



## **Haverhill Area Working Party 17 April 2014**

### **Amendment of the 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. Article 4 Directions are used to take away householders' permitted development rights to make changes to the appearance of their properties.
- 1.2 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.
- 1.3 In 2013, public consultation was undertaken to cancel the Direction.
- 1.4 The Haverhill Area Working Party (HAWP), at its meeting on 29 August 2013 (Report E82 refers), expressed concerns about the alterations which might then be allowed to take place so recommended to Cabinet that the Direction should not be cancelled (Report E110 refers).
- 1.5 The matter was deferred by Cabinet to allow officers to investigate other options. A proposal for partial cancellation of the Direction was presented to HAWP on 21 November 2013 (Report E171 refers) and Members approved the proposals for public consultation.
- 1.6 Of the residents who attended the drop-in sessions arranged as part of the consultation process, all were in support of the proposal to cancel the Article 4 Direction. In addition, three written letters of support were received from residents and two written objections were received – one from a resident and one from a Ward Member.
- 1.7 Maps showing the conservation areas and the properties covered by the Article 4 Direction are attached as Appendices 1 and 2. The letter of objection received from the Ward Member is attached in full, at his request, as Appendix 3.

## **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, as shown in Appendices 1 and 2 to Report E341, be amended as set out in Section 5 of the report.

### **Contact details**

Name  
Title

### **Portfolio holder**

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### **Lead officer**

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## **3. Strategic priorities**

- 3.1 The recommendation meets the following, as contained within the West Suffolk Strategic Plan:
- (a) Strategic Priority 1: Increased opportunities for economic growth.

## **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 at English Heritage was subsequently cut and the scheme did not proceed.

- 4.6 Officers' research concluded that the Article 4 Direction in its current form has been ineffective. The amended Article 4 Direction as set out in Section 5 below would retain protection for the most important elements of the buildings. Following consultation on this proposal, it has received support from almost all residents who expressed a view and it is therefore presented to HAWP for approval.

## **5. Amended Article 4 Direction**

- 5.1 In order to retain protection of the roofs and front elevations of the properties and to address Members' concerns, officers recommend that the Direction be retained for all of the properties currently covered by the existing Article 4 Direction but limited to the following restrictions:

### **PART 1**

*Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof*

*Class C: Any other alteration to the roof of a dwellinghouse*

*Class G: The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse (this class also permits the removal of external chimney stacks as their removal is alteration rather than demolition).*

### **PART 2**

*Class C: The painting of the exterior of any building or work*

### **PART 40**

*Class A: The installation, alteration or replacement of solar PV or solar thermal equipment (this is a new restriction which did not exist when the original Direction was made in 2003. It is proposed for inclusion now to be consistent with alterations to roofs permitted under Part 1 being restricted).*

## **6. Other options considered**

- 6.1 The complete cancellation of the Article 4 Direction was previously proposed but this option was not supported by Members.
- 6.2 Amending the Council's approach to windows and doors to allow the use of UPVC replacements was also considered. 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 already in the properties. 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.

6.3 Removing the Direction from some of the streets was considered. The Article 4 Direction is specifically aimed at historic and traditional properties. To remove the Direction from some of these, but not all, would be inconsistent and not justifiable.

## **7. Community impact**

### **7.1 Crime and disorder impact**

7.1.1 This recommendation has no implications for crime and disorder.

### **7.2 Diversity and equality**

7.2.1 This recommendation has no implications for diversity and equality.

### **7.3 Sustainability impact**

7.3.1 This recommendation has no implications for sustainability.

### **7.4 Other impact**

7.4.1 The amendment of the Article 4 Direction would allow certain changes to be made to the external appearance of the properties within the conservation area to take place without planning permission (for example, replacement windows and doors) but would not permit changes to the roofs, chimneys, painting of the walls or the provision of solar and photovoltaic panels on the front elevations. This would protect the overall architectural form of the properties but allow alterations in line with those which were already prevalent within the conservation areas prior to the introduction of the Article 4 Direction.

## **8. Consultation**

8.1 HAWP recommended that public consultation be carried out in respect of the proposal to amend the Article 4 Direction, as specified in Section 5 above. This was approved by Cabinet on 10 December 2013 (Report E202 refers).

8.2 A letter and statutory notices were sent to the owner/occupier of every affected property. Two drop-in sessions were held, on Wednesday 22 January 2014 in the Studio at the Haverhill Arts Centre and on Thursday 6 February 2014 in the Haverhill Library. Six residents attended the first drop-in, all of whom were in support of the proposal. Councillor Cox, one of Haverhill East's Ward Members, also attended and confirmed that he would be opposing the amendments. The second drop-in was attended by three residents, all of whom expressed support for the amendments.

8.3 Three written letters of support and two written objections were received. One objection was from residents of Hamlet Road, who also raised concerns when the cancellation of the Article 4 Direction was proposed. They have requested that the original Direction is retained with some relaxation for residents to allow affordable alterations in a traditional style. The second objection was from Councillor Cox. In accordance with his request, his objection, and that of the Hamlet Road residents, are attached in full at Appendix 3.

## **9. Financial and resource implications**

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

## **10. Risk/opportunity assessment**

10.1 There are no risks associated with this recommendation.

## **11. Legal and policy implications**

11.1 This recommendation has no legal or policy implications.

## **12. Wards affected**

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

## **13. Background papers**

13.1 None.

## **14. Documents attached**

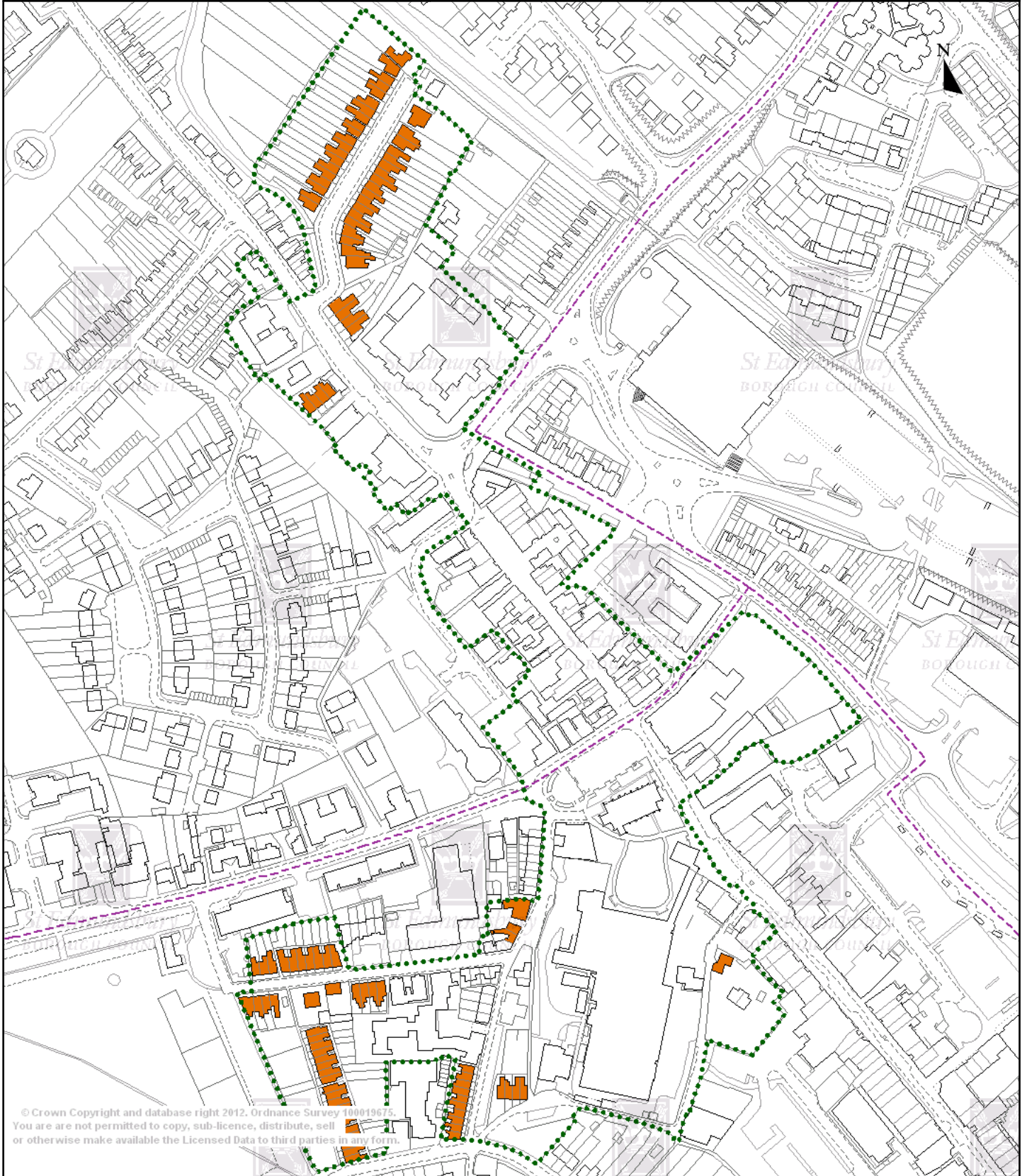
14.1 The following documents are attached to this report:

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

Appendix 3: Two objections received, one from Councillor Cox and one from residents of Hamlet Road.





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Dear Christine

Following on from a number of concerns raised with me by a number of residents and as the senior Haverhill East Ward Member I object to the cancellation of Article 4 Direction in Haverhill .

Instead of a cancellation of Article 4 direction , a grant scheme should be devised whereby residents living in the two Haverhill Conservation can access and receive financial support from the Borough Council to help save any and all of the conservation area characteristics of their properties .

A proposal that a grant scheme should devised should be put forward that would allow grant funding from the Borough Council to support residents living in the two conservation areas in Haverhill , which would allow residents to access this grant to help them preserve , maintain and enhance the conservation area characteristics in the Article 4 direction , should be put forward to Cabinet as a recommendation by the Haverhill Area Working Party

As an example a scheme could be devised whereby the Borough Council would contribute two thirds of the costs and the property owner would contribute one third of the costs . If the property is then sold within five years of the work being completed then the money contributed by the Borough Council would be paid back .The scheme should not be means tested .

Our commitment to the two Haverhill Conservations Areas is supported by the Haverhill 2031 Vision document , and I quote “ The historical and natural environment is protected , maintained and enhanced “

Financial support would come from the New Homes Bonus scheme or Council reserves , thereby having the new support the not so new so to speak .

This scheme would help relieve any financial hardship placed on those residents living in the two Haverhill Conservation Areas .

Just also to add that Cabinet Report E280 Recommends that subject to the Budget setting process for 2014/2015

1. Victory Sports Ground , Bury St Edmunds be awarded a £45,250 revenue support grant for 2014/2015
2. Theatre Royal , Bury St Edmunds be awarded a revenue support grant of £71,250 for 2014/2015
3. Smith’s Row Art Gallery ,Bury St Edmunds be awarded a revenue support grant of £34 , 485 for 2014/2015

This makes a grand total of £150,985 .

All for Bury St Edmunds .

Please ensure the entire contents of this email , verbatim , are included in any and all reports to the Haverhill Area Working Party and to Cabinet

Many thanks .

Regards

Gordon Cox  
Haverhill East Ward Member

On Monday, 24 February 2014, 16:37, Pat Worthington wrote:

Further to your letter 13 January 2014, please note the following objections to the Notice of Amendment from the owners of 56 Hamlet Road:

Second Schedule:

Schedule 2 Part 1: we would argue that alterations to the exterior of houses, including the construction of porches, should continue to require planning permission. Such alterations would, over time, gradually erode the traditional character and appearance of the conservation area  
Schedule 2 Parts 2 and 31: for the same reason, we would argue that the erection, alteration, demolition or any other form of work to gates, fences, walls etc should continue to require planning permission

We agree that the number of features which have been retained and reinstated since the Article 4 Direction was made are relatively low. However, changes of ownership within conservation areas are also relatively low and, since the houses are generally in good condition, it is unlikely that many of them would require work of the type you describe over a 10-year period.

It would also seem that owners have experienced difficulty in obtaining planning permission when alterations and renovations have been considered. For instance, some owners have reported that they have been refused permission to install double-glazed windows and doors, even if they were of a suitable style, because of an insistence on wooden and/or single-glazed units. The appearance of the original features has also often been in doubt in the absence of plans or photographs from the time the buildings were erected.

We appreciate that conservation schemes of this type are not always easy or cheap to administer but fear that, once the restrictions are relaxed, the architectural and historic coherence of historic houses within the areas will be lost for ever. And Haverhill has already lost so much of its history - few old buildings remain and development during the 1960s and 1970s was often unfortunate, to say the least !

Would it not be possible for the original Direction to be retained with just a few minor amendments to allow affordable alterations within the traditional style. We feel that owners would be more willing to undertake such alterations which would, after all, add value to houses within the conservation area

Pat and Frank Worthington

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