



CABINET: 7 November 2017

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J. Hodson

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SUBJECT: CONFIRMATION OF THE ARTICLE 4 DIRECTION COVERING GRANVILLE PARK CONSERVATION AREA, AUGHTON

Wards affected: Aughton and Downholland Ward

1.0 PURPOSE OF THE REPORT

1.1 To seek Cabinet's confirmation of the Article 4 Direction, which was approved by Cabinet on 13th June 2017, covering Granville Park Conservation Area.

2.0 RECOMMENDATIONS TO CABINET

2.1 That Cabinet confirms the Article 4 Direction which covers Granville Park Conservation Area, as identified in Appendix A. appended to this report.

2.2 That Cabinet delegate authority to the Director of Development and Regeneration in consultation with the Portfolio Holder for Planning to make the necessary arrangements to inform residents and to publish details of the Article 4 Direction.

3.0 BACKGROUND

3.1 The Borough Council has a duty under s.69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review, from time to time, its Conservation Areas and under s.71 of the same Act to formulate and publish proposals for the preservation and enhancement of these areas.

3.2 Granville Park Conservation Area is entirely composed of unlisted properties which are vulnerable to change and alteration without additional planning protection. Householders are very often able to make alterations to unlisted dwelling houses without requiring planning permission e.g. changing doors and

windows, re-roofing, erecting a porch. Poorly designed, unsympathetic alterations can have a cumulative negative effect in Conservation Areas, undermining their character and appearance and putting under threat the very reason why they were designated as Conservation Areas in the first place.

- 3.3 A previous Article 4(2) Direction covered only some of the older properties within Granville Park Conservation Area leaving others, including a number of early C20th properties, which make a positive contribution to the areas character, unprotected.
- 3.4 In line with good practice, (Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1, February 2016) the character appraisal for Granville Park Conservation Area has recently been updated. The Appraisal recommended that a new Article 4 Direction be applied across the whole of the Conservation Area (identified in Appendix A). The Character Appraisal and its recommendations were subject to public consultation and was approved by Cabinet on 13 June 2017.

4.0 CURRENT POSITION

- 4.1 Article 4 Directions, which are approved and confirmed by the local authority, restrict the permitted development rights of owners to undertake certain, minor works and alterations to dwelling houses with the designated boundary. The restrictions relate to the classes of permitted development defined within the Town and Country Planning (General Permitted Development) Order 2015 and specifically relate to alterations including the changing of windows and doors, alterations to roofs the removal and alteration to chimneys, the erection of porches, laying down new areas of hardstanding, the erection, alteration and demolition of certain boundary walls/fences, the installation of solar PV and Solar thermal equipment and the painting of the exterior of a building. These restrictions only apply to a building or land that fronts a highway, waterway or open space.
- 4.2 The direct effect of the Article 4 Direction is that planning permission is required for those types of work or alteration identified in 4.3 above. The Local Planning Authority, through this process, can retain control over the impact of the changes to properties and where it is appropriate to do so, can refuse poorly designed and unsympathetic alterations which may undermine the areas character or appearance. The Article 4 Direction will therefore be an important tool in the management of Granville Park Conservation Area.
- 4.3 The Direction came into force directly following Cabinets approval on the 13 June. Residents affected by the Article 4 Direction were informed individually by letter, a copy of the Notice and Schedule was placed in the local newspaper and also displayed in the area. There followed a 6 week period where comments were invited. No comments or objections were received as part of the consultation or public notice.
- 4.4 Under the relevant procedures the draft Article 4 Direction remains in place for up to 6 months and require the Council to take into account any comments received from the consultation prior to their confirmation.

5.0 NEXT STEP

- 5.1 Subject to approval from Cabinet the Article 4 Direction will be formally confirmed and the residents within the Conservation Area be notified of the decision.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The need to continue with efforts to protect and improve the quality of the environment within the Borough including its streetscene, natural and built heritage of our towns, villages and countryside has been identified as a key issue in the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no significant financial or resource implications arising from this report.

8.0 RISK ASSESSMENT

- 8.1 The procedures relating to Article 4 Directions include provision for compensation where refusal of planning permission has arisen directly as a result of the restrictions in place under the Direction. Compensation can only be brought forward if, in such cases, it can be proven that it would have increased the building's value i.e. additional parking spaces.
- 8.2 Whilst there are not considered to be any significant risks involved in confirming the Article 4 Direction an assessment of potential risks is attached in Appendix B.
- 8.3 Article 4 Directions provide benefits by giving a mechanism to control the impacts of minor alterations and changes on the character and appearance on Conservation Areas. Failure to apply the Direction will weaken our management of the Conservation Area and risks the Authority not fulfilling its duty to preserve the special character and appearance of Granville Park Conservation Area.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders; therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the recommendations contained within this report

Appendices

Appendix A Map of Granville Park Conservation Area showing extent of Article 4 Direction.

Appendix B Article 4 Direction Risk Assessment

Appendix C Equality Impact Assessment