

Article 4 Directions

Minor alterations and additions can be carried out on single family dwelling houses (not flats) without planning permission, if they conform to the "permitted development rights" as set out in the Town and Country Planning (General Permitted Development) Order 1995. Further advice on permitted development rights can be found in the Council's Design Guidelines Leaflet "House Extensions and External Alterations" available at the Council or on our website, or from planning officers.

However in some specific cases, such as a street or group of similarly designed properties with a special character, such seemingly minor changes can greatly disrupt the character and appearance of these buildings. In these cases the Council may use its powers to declare an Article 4 Direction and so remove certain permitted development rights for these properties within a conservation area. Article 4 Directions are primarily designed to protect the special character and appearance of conservation areas. They do involve the removal of some existing rights, however it should also be noted that it is generally considered by estate agents that houses and streets retaining original features and sympathetic materials are at an advantage in the property market.

An Article 4 Direction gives the Council control over any specified development which would normally have been permitted without planning permission, such as small additions, new doors and windows, painting and rendering of brickwork, or replacement of front gardens and boundary walls with hard surfacing. Under a Direction householders would have to apply for planning permission for such changes, however no fee is payable in such cases. This does not mean that planning permission would always be refused for such changes, however it is advised that householders contact the Council's conservation officer to discuss what would be acceptable. An application which is in keeping with the character and appearance of the conservation area and which does not adversely affect the neighbourhood is often likely to be approved. As with any planning application, if permission is not granted householders have the right to appeal to an inspector appointed by the Secretary of State.

Any new Article 4 Direction, unless introduced as an emergency measure, will involve full public consultation. At this time the Council will write to householders to find out their views on which, if any, of the suggested restrictions would benefit the conservation area. Representations are invited from householders to help shape the final form and extent of the Direction. After consultation, if the Council decides to proceed, the Direction comes into force on the date on which notice is served, or where no such notice is served, on the date of the newspaper advertisement. A period of at least 21 days will be specified within which representations may be made to the Council. The Council will then have to confirm the Direction within 6 months or it will lapse. Householders will have a further right of objection during this process.