

Tower Gardens Conservation Area

Informative on Article 4 Direction

What is permitted development?

Planning legislation allows owners to make certain changes to their property without requiring planning permission. This is known as 'permitted development' and is wide-ranging. Permitted development rights vary depending on the type of property and the location.

What is an Article 4 Direction?

An Article 4 Direction is a tool available to the Council to restrict the changes that can be made to a property by the owner/occupier without first obtaining planning permission.

Existing Article 4 Direction for Tower Gardens

There has been an Article 4 Direction in place in Tower Gardens since 1981. This applies to the majority of the Tower Gardens Conservation Area and was implemented in order to protect the special character and appearance of the Conservation Area.

The Article 4 Direction removed permitted development rights which existed at the time for development and works to the front and side elevations of properties. The Article 4 Direction means that the alterations below that might otherwise not have needed it require planning permission:

- The enlargement, improvement or other alteration of a house
- The erection or construction of a porch outside any external door of a house
- The construction within the curtilage of a house of a hardstanding for vehicles
- The erection, construction, maintenance, improvement or other alteration of gates, fences, walls or other means of enclosure
- The painting of the exterior of any building or work and the painting of doors and window frames

The Article 4 Direction does not mean that changes cannot happen – rather it means that planning permission must be obtained and thought must be given to the changes to ensure they are appropriate and sympathetic to the conservation area and to the property itself. Materials and features, such as windows and doors, which are original must be kept and repaired, or replaced in replica if beyond repair.

New Article 4 Direction for Tower Gardens

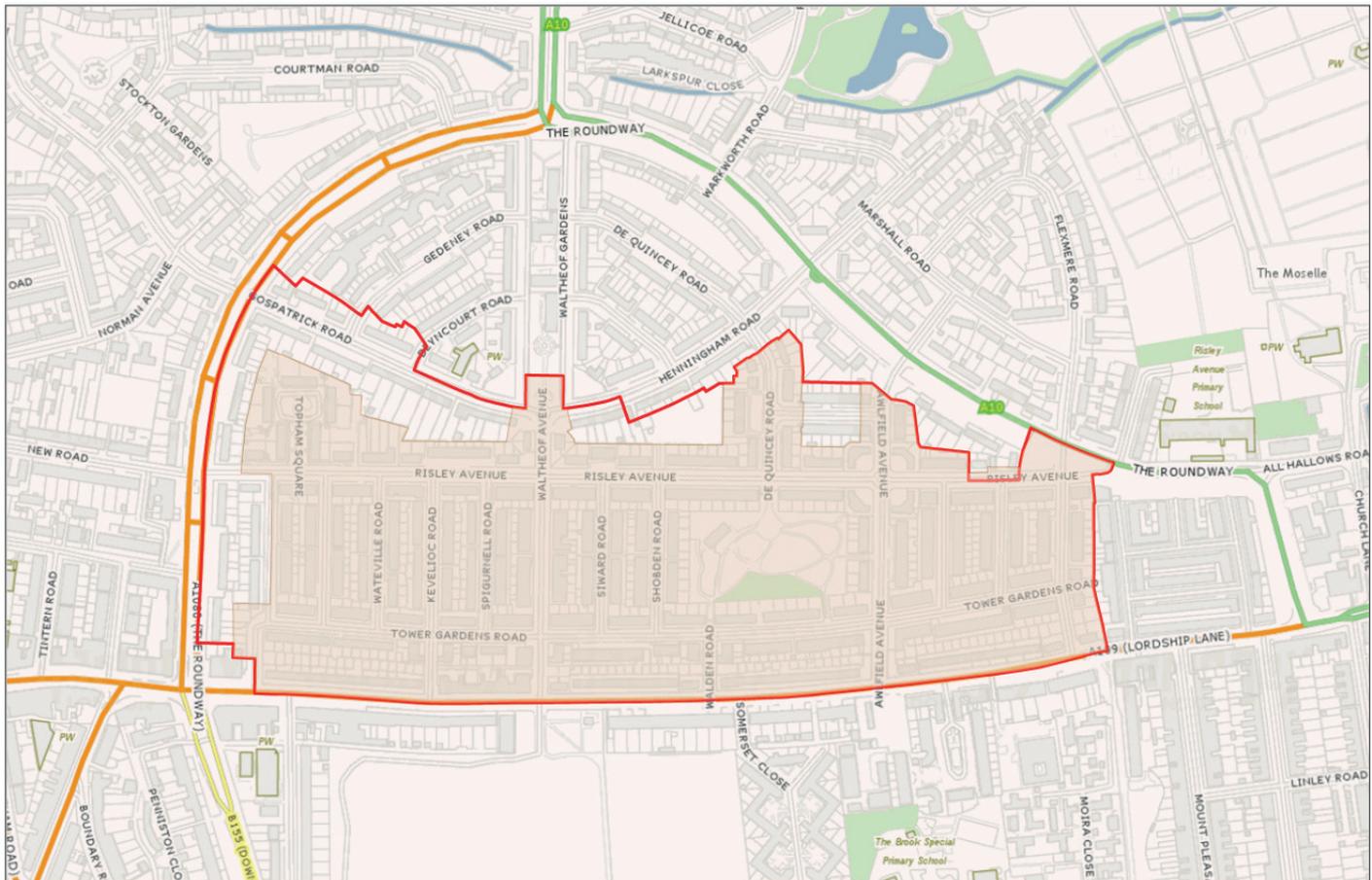
In July 2019 the Council adopted a Conservation Area Appraisal and Management Plan (CAAMP) for Tower Gardens. The CAAMP noted that the area covered by the existing Article 4 Direction currently retains much of its historic and architectural integrity although this is gradually being undermined by a number of detrimental changes. It recommended that consideration should be given to reviewing and, where appropriate, extending the scope of the Article 4. The CAAMP found that parts of the Conservation Area that are not within the Article 4 Direction area have suffered more extensively from alterations. It recommended that consideration should be given to extending the Article 4 Direction to include the entire Conservation Area.

The Council has reviewed the existing Article 4 Direction and has made a new Article 4 Direction.

The new Article 4 Direction varies from the current Article 4 Direction in two ways:

1. The defined area covered by the new Article 4 Direction covers the entire Conservation Area (the existing Article 4 Direction only covers most of the Conservation Area).
2. The new Article 4 Direction restricts a greater range of permitted development rights than the existing Article 4 Direction. This is because permitted development rights have expanded greatly since the existing Article 4 was introduced and the Council considers it necessary to restrict the new rights to protect the Conservation Area.

Map of existing and new Article 4 Direction



Tower Gardens Conservation Area: Article 4 Map Existing Article 4 Direction Area Proposed Article 4 Direction Area 0 0.25

Development restricted by the new Article 4 Direction

Permitted development is set out in Schedule 2 of the Town and Country Planning (General Permitted Development Order) (England) 2015 (as amended). This is arranged in Classes which set out development which does not require planning permission.

The Classes of development restricted by the new Article 4 Direction, together with a description of the types of work included, are set out below. The restrictions apply only to street elevations i.e. those parts of a building which front a highway.

Section within General Permitted Development Order	Class of development	Summary
Schedule 2 Part 1: Development within the curtilage of a dwellinghouse	Class A The enlargement, improvement or other alteration of a dwellinghouse	This class covers extensions as well as many external alterations to a house, including replacing windows, doors and adding external insulation. Please note, the provision of external cladding (excluding insulation) on any elevation of building within a conservation area requires planning permission and painting is covered by Part 2 Class C.
	Class B Additions etc to the roof of a dwellinghouse	This class covers additions or alterations to roofs which enlarge the house such as loft conversions involving dormer windows.
	Class C Any other alteration to the roof of a dwellinghouse	This class covers other alterations to roofs such as re-roofing or the installation of roof lights/windows. Please note that the provision of dormer windows on any elevation of a house is covered by Class B and is not permitted development in a conservation area so is not restricted by the Article 4 Directions. Chimneys and flues are covered by Part 1 Class G and solar equipment is covered by Part 14 Classes A and J.
	Class D The erection or construction of a porch outside any external door of a dwellinghouse	This class covers the erection of a porch outside an external door.
	Class E Buildings etc incidental to the enjoyment of a dwellinghouse	This class covers the provision of buildings and other development within the curtilage of the house.
	Class F Hard surfaces incidental to the enjoyment of a dwellinghouse	This class covers the provision of hard surfaces within the curtilage of the house such as driveways.
	Class G The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse	This class covers the installation, alteration, or replacement of a chimney, flue or soil and vent pipe.
	Class H The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.	This class covers the installation, alteration, or replacement of microwave antenna such as satellite dishes.
Schedule 2 Part 2: Minor operations	Class A The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure	This class covers matters such as erection or construction of gates, fences and walls. Minor works, such as re-painting railings or re-staining a fence on a like-for-like basis, do not require planning permission
	Class B Means of access to a highway	This class covers the formation, laying out and construction of access to a highway.
	Class C Exterior painting	This class covers the painting of the exterior of any building or work including doors and window frames.
Schedule 2 Part 11: Heritage and Demolition	Class C Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure	This class covers demolition of gates, fences and walls
Schedule 2 Part 14: Renewable Energy	Class A Installation or alteration etc of solar equipment on domestic premises	This class covers the installation of microgeneration equipment such as solar panels.

The restrictions in Part 1 only apply to houses. It excludes flats or living accommodation in a mixed-use building. Flats and commercial premises do not have the same permitted development rights as houses and planning permission is therefore required for any alterations, such as replacement windows, doors and roofing materials, which materially affect the appearance of the building. The restrictions in Parts 2, 11 and 14 apply to all buildings.

Please note that dormer windows on any elevation, demolition of buildings, demolition and erection of boundary structures over 1m, and satellite dishes on front elevations are not permitted development in conservation areas so planning permission is already required. There is therefore no need to restrict these developments in an Article 4 Direction.

When does the new Article 4 Direction come into effect?

The new Article 4 Direction has been made on a non-immediate basis. Subject to confirmation by the Council, it will come into force on 21 December 2020. At such time as the new Direction is confirmed the existing Article 4 Direction will be cancelled.

A consultation on the proposed new Article 4 Direction is running from 18 December 2019 to 11 February 2020. If you wish to comment on the new Article 4 Direction you may do by email to ldf@haringey.gov.uk or via post to Planning Policy, Haringey Council, River Park House, 225 High Road, London, N22 8HQ. Any representations must be received by 5pm on 11 February 2020 and include a full name, e-mail and postal address.

Further information

You can find further information about the proposed Article 4 Direction here: www.haringey.gov.uk/article4

You can find further information about Noel Park Conservation Area here:

www.haringey.gov.uk/conservationareas

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