



Brighton & Hove City Council

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ARTICLE 4(1) AND 4(2) DIRECTIONS - NORTH LAINE EN/CR/IN/A4/19

TO CONTROL MINOR BUILDING ALTERATIONS, EXTENSIONS AND DEMOLITIONS 24th March 2005

Introduction

Additional town planning controls have been introduced for the North Laine Conservation Area, after public consultation.

Residents in conservation areas generally anticipate that there will be additional planning controls over and above those that may apply outside conservation areas. These additional national controls have increased over the years. Now in any conservation area, an owner has not only to obtain the council's consent before pruning or felling a tree, or carrying out demolition works, but also requires planning permission before building roof extensions or roof dormers, or applying stone, timber or tile cladding to any facade. Planning permission is also required to erect a satellite dish on a chimney or on the front façade or roof slope. Greater restrictions also apply to the size of rear extensions that a house owner may build without planning permission.

Until now however windows, doors and roofs, which are the key architectural elements of any house, could be changed without the need for planning permission and the appearance of the conservation area has suffered as a consequence. Moreover the stricter planning controls that applied to flats and commercial premises meant that in some instances neighbouring properties could not be treated evenly or fairly.

So what has changed?

The Article 4(2) Direction

Planning Permission will now be required for the enlargement, improvement or other alteration of front facades and roofs of dwelling houses, including the erection of a porch outside any external door, or the provision of a hardstanding, where these would front a highway or open space, and the erection, alteration or removal of a chimney. This will bring the regulations for the fronts of houses into line with those for flats and commercial premises. These additional controls do not apply to the rear of houses, except where they back onto streets or open spaces.

The Article 4(1) Direction

Planning Permission is now required for the demolition of the whole or any part of a boundary wall or railings, or the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, where these would front a highway or open space, and the formation of a means of access to the highway. This applies to all buildings.

So what does not require planning permission?

Planning permission is not required to carry out repairs to a property (unless a listed building) or to replace features exactly 'like for like' e.g. recovering a concrete tiled roof with concrete tiles or replacing timber sliding sash windows with matching sliding sash windows. There remain no restrictions over the painting of properties or choice of colour (unless it is a listed building).

In the case of single dwelling houses, roof lights that do not alter the shape of the roof can be fitted within rear roof slopes, windows and doors to the rear can also still be changed, and a satellite dish up to 70cm in diameter can be fixed to the rear façade, without the need for planning permission, unless they also face onto a highway or open space). Rear gardens of unlisted buildings can be paved over and sheds within specified size limits can be erected in rear gardens.

The above details provide a summary only. For further clarification on the need for planning permission you are advised to contact the planning team. Further information and contact details for the planning team and heritage teams are available via the council's website.

These Article 4 Directions came into effect on 24th March 2005. The Article 4(1) applies to all buildings in the North Laine Conservation Area, and the Article 4(2) applies to all single family dwellings in the North Laine Conservation Area.