

A Guide to Article 4 Directions

What is an Article 4 Direction?

Planning legislation allows owners to make certain changes to their property without requiring planning permission. This is known as 'permitted development' and is wide-ranging. Permitted development rights vary depending on the type of property, such as a house, flat or commercial building.

In a conservation area, permitted development includes:

- Replacing windows and doors
- Removing chimneys
- Painting the external walls any colour
- Adding a porch
- Demolishing front boundary walls, railings and fences which are under 1m in height
- Erecting front boundary walls, railings and fences which are under 1m in height
- Replacing the front garden with a hard surface
- Installing solar and PV panels on the front wall or roof slope
- Installing rooflights in the front roof slope

Cumulatively, these changes can significantly alter the character and appearance of the conservation area and can detract from listed buildings nearby.

The purpose of an Article 4 Direction is to restrict the changes owners can make to the outside of their property without first obtaining planning permission in order to protect the special character or appearance of conservation areas. This means that certain alterations that might otherwise not have needed it would require planning permission.

Please note that dormer windows on any elevation, demolition of buildings, demolition and erection of boundary structures over 1m, and satellite dishes on front elevations are not permitted development in conservation areas so planning permission is already required. There is therefore no need to restrict these developments in an Article 4 Direction.

The Article 4 Directions in the Bury St Edmunds Town Centre and Victoria Street Conservation Areas and the Clare Conservation Area cover the whole of the conservation areas. This means that historic and traditional buildings, modern properties and commercial premises are all affected by the Article 4 Directions.

In the Hundon Conservation Area, Haverhill Hamlet Road and Broad Street Conservation Areas and the Honington Conservation Area, the Directions apply to specific properties only. Please note that not all of the Classes listed below apply in all areas – please check the individual Directions for the relevant restrictions.

What is required under the Article 4 Direction?

Article 4 Directions are used as a way of protecting the character and appearance of conservation areas. This does not mean that changes cannot happen – it means that thought must be given to the changes to ensure they are appropriate and sympathetic to the conservation area and to the property itself.

Materials and features, such as windows and doors, which are original must be kept and repaired, or replaced in replica if beyond repair. Where unsympathetic alterations have taken place in the past, the requirement under the Article 4 Direction is to reinstate the original materials and features as opportunities to do so arise.

In order to establish the accurate design and detailing of lost features, so that reinstatements are as accurate and authentic as possible, properties within the same terrace or those of the same design nearby should be examined. Neighbouring properties may still have the original windows or boundaries, for example, and evidence such as redundant sockets in plinth walls and paths might indicate where metal railings and gate posts once were. Old photographs are also very useful.

Development restricted by Article 4 Directions

Permitted development is contained in Schedule 2 of the Town and Country Planning (General Permitted Development Order)(England) 2015. This is arranged in Classes which set out development which does not require planning permission. The Classes of development restricted by Article 4 Directions, together with a description of the types of work included, is set out below. The restrictions apply to those parts of a building which front a relevant location *unless otherwise stated*. A relevant location comprises a highway, waterway, or open space.

The restrictions in Part 1 only apply to dwellinghouses, which are single residential units. It excludes flats or living accommodation in a mixed use building. Flats and commercial premises do not have the same permitted development rights as houses and planning permission is therefore required for any alterations, such as replacement windows, doors and roofing materials, which materially affect the appearance of the building.

The restrictions in Parts 2, 11 and 14 apply to *all* buildings.

Please note that older Directions refer to Parts 31, 40 and 43 of Schedule 2. These are renumbered in the Town and Country Planning (General Permitted Development)(England) Order 2015, which came into effect during the consultation period for the Article 4 Direction, as follows:

Part 31 Class B is now Part 11 Class C
Part 40 Class A is now Part 14 Class A
Part 43 Class A is now Part 14 Class J

Although some of the numbering has changed, the permitted developments withdrawn by the Article 4 Direction are the same.

Schedule 2 Part 1: Development within the curtilage of a dwellinghouse

Class A The enlargement, improvement or other alteration of a dwellinghouse

This class covers many external alterations to a house, including replacing windows, doors and adding external insulation. Please note, the provision of external cladding (excluding insulation) on any elevation of building within a conservation area requires planning permission and painting is covered by Part 2 Class C.

In historic buildings, traditional materials, such as timber windows and doors, must be used as appropriate. For modern properties, materials such as UPVC and aluminium windows and doors may be original to those buildings and would therefore be considered appropriate. In buildings where there is uniformity in the materials and design, such as in a terrace, this uniformity may be part of the character of the building, and contribute to the character and appearance of the conservation area, and should be retained.

Class C Any other alteration to the roof of a dwellinghouse

This class covers development such as changing the roofing materials and inserting rooflights into the roof slopes.

In historic buildings, traditional materials, such as clay tiles and slates, must be used as appropriate. For modern properties, materials such as metal sheeting and concrete tiles may be original to those buildings and would therefore be considered appropriate. In groups of buildings where there is uniformity in the roofing materials, such as in a terrace, this uniformity may be part of the character of the building, and contribute to the character and appearance of the conservation area, and should be retained.

Please note that the provision of dormer windows on any elevation of a house is covered by Class B and is not permitted development in a conservation area so is not restricted by the Article 4 Directions. Chimneys and flues are covered by Part 1 Class G and solar equipment is covered by Part 14 Classes A and J.

Class D The construction of a porch outside any external door of a dwellinghouse

Porches may be a feature of a street or group of buildings, in which case the reinstatement of a missing porch or the provision of a new porch would be considered appropriate. In other cases, however, the introduction of a porch into an elevation which is not typified by porches could detract from the appearance of the building or terrace and may therefore be considered inappropriate.

Class F The provision of a hard surface or the replacement in whole or part of such a surface

The development permitted by this class allows for the paving or surfacing over of gardens and paths. In some parts of the conservation areas gardens make a positive contribution to the character and appearance of the area and should be

retained. Original tiles paths and traditional paving should also be retained and missing features reinstated.

Class G The installation, alteration (including removal) or replacement of a chimney, flue or soil and vent pipe on any elevation of a dwellinghouse

Chimneys can be prominent and ornate features which contribute to the appearance of individual buildings and terraces. The removal or unsympathetic alteration of such features may detract from the character and appearance of the individual building or group of buildings and the conservation area.

The installation of chimneys, flues and soil and vent pipes on the elevations which front a highway and are either the front or side elevation of the house already requires planning permission.

Schedule 2 Part 2: Minor operations

Class A The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure

Many streets in the conservation areas have boundary walls, railings and fences which enclose gardens and give a strong character to area. These means of enclosure should be retained and inappropriate designs and materials replaced with original or traditional designs and materials. Again, uniformity can be important as groups or terraces often share a common boundary design. Gaps within the built frontage also detract from the character and appearance of the conservation areas so the reinstatement of missing boundary structures with appropriate designs is encouraged.

Minor works, such as re-painting railings or re-staining a fence on a like-for-like basis, do not require planning permission

Class B The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road

The provision of a new access can result in a large gap in an otherwise built-up frontage and result in the loss of green areas/gardens and boundary structures, detracting from the character and appearance of the conservation area.

Class C The painting of the exterior of any building or work

Historically, the pigments used to colour limewash for render were derived from minerals in the ground, with resulting colours based on red and yellow/brown. Pigments could be mixed and black and white added to give lighter and darker colours, such as pinks, yellows/creams and soft oranges. Green and blue were not used on historic buildings. It is therefore important that the correct colours appropriate to individual properties and terraces are used. For more information, please refer to the Council's advisory leaflet about paints and finishes for historic buildings

In some areas, contrasting brickwork is used to form patterns in brick walls or for decorative brick detailing such as arched openings, quoins or window and door surrounds. Terracotta is also used to provide ornate decorative features. Fair-faced and decorative brickwork should be left unpainted.

Elevations which are already painted should be painted in appropriate colours. Changing the colour to a similar shade or from one pastel shade to another pastel shade would not require planning permission. Making a colour change which is significantly different, however, does require planning permission.

Most property owners paint their joinery in traditional colours. Repainting joinery does not, therefore, usually require planning permission. The use of colours which are not traditional or appropriate to the building and/or conservation area, does require planning permission.

Painting which constitutes an advertisement also requires planning permission and possibly Advertisement Consent.

Class D The installation, alteration or replacement of an electrical outlet mounted on a wall for recharging electric vehicles

Planning permission is required for recharging units which would be fixed to the front wall of the building (and a side wall which fronts a highway) or boundary wall. This is to ensure that the unit is sited sympathetically on the structure, with regard to its features, and also to ensure it does not detract from the character or appearance of the conservation area.

Schedule 2 Part 11: Heritage and Demolition

Class C Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure

This restriction applies to boundary structures where all parts are below 1m in height where they front a highway and where all parts are below 2m in height where they do not front a highway – such as the boundary structures which divide gardens, typically positioned at right-angles to the front boundary. The purpose is to prevent the loss of boundary structures which make a positive contribution to the character or appearance of the conservation area.

Please note that the demolition and erection of boundary structures over 1m in height where they front a highway and over 2m in height elsewhere already require planning permission. This applies when any part of the structure, such as the gate piers, exceed the relevant height.

Schedule 2 Part 14: Renewable Energy

Class A The installation or alteration etc of solar equipment on domestic premises

Class J The installation or alteration etc of solar equipment on non-domestic premises

This restriction applies to all elevations of all buildings.

Renewable energy products can have a significant impact on the appearance of buildings and the wider area. The scale of some buildings and the local topography means that roof slopes, including those on the rear of buildings, can be visible from various vantage points. The purpose of this restriction is therefore to prevent installations which would harm the character or appearance of a conservation area.