

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Recommendation of the Bury St Edmunds Area Working Party: 10 March 2015	
Report No:	CAB/SE/15/027	
Report to and date:	Cabinet	24 March 2015
Portfolio holder:	Terry Clements Portfolio Holder for Planning and Regulation Tel: 01284 827161 Email: terry.clements@stedsbc.gov.uk	
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Purpose of report:	On 10 March 2015, the Bury St Edmunds Area Working Party considered the 'Amendments to the Article 4 Directions in the Bury St Edmunds Town Centre and Victoria Street Conservation Areas' as a substantive item of business. Recommendations emanating from the discussions are provided for Cabinet's consideration below.	
Recommendations:	<p>It is <u>RECOMMENDED</u> that consultation be carried out on:</p> <p>(1) the proposed new Article 4 Directions for the Bury St Edmunds Town Centre and Victoria Street Conservation Areas, as set out in BAW/SE/15/001; and</p> <p>(2) the removal of Permitted Development Rights in respect of micro-generation equipment within both these areas in accordance with the amended timetable set out in paragraph 1.1.5 of Report No: CAB/SE/15/027 .</p>	

Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:		• See Report No: BAW/SE/15/001	
Alternative option(s):		• None	
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		No	
<i>Are there any staffing implications? If yes, please give details</i>		No	
<i>Are there any ICT implications? If yes, please give details</i>		No	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes see paragraph 1.1.3 below	
<i>Are there any equality implications? If yes, please give details</i>		No	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
None			
Ward(s) affected:		Bury St Edmunds Wards within the conservation areas	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		None	

1. Key issues and reasons for recommendation(s)

1.1 Amendments to the Article 4 Directions in the Bury St Edmunds Town Centre and Victoria Street Conservation Areas (Report No: BAW/SE/15/001)

- 1.1.1 Following a recommendation from the Overview and Scrutiny Task & Finish Group, the Bury St Edmunds Area Working Party endorsed amendments to the Article 4 Directions in the Bury St Edmunds Town Centre and Victoria Street Conservation Areas (Report D369 of 13 May 2013 refers). Whilst it was originally intended to give effect to the proposed changes during 2013/early 2014, this was delayed due to the capacity of the Conservation Team and the need to re-visit the amendments to the Haverhill Article 4 Direction.
- 1.1.2 Before the consultation can begin, the paperwork must be prepared. This includes the letter to residents, the formal Notices and Directions, site notices and press notices and releases. The current Article 4 Direction advisory leaflet must also be amended and details of the drop-in sessions confirmed so these can be included in the letter to residents. Officers advised that investigations were being carried out into facilitating responses to the consultation to be made by electronic means.
- 1.1.3 The proposed new Article 4 Directions will include the removal of permitted development rights for solar panels, photo voltaic cells etc. This can only be done after giving notice and the new Directions will not become effective until approved by Cabinet. It is therefore intended to keep the process as short as possible to minimise the likelihood of works taking place prior to the Directions taking effect, whilst still giving residents sufficient time to consider the proposals and submit comments.
- 1.1.4 The report to the Area Working Party indicated a proposed timetable which involved consultation with it in early June 2015, and referral onto Cabinet in late June. It was clarified at the meeting that, after the forthcoming Borough Council elections, the new Cabinet would review its working parties and panels at its first or second meeting, after which a meeting timetable would be set. Therefore, it may not actually be possible to achieve the initially proposed timetable for the consultation in practical terms, without delaying the Cabinet's decision (and implementation of any changes). If that was the case, the Working Party noted that alternative arrangements would be made to ensure that Bury St Edmunds Ward Members were still advised of the responses to the public consultation and asked for their own views in the light of those responses. The views of the councillors would then still be reported to Cabinet in June to inform the Cabinet's decision.

1.1.5 It is therefore proposed that the work plan for amending the Article 4 Directions is as follows:

Prepare paperwork:	March 2015
Consultation:	Six weeks from start of April to mid-May (with drop-in sessions around weeks two and four)
Assess responses and write report:	mid/end May 2015
Consult Bury St Edmunds ward members on draft report:	Early June 2015
Cabinet for decision:	Late June 2015
Confirm amendments (if approved):	July 2015