



Brighton & Hove City Council

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Portslade Old Village Article 4(1) Direction Introduction of Additional Planning Restrictions

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An Article 4(1) Direction has been introduced to provide additional town planning controls for unlisted dwellings in the Portslade Old Village 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 must obtain the council's consent before pruning or felling a tree or carrying out demolition works, and planning permission is required for building roof extensions or roof dormers, applying stone, timber or tile cladding to any façade, or erecting a satellite dish on a chimney or on the front façade or a roof slope that faces onto and is visible from the street. 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 have meant that in some instances neighbouring properties were not treated consistently.

So what has changed?

Frontages of unlisted dwellings in Portslade Old Village that face a highway or public open space are now subject to similar restrictions to those that apply to adjacent commercial premises, residential flats or listed buildings. This means that planning permission is required to

- alter windows, doors or roof coverings
- add roof lights
- demolish, alter or erect a front boundary wall, fence or railings
- provide or replace a hard surface within the curtilage of a dwellinghouse
- erect a porch
- paint the exterior of any building

where these alterations front a highway or public open space.

Planning permission is also required to install, alter or replace solar PV or solar thermal equipment on any wall or roof slope visible from the highway,

So what would still 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. 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 100cm in diameter can be fixed to the rear façade. Solar panels can be fixed to rear roof slopes. Sheds within specified size limits can be erected in rear gardens. These permitted development rights would not change.

The above details provide a summary only. For further clarification you are advised to contact the council's planning team.

The Article 4(1) Direction was confirmed on 7th December 2010 and applies to all unlisted dwellings within the Portslade Old Village Conservation Area.

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.

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.