

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive Member for Planning and Development for Decision

<b>Portfolio:</b>	Planning and Development
<b>Subject:</b>	Article 4 Direction: Wallington Conservation Area
<b>Report of:</b>	Director of Planning and Regulation
<b>Strategy/Policy:</b>	Fareham Borough Local Plan/ Core Strategy
<b>Corporate Objective:</b>	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 17<sup>th</sup> 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 17<sup>th</sup> 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 13<sup>th</sup> 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 17<sup>th</sup> 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 22<sup>nd</sup> May 2017 until 3<sup>rd</sup> 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 26<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 \(as amended\).](#)