

***Protection and Enhancement of our DLH
Historical, Architectural, Cultural Character and Heritage
Why use an Article 4 Direction?***

As a follow up to the consideration of our conservation area, the planning system that controls development in our villages allows certain works to be done on our properties without us having to apply for planning permission first. These include works of repair and improvement to dwelling houses (eg windows, doors, eaves, roofs and guttering) as well the erection of fences (subject to a height limit), the addition of a single story extension (up to a certain size) and the erection of outbuildings (again subject to a limit on size and position). There is a long list of these Permitted Development (PD) rights in the legislation and the latest version can be found in the General Permitted Development Order 2015 when permissions were relaxed and modified further, enabling fewer applications, even within the conservation area, and those above apply even within special landscapes areas. This also means that materials contrary to historical features of the building, thought to be protected by conservation status, no longer are under this current regulation, giving less preservation and protection.

Under PD rights an extension can be built without application even on historic buildings in conservation areas and using unspecified materials or styles. It may not be seen from the road, but, especially in an undulating landscape like ours, can be seen from other parts of the village where it could spoil the architecture of the building they are attached to, becoming detrimental to the overall village character and its habitats and be contrary to our own conservation character statement. Urban wooden fences, for example, more suited to city centres or suburban housing estates are displacing our traditional countryside stone walls and hedges that make the character of our Derbyshire villages special, and benefit our countryside wildlife. Article 4 could be used positively to retain such historical features and traditions, and to preserve the use of similar building materials and design on historical building extensions to match the original property. It can also be used to prevent change of use to certain buildings and prevent unwanted actions in some designated areas, such as trackways in woodlands.

In practical terms, where an article 4 is in place a planning application would be made to AVBC Planning Department if within the conservation area, before the work commenced, but the bonus is that there is no fee to be paid for an application made to comply with an Art.4! Therefore it may be a minor irritant but not a costly burden to protect our countryside surroundings for future generations. None of us like “red-tape” involving our properties, but works carried out without regard to the character and materials that are not traditional and appropriate, especially on older properties, can detract from the appearance, and eventually the character of the villages. Applications also maintain democracy where neighbours and community still get a say in the matter, rather than having unsightly extensions imposed upon them. A lot of damage could happen in three years!

The process of exactly what to protect, if at all, needs to be consulted upon. A suggestion is that the retained protection would be quite specific to certain features, buildings or areas, and might be appropriate only in respect of the older houses (say pre 1900) and special landscapes, where those items listed above might be the most important. Nor does it mean that permission to do the work would not be granted, but it may mean that the design and materials to be used were specified, as those already encouraged within our Conservation

Character Statement, thereby ensuring that the appearance and character of the villages' historical areas, as well as the value of our own property, is maintained.

Historic England Register (HER) of listed buildings are not affected and already require planning consent, but many historical buildings in our area are not currently listed, and therefore are directly affected by these changes, as is the special landscapes area of the parish. That is an area where *"Planning permission for new development, including conversions of and extensions to existing buildings, will only be permitted in Special Landscape Areas, if it does not have an adverse effect on the landscape quality or character"* (AVC local plan) But PD rights, in national legislation, "override" local plans and allow developments to take place, thus making local designations unprotected! That is where Article 4 use would maintain appearance of and enable protection and preservation of historical buildings, landscape or wildlife importance. PD rights do not affect Commercial buildings, which still must apply. This also maintains an objective, democratic process of consultation enabling you to have your say. Relaxed procedures on the one hand, has removed enhancement of our character on the other, which can be brought back into protection by use of article 4.

Historic England state:

Article 4 directions can increase the public protection of designated and non-designated heritage assets and their settings. They are not necessary for works to listed buildings and scheduled monuments as listed building consent and scheduled monument consent would cover all potentially harmful works that would otherwise be permitted development under the planning regime. However, article 4 directions might assist in the protection of all other heritage assets (particularly conservation areas) and help the protection of the setting of all heritage assets, including listed buildings.

An Art.4 Direction is done through Parish Council application to AVBC and after a process that involves notification to residents and a procedure for objections to be considered. ***The Parish Council has been asked to decide if they want to make this request to AVBC. Councillors are anxious to hear from you as to whether you would wish us to do this. Please speak to a member of the parish council or attend our next meeting on Wednesday May 3rd. with your thoughts and views.***