

8 February 2022 - Strategic Planning and Infrastructure Committee

Urgent Update

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Agenda Item 24: Article 4 Directions

It is worth noting with regard to Conservation Areas that as a matter of law the demolition of “the whole or any part of any gate, fence, wall or other means of enclosure in a conservation area” requires planning permission and does not presently benefit from any permitted development rights. If “the whole or any part of any gate, fence, wall or other means of enclosure in a conservation area” is demolished this constitutes a criminal offence for which a prosecution may be brought and may also be subject to planning enforcement action.

Therefore, it would not be necessary to serve an article 4 direction for a Conservation Area for the demolition of a means of enclosure.