



## VERULAM / FISHPOOL STREET ARTICLE 4 DIRECTION

### A HOUSEHOLDER'S GUIDE TO THE LEGISLATION

Your house is in a conservation area and is also covered by an " Article 4 Direction ". This means that it is affected by special planning restrictions.

This leaflet explains the regulations and should be kept safely.



#### **PERMITTED DEVELOPMENT.**

Minor alterations to houses and the erection of some outbuildings can normally be carried out without planning permission from the Council. This development is called " permitted development " and the different categories are included in " The Town and Country Planning ( General Permitted Development ) Order ". Being in an " Article 4 Direction " area alters the situation regarding permitted development, and the types of work that will need planning permission are set out on the next page.

#### **DOES A CONSERVATION AREA MAKE ANY DIFFERENCE TO PERMITTED DEVELOPMENT ?**

Yes. A conservation area does have extra restrictions. For example, all dormer windows, stone cladding, large extensions to a house (including garages), some satellite dishes and certain garden buildings are not " permitted development " and therefore need planning permission.

Also most demolition work, including demolishing parts of a building such as rear lean-to's or chimneys, or removing garden gates, fences, walls and railings above a certain height, requires conservation area consent before demolition can take place.

However, many people think that all external alterations in conservation areas need planning permission, but this is not true. Even in a conservation area, some works to houses are normally " permitted development ", such as small extensions, new low fences, gates, walls and railings, and alterations like changing roofing materials, installing different windows or doors and painting or rendering over brickwork. However, because your house is also in an " Article 4 Direction " area you need to read on.

#### **WHAT IS AN " ARTICLE 4 DIRECTION " ?**

If some types of external alteration are totally uncontrolled they can spoil the appearance of conservation areas. The Council has therefore chosen parts of St. Albans Conservation Area which have a particularly attractive quality, character and special historical importance, and has made an " Article 4 Direction " for these areas so that most types of " permitted development " are withdrawn. This means that most types of development and external alterations need planning permission. These are set out on the next page.

After St. Albans Conservation Area was designated in 1969, Fishpool Street was the first area to be protected by " Article 4 " status in 1975. The " Article 4 " covering a wider area around Fishpool Street and Verulam Road came into effect on 5th July 1990 and was confirmed by the Department of the Environment on 2nd January 1991. The map on the back page shows the boundary of the area and the properties affected.

## HOW DOES THE " ARTICLE 4 DIRECTION " AFFECT YOU ?

The following alterations to buildings will need planning permission in the " Article 4 Direction " area. If in doubt, please check with the Planning and Heritage Department before you do anything. You should inform your architect, surveyor, builder, or solicitor that your property is covered by an " Article 4 Direction ".

### **1. The types of development within the curtilage (grounds) of a house for which you need planning permission are :**

- **All enlargements, external improvements or other external alterations of a dwellinghouse.**  
This includes all extensions (including conservatories and garages), additions such as shutters, window boxes, door or window canopies, flues and alarm boxes, and also alterations such as replacement windows and doors, replacing wooden door panels with glass, and making completely new window or door openings. If the design details, material and the way the window opens are all identical to the original, replacement doors and windows will not require permission. The Council's conservation officers will be able to tell you whether your proposed replacement is going to be acceptable.
- **All alterations to the roof.**  
This includes changes to the shape of the roof, installing rooflights or changing the roof materials. Renewing the roof tiles or slates with ones of the same colour, same material and appearance would not need planning permission. Artificial slates and concrete tiles are not considered acceptable replacements for real slate and clay tiles.
- **Construction of an outside porch.**
- **Construction or alteration of garden buildings or enclosures, swimming or other pools.**
- **Provision of hard surfaces.**  
This includes patios and hardstandings for cars.
- **Oil storage tanks for domestic heating.**
- **Installation, alteration or replacement of a satellite antenna.**

### **2. Other minor types of development (either within the curtilage of a dwelling or elsewhere) which require planning permission in the " Article 4 Direction " area are :**

- **The erection or alteration of gates, fences, walls or railings or other means of enclosure.**
- **Construction of a means of access onto a highway.**
- **Painting the exterior of a building.**  
This includes painting over existing render, timber cladding, stonework or brickwork, or repainting in a different colour, and also painting or repainting stone window sills, steps and arches. Due to the existing variation in the colours used within the " Article 4 Direction " area, and the variety of architectural styles in many streets, it is not the Council's intention to ask for planning applications for repainting doors, windows, gutters or downpipes in a different colour. However, it would be appreciated if colours could be chosen to blend in with the surroundings. Black would normally be most appropriate for rainwater goods. Staining of windows and doors that have previously been painted should definitely be avoided.

## WHAT ABOUT COMMERCIAL PROPERTIES OR FLATS ?

The rules about "permitted development " are different for commercial premises and flats. In fact, most external alterations need planning permission, even where there is no conservation area or " Article 4 ". The types of development listed at 2 above are the additional controls which the " Article 4 Direction " brings about.

## **WHAT ABOUT REPAIRS ?**

If repairs are necessary then these may be carried out without planning permission, provided that the materials used and the style of repairs are exactly the same as the original, so that the appearance is identical.

Often, items such as windows and doors are replaced unnecessarily. Even where there are areas of decayed wood they can usually be repaired. There are even firms which specialise in the overhaul, draughtproofing and soundproofing of sash windows. The retention of an original door or window is preferable to the installation of replicas because of their historic "antique" interest. They may even add value to the house.

Where the appearance of your house has suffered from modern alterations, which were carried out before the " Article 4 Direction ", appropriate and authentic re-instatement of historic features will be encouraged, but you will require planning permission to do so.

## **WHAT YOU SHOULD DO IF YOU WANT TO CARRY OUT ALTERATIONS .**

You can check with the Planning and Heritage Department to see whether permission will be required. If so, application forms and leaflets to tell you what information will be required with your planning application, and how it will be considered, are available from the Planning and Heritage Department Reception. Where a planning application is required because of the " Article 4 Direction " there is no fee payable. Your application will normally take less than two months to be decided. If it is refused you may appeal to the Department of the Environment to try to have the decision reversed.

If inappropriate alterations or additions are carried out without planning permission you will be asked to carry out re-instatement work, which could prove costly.

## **HOW ARE " LISTED " BUILDINGS AFFECTED BY THE " ARTICLE 4 DIRECTION " ?**

There are many buildings within the " Article 4 Direction " area which are also " listed " by the Department of National Heritage as being of Special Architectural or Historic Interest. These buildings make a major contribution to the character and appearance of the area.

The " Article 4 Direction " still applies to these buildings but does not affect the legislation which applies specifically to listed buildings. Listed building consent is required from the Council for any works for the demolition of a listed building, or for its alteration or extension in any manner which would affect its character. This includes interior and exterior works, and can also apply to buildings, including walls, in the grounds of a listed building. It may even include some repairs, so it is worth checking with one of the conservation officers in the Planning and Heritage Department before carrying out any work, particularly because you can be prosecuted for unauthorised works to a listed building.

Where a listed building falls within the " Article 4 " area it may be necessary to apply for planning permission as well as listed building consent for some works.

## **WHY WE NEED YOUR CO-OPERATION.**

We feel sure that you will appreciate the need to control development more carefully within this part of the conservation area in order to protect its special quality and character. Past generations have preserved the area for our enjoyment and we hope that future generations will be grateful for the care which is taken today.

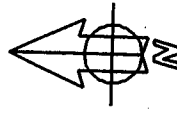
The Planning and Heritage Department has produced a leaflet which you may find helpful called " CONSERVATION AREAS - A HOUSEHOLDER'S GUIDE ". It sets out guidelines for best practice in home maintenance in conservation areas.

For advice, application forms, further copies of this leaflet or other leaflets produced by the Planning and Heritage Department, telephone 01727 866100.

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**BUILDINGS INCLUDED IN THE 'ARTICLE 4' AREA**

- ABBAY MILL LANE
  - BLACKSMITHS LANE
  - BRANCH ROAD
  - COLLEGE STREET
  - FISHPOOL STREET
  - GEORGE STREET
  - HILL STREET
  - LOWER DAGNALL STREET
  - MONASTERY CLOSE
  - MOUNT PLEASANT
  - NEW ENGLAND STREET
  - ORCHARD STREET
  - QUEEN STREET
  - ROMELAND
  - ROMELAND HILL
  - ST. MICHAEL'S STREET
  - SPENCER STREET
  - SPICER STREET
  - TANKERFIELD PLACE
  - TEMPERANCE STREET
  - UPPER DAGNALL STREET
  - VERULAM ROAD
  - WELLOSE STREET
- 1-31 (odds), 6 & 8, Abbey Gate House, Lake Cottage, Ye Olde Fighting Cocks P. H.
  - all
  - 3-7 (odds), Express Dairy
  - all
  - all (including St. Michael's Court & Aquis Court)
  - 16 (Upoot House), WC's (2 Spicer Street)
  - all
  - all
  - all (off Abbey Mill Lane)
  - 2 & 4
  - all
  - all
  - all
  - all (includes The Abbey Gate & other parts of St. Albans School)
  - all (includes Tankerfield Place)
  - 1-37 (odds), Darrofield House, Kingsbury Farm, Kingsbury Mill, 6 & St. Michael's JMI School adjacent, Rose & Crown P. H., Old Smiffy (1A Blacksmiths Lane), 14, Six Bells P. H., St. Germain's House and Cottage.
  - 33-51 (odds), 26-62 (evens)
  - all
  - all (off Romeland Hill)
  - 1, 2
  - 18 & 20
  - 17-53 (odds), (includes 17A & Spotted Bull P. H., Alban Row & Caesar's Court), Bethel Chapel, 91-135 (odds), 26-42 (evens) (includes Harrow P. H. (26)).
  - all