

**Further Information on Article 4 Directions**

**What is an Article 4 Direction?**

An Article 4 Direction is a tool made by local planning authorities to withdraw permitted development rights.

**What will the Article 4 Directions do?**

Four new Article 4 Directions have been made. These are located in Baldock, Hitchin, Letchworth Garden City and Royston. The new Article 4 Directions relate to change of use of Class E[[1]](#footnote-1) to residential dwellings (Use Class C3). The new Article 4 Direction now requires occupiers and land owners to apply for planning permission if they would like to convert the property into residential housing.

**Why are Article 4 Directions required?**

Under new Government rules, legislation to allow for a range of employment uses (Use Class E) to be turned into housing without the need for planning permission.

This has the potential to lead to a significant loss of key retail, commercial and leisure facilities in our District. As demonstrated through the Local Plan process, evidence has shown that there is already a shortfall of retail, commercial and leisure floorspace in our District against our identified need. It is important that we protect all our existing retail, commercial and leisure units in our town centres.

In addition to this, the emerging Local Plan identifies sufficient sites to ensure our District’s housing needs are met in full. Therefore, there is no specific need to rely upon any additional housing from Use Class E conversions which would result in the loss of Use Class E floorspace.

The Article 4 Directions will ensure that all proposals for change of use to residential are passed through the planning system and assessed against current planning policies.

**Will this prevent changes of use to residential being carried out?**

No. An Article 4 Direction only requires planning permission to be sought. It does not automatically allow the Council to refuse change of use applications. Applications for change of use schemes will be assessed against current planning policy.

**Why have I been notified?**

The regulations relating to Article 4 Directions require local authorities to give formal notice to all land owners and occupiers within the area which the Article 4 Direction relates to. Notice is given to all land owners and occupiers affected by the Article 4 Direction so that they have the opportunity to provide a representation during the consultation period. If you would like to make a representation please see: [Article 4 Directions | North Herts Council (north-herts.gov.uk)](https://www.north-herts.gov.uk/article-4-directions-0)

**What happens next?**

The Article 4 Directions have been made. This means from the 5 October 2022, any Use Class E properties located within the primary and secondary shopping frontages will require planning permission for change of use to residential.

A six week consultation period will start from the 10October 2022 which allows for those affected to provide comments on the new Article 4 Direction. Following the consultation period, the responses will be considered and authority will be sought from the Executive to confirm the Direction.

1. E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises

E(c) Provision of:

E(c)(i) Financial services,

E(c)(ii) Professional services (other than health or medical services), or

E(c)(iii) Other appropriate services in a commercial, business or service locality

E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)

E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)

E(f) Creche, day nursery or day centre (not including a residential use)

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

E(g)(i) Offices to carry out any operational or administrative functions,

E(g)(ii) Research and development of products or processes

E(g)(iii) Industrial processes [↑](#footnote-ref-1)