

What is the Article 4(2) Direction?

The Conservation Area of Belper and Milford has a very special character and appearance. The Article 4(2) Direction comprises of a number of planning regulations which came into force on 6th August 1998. It helps to protect the Conservation Area by requiring planning permission for most alterations to residential properties. Before this Direction came into force you did not have to apply for planning permission for many minor alterations.

How does it affect me?

If you live within the Conservation Area in Belper and Milford and you propose to alter any part of your property *fronting* a footpath, road or public open space, you will now need to apply for planning permission. This requirement includes any alterations or extensions to the house itself, development in the garden space, and the demolition, alteration, or erection of boundary walls and fences. Provided that any changes you plan to make are sensitive to the surrounding area and would not spoil any important historic features of your property, then most minor alterations are likely to receive planning permission.

What do you mean by “fronting”?

Any part of the property which faces or is adjacent to any footpath, road or public open space is regarded as fronting that footpath, road, or public space. It does not matter which sides of your house you regard as front and back.

Will there be a charge for planning applications?

If you only require planning permission for your proposal because of the Article 4(2) Direction, there will be no application fee.

Will the Article 4(2) force me to put back original features where they have already been altered or removed?

If you live in a property which was altered before the Direction came into force, it will not oblige you to restore your house.

If my property is a historic building which still retains original features, like traditional windows and doors, will I be required to keep them?

Yes. Where original features still exist, they contribute much to the quality of the Conservation Area. Therefore, any proposals to remove or replace traditional windows, doors, cast iron guttering, roof materials, boundary walls and railings will be unacceptable. However, properties can often be brought up to modern standards of comfort and efficiency without spoiling their appearance. Please ask us for advice.

If my property is of historic interest and has modern timber windows and doors, when replacing them will I be required to use timber?

Yes. The use of UPVC detracts from the character of the property and the World Heritage Site. It is unable to replicate the characteristics of timber, resulting in thicker and deeper window frames and reflective modern finishes. The material itself is also not in keeping with more traditional materials associated with historic properties. Although there are a number of properties in the Conservation Area which do have UPVC windows and doors, most of these have been installed for over four years, in which case the Council cannot take action. Some of those which did receive planning permission in the past were approved prior to a policy which was adopted on 25th April 2005.

PLEASE NOTE Where a property already has traditional single glazed windows, permission is very unlikely to be granted for double glazed windows even if they are constructed in timber

If my property has already been altered but I want to restore it, what help can you give?

Some town centre and former mill worker properties are eligible for grant aid. We can also help with design guidance.

I live in a modern property. Does it really matter how I alter it?

Modern properties may not be historically important, but they do have a visual impact on the quality of the Conservation Areas. The Article 4(2) Direction applies to all houses, but the Council will take a more flexible attitude to the alteration of modern properties.

What sort of alterations do I need permission for?

If your house is in the Belper and Milford Conservation Area, you will usually need planning permission for any of the following developments, if the development would front a footpath, road or public open space:

- creating new window or door openings, or altering or replacing existing windows and doors
- erecting any extension or porch
- removing the walls of the house in whole or in part
- altering the roof of the house in any way, including the replacement of roof materials
- erecting, altering or removing chimney stacks
- rendering or cladding walls
- painting the walls of a house or any outbuilding

- of brick or stone construction
- providing an area of hard-surface (eg. for vehicle parking)
- erecting or altering a gate, fence, or wall
- demolishing, or partially demolishing a boundary wall or railings
- replacing cast iron rainwater goods using alternative materials
- erection of a building (including a shed or green house) between a road and a house
- erection of a satellite dish
(please ring Development Control for advice)

Is the Direction in addition to the ordinary planning rules?

Please bear in mind that the Article 4(2) Regulations are in *addition to*, not instead of, the standard controls for listed buildings and buildings in conservation areas. It is always wise to seek advice from the planning authority before undertaking any development.

Will you always require me to apply for planning permission to make alterations?

If you intend to make an alteration which requires planning permission then you should always contact the Development Control section for advice. However, in some cases the planning authority may decide that the particular alteration you propose will not have sufficient impact to justify the need to apply for planning permission. If this is found to be the case then you may request a letter from the authority to confirm that you can complete your development without the need to submit detailed plans for approval.

My house is a listed building. How does the Direction affect me?

If your house is a listed building then you will need

listed building consent for all internal and external alterations. However, in respect of the need to apply for planning permission under the Article 4(2) Direction, this will only apply to the following works which are not usually covered by listed building consent:

- providing an area of hardstanding
- painting any brick or stone outbuilding built after 1 July 1998

What sort of works require conservation area consent?

If you propose the substantial demolition of a wall, or the substantial demolition of a building over 115m³ in volume, then you will usually need conservation area consent.

What will happen if I break the rules?

If any developments are undertaken without planning permission, listed building consent, or conservation area consent (as appropriate), or developments do not meet any conditions set, then the Council may take enforcement action. A photographic survey of the Conservation Area is being made so that future changes can be monitored.

**Contact Numbers
Planning Applications/
Development Enquiries/
Need for permission**

Please contact Development Control on (01773) 570222 ext. 2523 for advice.

Restoration Grants/Design Enquiries:

Telephone: 01773 841584

ARTICLE 4(2) DIRECTION

FOR

**BELPER & MILFORD
CONSERVATION AREA**



**EXPLANATORY LEAFLET
SEPTEMBER 2002
REVISED SEPTEMBER 2006**