



Infrastructure Services
Shetland Islands Council

Listed Buildings and Conservation Areas

Advice Note 2

**Shetland Islands Council
Infrastructure Services
Planning
Grantfield
Lerwick**

V1 17/06/04

Introduction

This leaflet is for information and guidance only. It is recommended that details of your proposals, including drawings, photographs etc, are sent to Planning Control Service to check whether listed building consent, planning permission or conservation area consent is required.

Legislation

The Legislation covering listed buildings and conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Town and Country Planning (Scotland) Act 1997.

Listed Buildings

Buildings are listed by Historic Scotland, an agency for the Scottish Executive, for their special architectural or historic interest. There are 347 listed buildings in Shetland. They are assigned to one of three categories according to their relative importance

Category A

Buildings of national or international importance, either architectural or historic, or fine little-altered examples of some particular period, style or building type.

Category B

Buildings of regional or more than local importance, or major examples of some particular period, style or building type which may have been altered.

Category C(s)

Buildings of local importance, lesser examples of any period, style, or building type, as originally constructed or altered; and simple, traditional buildings group well with others in categories A and B or are part of a planned group such as an estate or an industrial complex.⁽¹⁾

Source: ⁽¹⁾Historic Scotland, Listed Buildings A Guide for Owners and Occupiers (HMSO)

Listed Buildings

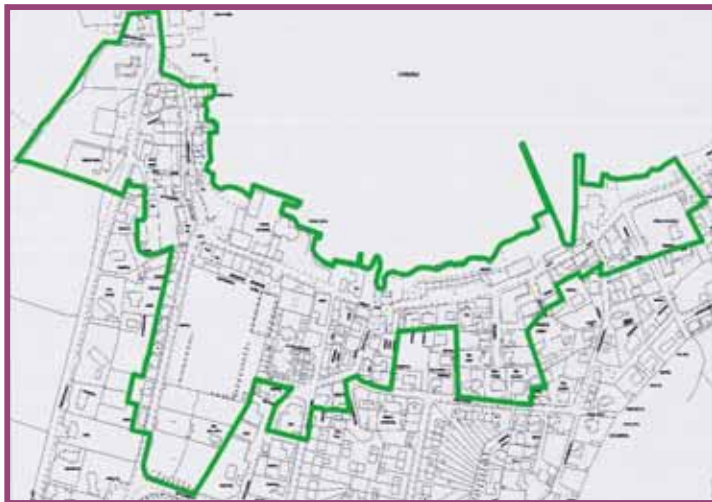
Listed building consent is required for the demolition of a listed building or its alteration or extension in any way that affects its character as a building of special architectural or historic interest. If you propose any alteration to a listed building either inside or out you should always check with the Planning Authority whether listed building consent is required. Changes that may seem minor - such as stone cleaning or painting - may have a major impact on the building's character and require listed building consent.

Conservation Areas

Conservation Areas are areas of architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. The designation recognises the value of groups of buildings and their settings and allows them to be treated as a whole. Within Conservation Areas the Planning Authority must ensure that strict and appropriate standards of development control are maintained and that positive plans are prepared for the preservation and enhancement of the area.

There are three conservation areas in Shetland, two in Lerwick and one in Scalloway. See below for locations:





Scalloway Conservation Area

Do I need Planning Permission?

Planning Permission

New development within a conservation area may need planning permission (see Information for Householders Advice Note 1 “Do I need Planning Permission?”).

Additional protection for conservation areas further limits what you can do without the need for planning permission:

- For an extension the floor area of the development cannot be more than 16m² or 10% of the existing whichever is the greater
- You may require planning permission to alter your roof
- You may require planning permission for a shed greater than 4 square metres
- You may require permission for an oil tank within your garden ground
- You may require planning permission when erecting a satellite dish, if it faces a road or way
- You may require planning permission for stone cleaning or painting the exterior of any building or works.

Article 4 Directions

In order to preserve or enhance a Conservation Area a Planning Authority may make an Article 4 Direction so that development under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 needs planning permission. All Shetland's Conservation Areas are covered by an Article 4 Direction. Within these areas planning permission may therefore be required for some developments for example:-

- You may require planning permission to erect a fence, wall or gate
- You may require planning permission for replacement windows which are not identical to the original materials, glazing patterns and sections, particularly on main elevations. (See leaflet on Traditional Windows)

Demolition

If you propose to demolish a structure within a conservation area you will require conservation area consent. The end result needs to preserve and enhance the Conservation Area whether or not there is redevelopment.

Trees in Conservation Areas

If you are planning to cut down or carry out work to a tree in a conservation area you must give the Council 6 weeks notice of your intention to do so. This is to give the Council the opportunity to consider whether it wishes to make the tree the subject of a tree preservation order. Contact 01595 744834

Financial Assistance

The council offers the following financial assistance towards the repair of historic buildings:

Conservation Grant Scheme: assistance maybe available towards the renovation and repair of buildings of architectural or historic interest. The scheme is designed to assist with the additional costs of carrying out works using traditional methods and traditionally-styled materials. The level of grant

available depends on whether the building is listed or is in a conservation area and the type of work that is being undertaken. The maximum grant available is £5000.

Lerwick Lanes Town Scheme Grant: provides grant assistance for the repair and restoration of buildings and other works aimed at conserving or enhancing the Lerwick Lanes Outstanding Conservation Area. The rate of grant offered can be up to 50% of the cost of the eligible works. The scheme is jointly funded by the Council and Historic Scotland.

Shetland Regeneration Partnership: assistance may be available for the repair of refurbishment or historic buildings as part of a wider community regeneration scheme. Call 01595 744834 for information on grants

N.B. This document is for guidance only and if you wish to discuss any development or require further information please contact the Planning Control Service or Conservation Service on 01595 744800. Please note your development may require separate permissions under different legislation. Please contact the Building Control Service who can issue a leaflet on building warrants 01595 744800.

Further information is available in “ A Guide to Conservation Areas in Scotland” available on the Scottish Executive website at www.scotland.gov.uk/planning/guides and Scotland’s Listed Buildings: A Guide for Owners and Occupiers” available at www.historic-scotland.gov.uk

Both publications are also available from the Council’s Planning Service