

REPORT OF BUILDING CONSERVATION OFFICER

**SUBJECT:
CONSERVATION AREAS REVIEW AND THE CONSIDERATION OF ARTICLE 4
DIRECTIONS TO REDUCE SPECIFIC PERMITTED DEVELOPMENT RIGHTS
WHICH IMPACT ON THE QUALITY OF THE CONSERVATION AREA**

Purpose of Report

This report seeks approval for the making 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.

In April 2011, it was resolved that Article 4 Directions were not implemented, there being no 'real and specific threat' All 14 Conservation Areas have now been subject to further survey work, and the potential for Article 4 Directions reconsidered

There are 14 Conservation Areas in the National Park, including Angle, Caerfarchell, Caldey Island, Little Haven, Manorbier, Newport, Newport Parrog, Portclew, Porthgain, Saundersfoot, St Davids, Solva, Tenby, and Trevine

Legal Background

The focus of this report is Conservation Areas. Listed buildings are dealt with separately under their own legislation. Conservation Areas include unlisted buildings which make a major contribution to the historic environment. They represent the settlements of greatest architectural and historic importance within the National Park and are a key and finite resource. Conservation Areas are areas of special architectural or historic interest, their special character reliant on quality of place rather than individual buildings.

The key issues are the erosion of character through the accumulative loss of small detail and the promotion of appropriate materials and techniques, within the context of additional planning control.

Article 4(2) of the General Permitted Development Order 1995 (as amended by the GPDO Amendment (Wales) Order 2013) Directions enables local authorities to make a direction in respect of dwellings within a conservation area. This power is limited to certain types of development, and only applies where such development would front a public highway, a waterway, or open space. A direction can be made in Conservation Areas 'where there is a real and specific threat' of erosion of character through the exercise of permitted development rights and Planning Policy Wales (July 2014) para 6.5.21 advises that Article 4 Directions may be made' in exceptional circumstances'

Article 4 (2) Directions apply to non-listed residential dwellings fronting highways/waterways/open spaces in Conservation Areas, typically controlling the loss of small detail such as historic windows, garden walls, chimneys and the introduction of new features such as satellite dishes.

To establish the extent of any threat to their character and appearance, baseline surveys of our 14 Conservation Areas were undertaken in 2009 and 2011 looking both at their general character and the condition of unlisted buildings. We have now completed a further survey of them all as part of the three-year rolling survey programme, focusing on unlisted dwelling houses.

Rolling programme review results

The Conservation Areas have been reviewed taking into account the following considerations:-

1. The effectiveness of the current broad-based conservation strategy (awareness-raising, community projects, enhancement, development control and enforcement) along with the broad-based objectives of combining conservation with regeneration and sustainability, and
2. The consideration of whether there is a 'real and specific threat' to character and appearance (as per paragraph 6.5.21 of Planning Policy Wales Edition 6 – July 2014) requiring the withdrawal of specific permitted development rights through the use of Article 4(2) Directions.

Over recent years, the more proactive elements of the Authority's conservation strategy - outlined within each of the Conservation Area Proposals Documents – have been reduced due to the current economic climate. This includes the Conservation Area grants scheme, which has ceased after 25 years of operation.

Conservation Areas Survey Review conclusions

Place	Approx no. unlisted dwellings	Condition as at 2014
Angle	140	static
Caerfarchell	15	static
Caldey Island	4	static
Manorbier	40	static
Newport Parrog	45	static
Portclew	3	static
Porthgain	30	static
Solva	120	Improving
Trevine	70	static
Newport	150	Slight decline
Saundersfoot	32	Slight decline
Tenby	50	Slight decline
Little Haven	60	Slight decline
St Davids	100	Decline

St Davids

There are approximately 100 unlisted dwelling houses within the Conservation Area, being around 40% of the total building stock. Whilst only one property showed a loss of detail since the previous survey (2012), it is considered that there is a threat to the non-listed buildings within the Conservation Area, when analysing patterns from previous surveys. For instance, the terrace forming Nos. 33-39 Bryn Road showed that two properties had received alterations to doors/windows prior to 2011, and one more by 2012. In some areas, notably Goat Street, the loss of traditional walled front gardens to car spaces has affected the character of the conservation area.

Many of the unlisted houses are distributed in the form of prominent terraces (e.g. 19-23 New Street, Trehenlliw Terrace and 19-31/30-40 Goat Street) or groups (e.g. 14-22 New Street, 33-5 High Street). There are also some prominent individual houses, such as 24 New Street and Arfon Villa. The original form of all of these houses is preserved, and the majority still retain their original detail intact.

It is considered that there is a 'real and specific threat' to the character and appearance of the unlisted houses of St Davids through the use of certain permitted development rights including alterations to windows, doors, front boundaries, and the creation of hard standings, and that Article 4(2) Directions are necessary.

Programme

In terms of resources available to this Authority, prioritization must be given in terms of selection. The critical criteria are the total number of unlisted dwelling houses within the conservation area, combined with their overall condition. In this respect, St Davids is considered the priority for designation.

Proposed special planning controls

The following permitted development rights are proposed for removal in the conservation area St Davids,

- The enlargement, improvement or other alteration of a dwelling house (Part 1, Class A).
- The provision of a hard standing (Part 1, Class F)
- The erection or demolition of gates, fences and walls (Part 2, Class A)

With regard to Part 1 (Class A), the Direction will refer only to the enlargement, improvement or other alteration to doors and windows.

A guidance note for householders has been prepared and is attached at [Appendix B](#)

Once a Direction is served, the affected householders would then need planning permission for the works detailed above. No fee would be payable in relation to such applications.

Certain developments within conservation areas, including alterations to roofs, the erection/removal of chimneys, the insertion of roof-lights, and the installation of

satellite dishes on front elevations/chimneys are not permitted development and already require planning permission.

Procedure for making Article 4(2) Directions

Where Article 4(2) Directions are to be made, publication of a notice in a local newspaper is required, as well as service of notice on the occupier (or owner where there is no occupier) of every dwelling house affected.

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.

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.

Comparison with other Authorities

There are no Article 4(2) Directions in place within the Conservation Areas of the Brecon Beacons and one (Beddgelert) within Snowdonia National Park Authority. There are two (Pembroke Dock and Haverfordwest) Article 4(2) Directions within the Conservation Areas of Pembrokeshire County Council. Carmarthenshire has four (Cwmdu, Laugharne, Llandovery and Llangadog)

Legal Considerations

These are dealt with in the body of the report.

Financial considerations

The Conservation Areas review is being undertaken in-house and is therefore contained within existing budgets.

It is anticipated that the number of applications related to Article 4 (2) Directions will be modest (some 5-10 p/a) and that the time involved processing should be balanced against the likely reduction in the need for enforcement.

There is no charge to the homeowner for an application for planning permission for works controlled by an Article 4(2) direction

The CADW/PCNPA grant funding within conservation areas for building works ceased in 2013.

Equality and Diversity

The Conservation Area status is all-encompassing and exclusive to the defined area. An area may be defined by the built environment and its character and not by the

people within it, although they may have influenced it. As such, there are no issues of equality or diversity.

Conclusion

Article 4 (2) Directions are to be used in exceptional circumstances, only where there is a real and specific threat to character and appearance. Based on the results of the rolling review, it is considered that such a threat exists in St Davids and that an Article 4 (2) Direction is necessary.

Recommendations

1. Directions are made pursuant to Classes A and F of Part 1 and Class A of Part 2 of Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended 2013) in relation to the land within St Davids Conservation Area highlighted on the map provided in Appendix A.
2. That the guidance note to householders be as provided in Appendix B be approved

Project Manager

Rob Scourfield – Building Conservation Officer

Officers Consulted

Jane Gibson – Director of Park Direction and Planning.

Vicki Hirst – Head of Development Management

Enclosures

Appendix A – Article 4 Maps

Appendix B – Guidance note for householders

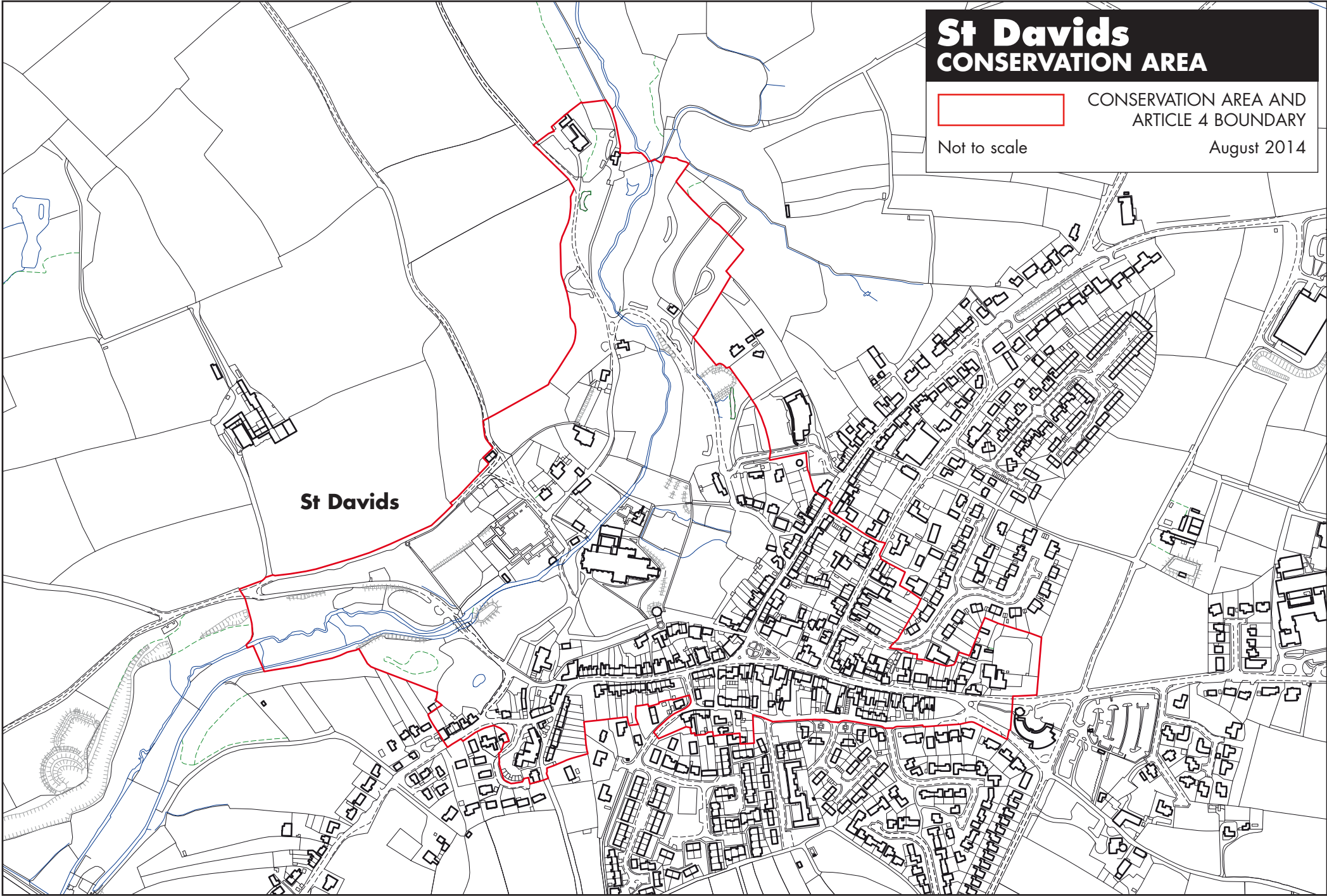
St Davids CONSERVATION AREA



CONSERVATION AREA AND
ARTICLE 4 BOUNDARY

Not to scale

August 2014



APPENDIX B – GUIDANCE NOTE FOR HOUSEHOLDERS

Article 4(2) Directions in Conservation Areas

Modest changes to properties within conservation areas can cumulatively erode their character. In some Conservation Areas of the Pembrokeshire Coast National Park, extra planning powers can be used to exercise controls over changes to the fronts of houses facing highways and open spaces. These controls are known as Article 4(2) directions and once a direction is served or published (whoever is the latest) planning permission is needed to make certain changes.

The extra planning controls that will be in place when a direction is made and confirmed comprise:-

- The enlargement, improvement or other alteration of doors and windows
- The provision of a hard standing
- The erection or demolition of gates, fences and walls

The guidance set out below relates to single dwelling houses that are within the area covered by the direction. Listed buildings and buildings used for other purposes than single dwelling houses are not affected by the making or confirmation of a direction.

Windows

Historic windows significantly contribute to the character and appearance of a conservation area. The predominant type within the National Park is the vertical sliding sash window, which come in a variety of patterns.

Repair/like for like replacement in pre-1939 houses

Planning permission is not required for the repair or exact replacement of a window.

Replacement in non-traditional materials in pre-1939 houses

Planning permission is required for replacement of windows in non-traditional materials. Where the original windows have inappropriately replaced, windows of non-traditional materials replicating the original design will be favourably considered, subject to agreement on the detailed specification.

Where householders wish to replicate existing non-traditional windows, planning permission will not be required providing that the windows pre-date the designation of the conservation area and exact replicas are proposed.

Where the original or historic windows survive and are capable of repair and upgrading, planning permission will not be given for replacement in other materials.

Replacement in non-traditional materials in post-1939 houses

Planning permission is required for replacement in non-traditional materials. Replacement in non-traditional materials will usually be approved subject to agreement on the detailed specification.

Doors

Historic timber doors also significantly contribute to the character and appearance of a conservation area; they are the key feature of the facade. Doors were made in a variety of designs, from the simple planked type, to more elaborate paneled ones – many show interesting regional variations.

Traditional doors are of timber construction with a painted finish.

Doors of modern materials rarely successfully replicate traditional timber ones, and there will be a presumption against such replacements.

Repair/like for like replacement in pre-1939 houses

Planning permission is not required for the repair or exact replacement of a door

Replacement in non-traditional materials in pre-1939 houses

Where householders wish to replicate existing non-traditional doors, planning permission will not be required providing that the doors pre-date the designation of the conservation area and exact replicas are proposed.

Where the original or historic doors survive and are capable of repair and upgrading, planning permission will not be given for replacement in other materials.

Replacement in non-traditional materials in post-1939 houses

Planning permission is required for replacement in non-traditional materials. Replacement in non-traditional materials will usually be approved subject to agreement on the detailed specification

Hardstandings

The provision of spaces for cars in front of houses can dominate the street scene and affect the setting of buildings. Proposals for hard standings will require planning permission.

If the hard surface is constructed using permeable materials and does not dominate the front garden and street scene then it may be acceptable.

Proposals to completely surface over a front garden will be refused.

Walls, gates and fences

Traditional front boundaries and gates can be an important feature of a conservation area. Their demolition will require planning permission; there will be a presumption

against such proposals. Applications for the reinstatement of lost boundaries and gates will be encouraged.