This guidance note is one of a series which provides advice on various types of development within the borough. It deals with alterations to chimney stacks mainly arising from maintenance problems or the requirement for additional internal space.

This leaflet is intended for householders, builders and their agents. It sets out principles of good practice, explains the circumstances in which the prior consent of the Council is required and provides a clear indication of the Council’s attitude to such development.

This advice complements the Council policy set out in the adopted Unitary Development Plan. It clarifies the Council’s aim generally to maintain and improve the character and quality of the environment throughout the Borough.

Chimneys are often particularly important features of many house designs which as well as being functional provide interesting and distinctive patterns in the roofline often making a positive contribution to the particular quality and general appearance of an area. For this reason it is not always appropriate to alter or remove a chimney stack.

**PRINCIPLES OF GOOD DESIGN**

1. If a chimney stack is a major one serving the building, particularly if it is visible from a public place, it is likely that its demolition or alteration would markedly detract from the property’s appearance.

2. If the stack is one of a matching pair, particularly if the property displays a symmetry in its design elements, any alteration to a stack and especially its removal would be likely to unbalance this symmetry.

3. If the property forms part of a group in which the presence of chimneys forms a cohesive design feature throughout the grouping it is likely that any alteration or removal would not be appropriate.

4. In the case of an historic building, the chimney stack is likely to be an integral part of the design, providing an insight into the history and age of the property. In these circumstances, any alteration would be likely to detract markedly from
the architectural and historic interest of the property.

5. If a stack is a small, secondary one and has little or no significance for the architectural composition or the character of the building and cannot be viewed from a public place, it is likely that its reduction or removal would be acceptable.

6. The painting or rendering of a stack destroys its original appearance, and once applied is difficult to remove. Furthermore, paint or render can prevent brickwork from breathing and trap moisture. Some types of brick, due to their composition, may reject paint and will require special treatment and frequent repainting.

7. Often an old stack will be in need of maintenance, as the mortar in the joints begins to crumble or the pots become loose. In such circumstances, it is often less expensive to repair the stack than to demolish it. Repointing the brickwork with a suitable mortar, selective rebuilding, and/or refitting of pots, is a feasible alternative to demolition. However if the stack is leaning to such an extent that it is unstable, complete demolition and rebuild may be the only option.

8. Alterations to a building to create additional internal space often include the removal of the whole chimney breast and the loss of the external stack. It is usually possible in executing such work to provide internal support for the chimney stack, which can remain intact externally.

9. In the case of a listed building it is most unlikely that the removal of a chimney breast and stack would be acceptable, as these are likely to be features fundamental to the house design.

Where formal approval for the demolition or alteration of a chimney is required, the Council will assess the proposal against the principles outlined above.

**DO I NEED CONSENT FROM THE COUNCIL?**

If you live in a conservation area, you will require conservation area consent to demolish or reduce a chimney stack.

If you live in a listed building, you will require listed building consent for any works, whether internal or external, that materially affect the special architectural or historic interest of the building. This includes the demolition of, or alteration to a chimney breast or stack.

If you do not live in a conservation area then you do not require consent to demolish a chimney stack.

Where any structural alterations are proposed, consent under Building...
Regulations should be obtained. This procedure is quite separate from that outlined above. Further information can be obtained from the Building Control Group of the Council, whose address is at the end of this leaflet.

For residents of the Hampstead Garden Suburb any external change to a property, including restoration of original work, will require the prior consent of the Hampstead Garden Suburb Trust. In some cases Trust consent will be required for internal alterations. Residents should always check with the Trust at the earliest possible stage. The Council and the Trust have produced a design guidance leaflet for the Suburb. This is available from the Council.

Lessees and tenants whose property is under the management of a landlord should seek advice from that landlord before incurring any expense.

LISTED BUILDINGS AND CONSERVATION AREAS

The Council has designated a number of Conservation Areas which are of particularly high environmental quality. When assessing development proposals in such areas, the Council will have special regard to the desirability of preserving or enhancing the character or appearance of such areas. Therefore, particular vigilance will be exercised to ensure that any alteration to a chimney is compatible with its surroundings. A leaflet describing the borough’s conservation areas is available from the planning department.

Historic buildings that are considered of particular merit are included in the Statutory List of Buildings of Architectural or Historic Interest. Strict control will be applied to any type of development affecting such buildings through listed building consent. The Planning Group can advise you whether your property is included in “The List” or not.

The Council has compiled a list of buildings of local architectural or historic interest. Particular care will be taken to ensure that development proposals affecting buildings included in the “Local List” comply with advice contained in this leaflet.

POWERS TO ENFORCE THE ADVICE IN THIS LEAFLET

If works subject to planning control are carried out without the written consent of the Council, then the Council has the power to ensure that the breach of planning legislation is remedied. This could involve the reinstatement of the chimney to its former condition, which is likely to be a very expensive exercise for the owner of the property. In the case of a listed building the person who executed, or caused the works to be executed, is liable to prosecution in addition to enforcement proceedings outlined above. It is in your own interest therefore to follow advice in this leaflet.
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