

What is an Article 4(2) Direction?

The aim of an Article 4(2) Direction is to encourage the retention of high quality architectural features of our built heritage and to preserve and enhance the Conservation Area of which they are part. Article 4(2) directions are made when the character of an area of acknowledged importance is at risk. They are applied in Conservation Areas, parts of which may be particularly susceptible to harm caused by a succession of small changes.

Where there is not a Direction, owners of houses, whether in Conservation Areas or not, have certain rights to undertake alterations to their property without the need for planning permission (Permitted Development Rights). Where these rights are unchecked they can undermine and erode the 'special interest' of a Conservation Area, by allowing changes to the windows and doors, additions such as porches and general lack of attention to detail. Some small scale extensions to properties are also classed as 'permitted development' and can be carried out without Planning Permission.

In order to control the type of development in Conservation Areas the Council is able to make an 'Article 4(2) Direction', the effect of which is to take away classes of 'permitted development rights' of dwellings (not flats) on land or a building that fronts a highway, waterway, public footpath or open space. This will mean that a planning application will have to be submitted for work that normally does not need one. The precise details of minor works such as the design of window surrounds or the materials used are therefore controlled and extensions are encouraged at the rear rather than at the side.

The effect of an Article 4 Direction being made on a property does not mean that development of certain categories can no longer be carried out, but simply that it is no longer automatically permitted under the terms of the TCP (General Permitted Development) Order 1995. Such Directions are usually applied over an area rather than an individual property and are

registered as a Local Land Charge, so that you will normally be aware of their existence. Article 4 Directions are not issued without careful consideration, because the Council may be required to pay compensation in circumstances where you cannot obtain planning permission for development which otherwise would be treated as permitted development.

No fee need be paid where an application for a planning permission is required as a result of an Article 4(2) Direction.

What it means if your house is covered by an Article 4(2) Direction

The aim of the Article 4(2) Direction is to encourage retention of the high quality features of buildings, to enhance the environment of which they are part and to enable input to design and detailing of repairs and modification. If a Direction is in force, planning permission is required for those items listed in the Direction. The following notes indicate the issues the Council is approaching by implementing an Order although the Orders vary on a street by street basis.

Alterations to Elevations

Material alterations to elevations may require planning permission from the Council under an Article 4 Direction. Applications for porches, removal of architectural details, extensions and other works materially affecting the appearance of the building including satellite dishes will be assessed on a case by case basis. The Direction is not meant to cover very minor alterations such as burglar alarms (n.b. different controls apply to listed buildings). However, if you are in doubt please contact the Conservation and Design Team. 'Like for like' repairs and reinstatement of architectural features will be encouraged, along with the removal of previously unsympathetic changes to buildings.

Roofs

A change of roof material will almost certainly require planning permission if the building is covered by an Article 4(2). If a roof is a pitched roof in a terrace or a

group of buildings where natural slates dominate, re-roofing in natural slate will be called for. Where a roof is prominent, man-made (fibrous cement type) slates are not acceptable as an alternative to natural slate. Generally the retention of natural roofing materials is sought.

Doors and Windows

The original period design of doors and windows contributes greatly to the character of the Conservation Area and they should be retained. The installation of replacement doors and windows in aluminium, in plastic, or in designs other than that which existed on principal elevations, would not receive permission, other than in exceptional circumstances.

Painting Facades

Good quality facing bricks were used throughout the Conservation Area and it is appropriate that they should remain exposed for this reason. It is unlikely that permission would be granted for exterior painting of brickwork in areas covered by an Article 4(2). Where a facade has already been painted, planning permission would not be required for repainting unless it materially alters the appearance.

Textured Paint and Render

The application of textured paint or render may need planning permission in an area covered by an Article 4(2) where hitherto unpainted parts of the elevation are to be treated. Applications will not normally receive planning permission for any surface treatment in areas where brick and/or decorative dressings prevail.

Hardstandings and Curtilage Walls

It is recognised that householders frequently wish to provide space for vehicles. However, some control is necessary to prevent cars from dominating the street scene. Proposals for vehicle hard standings may be refused unless they could be located or screened to minimise the impact on the surrounding area. Careful attention to paving and landscaping and the retention of garden walls is required. Planning permission to

erect a fence, wall or railing on the front curtilage boundary, may be given if it was of a type which prevailed in the area.

Further advice can be obtained from the Conservation & Design team at:

Conservation & Design
Planning Services
Seaclose Offices
Fairlee Road
NEWPORT
Isle of Wight
PO30 2QS

☎: 01983 823552

E-mail: conservation@iow.gov.uk

Website: www.iwight.com/living_here/planning

List of useful addresses:

Society for the Protection
of Ancient Buildings
37 Spital Square
London
E1 6DY

The Victorian Society
1 Priory Gardens
Bedford Park
London
W4 1TT

The Georgian Group
6 Fitzroy Square
London
W1P 5DX

C20th Society
70 Cowcross Street
London
EC1M 6EJ

Please note, the Local Authority has further information available in the form of leaflets (available from Seaclose offices, Newport).

Leaflet: CON9

CONSERVATION & DESIGN

LIVING IN HISTORIC BUILDINGS

Article 4(2) Directions

Article 4 of the Town and Country Planning (General Permitted Development) Order 1995



PLANNING SERVICES