

Report Title: **Article 4(2) Direction: Peabody Cottages Conservation Area No. 21**Forward Plan reference number (if applicable): **N/A**Report of: **Niall Bolger, Director, Urban Environment**Wards(s) affected: **White Hart Lane**Report for: **Non-key decision****1. Purpose**

To ask the Committee to confirm the unopposed Article 4 (2) Direction restricting the permitted development rights of the affected properties in the Peabody Cottages Conservation Area before it expires at the end of six months from the date on which it was made. The Direction was made by Committee approval on 26 February 2007.

2. Recommendations

That Committee confirm the unopposed Article 4(2) Direction in accordance with Article 6(7) of the Town and Country Planning (General Permitted Development) Order 1995, in relation to Peabody Cottages Conservation Area No. 21 (Nos. 1A, 1B and 1 to 12 (consecutive); Nos. 14 to 19 (consecutive); Nos. 43 to 50 (consecutive); Nos. 52 to 151 (consecutive) Peabody Cottages; and Nos. 80 to 130 (even) Lordship Lane N 17).

Report Authorised by: **Shifa Mustafa,**
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Signature:..........Date: **28/6/07**.....

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3. Executive Summary

- 3.1 This report sets out the statutory procedure specified under Article 6 (7-10) of the Town and Country Planning (General Permitted Development) Order 1995 to confirm an unopposed Article 4 (2) Direction.

4. Reasons for any change in policy or for new policy development (if applicable)

- 4.1 N/A

5. Local Government (Access to Information) Act 1985

Town & Country Planning (General Permitted Development) Order 1995.
Guidance on the Management of Conservation Areas: English Heritage 2006

6. Background

The Peabody Cottages Conservation Area Article 4(2) Direction was made on 26 February 2007 following a comprehensive survey of the 154 properties within the conservation area undertaken on the 13th October 2006 recording any alterations that had taken place to the original features such as windows, doors, boundary treatment and rainwater goods of all of the properties in the conservation area, as well as any inappropriate alterations such as rendering and painting of brickwork.

7. Description

- 7.1 Article 6(7) of the Town and Country Planning (General Permitted Development) Order 1995 states that a Direction under Article 4(2) shall expire at the end of six months from the date on which it was made unless confirmed by the appropriate local planning authority in accordance with paragraphs (8) and (9) before the end of that six month period.
- 7.2 In deciding whether to confirm a Direction made under Article 4(2), under paragraph (8), the local planning authority shall take into account any representations received during the period of at least 21 days specified in the notice. (In this case, Tuesday 10 April 2007). No representations have been received with regard to this Article 4(2) Direction.
- 7.3 Under paragraph (9), the local planning authority shall not confirm the Direction until a period of at least 28 days has elapsed following the latest date on which any notice relating to the Direction was served or published. (The 28 day period has now elapsed).
- 7.4 Under paragraph (10), the appropriate local planning authority shall as soon as practicable give notice that a Direction has been confirmed in the same manner as when the Article 4(2) Direction was made (on 26 February 2007).

8. Recommendations

- 8.1 For the reasons set out above, the Head of Legal Services should be instructed to issue a Notice confirming the Article 4(2) Direction in accordance with Articles 6(7-10)

of the Town and Country Planning (General Permitted Development) Order 1995 for the Peabody Cottages Conservation Area No. 21. (Nos. 1A, 1B and 1 to 12 (consecutive); Nos. 14 to 19 (consecutive); Nos. 43 to 50 (consecutive); Nos. 52 to 151 (consecutive) Peabody Cottages; and Nos. 80 to 130 (even) Lordship Lane N 17) in relation to the type of permitted development set out below:

Part 1, Class A	The enlargement, improvement, removal or other alteration to the street elevations of the houses (including windows doors, fanlights and rainwater goods)
Part 1, Class C	The alteration to the roof slope fronting a street of the houses.
Part 1, Class D	The erection or alteration of a porch outside any external door in relation to the street elevations of the houses.
Part 1, Class F	The formation of a hard standing within a garden area fronting a street of the houses.
Part 1, Class H	The installation, alteration or replacement of a satellite antenna on any part fronting a street of the houses.
Part 1 of Schedule	The erection, alteration or removal of a chimney of the houses.
Part 2, Class A	The demolition, erection, construction, improvement or alteration of a gate, fence wall or other means of enclosure in respect of the street boundaries of the houses.
Part 2, Class C	The painting of the exterior of any part of the houses, except windows, window frames, doors and door frames.
Part 31, Class B	The demolition or alteration of any part of the street elevations or street boundaries of the houses.

9. Comments of the Director of Finance

- 9.1 There are no major financial implications relating to confirming the Article 4(2) Direction. It may, however, lead to a small increase in planning applications. The Article 4(2) Direction will ensure that proposals to alter the character and appearance of the houses at Nos. 1A, 1B and 1 to 12 (consecutive); Nos. 14 to 19 (consecutive); Nos. 43 to 50 (consecutive); Nos. 52 to 151 (consecutive) Peabody Cottages; and Nos. 80 to 130 (even) Lordship Lane can be suitably controlled.

10. Comments of the Head of Legal Services

There are no major legal implications relating to confirming the Article 4(2) Direction. It may, however, lead to a small increase in planning applications. The Article 4(2) Direction will ensure that proposals to alter the character and appearance of the houses at Nos. 1A, 1B and 1 to 12 (consecutive); Nos. 14 to 19 (consecutive); Nos. 43 to 50 (consecutive); Nos. 52 to 151 (consecutive) Peabody Cottages; and Nos. 80 to 130 (even) Lordship Lane can be suitably controlled.

11. Equalities Implications

There are no major equalities implications relating to confirming the Article 4(2) Direction. It may, however, lead to a small increase in planning applications. The Article 4(2) Direction will ensure that proposals to alter the character and appearance of the houses at Nos. 1A, 1B and 1 to 12 (consecutive); Nos. 14 to 19 (consecutive); Nos. 43 to 50 (consecutive); Nos. 52 to 151 (consecutive) Peabody Cottages; and Nos. 80 to 130 (even) Lordship Lane can be suitably controlled.

12. Use of Appendices / Tables / Photographs

- 12.1 Five plans indicating the location of the properties which are the subject of the Article 4(2) Direction were made available in a folder on display to Committee on 26 February 2007.
- 12.2 A survey table showing the condition of the buildings on 13th October 2006 was made available in a folder on display to Committee on 26 February 2007.
- 12.3 Photographs showing all properties which are the subject of the Article 4(2) Direction were made available in a folder on display to Committee on 26 February 2007.