



# Brighton & Hove City Council

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## ARTICLE 4 DIRECTION – STANMER

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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 and its predecessors.

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.

### THE STANMER ARTICLE 4 DIRECTION

Additional town planning controls have been introduced for unlisted single dwelling houses in the Stanmer Conservation Area. 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 could suffer as a consequence. Moreover the stricter planning controls that apply to flats and commercial premises meant that in some instances neighbouring properties could not be treated evenly or fairly.

### SO WHAT HAS CHANGED?

The council now directs that those frontages of 11, 12 and 19 Stanmer Village that face a highway or public open space should be subject to similar restrictions to those that apply to adjacent commercial premises, residential flats or listed buildings. This

means that owners can no longer alter windows and doors, roof coverings or chimney stacks or add roof lights without first obtaining planning permission. Permission is also required to demolish, alter or erect a front boundary wall, fence or railings, and the provision or replacement of a hard surface within the curtilage of a dwellinghouse. Permission is similarly required for the installation, alteration or replacement of solar PV or solar thermal equipment, and the painting of the exterior of any building.

## **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 'like for like' e.g recovering a concrete tiled roof with concrete tiles or replacing timber sliding sash windows with matching sliding sash windows. Roof lights that do not alter the shape of the roof can be fitted within rear roof slopes without the need for planning permission. Windows and doors to the rear can also still be changed without the need for planning permission, and a satellite dish up to 70cm in diameter can be fixed to the rear façade. Sheds within specified size limits can be erected in rear gardens.

## **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.