

# Heritage-related Article 4 Directions

Their nationwide use and effectiveness; implementation barriers, drivers and opportunities

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Burleigh Park Road, Plymouth @ Avalon Planning & Heritage

## Executive Summary

*This report was commissioned by Historic England as an initial research project to aid Historic England's analysis of the use of Article 4 Directions in protecting the historic environment in England. Whilst Historic England have worked closely with Avalon on the production of the report and have provided comments on the draft, the report's conclusions do not necessarily represent the formal position of Historic England.*

The first legislation on permitted development rights and Article 4 Directions (A4Ds) was published in 1948 as the General Development Order (GDO), with "permitted" added in 1995 (GPDO). Despite their longstanding use there is little meaningful data available on their adoption and application for heritage protection. Historic England has commissioned this research paper to better understand:

### *Purpose and Effectiveness*

- The number, purpose, and geographical coverage of A4Ds, and their effectiveness in managing change to the historic environment.

### *Drivers and Barriers*

- What are the perceived barriers to using A4Ds, or making them effective for heritage protection, and can these be overcome?

- What the future heritage protection role of A4Ds might be in a changing planning system.



Grade II listed terrace on Church Road, within the Avenues Conservation Area, Hove  
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The observations in the report draw on findings from three primary strands of research: a national dataset of A4Ds, provided by the government's National Planning Casework Unit augmented through desk-based research into websites of the 333 local planning authorities in England; an anonymous online survey of local authority officers, publicised by Historic England and targeted at planning and conservation officers; and targeted officer interviews focussed around known case studies, intended to corroborate survey feedback and inform best practice.

## The purpose and effectiveness of heritage-related Article 4 Directions

Our research identifies longstanding and nationally widespread use of A4Ds as a heritage protection tool, with A4Ds being used in all regions and across all settlement types, but with greater use in London and the South East and in urban areas generally.

A4Ds are most commonly either targeted at individual or 2 – 20 dispersed properties; or applied to a designated area (such as a conservation area), and a majority control 1 or 2 forms of development, suggesting that they are being used in a targeted way which accords with the policies of the National Planning Policy Framework.

A4Ds are being used to control a broad range permitted development right classes. The five most commonly controlled classes (exterior painting, general extensions and alterations, hard surfaces, porches, and the erection of gates, fences and walls) illustrate common threats to historic character nationally. Comparison of how different classes are controlled over time suggests that the driver is resourcing, rather than a response to specific threats.

Conservation areas and locally listed buildings are by far the most commonly protected heritage asset type – both at a national level, and to varying degrees within different authority types.

Survey feedback suggested that officers consider that A4Ds have varied in their effectiveness, with interview feedback highlighting that effectiveness is often dependent on stakeholder buy-in, monitoring and enforcement.

## Drivers, Barriers and Opportunities

The survey and interview feedback identified clear drivers and barriers – the most important being the availability of resourcing within their authority, the availability of officer time, and the success of stakeholder engagement.

Looking to the future there are opportunities to reinforce effectiveness by offering guidance and training targeted at local

authority officers, including encouraging more consistent digitisation of A4Ds at local authority level. Local digitisation initiatives could be linked to the Government's on-going (but not yet complete) process of digitally mapping A4Ds at a national level ([Map of planning data for England | Planning Data](#)). There may also be merit in reviewing whether there would be heritage protection benefits and public/political support to extend control of the permitted development rights associated with conservation areas and locally listed buildings.

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QEII Centre & Grade II\* listed Methodist Central Hall, Westminster, London  
Westminster Abbey & Parliament Square Conservation Area  
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## Introduction

### 1.1 Project purpose

- 1.1.1 Article 4 Directions (A4Ds) first appeared in the Town and Country Planning General Development Order 1948, making them one of the oldest development control tools in the English planning system.
- 1.1.2 Notwithstanding research undertaken in 2008 by RPS Planning on behalf of the English Historic Towns Forum into the use of A4D's by English local authorities (which utilised a limited dataset of 72 local authorities), there has been no concerted effort to collate meaningful data on how these planning tools have been applied, and how effective they are.
- 1.1.3 Historic England has therefore commissioned this research paper, delivered by Avalon Planning & Heritage, to try and better understand:

#### *Purpose and Effectiveness*

- The number, purpose, and geographical coverage of A4Ds, and their effectiveness in managing change to the historic environment

#### *Drivers and Barriers*

- What are the perceived barriers to using A4Ds, or making them effective for heritage protection, and can these be overcome?
- What the future heritage protection role of A4Ds might be in a changing planning system.

- 1.1.4 It should be noted that, though A4Ds can be applied to control any form of permitted development within the planning system, this research focusses mainly on A4Ds relevant to heritage assets and their settings, for example, listed buildings, locally listed buildings and conservation areas.



Grade II listed buildings on St David's Hill, within St. David's Conservation Area, Exeter © Avalon Planning & Heritage

## 1.2 What do we mean by heritage-related Article 4 Directions?

- 1.2.1 An A4D is a direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which enables the local authority or Secretary of State to formally withdraw specified Permitted Development Rights, across a defined (geographical) area.
- 1.2.2 In this context, the term heritage-related A4D is used in this report to refer to directions used to control development with the potential to affect designated and non-designated heritage assets, including Conservation Areas, Locally Listed Buildings, Listed Buildings, the setting of Listed Buildings and Conservation Areas, Scheduled Monuments and Registered Parks and Gardens.

## 1.3 What research has informed this project?

- 1.3.1 Observations published in this report draw upon the following sources:
  - A **desk-based data review** of existing heritage-related A4Ds in England. This review began with some baseline data shared by the government's National Planning Casework Unit (NPCU), on post-2011 A4Ds. This was then substantially expanded by Historic England and Avalon Planning & Heritage. This extensive data gathering exercise created a much larger and more detailed data set, collected by reviewing the websites of all 333 English local authorities (as of 2023).

- An anonymous online **survey of local authority officers** intended to provide insights into the practical use and effectiveness of heritage-related A4Ds, as well as barriers to making new A4Ds.
- **Targeted interviews** with local authority conservation officers focussing on best practice and lessons learned whilst applying heritage-related A4Ds.

1.3.2 Further detail on the research methodologies applied during this study can be found in the research methodologies section of this report.

1.3.3 As with any data gathering exercise that spans a significant period of time, there are a number of limitations to the data gathered. These limitations are detailed below and should be taken into consideration when reading this report.

## 1.4 Who is the audience for this report?

1.4.1 For Historic England, the findings of this report represent the most comprehensive dataset available to date on the national use of A4Ds to protect the historic environment.

1.4.2 For local authorities, the officer experiences shared in this report provide incredibly helpful practical insights into the experiences of officers on the real timescales, steps and resources involved in making new heritage-related A4Ds, as well as on how common barriers and pitfalls may be overcome. Officer thoughts on the role that A4Ds might best play in modern heritage planning may also be of interest, as are their thoughts on how to encourage wider community support for A4Ds.

- 1.4.3 We would like to take the opportunity here to thank the many local planning authority (LPA) officers who shared their views with us during this research project. Their honest feedback and suggestions have been invaluable, and we hope will resonate with many of those tasked with protecting the historic environment.

## 1.5 Why review heritage-related Article 4 Directions now?

- 1.5.1 As the government's expert advisor on England's heritage, Historic England regularly undertakes research into how effectively the planning system is being used to help protect the historic environment.
- 1.5.2 A4Ds are an area of development control that has been little researched to date in relation to heritage needs. At the same time, particularly in recent years, expansion of existing permitted development rights (PDRs) has been promoted as a way of unlocking development and growth. With further reform on the horizon, now is an opportune moment to reflect on the effectiveness of A4Ds as a heritage protection tool.

## 1.6 Current guidance on Article 4 Directions

- 1.6.1 Legislative requirements when **making an A4D** are laid out in [Schedule 3 of the General Permitted Development Order \(GPDO\)](#). In particular, this identifies the notices and consultations required at each stage of the process for making an A4D. Notification procedures are based on whether the Direction needs to be made 'with immediate effect', or 'without immediate effect'.

- 1.6.2 National policy and guidance on **the application of A4Ds** is laid out in paragraph 54 of the [National Planning Policy Framework](#) (NPPF, 2024) and in the [National Planning Practice Guidance](#) (NPPG) published by the Ministry of Housing, Communities and Local Government.

- 1.6.3 In summary, the NPPF states that the use of A4Ds should be limited to situations where either change of use to residential would result in "wholly unacceptable adverse impacts" or in other cases where it is necessary to "protect local amenity or the well-being of the area." In all cases they must be based on robust evidence and be applied to the smallest geographical area possible. The NPPG states that PDRs may be withdrawn "across a defined area, where justified." Therefore, LPAs must provide a clear justification for any decision to impose an A4D.

- 1.6.4 The use of A4Ds extend beyond heritage protection and can be used to withdraw other PDRs such as for a change of use, provided doing so would protect the local amenity or well-being of an area. For example, LPAs have used A4Ds to control Houses of Multiple Occupation (HMOs) or to protect against the loss of valued commercial uses. However, the analysis in this report is focussed on heritage related A4Ds only.

- 1.6.5 Advice focussed on **heritage-related A4Ds** is limited. Historic England provides some advice in Appendix 8 of [HEAN 1 Conservation Area Appraisal Designation and Management](#). This sets out what Article 4 of the GPDO is, how to assess the need for A4Ds, how best to monitor and enforce them, and the impact they can have on resources.

- 1.6.6 At present, there does not appear to be any national guidance, beyond the NPPG, written specifically for those who own properties controlled by A4Ds; or for local authorities considering whether or how to introduce A4Ds. At a local level, many local authorities have though taken the initiative to produce their own guidance documents or webpages on A4Ds. This advice is directed primarily towards advising those who own properties controlled by Directions, rather than on the process of adoption and opportunities for their use as a heritage protection tool.

## Background and History

### 2.1 What is an Article 4 Direction?

- 2.1.1 The government defines an A4D as “a Direction under Article 4 of the General Permitted Development Order which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights, across a defined area” (NPPG, 13-036-20140306).
- 2.1.2 The GPDO was first introduced in 1948 and there have been a number of updates since then. The ninth, and most recent, GPDO was produced in 2015 (*The Town and Country Planning (General Permitted Development) (England) Order 2015*). This version replaced the 1995 version and continues to be subject to regular update.
- 2.1.3 Article 4 relates to restrictions within local authorities preventing certain PDRs from being exercised. This is further expanded in *Schedule 3 – Procedures for Article 4 directions*.

- 2.1.4 There are two different types of A4D an LPA may consider pursuing to control PDRs:

1. A Direction made ‘with immediate effect’ – This route allows an A4D to be introduced rapidly by an LPA, typically to counteract an immediate development threat.
2. A Direction made ‘without immediate effect’ – This is the more common A4D route in the historic environment, for example to try to halt or manage a type of development that has the potential to gradually erode historic fabric and character. This process takes longer but provides an LPA with a robust mandate for the A4D, delivered by multiple stages of consultation with fellow officers, elected members, local interest groups, the Secretary of State and the local community.

### 2.2 Who makes Article 4 Directions?

- 2.2.1 A4Ds are ‘proposed’, ‘made’ and ‘sealed’ by LPAs (for definitions please see Glossary). The LPA subsequently holds all records of their A4Ds. A4Ds are also entered as a local land charge.
- 2.2.2 Proposals for new A4Ds will often come from planning, conservation or policy officers. But examples have also been found of heritage-related A4Ds proposed by elected members, enforcement officers and community groups.
- 2.2.3 The process requires that the Secretary of State for the Ministry of Housing, Communities and Local Government be notified of the intention to confirm any new A4D.

## 2.3 What steps are involved in making an Article 4 Direction?

- 2.3.1 The process required to make an A4D depends on whether it is being made with 'immediate effect' or 'without immediate effect'.
- 2.3.2 The key stages involved in both processes are laid out in Schedule 3 of the GPDO and summarised in Figure 1 on the following page. Some key elements common to both routes are however:
  - 1. A proposal for an A4D is brought forward and discussed with elected members
  - 2. The LPA then 'makes' and 'seals' the A4D, agreeing it in principle
  - 3. Public and stakeholder consultation is undertaken
  - 4. The LPA then 'confirms' and 'signs' the A4D
  - 5. The public and stakeholders are then notified of the new A4D.



Avebury World Heritage Site, Wiltshire ©Avalon Planning & Heritage

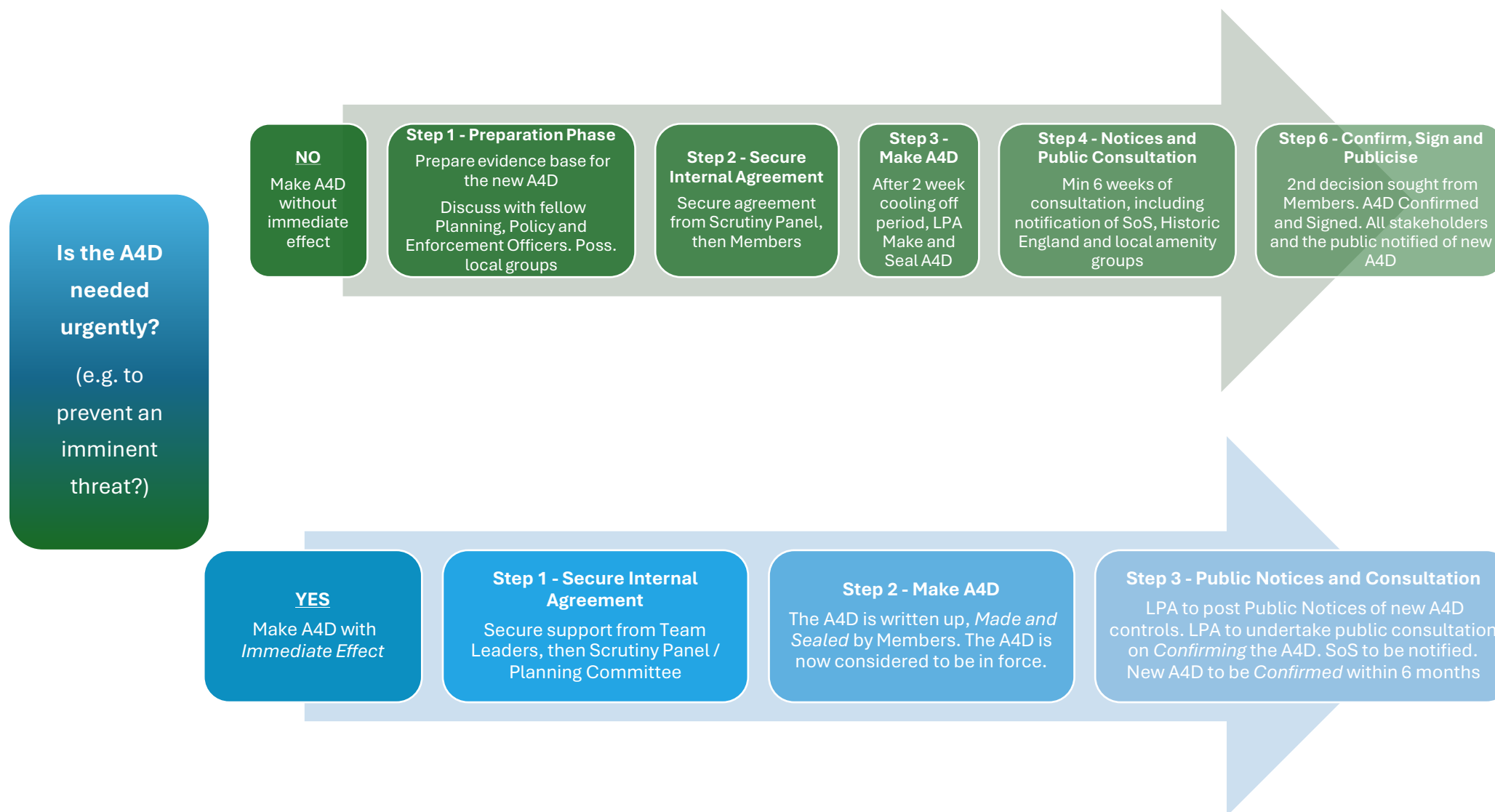


Figure 1; Diagram summarising the typical processes for confirming an Article 4 Direction

## 2.4 History of heritage-related Article 4 Directions

- 2.4.1 A4Ds have been a development management tool available to local authorities for over seven decades. Our research shows that the number of heritage-related A4Ds being made has gradually increased over time with distinct peaks in activity over time.
- 2.4.2 The late 1940s saw a move away from a nationalised right to develop land, in favour of a more locally administered plan-led system. The first *General Development Order* was published in 1948, which outlined PDRs, and introduced the outline concept of A4Ds as a method of bringing such development back under the control of the local authority, if expedient.
- 2.4.3 Only a handful of A4Ds remain active and legally operative from the 1940s to the late 1960s. It is unclear whether this is because very few A4Ds were made in the first few decades after the General Development Order, or if almost all have subsequently been superseded. Typically, these A4Ds cover large geographical areas, but their controls are focussed on one type of work, for example:
  - A 1961 A4D by the Broads Authority, which controls advertisements across their whole jurisdiction.
  - A 1952 A4D for the historic centre of Hastings which controls the external painting of dwelling houses.
- 2.4.4 Presumably, A4Ds such as these have not been withdrawn as the LPA deems that they remain fit for purpose.



Grade II\* listed The Old Baptist Chapel, within Chippenham Conservation Area  
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- 2.4.5 The 1967 Civic Amenities Act introduced the right for local authorities to designate conservation areas. This appears to have triggered an upsurge in LPAs making A4Ds, as can be seen in Figure 2 (Timeline for existing A4Ds), on the following page.
- 2.4.6 Two new pieces of legislation may have influenced the subtle increase seen in the number of heritage-related A4Ds made over the 1990s (which can be seen in Figure 2, below):
- *The Planning (Listed Buildings and Conservation Areas) Act 1990* which largely repeated the provisions of the *Civic Amenities Act* but gave more weight to the desirability of preserving or enhancing the character or appearance of conservation areas.
  - The 1995 *Town and Country Planning (General Permitted Development) Order (GPDO)* which expanded the legislative detail on both PDRs and A4Ds. The Order identified three types of A4D, two of which were focused solely on heritage:
    - Directions under Article 4(2) which allowed for the removal of PDRs for small scale works within conservation areas
    - Directions under Article 4(1) which covered works to listed buildings (primarily setting, as other works are controlled by listed building consent).
- 2.4.7 English Heritage (now Historic England) also published two guidance notes on assessing and protecting conservation areas in this period: *Conservation Area Practice* (1995) and *Conservation Area Appraisals* (1997).

*Conservation Area Management: A Practical Guide* (1998), published by the Historic Towns and Villages Forum (then the EHTF), which was accompanied by a national programme of training seminars for LPA officers. Further best practice publications by English Heritage (Historic England from 2016) followed in the early 2000s, such as: *Measuring Change in Conservation areas: A Research Report* (2004); *Heritage At Risk: Conservation Areas* (2009); *Understanding Place: Conservation Area Designation, Appraisal and Management* (2011); and *Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management* (2016).

The bulk of conservation area designations took place in the decade after the Civil Amenities Act in 1967 with two secondary spikes in the late 1980s and early 1990s. The designation of conservation areas does not appear to be a key driver for LPAs bringing forward A4Ds with this graph showing little direct correlation between the two.

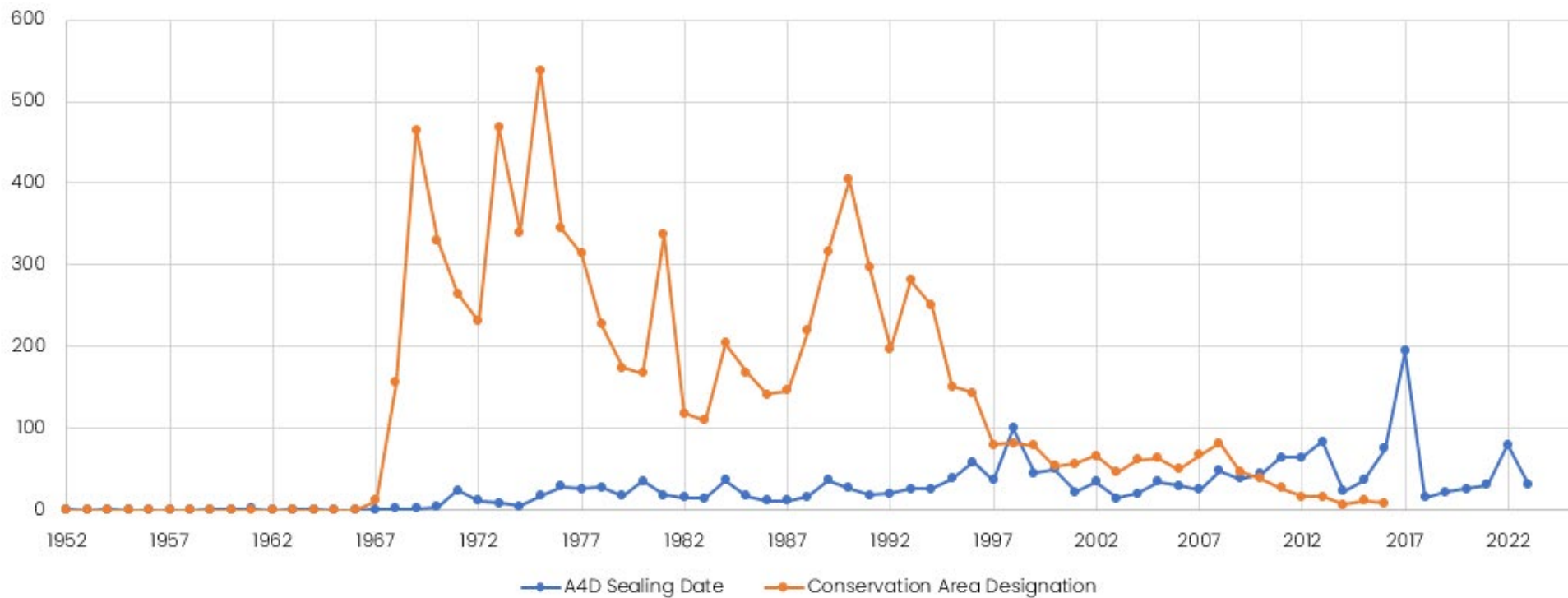


Figure 2: Timeline, showing the number of existing heritage-related A4Ds from 1952 to 2023 compared to the number of Conservation Area designations in the same time period

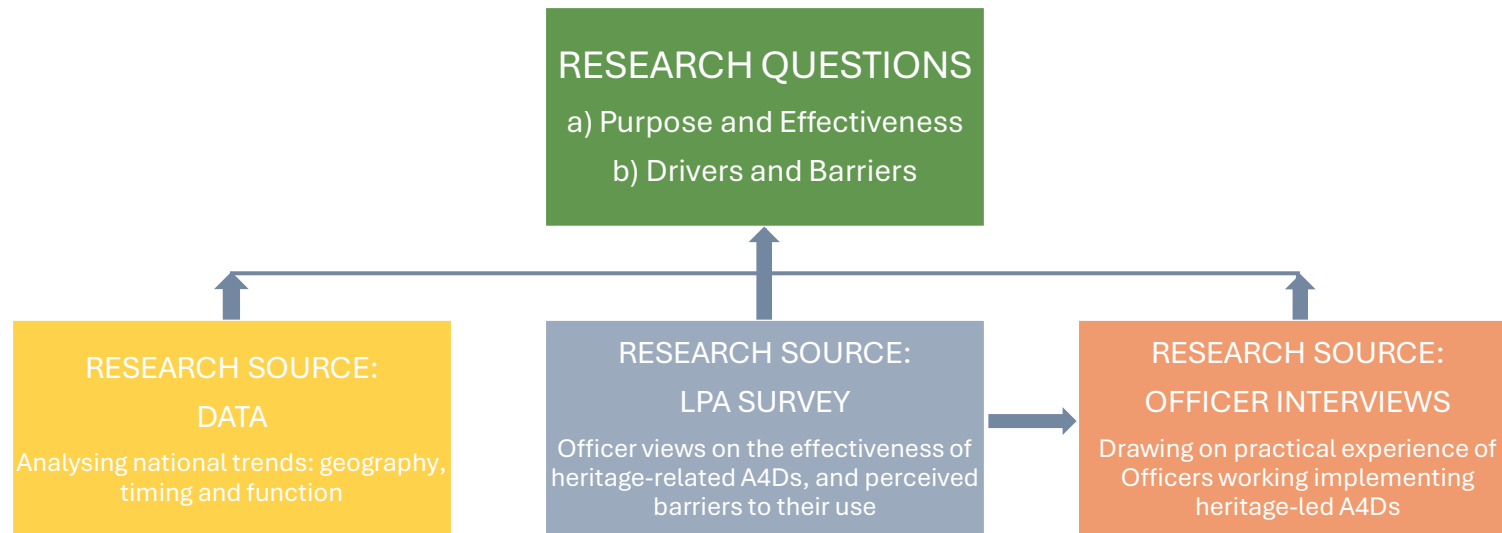
## Research Methodology

### 3.1 Sources

3.1.1 To gather meaningful information on how A4Ds are being used within the historic environment, and their potential future uses, this report draws upon information gathered from three areas of research:

- **Data** – A database comprising all the A4Ds available online was created, utilising existing data held by the NPCU and data collected from LPA websites by Historic England and Avalon Planning & Heritage. This allowed for a quantitative analysis of the existing A4Ds across England, offering an insight into how, where and why they are applied.

- **LPA survey** – Local authority officers were invited to share their views on heritage-related A4Ds, via an anonymous online questionnaire. Officers were asked for their views on existing procedures for making, using and enforcing heritage-related Directions. They were also asked for views on how Directions could remain an effective and accessible planning tool within a changed planning system.
- **Officer interviews** – Targeted interviews were carried out with a small number of LPA officers. Interviews offered an opportunity to gain a more nuanced understanding of the key views highlighted by the online survey, as well as an opportunity to discuss best practice and experiences of community engagement, in relation to specific case studies.



## 3.2 Methodology: desk-based data review

- 3.2.1 The data analysis element of this research project focussed on building a clearer national picture of how A4Ds have been used to protect England's historic environment, to date.
- 3.2.2 To gather the data required, Historic England and Avalon Planning & Heritage have consulted the websites for each of the 333 LPAs, plus other data sources, to collate as comprehensive as possible a dataset of all existing heritage-related A4Ds nationally.
- 3.2.3 Some relevant data was also provided by the NPCU, which holds some data received from LPAs regarding post-2011 A4Ds. This information was kindly shared with Historic England and then sifted, and verified, to inform part of the desk-based data review.
- 3.2.4 Once all the data had been compiled, detailed analysis was carried out on the following: the size of the A4D; region; settlement type; sealing date; purpose; number of control functions and type of heritage asset being protected. These were categorised as follows:
- 3.2.5 **Size of the A4D** - Land, Individual Property, 2-20 Dispersed Properties, 21-70 Dispersed Properties, 71+ Dispersed Properties, 1-3 Streets, 4-15 Streets, Full Designated Area, and LPA Wide.
- 3.2.6 These categories were selected to cover a wide range of area types designated by an A4D. They distinguish between land with no property and with property; and provide information about whether the properties covered are close together (i.e. on the same street) or dispersed

across a settlement. Full designated areas are useful for assessing which A4Ds apply to whole conservation areas.

- 3.2.7 **Regions** - London, South East, South West, East, East Midlands, West Midlands, North East, North West and Yorkshire & Humber.
- 3.2.8 These are the nine English regions which were established in 1994 and are the highest tier of sub-national division in England. Regions in England no longer have devolved functions within government but are often used for statistical and administrative purposes.
- 3.2.9 **Settlement Type** - Village/Rural, Town, City, London Borough.
- 3.2.10 The settlement type was established by analysing the content of the individual A4D and verified, where necessary, using Google Maps. The London Boroughs were assigned their own category due to the number of contrasting settlement types each contains.
- 3.2.11 **Sealing Date** – Yearly from 1952 to 2025, and unknown.
- 3.2.12 A number of A4D sealing dates were unclear or unpublished. Where this is the case, they have been marked as 'unknown'.
- 3.2.13 **Purpose** – The rules on permitted development are set out in Schedule 2 of the order and are sub-divided into a series of parts (number). These are then divided by class (letter). For a full list of control functions see Appendix B.
- 3.2.14 The top 5 control functions used across all the heritage-related A4Ds were. Pt2/Class C (Exterior Painting), Pt1/Class A (General Extensions and Alterations), Pt11/Class B (Demolition of a Building), Pt1/Class D

(Porches), and Pt2/Class A (Erection of Gates Fences and Walls).

3.2.15 When further analysis was conducted to exclude A4Ds sealed by Leicester (see Section 4.6), Pt1/Class F (Hard Surfaces) replaced Pt11/Class B (Demolition of a Building) as the fifth most popular control function.

3.2.16 **Number of Control Functions** – 1 to 17.

3.2.17 These are the number of control functions from any part and class applied to each A4D, with 1 being the minimum and 17 the maximum. As the GPDO had undergone several iterations over the years, some types of PD were subject to changing part/class definitions over time. Control functions in all pre-2015 A4Ds were therefore carefully 'translated' before being recorded to allow this topic to be analysed.

3.2.18 **Protected Heritage Assets** - Conservation Areas, Locally Listed Buildings, Listed Buildings, Listed Building Setting, Conservation Area Setting, and Other (for example, Scheduled Monuments and Registered Parks and Gardens). Whilst we acknowledge that Listed Buildings are separately protected by the need for Listed Building Consent, A4Ds seem to be used to protect the use of the building, which in turn protects their character. Settings have been separated out as there are heritage-related A4Ds which are specifically intended to protect the setting of a designated heritage asset.

3.2.19 These categories were selected as they were the 5 most common asset types protected by A4Ds. Here 'Other' includes Local Character Area, WHS (Buffer Zone), Site of Archaeological Significance, Area of Special Character, Setting of National Historic Park and Garden, Historic

Landscape, Archaeology Alert Area, World Heritage Site, Ancient Monument, Historic Character Area. All data is incorporated into the main report.



Grade I listed The George Inn, Norton St Philip, Somerset

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- 3.2.20 A close analysis of the A4Ds within each LPA type was also carried out, which included a pro-rata calculation of the regional distribution.
- 3.2.21 This data was then converted into graphs, for inclusion in the main report.

### 3.3 Methodology: Local Planning Authority Officer survey

- 3.3.1 The aim of the survey was to gain an insight from officers into the perceived drivers and barriers to using and implementing A4Ds; as well as understanding their practical experience of their effectiveness and any practical challenges they have encountered.
- 3.3.2 The survey was distributed as an online questionnaire, using 'Smart Survey' software, hosted by Historic England. It was promoted by Historic England on social media, along with assistance from the Institute of Historic Building Conservation (IHBC) and the Heritage Alliance. Historic England staff tasked with development advice, in the regional offices, were also encouraged to make their LPA contacts aware of the survey.
- 3.3.3 The survey comprised a total of 13 questions, which asked officers to provide subjective feedback on the adoption, effectiveness and use of A4Ds, based on their professional experiences to date. Each survey question had multiple-choice answers, with some questions also including a 'free text' box, where respondents could volunteer further relevant comments, if they wanted.

- 3.3.4 The online survey was live for a period of 17 days (1st – 17th February 2023). The survey received a total of 84 responses, from officers working across 77 different local authorities. This equates to 23.12% of all English local authorities.
- 3.3.5 A copy of the full survey questionnaire is published in Appendix D.

### 3.4 Research limitations

- 3.4.1 This research project is believed to represent the most comprehensive review of heritage-related A4Ds prepared to date. Research has however been subject to a number of limitations.
- 3.4.2 In carrying out the desk-based data review, the following limitations were encountered:
  - For some LPAs, digital records of A4Ds were more limited. In these cases, general internet searches were therefore instead pursued, or requests for further information made direct to the LPA, but not all gaps could be filled within the scope of this project.
  - Although we have been able to collect comprehensive data such as the name, size, and coverage of almost all of the A4Ds analysed, there are a number of gaps in the data. This includes limited data on the purpose of the A4Ds (23%), as well as on triggers that prompt the creation of A4Ds (5%).
  - It was discovered that there is a lack of consistent language surrounding the sealing date of the A4Ds.

This meant that it was not always possible to know if the date listed was the 'made' or 'confirmed' date, though it should be noted that these are usually within 12 months of each other.

- 3.4.3 In relation to the LPA Survey, we achieved responses from almost a quarter of all LPAs (77 out of 333), which provides a basis to draw some initial conclusions. Responses were received from all regions, providing good geographical coverage, however future research could seek a wider sample of responses to further test the analysis in this report.
- 3.4.4 The number of one-to-one interviews carried out with officers were limited to 4 participants. It would have been desirable to speak with more officers to corroborate views and gain more insights into best practice and this remains an opportunity for any future research.
- 3.4.5 There is scope to build upon and test the conclusions of this report through further survey work, data collection and in-depth interviews. As such, the findings published in this report should be seen as an important first step towards the better understanding of heritage-related A4Ds, but with acknowledgement that there remains scope for further research in the future.
- 3.4.6 This might include research into how alterations to the wording of the NPPF in 2021, requiring that A4DS "apply to the smallest geographical area possible", have changed how these controls are mapped, for example if they cover individual buildings, Conservation Areas or entire LPAs. It

could also investigate the relationship between an increase in A4Ds and the expansion of existing PD rights versus the curtailing of new PD rights, particularly in response to mounting development pressures.



Grade II listed buildings on Market Street, within Buckfastleigh Conservation Area, Dartmoor © Avalon Planning & Heritage

## Purpose

### 4.1 The geography of heritage-related Article 4 Directions

#### National Coverage

Research shows that 206 of the 333 local authorities in England, have **at least one A4D** in place to protect the historic environment.

*This equates to around 62% of all local authorities.*

#### Regional Coverage

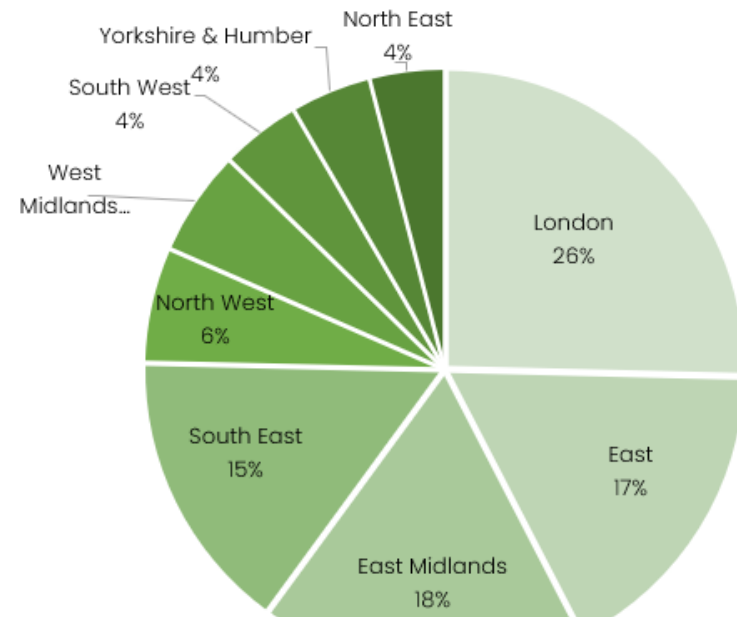
Combined, **London and the Southeast** have the highest concentration of heritage-related A4Ds.

*These regions also have some of the highest concentrations of conservation areas and other types of heritage asset, all of which have the potential to be protected via A4Ds. These regions also have some of the highest population densities, and development pressures.*

The number of heritage-related A4Ds in the **Southwest and Yorkshire & Humber** is notably lower.

*These regions have high concentrations of conservation areas, and other heritage assets, but some of the lowest numbers of heritage A4Ds.*

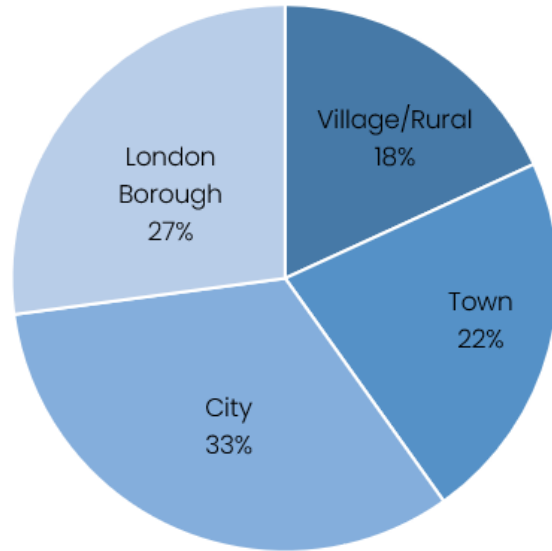
Percentage of A4Ds by Region



The number of heritage-related A4Ds varies between LPAs, regardless of the region in which they sit. For example, Leicester has 210 heritage-related A4Ds, Kensington and Chelsea has 188 and Peterborough has 104.

At the opposite end of the scale there are some LPAs with only one heritage related A4D, such as Huntingdonshire, the Isle of Wight and Spelthorne.

#### 4.2 The number of heritage-related Article 4 Directions by settlement type



This data shows that more heritage-related A4Ds are applied in urban areas than in rural environments

The settlement type was established by looking at the written description of the A4D and confirmed, using Google Maps. The London Boroughs were assigned their own category due to the number of contrasting settlement types contained in each borough.

The application of more heritage-related Article 4 Directions in urban areas when compared to village / rural environments may be reflective of the greater development pressures seen in towns, cities and London boroughs.

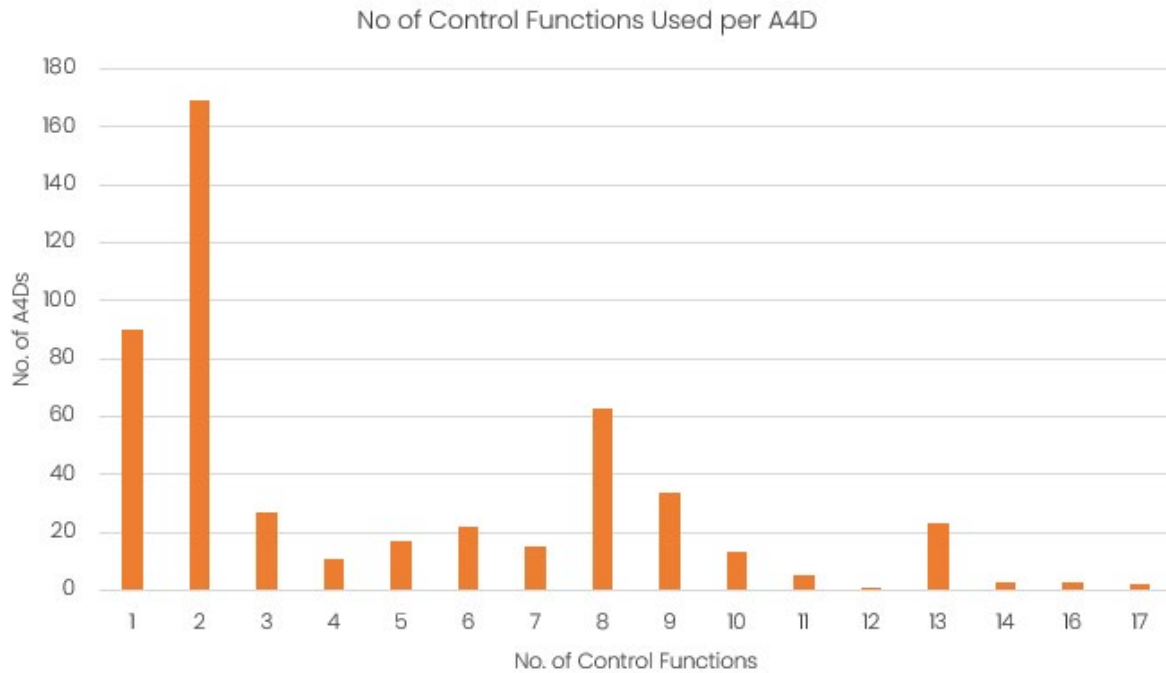
The graphs below analyse how and where A4Ds are applied in further detail.

### 4.3 The size of area covered by heritage-related Article 4 Directions



Overall, heritage-related A4Ds tend to be focussed on individual properties or 2-20 dispersed properties (a total of 940 out of 1,428 A4Ds assessed used this criteria). There are a good number of A4Ds which focus on the full designated area, usually a Conservation Area (251 of 1,428 assessed). This suggests that heritage-led A4Ds are being targeting on defined areas, as required by the NPPF.

#### 4.4 How many permitted development rights are being controlled?



The majority of heritage-related A4Ds have **one or two** control functions applied.

However, there are some which have a much higher number of control functions.

For example, there are **63** A4Ds with **8** Control Functions and **23** with **13**.

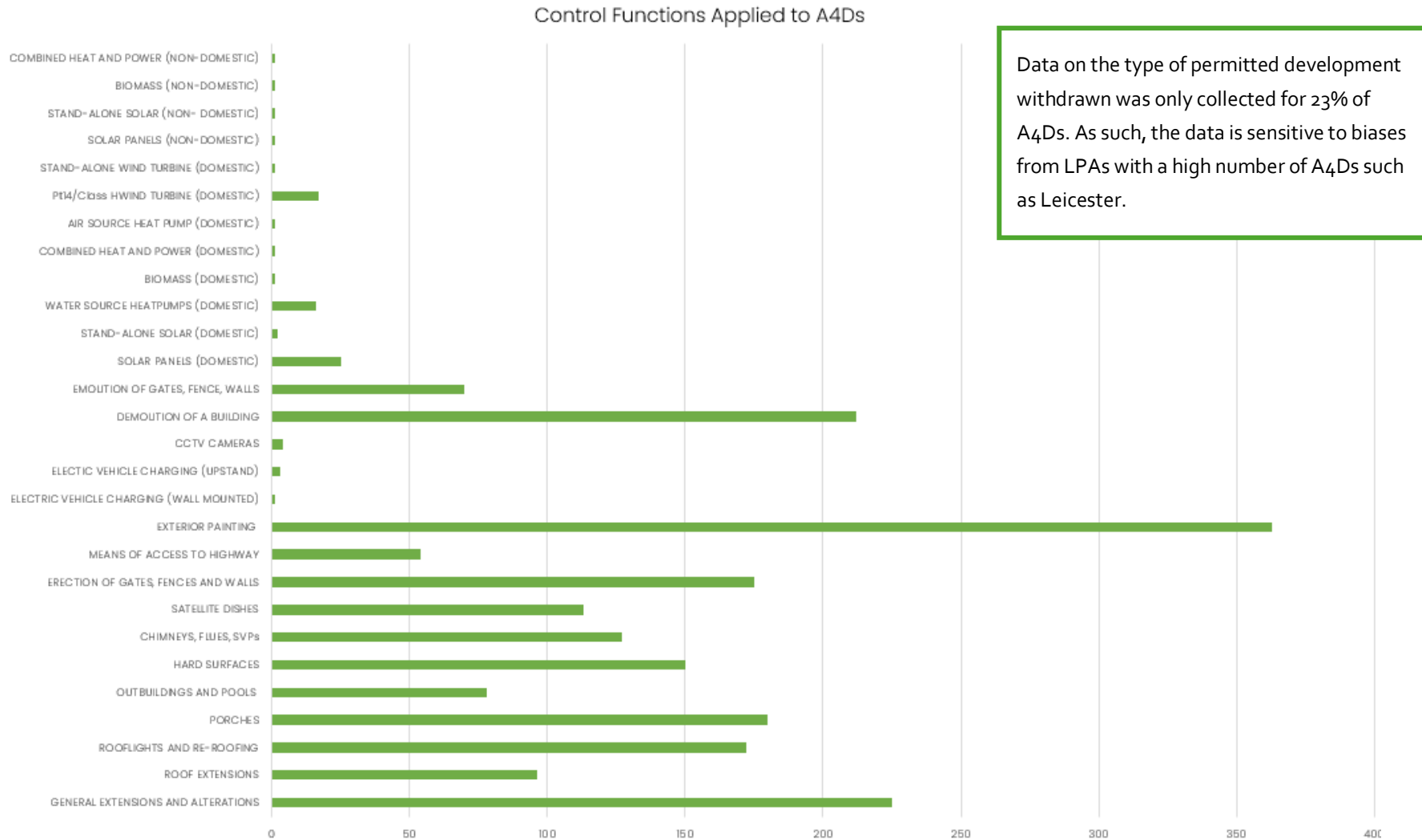
**Harlow:**

Has **5** A4Ds with **8** Control Functions:

**Brent:**

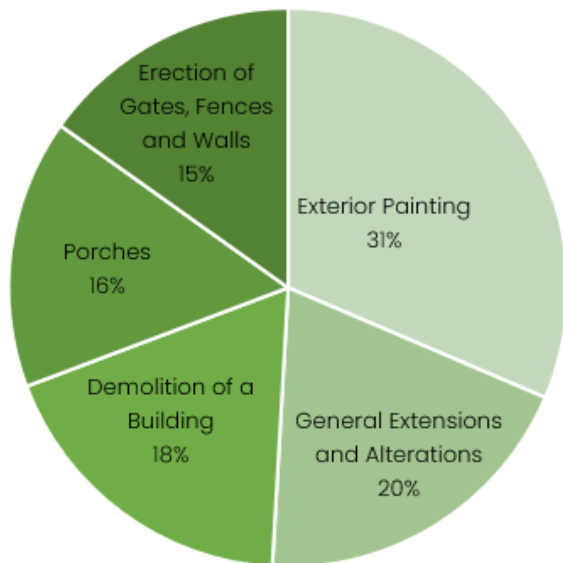
has **16** A4Ds with **13** Control Functions

## 4.5 Which permitted development rights are being controlled?



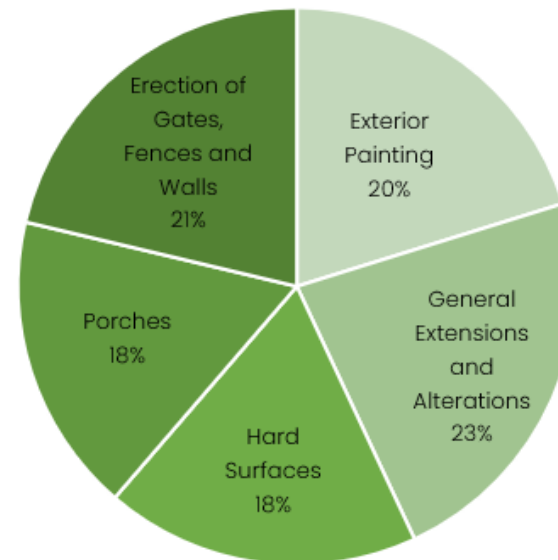
## 4.6 The top control functions being applied to heritage-related Article 4 Directions

Percentage of A4Ds Controlled by Top 5 Control Functions



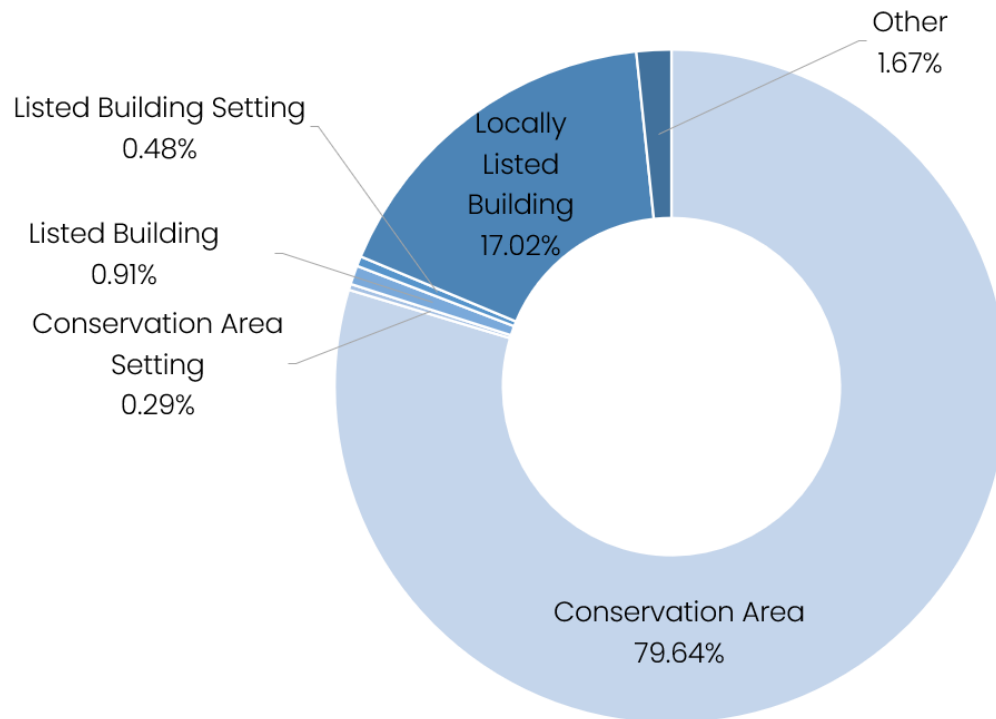
Exterior painting is the leading Control Function for heritage-related A4Ds. However, this is somewhat skewed by the inclusion of data from **Leicester** which has **197** A4Ds which control external painting of properties and **195** which control the demolition of a building

Percentage of A4Ds Controlled by Top 5 Control Functions , with Leicester data removed



Removing **Leicester** data results in a more balanced picture. Exterior painting remains one of the top 5 controls. However, demolition of a building no longer appears, as in the data set minus Leicester there are only **17** A4Ds which have this control function

#### 4.7 Which heritage assets are protected?



**80%** of heritage-related A4Ds are focussed on controlling development within Conservation Areas. Locally listed buildings are the second highest at **17%**

Applying A4Ds to these types of asset provides an additional level of protection against the piecemeal erosion of significance.

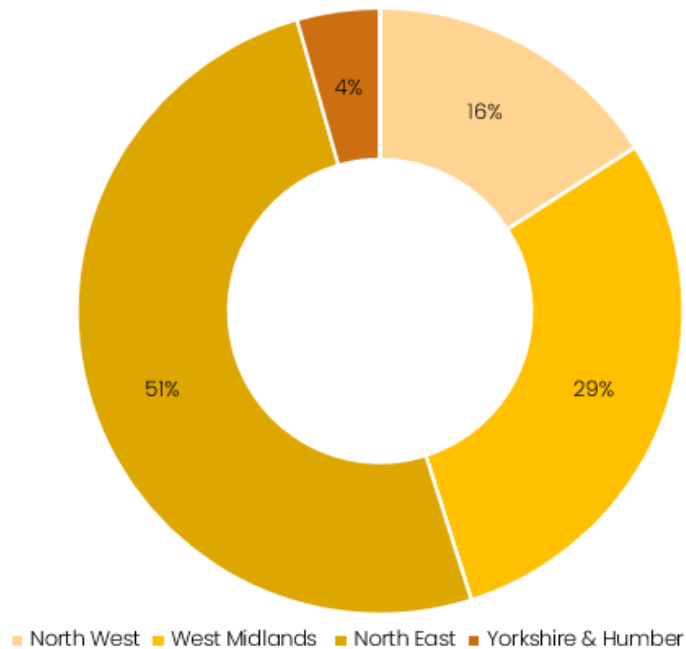
As can be seen from the following graphs, there is some variation in asset types being protected, depending on the LPA type applying them

*"I am new to my current authority, having previously worked at an authority which utilised A4Ds a lot and it was very effective in preserving and enhancing the character and appearance of conservation areas. However, my new authority has 100 conservation areas and out of all of them, only one conservation area has A4Ds..."*

Conservation Officer, 2023

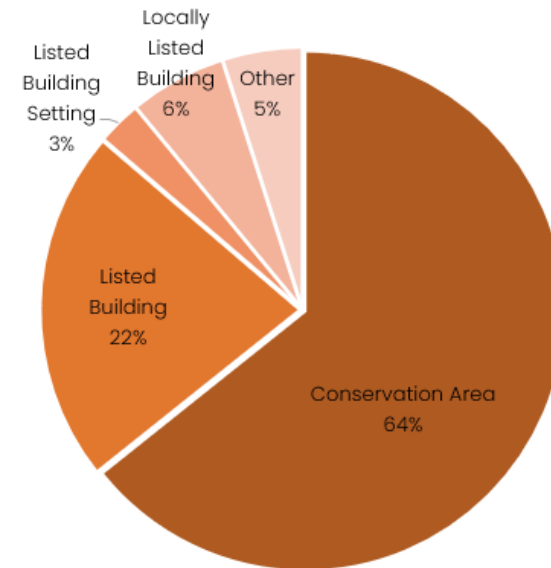
#### 4.8 Analysis of the distribution and type of heritage-related Article 4 Directions within Metropolitan local planning authorities

Percentage of A4Ds within Metropolitan authorities (pro rata)



The [North East](#) has the highest number of heritage-related A4Ds with 57 being applied within 5 LPAs (Newcastle, North Tyneside, South Tyneside and Gateshead)

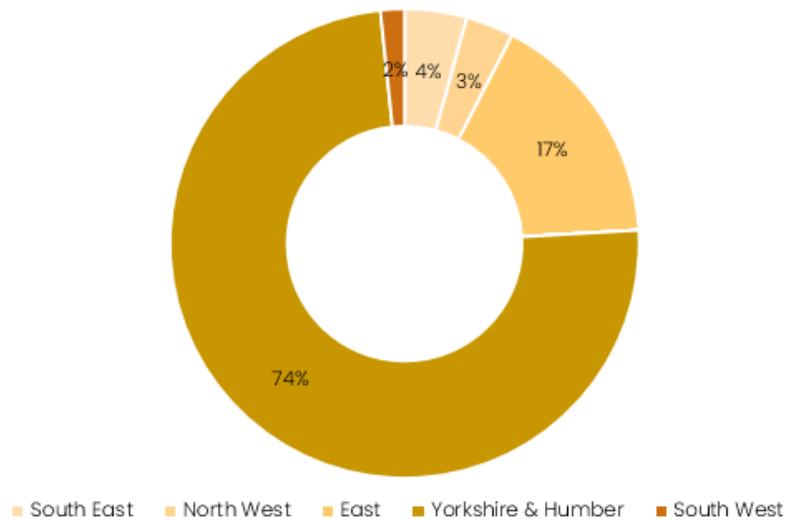
Percentage of A4Ds by type within Metropolitan authorities



The majority of A4Ds in Metropolitan LPAs are designed to protect Conservation Areas. 22% protect Listed Buildings although many of these are in Newcastle (6 out of a total of 11)

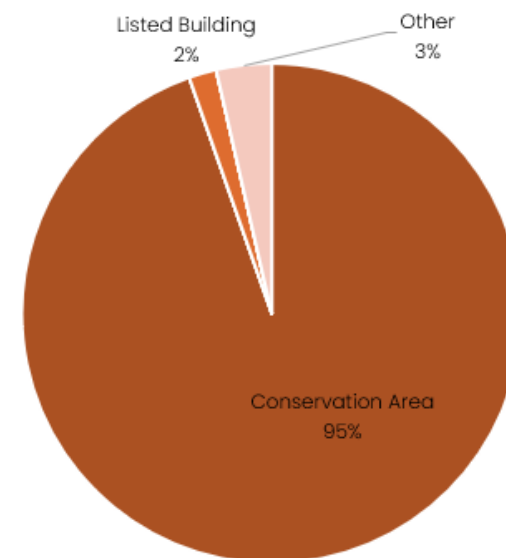
#### 4.9 Analysis of the distribution and type of heritage-related Article 4 Directions within National Park local planning authorities

Percentage of A4Ds within National Park authorities (pro rata)



The Yorkshire and Humber has two National Parks (Yorkshire Dales and North York Moors) which between them have 45 A4Ds in contrast, the South West which also has two National Parks (Dartmoor and Exmoor) only has one heritage-related A4D

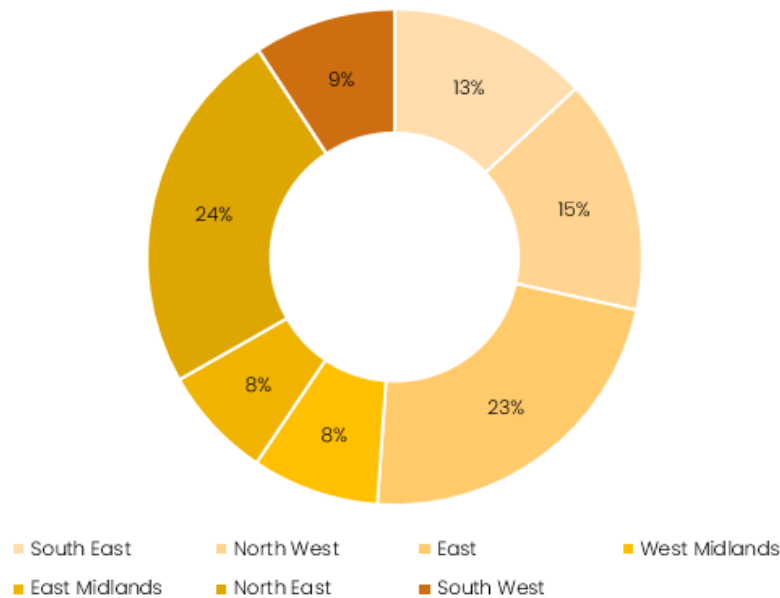
Percentage of A4Ds by type within National Park authorities



Compared to Metropolitan authorities, National Parks control a higher percentage of Conservation Areas, and a lower percentage of Listed Buildings

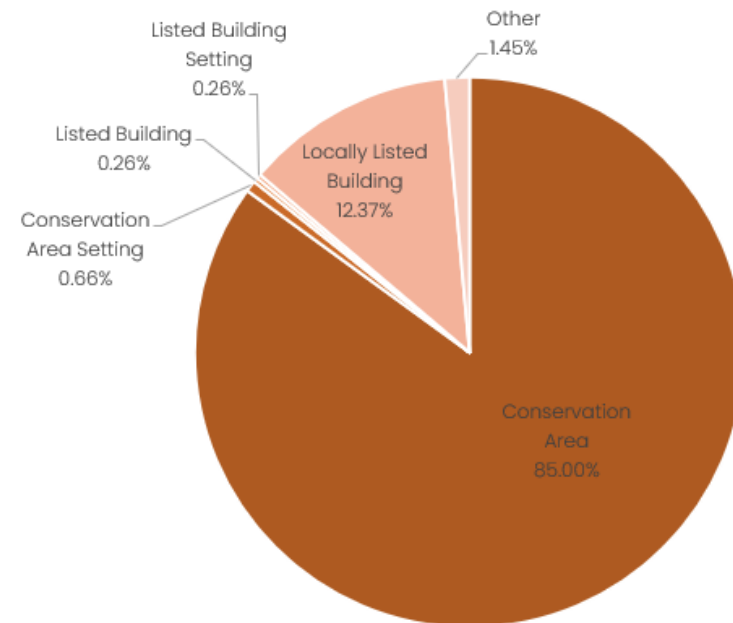
#### 4.10 Analysis of the distribution and type of heritage-related Article 4 Directions within District Council local planning authorities

Percentage of A4Ds within District Councils (pro rata)



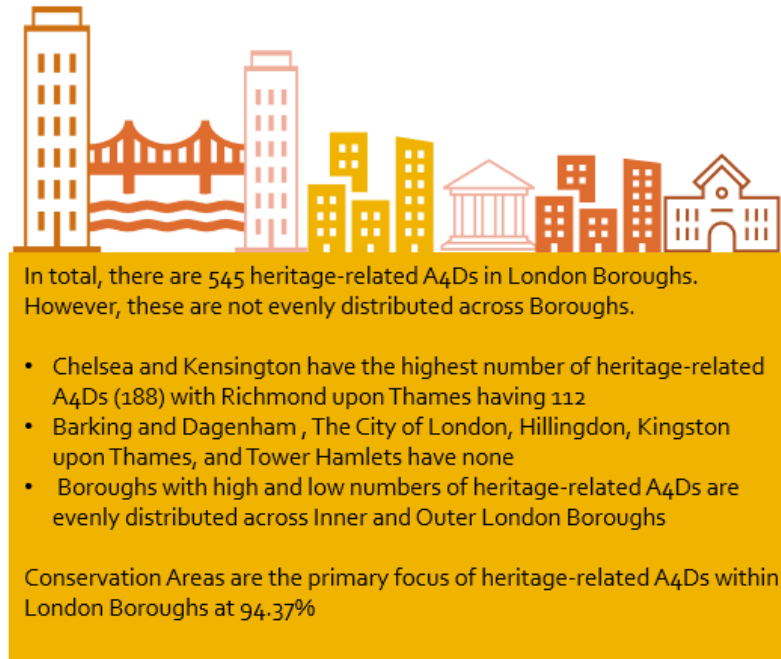
Proportionately, District Councils in the East region have the most heritage-related A4Ds with 235 utilised across 33 LPAs. The West Midlands have the least, proportionately, with 44 over 17 LPAs

Percentage of A4Ds by type within District Councils

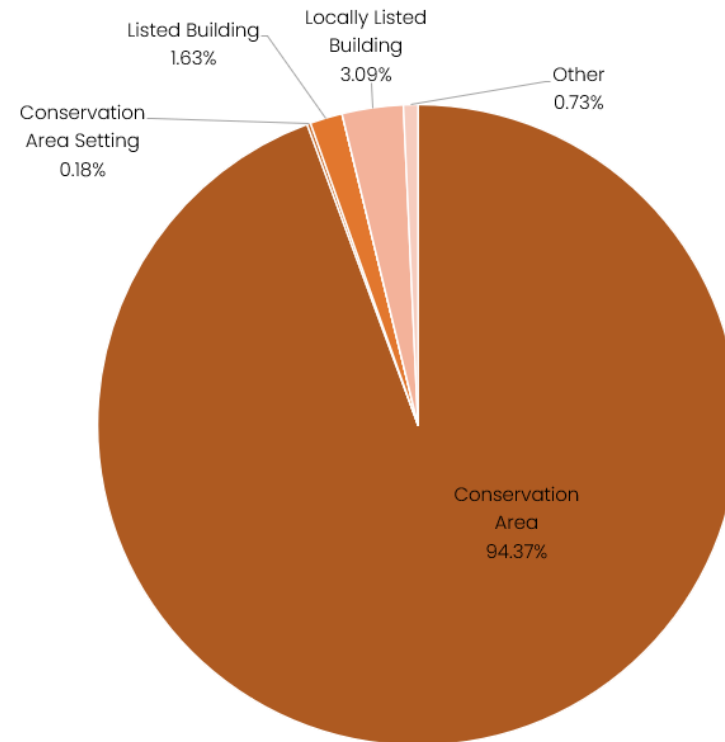


As with National Parks, the main focus of heritage-related AD4s in District Councils are Conservation Areas. However, like Metropolitan Areas, a notable percentage (12.37%) are focused on Locally Listed Buildings

#### 4.11 Analysis of the type of heritage-related Article 4 Directions within London Boroughs

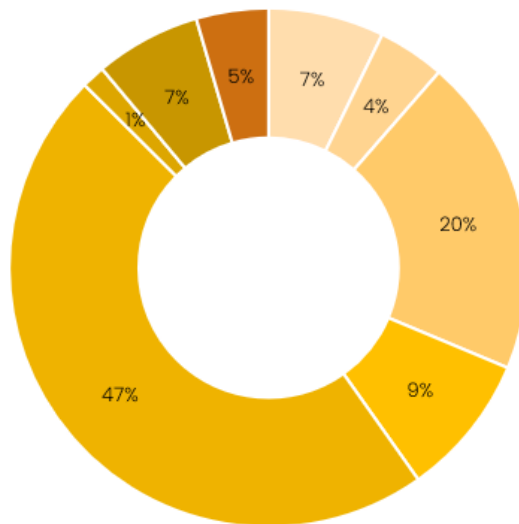


Percentage of A4Ds by type within London Boroughs



## 4.12 Analysis of the distribution and type of heritage-related Article 4 Directions within Unitary local planning

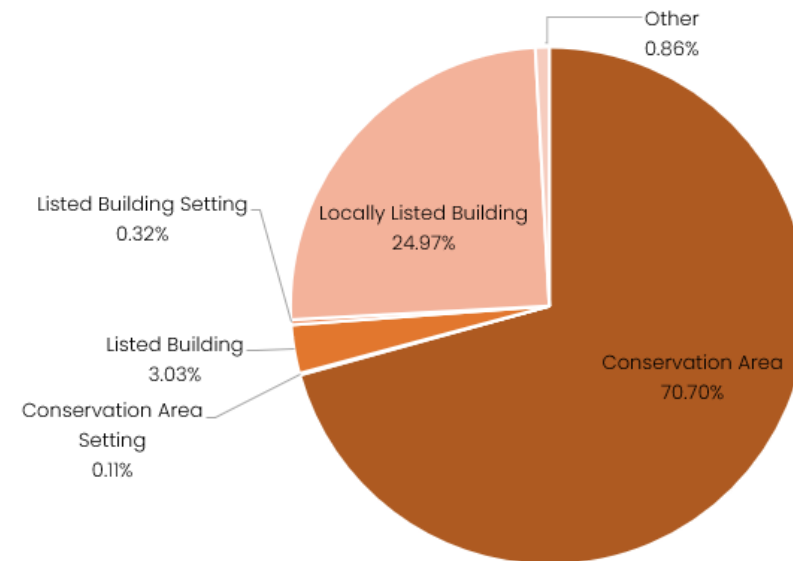
Percentage of A4Ds within District Councils (pro rata)



■ South East ■ North West ■ East ■ West Midlands ■ East Midlands ■ North East ■ Yorkshire & Humber ■ South West

Unitary Authorities in the East Midlands have the highest percentage of heritage-related A4Ds with 316 over 7 LPAs. However, it is worth noting that Leicester accounts for 210 of these. In contrast, the North East has 13 across 9 LPAs.

Percentage of A4Ds by type Unitary Authorities



In common with other LPA types, Conservation Areas are the key asset type controlled by A4Ds. Like Metropolitan LPAs, Unitary Authorities a relatively high percentage (24.97%) are applied to Locally Listed Buildings

## Effectiveness

### 5.1 Introduction

- 5.1.1 The LPA survey and interview components of this study provided insights into their practical experience of respondents and their perception of the effectiveness of heritage-related A4Ds.
- 5.1.2 The survey received a total of 84 responses, from officers working across 77 different local authorities. This equates to 23.12% of all English local authorities.

### 5.2 Effectiveness of heritage-related Article 4 Directions

- 5.2.1 Just over 21% of survey respondents observed that A4Ds have been **highly effective** in controlling inappropriate development within their LPA. 51% of respondents agreed that A4Ds have had **some effect** in helping to control inappropriate development within their LPAs to date. Nearly 18% felt their effect has been **neutral** and 9.5% felt that they have been **ineffective**.



*I am new to my current authority, having previously worked at an authority which utilised A4Ds a lot and it was very effective in preserving and enhancing the character and appearance of conservation areas*

- 5.2.2 Officers interviewed commented that effectiveness of A4Ds was directly related to the ability of the LPA to monitor and enforce the A4D. One commented that negotiation was preferred over enforcement.
- 5.2.3 33% of survey respondents observed that an increase in demands for Enforcement resulting from heritage-related A4Ds was **not noticeable** within their LPA, with a further 34.5% noting that it had increased demand **a little**. Only 9.5% of respondents thought that heritage-related A4Ds had **significantly** increased demands for Enforcement in their LPA. 22.6% were **unsure**.



*Our LPA takes a hard line on protecting areas covered by A4Ds. We will refuse proposals for upvc replacement windows and enforce if needed.*

- 5.2.4 All of the interviewees commented on the need for community engagement and buy-in for the successful application of A4Ds. However, they all also noted that A4Ds can be seen as a negative tool and that there can be some resistance to their creation.

## Drivers and barriers

### 5.3 Drivers and barriers: local authority expertise

- 5.3.1 In response to the question: *How would you rate your current LPA's expertise in making new heritage-related Article 4 Directions?* Most officers consulted (over 73%) felt their local authorities had some, or a lot, of in-house experience in making heritage-related A4Ds.
- 5.3.2 In addition, most respondents felt confident that their local authority would normally seek conservation advice when making any new heritage-related A4Ds.
- 5.3.3 This indicates that most respondents consider that their LPA has sufficient in-house expertise (the planning and legal teams, for example) to support them in making new A4Ds.

### 5.4 Drivers and barriers: individual officer expertise

- 5.4.1 60% of respondents to the online survey already had practical experience of making A4Ds.
- 5.4.2 In response to the question: *Have you ever attended a professional training course explaining the A4D procedure and A4D uses?* 41.7 % had attended at least one course, 58.3% had not attended any type of professional training course.
- 5.4.3 66.7% of respondents felt that current national advice on the adoption process for A4Ds was **not** sufficient or sufficiently relevant to heritage protection.

- 5.4.4 The free-text answers to suggesting improvements to national advice on A4D also showed that some respondents were unaware of existing advice:



*I don't know what the advice is as I've never looked because we aren't planning any new A4Ds at this time.*

*I'm not aware of any advice. It may be that there is some, and it is sufficient.*

*To be honest I didn't know there was any - we rely on our Development Management team and Principal Solicitor.*

### 5.5 Drivers and barriers: officer time

- 5.5.1 When considering barriers to pursuing heritage-related A4Ds in the future, the biggest barrier identified was a lack of time (73.8% of respondents stated that their workload was already full).

Answer Choices			Response
1	Having limited experience	<div style="width: 17.19%;"></div>	17.19%
2	A lack of training	<div style="width: 15.63%;"></div>	15.63%
3	Unsure where to source	<div style="width: 3.13%;"></div>	3.13%
4	My workload is already full	<div style="width: 73.8%;"></div>	73.8%
5	Other historic environment	<div style="width: 6.25%;"></div>	6.25%
6	My LPA could be concerned about increased enforcement demands	<div style="width: 56.25%;"></div>	56.25%
7	Public resistance to A4Ds	<div style="width: 51.56%;"></div>	51.56%

- 5.5.2 Other barriers identified by respondents were concerns about lack of experience of A4Ds (21.4%) and a lack of training (19%). Many respondents felt that both of these barriers could be overcome if respondents had more time available within workloads.
- 5.5.3 Feedback from the interviews in particular, indicated that disseminating more facts about the timelines involved in making A4Ds, and advice on how to avoid some of the most time-wasting pitfalls, may also help more local authorities better understand the time commitments involved. Officers who had made A4Ds, reported that time had been wasted on researching the correct methodology for making A4Ds, in educating colleagues on the process, and in mistakenly carrying out unnecessary steps in the process.

## 5.6 Drivers and barriers: gaps in training and guidance

- 5.6.1 Reassuringly, only 15% of survey respondents felt a lack of professional training might discourage them from pursuing new A4Ds in the future. It has however been made clear during this research that officers feel there are some notable professional training gaps on A4Ds.



*I think we're in danger of losing these key skills if we don't use or share them.*

*I knew nothing about A4Ds when we started (making a new A4D), nor did my colleagues.*

*We have a set of fantastic tools available, but we only use those we're most familiar with.*

- 5.6.2 Knowledge sharing from colleagues appears to be one of the principal methods officers use to learn about making A4Ds at present, but evidently this risks disparities and inconsistencies across authorities.
- 5.6.3 Officers consulted during this study, were all asked for their views on the useability of existing national advice and guidance on the process of making A4Ds, and about how relevant existing guidance feels to making A4Ds to protect the historic environment.
- 5.6.4 Over 67% of officers responding to the online Survey felt current national guidance was not sufficient and/or relevant to their professional needs. This view was reiterated also by those officers interviewed.

5.6.5 Some of the commonly shared feedback on current national guidance on A4Ds included:



*There are some good resources, such as the Historic England document on the subject. Could potentially be some additional templates/key stages type resources (with case studies) to give more confidence for people who are new to the subject.*

*The advice could set out what may constitute a sound evidence base and justification for removing PD rights as they relate to heritage protection. The advice could be clearer on the pros and cons of immediate and non-immediate A4Ds in specific relation to heritage and under what circumstances each may be most appropriate. The advice could also set out the most appropriate way or wording an A4D where PD rights are to be removed on from street-facing elevations only, including those facing onto a public space. Advice on how best to control painting and paint colours via an A4D would also be welcome.*

*National guidance (ideally from Historic England) that includes a model Article 4 for Conservation Areas that targets the right things would be a really helpful starting point. This should use experience of what works and what doesn't work in practice, and should suggest the different approaches that may be needed in different contexts, such as CA A4s in cities, towns, villages, etc. We have one blanket Article 4, which has had mixed results in practice, and I would like to explore different models before pursuing any further CA A4Ds.*



*I wasn't aware of national guidance. I mostly just use my own Authority's SPD on A4Ds.*

*Existing guidance is sufficient, but it could be made a lot clearer.*

*I have seen the GPDO and government guidance, but the language is very dense.*

5.6.6 In summary, officers felt that the following would be most useful in terms of national guidance

- A simple, practical Step-by-Step guide should be produced, which might also include guidelines on timescales and costs.
- Some preferred standard text, templates, or case study resources would help support and share best practice.
- Dedicated advice for elected members and councillors would be desirable.
- Advice on the pros and cons of A4Ds would be helpful.

5.6.7 Research has highlighted a number of LPAs who have already prepared their own public guidance on A4Ds. In addition, two of the officers interviewed had written in-house guidance on the process of making heritage A4Ds, to ensure lessons learnt were shared with colleagues.

## 5.7 Drivers and barriers: finance

5.7.1 Uncertainty around the financial costs of A4Ds was seen as a barrier for putting them in place. Anecdotal feedback gathered from officers (via interviews and the online survey) during this study indicates that a local authority should expect to pay for the following when confirming a new A4D:

- £(unquantified) time for planning and enforcement officer to contribute to an A4D Steering Group, or work on the A4D directly
- £800-£1,000 for 2 x Notices in local newspapers and/or other public areas
- £800-£1,800 – for hosting web-based and/or live public consultation events
- £1,000-£2,500 for in-house solicitor advice and drawing up the A4D paperwork

5.7.2 Further spend will then also be required to promote the newly confirmed A4D, including advertising via the local press, social media, the LPA website, and possibly other media. Notices may need to be circulated to affected building owners by post. Subsequent enforcement will also come at a cost.

5.7.3 Most officers consulted indicated there was no ring-fenced budget for funding future A4Ds within their authority.



*My legal team warned me off Immediate A4Ds because they can lead to compensation claims.*

*Newspaper Notices were surprisingly expensive. My Planning Department didn't have the money, so it had to be pulled from elsewhere.*

*I know my Planning Director would be concerned about impacts on enforcement costs.*

*My Authority sees A4Ds as an integral part of the Conservation Officer role. We know we have budgets available for protection measures if we need them.*

## 5.8 Drivers and barriers: stakeholder engagement

5.8.1 Officers consulted during this study offered mixed views on how heritage-related A4Ds are viewed by the public and political representatives.

5.8.2 52.4% of survey respondents felt public resistance might dissuade their local authority from pursuing new A4Ds in the future. Some officers shared experiences of planned A4Ds not progressing, or being revised to a weaker form, in response to public or political pressure.

5.8.3 Other officers shared more encouraging case studies. For example, where there was a community-led Conservation Area Appraisal and related A4D, the community wanting the A4D helped the process move more smoothly. The

threat of residents fast-tracking works that would be controlled by the A4D was reduced.

- 5.8.4 Another interviewee reported that they had trained members of the local Civic Society to help the LPA to monitor works being carried out within the Conservation Area. They were trained on how to fill in monitoring forms correctly and then feedback to the enforcement and consent teams who can then take action more quickly, as much of the background work has already been done. The interviewee meets with the Civic Society every two months to monitor activities and keep training up to date.
- 5.8.5 These are examples of where active community engagement - both before and after an A4D is sealed – can make a decisive impact on how public and political figures may view an A4D.
- 5.8.6 The reflections from the officers interviewed for this report highlighted that where there is community-led engagement with the A4D process, the outcomes are more successful. As one interviewee stated:



*Need a collective message to the community that a place is special – go with the carrot not the stick... We prefer to support the community in acting well, not put controls or restraints in place.*

- 5.8.7 In some cases, it may simply not be possible to gain public or political support for an A4D, in particular where the

works being controlled are ones typically popular with the local community.

## 5.9 Drivers and barriers: digitisation

- 5.9.1 Digitisation of planning information and documents is central to the government's plans for reforming the planning system.
- 5.9.2 Our review of A4Ds on all 333 LPA websites has highlighted a wide disparity in how much digital information each local authority publishes about its A4Ds. In many cases, information concerning A4Ds is difficult to find, and in others there is no online information available at all.
- 5.9.3 More complete local authority websites may include the following digital information:
- A dedicated webpage on A4Ds, explaining the purpose and controls introduced by A4Ds.
  - A list of current A4Ds across the Authority.
  - A scanned copy of the signed and sealed A4D document.
- 5.9.4 Even more detailed local authority websites may also include the following digital information:
- Interactive Geographic Information System (GIS) mapping, showing the locations of A4Ds.
  - Document scans, or live PDFs, showing the background correspondence and consultation undertaken as part of the process of making the A4D.

5.9.5 Survey responses provided some insights into digitisation of A4Ds:

- 64% of respondent confirmed that their LPA websites included a dedicated page on A4Ds.
- 51.1% of LPA respondents reported that their authority website included digital scans of A4D confirmation documents and 54.7% confirmed that mapping was available on their website.

5.9.6 Not being able to easily access information about heritage-related A4Ds online is a barrier to their effectiveness. To be able to comply with an A4D the people affected by them need to know they exist. In our view, if a homeowner is not easily able to access up to date information concerning restrictions to development the likelihood of harm to heritage assets is increased.

5.9.7 Being able to access information concerning heritage-related A4Ds enables homeowners to better understand the implications of A4Ds and how to comply with them. Where information is inaccessible it exacerbates problems in promoting A4Ds as a tool for managing change or securing buy-in from residents.

5.9.8 Therefore, improved access to digital information concerning A4Ds can be seen as a driver for improved effectiveness.

## Opportunities

### 6.1 Introduction

6.1.1 The long-standing use of A4Ds suggests that LPAs consider them to remain a useful heritage protection tool. Indeed, 31% of respondents to the survey indicated that they were currently planning or actively drafting new heritage-related A4Ds.

6.1.2 However, the drivers and barriers articulated above illustrate that there are a number of clear opportunities to support the use, and develop the effectiveness of, heritage-related A4Ds.

6.1.3 Addressing these barriers and developing the drivers is a complex task. However, it may be that some changes can be realised in the short-term and these opportunities are set out below.

### 6.2 Endorsing Article 4 Directions for the historic environment

6.2.1 Publication of this study has the potential to help the sector by recognising the value of A4Ds as an effective heritage protection tool and may encourage individual local authorities to recognise the benefits of investment into A4Ds.

### 6.3 Bridging gaps in national guidance

- 6.3.1 Feedback received from officers during this study provides a detailed picture of the areas where officers feel that further guidance would be valuable. Informed by this feedback, a sector-wide working group could be established to draft new national guidance on the introduction of A4Ds aimed at Local Authority officers.



**Opportunity 1:** Historic England to make the findings of this study available to heritage professionals and LPAs.

- 6.3.2 A starting point would be to review existing advice on A4Ds on the Historic England website, and to seek to fill in more of the detail requested by officers consulted during this study.



**Opportunity 2:** Historic England to review and, where possible, expand the practical advice published on its website, regarding both making and using heritage-related Article 4 Directions. The guidance should cover:

- The benefits of introducing heritage-led A4Ds
- The evidence base required
- A step-by-step guide to the process, including a timeline and templates
- Political and stakeholder buy-in best practice
- Indicative costs (see below)
- A guide to best-practice digitisation of information

## 6.4 Bridging gaps in professional training

- 6.4.1 Limited professional training has been identified in this study as a barrier to making new A4Ds. Over half of LPA officers consulted during this study had received no formal training on heritage-related A4Ds in their career to date.
- 6.4.2 A dedicated new training programme, to be delivered by an appropriate body within the sector (for example, Historic England or the Institute of Historic Building Conservation) would help many LPA officers feel more confident in advocating, making and using heritage-related A4Ds.



**Opportunity 3:** Historic England to investigate options for further heritage professional training on A4Ds. Possibly in conjunction with of the heritage groups or planning bodies.

## 6.5 Proactive planning for costs

- 6.5.1 Cost has been identified within this study as a barrier to making A4Ds. Making new A4Ds requires investment by LPAs, both in terms of the staff resources involved, and in terms of financial outlay.
- 6.5.2 At present, there is very little information published on the costs and timescales involved in making, consulting on, or

enforcing A4Ds. But, if that knowledge could be made available, it may assist more LPAs in forward planning their resources and budgets to allow for future A4D requirements.

- 6.5.3 It is hoped that the research published in this report will therefore be a helpful first step for LPAs, in beginning to help demystify the practicalities of the A4D process. With further practical advice and best practice to supplement the initial findings of this report being desirable in the future.



**Opportunity 4:** Further practical advice on the typical timescales and resources involved in the A4D process to be gathered and disseminated to LPAs, where possible.

## 6.6 Bridging gaps in digitisation

- 6.6.1 The gaps in transparent, easily accessible online information concerning heritage-related A4Ds is a critical barrier impeding the effectiveness of A4Ds.



**Opportunity 5:** As part of any new guidance initiative, Historic England should work with LPAs to consistent standards of accessibility and transparency information about A4Ds at individual LPA websites to ensure that information is presented in a way that is user-friendly for homeowners. The digitisation of A4Ds at local authority level could also be linked to the Government's on-going process of digitally mapping A4Ds at a national level ([Map of planning data for England | Planning Data](#)).

## 6.7 The future heritage protection role for Article 4 Directions in a changing planning system

- 6.7.1 Our research identifies longstanding and nationally widespread use of A4Ds as a heritage protection tool, and survey feedback suggesting that, with appropriate resourcing, they can be effective.
- 6.7.2 It is clear that A4Ds have stood the test of time and, without second-guessing the scale and scope of future changes to the planning system, that carefully targeted restrictions on PDRs can and should continue to play an important part in

the heritage protection system, offering valuable protection in particular to conservation areas and locally listed buildings which may be otherwise vulnerable to loss of historic character.

- 6.7.3 The findings in this report suggest that the main opportunity is for improvement to the existing system – to bolster support for the implementation of A4Ds at a local level.
- 6.7.4 Given that 97% of heritage-related A4Ds concern either conservation areas or locally listed buildings, it might be worth Historic England convening a review of PDRs associated with these assets. Since the majority of heritage-related A4Ds control only one or two functions, it may be that the existing provisions in the GDPO are appropriate in leaving further control to the discretion of the LPA, nonetheless, in light of LPA resourcing constraints, such a review could helpfully establish whether there would be heritage protection benefits from and public support for a more standardised control of the rights that are most commonly subject to A4Ds already.

## Appendix A – Glossary and abbreviations

**A4Ds** – Abbreviation of 'Article 4 Direction'.

**Article 4 Direction** – A Direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which enables the local authority or Secretary of State to formally withdraw specified Permitted Development Rights, across a defined (geographical) area.

**Confirming** – For the purposes of this report, Confirming is a term used to describe a stage in the process of putting a new Article 4 Direction in place. Signing and confirming represent the final stage in an Authority finalising a new A4D.

**Designated Heritage Asset** – A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or conservation area designated under the relevant legislation.

**Designation** – The recognition of the particular heritage value(s) of a significance place, by giving it formal status under law or policy intended to sustain those values.

**Direction** – Shorthand for 'Article 4 Direction'.

**Direction with Immediate Effect** – An Article 4 Direction, where permitted development rights are only withdrawn on confirmation of the local authority, following local consultation.

**Heritage Asset** – A building, monument, site, place, area or landscape identified as having some degree of significance meriting

consideration in planning decisions, because of its heritage interest. Heritage assets include both designated heritage assets and assets identified by the local planning authority (including local listing).

**Historic environment** – All aspects of the environment resulting from the interaction between people and places through time.

**Legislation** – A law, or set of laws, which have been passed by government. An Article 4 Direction is a type of planning legislation.

**Local Planning Authority** – The public authority whose duty it is to carry out specific planning functions for a particular area.

**Making** - For the purposes of this report, Making is a term used to describe one of the key stages in the process of putting a new Article 4 Direction in place. Once proposals for a new Article 4 Direction have been endorsed internally by Scrutiny Panels and/or Members, the Article 4 Direction will then normally be declared 'made and sealed'.

**Mandate** – For the purposes of this report, Mandate is a term used, anecdotally, to describe a stage in the process of putting an Article 4 Direction in place. Once the public has been consulted on a proposed new Article 4 Direction, the local authority may feel they have gained a clear 'mandate' to then confirm the new Article 4 Direction.

**Non-Immediate Direction** – An article 4 Direction introduced swiftly by the Council, in response to a perceived immediate

permitted development threat. This type of Direction can be confirmed by the local authority without prior consultation with the public or Secretary of State, but that consultation must take place within six months.

**PD/PDR** – Shorthand for 'Permitted Development' or 'Permitted Development Rights'

**Sealing** – See 'Making' above.

## Appendix B – List of control functions as of December 2024

### **Part 1 – development within a curtilage of a dwellinghouse**

Class A – Enlargement, improvement or other alteration of a dwellinghouse e.g. Extensions, new doors & windows etc

Class AA – Enlargement of a dwellinghouse by construction of additional storeys

Class B – Additions etc to the roof of a dwellinghouse e.g. Dormers

Class C – Any other alterations to a roof of a dwellinghouse

Class D – Porches

Class E – Buildings etc incidental to the enjoyment of a dwellinghouse e.g. Outbuildings

Class F – Hard surfaces incidental to the enjoyment of a dwellinghouse

Class G – Chimneys, flues etc on a dwellinghouse

Class H – Microwave antenna on a dwellinghouse e.g. Satellite dishes

### **Part 2 - Minor operations**

Class A - Gates, fences, walls etc

Class B - Means of access to a highway e.g. driveways

Class C - Exterior painting

Class D - Electrical outlet for recharging vehicles

Class E - Electrical upstand for recharging vehicles

Class F - Closed circuit television cameras - CCTV

Class G - Moveable structures for pubs, restaurants etc,

## Appendix C - Extract from desk-based data review

[illegible]

## Appendix D – Example of online survey questionnaire

### ARTICLE 4 DIRECTIONS RESEARCH SURVEY

#### 1. Survey context

Historic England is working with consultants Avalon Planning & Heritage to research heritage-related Article 4 Directions (A4Ds) across England, with the aim of developing a better understanding of their use and effectiveness.

The Direction under article 4 of the General Permitted Development Order enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area (with the exception of change of use within the same Use Class).

Our current research seeks to better understand the use of heritage-related A4Ds by Officers. We have already gathered a large amount of data on existing A4Ds from local authority websites. We now need your help to gather insights on local authority perspectives, in particular on your experience of factors driving the use of heritage-related A4Ds.

We will use the knowledge from this survey and associated research to inform our future approach, including conversations with Government departments on the need for further advice and support for LPA practitioners.

The survey comprises 13 questions and **should take 10-15 minutes to complete**. We are primarily seeking your views and insights as practitioners, rather than formal data collecting. All feedback from respondents will be analysed and presented in an anonymised format, with no personal data collected in the survey. It is also recognised that any views shared with us here do not necessarily represent the corporate position of your local authority.

We do hope you will take the time to complete the survey; your feedback will be invaluable as we continue to monitor this part of the Heritage Protection system and provide better support to heritage and planning professionals in the future. We hope to publish a report later in the year. **If there is anything you would like to add, or you think might be useful for us to know, please email [governmentadvice@historicengland.org.uk](mailto:governmentadvice@historicengland.org.uk)**

Thank you in advance for taking part.

#### ADOPTING ARTICLE 4 DIRECTIONS

Questions 1 to 7 explore whether heritage advisers feel confident pursuing new Article 4 Directions (A4Ds) in their present roles, and whether sufficient training and guidance is being made available on this subject to Conservation and Planning professionals.

#### 1. Respondent LPA Information

Your role in the LPA

- ☐ Heritage/ Conservation
- ☐ Town/ Spatial Planning
- ☐ Other

LPA Name

2. Have you been part of the adoption process for Article 4 Directions in your career to date? \*

- ☐ Yes
- ☐ No

3. How would you rate your current LPA's expertise in making new heritage-led Article 4 Directions? \*

- ☐ We have a lot of experience developing A4Ds
- ☐ We have some experience developing A4Ds
- ☐ We have little/ no relevant experience developing A4Ds and would like more support

4. A4D Training – Have you ever attended a professional training course explaining the A4D adoption procedure and A4D uses? If yes, which type of course was it? If not, please tick 'None'. \*

- ☐ Degree Course
- ☐ Masters Course
- ☐ IHBC Course
- ☐ RTP1 Course
- ☐ Historic England Seminar
- ☐ Other heritage/ planning group
- ☐ Peer CPD
- ☐ None

5. Do you feel current National advice on the adoption process for Article 4 Directions is sufficient and relevant to heritage protection?

- ☐ Yes
- ☐ No

Do you have any suggestions for how MD advice could be improved?

6. Would your LPA normally seek conservation advice when making any new Article 4 Directions? \*

- ☐ Absolutely
- ☐ If they had time
- ☐ Only if heritage related
- ☐ Maybe
- ☐ Unsure

7. What key factors might discourage you from pursuing heritage-led Article 4 Directions in the future? \*

- ☐ I having limited experience of A4Ds
- ☐ A lack of training
- ☐ Unsure where to source guidance
- ☐ My workload is already full
- ☐ Other historic environment controls feel sufficient
- ☐ My LPA could be concerned about increased enforcement demands
- ☐ Public resistance to A4Ds

#### ARTICLE 4 DIRECTIONS IN PRACTICE

Questions 8-13 explore how effective heritage related Article 4 Directions feel to Officers applying them on a day-to-day basis, and what type of documentation on A4Ds is currently shared with the public.

8. How effective do you feel your LPA's existing Article 4 Directions have been in helping control inappropriate development within your historic environment? \*

- ☐ I highly effective
- ☐ Some effect
- ☐ Neutral
- ☐ Ineffective

9. Have heritage-led A4Ds noticeably increased planning application numbers in your LPA? \*

- ☐ Yes, significantly
- ☐ Yes, a little
- ☐ Not noticeably
- ☐ Unsure

10. Have heritage-led A4Ds significantly increased demands for Enforcement in your LPA? \*

- ☐ Yes, significantly
- ☐ Yes, a little
- ☐ Not noticeably
- ☐ Unsure

11. Are you currently planning or actively drafting any new heritage-led Article 4 Directions?

- ☐ Yes
- ☐ No

If Y/LS, which types of Permitted Development Right are you aiming to control? Has this Direction been triggered by a specific event (e.g. anticipated application submission/ Conservation Area Appraisal Recommendation)?

12. Which historic environment concerns in your LPA do you feel might be helpfully controlled using new A4Ds in the future? (Please tick up to 3 boxes) \*

- ☐ Unlisted buildings - Demolition
- ☐ Locally Listed Buildings - Demolition
- ☐ Locally Listed Buildings - Changes of use
- ☐ Conservation Areas - Targeted protection
- ☐ Conservation Areas - Area-wide protection
- ☐ Permitted changes of use
- ☐ Dwellinghouses - extensions/alterations, incl. window + door changes (GPDO Part1/Class A)
- ☐ Dwellinghouses - other external alterations (roof/chimney alterations, external painting, antenna installation) (GPDO Part1/Classes B, C, G & H and Part 2/Class C)
- ☐ Dwellinghouses - construction of porches/curtilage buildings (GPDO Part1/Classes D & E)
- ☐ Dwellinghouses - boundary treatments/hardstanding (GPDO Part1/Class F, Part2/Class A & Part3/Class B)
- ☐ Solar/PV installation (GPDO Part14/Class A)

13. Digitisation – How far has your LPA progressed with providing full digital access to A4D documentation to the public? \*

	Yes	No
Our website has a dedicated page on A4Ds	<input type="checkbox"/>	<input type="checkbox"/>
PDFS of A4D adoption docs are available in full on our website	<input type="checkbox"/>	<input type="checkbox"/>
We have written dedicated A4D design advice for the public	<input type="checkbox"/>	<input type="checkbox"/>
Website Mapping shows A4Ds	<input type="checkbox"/>	<input type="checkbox"/>
A4Ds are published on the HER	<input type="checkbox"/>	<input type="checkbox"/>
No digital record of our A4Ds is yet available	<input type="checkbox"/>	<input type="checkbox"/>
We are in the process of upgrading digitisation	<input type="checkbox"/>	<input type="checkbox"/>

## Appendix E – Example of interview pro-forma

### ARTICLE 4 DIRECTION RESEARCH PROJECT

#### LPA Interviews: Proforma Questions

Local Authority .....

Respondent .....

Job Position .....

Date/Time .....

1. Have you been involved in recommending/adopting heritage-led A4Ds in your current LPA?

2. What heritage issues do existing A4Ds in your LPA address?

3. RECENT A4D CASE STUDY(IES)

A4D name/location/protected area/Controls/who was involved?

Insights from adoption process/any specific drivers?

Effectiveness/Enforcement

Colleague/Member/Public Response

Public sharing/Digitisation

Lessons Learnt Overall

4. Do you see A4Ds as one of your most effective planning tools, or are other tools more effective? Why?

5. Future plans for heritage-led A4Ds?

6. A4D Written Guidance – Availability/Heritage Relevance/Strengths & Weaknesses

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