

FAREHAM

BOROUGH COUNCIL

EXECUTIVE MEMBER DECISION MAKING (PLANNING AND DEVELOPMENT)

- Date:** Monday, 27 April 2015
- Time:** 2:30 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) Confirmation of Article 4 Directions - Castle Street, Portchester :
Conservation Area (Pages 1 - 12)**

P GRIMWOOD
Chief Executive Officer

www.fareham.gov.uk

17 April 2015

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FAREHAM

BOROUGH COUNCIL

Report to the Executive Member for Planning and Development

Portfolio:	Planning and Development
Subject:	Article 4 Direction: Portchester (Castle Street) Conservation Area
Report of:	Director of Planning and Development
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 1995 (as amended).

Executive summary:

This report seeks confirmation of the Article 4 Direction that has been served for Portchester (Castle Street) Conservation Area in accordance with The Town and Country Planning (General Permitted Development) Order 1995 (as amended). The direction, which was served on 6th February 2015, has now been subject to the statutory period of public notification and no representations have been received. The report recommends confirmation of the Article 4 Direction which has been served using the non-immediate procedure and which would come into force on the 18th June 2015.

Recommendation:

That the Article 4 Direction for Portchester (Castle Street) Conservation Area is confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended) to come into force on the 18th June 2015.

Reason:

To preserve the character and appearance of the Portchester (Castle Street) 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: 27 April 2015

Subject: Article 4 Direction: Portchester (Castle Street) Conservation Area

Briefing by: Director of Planning and Development

Portfolio: Planning and Development

INTRODUCTION

1. This report relates to an Article 4 Direction that was served on properties in the Portchester (Castle Street) Conservation Area on 6th February 2015. It seeks confirmation of the Direction following the expiry of the required public notification period in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 1995 (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 Portchester (Castle Street) 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 9th October 2014. 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 Portchester direction was served on 6th February 2015 (Appendix A) using the non-immediate procedure. Using this procedure the Article 4 Direction comes into force on a future date, specified by the local planning authority, after a statutory period of public consultation and the consideration of any representations received. The period of public consultation has now expired and if confirmed, as recommended in this report, the direction will come into force on the 18th of June 2015.

THE OUTCOME OF PUBLIC CONSULTATION

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

related, a description of the development affected and named place where a copy of the direction could be inspected. The consultation period was 6 weeks and was undertaken from the 6th February until the 20th March. The notification also specified the proposed date that the Article 4 Direction would come into force if confirmed by the Council which is the 18th June 2015.

5. No representations have been received resulting from public consultation.

NOTIFICATION OF CONFIRMATION

6. If it is resolved to confirm the Direction then a second period of notification needs to be undertaken, also as described in paragraph 4 of this report, specifying that the Direction has been confirmed and that it will come into force on the 18th June 2015.

CONCLUSION

7. It is recommended that the Article 4 Direction for Portchester (Castle Street) Conservation Area is confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Appendices

Appendix A - Portchester Castle Street Article 4 Direction

FAREHAM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5 APPLIES PORTCHESTER (CASTLE STREET) CONSERVATION AREA

WHEREAS FAREHAM BOROUGH COUNCIL, being the appropriate local planning authority within the meaning of Article 4(4) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) ("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 Portchester 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 1995 (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

<p>A. The enlargement, improvement or other alteration of a dwellinghouse in relation to the replacement of doors and windows on a front elevation where facing and on a side elevation where visible from a highway, waterway 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>B. Any alteration to the roof of a dwellinghouse in relation to change of roof material or insertion of roof windows on a front elevation where facing, and on a side elevation where visible, from a highway, waterway 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>C. The erection or construction of a porch to a dwellinghouse on an elevation fronting a highway, waterway 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>D. The provision or replacement of a hard surface, where it fronts a highway, waterway or open space, being a development comprised within Class F of Part 1 of Schedule 2 to the Order not being a development comprised within any other Class;</p>
<p>E. The installation, alteration or replacement of a chimney being a development comprised within Class G of Part 1 of Schedule 2 to the Order not being a development comprised within any other class;</p>
<p>F. The installation, alteration or replacement of a microwave antenna on a side elevation where visible from a highway, waterway 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>G. The erection, construction, maintenance, improvement, alteration or demolition of a gate fence or wall or other means of enclosure where it fronts or is visible from, a highway, waterway 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;</p>
<p>H. The painting of the exterior of any part of a dwellinghouse or building or enclosure within its curtilage in relation to the painting of unpainted surfaces where facing, and on a side elevation where visible from a highway, waterway 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>I. The installation, alteration or replacement on any building or other structure of a height of less than 15 metres of a microwave antenna on a side elevation where visible from a Highway, waterway or open space, being a development comprised within Class B of Part 25 of Schedule 2 to the Order not being a development comprised within any other</p>

class;

J. The demolition of the whole or any part of a gate fence or other means of enclosure where it fronts, or is visible from, a highway, waterway or open space, being a development comprised within Class B of Part 31 of Schedule 2 to the order and not being a development within any other class;

K. The installation or replacement or alteration of Solar PV or Solar Thermal equipment where the installation is on side walls and side and front roof slopes, being a development comprised within Class A of Part 40 of the General Development Order;

L. The installation or replacement or alteration of a wind turbine on side elevations, being a development comprised within Class H of Part 40 of the General Development Order.

SCHEDULE 1

A. Development for which planning permission will now be required

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

A, B, C, D, E, F, G, H, J, K, L.

B. Properties to which this direction applies

The properties within the Portchester (Castle Street) Conservation Area to which this schedule applies are as described below:-

Castle Street (East Side) - 74 to 86 (even) (Terrace) 98a, 98b, 102, 104, 110, 110a, 112, 112a, 112b (Portchester Gate 1-3), 114, 116, 120 to 128 (even) (Terrace), 130 to 138 (even) (Terrace), 140, 142, 144, 164, 192, 194, 196, 206, 214.

Castle Street (West Side) - 77, 79, 83, 97, 99 to 109 (odd) (Terrace), 111 to 115 (odd) Terrace), 119, 121 to 127 (odd) (Terrace), 135a, 137, 139, 141 to 147 (odd) (Terrace), 157, 163, 165, 175.

Wicor Path - Castle Barn, Wicor Oak

Hospital Lane - Beach Cottage, Castle Acre

Barbican Mews - 1

White Hart Lane - 1a, 1b

SCHEDULE 2

A. Development for which planning permission will now be required

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

D, G, J.

B. Properties to which this direction applies

The properties within the Portchester (Castle Street) Conservation Area to which this schedule applies are as described below:-

Castle Street (East Side) - 88, 94, 96, 98, 106, 118, 146, 146a, 146b, 148, 150, 152, 154, 156, 158, 168, 202, 204, 210, 212.

Castle Street (West Side) – 191, 221, Anchor House

SCHEDULE 3

A. Development for which planning permission will now be required

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

G, J.

B. Properties to which this direction applies

The properties within the Portchester (Castle Street) Conservation Area to which this schedule applies are as described below:-

Castle Street (West Side) - 208, The Co-operative Food, 181

SCHEDULE 4

A. Development for which planning permission will now be required

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

I.

B. Properties to which this direction applies

The properties within the Portchester (Castle Street) Conservation Area to which this schedule applies are as described below:-

Castle Street (East Side) - The Co-operative Food, Box Tree Court, 181,

SCHEDULE 5

A. Development for which planning permission will now be required

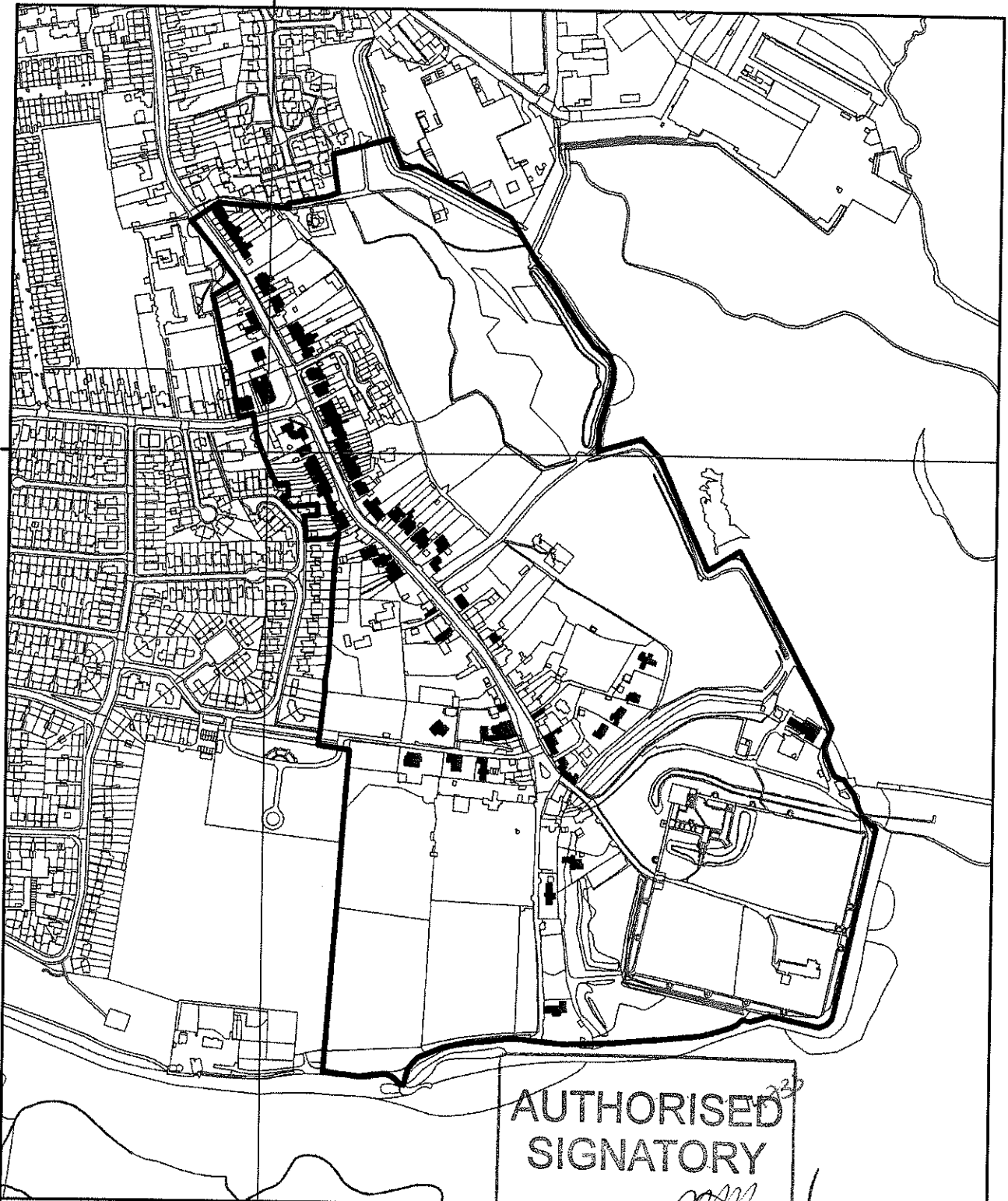
The categories in table 1 to which this Schedule applies are:-

K, L

B. Properties to which this direction applies

The properties within the Portchester (Castle Street) Conservation Area to which this schedule applies are as described below:-

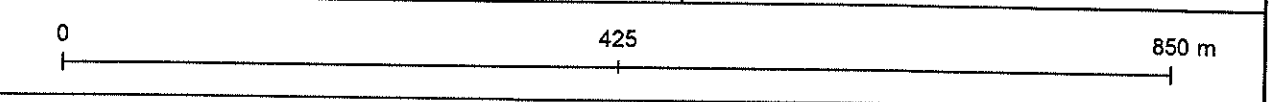
Castle Street (East Side) - BoxTree Court



**AUTHORISED
SIGNATORY**

[Handwritten Signature]

	<p>FAREHAM BOROUGH COUNCIL</p>	<p>PORTCHESTER (CASTLE STREET) CONSERVATION AREA</p>	<p> Portchester (Castle Street) Conservation Area Properties to which the article 4 direction applies</p>
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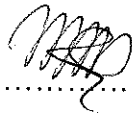


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Made under the Common Seal of Fareham Borough Council of
this 4th DAY of February 2015

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

14735

A handwritten signature in black ink, appearing to be 'MAD', written over a dotted line.

Authorised Signatory

