

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
16 April 2013

Subject: ARTICLE 4 DIRECTIONS – EASINGWOLD & NORTHALLERTON

**Easingwold & Northallerton Broomfield Wards
Portfolio Holder for Housing & Planning: Councillor M Robson**

1.0 PURPOSE AND BACKGROUND:

- 1.1 A report to Cabinet on 12 February 2013 recommended the making of two Article 4(1) Directions to remove certain permitted development rights from dwellinghouses in areas of Spring Street and Uppleby in Easingwold and South Parade, Hatfield Road, Thirsk Road, Boston Avenue and Grammar School Lane in Northallerton as shown on the respective maps at Annex A. The Directions apply within existing designated Conservation Areas.
- 1.2 The Article 4(1) Directions were delivered by hand on 21 February 2013, site notices were displayed and notification sent to the Secretary of State. Notices appeared in the Easingwold Advertiser on 21 February 2013 and the Darlington and Stockton Times on 22 February 2013. These arrangements fulfilled the Council's statutory obligations.
- 1.3 A period of 21 days was given for the public to make representations, closing on 15 March 2013. Three representations were received, concerning the Northallerton area, two in support from Alverton Heritage and the Allertonshire Civic Society and one from a local resident requesting details in relation to the maintenance of street furniture, but not objecting to the Direction.
- 1.4 Easingwold and Northallerton Town Councils had previously been consulted on the implementation of new Article 4(1) Directions and both were supportive.
- 1.5 The Secretary of State has no comments to make.
- 1.6 The purpose of this report is for Members to consider the representations made and to consider confirming the Directions.
- 1.7 As there have been no objections submitted and only representations in support, it is recommended that the two Directions be confirmed. They would then immediately come into force.
- 1.8 The Secretary of State and owners/occupants must be notified in accordance with the regulations and the Town Councils will also be notified.
- 1.9 A full photographic survey will be undertaken in order to gain an accurate record of the buildings affected at time of confirmation for monitoring and any necessary enforcement purposes.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The protection and enhancement of the historic environment contributes to the deliverability of sustainable development. One of the aims of the Planning Service is to support the sustainable and economic growth and development of the District. The proposed Article 4(1) Directions support the delivery of this Council priority by helping to ensure that economic growth and development can occur in these areas without compromising the character and appearance of the historic environment.

3.0 RISK ASSESSMENT:

3.1 Agreeing with the recommendations would mean that the Development Management service would deal with more applications with no fee income (application fees cannot be charged where permitted development rights have been removed). However, this is outweighed by the risks of future insensitive changes that would harm the conservation areas arising from not agreeing the recommendations. There are no significant risks arising from these recommendations.

4.0 FINANCIAL IMPLICATIONS:

4.1 The process of implementing an Article 4(1) Direction involves sending of letters and leaflets to affected households. There will also be the cost of advertisements in the local press to meet the regulations. This cost will be met through existing budgets.

4.2 There are also minor costs of considering additional planning applications, which currently attract no fee.

5.0 LEGAL IMPLICATIONS:

5.1 The correct legal procedure, as set out within the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 for the implementation of Article 4(1) Directions and Council procedures must be followed.

6.0 RECOMMENDATION:

6.1 It is recommended that:

- (1) the two Article 4(1) Directions for the areas defined at Annex A in Easingwold and Northallerton be confirmed to remove permitted development rights from dwellinghouses on elevations fronting a highway, waterway or public open space; and
- (2) the Secretary of State, occupiers and owners of dwellinghouses in the area covered by the Direction be notified in accordance with the regulations.

MICK JEWITT

Background papers: The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010.
Easingwold Conservation Area Appraisal Supplementary Planning Document, December 2010
Northallerton Conservation Area Appraisal Supplementary Planning Document, December 2010

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Northhallerton Article 4(1) Direction

NORTHAI

**Northhallerton Article 4(1) Direction
 South Parade/Thirsk Road/Boston Avenue/Hatfield Road/
 Grammar School Lane - Northhallerton**

 Article 4(1) Direction

**HAMBLETON
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