

FAREHAM

BOROUGH COUNCIL

EXECUTIVE MEMBER DECISION MAKING (PLANNING AND DEVELOPMENT)

- Date:** Monday, 21 August 2017
- Time:** 2.45 pm
- Venue:** Executive Meeting Room - Civic Offices
- Executive Member:** Councillor K D Evans, Executive Member



1. Report Published

To consider the following matters for decision for which reports have been published:-

Non-Key Decision(s)

- (1) Article 4 Direction - Titchfield Conservation Area (Pages 3 - 14)
- (2) Article 4 Direction - Wallington Conservation Area (Pages 15 - 26)



P GRIMWOOD
Chief Executive Officer
www.fareham.gov.uk
11 August 2017

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FAREHAM

BOROUGH COUNCIL

Report to the Executive Member for Planning and Development for Decision

Portfolio:	Planning and Development
Subject:	Article 4 Direction: Titchfield Conservation Area
Report of:	Director of Planning and Regulation
Strategy/Policy:	Fareham Borough Local Plan/ Core Strategy
Corporate Objective:	Protecting and Enhancing our Environment

Purpose:

This report seeks confirmation of an article 4 direction served in accordance with the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Executive summary:

This report seeks confirmation of the article 4 direction that has been served for Titchfield Conservation Area in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (as amended). The direction, which was served on 17th May 2017 using the non-immediate procedure, has now been subject to the required statutory period of notification and no written representations have been received. The report recommends confirmation of the Article 4 Direction to come into force on the 18th September 2017.

Recommendation:

That the article 4 direction for Titchfield Conservation Area is confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 2015 (as amended) to come into force on the 18th September 2017.

Reason:

To preserve the character and appearance of the Titchfield Conservation Area.

Cost of Proposals:

There are no significant cost considerations in relation to this report. The costs associated with notification are covered within existing budgets.

Risk Assessment: There are no significant risks.

FAREHAM

BOROUGH COUNCIL

Executive Briefing Paper

Date: 21st August 2017

Subject: Article 4 Direction: Titchfield Conservation Area

Briefing by: Director of Planning and Regulation

Portfolio: Planning and Development

INTRODUCTION

1. This report relates to an article 4 direction that was served on properties in the Titchfield Conservation Area on 17th May 2017. It seeks confirmation of the Direction following the expiry of the required notification period in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

BACKGROUND

2. The use of an article 4 direction to control the potentially harmful exercise of permitted development rights in the conservation area was recommended in the adopted Titchfield Conservation Area Character Appraisal and Management Strategy. A decision to serve it was made following a report to the Executive Member for Planning and Development on 13th February 2017. Permitted development rights allow a range of minor development and alterations to take place without the need to make a formal planning application to the Council. By serving an article 4 direction, the Council can withdraw specified 'permitted development rights' and make a planning application necessary. There is no fee for a planning application that results from an article 4 direction.
3. The direction relating to Titchfield Conservation Area was served on 17th May 2017 using the non-immediate procedure. Using this procedure, the local planning authority specifies a date in the future when the Article 4 Direction will come into force which is after a statutory period of notification. Following consideration of any representations received resulting from the notification procedure the local planning authority then decides whether to confirm the direction. The period of notification has now expired and if the direction is confirmed, as recommended in this report, it will come into force on the 18th September 2017.

THE OUTCOME OF NOTIFICATION

4. The period of notification has now been completed. This included a letter to every owner and occupier affected, site notices posted within the conservation area, a local press advertisement and notification to Hampshire County Council and the

Secretary of State. The notification included details of the area to which the direction related, a description of the development affected, where a copy could be inspected and the proposed date, if confirmed by the Council, that it would come into force. The notification period lasted for 6 weeks and was undertaken from the 22nd May 2017 until 3rd July 2017.

5. A 'drop-in day' for members of the public to find out more about the article 4 direction was also held at the Titchfield Parish Rooms on 9th June 2017. Two members of the public attended the 'drop-in' day seeking clarification as to whether particular alterations to their properties would be affected.
6. No written representations were received resulting from the 6 week notification procedure.

NOTIFICATION OF CONFIRMATION

7. If it is resolved to confirm the direction then a second period of notification must be undertaken, also as described in paragraph 4 of this report, specifying that the direction has been confirmed and that it will have come into force on the 18th September 2017.

CONCLUSION

8. It is recommended that the article 4 direction for Titchfield Conservation Area is confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 2015 (as amended). A copy of the article 4 direction to be confirmed is attached at appendix A.

Appendices

Appendix A – [Titchfield Conservation Area - Article 4 Direction](#)

FAREHAM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1)

TITCHFIELD CONSERVATION AREA

WHEREAS FAREHAM BOROUGH COUNCIL, being the appropriate local planning authority within the meaning of Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (“the Order”), is satisfied that it is expedient that development of the descriptions set out in Table 1 below should not be carried out on land within the boundary of the Titchfield Conservation Area as specified in the schedules below and as **edged and filled in bold black on the attached plan**, unless planning permission is granted on an application made under part III of the Town And Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the descriptions set out in the Schedules below:

TABLE 1. DEVELOPMENT DESCRIPTIONS

Category A (Domestic)
1. The insertion or replacement of doors and windows on an elevation of a dwellinghouse that fronts, or is visible from, a highway or open space, being a development comprised within Class A of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.
2. Any change of roof material or the insertion of roof windows on a dwellinghouse, on an elevation that fronts, or is visible from, a highway or open space, being a development comprised within Class C of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.
3. The erection or construction of a porch outside any external door of a dwellinghouse that fronts a highway or open space, being a development comprised within Class D of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.
4. The provision of any building or enclosure incidental to the enjoyment of a dwellinghouse situated on land to the rear of a dwellinghouse, where the building or enclosure is visible from a highway, being a development comprised within Class E of Part 1 of Schedule 2 to the Order and not being a development comprised within any other Class.
5. The provision or replacement of a hard surface incidental to the enjoyment of a dwellinghouse , on land forward of a wall of a dwellinghouse which fronts a highway or open space, being a development comprised within Class F of Part 1 of Schedule 2 to the Order and not being a development comprised within any other Class.
6. The installation, alteration or replacement of a chimney or flue on a dwellinghouse , where the chimney or flue is visible from a highway or open space, being a development comprised within Class G of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.
7. The installation, alteration or replacement of a microwave antenna on a dwellinghouse, where visible from a highway or open space, being a development comprised within Class H of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.
8. The painting of unpainted surfaces on the exterior of a building where visible from a highway or open space, being a development comprised within Class C of Part 2 of Schedule 2 to the Order and not being a development comprised within any other class.

9. **The installation or replacement or alteration of solar PV or solar thermal equipment** on a building where the solar PV or solar thermal equipment is on a side wall or a roof slope and is visible from a highway, being a development comprised within Class A of Part 14 of schedule 2 to the Order and not being a development comprised within any other class;

Category B (Non-Domestic)

1. **The painting of unpainted surfaces** on the exterior of any building, where visible from a highway or open space, being a development comprised within Class C of Part 2 of Schedule 2 to the Order and not being a development comprised within any other class;

2. **The installation, alteration or replacement of a microwave antenna** on any building or other structure of a height of less than 15 metres on a side elevation where visible from a Highway, being a development comprised within Class C of Part 16 of Schedule 2 to the Order and not being a development comprised within any other class;

3. **The installation or replacement or alteration of Solar PV or Solar Thermal equipment** on a building where the **Solar PV or Solar Thermal equipment** is on a side wall or a roof slope, where visible from a highway, being a development comprised within Class J of Part 14 of schedule 2 to the Order and not being a development comprised within any other class;

Category C (Gates/Walls/Fences)

1. **The erection, construction, maintenance, improvement or alteration of a gate fence, wall or other means of enclosure**, where it fronts or is visible from a highway or open space, being a development comprised within Class A of Part 2 of Schedule 2 to the Order and not being a development within any other class;

2. **The demolition of the whole or any part of any gate fence, wall or other means of enclosure**, where it fronts or is visible from a highway or open space, being a development comprised within Class C of Part 11 of Schedule 2 to the Order and not being a development within any other class;

Your property will be included in only **one** of the schedules below;

SCHEDULE 1

1. Development for which planning permission will now be required

The category in Table 1 to which this Schedule applies is:-

Category A

2. Properties to which this Schedule applies

The properties within the Titchfield Conservation Area to which this schedule applies are as described below:-

Protea Gardens – 2, 4

Mill Street – 8, 10

Church Path – 5, 7, 9, 11, 13, 15

East Street – 12, 14, 16, 20, 22, 24, 26, 28

Shakespeare Mews – 2, 3, 4, 7, 8

High Street – 25

Church Street – 6, 8

Dowley Court – 1

West Street – 1a, 24, 33, 39/41, 45/47, 51/53, 75a, The Barn

South Street – 2, 17, 23, 24/26, 53, 55, 57, 59, 61, 63

Frog Lane – 4, 6, 10, 12

SCHEDULE 2

1. Development for which planning permission will now be required

The categories in table 1 to which this Schedule applies are:-

Categories A & C

2. Properties to which this Schedule applies

The properties within the Titchfield Conservation Area to which this schedule applies are as described below:-

Mill Street – 6

Church Path – 1, 2, 3, 4, 17, 19

West Street – 26, 28, 29, 31, 44, 57, 73

South Street – 21, 33, 37, 39

Coach Hill – 1 Coach House Mews, 2 Coach House Mews, 3, 5

Bridge Street – 18, 20, 22, 28, 30, 32, 36

Frog Lane – 2, 8

SCHEDULE 3

1. Development for which planning permission will now be required

The categories in Table 1 to which this Schedule applies are:-

Category B

2. Properties to which this Schedule applies

The properties within the Titchfield Conservation Area to which this schedule applies are as described below:-

East Street – 18

High Street – Titchfield Evangelical Church, 23

The Square – 27, 37, 37a, 39, 41, 41a, 44

Church Street - 1

South Street – 3, 12, 15

West Street – 1, 75

SCHEDULE 4

1. Development for which planning permission will now be required

The categories in Table 1 to which this Schedule applies are:-

Categories B & C

2. Properties to which this Schedule applies

The properties within the Titchfield Conservation Area to which this schedule applies are as described below:-

East Street – The Wheatsheaf

High Street – St Peters Parish Room, The Old Bakehouse

SCHEDULE 5

1. Development for which planning permission will now be required

The categories in Table 1 to which this Schedule applies are:-

Category C

2. Properties to which this Schedule applies

The properties within the Titchfield Conservation Area to which this schedule applies are as described below:-

Protea Gardens – 1

Bridge Street – 5, 7, 9

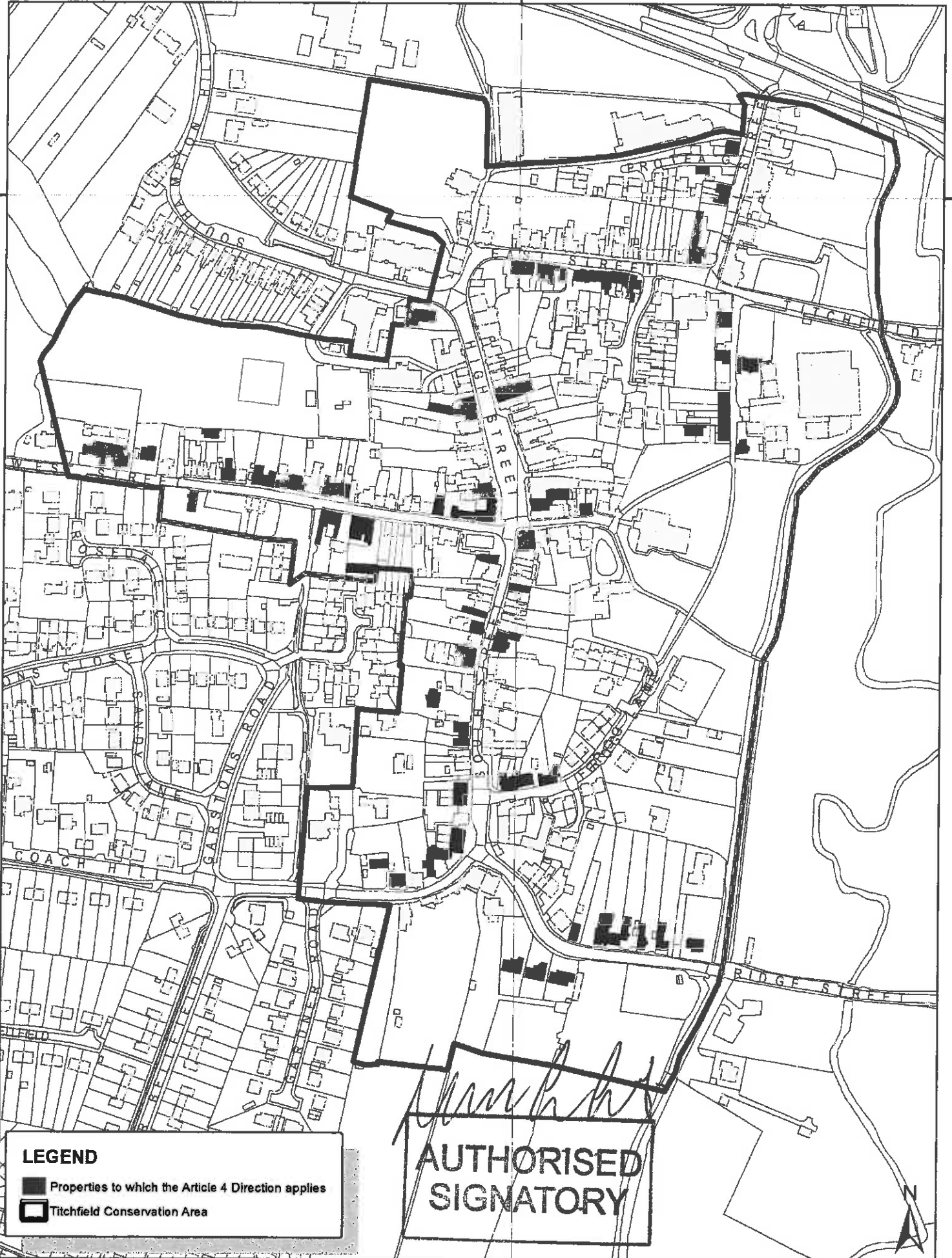
Made under the Common Seal of Fareham Borough Council of
this 17th DAY of May 2017

The Common Seal of the Council was affixed to this Direction in
the presence of


.....

Authorised Signatory

15/2017



LEGEND

- Properties to which the Article 4 Direction applies
- Titchfield Conservation Area

[Handwritten Signature]

**AUTHORISED
SIGNATORY**



FAREHAM
BOROUGH COUNCIL

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Report to the Executive Member for Planning and Development for Decision

Portfolio:	Planning and Development
Subject:	Article 4 Direction: Wallington Conservation Area
Report of:	Director of Planning and Regulation
Strategy/Policy:	Fareham Borough Local Plan/ Core Strategy
Corporate Objective:	Protecting and Enhancing our Environment

Purpose:

This report seeks confirmation of an article 4 direction served in accordance with the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Executive summary:

This report seeks confirmation of the article 4 direction that has been served for Wallington Conservation Area in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (as amended). The direction, which was served on 17th May 2017 using the non-immediate procedure, has now been subject to the statutory period of notification and 1 representation been received pointing out the omission of 23 North Wallington from the address list in schedule 1. The report recommends confirmation of the article 4 direction, with a correction to schedule 1, to come into force on the 18th September 2017.

Recommendation:

That the article 4 direction for Wallington Conservation Area is corrected to include 23 North Wallington in schedule 1 and confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 2015 (as amended) to come into force on the 18th September 2017.

Reason:

To preserve the character and appearance of the Wallington Conservation Area.

Cost of Proposals:

There are no significant cost considerations in relation to this report. The costs associated with notification are covered within existing budgets.

FAREHAM

BOROUGH COUNCIL

Executive Briefing Paper

Date: 21 August 2017

Subject: Article 4 Direction: Wallington Conservation Area

Briefing by: Director of Planning and Regulation

Portfolio: Planning and Development

INTRODUCTION

1. This report relates to an article 4 direction that was served on properties in the Wallington Conservation Area on 17th May 2017. It seeks confirmation of the direction following the expiry of the required notification period in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

BACKGROUND

2. The use of an article 4 direction to control the potentially harmful exercise of permitted development rights in the conservation area was recommended in the adopted Wallington Conservation Area Character Appraisal and Management Strategy. A decision to serve it was made following a report to the Executive Member for Planning and Development on 13th February 2017. Permitted development rights allow a range of minor development and alterations to take place without the need to make a formal planning application to the Council. By serving an article 4 direction, the Council can withdraw specified 'permitted development rights' and make a planning application necessary. There is no fee for a planning application that results from an article 4 direction.
3. The Wallington direction was served on 17th May 2017 using the non-immediate procedure. Using this procedure, the local planning authority specifies a date in the future when the article 4 direction will come into force which is after a statutory period of notification. Following consideration of any representations received as a result of the notification procedure the local planning authority then decides whether to confirm the direction. The period of notification has now expired and if confirmed, as recommended in this report, the direction will come into force on the 18th September 2017.

THE OUTCOME OF NOTIFICATION

4. The period of notification has now been completed. This included a letter to every owner and occupier affected, site notices posted within the conservation area, a local press advertisement and notification to Hampshire County Council and the Secretary of State. The notification included details of the area to which the

direction related, a description of the development affected, where a copy could be inspected and the proposed date that, if confirmed by the Council, it would come into force. The notification period lasted for 6 weeks from the 22nd May 2017 until 3rd July 2017.

5. A 'drop-in day' for members of the public to find out more about the article 4 direction was held at the Wallington Village Hall on 26th May 2017. Nine members of the public visited, five expressed support and 4 sought clarification as to whether particular alterations they might wish to undertake to their properties would be affected.
6. One written representation has been received during the notification period. This relates to an error omitting No.23 North Wallington from the address list in schedule 1 although marked on the map of properties attached to the direction. The householder has been advised that this will be corrected at the time of confirmation by amending the direction to include the property number in the schedule of addresses.

NOTIFICATION OF CONFIRMATION

7. If it is resolved to confirm the direction then a second period of notification must be undertaken, also as described in paragraph 4 of this report, specifying that the Direction has been amended and confirmed and that it will come into force on the 18th September 2017.

CONCLUSION

8. It is recommended that the article 4 direction for Wallington Conservation Area is corrected to include 23 North Wallington in schedule 1 and that the direction is confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 2015 (as amended) to come into force on the 18th September 2017. A copy of the amended article 4 direction to be confirmed is attached at appendix A.

Appendices

[Appendix A – Wallington Conservation Area - Article 4 Direction \(as amended\).](#)

FAREHAM

BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1)

WALLINGTON CONSERVATION AREA

WHEREAS FAREHAM BOROUGH COUNCIL, being the appropriate local planning authority within the meaning of Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (“the Order”), is satisfied that it is expedient that development of the descriptions set out in Table 1 below should not be carried out on land within the boundary of the Wallington Conservation Area as specified in the schedules below and as **edged and filled in bold black on the attached plan**, unless planning permission is granted on an application made under part III of the Town And Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the descriptions set out in the Schedules below:

TABLE 1. DEVELOPMENT DESCRIPTIONS

<h2>Category A (Domestic)</h2>
<p>1. The insertion or replacement of doors and windows on an elevation of a dwellinghouse that fronts, or is visible from, a highway or open space, being a development comprised within Class A of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.</p>
<p>2. Any change of roof material or the insertion of roof windows on a dwellinghouse, on an elevation that fronts, or is visible from, a highway or open space, being a development comprised within Class C of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.</p>
<p>3. The erection or construction of a porch outside any external door of a dwellinghouse that fronts a highway or open space, being a development comprised within Class D of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.</p>
<p>4. The installation, alteration or replacement of a chimney or flue on a dwellinghouse, where the chimney or flue is visible from a highway or open space, being a development comprised within Class G of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.</p>
<p>5. The installation, alteration or replacement of a microwave antenna on a dwellinghouse, where visible from a highway or open space, being a development comprised within Class H of Part 1 of Schedule 2 to the Order and not being a development comprised within any other class.</p>
<p>6. The painting of unpainted surfaces on the exterior of a building where visible from a highway or open space, being a development comprised within Class C of Part 2 of Schedule 2 to the Order and not being a development comprised within any other class.</p>
<p>7. The installation or replacement or alteration of solar PV or solar thermal equipment on a building where the Solar PV or Solar Thermal equipment is on a side wall or a roof slope and is visible from a highway, being a development comprised within Class A of Part 14 of Schedule 2 to the Order and not being a development comprised within any other class;</p>
<h2>Category B (Non-Domestic)</h2>
<p>1. The painting of unpainted surfaces on the exterior of any building, where visible from a highway or open space, being a development comprised within Class C of Part 2 of Schedule 2 to the Order and not being a development comprised within</p>

any other class;

2. **The installation, alteration or replacement of a microwave antenna** on any building or other structure of a height of less than 15 metres on a side elevation where visible from a Highway, being a development comprised within Class C of Part 16 of Schedule 2 to the Order and not being a development comprised within any other class;

3. **The installation or replacement or alteration of Solar PV or Solar Thermal equipment** on a building where the **Solar PV or Solar Thermal equipment** is on a side wall or a roof slope, where visible from a highway, being a development comprised within Class J of Part 14 of schedule 2 to the Order and not being a development comprised within any other class;

Category C (Gates/Walls/Fences)

1. **The erection, construction, maintenance, improvement or alteration of a gate fence, wall or other means of enclosure**, where it fronts or is visible from a highway or open space, being a development comprised within Class A of Part 2 of Schedule 2 to the Order and not being a development within any other class;

2. **The demolition of the whole or any part of any gate fence, wall or other means of enclosure**, where it fronts or is visible from a highway or open space, being a development comprised within Class C of Part 11 of Schedule 2 to the Order and not being a development within any other class;

Your property will be present in only **one** of the schedules below:

SCHEDULE 1

1. Development for which planning permission will now be required

The categories in Table 1 to which this Schedule applies are:-

Category A

2. Properties to which this Schedule applies

The properties within the Wallington Conservation Area to which this schedule applies are as described below:-

Wallington Shore Road – 6, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 17

North Wallington – 29, 30, 31, 45b

The Maltings – 1, 2, 3, 4, 5, 6, 7, 8

SCHEDULE 2

1. Development for which planning permission will now be required

The categories in table 1 to which this Schedule applies are:-

Category A & C

2. Properties to which this Schedule applies

The properties within the Wallington Conservation Area to which this schedule applies are as described below:-

North Wallington – 15, 16, 17, 18, 19, 20, 21, 22, 32, 33, 33A, 34, 34A, 35, 35A, 36, 37,

38, 39, 45, 45A, 46, 47, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66,

67, 68, 69, 70, 71, 72, 73

Drift Road – 2A

SCHEDULE 3

1. Development for which planning permission will now be required

The categories in Table 1 to which this Schedule applies are:-

Category B & C

2. Properties to which this Schedule applies

The properties within the Wallington Conservation Area to which this schedule applies are as described below:-

Wallington Shore Road – The Cob & Pen

North Wallington – The White Horse

SCHEDULE 4

1. Development for which planning permission will now be required

The categories in Table 1 to which this Schedule applies are:-

Category C


2. Properties to which this Schedule applies

The properties within the Wallington Conservation Area to which this schedule applies are as described below:-

North Wallington – 10, 11, 24, 25, 26, 27, 32A, 32B, 32C, 32D, 32E

Made under the Common Seal of Fareham Borough Council of
this 17th DAY of May 2017

The Common Seal of the Council was affixed to this Direction in
the presence of

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Authorised Signatory

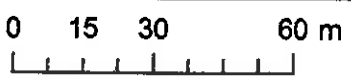
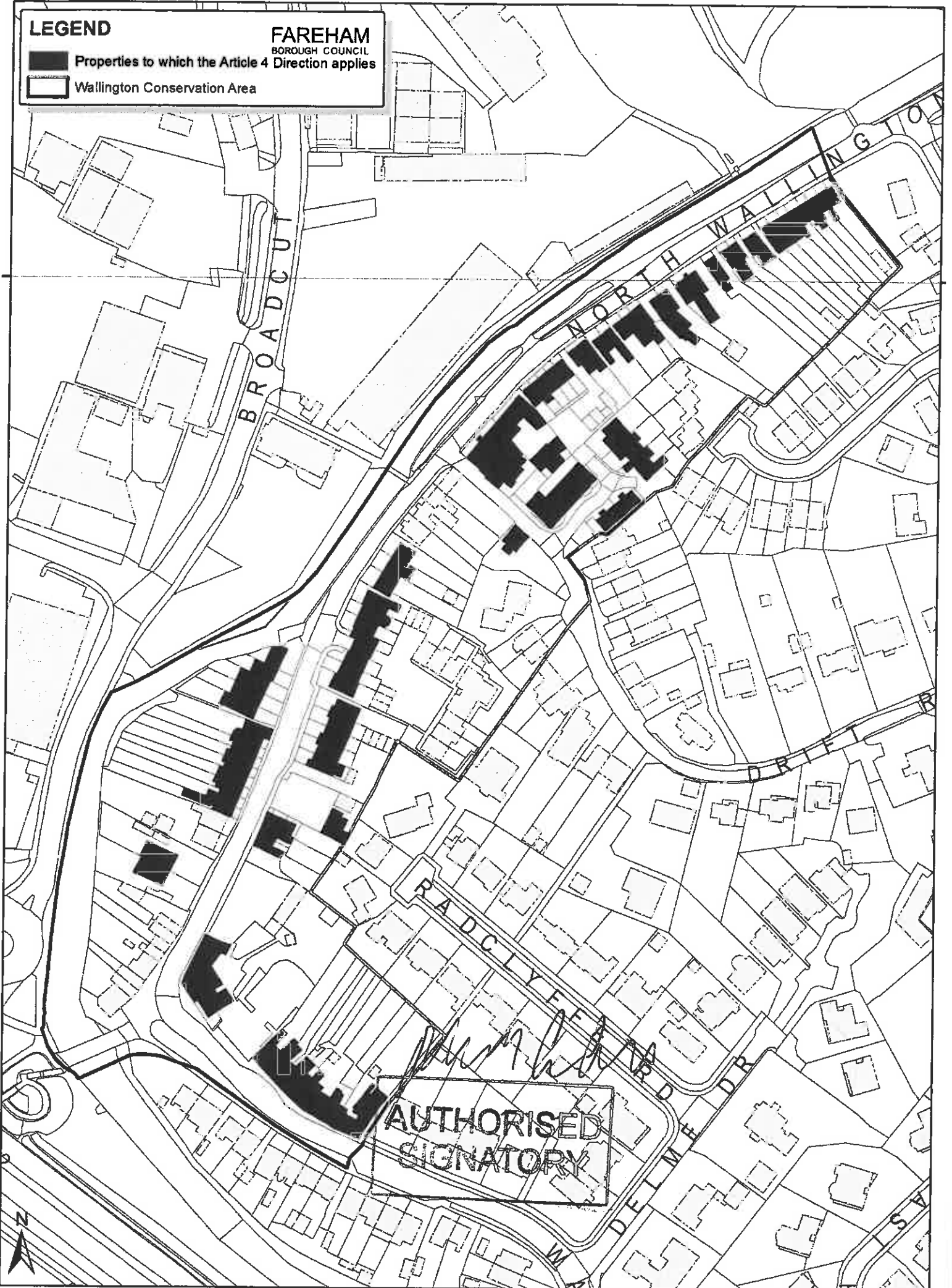
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LEGEND

FAREHAM
BOROUGH COUNCIL

■ Properties to which the Article 4 Direction applies

□ Wallington Conservation Area



FAREHAM

BOROUGH COUNCIL

Confirmed under the Common Seal of Fareham
Borough Council this xxth day of xxxxx 2017

Subject to the following Modification:-

To insert No. 23 North Wallington into Schedule 1

The Common Seal of the Council was affixed to
this Direction in the presence of

.....

Authorised Signatory

