

**RESEARCH INTO THE USE OF ARTICLE 4 DIRECTIONS
ON BEHALF OF THE ENGLISH HISTORIC TOWNS FORUM**

RPS Planning

1st Floor
Cottons Centre
Cottons Lane
London SE1 2QG

Telephone: 020 7939 8000
Facsimile: 020 7939 8098/99

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CONTENTS

	<u>Page No</u>
SECTION 1: INTRODUCTION	1-6
SECTION 2: METHODOLOGY	7-8
SECTION 3: RESEARCH FINDINGS	9-16
SECTION 4: CONCLUSIONS	17-19

APPENDICES

APPENDIX 1	MAP SHOWING THE DISTRIBUTION OF THE LOCAL PLANNING AUTHORITIES CONSULTED	20
APPENDIX 2	LIST OF LOCAL PLANNING AUTHORITIES CONSULTED	21-23

SECTION 1: INTRODUCTION

- 1.1 RPS Planning was commissioned by the English Historic Towns Forum to undertake research into the use of article 4 directions by English local planning authorities. These are used to bring under planning control a range of works authorised under article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) Order 2008, which came into force from 1st October, 2008.
- 1.2 Many of these small scale “permitted development” works such as the replacement of traditional timber or metal windows with plastic windows in modern styles, natural roofing materials such as slates and clay tiles with concrete and plastic tiles, and front gardens with hardstandings for vehicles, can significantly harm the character and appearance of historic buildings and areas. The English Historic Towns Forum report of 1992 entitled *Townscape in Trouble*, highlighted the damage that can be caused to our historic townscapes when normal permitted development rights are exercised.
- 1.3 Where the buildings are listed, this problem is avoided by the requirement for listed building consent to be obtained for any works of demolition, alteration or extension that would affect the building’s special interest. In the case of unlisted buildings, article 3 of the General Permitted Development Orders allows a vast range of works to be carried out without the need to apply for planning permission.
- 1.4 Within conservation areas and other environmentally sensitive areas such as world heritage sites, national parks and areas of outstanding natural beauty, the permitted development rights are more limited than elsewhere but even so those works can still degrade the character of individual buildings and whole areas over time, as a result of a succession of inappropriate changes. This has led to an increasing number of local planning authorities taking the opportunity when reviewing the boundaries of their conservation areas, to de-designate parts of existing conservation areas.

- 1.5 A local planning authority can restrict the permitted development rights of property owners to carry out certain categories of development that would otherwise be automatically allowed through the making of an article 4 direction. These directions can be made to cover one or more properties and they can restrict one or more classes of permitted development.
- 1.6 The Secretary of State's general approach to the making of article 4 directions (as set out in paragraph 4.23 of Planning Policy Guidance Note 15) is that permitted development rights should not be withdrawn without clear justification such as where there is a real and specific threat of development being carried out that would damage an interest of acknowledged importance.
- 1.7 The effect of an article 4 direction is not that development within the particular class in Schedule 2 of the General Permitted Development Orders can not be carried out, but simply that it is no longer automatically permitted by article 3 of the General Development Orders, but instead it must be subject to a specific planning application. This does not necessarily mean that the local planning authority will refuse permission for the works but it does enable the authority to retain some control over the design and detailing of the proposed development and to grant permission subject to appropriate conditions.

a) Types of article 4 directions

- 1.8 There are three types of article 4 directions:
- directions under article 4(1) affecting only listed buildings
 - directions under article 4(1) affecting other buildings and land
 - directions under article 4(2) affecting dwellinghouses in conservation areas.

i) Directions under article 4(1) affecting only listed buildings

1.9 It is unnecessary to make an article 4 direction concerning alterations and extensions to listed buildings as these works usually require listed building consent or planning permission, or both.

1.10 However, it may be appropriate for a local planning authority to make a direction restricting permitted development within the curtilage of a listed building. An example of this type of article 4 direction is that made by Westminster City Council for the 52 grade II listed buildings in Abbey Gardens, NW8, which are within the St. John's Wood Conservation Area. This direction introduced controls over the construction of ancillary structures within the curtilages of the properties (permitted under Part 1 – Class E of the GPDO) and the construction or alteration of gates, fences or walls (permitted under Part 2 – Class A).

1.11 This type of article 4 direction does not require the approval of the Secretary of State for Communities and Local Government if it relates only to a listed building or to development within the curtilage of a listed building.

1.12 In these cases the direction is made by a local planning authority and notified to the owners and occupiers and it comes into force on the date of notification.

ii) Directions under article 4(1) affecting other buildings and land

1.13 These directions are normally made to restrict permitted development at the following:

1. dwellinghouses in conservation areas not fronting onto highways, waterways and open spaces;
2. other types of property in conservation areas such as commercial buildings and residential flats. An example of this type of direction is that made by Chesterfield Borough Council and approved by the Secretary of State on 7th December, 2007, which introduced controls over the painting of the exterior of all buildings in the Town Centre Conservation Area (permitted under Part 2 – Class C of the GPDO).

To assist owners of property affected by these controls, the Council has produced a Colour Scheme Guide to inform designers, contractors and building owners of a range of British Standard paint colours that are likely to be acceptable to the Council for painting rendered walls, shop fronts, windows and rainwater goods.

3. to properties not in a conservation area. Normally this type of article 4 direction is used by local authorities to restrict the provision of temporary buildings and the use of land for less than 28 days (permitted under Parts 4 and 5 respectively of the GPDO), the use of land as a caravan site (permitted under Part 5), and the construction of agricultural and forestry buildings (permitted under Parts 6 & 7 respectively). However, one of the most unusual examples of this type of direction is that made by the London Borough of Merton which involves the withdrawal of permitted development rights to erect marquees on public and private land in the north Wimbledon area, at the time of the annual Wimbledon tennis championships.

1.14 These directions require the approval of the Secretary of State.

- iii) Directions under article 4(2) affecting dwellinghouses in conservation areas

1.15 A simplified procedure has been available since 1995 to enable article 4(2) directions to be made for dwellinghouses in conservation areas, without the need for the Secretary of State's approval.

1.16 These directions may be made to restrict the carrying out of the following categories of development in relation to dwellinghouses that front onto highways, waterways or open spaces in conservation areas:

- the enlargement, improvement or other alteration of a dwellinghouse (Part 1 – Class A)
- any addition or alteration to its roof (Part 1 – Class B & C)
- the construction of a porch (Part 1 – Class D)
- the provision within its curtilage of an ancillary building (Part 1 – Class E)
- the provision of a hard surface (Part 1 – Class F)

- the installation of a chimney, flue or soil & vent pipe (Part 1 – Class G)
- the installation of a microwave antenna (Part 1 – Class H).
- the construction or alteration of a gate, fence, wall or other means of enclosure within the curtilage of a dwellinghouse (Part 2 – Class A)
- the painting of the exterior of any part of a dwellinghouse or of an ancillary building within the curtilage of a dwellinghouse (Part 2 - Class C)
- the demolition of all or part of a gate, fence, wall or other means of enclosure within the curtilage of a dwellinghouse (Part 31 – Class B).

1.17 In addition the permitted development right to construct, alter or remove a chimney on a dwellinghouse in a conservation area, or on an ancillary building within the curtilage of a dwellinghouse, can be removed.

1.18 An example of this type of article 4 direction is that confirmed by the London Borough of Ealing on 13th November, 2002 for the 619 residential properties within the Hanger Hill Garden Estate. A Design Guide has been produced by the Council to explain the new controls and to provide detailed guidance on the design of extensions, dormer windows, doors, windows, porches and external decoration.

b) Procedures for making article 4 directions

1.19 The procedures for making article 4(1) and 4(2) directions differ:

1. Where a local planning authority makes a direction under article 4(2) it must publicise the direction by inserting a notice in a local newspaper and by serving a notice on the owner and occupier of every dwellinghouse affected by the direction, unless this is impracticable.

The direction comes into force on the date on which the notice is served on the owner or occupier, or the date of the press advertisement. While there is no right of appeal against the making of an article 4 direction, the local planning authority must consider any representations made in response to the notices. It may then

confirm the direction, not less than 28 days after the last notice was published and not more than six months after it was made.

If the local planning authority confirms the direction, it has to give notice of the confirmation in the same way that it notified the making of the order. If the local planning authority does not confirm the order within six months of making the direction, it will lapse.

2. Where a local planning authority makes a direction under article 4(1) it has to send a draft of the direction to the Secretary of State for Communities and Local Government for approval. When approved, the local planning authority must notify every owner and occupier of the land affected by the direction immediately since the direction takes effect only on the date on which it is notified to the owner and occupier. If the local planning authority considers that individual notification is impracticable, it may rely on the publication of the notice in the press.

SECTION 2: METHODOLOGY

2.1 The research brief required RPS Planning to gather information on the use of article 4 directions by English local planning authorities. The data was obtained via a telephone survey and an officer responsible for the historic environment at each of the local planning authorities contacted, was consulted. All of the officers were happy to contribute to the research and made interesting points in relation to the use of article 4 directions.

2.2 A total of 72 local planning authorities were consulted - these being spread across the whole of England (Appendix 1 includes a map showing the distribution of the local planning authorities consulted, and Appendix 2 includes a full list of the authorities that took part in the survey) – with the officers providing varying levels of factual information relating to the operation of article 4 directions within the designated conservation areas in their administrative areas as follows:

- How many conservation areas are present in the local authority area?

- How many of these are subject to article 4 directions?

- What types of conservation area are subject to article 4 directions?

- Where they are used, do the directions cover all properties or just selective buildings within the area?

- On what dates were the directions made?

- Which permitted development rights have been removed by the directions?

2.3 The officers were asked for their opinion in regard to a number of more detailed matters, including the following:

- Have significant numbers of additional planning applications been received as a result of the article 4 directions?

- Has a successful claim for compensation ever been made against the refusal of a planning application or against the granting of planning permission subject to conditions, following the withdrawal of permitted development rights by a direction?
- Is there a case for a blanket amendment to the General Permitted Development Order in conservation areas?

2.4 In some cases no article 4 directions were in place in the local authority area. In these cases the officer interviewed was asked for a reason why this was so. Also, some officers were asked to provide details of suitable local groups such as amenity societies or civic trusts which could be consulted as part of future research investigating the attitudes and expectations of the wider public with regard to the use of planning controls within conservation areas.

SECTION 3: RESEARCH FINDINGS

a) Numbers of conservation areas and number of them subject to article 4 directions

- 3.1 The 72 local planning authorities consulted as part of the survey have amongst them designated 2,044 conservation areas, representing some 22% of the stock of conservation areas in England. The number of conservation areas designated by the individual authorities varies considerably with Canterbury City Council having 95, Leeds City Council 65, Chester City Council and Huntingdonshire District Council 61 each, while those with the fewest are Basildon District Council with only 4, Sandwell Metropolitan Borough Council with 6, and Middlesbrough Council with 7.
- 3.2 81% of the local planning authorities had article 4 directions for one or more of their conservation areas with those with the highest number of directions in relation to the number of conservation areas being Hart District Council with an article 4 direction in place for each of its 32 conservation areas, Stockton-on-Tees Borough Council with a direction for each of its 11 conservation areas, Brighton and Hove City Council with directions in 84% of its conservation areas (that is, 28 directions in its 33 conservation areas), the London Borough of Enfield with 81% coverage (13 out of 16), the London Borough of Harrow with 50% of its conservation areas having article 4 directions (14 out of 28) and Canterbury City Council with 47% coverage (45 out of 95).
- 3.3 While 19% of the local planning authorities consulted had no article 4 directions for any of their conservation areas, particularly notable amongst these being Leeds City Council with 65 conservation areas, Huntingdonshire District Council with 61 conservation areas and Kirklees Metropolitan District Council with 59 conservation areas. Many others with a large number of conservation areas had very few article 4 directions; in this category are Amber Valley Borough Council with 1 direction for its 29 conservation areas, the Metropolitan Borough of Wirral and Scarborough Borough Council with 1 direction for their 24 and 25 conservation areas respectively (4%), Carlisle City Council with 1 direction in its 19 conservation areas (5%), Bristol City Council with 2 directions for its 33 conservation areas (6%), Stroud District Council with just 3 directions for its 42 conservation areas (7%).

3.4 The total number of conservation areas with one or more article 4 directions was 347 which amounts to just 15% of all of the conservation areas designated by the 72 local planning authorities.

b) Types of property affected by the article 4 directions

3.5 Of the local planning authorities consulted, the majority reported that the main type of property affected by the extra controls were dwellinghouses in conservation areas fronting onto highways, waterways or open spaces. However, a number of local authorities have brought under control, through the use of article 4(1) directions, permitted development works to commercial properties and residential flats; for example, Derbyshire Dales District Council has made an article 4(1) direction which was approved by the Secretary of State in January, 2008, for the control of the painting of the exterior of buildings and for the construction of gates, fences and walls in the Matlock Bath Conservation Area, with the majority of the 145 properties being used for commercial purposes or as residential flats.

3.6 Other local planning authorities have used article 4(1) directions to bring under control permitted development works to agricultural and industrial premises within their conservation areas; most notably Redcar and Cleveland Borough Council by directions made in 1978 and 1980 to control the construction of agricultural buildings in its Guisborough and Upleatham Conservation Areas, respectively.

c) Are the article 4 directions applied selectively to specific properties or are they applied to all buildings within the conservation areas

3.7 74% of all of the article 4 directions that have been made by the local planning authorities that responded to the survey have been applied selectively to specific properties within the conservation areas. For example, Carlisle City Council's article 4(2) direction made on 20th February, 1998 covers 69 individual unlisted dwellinghouses within the Stanwix Conservation, and Stroud District Council's article 4(2) direction made on 11th February, 1998 for 52 unlisted dwellinghouses in the Bisley Conservation Area.

- 3.8 However, 26% of the local planning authorities have applied the extra controls non-selectively or “blanket fashion” to all properties within their conservation areas. For example, on 23rd January, 1998 when Hart District Council it made 29 separate article 4(2) directions for 29 of its conservation areas, these were applied to all properties within the conservation areas, with the boundaries of both the conservation areas and article 4 directions being the same.
- 3.9 Similarly, Redcar and Cleveland Borough Council used the blanket approach for its article 4(1) directions made in 1974 for four of its conservation areas at Kirkleatham, Ormesby Hall, Wilton and Yearby, and again in 1978 when it made directions for a further three of its conservation areas at Guisborough, Liverton and Loftus. Also taking this approach was Stockton-on-Tees Borough Council which used the boundaries of the Norton, Billingham Green, Bute Street, Cowpen Bewley and Hartburn Conservation Areas for the article 4(2) directions made in 1973 to restrict development within those areas.
- 3.10 This too has been the approach adopted by the London Borough of Ealing for the article 4(2) directions made for the Hanger Hill Garden Estate Conservation Area in 2002, and for the Brentham Garden Estate Conservation Area made in 2007.

d) Dates on which the directions were made

- 3.11 The purpose of this question was to establish whether the majority of the directions were made after the introduction of the streamlined system introduced by the 1995 GPDO, whereby article 4(2) directions do not require the Secretary of State’s approval. However, it has to be borne in mind that these directions only apply to dwellinghouses that front onto highways, waterways or open spaces within conservation areas.
- 3.12 Where this is not the case, for example in those cases where an authority wishes to bring under control the construction of agricultural or industrial buildings, or where controls are sought over works to the rear of dwellinghouses, it is still necessary to seek the Minister’s approval for an article 4(1) direction.

3.13 71% of the article 4 directions made by the local planning authorities that responded to the survey date from after 1995, with this high figure reflecting the large number of article 4(2) directions that have been made after the changes in the legislation. Many have come about after the preparation of character appraisals and management plans for conservation areas which have identified the need for the additional controls over permitted development works.

3.14 All but one of Canterbury City Council's and Hart District Council's article 4 directions for controlling permitted development works in conservation areas date from after the introduction of the 1995 legislation. Similarly, all of the 14 directions made by South Northamptonshire District Council were made after 1995. A number of local authorities including the London Boroughs of Ealing and Merton have supplemented pre-1995 article 4(1) directions with new 4(2) directions, though the changed legislation appears to have made no difference to other local authorities including Westminster City Council, Derby District Council, Allerdale Borough Council and Bradford Metropolitan District Council which have made no new directions since the introduction of the 1995 GPDO.

e) Types of permitted development removed

3.15 The majority of the article 4 directions made by the local authorities that responded to the survey involved the removal of permitted development rights in Parts 1, 2 and 31 of the General Permitted Development Orders. The works most often brought under planning control are as follows:

- extensions and alterations to dwellinghouses – Part 1 – Class A
- additions and alterations to the roofs of dwellinghouses – Part 1 – Classes B & C
- the construction of porches to dwellinghouses – Part 1 – Class D
- the construction of ancillary buildings to dwellinghouses – Part 1 – Class E
- the construction of hardstandings to dwellinghouses – Part 1 – Class F
- the installation of microwave antenna on dwellinghouses – Part 1 – Class H
- the construction of gates, fences or walls – Part 2 – Class A
- the painting of the exterior of buildings – Part 2 – Class C
- the demolition of gates, fences or walls – Part 31 – Class B.

3.16 In the case of the article 4(2) direction made by Stroud District Council on 11th February, 1998 in respect of 52 unlisted buildings in the Bisley Conservation Area, all

of the above-mentioned Classes of permitted development were withdrawn. While under the 34 directions made by Hart District Council for its conservation areas in 1998 and 2000, Classes A and D of Part 1 and A and C of Part 2 were removed from all of the dwellinghouses in the conservation areas.

3.17 In the case of the revised article 4(1) direction made by Derbyshire Dales District Council and approved by the Secretary of State in January, 2008, for properties mainly in commercial use or as flats in the Matlock Bridge Conservation Area, the original controls over Classes A, C, D, F and H of Part 1 were supplemented by Classes A and C of Part 2; that is, the construction of gates, fences and walls and the painting of the exterior of buildings were additionally brought under control.

f) Additional numbers of planning applications submitted due to article 4 directions

3.18 As a result of the introduction of an article 4 direction, a planning application has to be submitted to the local planning authority for express permission for development proposals. However, in accordance with regulation 5 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 no fee is payable in respect of a planning application made for what would have been permitted development had there been no article 4 direction.

3.19 A number of the respondents to the survey provided a rough figure of 1 to 2 additional planning applications per week being received by their authority as a result of the making of article 4 directions. However, most were unable to come up with a figure though 15% were of the view that significant numbers of applications had been generated by the article 4 directions.

g) Compensation

3.20 The withdrawal of permitted development rights by an article 4 direction can give rise to a claim for compensation if a planning application is refused or granted subject to conditions. Compensation may be claimed for abortive expenditure or for other loss or damage directly attributable to the withdrawal of the permitted development rights. (See Section 108 of the Town and Country Planning Act, 1990)

3.21 None of the local planning authorities contacted in the survey reported any incidences of claims for compensation being made against their authority. The only known cases where this has occurred, have been in relation to the withdrawal of permitted development rights for car boot sales and Sunday markets. Nevertheless, a number of respondents quoted this as being a deterrent to the making article 4 directions.

h) Is there a case for a blanket amendment to the General Permitted Development Orders in conservation areas?

3.22 Only one respondent felt that no change was needed to the existing procedures for controlling permitted development works within conservation areas as local planning authorities already had the opportunity to make article 4 directions if they were concerned over the harmful impact that these small-scale works were having on the character and appearance of their conservation areas. However, most respondents were supportive of some sort of change to the existing situation, though many expressed caution over the additional work that might be generated from the application of blanket controls.

3.23 Examples of general views expressed include:

- A blanket amendment would properly represent the expectations and understanding of the wider public with regard to the level of controls that should be in place within conservation areas
- It should be possible to tailor any blanket protection to individual properties
- A blanket amendment would avoid confusion between owners of properties where one property is subject to an article 4 direction and one is not
- Blanket coverage should take place as part of the preparation of conservation areas character appraisals and management plans
- Specific issues for each conservation should be addressed rather than a blanket coverage
- Compared to unlisted buildings, trees get greater protection in conservation areas. A prior notification system similar to that used for trees in conservation areas may be suitable for works to unlisted buildings

- A blanket amendment would be enormously helpful and would ease the burden. It would make the situation clearer if the presumption is that permission is needed for works.
- A simplified system would be helpful as the procedures for making an article 4 direction is tortuous and without adequate levels of staffing, it is difficult to undertake this work
- It would be a sensible idea as it would save time and would meet most peoples expectations of the levels of controls within conservation areas
- Unless buildings are listed, conservation areas are not a great deal of help
- Possibly a good idea but it would be enormously time consuming due to the large administration costs involved with no additional planning fees generated to pay for the work. Could end up including average/ordinary properties
- Permitted development rights and the House of Lords 1997 judgement in the case of Shimizu (UK) Limited have done tremendous damage to the character and appearance of conservation areas
- It should be on a conservation area by conservation area basis as each area is different from others
- A blanket coverage should be introduced but it should be possible for a local planning authority to exclude specific properties
- There is no point in designating a conservation area without an article 4 direction for works carried out under permitted development rights can significantly erode the area's character
- A simplified application procedure would be needed that did not include notification of neighbours, etc.
- Should include the protection of gardens in conservation areas
- If additional controls were introduced, some local planning authorities may be reluctant to designate conservation areas
- A simplified process with the same outcome would be ideal – for example if the local authority had identified buildings of townscape merit within its conservation areas it could withdraw permitted development rights for those buildings
- The character of some conservation areas may have already been so badly damaged that it would not now be worthwhile
- It would be a lot easier for the public to understand and this procedure would be more effective and less bureaucratic

- Property owners may be less supportive of conservation area designation if they thought that they would be subject to a raft of additional controls.

i) Reasons for no article 4 directions being in place

3.24 11 of the local planning authorities that responded to the survey and had no article 4 directions in place for their conservation areas, were asked why this was the case.

Reasons given include:

- Resource issues/pressure of work
- A number of character appraisals have been completed but the need for article 4 directions had not been identified because there had been far too much damage to the area's character
- Previous attempts have been made to make article 4 directions but these have not been supported by members, often due to concerns about compensation
- There was no public support for an article 4 direction during the consultation on a recent conservation area appraisal.

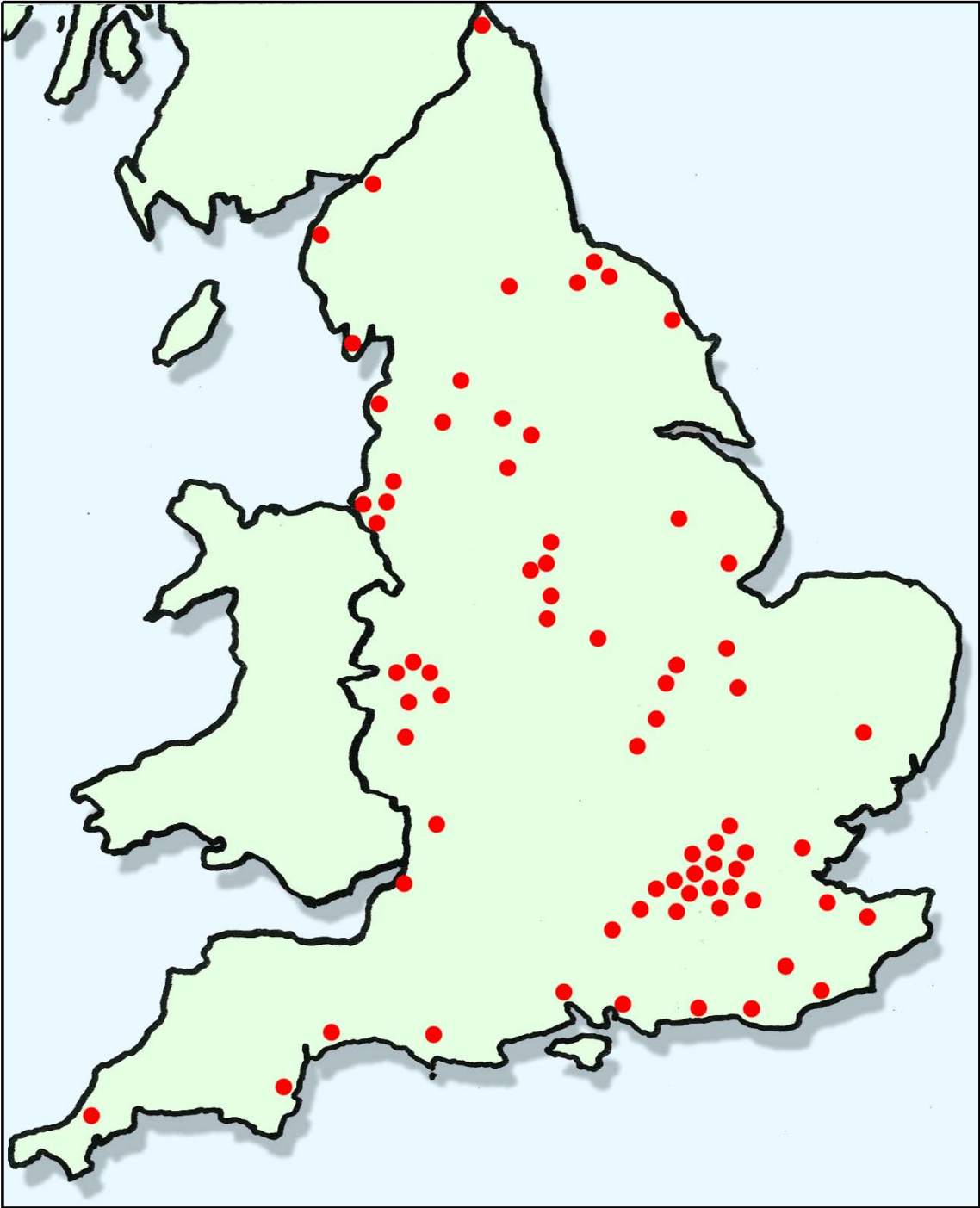
SECTION 4: CONCLUSIONS

- 4.1 Over the past decade many more article 4 directions have been made by local planning authorities than previously, as a result of the financial impetus provided by the Government to local authorities to prepare character appraisals of their conservation areas. The subsequent preparation of management plans for these areas have drawn attention to the damage caused to the character of these areas by many of the small-scale works that can be carried out under article 3 of the General Permitted Development Orders of 1995 and 2008, and to the need for these works to be brought under planning control.
- 4.2 Not all of these new article 4 directions have been of the simplified 4(2) variety which do not require the Secretary of State's approval; many local authorities have carried out detailed assessments of the problems within their conservation areas and have as a consequence been able to establish a "real and specific threat" that justifies the imposition of the additional planning controls. Approval of these article 4(1) directions by the Minister now appear to be more easily forthcoming as they are seen as part of a local authority's strategy for the protection of the character of its conservation areas.
- 4.3 While most local authorities seem to be willing to make article 4 directions as part of their proposals for the preservation and enhancement of the character and appearance of their conservation areas, there are a small number that have avoided taking such action and this is often blamed on a lack of member support.
- 4.4 However, there are more and more cases where government appointed planning inspectors are upholding the decisions of local planning authorities to refuse planning permission for works that had previously been permitted but which have been brought under planning control through article 4 directions. Recent cases are No. 1 Abbey Gardens, London, NW8 9AS (Appeal reference APP/X5990/A/07/2062092) and No. 3 Ray Walk, Leigh-on-Sea, Essex, SS9 2NP (Appeal reference: APP/D1590/A/08/2072146).

- 4.5 A broad range of views can be ascertained from the respondents as to whether there should be a blanket amendment to the General Permitted Development Orders in connection with permitted development rights in conservation areas. Many officers believe that this would be an appropriate way forward, usually because the view the present procedures for making article 4 directions as being an onerous task. However, others believe that having to deal with the large number of planning applications that would result from such as move would be difficult, particularly given that these applications do not attract a planning fee.
- 4.6 Some officers advocate an “opt out” option, whereby permitted development rights would automatically be removed for all properties within a conservation area, but alongside a simple procedure whereby a local planning authority could exclude specific buildings where the additional controls were not required.
- 4.7 It is necessary to consider the findings of this research within the context of the recent Killian Pretty Review publication *“Planning Applications: A faster and more responsive system: A Call for Solutions”*, which was published in June 2008.
- 4.8 The document describes a complex and bureaucratic planning application system, that can confuse applicants and which is not considered to be user-friendly. It also discusses how the speed and responsiveness of the planning application system could be improved, for example, by the introduction of a more proportionate and tiered way of dealing with development proposals of different scales and complexity.
- 4.9 It can be argued that, due to their irregular use and because they introduce different planning controls in different conservation areas, article 4 directions contribute to confusion amongst applicants and to the complexity of the planning application system. In this context the introduction of a more consistent range of additional controls in all conservation areas, possibly with a simplified application procedure, could make matters easier to understand and more transparent for applicants. However, this would undoubtedly result in additional applications, whether simplified or not, and this would not help speed up the process, or allow planning officers to concentrate on the more complex planning applications. These matters should be considered as the Killian Pretty Review develops.

- 4.10 The original draft of the Heritage Protection Bill, published in April 2008, did not contain any references to conservation areas but additional draft clauses have now been prepared and published in June 2008. There are no references to article 4 directions in these clauses but there is the possibility that the Bill will include provisions to reverse the 1997 Shimizu decision which could result in the partial demolition of buildings in conservation areas once again requiring planning permission. This could affect the actual need for the use of certain article 4 directions, for example, in relation to the removal of chimney stacks, which would arguably require planning permission under the proposed changes to the heritage protection system.
- 4.11 Future research related to the topic of this report could include a wider survey of local planning authorities, and additional investigation into the views and expectations of the wider public with regard to planning controls in conservation areas. This would be particularly the case for interested local amenity and heritage groups.

APPENDIX 1: MAP SHOWING THE DISTRIBUTION OF THE LOCAL PLANNING AUTHORITIES CONSULTED



APPENDIX 2: LIST OF LOCAL PLANNING AUTHORITIES CONSULTED

1. Allerdale Borough Council
2. Amber Valley Borough Council
3. Barrow in Furness Borough Council
4. Basildon District Council
5. Basingstoke and Deane Borough Council
6. City of Bradford Metropolitan District Council
7. Berwick-upon-Tweed Borough Council
8. Boston Borough Council
9. Brighton and Hove City Council
10. Bristol City Council
11. Cannock Chase District Council
12. Canterbury City Council
13. Carlisle City Council
14. Carrick District Council
15. Cherwell District Council
16. Chester City Council
17. Chesterfield Borough Council
18. Corby Borough Council
19. Craven District Council
20. Derby City Council
21. Derbyshire Dales District Council
22. Dudley Metropolitan Borough Council
23. East Devon District Council
24. Guildford Borough Council
25. Hart District Council
26. Hastings Borough Council
27. Havant Borough Council
28. Huntingdonshire District Council
29. Kettering Borough Council
30. Kirklees Metropolitan District Council
31. Leeds City Council
32. Leicester City Council

33. Lewes District Council
34. Lichfield District Council
35. Lincoln City Council
36. London Borough of Bromley
37. London Borough of Camden
38. London Borough of Ealing
39. London Borough of Enfield
40. London Borough of Hammersmith and Fulham
41. London Borough of Harrow
42. London Borough of Hounslow
43. London Borough of Merton
44. Middlesbrough Council
45. Pendle Borough Council
46. Peterborough City Council
47. Redcar and Cleveland Borough Council
48. Royal Borough of Windsor and Maidenhead
49. Sandwell Metropolitan Borough Council
50. Scarborough Borough Council
51. South Bucks District Council
52. South Northamptonshire Council
53. Southampton City Council
54. Spelthorne Borough Council
55. St Albans City and District Council
56. St Edmundsbury Borough Council
57. St Helens Metropolitan Borough Council
58. Stockton-on-Tees Borough Council
59. Stroud District Council
60. Swale Borough Council
61. Teesdale District Council
62. Torbay Council
63. Wealden District Council
64. West Dorset District Council
65. Westminster City Council
66. Walsall Borough Council
67. Warrington Borough Council

- 68. Watford Borough Council
- 69. Wirral Metropolitan Borough Council
- 70. Wolverhampton City Council
- 71. Wyre Borough Council
- 72. Wyre Forest District Council