

REPORT TO: CABINET

DATE: 31 MARCH 2016

TITLE: CONFIRMATION OF OLD HARLOW ARTICLE 4 DIRECTIONS

PORTFOLIO HOLDER: COUNCILLOR MARK WILKINSON

LEAD OFFICER: GRAEME BLOOMER, HEAD OF PLACE (01279) 446270

CONTRIBUTING OFFICERS: PAUL MACBRIDE, FORWARD PLANNING MANAGER (01279) 446258
SOPHIE LEANING, FORWARD PLANNING OFFICER (01279) 446579

This is not a Key Decision.

Call-in procedures do not apply as this is a technical amendment to the previously agreed order at appendix 1 to this report.

This decision will affect the Old Harlow Ward specifically.

RECOMMENDED that Cabinet approves the confirmation of three proposed Article 4 Directions in the Old Harlow Conservation Area at 79-97 (odd) High Street.

REASON FOR DECISION

- A** It was intended that these properties would be included in the 2012 Direction. However, due to a typographical error in the associated documentation, Numbers 79 to 97 (odds) High Street were not included in the text of the 2012 Direction.
- B** Proposals for the Article 4 Directions received strong support from residents in the Conservation Area following public consultation in 2011.
- C** To comply with relevant legislation, the Council is required to confirm the Article 4 Directions and notify residents about the changes to permitted development rights in the area which commence on 27 February 2017, following the expiry of a 12 months advance warning period.

BACKGROUND

1. Proposals to enact Article 4 Directions across Old Harlow were consulted on between March and May 2011 and subsequently came into force in 2012. These aimed to deliver the objectives of the Old Harlow Conservation Area Appraisal and Management Plan. However, due to a typographical error in the associated documentation, Numbers 79 to

97 (odds) High Street were not included in the text of the 2012 Direction.

2. Article 4 Directions remove certain permitted development rights normally available to householders under the General Permitted Development Order (GPDO). Where this is the case, householders must make a formal planning application to the Council and receive planning permission before carrying out certain forms of development specified in the Direction. Applications resulting from the removal of permitted development arising from an Article 4 Direction would not attract a planning fee.
3. The Old Harlow Conservation Area Appraisal identified that certain forms of development carried out under permitted development rights has the potential to erode the character of the Conservation Area. To manage this issue, two new Article 4 Directions were proposed in areas with a special architectural and historic character.
4. To ensure numbers 79-97 (odds) High Street are assured the same protection a new Article 4 Direction has been made which covers these addresses. The direction was consulted on for a period of 21 days from 5 February to 26 February 2016.
5. During the public consultation every resident and property owner of 79-97 (odds) High Street was sent a leaflet informing them of the proposals and details of how to submit comments to Harlow Council. No responses were received from residents during this period.
6. During the 2011 consultation process the proposals for Article 4 Directions received strong support from local residents:
 - 57% of residents either strongly agreed or agreed with the proposal to amend the existing Article 4 Direction on Bury Road, New Road and 71 to 77 (odd) High Street. Only 5% of residents disapproving of the proposal.
7. Residents in the affected area were provided just over 12 months advance notice about the proposed changes, with the consultation literature stating that the proposals will come into effect on 27 February 2017.
8. Under the General Permitted Development Order 2015 (as amended), the Council is now required to confirm the Article 4 Directions and formally notify residents of the changes to permitted development rights which come into effect on 27 February 2017 in the following ways:
 - a) By site notice;
 - b) By local press advertisement; and
 - c) By serving a notice to the residents affected.

IMPLICATIONS

Place (includes Sustainability)

None beyond those contained in the report.

Author: **Graeme Bloomer, Head of Place**

Finance (includes ICT)

None specific.

Author: **Simon Freeman, Head of Finance**

Housing

None specific.

Author: **Andrew Murray, Head of Housing**

Community Wellbeing (includes Equalities and Social Inclusion)

None specific.

Author: **Jane Greer, Head of Community Wellbeing**

Governance (includes HR)

None specific.

Author: **Brian Keane, Head of Governance**

Appendices

Appendix 1 – 79-97 (odds) High Street Article 4 Direction

Appendix 2 – Consultation Summary Leaflet

Background Papers

NB: These are papers referred to in the preparation of the report that are not attached as appendices but that are available for public or Councillor to examine.

Draft Old Harlow Conservation Area Appraisal and Management Plan

Available at:

<http://www.harlow.gov.uk/old-harlow-conservation-area-character-appraisalpdf>

Public Consultation Leaflets on Proposed 79-97 (odds) High Street Article 4 Direction

Available at:

<http://www.harlow.gov.uk/article4>