
STATUTORY INSTRUMENTS

1995 No. 418

**The Town and Country Planning (General
Permitted Development) Order 1995**

Directions restricting permitted development

4.—(1) If the Secretary of State or the appropriate local planning authority is satisfied that it is expedient that development described in any Part, Class or paragraph in Schedule 2, other than Class B of Part 22 or Class B of Part 23, should not be carried out unless permission is granted for it on an application, he or they may give a direction under this paragraph that the permission granted by article 3 shall not apply to—

- (a) all or any development of the Part, Class or paragraph in question in an area specified in the direction; or
- (b) any particular development, falling within that Part, Class or paragraph, which is specified in the direction,

and the direction shall specify that it is made under this paragraph.

(2) If the appropriate local planning authority is satisfied that it is expedient that any particular development described in paragraph (5) below should not be carried out within the whole or any part of a conservation area unless permission is granted for it on an application, they may give a direction under this paragraph that the permission granted by article 3 shall not apply to all or any particular development of the Class in question within the whole or any part of the conservation area, and the direction shall specify the development and conservation area or part of that area to which it relates and that it is made under this paragraph.

(3) A direction under paragraph (1) or (2) shall not affect the carrying out of—

- (a) development permitted by Part 11 authorised by an Act passed after 1st July 1948 or by an order requiring the approval of both Houses of Parliament approved after that date;
- (b) any development in an emergency; or
- (c) any development mentioned in Part 24, unless the direction specifically so provides.

(4) A direction given or having effect as if given under this article shall not, unless the direction so provides, affect the carrying out by a statutory undertaker of the following descriptions of development—

- (a) the maintenance of bridges, buildings and railway stations;
- (b) the alteration and maintenance of railway track, and the provision and maintenance of track equipment, including signal boxes, signalling apparatus and other appliances and works required in connection with the movement of traffic by rail;
- (c) the maintenance of docks, harbours, quays, wharves, canals and towing paths;
- (d) the provision and maintenance of mechanical apparatus or appliances (including signalling equipment) required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, quay, harbour, bank, wharf or basin;

- (e) any development required in connection with the improvement, maintenance or repair of watercourses or drainage works;
 - (f) the maintenance of buildings, runways, taxiways or aprons at an aerodrome;
 - (g) the provision, alteration and maintenance of equipment, apparatus and works at an aerodrome, required in connection with the movement of traffic by air (other than buildings, the construction, erection, reconstruction or alteration of which is permitted by Class A of Part 18 of Schedule 2).
- (5) The development referred to in paragraph (2) is development described in—
- (a) Class A of Part 1 of Schedule 2, consisting of the enlargement, improvement or other alteration of a dwellinghouse, where any part of the enlargement, improvement or alteration would front a relevant location;
 - (b) Class C of Part 1 of that Schedule, where the alteration would be to a roof slope which fronts a relevant location;
 - (c) Class D of Part 1 of that Schedule, where the external door in question fronts a relevant location;
 - (d) Class E of Part 1 of that Schedule, where the building or enclosure, swimming or other pool to be provided would front a relevant location, or where the part of the building or enclosure maintained, improved or altered would front a relevant location;
 - (e) Class F of Part 1 of that Schedule, where the hard surface would front a relevant location;
 - (f) Class H of Part 1 of that Schedule, where the part of the building or other structure on which the satellite antenna is to be installed, altered or replaced fronts a relevant location;
 - (g) Part 1 of that Schedule, consisting of the erection, alteration or removal of a chimney on a dwellinghouse or on a building within the curtilage of a dwellinghouse;
 - (h) Class A of Part 2 of that Schedule, where the gate, fence, wall or other means of enclosure would be within the curtilage of a dwellinghouse and would front a relevant location;
 - (i) Class C of Part 2 of that Schedule, consisting of the painting of the exterior of any part, which fronts a relevant location, of—
 - (i) a dwellinghouse; or
 - (ii) any building or enclosure within the curtilage of a dwellinghouse;
 - (j) Class B of Part 31 of that Schedule, where the gate, fence, wall or other means of enclosure is within the curtilage of a dwellinghouse and fronts a relevant location.
- (6) In this article and in articles 5 and 6—
- “appropriate local planning authority” means—
- (a) in relation to a conservation area in a non-metropolitan county, the county planning authority or the district planning authority; and
 - (b) in relation to any other area, the local planning authority whose function it would be to determine an application for planning permission for the development to which the direction relates or is proposed to relate;
- “relevant location” means a highway, waterway or open space.