

ARTICLE 4 DIRECTION FOR WHITMORE CONSERVATION AREA

Report to Planning Committee 8th November 2016

Purpose of the report

To provide the Committee with the opportunity to consider any comments received on the Article 4 Direction for Whitmore Conservation Area and to decide whether to confirm the Direction.

Recommendation

That the Committee confirms the Article 4 Direction for Whitmore Conservation Area coming into force on 18th November, as set out in the Direction.

Reasons

The notification period is over and the Council must now decide if the Direction should be confirmed or not.

1.0 Background

- 1.1 The Planning Committee, on 24th May resolved that a non-immediate Article 4 Direction be issued to remove certain permitted development rights with respect to certain residential properties within Whitmore Conservation Area including rights associated with works of improvement, extension and alteration of a dwelling, works to boundary walls and the demolition of such walls, the installation of micro-generation equipment, and the extension or alteration of a building on agricultural land. This Direction was made under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 The purpose of this report is to enable the Planning Committee to consider whether the Article 4 Direction should be confirmed. The Direction was made and will come into force on 18th November if it is confirmed by the Local Planning Authority.
- 1.3 There are two types of Directions:- non-immediate directions where rights are only withdrawn following consultation and then confirmation, and immediate directions where permitted development rights are withdrawn straight away, but then must be confirmed following local consultation within 6 months. In the case of Whitmore a non-immediate Direction has been progressed which would come into effect if now confirmed. The Council in deciding whether or not to confirm the Direction is required to take into account any representations received during the consultation period.

2.0 Consultation

- 2.1 Representations were invited between 19th September 2016 and 14th October 2016. In accordance with legislation, the relevant notifications were undertaken.
- 2.2 No representations have been received in respect of the proposed Article 4 Direction for Whitmore.

2.3 The Conservation Advisory Working Party fully supports the confirmation of this Direction.

3.0 **Conclusions**

3.1 It is considered that the Direction, as made, is justified and will hopefully help to retain the special architectural details which contribute to the character of the Conservation Area. An Article 4 Direction only means that a particular development cannot be carried out under permitted development rights and therefore needs a planning application. This gives a Local Planning Authority the opportunity to consider the proposal in more detail. Accordingly it is recommended that the Committee now confirm the Direction.