



Haverhill Area Working Party 29 August 2013

Cancellation of Article 4 Direction 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.
- 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.
- 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 A proposal to cancel the Article 4 Direction in Haverhill was presented to HAWP at the meeting on 15 November 2012 (paper D185 refers). Members recommended that public consultation be carried out regarding the proposed cancellation of the Direction. Maps showing the Conservation Areas and the properties currently covered by the Article 4 Direction are attached as Appendices A and B to the report.
- 1.5 Of the residents who attended the drop-in sessions arranged as part of the consultation process, the majority were in support of the proposal to cancel the Article 4 Direction. Two written objections were received – one from a resident and one from a Ward Member.

2. Recommendation

- 2.1 The Haverhill Area Working Party is asked to **RECOMMEND** to Cabinet that, taking the results of the public consultation into account, the Article 4 Direction in the two Haverhill conservation areas be cancelled.

Contact details

Portfolio holder

Councillor Terry Clements

01284 827161

terry.clements@stedsbc.gov.uk

Lead officer

Christine Leveson

Principal Conservation Officer

01284 756356

chris.leveson@westsuffolk.gov.uk

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 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 areas 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.
- 4.2 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.
- 4.3 Report D185 presented to HAWP on 15 November 2012 set out in detail the particular socio-economic factors which prevail in Haverhill and which have resulted in the Article 4 Direction being ineffective. In summary, these factors include the property values compared to the cost of works, ownership and occupancy of the affected properties and the degree of change which had already taken place prior to the Article 4 Direction being made.
- 4.4 The cost of appropriate works has been recognised as an issue. Between 2003 and 2009 the Council had a Historic Buildings Grant Scheme and grants were offered for repairs and reinstatement works, including works to properties with Article 4 Directions. In Haverhill, however, only one grant was taken up.
- 4.5 In late 2010, English Heritage agreed to consider an application to establish a joint 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. Unfortunately, the funding provided by English Heritage was subsequently cut and the scheme did not proceed.
- 4.6 Managing the Article 4 Direction requires regular monitoring and the resources required for this have to be weighed against the effectiveness of the Direction. In this instance, given the issues set out above, it is considered that the cancellation of the Direction is the most appropriate way forward at this time.

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 To 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; and

5.1.2 to 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 The recommendation has no implications for crime and disorder.

6.2 Diversity and equality

6.2.1 The recommendation has no implications for diversity and equality.

6.3 Sustainability impact

6.3.1 The 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 areas 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 areas is considered to be minimal, however, given the number of alterations which had already taken place prior to the Article 4 Direction being made.

7. Consultation

- 7.1 HAWP recommended that public consultation be carried out in respect of the proposal to cancel the Article 4 Direction. This was approved by Cabinet on 21 November 2012 (paper D205 refers).
- 7.2 A letter and statutory notices were sent to the owner/occupier of every affected property. Two drop-in sessions were held, on Wednesday 19 June 2013 in the Studio at the Haverhill Arts Centre and on Tuesday 2 July 2013 in the Haverhill Library. Seven residents attended the first drop-in. Most required clarification of the proposals and expressed general support. One resident expressed concern that the cancellation would lead to further loss of features and questioned the reasons for the cancellation. The second drop-in was attended by two residents. One expressed support, the other was concerned that the cancellation of the Direction would lead to the loss of further good architecture in Haverhill and that the Direction would be cancelled regardless of the wishes of residents.
- 7.3 Two written objections were received. One was from the resident who raised concerns at the first drop-in, reiterating their concerns, and one was received from Councillor Cox on the grounds that surviving historical and traditional features of the houses should be retained, and referred to two cottages at 85 and 87 High Street in particular. A second response was received from Councillor Cox referring to mention of the conservation area appraisals and management plans in the Haverhill Vision 2031 document. The proposal to cancel the Article 4 Direction does not affect the designation of the two conservation areas, however.

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

- 9.1 There are no risks associated with the recommendation.

10. Legal and policy implications

- 10.1 The 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 the recommendation.

12. Background papers

- 12.1 None.

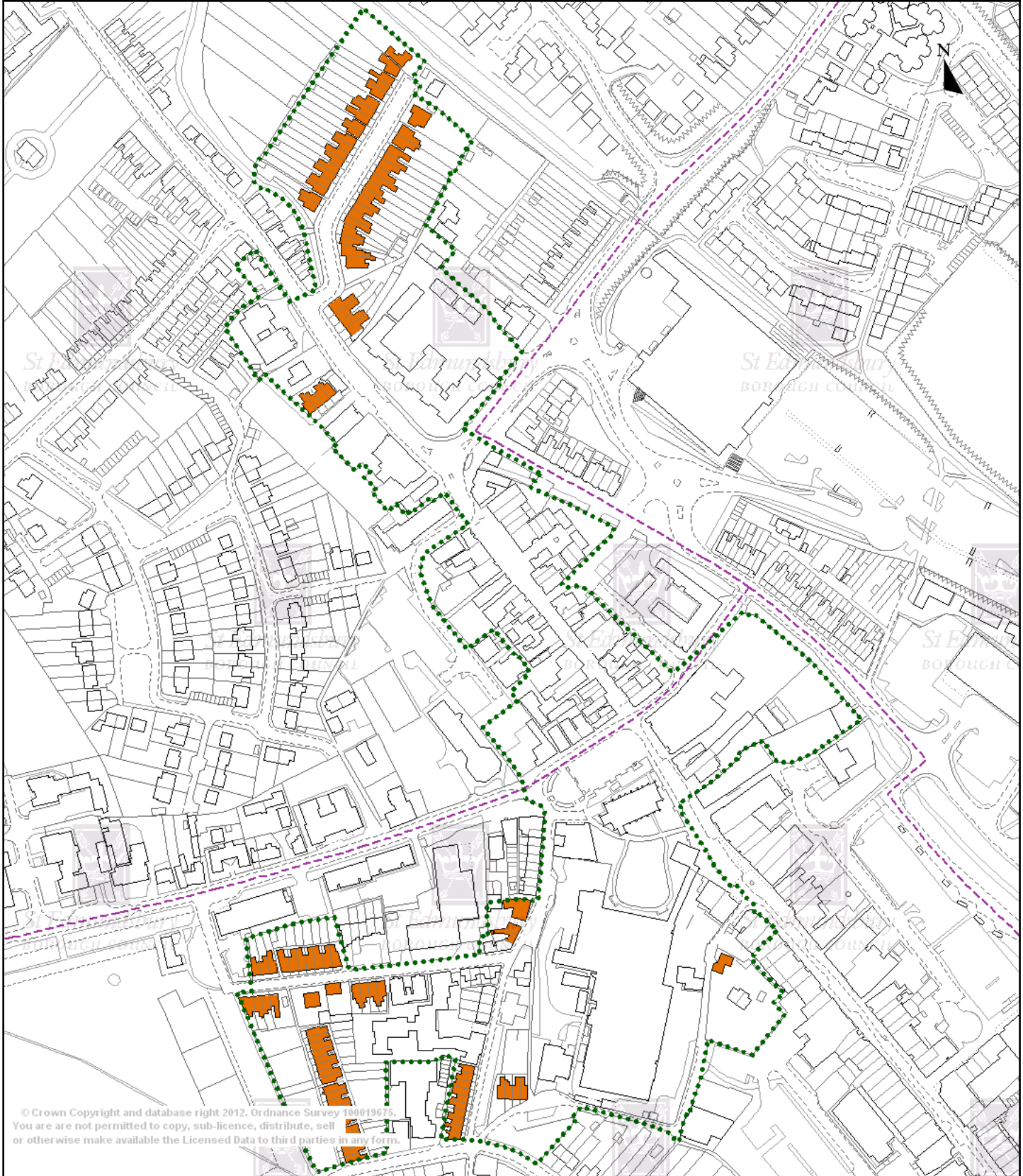
13. Documents attached

13.1 The following documents are attached to this report:

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

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

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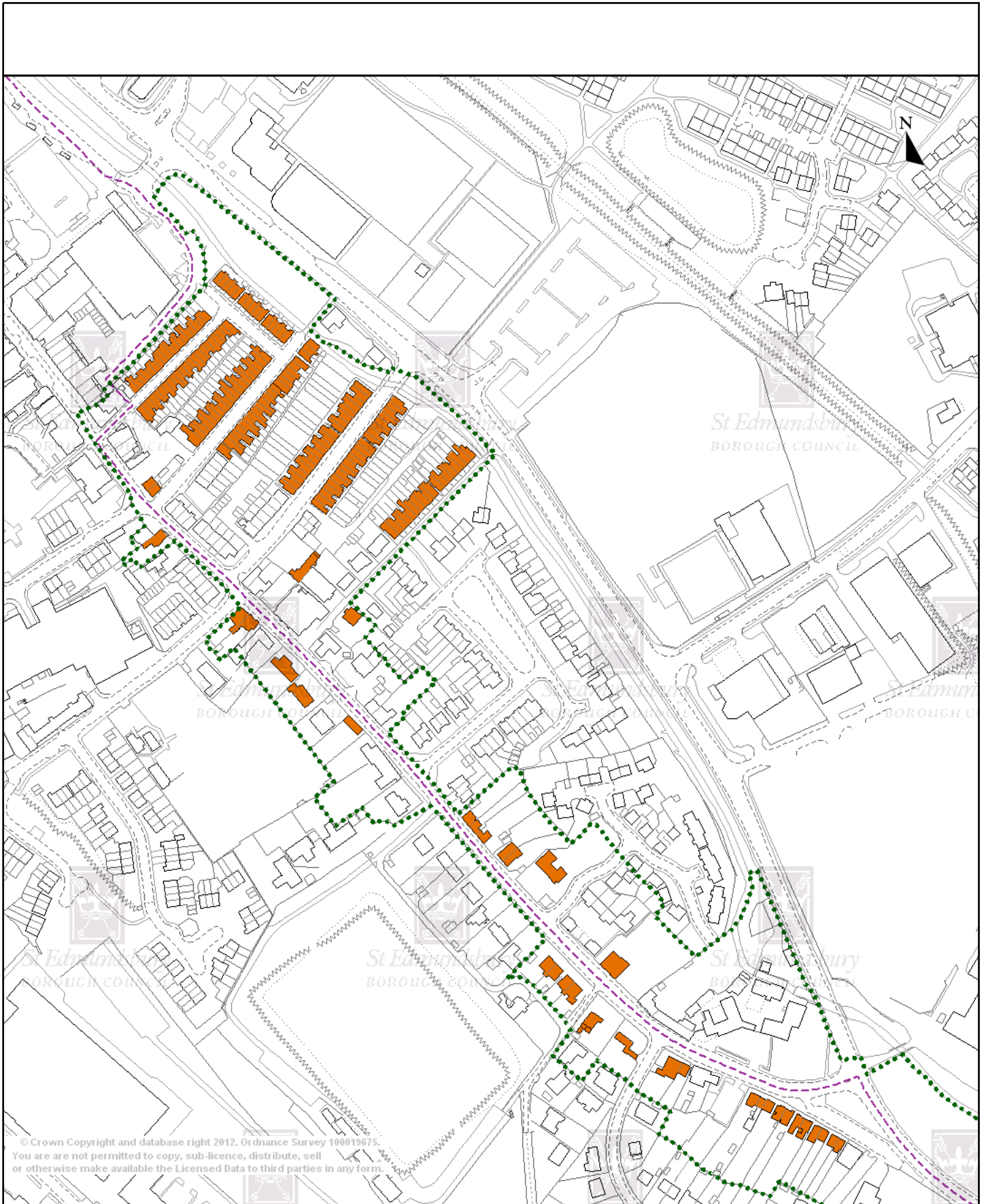
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