

Protecting the Heritage of Harlow

Old Harlow

Article 4 Direction Revision Confirmation



This Article 4 Direction Revision comes into effect on 1 June 2012. This leaflet explains what the Article 4 Direction and its Revision means for home owners and householders.

What is an Article 4 Direction?

An Article 4 Direction is a useful method of preserving the character groups of important historic buildings which are not statutorily listed. It enables the Council to manage change in special areas in a positive way. Article 4 Directions remove certain permitted development rights normally available to householders under the 1995 General Permitted Development Order (as amended) (GPDO). Where an Article 4 Direction is in place, householders must make a formal planning application to the Council and receive planning permission before carrying out the forms of development specified in the Direction.

Which homes does the Article 4 Direction Revision apply to?

This Direction applies to:

- Bury Road – all houses except 85
- New Road – 1 to 33 (odds)
- High Street – 71 to 77 (odds)
- Old Road – 11 to 19 (odds)

These homes are shown on the map below.



Existing Article 4 Direction area, confirmed in 1995

Background

In 1995, an Article 4 Direction was applied to these houses. This means that householders must submit a planning application to the Council before carrying out a range of small-scale developments and alterations to the front of dwellings or other areas which face the highway. The range of development covered in the Direction includes:

- the enlargement, improvement or alteration of the front of the house, facing the road;
- alterations to the roof of the house, facing the road;
- building a front porch;
- the provision of hard standing in front facing the road;
- removing, altering or erecting a chimney;

- building or demolishing front garden walls, fences or gates; and
- painting the front of the house or any other building fronting the road.

However, changes to permitted development regulations in 2008 mean that solar panels can now be fitted on the front of roofs in a conservation area, without the need for planning permission. This form of development was not included in the original Article 4 Direction for the area, so there is a need to up-date the direction.

The Council is making a change to the existing Article 4 Direction in this area, as detailed in Box A. This change removes permitted development rights for the installation, alteration or replacement of solar panels on roof slopes where they are visible from the highway. The complete Direction, as revised, is detailed in Box B. The Revised Direction fits in with the precise description of development contained in the General Permitted Development Order (GPDO). A summary of the Revised Direction has been provided in Box C. However, residents should refer to Box B for the exact legal meaning of the Direction.

BOX A: Revision to existing Article 4 Direction

This Direction is made under Article 4(1) of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO).

This Direction applies to all of the houses on Bury Road (excluding number 85), 1 to 33 (odds) New Road, 71 to 77 (odds) High Street and 11 to 19 (odds) Old Road.

This Direction removes the following forms of permitted development, as defined in the 1995 GPDO (as amended):

Part 40 of the GPDO - Installation of Domestic Microgeneration Equipment

- The installation, alteration or replacement of solar PV or solar thermal equipment on either of the following:
 - (i) a roof slope forming the principal or side elevation of the dwellinghouse and would be visible from a highway; or
 - (ii) a roof slope of a building within the curtilage of the dwellinghouse and would be visible from a highway.

When does this Article 4 Direction Revision come into force?

This Article 4 Direction Revision comes into force on 1 June 2012.

Implications of the Direction Revision

- Residents would need to apply for and receive planning permission before installing, altering or replacing solar panels on any roof slope facing the road.
- Residents would still have permitted development rights to install solar panels on the sides of their roofs and walls, provided they are not visible from the road.

BOX B: Revised Article 4 Direction - Bury Road, New Road, High Street and Old Road

This direction is made under Article 4(1) of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO).

This Direction applies to all of the houses on Bury Road (excluding number 85), 1-33 (odds) New Road, 71 to 77 (odds) High Street and 11-19 (odds) Old Road. This Direction removes the following forms of permitted development, as defined in the 1995 GPDO (as amended):

Part 1 of the GPDO - Development within the curtilage of a dwellinghouse

- The enlargement, improvement or other alteration of a dwellinghouse - where this would front a highway (Class A).
- Any alteration to the roof of a dwellinghouse - where this would front a highway (Class C).
- The erection or construction of a porch outside any external door of a dwellinghouse - where this would front a highway (Class D).
- Development consisting of:
 - (a) the provision of any hard surface within the curtilage of the dwellinghouse - where this would front a highway; and
 - (b) the replacement of such a surface - where this would front a highway (Class F).
- The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwelling house - where this would front a highway (Class G).

Part 2 of the GPDO - Minor operations

- The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure where a gate, fence, wall or other means of enclosure would front a highway (Class A).
- The painting of the exterior of any building which would be visible from the highway (Class C).

Part 40 of the GPDO - Installation of domestic microgeneration equipment

- The installation, alteration or replacement of solar photovoltaics or solar thermal equipment on either of the following:
 - (i) a roof slope forming the principal or side elevation of the dwellinghouse and would be visible from a highway; or
 - (ii) a roof slope of a building within the curtilage of the dwellinghouse and would be visible from a highway.

Why has the Council confirmed this Article 4 Direction Revision in this location?

Harlow Council carried out public consultation on The Draft Old Harlow Conservation Area Appraisal and Management Plan between 21 March and 2 May 2011. The appraisal has identified the area around Bury Road, New Road, Old Road and the eastern end of the High Street as having a very special architectural and historic character which the Council would like to preserve. The area contains highly attractive and well-preserved Edwardian and late-Victorian dwellings laid out in linear fashion. The draft appraisal highlights the important contribution these homes make to the character of the conservation area. Consistent rooflines along Bury Road, New Road and the eastern end of the High Street are an important element of the area's visual character and help to create consistent and visually pleasing views.

Changes to permitted development regulations in 2008 mean that solar panels could be fitted on the front of roofs in this area, without the need for planning permission. This form of development has the potential to significantly erode the historic, architectural and visual character of the area, unless it is managed sensitively. This is why the Council is confirming additional planning powers to manage this issue in this special area, and ensure that this form of development takes place in a way which is sympathetic to the special historic character of the area.



Consistent rooflines on Bury Road and the eastern end of the High Street

**Old Harlow Conservation Area
Appraisal and Management Plan**

Draft Consultation Version

21st March to 2nd May 2011



**Harlow
Council**
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HARLOW - see something different



BOX C: This means you need to apply for planning permission if you want to:

- Change the front of a home, including extensions and the replacement of doors and windows.
- Change the roof slope which faces a road.
- Build a porch.
- Build or replace an area of paving in the front garden of a home.
- Carry out any work to a chimney.
- Build or knock down any wall, fence or gate in a front garden.
- Paint the walls of a home which faces the road.
- Put up or replace solar panels on a roof slope visible from the road.



Original features on homes in the area, such as front garden hedges, sloping roofs, gable bays and colourful front doors

Has the Council consulted with the public regarding this Article 4 Direction Revision?

Between 21 March and 2 May 2011, the Council carried out a 6-week public consultation on the Article 4 Direction Revision. Residents were encouraged to comment on the matter and the Council examined all comments made before reaching a final decision. The majority of residents supported the Article 4 Direction Revision.

A Consultation Summary Report - which highlights the consultation methods used by the Council and summarises the consultation responses received - is available online at:

<http://www.harlow.gov.uk/conservation>

The report can also be viewed at Harlow Central Library, Old Harlow Library and the Civic Centre during normal opening hours.

Does an Article 4 Direction mean I won't be able to make changes to my home?

- This Revised Article 4 Direction does *not* mean that homeowners cannot make any changes to their property. It means that homeowners have to make a planning application to the Council first, before carrying out certain forms of development.
- This Revised Article 4 Direction does *not* mean that changes are not allowed. It just means that any proposed changes will need to respect the character of this area of the conservation area.
- In assessing planning applications, the Council will ensure that the changes proposed are in keeping with the character of the conservation area and that traditional features are preserved or replicated where possible.
- Importantly, this Revised Article 4 Direction only applies to a specified range of development which affects the character of the front of dwellings. It does not prevent homeowners carrying out other forms of permitted development to the rear of their properties, such as rear extensions.

Do I need to pay to submit a planning application under these circumstances?

Planning applications submitted for forms of development removed by the Revised Direction can be submitted free of charge.

Where are copies of the Revised Article 4 Direction made available?

Copies of the Revised Article 4 Direction are available for inspection at Harlow Central Library, Old Harlow Library and at Harlow Council Offices, The Civic Centre, Water Gardens.

Copies of the Revised Article 4 Direction and its associated documents are available online at <http://www.harlow.gov.uk/conservation>

If you have any further enquiries relating to the Direction, please write to:

Forward Planning
Harlow Council
The Civic Centre
The Water Gardens
Harlow
CM20 1WG

Telephone: 01279 446579

Or email: conservation@harlow.gov.uk

Benefits of this Revised Article 4 Direction

- This Revised Article 4 Direction helps ensure that this special character of this part of the Conservation Area is preserved now and for future generations. It provides the Council with additional planning powers to guide development so that it takes place in a way that reinforces the existing character of the Conservation Area.
- The existing Article 4 Direction in place in this area has proved to be an effective tool for managing potentially unsympathetic alterations in the Conservation Area. This has helped to prevent further erosion of the character in this area and has been generally well-received by residents.
- Research has shown that well-preserved conservation areas can increase the value of properties. A recent survey of estate agents by English Heritage reveals that 82% of estate agents felt that original features tend to add financial value to properties.

Other Article 4 Directions found in the Old Harlow Conservation Area

Article 4 Directions are also now in place at two other sites within the Old Harlow Conservation Area (see map below). These other sites consist of:

- Park Hill – 6, 8, 10, 12, 14 and 16 (Oddfellow's Terrace)
- Mulberry Terrace – 1, 2, 3, 4, 5 and 6
- Park Hill – 15 and 17
- St John's Avenue – 7 to 37 (odds) and 4 to 30 (evens)

The aim of all of the Article 4 Directions is to help deliver the objectives of the Old Harlow Conservation Area Appraisal and Management Plan.



