

## ARTICLE 4(2) DIRECTIONS

The purpose of this guide is to explain the implications of Article 4(2) Directions to owners of properties on which they have been served.

### The Legislation

Under the Town and Country Planning (General Permitted Development) Order 1995 (GPDO) certain classes of development do not require planning permission and are referred to as Permitted Development.

Local planning authorities have the power under the GPDO to remove permitted development rights in certain areas by means of an Article 4 Direction. The effect of such a direction means that planning permission will be required for specific works previously regarded as permitted development.

### What is an Article 4(2) Direction?

The historic interest and character of many conservation areas has sadly already been partially eroded by small changes and the loss of traditional features.

Although minor changes, the culmination of these alterations can significantly detract from the quality of a conservation area. Article 4(2) Directions are a method by which the Council can regulate and monitor changes in areas that are believed to be at risk from unregulated alterations.

Article 4(2) Directions only apply to single dwellings as flats and commercial properties already have limited permitted development rights.

## Article 4(2) Directions in East Cambs

There are currently four Conservation Areas with confirmed Article 4(2) Directions in East Cambridgeshire:

Soham, introduced November 2008

Burwell North Street, introduced November 2008

Burwell High Town, introduced November 2008

Ely, introduced July 2009

From time to time the Council may decide to introduce new Article 4 Directions to areas in the District. Should this decision be taken, extensive public consultation would be carried out with all affected properties.

For precise details of what is covered in each area and properties affected, please consult the Article 4(2) Direction Schedule for your area. These are available on the conservation pages of the Council's website.

### Planning implications

The following permitted development rights have been removed within the Conservation Areas above. The following works will now require planning permission:

- The enlargement, improvement or other alteration of a dwelling house;
- Any other alteration to the roof of a dwelling house;
- The erection or construction of a porch outside any external door or dwelling house;
- The provision within the curtilage of a dwelling house of a hard surface for the purpose incidental to the enjoyment of the dwelling house;

- The erection, construction, maintenance, improvement or alteration (including demolition) of a gate, fence, wall or other means of enclosure;
- The painting of the exterior of any building or wall.

This list may not be exhaustive and it is recommended that owners/occupiers check if an Article 4(2) Direction applies to their property and if planning permission is required.

N.B The removal of permitted development rights only applies to the front elevation or the principle elevation fronting a public highway or open space.

### Benefits of Article 4(2) Directions?

Article 4(2) Directions bring many benefits to people living, working or visiting a conservation area, they can:

- Protect the special character of a conservation area;
- Ensure that all new development reinforces the area's special character;
- Help to protect and enhance the quality of the environment;
- Encourage the use of local and traditional building materials. These are often more environmentally friendly and sustainable than modern products;
- Ensure that buildings which contribute positively towards the area's special character are protected from demolition;
- Protect a conservation area from unsympathetic and damaging change.
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## What about repairs?

If repairs are necessary then these may be carried out without planning permission, provided that the materials and style are exactly the same as the original and there is no change in the appearance of the property.

Where the appearance of a property has suffered from unsympathetic alterations, re-instatement of historic features will be encouraged.

No retrospective action will be taken for unsympathetic works carried out prior to the introduction of Article 4(2) Directions.

## Applying for planning permission

You are advised to discuss your proposed building works with the Development Control Section prior to submitting a planning application.

To make a planning application you will need to submit a planning application form to the Council. Planning applications forms can be downloaded from the Council's website or picked up at the Council's offices. You can also submit a planning application online.

Please state on your planning application form that the planning application is for building works to a house that is covered by an Article 4(2) Direction.

Please note there is no planning application fee where an application for planning permission is required as a result of an Article 4(2) Direction.



## Article 4(2) Directions

If you require this document in different formats (e.g. Braille, large print, audiotape/CD or other languages please contact the council's main reception or email [translate@eastcamb.s.gov.uk](mailto:translate@eastcamb.s.gov.uk)

**Tel: 01353 665555**



East Cambridgeshire District Council  
Development Services  
The Grange, Nutholt Lane,  
Ely, Cambridgeshire,  
CB7 4EE

Reprographic Services – East Cambridgeshire DC

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