

Article 4 Guidance for Householders in Conservation Areas

Development Requiring Planning Permission

This guidance

The following pages set out what development (normally considered permitted development) would require an application for planning permission if your dwelling house is affected by an Article 4 Direction in a conservation area. It also provides advice about what kind of proposals would be most appropriate.

These guidelines apply to non-listed dwelling houses only and to elevations that front a public highway, waterway or open space – this includes publically accessible back lanes.

Article 4 Directions only apply to certain types of development. These guidelines only advise on development that would normally be permitted development within a conservation area but have been affected by an Article 4 Direction. If you were interested in another type of development that is not included in this guidance, it is recommended that you look towards the relevant legislation¹ and the Planning Portal² for information on what may be permitted development and what may require an application for planning permission.

Permitted development

Permitted development rights allow for some relatively small-scale development to take place to dwelling houses without the need to apply for planning permission. Cumulatively, those changes can have a negative impact upon the character and appearance of areas. In these cases, Local Planning Authorities can make a decision to remove those rights using an Article 4 Direction.

What are Article 4 Directions?

Article 4 Directions are made by Local Planning Authorities using planning legislation³ and are tools to remove permitted development rights from some dwelling houses. Article 4 Directions affecting dwelling houses in conservation areas⁴ are in place in:

- Tynemouth Village,
- Spanish Battery and
- New Quay.

There are also Article 4 Directions in place affecting other locations at Preston Park, Addington Drive and Chirton Dene Quays. This guidance does not apply in those cases.

¹ The Town and Country Planning (General Permitted Development) Order 2015 (as amended, re-enacted or revoked) – sometimes called “the GPDO” <https://www.legislation.gov.uk/uksi/2015/596/contents/made>

² <https://www.planningportal.co.uk/permission/interactive-guidance>

³ The Town and Country Planning (General Permitted Development) Order 2015 (as amended, re-enacted or revoked) – sometimes called “the GPDO” <https://www.legislation.gov.uk/uksi/2015/596/contents/made>

⁴ Please see the North Tyneside Planning webpages for more information.

An Article 4 Direction does not mean that changes can't be made to a property; it just means that those changes would be subject to an application for planning permission.

What is the purpose of removing permitted development rights?

Requiring planning permission for small-scale development that would usually not require specific consent gives the Local Planning Authority an opportunity to more closely manage development in areas that are considered particularly sensitive to change.

In line with legislation, and local and national planning policy and guidance, the Local Planning Authority would expect development to avoid harm to the significance of heritage assets and would grant planning permission where development would preserve or enhance the character and appearance of the conservation area.

Type of development	Planning permission required under Article 4	Comments
Windows and doors		
Replacing windows or doors.	Yes	<p>Planning permission is required, even in cases where replacements may be considered as “like-for-like”.</p> <p>If the dwelling has original windows or doors, good quality historic replacements or good quality modern replicas, their removal would likely be considered harmful. Repair is encouraged, and evidence from a suitably qualified practitioner that illustrated the windows or doors were beyond reasonable repair would be required to support an application for their removal.</p> <p>Where replacement would be acceptable, an exact replica of original designs, sizes, profiles, details, method of opening and materials should be used. It may be useful to undertake research to help inform the replacements, or commission a heritage expert to assist. If possible, glass of any interest should be carefully removed and reused. Traditional furniture should be transferred to the new window or door where possible.</p>
Small-scale repair of windows and doors in matching materials and finish.	No	<p>Repair of windows and doors that make a positive contribution to the character and appearance of the conservation area would be encouraged.</p> <p>Repairs may include splicing in small sections of new timber.</p>
Painting of windows and doors.	No	<p>Painting of windows and doors would not require planning permission, but appropriate colours are encouraged. White or off-white tends to be most appropriate for windows and darker, traditional colours tend to be suitable for the doors of most of the properties affected by Article 4 Directions.</p>
Walls, porches and decorative features		
Any works to enlarge, alter or improve	Yes	<p>This could include (but is not limited to):</p> <ul style="list-style-type: none"> • adding or removing extensions or porches, • enclosing or adding window or door openings,

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the property including changing or removing functional or decorative features – please see box opposite for more details.		<ul style="list-style-type: none"> • altering or removing decorative features, • removing or altering rainwater goods, • adding or removing render. <p>Works that would detract from the special character and appearance of the property and conservation area would be considered harmful.</p> <p>In considering whether proposals are potentially harmful, and therefore contrary to national and local planning policy, regard will be given to whether proposals demonstrate they:</p> <ul style="list-style-type: none"> • Blend in and do not stand out; aiming for harmony within the street scene. • Use good quality, natural materials. • Do not detract from the original architecture of the property. <p>Reinstatement of traditional features and removal of modern interventions that are harmful to character and appearance would generally be encouraged</p>
Painting the external walls of a property.	Yes	<p>Where masonry or other external materials are currently unpainted, it is likely that introducing paint would be considered harmful.</p> <p>Planning permission would also be needed if a different colour was proposed to walls that are already painted.</p>
Repainting in the same colour the external walls of a property.	No	<p>You do not need to apply for planning permission to repaint your property the same colour if it is already painted.</p>
Repair or replacement of masonry, and functional and	No	<p>You do not need to apply for planning permission to undertake repair or replacement to masonry, and functional and decorative features, when exactly matching materials would be used and the finish would be exactly the same.</p>

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decorative features.		This would include repair or replacement of rainwater goods, masonry pointing or render.
Cleaning of masonry.	No	Cleaning would not be considered as development and an application for planning permission would not be required.
The installation, alteration or replacement of a satellite antenna.	Yes	Proposals for installation of these features on a principal elevation of a property (usually the front) are likely to be considered harmful.
Roofs and Chimneys		
Replacement of roof covering, either whole or in part.	Yes	<p>Removal of existing original, historic or good quality replica roof coverings would likely be considered harmful. Applications to carry out such work should be accompanied by evidence from a suitably qualified practitioner illustrating that the existing roof covering was beyond reasonable repair.</p> <p>Replacement coverings that would be appropriate to the property in terms of colour, finish, size, shape and, where appropriate, geology, are recommended.</p> <p>Should the property have any decorative slates or tiles, these would be expected to be retained and reused or replicated. Any particular traditional pattern in the laying of materials would be expected to be followed.</p> <p>Any leadwork flashings should also be replicated.</p> <p>Installation of solar panels on roofs is development that is not covered by the Article 4 Directions in North Tyneside. Please check with the GPDO or the Planning Portal for information.</p>

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Small-scale repair of roof covering that used matching materials.	No	Only small-scale repair that used matching materials, as above, and was laid to match the existing would be exempt from requiring planning permission.
Installation of roof lights.	Yes	These are likely to be harmful if located on the front roof slope. Where proposed, they should be kept to the very minimum in number and size, sited neatly and be flush fitting to the roof slope.
Removal of any decorative details such as decorative ridge or hip tiles.	Yes	Removing and not reinstating decorative roof features would likely be harmful to significance.
Replacement of decorative details such as decorative ridge or hip tiles in exactly the same size, shape, colour and material.	No	This work would not require planning permission.
The installation, alteration, replacement or demolition of a chimney, flue or soil and vent pipe.	Yes	<p>Proposals to alter, reduce or remove an existing chimney if it is original or good quality replacement are likely to be considered harmful.</p> <p>New services should be sensitively sited so that they are not widely visible within the conservation area.</p> <p>Repair and reinstatement of traditional features, and the removal of existing unsightly services is encouraged.</p>

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Front gardens and front boundaries		
Making, enlarging or altering a hard surface at the front of a house.	Yes	<p>Proposals to make or enlarge a hard surface in a front garden are likely to be considered harmful. Applications to alter an existing hard surface (for example, changing the shape or materials) would be assessed based on how they would impact upon the character and appearance of the conservation area.</p> <p>Soft landscaping in front gardens should be retained and replanted where lost. Original tiled paths and landscaping materials should be retained and repaired.</p>
Erecting, altering or demolishing a gate, wall, fence, railings or other boundary treatment. This includes painting or rendering over unpainted brick or stone walls.	Yes	<p>Proposals to remove original, historic or good quality replica boundary treatments are likely to be considered harmful.</p> <p>The repair and retention of traditional features such as stone copings, decorative masonry and iron railings is encouraged. This work would not require planning permission.</p> <p>Proposed new boundary treatments should be appropriate to the traditional appearance of the property and conservation area in terms of size, design, material and finish.</p>