



<b>Committee</b>	Strategic Planning Committee
<b>Date</b>	12/01/2026
<b>Subject</b>	Making of new Article 4 directions in Bungay and Wrentham
<b>Cabinet Member</b>	Councillor Mark Packard Cabinet Member with responsibility for Planning and Coastal Management
<b>Report Author(s)</b>	Karolien Yperman Senior Design and Heritage Officer <a href="mailto:Karolien.yperman@eastsoffolk.gov.uk">Karolien.yperman@eastsoffolk.gov.uk</a>
<b>Head of Service</b>	Ben Woolnough Head of Planning and Building Control <a href="mailto:Ben.woolnough@eastsoffolk.gov.uk">Ben.woolnough@eastsoffolk.gov.uk</a>
<b>Director</b>	Nick Khan Strategic Director <a href="mailto:Nick.khan@eastsoffolk.gov.uk">Nick.khan@eastsoffolk.gov.uk</a>

Key Decision?	No
Is the report Open or Exempt?	OPEN

Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not Applicable
---------------------------------------------------------------------------------------------------------------------------	----------------

## Purpose/Summary

To agree the making of new Article 4 directions in the Conservation Areas in Bungay and Wrentham covering amended areas, which are to replace the existing Article 4 directions.

The proposed new Article 4 directions will not come into effect until such time as they are confirmed by a future meeting of this Committee (following public consultation), in the meantime, the existing Article 4 directions will remain in place.

## Recommendation(s)

That Strategic Planning Committee:

1. Agrees the making of new Article 4 directions in the Bungay and Wrentham Conservation Areas, covering amended areas shown on the maps attached and including those properties and land included in the schedule attached at Appendices A and B.
2. Agrees that the statutory public consultation period is to start on 23 January 2026 and conclude on 6 March 2026 to collect public representations from members of the public affected by the proposed changes.
3. Agrees that, following the statutory public consultation period, the new Article 4 directions will be presented to the Strategic Planning Committee at its meeting on 13 April 2026 to consider their confirmation on 22 April 2026.
4. Agrees that the Head of Planning and Building Control, in consultation with the Cabinet member with responsibility for Planning and Coastal Management, is authorised to make any presentational or typographical amendments to the Article 4 directions and accompanying maps, prior to the public consultation period.

## Strategic plan

How does this proposal support Our Direction 2028?

<b>Environmental Impact</b>	Preserving the district's beauty and heritage by aiding the preservation and enhancement of the Bungay and Wrentham Conservation Areas.
<b>Sustainable Housing</b>	Promoting community pride in homes and neighbourhoods by preserving the historic character of these settlements.
<b>Tackling Inequalities</b>	Not Applicable
<b>Thriving Economy</b>	Supporting responsible tourism and visitor economy by preserving the District's heritage.
<b>Our Foundations / governance of the organisation</b>	Engaging with residents on changes to planning regulations that would affect them.

## Justification for recommendations

### 1. Background

- 1.1. The Design and Heritage Team are undertaking a review of the Article 4 directions on Conservation Areas in East Suffolk. The existing Article 4 directions were put in place between 2006 and 2013 by the former Waveney District Council and are blanket in nature, covering all properties within the Conservation Areas, regardless of their status, use or merit. There is currently only one Article 4 directions in place in a Conservation Area in the former Suffolk Coastal District Council area, in Walberswick.
- 1.2. Article 4 directions are made under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (“GPDO”).
- 1.3. Under the existing Article 4 directions, any
  - alterations to elevations or roofs in a relevant location (fronting a highway, open space or waterway),
  - construction of a porch,
  - provision of enclosure within the grounds fronting a relevant location,
  - hard surfacing within the grounds fronting a relevant location,
  - installation of a satellite antenna,
  - alteration of a chimney,
  - alteration or demolition of a fence or boundary wall fronting a relevant location,
  - painting of an elevation in a relevant location,requires planning permission. This allows the Local Planning Authority to assess these proposals to minimise the loss of appropriate features or historic character, and/or control the installation of new features.
- 1.4. Following a successful pilot project in the North Lowestoft Conservation Area and the South Lowestoft and Kirkley Conservation Area the Design and Heritage Team is continuing with a three-year project to review all the existing Article 4 directions as well as considering the introduction of new Article 4 directions in the former Suffolk Coastal area.
- 1.5. In 2024 and 2025, the first and second phases of the project completed with the review of the Article 4 directions in Southwold, Walberswick Quay, Homersfield, Wangford, Holton and Wissett, and a new Article 4 direction was created in Walberswick.
- 1.6. The Design and Heritage Team are reviewing the existing Article 4 directions so that they can be updated in terms of the most recent amendments (2015) to the General Permitted Development Order, and Government policy provided within the latest National Planning Policy Framework (“NPPF”) (Dec. 2024). Para 54 of the NPPF states that “The use of Article 4 directions to remove national permitted development rights should (...) in all cases, be based on robust evidence, and apply to the smallest geographical area possible.”
- 1.7. In order to meet these requirements, condition surveys of the Conservation Areas were undertaken to serve as the robust evidence base for the review of the Article 4

directions, as required by the NPPF. The condition surveys focused on properties that have been identified in the Conservation Area Appraisals as positive unlisted buildings in the Conservation Areas. The Conservation Area Appraisals identify these buildings that are not protected by statutory listing but are considered to make a positive contribution to the character or appearance of the Conservation Area.

- 1.8. It was not considered necessary to survey:
- Listed buildings; because these properties already have restricted permitted development rights.
  - Buildings that are not listed or positive unlisted; because these properties are not considered to have notable architectural or historic features that merit the protection of Article 4 directions.
- 1.9. Properties were surveyed with reference to the features that Article 4 direction can control change to. The relevant properties were assessed using the following criteria:
- ‘Appropriate’ (i.e. historic or modern with traditional details and materials) windows and doors
  - Altered or unaltered roof
  - Painted or unpainted façade
  - Intact front boundary
  - Hardstanding in front garden
  - Presence of chimneys
  - Presence of non-historic porches
- 1.10. Properties were largely surveyed in groups, for example terraces, as these groups have similar characteristics whose intactness contributes to their collective value. This is also to avoid individual properties within a group having varying levels of protection.
- 1.11. The results of the surveys were presented in map form, using a colour coding system, to show areas where loss of historic features/installation of inappropriate features has occurred. (Mapping PDFs in Appendix C).

## **2. Introduction**

- 2.1. Based on the robust evidence of the condition surveys, in addition to consultations with the Development Management Team and the Enforcement Team, the Design and Heritage Team have prepared new Article 4 directions.
- 2.2. This report will provide a summary of the following:
- The reasoning and justification for the amendment of the geographical areas covered by the existing Article 4 directions in Bungay and Wrentham.
  - The reasoning for the amendments to the content of the Article 4 directions;
  - Consequences of the proposals;
  - National and local planning policies; and
  - The statutory requirements for the creation of new Article 4 directions.

### **3. Proposal**

- 3.1. That the Strategic Planning Committee makes new Article 4 directions in Bungay and Wrentham. This will trigger a period of public consultation. However, the new Article 4 directions will not come into effect until confirmed by Strategic Planning Committee at their next meeting.

#### Bungay

- 3.2. The Bungay Conservation Area covers a large geographic area, with a very distinct concentration of listed buildings at the town centre around the castle and radiating outward. In order for the Article 4 direction to be most useful and to meet the requirements of the NPPF, it should be concentrated on residential Positive Unlisted Buildings that retain historic or appropriate features. Based on the condition survey results, four areas were identified as meriting an Article 4 direction, as shown on the maps attached in Appendix A. This excludes the town centre, where most buildings are listed and the remaining few are not residential dwellings (shops with flats above, offices or otherwise non-residential) and therefore have permitted development rights removed.
- 3.3. On the outer edges of the Conservation Area, several areas contain Positive Unlisted Buildings which have unfortunately lost many historic features and have modern windows and doors, and the remaining aspects that could be controlled by an Article 4 direction, such as the removal of historic boundaries and removal of front gardens for hardstanding or outbuildings, are not relevant because of the layout of the properties against the highway.
- 3.4. Part of the Bungay Conservation Area falls in the Broads Authority Executive area. We have been in communication with the heritage officer at the Broads Authority, who is reviewing their Article 4 direction in Bungay currently. We will coordinate public consultation periods and subsequent confirming of new Article 4 directions, to make the changes as easy to understand for residents as possible. We are also planning a combined public drop-in session for residents during the public consultation period, which will take place at a time and place TBA.
- 3.5. As the proposed boundary area of the new Article 4 direction in Bungay is very different to the existing boundary area, we informally consulted Bungay Town Council about the proposed changes.

#### Wrentham

- 3.6. The Wrentham Conservation Area is quite small in size and the listed buildings and Positive Unlisted Building are spread out relatively evenly. It is considered appropriate for most of the Conservation Area to remain in the Article 4 direction. The areas that are proposed to be removed include properties that have lost many historic features, are not residential dwellings, or are listed, and as they are located on the outer edges of the Conservation Area, the proposed Article 4 direction area boundary remains coherent.

#### Amendments to the content of the Article 4 directions

- 3.7. The text of the Article 4 direction will be amended to reflect the changes to the General Permitted Development Order (GPDO) since 2007 and 2013, when the existing Article 4 directions were put in place in Bungay and Wrentham respectively.

- The Article 4 directions are now made under Article 4(1), rather than Article 4(2) of the GPDO (2015).
- Some changes have been made to the Parts and Classes of the GPDO (2015). The new directions have been amended to reflect these.
- The restriction on the installation of satellite dishes in certain controlled locations is proposed for removal, as this is becoming outdated technology.
- The restriction on painting the exterior of buildings in certain locations is removed in all directions. The GPDO does not distinguish between the painting of previously unpainted surfaces and the general painting of the exterior of a building, including painting windows and doors. With the increase in planning fees, officers consider that it is unreasonable to require building owners to seek planning permission for this. Additionally, East Suffolk has 50 Conservation Areas, most of which do not have Article 4 directions, and we have never experienced a householder wishing to paint their dwelling a garish or multi-coloured way. Therefore, the risk of this happening is negligible. It is considered that the removal of the Permitted Development right to paint the exterior of a building would be too onerous and could result in a large number of applications where there would be no change to the character or appearance of the building as well as likely compliance issues.
- Consideration was given to restricting renewable energy under Part 14 of the GPDO (concerning the installation of solar equipment, heat pumps and biomass heating systems) and electrical outlets and upstands for recharging vehicles under Part 2 Class D and E. Following consultation with the Local Plan Working Group during the previous phases of the review project it was decided that these should not be restricted.

#### National and local planning policies

- 3.8. The NPPF states in para. 53 that: “The use of Article 4 directions to remove national permitted development rights should: in all cases, be based on robust evidence, and apply to the smallest geographical area possible.”
- 3.9. Policy WLP8.39 – Conservation Areas of the Waveney Local Plan states that “Proposals for replacement doors, windows and porches in conservation areas where Article 4 directions are in place must be of a suitable design and constructed in appropriate materials. Applications will be assessed with reference to the prominence of the location, the historic and architectural value of the building and the historic and architectural value of the feature to be replaced.”
- 3.10. There is clear guidance on works that are appropriate in Conservation Areas within East Suffolk’s Historic Environment Supplementary Planning Document (2021) which will also guide decision making.

#### Statutory requirements for the creation of Article 4 directions

- 3.11. Should the report recommendations be agreed, the statutory procedure will be as follows:
- On 23 January 2026, a notice containing the Article 4 directions and relevant maps will be served by local advertisement, by at least two site notices in heavily trafficked public areas, and by letter to all property owners and occupiers in the affected areas.

- The consultation period will run from 23 January 2026 until 6 March 2026 and the site notices will remain up for the whole period.
- Letters will inform owners/occupiers that we are opening a public consultation across these dates. The letters will include guidance on what the changes mean for those remaining in the Article 4 direction Area, and those that will be removed (but are still in the Conservation Area).
- The requirement is for a public consultation of 21 days' duration. Officers consider, however, that an extended consultation period conforms better with the Council's usual practices.
- A copy of the Article 4 directions, notices and maps will be available on the Council's website for the duration of the consultation period and physical copies will be available to view at locations available to the public (i.e. East Suffolk House, Riverside and/or Bungay Library). Representations can be made by letter, email or through the consultation webpage.
- Following the public consultation period, representations will be taken into consideration by officers. Any material changes made to the directions as a result of the consultation will require re-consultation.
- The new Article 4 directions will then be presented to Strategic Planning Committee on 13 April 2026, where the public representations will be presented, and it will be proposed to confirm the Article 4 directions and agree for them to come into force on 22 April 2026. This date has been chosen to coincide with the confirmation date of the Article 4 direction in the Broads Authority Executive area, to make the transition as easy as possible for residents.
- At this time, the existing Article 4 directions will be cancelled (Schedule 3, sub-para. 13 of the GPDO (2015): "*A local planning authority may, by making a subsequent direction, cancel any direction made by them under article 4(1)*")
- On the date the Article 4 directions are confirmed, photographic surveys will be undertaken of all of the properties covered by the Article 4 directions. This will contribute to the 'robust evidence' for the Article 4 direction and allow effective enforcement action to be taken if required.

#### **4. Financial Implications**

- 4.1. There are circumstances under which the local planning authority may become liable to pay compensation when imposing a new Article 4 direction, when it does so without giving 12 months' notice to those members of the public who would be affected by them.
- 4.2. This liability may arise if the local planning authority:
- refuses planning permission for development which would have been permitted development if it were not for an Article 4 direction; or
  - grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an Article 4 direction being in place.
- 4.3. However, officers judge this to present limited risk, as the areas proposed for the new directions are already covered by existing directions; and no further restrictions are proposed in the new directions.

4.4. On this basis, therefore, officers judge that there is no necessity to wait 12 months before confirmation of the proposed Article 4 directions.

## **5. Legal Implications**

5.1. All legal requirements have been met as described in this report.

## **6. Risk Implications**

### Regulatory risk

6.1. There is no formal right of appeal against the making of an Article 4 direction. There could be an application for judicial review if it were thought that the Council had not considered the merits of the Article 4 direction properly. This is considered to be a very low risk given the clear evidence base on which the directions are based.

### Reputational risk

6.2. The Local Planning Authority has a duty to pay special attention to the preservation and enhancement of the character and appearance of Conservation Areas, as per section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. If the Article 4 directions are confirmed, they would support this statutory duty.

6.3. Confirming the Article 4 directions would also support the delivery of consistent planning and planning enforcement decisions, which would decrease the risk of reputational damage in the future.

## **7. Options**

### Either:

7.1. The Strategic Planning Committee agrees to make the new Article 4 directions. This would have the effect of starting a period of public consultation on proposed changes to the Article 4 directions in Bungay and Wrentham. The changes to the Article 4 directions would not come into effect unless confirmed by this Committee at a later date, taking into account the results of the public consultation.

### Or:

7.2. The Strategic Planning Committee decides not to make the new Article 4 directions. The existing Article 4 directions would remain in place in Bungay and Wrentham. It should be noted that the existing Article 4 directions are not up to date in terms of relevant legislation and Government guidance provided within the latest version of the National Planning Policy Framework.

## **8. Recommendations**

8.1. Agrees the making of new Article 4 directions in the Bungay and Wrentham Conservation Areas, covering amended areas shown on the maps attached and including those properties and land included in the schedule attached at Appendices A and B.

- 8.2. Agrees that the statutory public consultation period is to start on 23 January 2026 and conclude on 6 March 2026 to collect public representations from members of the public affected by the proposed changes.
- 8.3. Agrees that, following the statutory public consultation period, the new Article 4 directions will be presented to the Strategic Planning Committee at its meeting on 13 April 2026 to consider their confirmation on 22 April 2026.
- 8.4. Agrees that the Head of Planning and Building Control, in consultation with the Cabinet member with responsibility for Planning and Coastal Management, is authorised to make any presentational or typographical amendments to the Article 4 directions and accompanying maps, prior to the public consultation period.

## **9. Reasons for Recommendations**

- 9.1. Since the existing Article 4 directions came into force in 2007 and 2013, the national legislation and planning regulations that they were confirmed under have been amended, and national planning policy indicates that any Article 4 directions should be “based on robust evidence, and apply to the smallest geographical area possible” (NPPF para. 54).
- 9.2. The proposed new Article 4 directions are based on recently secured and robust evidence of the condition of the Conservation Areas. The proposals have been developed in consultation with the Development Management and Enforcement teams, whose work is most impacted by the Article 4 directions.
- 9.3. It is the view of officers that the new Article 4 directions and the geographical areas covered by them are reasonable and justified. The areas that will be covered by the Article 4 directions retain architectural and historic features that contribute to the character and appearance of the Conservation Areas. Continuing the restriction of permitted development rights in a more targeted way will be policy compliant at national and local level. This will support the preservation and enhancement of the Conservation Areas as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **10. Conclusions/Next Steps**

- 10.1. The making of these new Article 4 directions, including the amended areas that are covered by the Article 4 directions, need to be agreed. If agreed, a period of public consultation will be undertaken before a further decision is made by this Committee on whether to confirm the Article 4 directions. The proposed new Article 4 directions will not come into effect until such time as they are confirmed by a future meeting of this Committee, in the meantime the existing Article 4 directions will remain in place.
- 10.2. Should the Strategic Planning Committee agree the recommendations of this report, a notice containing the Article 4 direction and relevant map will be served by local advertisement, by at least two site notices in each area, and by letter to all property owners and occupiers in the affected areas on 23 January 2026, starting a public consultation period that will run until 6 March 2026.

## Areas of consideration comments

### Section 151 Officer comments:

The Section 151 Officer has no additional comments.

### Monitoring Officer comments:

The Monitoring Officer has been consulted on this report and has no additional comments

### Equality, Diversity and Inclusion/EQIA:

N/A

### Safeguarding:

N/A

### Crime and Disorder:

N/A

### Corporate Services implications:

*(i.e., Legal, Finance, Procurement, Human Resources, Digital, Customer Services, Asset Management)*

Advice was sought from Jacqui Bullen, Planning Lead Lawyer on the legal and financial implications set out in this report.

The web team and GIS officers have provided support for this project.

### Residents and Businesses consultation/consideration:

The proposal will trigger a period of public consultation as set out in the main body of the report.

## Appendices:

<b>Appendix A</b>	Proposed Bungay Article 4 direction including schedule of land and property + consultation maps
<b>Appendix B</b>	Proposed Wrentham Article 4 direction including schedule of land and property + consultation map
<b>Appendix C</b>	Survey methodology and survey maps

## Background reference papers:

Date	Type	Available From
2015	Town and Country Planning (General Permitted Development) (England) Order 2015	<a href="http://legislation.gov.uk">The Town and Country Planning (General Permitted Development) (England) Order 2015 (legislation.gov.uk)</a>
1990	Planning (Listed Building and Conservation Areas) Act 1990	<a href="http://legislation.gov.uk">Planning (Listed Buildings and Conservation Areas) Act 1990 (legislation.gov.uk)</a>
2019	Waveney Local Plan	<a href="http://eastsoffolk.gov.uk">Adopted-Waveney-Local-Plan-including-Erratum.pdf (eastsoffolk.gov.uk)</a>

2020	Suffolk Coastal Local Plan	<a href="#">East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf (eastsoffolk.gov.uk)</a>
2021	National Planning Policy Framework	<a href="#">National Planning Policy Framework (publishing.service.gov.uk)</a>
2021	Historic Environment SPD	<a href="#">Historic-Environment-SPD-reduced.pdf (eastsoffolk.gov.uk)</a>
2022	Bungay Conservation Area Appraisal	<a href="#">Bungay-Conservation-Area-Appraisal-and-Management-Plan-Article-4-directions-apply.pdf</a>
2011	Wrentham Conservation Area Appraisal	<a href="#">Wrentham-Conservation-Area-Character-Appraisal-with-Management-Plan.pdf</a>