

Appendix B

Royal Leamington Spa Article 4 Direction

Information Sheet

In order to help maintain the character and identity of the Leamington Conservation Area the Council have decided to carry out certain measures under the Planning Acts known as an Article 4 Direction.

The effect of the Article 4 Direction will require anyone wishing to carry out certain works to a single dwelling house to obtain planning permission. These works previously did not require planning permission (and could be carried out under permitted development rights). Set out below are those works for which a planning application will now need to be made. If you have any doubts as to whether planning permission is required you should contact Warwick District Council Development Services for further advice.

The Article 4 Direction has been made after careful consideration by Warwick District Council and will require planning applications to be made for those elements of a building that are important to the maintenance of the character of the Conservation Area.

If you have received this communication and your property is a flat or commercial premises then you are already required to obtain planning permission for the items listed below and the content of this letter and Direction is not applicable to you.

The Direction came into force from the 23 January 2012 and following a period of public consultation has now been made permanent, until such time as Warwick District Council decide to revoke it.

Proposals for which a Planning Application will be needed

1. Alterations to windows and doors fronting onto or viewable from a public highway. This would include the replacement of windows and doors either to a new design or an alternative material for instance changing wooden windows to UPVC. Replacing windows like for like, matching exactly the existing windows, or repairs, would not require planning permission. The installation of secondary glazing would not require planning permission. The installation of double glazed units into existing frames, if it does not alter the size of the frame would also not require planning permission.
2. Alterations to roofs viewable from a public highway. This would include re-roofing in a material other than that already on the building. Re-roofing in the same materials would not require planning permission. The installation of roof-lights, solar or photovoltaic panels would require planning permission. (Any changes to roof pitch or installation of dormer windows already requires consent).

3. The erection of a porch outside or onto any external door viewable from a public highway. This would include both a closed in and open porch.
4. The erection of a separate building or enclosure within the curtilage of the dwelling that would be viewable from a public highway. It would include any structures such as sheds or bin housings viewable from a public highway (it should be noted that certain sized sheds/structures not viewable from a highway already require consent).
5. The provision of new or replacement hard-surfacing to a dwelling house that will be viewable from a public highway. This would include new and replacement paths and hard-standing for vehicles generally to the front or side of a house where it is viewable from the public highway.
6. The installation, alteration or replacement of a microwave antenna on a dwelling house or within the curtilage of a dwelling that would be viewable from a public highway.
7. The installation, alteration (including demolition) or replacement of a flue or soil and vent pipe on a dwelling house or building within the curtilage of a dwelling that is viewable from a public highway.
8. The erection, construction or maintenance (where it will change the appearance) improvement or alteration of a gate, fence, wall or other means of enclosure at a dwelling house that is viewable from a public highway.
9. The demolition of the whole or part of any gate, fence, wall or other means of enclosure (irrespective of height) to the front elevation of a dwelling house or any elevation viewable from a public highway.

Notes

All the items above relate to works that are visible from a public highway – for most houses this is the front elevation only. Where properties are on a corner or have a public highway to the rear the Direction may also apply. In cases of uncertainty as to the type of development or location of development to which the Direction applies, advice can be given by Development Services at WDC.

Fees

For works which require planning permission as a result of the Article 4 Direction, there is no fee applicable. If other works are to be carried out that would ordinarily require planning permission then fees would still apply to that area of work.