



## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Gidea Park Conservation Area - New Article 4 Direction
<b>Cabinet Member:</b>	Councillor Osman Dervish
<b>CMT Lead:</b>	Andrew Blake Herbert, Group Director Resources
<b>Report Author and contact details:</b>	Lauren Gray, Senior Planner Tel: 01708 433051 Mail to: <a href="mailto:lauren.gray@havering.gov.uk">lauren.gray@havering.gov.uk</a>
<b>Policy context:</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework 2012</li> <li>• London Plan 2011, Revised Early Minor Alterations 2013 and Draft Further Alterations 2014.</li> <li>• Havering Local Development Framework 2008</li> <li>• Gidea Park Conservation Area Character Appraisal and Management Proposals 2008</li> </ul>
<b>Financial summary:</b>	The public consultation on a new Article 4 Direction for Gidea Park has limited financial implications.
<b>Relevant OSC:</b>	Towns and Communities
<b>Is this decision exempt from being called-in?</b>	No

### The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

**Non-key Executive Decision**

**Part A – Report seeking decision**

**DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

- (1) Agree public consultation on the proposed Gidea Park Article 4 Direction set out in Annex 1.
- (2) Subject to the results of the consultation, agree to revoke the current five Article 4 Directions currently in place in the Gidea Park Conservation Area on implementation of the new Article 4 Direction. The precise wording of which to be settled by the Head of Regulatory Services.

**AUTHORITY UNDER WHICH DECISION IS MADE**

The following elements of the Council's Constitution apply.

Part 3 – Responsibility for Functions

2.5 Functions delegated to individual Cabinet Members

- (r) To approve supplementary planning guidance and policies.

**STATEMENT OF THE REASONS FOR THE DECISION**

**1. Background**

- 1.1 This report seeks Member approval to publically consult on a proposed Article 4 Direction for the Gidea Park Conservation Area which would replace the existing five Article 4 Directions that currently apply in the area.
- 1.2 The introduction of a new Article 4 Direction provides the opportunity to update the existing Directions, ensuring they reflect the most recent legislation and the current development pressures in the area.
- 1.3 The proposal of a single Direction will improve clarity for Gidea Park residents regarding the controls that apply to each property.

**2. What is an Article 4 Direction?**

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2.1 An Article 4 Direction is a means by which a local authority can restrict the permitted development rights of property owners, resulting in a requirement to apply for planning permission for certain works which ordinarily can be undertaken without consent.

2.2 An Article 4 Direction does not prevent the development to which it applies but instead requires that planning permission is first obtained from the local planning authority for that type of development.

### **3. Current Article 4 Directions in Gidea Park**

3.1 At present, there are five Article 4 Directions in place which apply within the Gidea Park Conservation Area. These directions came into effect in 1985, 1986, 1989, 2000 and 2002.

3.2 Jointly, the Article 4 Directions cover 497 dwellinghouses within the Conservation Area. They establish two levels of control. Control level 1 applies to the majority of individual dwelling houses in the Conservation Area and control level 2 (which is stronger and more restrictive) applies to the 1911 Competition and Exhibition houses and others contributing to the group's identity.

3.3 A full description of the development that is restricted under each of the current Article 4 Directions is set out in Annex 2.

### **4. Reasons for proposal**

4.1 There are currently five overlapping Article 4 Directions in the Gidea Park Conservation Area which have been introduced over the past 30 years. The implementation of a single Article 4 Direction will increase clarity regarding the controls that apply to each property for Gidea Park residents and their advisers including those newly acquiring or considering acquiring properties.

4.2 There have been a number of legislative changes to the permitted development classes over recent years and the proposed Article 4 Direction is up-to-date and consistent with the most recent legislation, therefore increasing its effectiveness. For example, recent permitted development rights in relation to outbuildings mean that residents can build large structures within their gardens, which could potentially be detrimental to the open verdant character of the area. This is not reflected in the current Article 4 Directions.

4.3 The most recent Article 4 Direction is over 10 years old and the first Article 4 dates back almost 30 years. The proposed Article 4 Direction reflects current development pressures and seeks to ensure that the current character and quality of the conservation area is maintained and piecemeal degradation is avoided in line with Government and London planning policy.

### **5. Proposed Article 4 Direction 2014**

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- 5.1 It is proposed that a new single Article 4 Direction (set out in Annex 1) should be prepared and apply to the Gidea Park Conservation Area and all previous Article 4 Directions should be revoked.
- 5.2 The proposed direction contains improved (stronger) controls and applies to all single dwellinghouses in the Conservation Area (543 properties). As previously, there will be two levels of control and, as before, control level 2 will remain the stronger.
- 5.3 Stronger controls are needed within the Conservation Area in order to protect its unique character and to avoid further piecemeal degradation. There have been a number of legislative changes to the permitted development classes over recent years and the proposed Article 4 Direction is up-to-date and consistent with the most recent legislation. The preparation of a new Article 4 will provide more clarity for residents and their advisers when considering proposals to alter their homes.
- 5.4 It is proposed that 209 dwellinghouses be included under control level 1 and 334 properties under control level 2. 43 properties will be included in the Article 4 Direction for the first time under control level 1 and 29 properties will be moved from control level 1 to control level 2.
- 5.5 The overall number of properties included in the Article 4 Direction has increased due to the inclusion of recently built properties, a few which were previously missed in error and a number of properties on Eastern Avenue which were previously excluded. Eastern Avenue properties have not previously been subject to Article 4 controls because of the need for access to the A12 and the requirement for hard surface to enable this. These properties are now proposed to be covered by control level 1 with the exception of restrictions to hard surfaces.

### Proposed control level 1

- 5.6 Control level 1 properties will have the following permitted development rights removed:
- Enlargements, improvements or other alterations (to the front and side of the property)
  - Any other alteration to the roof (to the front and side of the property)
  - Provision or replacement of hard surface (to the front and side of the property)
  - Provision or alteration of any building or enclosure or swimming pool over 10 cubic metres, or a container used for domestic heating purposes for the storage of oil or liquid petroleum gas (to the front, side and back of the property)

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### Proposed control level 2

5.7 Control level 2 properties will have the following permitted development rights removed:

- The construction of a porch (to the front and side of the property)
- Provision or replacement of hard surface (to the front and side of the property)
- Enlargements, improvements or other alterations (to the front, sides and back of the property)
- Any other alteration to the roof (to the front, sides and back of the property)
- Provision or alteration of any building or enclosure or swimming pool over 10 cubic metres, or a container used for domestic heating purposes for the storage of oil or liquid petroleum gas (to the front, sides and back of the property)

5.8 With regards to Minor Operations, Control level 2 properties will also have the following permitted development rights removed:

- Construction or alteration of a gate, fence, wall or other means of enclosure (to the front and sides of the property)
- The construction of a means of access to a highway which is not a trunk road or a classified road (to the front, sides and back of the property)
- The painting of the exterior of any building or work (to the front, sides and back of the property)

5.9 A list of properties to be included under each of the control levels is included in Annex 1.

5.10 Differences between the existing controls and the proposed controls are set out in Annex 3.

## **6. Public Consultation**

6.1 The proposed Article 4 Direction has to be the subject of public consultation and this will be undertaken in line with the statutory requirements of the General Permitted Development Order. The consultation will be for a period of 21 days and all documents will be available on the Council website. Every household affected by the proposed Article 4 Direction will be notified by letter.

6.2 Following the public consultation and subject to the consideration of the representations the Article 4 Direction will take immediate effect.

## **7. What happens to the current Article 4 Directions?**

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7.1 Subject to the results of the Consultation, the five Article 4 Directions that are currently in place will be revoked and will be replaced by the new single Article 4 Direction. The current Directions will be revoked at the same time as the new Direction comes into effect, therefore ensuring that there is continuous protection of the Conservation Area.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

The option of continuing to apply the existing five Article 4 Directions within the Gidea Park Conservation Area has been rejected because they do not reflect the latest legislative changes to permitted development rights, they can appear confusing for Gidea Park residents and in some cases they no longer provide the appropriate safeguards for the Conservation Area.

The option of applying the proposed Article 4 Direction with non-immediate effect, i.e. taking effect after a period of 12 months was rejected because of the risk to the Conservation Area of continued degradation during this period and the lack of consistency with current legislation.

### **PRE-DECISION CONSULTATION**

Officers had a positive meeting with the Gidea Park and District Civic Society to informally discuss the proposal for a new Article 4 Direction with stronger controls for the Conservation Area. The Society broadly support the approach set out and welcome the opportunity to provide detailed comments during the formal consultation.

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Lauren Gray

Designation: Senior Planner

Signature: *Lauren Gray*

Date: 29/09/2014

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) allows local planning authorities to make Directions withdrawing permitted development rights where the authority considers it expedient that development should not be carried out unless express planning permission has been obtained for the same. Once made the Article 4 Direction will need to be advertised and, in considering whether to confirm the Direction, the planning authority must take into account any representations made during the consultation period.

Public consultation on the proposed Article 4 Direction will be undertaken in line with the statutory requirements of the General Permitted Development Order 1995 (as amended). Subject to the results of the consultation the making of the proposed Article 4 Direction and the revocation of the existing Directions will be in accordance with the Town and Country Planning Act 1990 and Regulations and the General Permitted Development Order. Article 4 which have immediate effect as proposed in this instance may be subject to compensation.

*Cleared by Vincent Healy, Legal Manager 19/09/2014*

### **FINANCIAL IMPLICATIONS AND RISKS**

The public consultation on a new Article 4 Direction for Gidea Park has limited financial implications and can be met within existing Development Planning budgets.

Subject to the results of the consultation, once the Article 4 Direction is in place any planning application required as a consequence of the Direction is exempt from the usual planning application fee. However, this will not result in any loss to current income from planning application fees. The key implication is the officer time required to assess these additional applications.

Subject to the results of the public consultation it is recommended that the Article 4 Direction should come into place with immediate effect. This approach means the Council could be subject to compensation claims when an application is refused that would have previously been allowed under permitted development rights.

An alternative option would be for the Direction to take effect after a period of 12 months. This would remove any possibility of compensation claims. However, research has shown that compensation claims are extremely rare and this option is not being proposed.

*Cleared by Conway Mulcahy, Strategic Finance Partner 23/07/2014*

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

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The proposed Article 4 Direction may increase the amount of householder development that will require planning permission, potentially increasing the workload of planning officers within Regulatory Services. However, the new Article 4 Direction can be prepared and implemented using existing staff resources.

*Cleared by Geraldine Minchin, Strategic HR Business Partner 17 June 2014*

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The proposed consultation on the new Article 4 Direction is in line with the statutory requirements of the General Permitted Development Order and will include every household within the new Direction area. The Council will need to provide reasonable adjustments when requested, in order for disabled residents to respond to the consultation.

The Council will need to monitor the responses to the consultation and ensure that there are no issues raised that will have a negative impact on the Council's ability to have due regard to the Public Sector Equality Duty including promotion of equality.

Should the proposed Article 4 Direction be agreed and implemented, it will have no negative impact on equality and social inclusion. If modifications are required to the exterior of properties for wheelchair users or mobility impaired people, residents will be able to access the normal planning application process in order to make them.

*Cleared by Paul Green, Corporate Policy and Diversity Advisor 20 June 2014*

### **BACKGROUND PAPERS**



Non-key Executive Decision

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

*Delete as applicable*

~~Proposal NOT agreed because~~

**Details of decision maker**

Signed 

Name: OSMAN DERVISH

Cabinet Portfolio held: REGULATORY SERVICES & COMMUNITY SAFETY

Date: 02/10/2014.

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration Manager, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on 3/9/14

Signed A.H. [Signature]



## **Annex 1**

### **Proposed Article 4 Direction for Gidea Park Conservation Area**

#### ***Proposed Control level 1***

Control level 1 properties will have the following permitted development rights removed for the front and sides of a dwelling house:

- The enlargement, improvement or other alteration of a dwellinghouse (Class A)
- Any other alteration to the roof of a dwellinghouse (Class C)
- Development consisting of:
  - (a) The provision within the curtilage of a dwellinghouse of a hard surface incidental to the enjoyment of the dwellinghouse as such
  - (b) The replacement in whole or in part of such a surface (Class F)

Control level 1 properties will also have the following permitted development rights removed for the front, sides and back of a dwelling house:

- The provision within the curtilage of the dwellinghouse of:
  - (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, over 10 cubic metres, or the alteration of such a building or enclosure; Or
  - (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas (Class E)

#### ***Proposed Control level 2***

Control level 2 properties will have the following permitted development rights removed for the front and sides of a dwelling house:

- The erection or construction of a porch outside any external door of a dwellinghouse (Class D)
- Development consisting of:
  - (a) The provision within the curtilage of a dwellinghouse of a hard surface incidental to the enjoyment of the dwellinghouse as such
  - (b) The replacement in whole or in part of such a surface (Class F)

Control level 2 properties will have the following permitted development rights removed for the front, sides and back of a dwelling house:

- The enlargement, improvement or other alteration of a dwellinghouse (Class A)
- Any other alteration to the roof of a dwellinghouse (Class C)
- The provision within the curtilage of the dwellinghouse of:
  - (c) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, over 10 cubic metres, or the alteration of such a building or enclosure; Or
  - (d) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas (Class E)

With regards to Minor operations, Control Level 2 properties will have the following permitted development rights removed for the front and sides of a dwelling house .

- Class A – The erection, construction, or alteration of a gate, fence, wall or other means of enclosure (Class A)

With regards to Minor operations, Control Level 2 properties will have the following permitted development rights removed for the front, sides and back of a dwelling house.

- The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part) (Class B)
- The painting of the exterior of any building or work (Class C)

## Properties to be included in the new Article 4 Direction

### Control Level 1

Highlighted text shows a change in Control level from the previous Article 4s. 43 properties are included in CL1 for the first time.

Street Name	House Number
Balgores Crescent	Nos. 7A, 9, 11, 25 and 27
Balgores Lane	Nos. 15, 24, 26, 50, 52, 54, 56, 58, 60, 61, 62, 63, 64, 65, 66, 67, 69, 73, 75, 98, 100, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138 and 140
Balgores Square	Nos. 5, 6, 7, 8, 9, 10, 12, 12A, 14, 15, 16, 17, 18 and 19
Broadway	Nos. 1, 1A, 2, 3, 5, 7, 8, 9, 10, 11, 13, 15 and 17
Crossways	Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11A, 12, 14, 15, 16, 17, 30, 32, 34, 36, 38, 40, 42, 72, 76, 87, 89, 91, 93, 95, 95a and 97
Eastern Avenue (with the exception of Class F)	300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356 and 358
Elm Walk	Nos. 1, 2, 2a, 4, 6 and 8
Gidea Avenue	Nos. 1, 2, 2a, 3, 4, 5, 6 and 7
Gidea Close	Nos. 1a, 2, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 21
Heath Close	Nos. 1, 2, 3, 4 and 6
Heath Drive	Nos. 8, 9, 10, 11, 12, 17a, 18, 21, 37, 38 and 69
Main Road	Nos. 43, 49 and 71
Mead Close	Nos. 1, 2, 3, 4 and 5
Parkway	Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 22, 24, 26, 28 and 30
Repton Avenue	No. 49
Stanley Avenue	No. 1A
Squirrels Heath Avenue	Nos. 39, 41, 43 and 45
Sycamore Grove	Nos. 1, 2 and 3
Tudor Avenue	Nos. 38, 40 and 42

## Control Level 2

Highlighted text shows a change in Control level from the previous Article 4s. 29 properties have increased from CL1 to CL2.

Street Name	House Number or Name
<b>Balgores Crescent</b>	Nos. 2, , 4, 13, 15, 17, 19, 21 and 23
<b>Balgores Lane</b>	Nos. 17, 19, 23, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 45, 46, 47, 48, 49, 51, 53, 55 and 57
<b>Broadway</b>	Nos. 4 and 6
<b>Brook Road</b>	Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 20
<b>Crossways</b>	Nos. 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 33, 37, 41, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 69, 70, 71, 73, 75, 79, 81, 83 and 85
<b>Elm Walk</b>	Nos. 3, 5, 7, 10 and 12
<b>Gidea Close</b>	Nos. 1, 3, 15, 16, 17, 18, 19 and 20
<b>Heath Drive</b>	Nos. 3, 5, 7, 14, 15, 16, 17, 19, 20, 22, 24, 26, 27, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 60, 61, 62, 63, 64, 65, 66, 67 and 68
<b>Heaton Grange Road</b>	Brookside Chelsworth Milford Rosemary Rosemore
<b>Meadway</b>	Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36
<b>Parkway</b>	Nos. 14, 19, 21, 23, 25, 27, 29, 32, 33, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 74, 76 and 78
<b>Reed Pond Walk</b>	Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 43 and 45
<b>Risebridge Road</b>	Nos. 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 38
<b>Squirrels Heath Avenue</b>	Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 40

## **Annex 2 Current Article 4 Directions in Gidea Park**

At present, there are a number of Article 4 Directions in place which apply within the Gidea Park Conservation Area. These have been introduced over several years.

The various Article 4 Directions are detailed below.

### ***1985 Article 4 Direction***

The 1985 Article 4 Direction covers 473 properties and distinguishes between the 1910 exhibition houses and the subsequent buildings by delineating two levels of control.

Control level 1: applies to the majority of individual dwelling houses in the conservation area

Control level 2: applies to the 1911 Competition and Exhibition houses and others contributing to the group's identity.

*Control level 1* properties (290 in total) have the following permitted development rights removed:

- Roof alterations on roof slopes visible from a public highway
- The construction of hardstanding to the front and side of a dwellinghouse

*Control level 2* properties (183 in total) have the above permitted development rights removed in addition to the following:

- All enlargements, improvements and other alterations to a building (including roof alterations)
- The construction of a porch
- The construction of gates/fences/walls
- The formation of means of access to a highway
- The painting of an external wall of a building

### ***1986 Article 4 Direction***

In 1986 an additional Article 4 Direction added an additional 22 properties to control level 1 and 2 properties to control level 2. By adding 24 properties, the combined Article 4's now cover the majority of dwelling houses in the conservation area (with a few exceptions). The types of development restricted was unaltered.

### ***1989 Article 4 Direction***

The 1989 Article 4 Direction removes permitted development rights to install, alter or replace satellite antenna on a dwellinghouse or within the curtilage of a dwellinghouse. This Article 4 covers the whole of the Gidea Park Conservation Area.

The 1989 Article 4 Direction was a result of concern about the potential proliferation and visual impact of satellite antenna, which was widespread concern at that time across the UK.

### **2000/2002 Article 4 Directions**

107 of the 312 properties under control level 1 in the 1985 and 1986 Article 4 Directions were increased to control level 2. There are some differences between the type of development restricted under control level 2 in the 1985/86 Article 4 Directions and control level 2 in the 2000/02 Article 4 Directions.

The 107 additional properties have the following permitted development rights removed:

- All enlargements, improvements and other alterations to a building
- The construction of gates/fences/walls
- The formation of means of access to a highway
- The painting of an external wall of a building
- Any other alteration to the roof of a dwellinghouse (*not covered by 1985/86 Article 4*)
- Porches outside any external door (in the 85/86 Article 4 Direction it was only porches at the fronts and sides of buildings)

The final two restrictions are additional to those in the 1985/86 Directions.

In addition the permitted development right for hardstanding is removed in the 1995/86 Directions but not in the 2000/02 Directions.



## **Annex 3 – Changes between current and proposed controls**

### ***Proposed Control level 1***

Control level 1 properties will have the following permitted development rights removed for the front and sides of a dwelling house:

- The enlargement, improvement or other alteration of a dwellinghouse (Class A) (INCREASED CONTROL – this is not currently restricted for CL1 properties, with the exception of roofs visible from a public highway)
- Any other alteration to the roof of a dwellinghouse (Class C) (INCREASED CONTROL – this is not currently restricted for CL1 properties, it is believed to be a new class since 1985/86)
- Development consisting of:
  - (a) The provision within the curtilage of a dwellinghouse of a hard surface incidental to the enjoyment of the dwellinghouse as such
  - (b) The replacement in whole or in part of such a surface (Class F) (NO CHANGE – there have been slight wording changes to this class, but it is currently restricted for CL1 properties)

Control level 1 properties will also have the following permitted development rights removed for the front, sides and back of a dwelling house:

- The provision within the curtilage of the dwellinghouse of:
  - (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, over 10 cubic metres, or the alteration of such a building or enclosure; Or
  - (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas (Class E) (NEW, INCREASED CONTROL – this is a new class of development within the GPDO and is therefore not currently restricted for CL1 properties – a size threshold has been included to avoid the need to apply for planning permission for standard size sheds)

### ***Proposed Control level 2***

Control level 2 properties will have the following permitted development rights removed for the front and sides of a dwelling house:

- The erection or construction of a porch outside any external door of a dwellinghouse (Class D) (DECREASED CONTROL FOR SOME PROPERTIES ONLY – the properties included in the 2000/02 Direction are currently also restricted to the back of the property).
- Development consisting of:

- (a) The provision within the curtilage of a dwellinghouse of a hard surface incidental to the enjoyment of the dwellinghouse as such
- (b) The replacement in whole or in part of such a surface  
(Class F) (NO CHANGE – there have been slight wording changes to this class, but it is currently restricted for CL2 properties)

Control level 2 properties will have the following permitted development rights removed for the front, sides and back of a dwelling house:

- The enlargement, improvement or other alteration of a dwellinghouse (Class A) (NO CHANGE)
- Any other alteration to the roof of a dwellinghouse (Class C) (INCREASED CONTROL FOR SOME PROPERTIES – this is not currently restricted for the properties included in the 1985/86 Article 4 Direction)
- The provision within the curtilage of the dwellinghouse of:
  - (c) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, over 10 cubic metres, or the alteration of such a building or enclosure; Or
  - (d) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas  
(Class E) (NEW, INCREASED CONTROL – this is a new class of development within the GPDO and is therefore not currently restricted for CL1 properties – a size threshold has been included to avoid the need to apply for planning permission for standard size sheds)

With regards to Minor operations, Control Level 2 properties will have the following permitted development rights removed for the front and sides of a dwelling house .

- Class A – The erection, construction, or alteration of a gate, fence, wall or other means of enclosure (Class A) (DECREASED CONTROL – currently this also applies to the back of CL2 properties)

With regards to Minor operations, Control Level 2 properties will have the following permitted development rights removed for the front, sides and back of a dwelling house.

- The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part) (Class B) (NO CHANGE)
- The painting of the exterior of any building or work (Class C) (NO CHANGE)

Type of Permitted Development	Restricted for <u>current</u> CL1 properties?	Restricted for <u>proposed</u> CL1 properties?	Restricted for <u>current</u> CL2 properties?	Restricted for <u>proposed</u> CL2 properties?
The enlargement, improvement or other alteration of a dwellinghouse (Class A)	✓ roofs visible from a public highway	✓ front and sides of properties	✓ front, side and back (whole) of the property	✓ front, side and back (whole) of the property
Any other alteration to the roof of a dwellinghouse (Class C)	✗ This is believed to be a new class of development since 1985	✓ front and sides of properties	✓ front, side and back (whole) of the properties covered by the 2000/02 A4 Direction)  This is believed to be a new class of development since 1985	✓ front, side and back (whole) of the property  <i>NB. This will only be an increase in control for the 1985/86 A4 Direction properties.</i>
The erection or construction of a porch outside any external door of a dwellinghouse (Class D)	✗	✗	✓ This applies to the front and sides of properties in the 1985/86 A4 Direction and the whole of properties in the 2000/02 A4 Direction	✓ front and sides of properties  <i>NB. This will only be a decrease in control for the 2000/02 A4 Direction properties</i>
The provision within the curtilage of the dwellinghouse of: <b>(a)</b> any building or enclosure, swimming or other	✗ this is a new class of development	✓ front, sides and back (whole) of the property	✗ this is a new class of development	✓ front, sides and back (whole) of the property

<p>pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the alteration of such a building or enclosure; Or <b>(b)</b> a container used for domestic heating purposes for the storage of oil or liquid petroleum gas <b>(c)</b> (Class E)</p>		<p>A size threshold of 10 cubic metres is proposed to avoid the need for planning permission for a standard size shed</p>		<p>A size threshold of 10 cubic metres is proposed to avoid the need for planning permission for a standard size shed.</p>
<p>Development consisting of: <b>(a)</b> The provision within the curtilage of a dwellinghouse of a hard surface incidental to the enjoyment of the dwellinghouse as such <b>(b)</b> The replacement in whole or in part of such a surface (Class F)</p>	<p>✓ fronts and sides of properties</p>	<p>✓ fronts and sides of properties</p>	<p>✓ fronts and sides of properties</p>	<p>✓ fronts and sides of properties</p>
<p>The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Class A –Minor Operations)</p>	<p>✗</p>	<p>✗</p>	<p>✓ front, side and back (whole) of the property</p>	<p>✓ front and sides of properties</p>
<p>The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part). (Class B – Minor Operations)</p>	<p>✗</p>	<p>✗</p>	<p>✓ front, side and back (whole) of the property</p>	<p>✓ front, side and back (whole) of the property</p>
<p>The painting of the exterior of any building or work (Class C – Minor Operations)</p>	<p>✗</p>	<p>✗</p>	<p>✓ front, side and back (whole) of the property</p>	<p>✓ front, side and back (whole) of the property</p>

