



## Haverhill Area Working Party 15 November 2012

### Review of Article 4 Directions in Haverhill

#### 1. Summary and reasons for recommendation

- 1.1 An Article 4 Direction was made in the two Haverhill Conservation Areas on 3 June 2003. The Direction typically applies to the Victorian and Edwardian buildings which make up a large proportion of the Conservation Area and affects approximately 300 properties. Article 4 Directions are used to take away householders permitted development rights to make changes to the appearance of their properties. This means that planning permission is needed to carry out alterations such as replacing windows and doors, altering boundary walls, fences and railings, replacing roof coverings and removing chimneys. Maps of the two Conservation Areas in Haverhill which illustrate the properties affected by the Article 4 Direction are attached as Appendices 1 and 2 to the report.
- 1.2 Their purpose is to prevent the loss of original features and details which survive and to secure the reinstatement of those which have been removed or replaced in the past. Existing surviving features are used to inform accurate reinstatement work with the aim of restoring an area over time. They usually only apply to the front elevations and the sides of corner properties. The exception in Haverhill is Waveney Terrace, where all elevations are affected.
- 1.3 When the Article 4 Direction was made in 2003, some of the streets had very few surviving original features. The aim was that the Direction would encourage owners to reinstate original features and details as the opportunities arose, thereby enhancing the character and appearance of the Conservation Area over time. Due to a combination of factors, however, this has not been achieved.
- 1.4 Article 4 Directions must be monitored at least every three years to identify any unauthorised works. This requires sufficient staff resources. With a reduction in conservation resources being imminent with the implementation of shared services, a realistic decision has to be made about the future of the Article 4 Direction in Haverhill. Their use has not been effective. It is therefore recommended that the Article 4 Direction is cancelled.

## **2. Recommendation**

- 2.1 That, occupants of affected properties be consulted on the removal of the Article 4 Direction in the two Haverhill Conservation Areas (Queen Street and Hamlet Road), as illustrated in Appendices 1 and 2 to Report D185.

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### **3. Corporate priorities**

3.1 The recommendation meets the following, as contained within the Corporate Plan:

Corporate priorities:

(2) *'working together for prosperous and environmental responsible communities'*; and

(3) *'working together for an efficient Council'*.

### **4. Key issues**

4.1 When the Article 4 Direction was made in 2003, some of the streets had very few surviving original features, particularly in the part of the Hamlet Road Conservation Area comprising Duddery Road, Eden Road, Mount Road, Meeting Walk and Waveney Terrace. In the nine years since the Direction has been in place, there has been barely any restoration work seen in these streets.

4.2 Between 2003-2009, the Council had a Historic Buildings Grant scheme. Grants were offered for repairs and reinstatement works, including works to properties with Article 4 Directions. In Haverhill, the take up of these grants was extremely low, with only two grants being offered towards the cost of reinstating original style windows. In one case (in Waveney Terrace) the work was not done and the grant lapsed. The second grant (in Eden Road) was claimed and the windows were reinstated.

4.3 In late 2010, English Heritage agreed to consider an application to establish a grant scheme to contribute towards the cost of reinstating the traditional timber sash windows and panelled doors to follow the original designs, as it was recognised that substantial funding was needed to provide an incentive for owners to repair the surviving original windows and doors and to replace inappropriate windows and doors. The scheme was to focus on the streets referred to in paragraph 4.1 above and work began on a business case in February 2011.

4.4 Research for the business case revealed that property for sale in the focus area tended to be valued at well below the average house price for Haverhill. For example, in January 2011 the average price of a two-bedroomed house in Haverhill was £169,000 and a three-bedroomed house was £220,000. In comparison, the price of a two-bedroomed property in Eden Road was typically £70,000-£80,000 and in Mount Road was around £130,000. Three-bedroomed properties in Eden Road were around £100,000, less than half the average price in Haverhill. Property prices in Waveney Terrace, which have small front gardens, were around £125,000 for a three-bedroomed house.

4.5 As a result, most of the properties in this area tend to be owned by first-time buyers, elderly residents who have lived in the houses for many years or they are rented out. The majority of properties had replacement windows and doors in serviceable condition when the Article 4 Direction was made. Most of the properties have two windows, and some have bays on the ground floor, so several thousand pounds would be needed to reinstate traditional sash windows on the front elevation. The residents in this area typically do not have the means to undertake this work, and, even if they did, the property values would not reflect the money invested in them.

- 4.6 The grant scheme would have paid towards the cost of replacement windows and doors, making them more affordable for owners and a competitive option when compared to offers for UPVC windows and doors. Unfortunately, the English Heritage grant scheme budget was cancelled due to funding cuts in early 2011.
- 4.7 Managing the Article 4 Direction: Under planning legislation, development which has taken place without planning permission is lawful after four years and enforcement action can not be taken after that time. Properties affected by the Article 4 Direction must therefore be monitored at least every three years to enable unauthorised works to be identified and enforcement action to be considered and instigated where appropriate. Workloads have meant that this has not been possible for a number of years (the last survey was in 2007) and, as we move towards a shared service, conservation resources will be reduced.
- 4.8 A survey of the properties with an Article 4 Direction in other parts of Haverhill showed a similar position to the focus area, with relatively few original features surviving and very little reinstatement work having taken place. Elsewhere in the Borough, in other Conservation Areas affected by Article 4 Directions, there is a greater survival of original features and owners have applied for planning permission to reinstate those which were missing, including boundary walls and railings, without the need for financial incentives. This has not been the case in Haverhill.

## **5. Other options considered**

- 5.1 In addition to the complete removal of the Article 4 Direction in Haverhill, two other options were considered:
- 5.1.1 Amend the Council's approach to windows and doors to allow the use of UPVC replacements. This would allow an element of uniformity to be retained, albeit with non-traditional features. It would take many years to achieve a sense of uniformity, however, due to the variety of existing replacement windows and doors in these streets. The affected properties would still need to be monitored every three years. The acceptance of UPVC would be contrary to the Council's approach to Article 4 Directions, which is aimed at protecting original and traditional features, and could result in pressure elsewhere for UPVC windows and doors to be permitted in place of original features.
- 5.1.2 Amend the Article 4 Direction to remove the restriction on windows and doors. The affected properties would still need to be monitored for unauthorised alterations to other elements such as the roof and chimneys. There have not been any applications to replace roofing materials or remove chimneys, however, so it is questionable whether this restriction is necessary.
- 5.2 Neither of these options was considered appropriate as they would not be consistent with the approach taken with Article 4 Directions elsewhere in the Borough and they would still require resources to monitor them.

## 6. Community impact

### 6.1 Crime and disorder impact

6.1.1 This recommendation has no implications for crime and disorder.

### 6.2 Diversity and equality

6.2.1 This recommendation has no implications for diversity and equality.

### 6.3 Sustainability impact

6.3.1 This recommendation has no implications for sustainability.

### 6.4 Other impact

6.4.1 The removal of the Article 4 Direction would allow changes to be made to the external appearance of the properties within the Conservation Area to take place without planning permission (i.e. the position before Article 4 Direction was made). The impact of this on the character and appearance of the Conservation Area is considered to be minimal, however, given the number of alterations which had taken place prior to the Article 4 Direction being made.

## 7. Consultation

7.1 If approval is given to proceed with the removal of the Article 4 Direction, public consultation is a requirement of the legal procedure which must be followed.

## 8. Financial and resource implications

8.1 The removal of the Article 4 Direction would be undertaken within existing resources. There would therefore be no financial or resource implications.

## 9. Risk/opportunity assessment

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	High/Medium/Low		High/Medium/Low

9.1 There are no risks associated with this recommendation.

## 10. Legal and policy implications

10.1 This recommendation has no legal or policy implications.

## 11. Wards affected

11.1 The wards of Haverhill North, Haverhill South and Haverhill East are affected by this recommendation.

## **12. Background papers**

12.1 None.

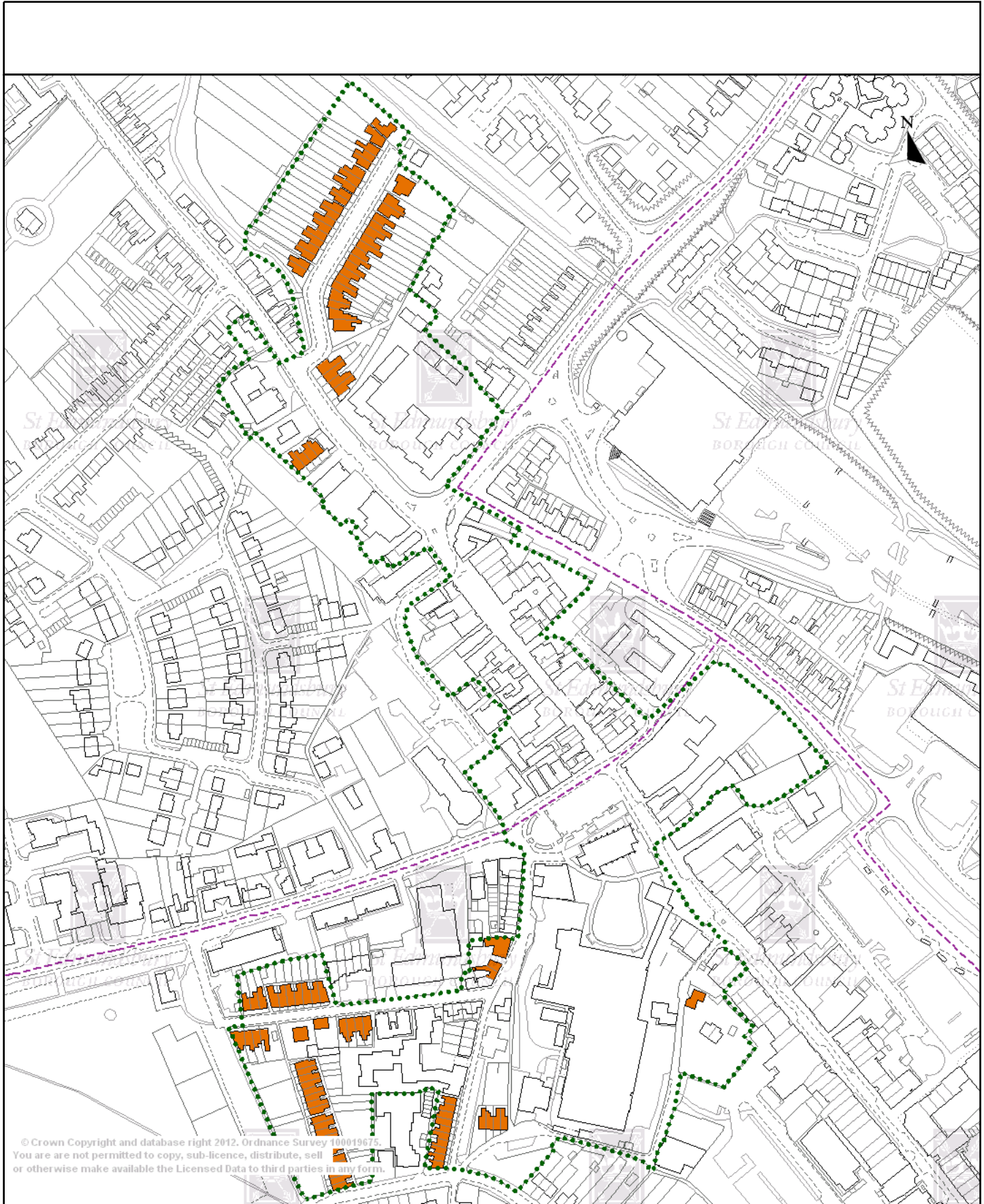
## **13. Documents attached**

13.1 The following documents are attached to this report:

Appendix 1: map of the Queen Street Conservation Area showing the properties affected by the Article 4 Direction

Appendix 2: map of the Hamlet Road Conservation Area showing the properties affected by the Article 4 Direction

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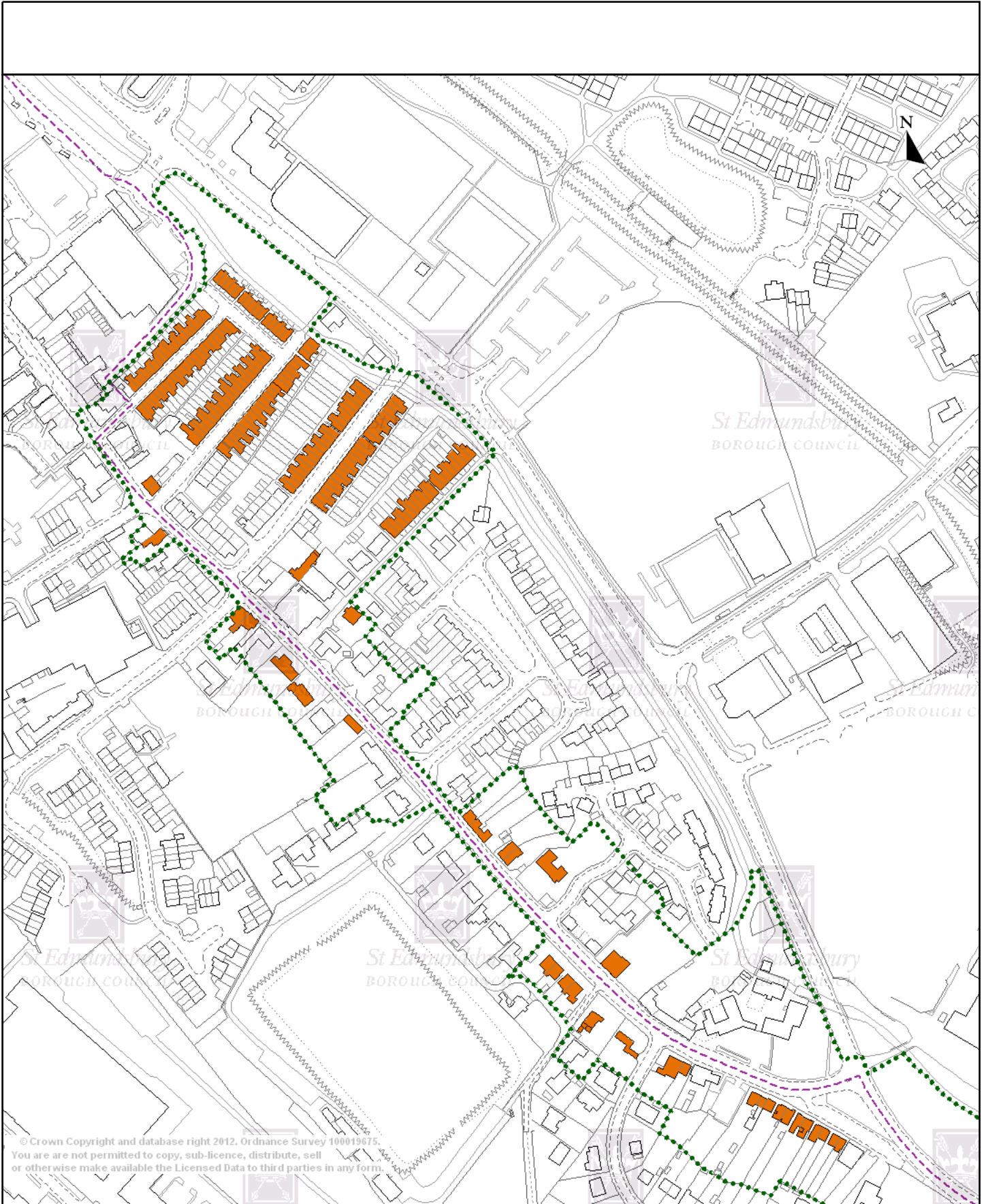
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