

REPORT OF BUILDING CONSERVATION OFFICER

SUBJECT:

ARTICLE 4 DIRECTIONS TO REDUCE SPECIFIC PERMITTED DEVELOPMENT RIGHTS WHICH IMPACT ON THE QUALITY OF THE CONSERVATION AREA OF ST DAVIDS

Purpose of Report

This report seeks approval for the confirmation of Directions pursuant to Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 ('the Order' as amended 2013) in relation to the Conservation Area of St Davids, as a pilot.

Members may recall resolving at the NPA meeting of 24th September 2014 that such a Direction be made in relation to the land within St Davids Conservation Area and that the proposed guidance note for householders be approved, subject to suggested amendments.

The consultation process was initiated in October 2014.

Our legal advisors advised that officers report back to Members once any representations have been received to ensure that there is a formal committee decision that the Direction is made and confirmed.

Legal Background

Fully covered in the previous report to Committee (Sept 2014).

Procedure for making Article 4(2) Directions

The Direction comes into force on the date of service or publication of the notice (whichever is the latest). In serving the Notice, the Authority is required to allow a period of at least 28 days for representations to be made concerning the Direction. The Authority has up to six months to decide whether to confirm the Direction and in doing so, it is required to take into account any representations.

Notices were originally served on 08/10/14 and publicised on 10/10/14. The notices were re-served on 18/12/14 and a formal Direction signed and sealed on 17/12/14 in accordance with legal advice and following best practice.

During the consultation period there was only one response received, objecting to the principle of seeking planning permission for the minor works as defined by the Direction. The requirement for planning consent is however, a legal requirement under the Direction.

If the Authority confirms the Direction, it has to give notice of the confirmation in the same way that it notified the making of the Direction. If confirmation is not made within six months, the Direction will lapse.

Conclusion

Further to the service and publication of the Article 4(2) Direction Notice (as revised) and the response received, it is appropriate for Committee to formally resolve to confirm the Direction.

Recommendations

- 1. That the Article 4(2) Direction be confirmed in relation to the land within St Davids Conservation Area highlighted on the map provided in Appendix A.**
- 2. That Members note the revised consultation procedure set out above, and the formal Direction provided in Appendix B.**

Project Manager

Rob Scourfield – Building Conservation Officer

Officers Consulted

Jane Gibson – Director of Park Direction and Planning.

Enclosures

Appendix A – Article 4(2) Map

Appendix B – Article 4(2) Direction

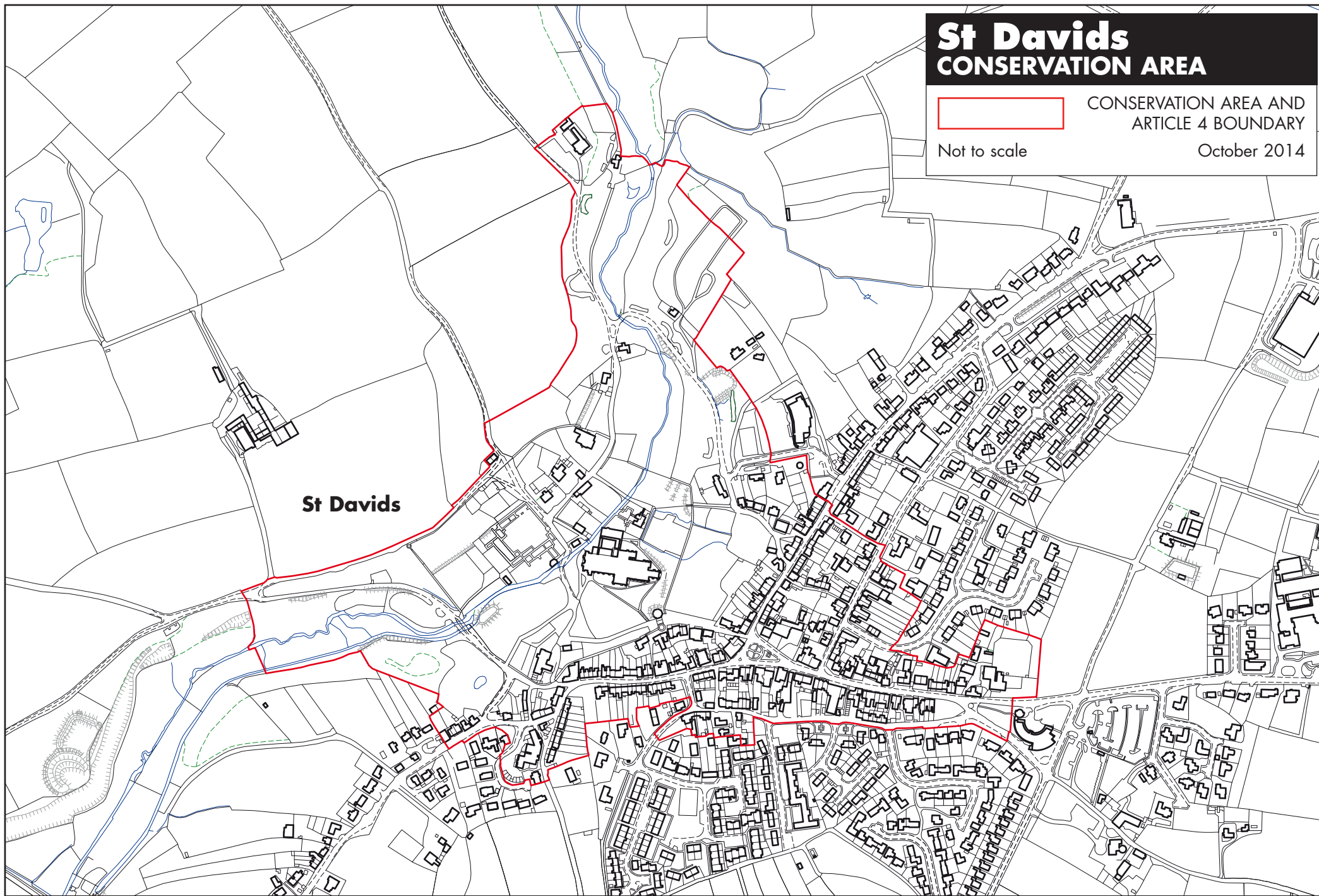
St Davids CONSERVATION AREA



CONSERVATION AREA AND
ARTICLE 4 BOUNDARY

Not to scale

October 2014



St Davids



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

DIRECTION MADE UNDER ARTICLE 4(2)

WHEREAS The PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY ("the Authority") being the appropriate local planning authority within the meaning of article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995 ("the Order") are satisfied that it is expedient that the development of the description(s) set out in the First Schedule below should not be carried out on the land described in the Second Schedule below ("the Land") 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 Authority in pursuance of the power conferred on them by article 4(2) of the Order and all other powers thereby enabling DIRECTS THAT:

1. The permission granted by article 3 of the Order shall not apply to development specified in the First Schedule below in respect of the Land.
2. This Direction shall come into force in accordance with article 6(3) of the Order in respect of any part of the Land on the date on which notice is served on the occupier of that part of the Land or, if there is no occupier, the owner. If the Authority considers that individual service on the owners or occupiers of the Land is impracticable because it is difficult to identify or locate one or more of them or because the number of owners or occupiers of the Land makes individual service impracticable, then this Direction shall come into force on the date on which notice is first published by local advertisement.
3. This Direction shall expire at the end of six months from the date on which it is made unless it is confirmed by the Authority in accordance with article 6(8)-(9) of the Order before the end of that six month period.

FIRST SCHEDULE

1. The enlargement, improvement or other alteration of any doors or windows of a dwellinghouse where any part of the enlargement, improvement or alteration would front a relevant location.
2. The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such where the hard surface would front a relevant location.
3. The erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure where the gate, fence, wall or other means of enclosure would be within the curtilage of a dwelling house and would front a relevant location.

4. The demolition of the whole or any part of any gate, fence, wall or other means of enclosure where the gate, fence, wall or other means of enclosure is within the curtilage of a dwellinghouse and fronts a relevant location.
5. In this Schedule "relevant location" means a highway, waterway or open space.

SECOND SCHEDULE

The St Davids Conservation Area designated as such in 1977, extended in 1995, the area of which is shown edged red on the attached plan.

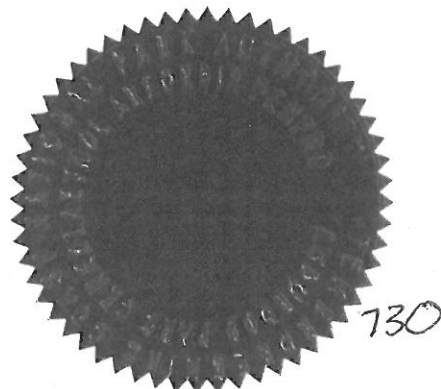


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The COMMON SEAL of the
PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY
was hereunto affixed this 17th December 2014 in the presence of: -

Michael James
.....
Member of Authority

J. J. Jones
.....
Chief Executive (National Park Officer)



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