erected in the late nineteenth century.

4. Character Appraisal

4.1 Character Areas

4.1.1 The conservation area can be divided into four individual character areas as shown on figure 1.

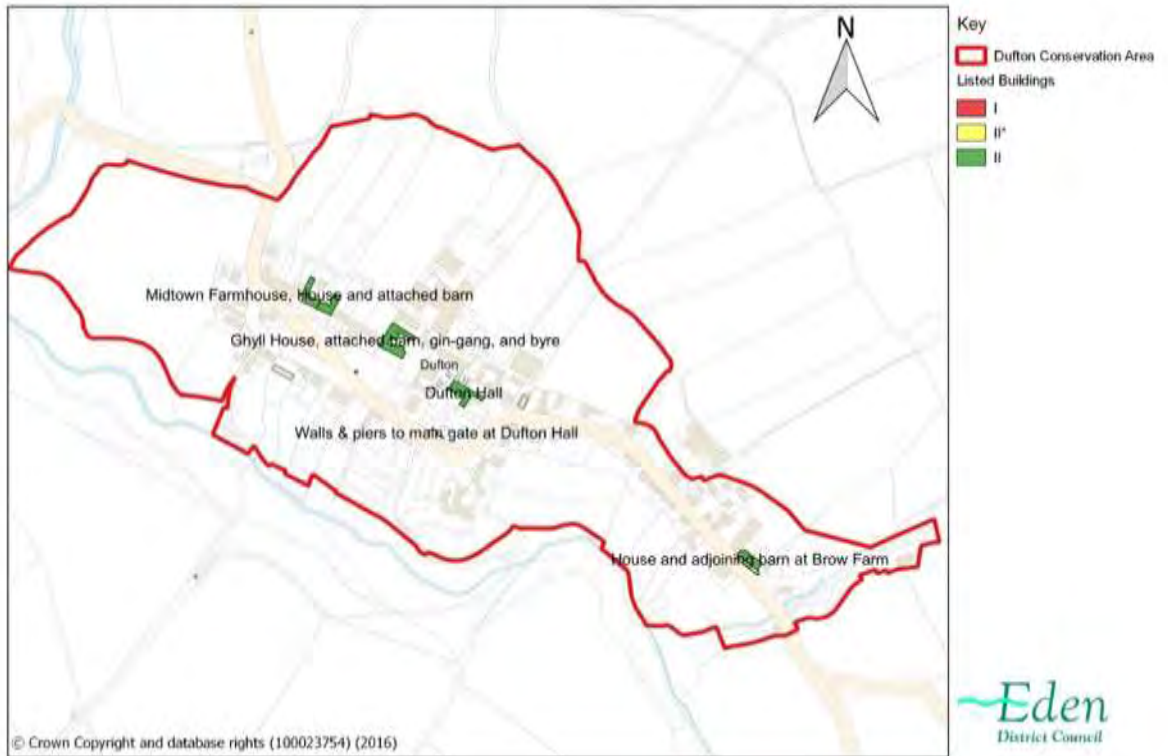
Figure 1 Character Areas



4.1.2 There are eight listed buildings and structures found within the conservation area boundary, as shown on figure 2. There have been no additional assets designated or any assets removed from the national heritage list since the appraisal in 2007. The list descriptions for these designated assets are contained within appendix B.

Figure 2 Heritage Assets

Designated Heritage Assets



Character Area 1

4.1.3 The area defined as character area 1 comprises of a large village green bisected by a tree lined road that runs through the village. The road verges are informal and cars park along the roadsides. There is also a parking area outside of the local pub. The north-west of this character area comprises of a large field enclosed by a mixture of stone walls, post and wire fence, and mature trees.

Figure 3 Tree lined road passing through the village green and informal parking area



Figure 4 Field to north-west



4.1.4 There are a small number of grade II designated heritage assets including: Sycamore House; Dufton Hall; wall, gate piers and gate to Dufton Hall; Midtown Farmhouse and attached barn; Ghyll House and attached barns; and a 19th century water pump.

4.1.5 The buildings in the area are located around the edge of the village green and the majority front onto the green. There are a mixture of rows of houses/cottages, longhouses, and detached properties. Most of the properties have small front gardens with a stone boundary wall and iron railings.

Figure 5 The grade II listed Midtown Farmhouse is an example of a building fronting the village green with a small front garden and stone boundary wall



Figure 6 Buildings at The Ride have their own sense of place



4.1.6 The Ride is a small cluster of houses (to the south of the area) which are constructed of the same materials and have their own character/sense of place within the setting of Dufton Hall. With the exception of The Ride area, Dufton Hall is separated from the other buildings around the village green and commands its own private grounds.

4.1.7 The area is home to a number of uses including residential dwellings, holiday accommodation, a youth hostel, agricultural dwellings, pub and café (both with outdoor seating), village hall, and a post box. The village green is used by the local school for sports, and public footpaths pass through the area. Street furniture is minimal and includes benches, litter bins and information boards provided around the village green. The street furniture is appropriate for walkers and visitors to the area.

Figure 7 Street furniture found around the village green



Figure 8 Information board outlining the history of the village



Condition assessment

4.1.8 Buildings in the area are predominantly two storey and constructed of sandstone with a high majority owning blue slate roofs. 39% (19/49) of the buildings surveyed in 2018 contained uPVC windows with a further 22% (11/49) containing modern sash replacements.

4.1.9 Eleven of the fourteen buildings surveyed to inform the 2007 appraisal have not been subject to any external alterations/ loss of features (as of 2018 survey). The windows in the remaining three buildings have been replaced with uPVC alternatives.

Character Area 2

4.1.10 The area defined as character area two is an agricultural area to the north of the conservation area. It comprises of large, regular strip fields enclosed by a mixture of stone walls, post and wire fences, and mature trees. The fields form undulating arable land at the foot of Dufton fells to the north-east. The only structures in this area include modern agricultural buildings belonging to Ghyll House – an early 18th century farmstead.

Figure 9 Fields and fells to the north-east of the village



Character Area 3

4.1.11 The area defined as character area 3 is predominantly a residential area following the road as it heads south away from the village green. The area is home to a mixture of uses including: residential dwellings, agricultural dwellings, a caravan park, a playground, and a community hall in the former Methodist church. Numerous public footpaths and the National Cycle Network route pass through the area and a bus stop is located in close proximity to the caravan park and public conveniences. Street furniture such as information boards, telephone box, benches and directional signs are appropriate for walkers and visitors to the area.

4.1.12 Buildings are predominantly detached and front the road which has wide informal grassed verges. At road corners there are larger grassed areas that form somewhat mini village green spaces. The nature of the road and properties fronting on to it creates a channelled linear view following the route of the road and depicts certain buildings such as Lime Tree House and Dufton Hall as key features in these views. The area also offers views of arable fields and the fells nestling the village from between detached properties and also from public footpaths.

4.1.13 There are no designated heritage assets within this character area.

Figure 10 Black and white sign



Figure 11 Caravan park sign



Figure 12 Footpath sign



Figure 13 Information board outside caravan site



Figure 14 Public conveniences



Figure 15 Bus stop erected 1856



Figure 16 Former Methodist Church



Figure 17 View looking south to Lime Tree House



Figure 18 View as the road turns to head NE



Condition assessment

4.1.14 Buildings in this area are predominantly two storey constructed of a mixture of sandstone and rendered buildings with predominantly blue slate roofs. 50% (10/20) of the buildings surveyed in 2018 featured uPVC windows with a further 20% (4/20) having mock sash styles. Eight out of the eighteen buildings previously surveyed in 2007 have not been subject to any external alterations/loss of features. The windows in the remaining ten buildings have been replaced with uPVC or mock sash styles without any record of approval. One of the 18 buildings also has solar panels installed onto the front elevation of its roof structure.

4.1.15 The development of the caravan park has been the main development in the village over the last decade.

Character Area 4

4.1.16 The area defined as character area 4 forms the south-east section of the conservation area. The area is predominantly in residential and agricultural use with some former farm buildings converted to holiday cottages eg Brow Farm.

Figure 19 Brow Farm house



Figure 20 Entrance to Browthwaite housing development



4.1.17 The house and attached barn at Brow Farm is grade II listed along with the forecourt walls, railings and gate. There are no other designated assets in this area.

4.1.18 Buildings in the area are also predominantly detached and front the roadside, some with rubble boundary walls enclosing front gardens. Browthwaite is a modern cul-de-sac infill development located adjacent to the large farmstead of Brow Farm. The southern end of the area an unclassified road provides access to Bayle Hill Cottage, and the foothills of the surrounding fells.

4.1.19 Street furniture includes a bench, litter bin, modern aluminium streetlamp, and 30mph speed limit signs. A traditional cobbled surface is evident outside Brow Farm.

Figure 21 Modern streetlamp



Figure 22 Cobbled surface to front of Brow Farm house

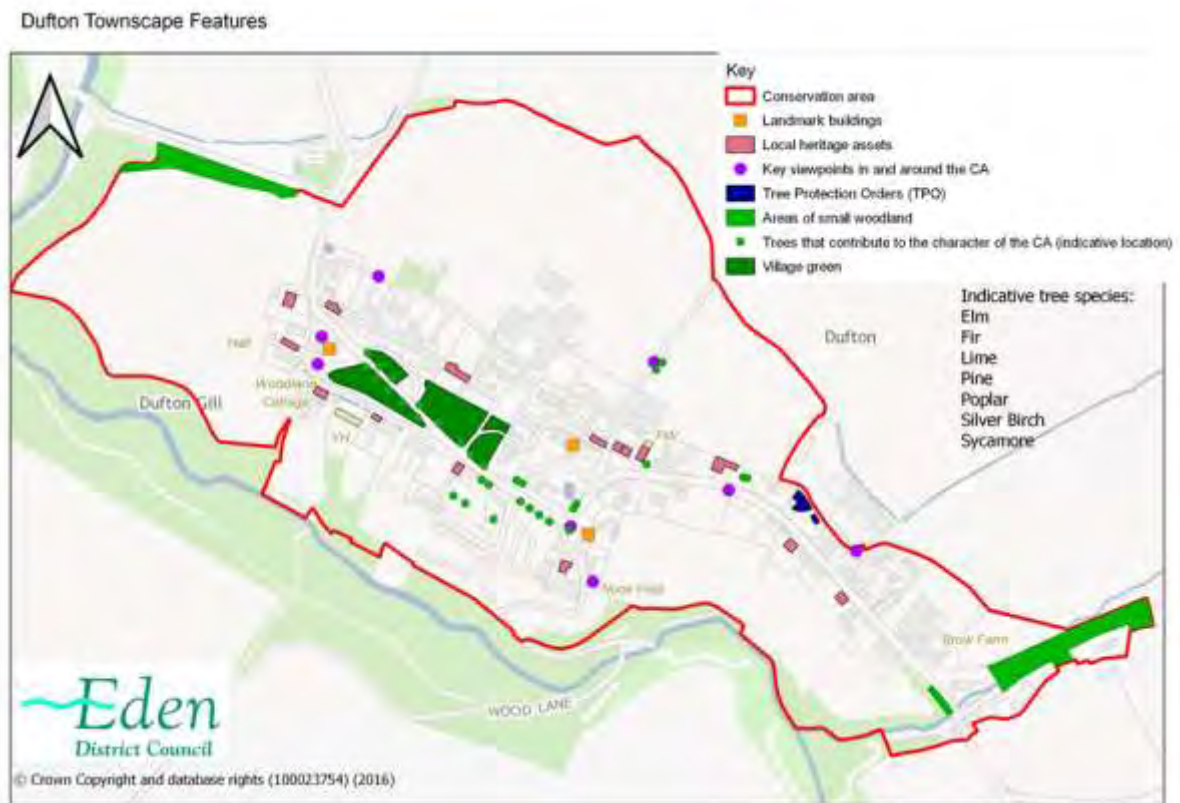


4.1.20 The area provides views of fells nestling the village to the east and enclosed fields interspersed with patches of woodland to the west.

Condition assessment

4.1.21 The buildings in this area are all two storey and constructed of a mixture of sandstone and render. The roof coverings are a mixture of blue slate, green slate and modern tiles. 57% (12/21) buildings surveyed in 2018 feature uPVC windows with a further 28% (6/21) containing modern and mock sash styles. Eight of the thirteen buildings surveyed in 2007, have not been subject to any external alterations/loss of features. The windows in four of the thirteen buildings have been replaced with uPVC or mock sash styles. One building has solar panels installed onto the front elevation of the roof.

Figure 23 Townscape Features



5. Management Plan

5.1 SWOT Analysis (Strengths, Weaknesses, Opportunities and Threats)

5.1.1 Despite its issues, Dufton is a dynamic place where people live, work and visit. The conservation area designation is not designed to preserve what is there at present, but is intended to guide change and to enable development which makes the best use of the area's attributes for the benefit of all. There are a number of measures which can be taken to actively preserve the qualities of the area and to promote improvement.

Strengths

- Village green provides public open space
- Views of surrounding countryside and fells

Opportunities

- Local List of non-designated heritage assets
- Article 4 Direction
- Conservation Area boundary review
- Readily available guidance notes

Weaknesses

- Small number of listed buildings
- Loss of original features
- Cars parked on roadside verges

Threats

- Further incremental loss of original features which remain

5.2 Conservation Area Boundary Review

5.2.1 The boundary of the conservation area is considered to be appropriate and no amendments are required. The conservation area is considered to retain its special architectural and historic interest which awarded the designation.

5.3 Protection of the Historic Environment

Designated and non-designated heritage assets

5.3.1 There are only a small number of buildings within the conservation area that are listed and afforded extra levels of protection against changes which could erode their architectural integrity. The following non-designated buildings are also considered to contribute to the character and significance of the conservation area (see figure 23).

- 1-2 Fell View
- Fountain View
- Hall Croft
- Squirrel Dene
- Swallow Cottage
- Carwood
- Lwonin Fyeat
- Brooklands
- Helm House
- Castle View
- Lime Tree House
- Methodist Church
- Dufton House
- Wesley House
- Ghyll Croft
- Ghyll View

Permitted Development Rights and Article 4 Directions

- 5.3.2 Permitted development rights allow householders to improve and extend their homes without the need to apply for planning permission. Householder permitted development rights are set out in the **Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”)** as **amended**. Schedule 2, Part 1 of the Order covers various types of development and what is acceptable under permitted development. Appendix C includes a guidance note on the types of the ‘development’ that fall under Permitted Development Rights.
- 5.3.3 Householder Permitted development rights do not apply to Listed Buildings, houses which are flats, or houses created through a change of use for example from a shop or agricultural building. They also do not remove requirements for permissions or consents under other regimes such as the building regulations and Party Wall Act.
- 5.3.4 The buildings within the conservation area are predominantly residential and therefore subject to permitted development rights for incremental changes including replacement of windows. However those works that do require planning permission but where none was sought may be subject to enforcement action.
- 5.3.5 Article 4 Directions offer the opportunity to restrict ‘permitted development rights’ to protect historic features that are of importance to the character of a conservation area.
- 5.3.6 It is important to emphasise that an Article 4 Direction to restrict permitted development rights should only be introduced where there is a clear justification to do so. With this in mind and following the outcome of the conservation area review, it is considered unlikely that an Article 4 direction would be of benefit to Dufton conservation area, to address the remaining residential properties which retain historic details such as sash windows.

Planning policies

- 5.3.7 The cobble setted surface outside of Brow Farm is a key part of the character of the conservation area. Wherever possible they should be retained and reinstated where they have sustained damage.

5.3.8 The following set of generic management aims and objectives are based on the understanding of the conservation area. They seek to provide guidance to both Eden District Council in determining planning applications for development, but also to building owners and developers when preparing development proposals.

I. New Developments

- Aim: to ensure developments reflect the historic context of the conservation area
- Objective: When determining applications for planning permission, the local planning authority will seek to ensure high quality developments that are of appropriate scale, density, height, form, massing and materials to traditional buildings within the conservation area.

II. Green spaces, woodland and trees

- Aim: To enhance the provision and use of green spaces, woodland areas and trees within the conservation area
- Objective: When determining planning applications, the local planning authority will consider the potential impact of developments that directly effect green spaces, woodland areas and trees and/or their setting and will seek to ensure their contribution to the significance of the conservation area is preserved and where possible enhanced.

III. Doors and Windows

- Aim: To preserve historic fenestration patterns and features
- Objective: When determining planning applications, the local planning authority will consider the potential impact of alterations to traditional windows and doors and seek to ensure their contribution to the significance of the conservation area is preserved and where possible enhanced.
- High quality door and window fenestrations which respect the proportions, form, details and materials of traditional features of individual buildings and the wider streetscape are encouraged. The replacement and loss of historic and important windows and doors will not be permitted, unless it can be demonstrated that they are beyond economical repair and there is a wider public benefit to their replacement.

IV. Views and Setting

- Aim: To preserve key local and long distance views in and out of the Conservation Area, including views of the surrounding countryside that forms the setting of the Conservation Area.

- Objective: The local planning authority will consider the potential impact of development proposals within or on the edge of the conservation area on key views and the setting of the conservation area and seek to ensure their contribution to the significance of the conservation area is preserved and where possible enhanced.

V. Roofscape

- Aim: To ensure the contribution of the roofscape to the significance of the conservation area is preserved and where possible enhanced.
- Objective: the local planning authority will consider the potential impact of development proposals on the roofscape of the conservation area and will seek to encourage the retention, repair and re-use of sandstone flags or blue slate laid in traditional courses.

Guidance and Further Information

5.3.9 The information leaflets included within appendix C provide guidance on the types of development works that require: planning permission, planning permission including demolition in a conservation area, and/or listed building consent and are also available to collect from the reception at Eden District Council Mansion House office. Advice is also available via the Eden District Council website (<https://www.eden.gov.uk/planning-and-building/planning-guidance/>) and/or the planning portal website (<https://www.planningportal.co.uk/>).

6. Contact Details

For further information please contact:

Paula Sada
Conservation Officer
Eden District Council
Mansion House
Penrith
Cumbria
CA11 7YG

Appendices

Appendix A - Planning Policy

Key paragraphs of the NPPF, 2018

185. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

186. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

192. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site;
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

- the harm or loss is outweighed by the benefit of bringing the site back into use

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or better reveal its significance) should be treated favourably.

201. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Historic England Advice Notes

- Conservation Area Designation, Appraisal and Management: Advice Note 1 (February 2016)
- Making Changes to Heritage Assets: Advice Note 2 (February 2016)
- The Historic Environment and Site Allocations in Local Plans: Advice Note 3 (October 2015)
- Tall Buildings: Advice Note 4 (December 2014)
- Setting up a Listed Building Heritage Partnership Agreement: Advice Note 5 (November 2015)
- Drawing up a Local Listed Building Consent Order: Advice Note 6 (November 2015)
- Local Heritage Listing: Advice Note 7 (May 2016)
- Sustainability Appraisal and Strategic Environmental Assessment: Advice Note 8 (December 2016)
- Historic Environment Good Practice Advice Note 1: The Historic Environment in Local Plans (March 2015);
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (July 2015); and
- Historic Environment Good Practice Advice Note 3: The Setting of Heritage Assets (March 2015).

Local Planning Policies

Table 1 Historic Environment Policies within Eden Local Plan

Eden Local Plan 2032	
Policy	Objectives of the policy
ENV10 The Historic Environment	<p>The Council will attach great weight to the conservation and enhancement of the historic environment, heritage assets and their setting, which help to make Eden a distinctive place.</p> <p>The Council will require all proposals for development to conserve and where appropriate, enhance the significance of Eden's heritage assets and their setting. The Council will support proposals that would better reveal the significance of the asset, in particular those heritage assets identified as being most at risk. Opportunities for promotion, interpretation and increasing understanding should also be explored.</p> <p>Development proposals that would result in substantial harm to or total loss of significance of a designated heritage asset or its setting will only be permitted where it can be clearly demonstrated that the public benefits of the proposal would outweigh the harm or loss, and that the harm or loss is necessary to achieve those benefits.</p> <p>The Council will require proposals to protect and where appropriate, enhance the significance and setting of Eden's non-designated heritage assets, including buildings, archaeological sites, parks, landscapes and gardens. Where the harm is outweighed by the public benefits of the proposals, the Council will require an appropriate level of survey and recording, the results of which should be deposited with the Cumbria Historic Environment Record.</p> <p>Where a development proposal affecting an archaeological site is acceptable in principle, the Council will ensure preservation of the remains in situ as a preferred solution. Where in situ preservation is not justified, the development will be required to make adequate provision for excavation and recording before or during development.</p>

Eden Local Plan 2032

Policy	Objectives of the policy
	<p>All development proposals affecting the historic environment, heritage assets and their settings (including where there is the potential of unknown archaeological assets) will need to be accompanied by an assessment of the significance of the asset and its setting and how it will be affected by the proposed development.</p> <p>The level of information required will be proportionate to the significance of the asset and to the scale of impact of the proposal. For archaeological assets, this may where necessary include archaeological desk based assessment and field evaluation.</p> <p>The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>

Neighbourhood Planning Areas

The following parishes within the Eden District are designated as a Neighbourhood Planning Area and can produce their own neighbourhood plan or development orders:

- Alston Moor Parish
- Appleby in Westmorland Parish
- Asby Parish
- Bolton Parish
- Crosby Ravensworth Parish
- Langwathby Parish
- Lazonby Parish
- Matteredale Parish
- Morland Parish
- Penrith Town Council
- Skelton Parish
- Tebay Parish
- Upper Eden

Ainstable Parish and Greystoke Parish have also applied to be designated as a Neighbourhood Planning Area.

The Upper Eden Community Plan Group is an association of 17 parishes: Kirkby Stephen, Brough, Crosby Garrett, Nateby, Ravenstonedale, Soulby, Brough Sowerby, Hartley, Helbeck, Kaber, Mallerstang, Musgrave, Stainmore, Waitby, Wharton and Winton. The group have prepared the Upper Eden Neighbourhood Development Plan 2012-2025 which was approved at a local referendum and adopted as planning policy by Eden District Council in April 2013.

Appendix B - List Descriptions for Heritage Assets

Table 2 List descriptions

Property	Grade	Description	Character area
House and adjoining barn at Brow Farm	II	House and barn, dated 1769. Coursed, sandstone blocks with rusticated quoins. Graduated slate roof has stone copings and kneelers: stone chimneys, 2 mid and one to west end. 2-storey, 6-bay house has part-glazed door under a projecting, semicircular hood supported on brackets. Above door is panel with dated inscription in moulded frame: 1769 Thomas and Elizabeth Watson. 3 windows (central one 2-light) to left and one to right on each floor; smaller window between floors on extreme right. Windows are either sashes or fixed, with glazing bars. Barn has large segmental-headed wagon door with byre door and small window to right.	4
Forecourt walls, railings, and gate to Brow Farmhouse	II	Low stone walls with chamfered coping. Wrought-iron railings have spearhead standards. Urn finials to cast-iron gateposts; central wrought-iron gate has scrollwork decoration.	4
Sycamore House	II	House, late C18. Coursed sandstone blocks. Graduated slate roof with stone copings and kneelers to east end; corniced mid and west end chimneys are rendered, east end chimney is incised stucco. Low 2-storey, 5-bay front has glazed door with one window to left, 3 to right, and 5 above. All windows are small sashes with glazing bars. C20 extension to rear is not included.	1

Property	Grade	Description	Character area
Dufton Hall	II	<p>Large house, now subdivided; late C17, rebuilt in C18. Coursed, squared rubble; main house has rusticated quoins, 1st and 2nd floor sill bands, and moulded eaves. Graduated slate roof is hipped to east with corniced stone chimney; stone coping and remains of chimney to west end. C17 building adjoining west end has cavetto eaves moulding; graduated slate roof with stone coping, kneeler, and chimney to west. 3-storey, 5-bay C18 front has panelled door in pedimented Roman Doric doorcase. 2 windows to right, 3 to 1st floor and 4 to 2nd; 4 windows above door are blocked, others are sashes with glazing bars in stone surrounds. 2 storey wing projecting from east end has hipped roof and full-height canted bay window in south wall. 2-storey C17 building has 3 windows to each floor. East end of building has 2-storey canted bay window; segmental-headed door to right has reset rainwater-head dated 1779. At rear of building 3 (2 blocked) of tall 1st floor windows have semicircular heads with impostes and projecting keystones. Internally, dog-leg stair has turned balusters on closed string, square newels, and dado panelling.</p>	1
Walls and piers to main gate at Dufton Hall	II	<p>Rusticated gate and end piers are cruciform in plan with moulded bases and corniced, stepped, tops; gate piers are larger. Serpentine flanking walls are ashlar with moulded plinths and semicircular copings.</p>	1

Property	Grade	Description	Character area
Midtown Farmhouse, House and attached barn	II	House, late C18. Incised stucco with rusticated quoins. Roof is stone flagged to rear and welsh slate with stone-flagged eaves to front; stone copings and kneelers, rendered mid and end chimneys. 2-storey, 6-bay front has part-glazed door in late C19 surround with stop-chamfers; top of original moulded pediment survives above. 3 sashes with glazing bars to left and 2 sashes to right, one in a late C19 surround similar to doorcase; 5 Yorkshire sashes with glazing bars above. Segmental heads to wagon door and byre door in barn range adjoining west end at rear.	1
Pump near east end	II	Pump, erected by the London Lead Company in the late C19. Circular in plan. Constructed of ashlar with chamfered plinth and roll-moulded rim to basin. Incised stucco column rising from centre of basin has cast-iron, lion's head, waterspout on south side; slot for pump handle on north side is blocked. A quotation from Ovid is carved between 2 roll-mouldings at the top of the column on the south side: FONS ERAT INLIMIS, NITIDIS ARGENTEUS UNDIS QUEM NEQUE PASTORES, NEQUE PASTAE MONTE CAPELLAE INFICIENT. ALIUDVE PECUS QUEM NULLA VOLUCRIS NEC FERA PERTURBAT. NEC LAPSUS AB ARBORE RAMUS.	1

Property	Grade	Description	Character area
Ghyll House, attached barn, gin-gang, and byre	II	House, early C18. Incised stucco front with painted quoins; outshuts to rear are pebble-dashed. Graduated slate roof with brick end chimneys to original house. 2-storey, 3-bay front has central plank door in C20 openwork gabled porch; 2-light casement above. 2-storey canted bay on right with mullioned 2-light front and single-light returns, mullioned 2-light window to each floor on left; all windows ashes with glazing bars. House extended for 2 bays into barn adjoining west end; single casement to each floor. Outbuildings, of coursed squared rubble under welsh slate continuation of house roof, form courtyard. Large C20 byre doors have been inserted and the semicircular termination of the gin-gang, which projects into the courtyard on the west side, has a C20 silo piercing the roof.	1

Appendix C - Guidance notes

1. Listed Buildings: A guide for owners and occupiers
2. Conservation Areas: A guide for owners and occupiers
3. A Summary of Permitted Development Rights
4. Replacement Windows and Doors Guidance Note

What are listed buildings?

The Department for Digital, Culture, Media and Sport, on the advice of the Historic Buildings and Monuments Commission for England (Historic England) compiles and maintains a statutory list of buildings which are considered to be of special architectural or historic interest. Any building on this list is known as a "listed building".

There are approximately 500,000 listed buildings in England. The Council holds copies of the lists for Eden District, parish by parish.

Houses are the most common type of listed buildings, but listed buildings can include anything from a barn to a cathedral, or a milestone to a telephone kiosk.

Why are buildings listed?

Buildings are selected for listing for a variety of reasons: antiquity, rarity, historic interest, architectural style, craftsmanship, or their value as part of a group of buildings such as a terrace or square.

Once included in the list, buildings are protected by legislation controlling their demolition or alteration. The purpose of listing buildings is to protect them as a part of our national heritage, by enabling careful control to be exercised over any alterations. Listing is not intended as a means of preventing alteration altogether.

- All buildings constructed before 1700 which survive in anything like their original condition are listed, as are most buildings from 1700 to 1840.
- With buildings from 1840 to 1914, more

selection is necessary as larger numbers of buildings were erected and still survive. Buildings of definite quality or character, good examples of their type and works of the principal architects are likely to be chosen.

- With buildings constructed since 1914, a similar but more rigorous selection procedure applies, often on a themed basis.
- Buildings of between ten and thirty years old are normally only listed if they are of outstanding quality and are under threat.

What do the grades mean?

Grade I Buildings of exceptional national interest - approximately 2% of all listed buildings.

Grade II* Particularly important buildings of more than special interest - 4%.

Grade II Buildings of special interest - 94%.

What effect does listing have?

When a building is listed, regardless of its grade, it is the **whole** of the building that is listed, including its internal and external features and any object or structure fixed to the main building.

The listing will usually include any garden walls or outbuildings within the curtilage of the main building.

The description of the building in the list has no legal significance and is intended primarily for identification purposes. It should not be treated as a comprehensive or exclusive record of all the features which are considered to make a building worthy of listing, or of the features protected. Any works for the demolition, alteration or extension of a

listed building which would affect its character, require **listed building consent**. Consent is not normally required for repair work or like for like replacement.

Examples of external works requiring consent:

- replacement of windows and doors with ones of different design, type or materials (eg replacement of timber with plastic).
- changing of roofing materials (eg replacement of natural slate with concrete tile).
- constructing extensions or creating new openings.
- cladding, rendering and in some circumstances painting or re-painting.
- altering or removing chimneys.

Examples of internal works requiring consent:

- removal or alteration of fireplaces, panelling, doors, staircases, etc.
- construction, removal or alteration of internal walls.
- satellite dishes.

It is a **criminal offence** to demolish, alter or extend a listed building without listed building consent. To do this could lead to imprisonment or a substantial fine.

Other forms of consent

Planning permission and/or building regulation approval may also be required for part or all of the work. The normal **permitted development** rights which enable certain alterations to be carried out and extensions and curtilage buildings erected, without the need to obtain planning permission, are significantly reduced in respect of listed buildings.

Repairs

The owner of a listed building is responsible for ensuring that it is maintained in good order. In cases of neglect, the Local Planning Authority can take action against owners requiring them to carry out repairs. Failure to do so can result in the compulsory acquisition of the building.

Grants for heritage at risk may be available for the repair and conservation of listed buildings, scheduled monuments and registered parks and gardens from Historic England.

For further information visit their website: www.historicengland.org.uk/listing

Legislation and Policies

The Local Planning Authority holds copies of the relevant legislation and government advice affecting listed buildings, which may be viewed at Mansion House or purchased from www.legislation.gov.uk. Copies of the Local Planning Authority's policy documents can be viewed at or purchased from the Department of Communities. This leaflet contains only a brief summary of the regulations affecting listed buildings. If you need advice, please contact Development Management.

Contacts

For general advice on matters relating to listed buildings, advice on the need for consent, or to discuss the merits of any particular proposal, please contact:

Eden District Council
Development Management
Department of Communities
Mansion House
Penrith
Cumbria CA11 7YG

Email: planning.services@eden.gov.uk

Telephone: 01768 817817

Planning Duty Officer:

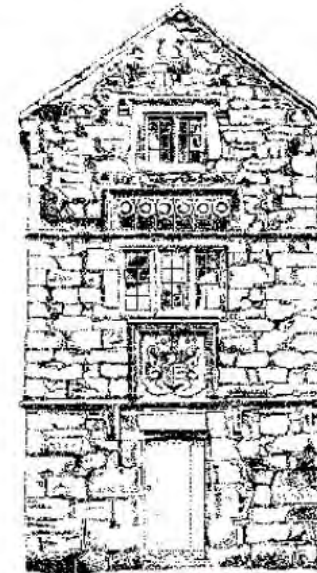
Telephone: 01768 817817 (Available from 10am to 1pm, Monday to Friday)

Website:

www.eden.gov.uk/planning-and-building/conservation/listed-buildings/

Listed Buildings

A guide for owners and occupiers



Eden
District Council

Designed by the Department of Communities
Eden District Council - updated January 2018

What are conservation areas?

Eden District Council, as the Local Planning Authority, may designate conservation areas covering parts of the District which it considers to be “**areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance**”.

These areas may vary in size and character, from a town centre or whole village to a single street. They are designated because of their historic street pattern, architectural character or general historic interest. The street pattern, buildings, relationships of buildings to each other, open spaces, trees and walls all contribute to their particular character and appearance.

What are the effects of designation?

Conservation area status helps give an area added protection from poor quality or inappropriate development. It enables a greater degree of control to be exercised over new buildings and extensions. It introduces control over the demolition of some buildings, walls and work to certain trees. It also provides an opportunity for the enhancement of the area through positive schemes of enhancement and improvement.

The Local Planning Authority is required to publicise any planning applications which are considered likely to affect the character of a conservation area, allowing interested people an opportunity to comment and thus participate in the planning and development of the area.

What needs consent?

- In conservation areas, the normal “permitted development” rights which enable certain extensions and alterations to be carried out without the need to obtain planning permission are reduced, thereby bringing more development under planning control.
- **Conservation Area Consent** is required for the demolition of certain buildings, walls and other means of enclosure.
- Six weeks notice in writing must be given to the Local Planning Authority of any intention to cut down, top, lop or up-root any tree and work must not be carried out within this period without permission. This procedure does not apply to trees below a certain size or trees which are dangerous.

If you need advice as to whether any form of consent is required, please contact staff in the Development Management section of the Department of Communities who will be pleased to assist.

For further advice about replacement windows and doors, please see the leaflet entitled: “Guidance Note - Replacement Windows and Doors”.

For further advice about trees in Conservation Areas, please see the website: www.eden.gov.uk/planning-and-building/trees/trees-in-conservation-areas/ or contact the Council’s Arboriculturist.

How are applications considered?

In assessing applications for development in conservation areas, the Local Planning Authority will, in addition to all the normal planning considerations, bear in mind the desirability of preserving and enhancing the conservation area. High quality design and materials will be expected for new development, and in many instances outline planning permission will not be granted without some or all of the details of the proposed development being submitted.



Extensions to existing buildings should, in their design, height, roof pitch, alignment and materials, be in keeping with the existing building. New buildings should be designed and sited to fit in with their immediate surroundings and the character of the area. Favourable consideration may also be given to innovative schemes of high quality in appropriate locations which meet the objectives of conservation area designation.

Conservation does not simply involve preservation. The long term protection and enhancement of a conservation area is dependent on its continued prosperity and the pride and goodwill of its residents, as well as the effective control of development.

Further controls

The Local Planning Authority can remove categories of permitted development rights by way of an "Article 4 Direction" if the character or appearance of a conservation area is being damaged or threatened by the exercise of these rights. Residents would be notified of such a direction if subsequently brought into force. The designation of a conservation area does not affect any other controls which already apply. For example, if your property is a listed building you will still require listed building consent to demolish, alter or extend your property.



Legislation and policies

The Local Planning Authority holds copies of all the relevant legislation and government advice affecting conservation areas, which may be viewed at Mansion House and is available at www.legislation.gov.uk. Copies of the Local Planning Authority's policy documents can also be viewed at or purchased from the Department of Communities. This leaflet contains only a brief summary of the purposes of and regulations affecting conservation areas.

Contacts

For advice on the need for consent or to discuss the merits of any particular proposal please contact:

Eden District Council
Development Management
Department of Communities
Mansion House
Penrith
Cumbria CA11 7YG

Email: planning.services@eden.gov.uk

Telephone: 01768 817817

Planning Duty Officer:

Telephone: 01768 817817 (Available between 10am and 1pm, Monday to Friday)

For advice on trees in conservation areas please contact the Arboriculturist at:

Eden District Council
Development Management
Department of Communities
Mansion House
Penrith
Cumbria CA11 7YG

Email: trees@eden.gov.uk

Telephone: 01768 212159

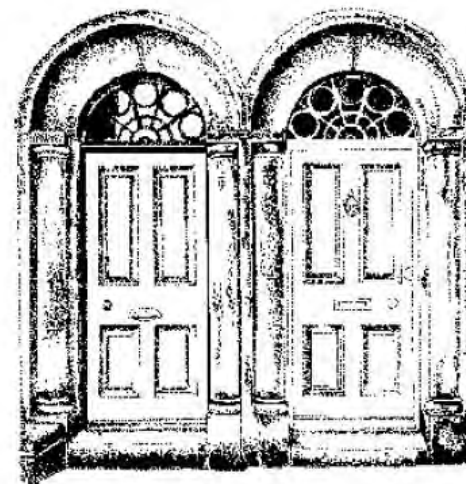
Website:

www.eden.gov.uk/planning-and-building/conservation/conservation-areas/

Designed by the Department of Communities
Eden District Council - updated April 2015

Conservation Areas

A guide for owners and occupiers



Eden
District Council

Local Planning Authority contacts

Eden District Council Website
address: www.eden.gov.uk

Main tel. number: (01768) 817817
Email:
Customerservices@eden.gov.uk

For further advice on the need for consent or application forms, please contact:

Eden District Council
Development Management
Mansion House
Penrith, Cumbria, CA11 7YG
e-mail:
planning.services@eden.gov.uk

Development Management
North Team
Direct Dial on (01768) 212362

Development Management South
Team
Direct Dial on (01768) 212329

Building Control
Building Control Manager
Direct Dial (01768) 212342
Principal Building Control Surveyor
Direct Dial (01768) 212373
Email: building.control@eden.gov.uk

For general advice on historic buildings please contact the Conservation Officer at:

Eden District Council
Communities
Planning Policy Section
Mansion House, Friargate,
Penrith, Cumbria, CA11 7YG
e-mail: loc.plan@eden.gov.uk
Direct Dial on (01768) 212317

Other useful addresses

Historic England
www.historicengland.org.uk

Glass and Glazing Federation
Website: www.ggf.org.uk
40 Rushworth Street, London, SE1
0RB

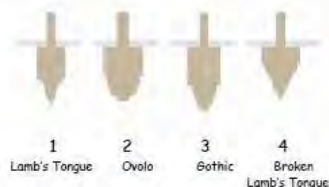
The following organisations publish guidance on period detailing for historic properties:-

The Society for the Protection of Ancient Buildings
www.spab.org.uk
37 Spital Square, London,
E1 6DY

The Georgian Group
www.georgiangroup.org.uk
6 Fitzroy Square, London
W1T 5DX
Tel 020 7529 8920

The Victorian Society
www.victorian/society.org.uk
1 Priory Gardens, Bedford Park,
London, W4 1TT

Examples of glazing bar profiles



Designed and published by the Department of
Policy & Performance - EDC July 2008



Guidance Note:

Replacement Windows & Doors



1 Introduction

This leaflet is intended to offer advice on the need for permissions from this Council should you wish to alter or replace your windows or doors. You may require more than one form of consent. It is also intended to offer basic practical advice on carrying out such works and to provide a useful list of contacts should you need to speak to us.

Remember, replacement windows and doors may not always be necessary. Few alterations harm the character and appearance of property as much as insensitive changes to windows and doors, which in themselves may reduce the value of the property. Careful repair, if possible, should always be considered, especially where historic details or quality materials survive. Original windows and doors in period buildings are always attractive to buyers.

2. Do I need planning permission to replace my windows and doors?

You **will not** require planning permission if the windows and doors are to be replaced like-for-like, i.e. with windows and doors of precisely the same design, materials and method of opening. You will also **not** require planning permission to alter your windows, if:

Your property is a single 'dwellinghouse' providing that:

- a) It has not had its permitted development rights removed by a condition attached to an earlier planning permission. Such a condition may have been attached to a planning permission for a barn conversion or a high density development where there could be overlooking; and

b) It is not affected by an Article 4 Direction which restricts permitted development rights. These are usually associated with a conservation area, such as that in Alston.

- Please contact the local planning authority if you require clarification.

You **will** need planning permission to alter your windows and doors if:

- The property is a flat; (a separate self-contained set of premises constructed or adapted for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally.)
- The property is a business premises.

3. Do I need listed building consent to replace my windows and doors?

Listed building consent will almost always be required to alter windows or doors on a listed building. It will always be required for the insertion of double-glazed sealed units. Listed building consent will not normally be required to repair windows or doors, or, if they are beyond repair, to replace them with identical replacements i.e. windows or doors of precisely the same design, glazing bar width and profile, materials, finish and method of opening etc.

It is important to be aware that the alteration of a listed building without the necessary consent is a **criminal offence**.



Should you require listed building consent application forms, or if you are unsure whether your property is listed, you should contact the local planning authority who will be able to advise you further. In formulating any proposals in respect of listed buildings you should have regard to the following points:

- If windows and doors are capable of repair, this should be the preferred option. Historic windows and doors are of considerable aesthetic and historic value. If they have lasted to the present day they are usually of exceptional quality or craftsmanship. Unnecessary destruction of historic fabric is not sustainable;
- Matching materials should always be used for repairs or if necessary, replacement;

Examples of door designs to avoid, particularly in traditional properties



Examples of window designs to avoid, particularly in traditional properties



- The use of uPVC is almost always unacceptable;
- Double-glazing or factory-made standard windows are rarely acceptable; draught proofing or secondary glazing may be better options; (These may or may not require listed building consent.)
- Where replacement is necessary, existing architectural detailing should normally be followed, including glazing bar profiles for windows, panelling details for doors etc. Where alterations are proposed and consent is necessary, then full details of the design of the new units is essential.

Modest grant assistance through the Council's Historic Building Repair Grant Scheme may be available for the repair or, if necessary, like-for-like replacement of historic windows and doors in listed buildings. Buildings purchased within the last two years and buildings within the Lake District National Park are not eligible under this Scheme.

The Council also has available a free guidance leaflet for the owners and occupiers of listed buildings which outlines the purpose and effects of listing. This is also available on the Council's website.

4. Do I need building regulations approval to replace my windows and doors?

From April 2002, all replacement glazing came within the scope of the Building Regulations. Anyone who now installs replacement windows or doors will have to comply with strict thermal performance standards set down by central government. Special provisions exist for **historic buildings** where the building's character also needs to be protected. Alternative ways of improving energy efficiency and/or less strict applications of the thermal performance standards will be considered.

In this context and within Eden District, **historic buildings** are presently defined as:

- a) Listed buildings; or
- b) Buildings situated in conservation areas; or
- c) Buildings within the North Pennines Area of Outstanding Natural Beauty (AONB) and the Lake District National Park.

In order that Councils are not inundated with applications for approval, a scheme known as **FENSA** (Fenestration Self-Assessment) has been established. Set up by the Glass and Glazing

Federation, FENSA meets with central Government approval. A sample of the work of every installer will be inspected by FENSA appointed inspectors to ensure standards are maintained.



FENSA will also inform local authorities of all completed FENSA installations and issue certificates to householders confirming compliance.

If you come to sell your property, your purchaser's surveyors will ask for evidence that any replacement glazing installed after April 2002 complies with the new Building Regulations. There will be two ways to prove compliance:

- a) A certificate showing that the new work has been done by an installer who is registered under the FENSA Scheme, or
- b) A certificate from the local authority saying that the installation has approval under the Building Regulations.

Any installation done by a firm that is not registered to self-certify, or done as a DIY project, will need Building Regulations Approval. The Council knows of the approved installers in its area and will be able to identify unauthorised work very easily. You should note that you, as the house owner, are ultimately responsible for ensuring that the work complies with the Building Regulations.

Before you sign a contract to buy replacement glazing make sure to ask whether the installer is able to self-certify. If not, either they, or you, will need to make an application to the Council for approval under the Building Regulations.

Guidance on the technical aspects of replacement windows is available from the Council's Building Control section or via the website.

You **must** also ensure that any planning permission or listed building consent needed has been obtained. Compliance with the building regulations does not override the need for planning permission or listed building consent, nor does it imply that such consent(s) would be forthcoming.

Checklist: Do I require?

- planning permission
- listed building consent
- building regulations approval



Examples of modern window designs which may be appropriate in unlisted traditional properties, if carefully detailed



Examples of period doors



5. Design and detailing of windows and doors.

Whether or not any form of consent is needed, before you consider replacing your windows or doors, often at considerable expense, you may find the following points useful, particularly if your property is a traditional building:

- Do my windows or doors actually need replacing or would it be more cost effective and sustainable to repair them?
- How long will it take for any savings in my heating costs to pay for the cost of the units and how long will the new units last? How long will it take for the energy cost of their manufacture and installation and the disposal of my existing windows and doors to be offset by energy savings in heating?
- How old are my existing windows or doors? Are they of historic value? Should they be viewed as antiques? Do they add value to my house? Quality historic timber windows and doors can survive for hundreds of years and often outlast modern replacements.

If my windows or doors do need replacing:-

- Does the design of my windows and doors reflect the age and

character of my house, and if so, how can I try to protect this and the value of my property whilst improving energy efficiency?

- Do my windows or doors match those of adjoining or adjacent properties and if so how can I ensure my new windows or doors do not devalue my property or those in the area generally?



For historic buildings where planning permission and/or listed building consent is not required:-

Try to replicate the existing windows and doors as closely as possible. Adding fake heritage features such as leading to windows where this is not original may devalue your property. The loss of elegant traditional features such as Georgian sash windows or panelled doors will devalue your property. (Remember for listed buildings, the repair of the existing or identical replacements will almost always be required.)

If the existing windows are sashes, try to use sliding replacements. These are available as sealed double-glazed units in timber or uPVC.

If glazing bars (astragals) are proposed, how are these to be designed? These may have to be a certain thickness to hold sealed double-glazed units. Will these be too chunky or cut down light? This can be minimised by careful design of the glazing bars and beading, or sometimes by applying the glazing bars externally. False glazing bars sandwiched between panes of glass will not be an effective design solution and is likely to devalue your property.

Consider how the glass will be held in – as traditionally by putty, or by glazing beads, and how will these be designed? Glazing beads can be designed to hold double-glazing without standing proud of the frame or being overly chunky.

Are trickle vents to be incorporated? These can spoil the appearance of otherwise well designed windows.

If your property is situated at the back of a footpath, your windows will not be allowed to open outwards over it, as this will be dangerous to passers by. Vertical or horizontal sliding sashes are a good solution here.

If a new panelled door is proposed, authentic panels with appropriate mouldings (as opposed to beading stuck on a flush door to create the illusion of a panel) will look far better.

Timber doors will always look better on traditional buildings and add quality to the appearance and character of your property. They also can be attractively painted or repainted when you feel like a change.

Examples of period windows



16 century Tudor window



16 & early 17 century

- stone mullioned
- diamond leaded fixed lights



Many 16 and 17 century formerly leaded or unglazed windows have now been replaced with timber windows



Early 18th century 12-paned Georgian sash - without horns



Late 18 early 19 century 16-paned Georgian sash - without horns



Early 18 century horizontal sliding sash or 'Yorkshire Lights', often found in cottages



Mid to late 19 century Victorian sash 4-paned with horns



Late 19/early 20 century sash

Permitted Development Rights

Introduction

Permitted development rights allow householders to improve and extend their homes without the need to apply for planning permission. Householder permitted development rights are set out in the *Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Order") as amended*. Schedule 2, Part 1 of the Order covers various types of development and what is acceptable under permitted development. This is outlined in the following sections.

Permitted development rights **do not apply to Listed Buildings** so if your house is designated you will need to apply for listed building consent to undertake works classed as a demolition, alteration or extension of the building.

They also do not apply to houses created through the permitted development rights to **change use** from, for example shops and agricultural buildings (Part 3 of Schedule 2 to the Order); or **do not apply to any houses which are flats**. In these cases planning permission should be sought.

Permitted development rights do not remove requirements for permissions or consents under other regimes such as the building regulations and the Party Wall Act.

If your house is on land within a National Park, Area of Outstanding Natural Beauty, Conservation Area, and/ or a World Heritage Site there may be some additional rules to be met for a development to fall under permitted development rights.

It is important to note that a local planning authority is allowed to remove permitted development rights in some or all of its area by issuing what is known as an **Article 4 Direction**; or may have removed those rights on the original, or any subsequent, planning permission for the house. Where permitted development rights have been removed in either of these ways a planning application will be needed for development.

Where there is any doubt as to whether a development would be permitted development, advice should be sought from the local planning authority.

Class A Extensions and alterations (including new windows and doors)

1. Development is **not** permitted by Class A if:
 - The proposed extension and other buildings (any existing extensions to the original house) exceed 50% of the curtilage of the existing house.
 - The proposed extension to a house exceeds the height of the highest part of the roof of the existing house (not including chimneys).
 - The height of the eaves of the extension exceeds the height of the eaves of the existing house (the point where the lowest point of a roof slope meets the outside wall).

- The extension would extend beyond a wall which
 - a) forms the principal elevation of the house (generally the front), or
 - b) an elevation that fronts a highway.
 - It is a single storey rear extension that extends by more than 3 metres in depth or exceeds 4 metres in height (4 metres depth by 4 metres height for detached houses).
 - It is an extension to the rear of the house that is more than a single storey and extends by more than 3 metres in depth from the house, and is located within 7 metres of any boundary treatment to the rear of the house.
 - The proposed extension is within 2 metres of the boundary treatments to the side/ front of the house.
 - It is an extension to the side of a house which
 - a) exceeds 4 metres in height,
 - b) has more than one storey, or
 - c) is greater in width than half the width of the original house.
 - The extension includes:
 - a) the construction of a verandah, balcony or raised platform;
 - b) the installation, alteration or replacement of a microwave antenna;
 - c) installation, alteration or replacement of a chimney, flue or soil and vent pipe; and
 - d) an alteration to any part of the roof of the house.
2. In the case of a house on article 2(3) land – National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, and World Heritage Sites – development is not permitted by Class A if:
- It includes the cladding of any part of the exterior of the house with stone, pebble dash, render, timber, plastic or tiles
 - The extension extends beyond the side elevation wall of the house
 - The extension is more than one single storey and extends beyond the rear wall of the house
3. Development that meets the above rules is permitted by Class A subject to the following conditions:
- The materials shall be of a similar appearance to those used in the construction of the exterior of the existing house;
 - Any upper floor window in the wall or roof slope of a side elevation of the house shall be a) obscure-glazed and b) non-opening;
 - The roof pitch of the extension must, so far as practicable, be the same as the roof pitch of the original house.

Class B Additions or alterations to roofs such as loft conversions

1. Development is **not** permitted by Class B if:
- any part of the house would, as a result of the works, exceed the highest part of the existing roof

- any part of the house would, as a result of the works, extend beyond any existing roof slope forming the principal elevation of the house and roof slope which fronts a highway
 - the cubic content of the resultant roof space would exceed the cubic content of the original roof space by more than 40 cubic metres for a terrace house or 50 cubic metres in any other case
 - the development includes
 - a) the construction or provision of a verandah, balcony or raised platform
 - b) the installation, alteration or replacement of a chimney, flue or soil and vent pipe
 - the house is on article 2(3) land – National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, and World Heritage Sites
2. Development that meets the above rules is permitted by Class B subject to the following conditions:
- The materials shall be of a similar appearance to those used in the construction of the exterior of the existing house.
 - The enlargement shall be constructed so that
 - a) the eaves of the original roof are maintained or reinstated
 - b) the edge of the extension closest to the eaves of the original roof shall be no less than 0.2 metres from the eaves
 - Any upper floor window in the wall or roof slope of a side elevation of the house shall be a) obscure-glazed and b) non-opening

Class C Roof coverings and the installation of roof lights/ windows

1. Development is **not** permitted by Class C if:
- the alteration (for example a roof light) would protrude more than 150mm beyond the plane of the original roof slope
 - the highest part of the alteration is higher than the highest part of the original roof
 - It includes:
 - a) the installation, alteration or replacement of a chimney, flue or soil and vent pipe
 - b) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment
2. Development is permitted by Class C subject to the condition that any upper floor window in the wall or roof slope of a side elevation of the house shall be a) obscure-glazed and b) non-opening.

Class D Porches

1. Development is **not** permitted by Class D if:
- the ground area of the structure would exceed 3 square metres

- the structure would be more than 3 metres high
- the structure would be within 2 metres of any boundary of the house with a highway

Class E Other ancillary buildings e.g. garden sheds

Class E covers the provision of buildings and other development within the curtilage of the house including: swimming pools; a container for the storage of oil or liquid petroleum gas for heating; the keeping of poultry, pets, birds etc; and garden sheds.

1. Development is not permitted by Class E if:
 - the total area of ground covered by buildings, enclosures and containers within the curtilage would exceed 50% of the total area of the curtilage
 - the building/development would be situated on land forward of the principal elevation of the house
 - the building is more than a single storey in height
 - the height of the building, enclosure or container would exceed
 - a) 4 metres (if building with a dual pitched roof)
 - b) 2.5 metres (if within 2 metres of the boundary of the house) or
 - c) 3 metres in any other case
 - the height of the eaves of the building would exceed 2.5 metres
 - the building, enclosure, pool or container would be situated within the curtilage of a listed building
 - it includes the construction or provision of a verandah, balcony or raised platform
 - the capacity of the container would exceed 3,500 litres
2. Where land is within a World Heritage Site, National Park, Area of Outstanding Natural Beauty, or the Broads, development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from the house would exceed 10 square metres.
3. Where land is within article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between the side elevation of the house and the boundary of its curtilage.

Class F Hard surfaces such as driveways

1. Where the hard surface is situated on land between the principal elevation of the house and a highway, and the area of hard surface exceeds 5 square metres then development is permitted by Class F subject to the following conditions:
 - the hard surface shall be made of porous materials, or
 - provision shall be made to direct run-off water from the hard surface to a permeable or porous area / surface within the curtilage of the house

Class G Chimneys, flue or soil and vent pipes

1. Development is not permitted by Class G if:

- the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more
- For a house on article 2(3) land - the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which
 - a) fronts a highway and
 - b) forms the principal elevation or side elevation of the house

Class H Antennas

1. Development is **not** permitted by Class H if:
 - It would result in the presence of:
 - a) more than 2 antennas,
 - b) a single antenna exceeding 1 metre in length,
 - c) two antennas which do not meet relevant size criteria,
 - d) an antenna on a chimney exceeding 0.6 metres in length,
 - e) an antenna on a chimney and protruding above the chimney,
 - f) an antenna with a cubic capacity exceeding 35 litres
 - The highest part of the antenna is higher than the highest part of the roof
 - The highest part of the antenna is higher than the highest part of the chimney, or 0.6 metres from the ridge tiles (whichever is lower)
 - In the case of article 2(3) land, it would consist of the installation of an antenna on
 - a) a chimney, wall or roof slope which faces onto a highway
 - b) in the Broads – on a chimney, wall or roof slope which faces onto a waterway
 - c) on a building which exceeds 15 metres in height
2. Development is permitted by Class H subject to the following conditions:
 - An antenna installed on a building shall be sited so as to minimise its effect on the external appearance of the building
 - An antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable