



Brighton & Hove City Council

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THE PEMBROKE AND PRINCES ARTICLE 4 DIRECTION

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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 PEMBROKE AND PRINCES ARTICLE 4 DIRECTION

This Direction, approved in June 1994 affects all property in the Pembroke and Princes Conservation Area. 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.
- vii) The installation of a satellite antenna.

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 this area (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 have the following detailed implications for all properties :

Roofs :

Consent is needed to change the type of roof covering. If you renew a roof, red clay tiles are required where they exist on all or part of a pair of buildings or predominate in a group of buildings, and on Listed Buildings (natural slate will be required where original

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 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.

Satellite Dishes:

Consent will not normally be granted for dishes visible from the street, but locations hidden from view such as in rear gardens or roof valley gutters may be acceptable. On some buildings there may not be a location that is acceptable to both the Council and installer.

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.

Properties included in the Pembroke and Princes Direction '94 (amended) :

- Aymer Road : All properties.
- Hove Street : Connaught Hotel, Hove Cottage, Nos. 16, 18 and 26 - 46 even, Princes Court, Viceroy Lodge, Bluebird Court.
- Kingsway : Nos. 145 - 155 odd, 157 (former School of Nursing) and Nos. 159 - 163 (Fairlawns).
- New Church Road : Nos. 21 - 27 odd, Hove Museum, Blenheim Court, Pembroke Court, Nos. 1 - 13 odd, Nos. 2 - 36 even, Aymer House.
- Pembroke Avenue : All properties.
- Pembroke Crescent : All properties.
- Pembroke Gardens : All properties.
- Princes Avenue : All properties.
- Princes Crescent : All properties.
- Princes Square : All properties.
- Sackville Road : Nos. 2 - 40 even.
- Westbourne Place : East Side excluding Nos. 15 - 35 odd and adjacent garage blocks.
- Western Esplanade : Bowling Greens, Bowling Greens Pavilion, Round Shelter, No 1 Lawn.

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.