

Article 4 Directions Frequently Asked Questions

Would the Article 4 Direction mean that we can never make any changes to our property again?

No. But it will remove 'permitted development' rights and bring minor changes under planning control so that properly considered and informed judgments can be made. This is to ensure that the work proposed will not detrimentally affect the character of the Heckington Village and Heckington Station conservation areas.

The aim of planning in conservation areas is to manage change to ensure that development can happen without harming the special qualities of the area. Consequently some changes will be allowed and some will be resisted.

Would all householder Permitted Development rights be withdrawn?

No. Only those works listed in the draft Article 4 Direction would require prior planning permission once the Article 4 Direction comes into force. All other householder permitted development, as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 would remain intact, subject to the general conditions and exclusions that already apply in Conservation Areas

The Article 4 Direction refers to the 'alteration, improvement or other alteration of a dwellinghouse' – what does this mean?

This part of the Article 4 Direction relates mainly to the installation, replacement or alteration of windows and doors. The Character Appraisal for each conservation area draws out the key features contributing to its special architectural or historic interest, and in general original windows and doors should be retained and repaired, rather than replaced. If repair is not possible, then identical units (design, materials and finishes) should be installed. The Council is unlikely to support the replacement of timber windows and doors with non-timber designs, e.g. uPVC.

Which parts of the village does the Article 4 Direction relate to?

All residential properties within the Heckington Village Conservation Area and Heckington Station Conservation Area. Commercial, leisure, retail and other non-residential properties are not affected by the Article 4 Direction

When will the Article 4 Direction come into force?

The Article 4 Direction will come into force on 1st August 2017. Until that time, any works which are due to be covered through the proposed Article 4 Direction can still be carried out without the need for planning permission. However, once the Article 4 Direction comes into force planning permission will subsequently be required.

Is there a fee for planning applications?

There is no fee for applications required as a result of the introduction of the Article 4 Direction.

How will applications be assessed?

The planning authority will pay particular regard to the extent to which the proposals affect the character and appearance of the area. The Character Appraisal for each conservation area draws out the key features contributing to its special architectural or historic interest, and should serve as a useful guide.

In general original windows and doors should be retained and repaired, rather than replaced. If repair is not possible, then identical units (design, materials and finishes) should be installed.

Original roof materials such as Welsh slate and clay pantiles should be retained. Modern materials such as concrete tiles or artificial slates are unlikely to be acceptable.

Chimneys are often prominent and attractive features and their demolition or truncation is likely to be resisted. Likewise, the removal of historic walls, railings or gates is unlikely to be acceptable where they form part of an attractive streetscape. New boundary treatments should be sympathetic to the character of the area.

It is always advisable to discuss your proposals at an early stage before submitting an application. Officers can give you an informal view of the possible outcome of an application and may also be able to help overcome any problems.

How does the Article 4 Direction relate to conservation area appraisals and management plans?

The conservation area appraisal is a separate document that identifies in writing, photos and maps what is special about the area. When the Council considers applications for development, it is used to make an informed judgement on whether or not the development is appropriate. It also makes recommendations for actions to be taken to preserve and enhance local character.

The conservation area management plan sets out policies to preserve and enhance the special character and appearance of the conservation area, and was subject to public consultation prior to its formal adoption by the Council.

The conservation area management plan for Heckington Village and Heckington Station identifies that an Article 4 direction would be an appropriate mechanism to help safeguard the special character of the conservation areas

Is there a right of appeal?

There is no right of appeal against an article 4(2) direction being served. However if a planning application is refused there is a right of appeal, which would be determined by the Planning Inspectorate.

Where can I find out further information about householder permitted development rights generally?

Further information including a technical guidance note can be found on the Department for Communities and Local Government website -

<https://www.gov.uk/government/publications/permited-development-rights-for-householders-technical-guidance>

The technical guidance note has been produced to help homeowners understand how they can exercise their rights to carry out development while protecting the interests of their neighbours and the wider environment. It is designed to be used by anyone who wants to understand more about the detailed rules on householder permitted development and the terms used in those rules.