

CONFIRMATION OF ARTICLE 4 DIRECTION FOR STUBBS WALK CONSERVATION AREA

Report to Planning Committee 25th April 2017

Purpose of the report

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

Recommendation

That the Committee confirms the Article 4 Direction for Stubbs Walk Conservation Area as coming into force on 1st May 2017, 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 28th February 2017 resolved that a non-immediate Article 4 Direction be issued to remove certain permitted development rights with respect to specified properties within Stubbs Walk 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. This 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 subject to confirmation by the Local Planning Authority.
- 1.3 In the case of Stubbs Walk a non-immediate Direction has been progressed which will come into effect if now confirmed on 1st May. 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 17th March and 7th April 2017. In accordance with legislation, the relevant notifications were undertaken.
- 2.2 One comment has been received from a householder requesting that these principles apply to Newcastle School and not just residents within the Conservation Area. It will be made available for inspection at the meeting. The Permitted Development rights (Class A of Part 2 and Class C of Part 11 of the Order) which deal with gates, walls and fences will apply to all of the school buildings, where the structure fronts a highway or open space. No other comments have been received.

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 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.