



# Brighton & Hove City Council

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## THE AVENUES ARTICLE 4 DIRECTION

EN/CR/IN/A4/24

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### WHAT IS AN ARTICLE 4 DIRECTION?

Certain minor works and alterations to unlisted buildings can be carried out without planning permission from the Council. Development of this kind is called 'Permitted Development' and falls in to various classes which are listed in the Town & Country Planning General Permitted Development Order 1995.

If the Council believes that specific planning problems exist in an area, i.e. alterations to houses that harm the character of a Conservation Area, it can make an 'Article 4 Direction' for that area, and certain types of development would no longer be exempt from the need for planning permission.

*N.B. For simplicity the term 'Consent' is used to refer to the various types of permissions and approvals given by the Council.*

### THE AVENUES ARTICLE 4 DIRECTION

This Direction, approved in March 1991, affects all property in The Avenues Conservation Area, and parts of the Cliftonville and The Drive Conservation Areas. The following works which previously in some cases did not need Consent, NOW NEED PLANNING CONSENT ON ALL PROPERTY:

#### PART I :

- i) The enlargement, improvement or other alteration to a property (including replacement roof coverings, windows & minor alterations, etc.)
- ii) Altering the roof.
- iii) Building a porch.
- iv) The erection of sheds, etc.
- v) Building a hardstanding.
- vi) The erection of an oil storage tank.

#### PART II :

- i) The erection or alteration of gates, fences or walls.
- ii) Making an access onto a road.
- iii) Painting the exterior of a building.

Satellite dishes also need permission in these areas (see later section)

In practice, the Direction means that nearly all minor building work or alterations which affect the appearance of a building and its surroundings, needs Consent. These controls have been introduced in addition to the existing requirement to obtain Consent for demolition of any building or wall in a Conservation Area, and to the need for Consent for extensions, conversions, changes of use, stone cladding, dormers etc. The aim of the Direction is to encourage careful repair of original features, therefore like-for-like repairs will not need Consent.

The Direction has the following detailed implications for all properties :

### **Roofs :**

Consent is needed to change the type of roof covering. If you renew a roof, natural slate is required where this exists on all or part of a pair of buildings or predominates in a group of buildings, and on Listed Buildings (red clay tile will be required where original). Elsewhere grey cement-fibre or imitation slates may be acceptable subject to Consent. Coloured or corrugated concrete tiles are not acceptable.

The installation of dormer windows needs Consent. Dormers are only acceptable in traditional designs and in areas where they already prevail. Roof-lights fitted flush with the roof slope are usually a more acceptable alternative, but still need Consent. More detail is given in SPG Note 30 'Dormer Windows and Roof Lights'.

The removal of chimney stacks or pots requires Consent and will not usually be granted.

### **Doors and Windows :**

The replacement of external doors and windows will usually require Consent. Aluminium or plastic replacements are generally not acceptable. Exact replica replacements, of the original design and material, are required and do not require Consent. Any variation in design, material or colour will require Consent, for example replacing a sliding sash window with a casement, pivot or tilt and turn window or the removal of glazing bars will require Consent, and this will not normally be granted. Consent will normally not be given to replace a 19th Century panelled front door with a 'Georgian' style or modern glazed door. Front doors should either be restored or replaced with a replica.

### **Painting :**

Planning Consent will be needed to change the colour, or to paint an unpainted façade. The following colours of smooth matt masonry paint are acceptable for repainting :

BS 4800 No's: (i.e. BS 4800 08 B15 Magnolia)

- 08 B15 Magnolia
- 08 B17 Vellum
- 10 B15 Soft White
- 08 C31 Buttermilk
- 10 C31 Cream

The same colour from the above five or white must be used on both halves of a semi-detached property. Stone cladding or textured paint are not acceptable.

## **Front Gardens :**

The construction of a hardstanding or the removal or building of a front or back garden wall needs Consent. The Council will usually seek the retention of traditional front garden walls and resist their removal.

## **Other Alterations :**

The addition of porches, garages, sheds, conservatories, small extensions etc. and the removal of architectural details such as balconies, canopies, blind boxes, etc. requires Consent. Care should also be taken with the positioning of flues, cables and alarm boxes as these may need Consent if in prominent positions. Consent will not normally be granted for television aerials on the principal façade of a building, and should be positioned below ridge height or on a rear chimney stack.

**Note :** *This area is also covered by the [Satellite Dish Direction](#)*

## **Properties covered by The ‘Avenues’ Direction (including the Cliftonville [extension], and The Drive [extension] Conservation Areas) :**

- Albany Mews : All properties.
- Albert Mews : All properties.
- Blatchington Road : Central United Reformed Church, Ventnor Hall and Nos. 102 & 104.
- Church Road : Nos. 2-108 (even inclusive), Nos. 51-119 (odd inclusive), including Planet House but excluding Hove Town Hall, Nos. 121-139 (odd inclusive) and Nos. 110 to 146 (even inclusive).
- Eaton Road : Nos. 2-6 (even inclusive), and Charis Court.
- First Avenue : All properties.
- Fourth Avenue : All properties.
- Grand Avenue : All properties.
- Hova Villas : All properties.
- Kings Esplanade : No. 8 and Medina House, Benham Court and Flag Court and adjoining Kings Esplanade
- Kings Mews : All properties.
- Kingsway - North side : all property on the north side between Seafield Road to the west and St. Johns Road to the East, including Kings Gardens, Queens Gardens and Adelaide Mansions.
- Kingsway - South side : between Courtenay Gate to the West and St. Johns Road to the East, including Courtenay Gate, Kings Lawns and Kings Esplanade
- Land between Goldstone Villas to the West and the rear of Nos. 1-13 (odd inclusive) Denmark Villas to the East, including Holy Trinity Church.
- Queens Place : All properties.

- Seafield Road : Nos. 1-34 (inclusive).
- Second Avenue : All properties.
- St. Johns Place : All properties.
- Sussex Road : Nos. 1-4 (inclusive) and Nos. 12-21(inclusive).
- The Drive : Nos. 2 to 6 (inclusive), All Saints Church, All Saints Church Hall, Nos. 52-66(even inclusive).
- Third Avenue : All properties.
- Ventnor Villas : All properties.
- Victoria Cottages.
- Victoria Grove : All properties.
- Victoria Terrace : Nos. 1-22 (inclusive), land to the south of Nos. 1-9 (inclusive).
- Wilbury Road : The Vicarage.

**Fees :**

Planning Applications needed as a result of an Article 4 Direction are not charged a fee. The Directions are revealed when a 'search' is made, when a property is for sale. All property, including single family houses, flats and commercial property are affected by the Directions.

If you wish to carry out alterations you should check with the Planning Department and inform your architect, solicitor or builder that you live in a Conservation Area and that there is an Article 4 Direction. If inappropriate alterations are carried out without Consent, enforcement action can be taken.