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**REPORT FOR: PLANNING COMMITTEE**

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<b>Date of Meeting:</b>	11 <sup>th</sup> March 2020
<b>Subject:</b>	Proposed Article 4 Directions – Canons Park Estate, Stanmore Hill, Kerry Avenue, Old Church Lane And Little Common Conservation Areas.
<b>Responsible Officer:</b>	Beverley Kuchar, Interim Chief Planning Officer
<b>Exempt:</b>	No
<b>Wards affected:</b>	Stanmore Park, Canons.
<b>Enclosures:</b>	Article 4 Direction Survey - August 2019

## **Section 1 – Summary and Recommendations**

An Article 4 Direction is a direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”) which enables the Council to withdraw specified permitted development rights across a defined area; the effect of this is to require planning permission for the specified works where normally such works would not require planning permission. In Harrow, the Council has proactively made Article 4 Directions for the majority of its Conservation Areas in order to protect the special architectural or historic interest and character / amenity of the areas.

This report seeks to introduce non-immediate Article 4 Directions to cover properties within five of the six Stanmore and Edgware Conservation Areas. Proposed Article 4 Directions were first identified in 2013 in the drafting of the Stanmore and Edgware Conservation Areas SPD and were included as recommendations in this adopted document. A further survey in August 2019 confirmed and refined the recommendations. The Directions are proposed to

require planning permission for all residential properties within the Conservation area where it faces a highway, waterway or open space for:

- **Kerry Avenue Conservation Area**

All properties within Kerry Avenue Conservation Area for: The formation, laying out and construction of a means of access to a highway (Schedule 2, Part 2, Class B of the GPDO).

- **Stanmore Hill Conservation Area:**

Applegarth, The Glade and The Orchard, Green Lane for:

- 1) Works for the enlargement, improvement or other alteration of a dwellinghouse, (*including the replacement of windows and doors*) . (Schedule 2, Part 1, Class A of the GPDO).
- 2) Other alterations to the roof of the dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 3) The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse (Schedule 2, Part 1, Class G of the GPDO).
- 4) The erection or construction of a porch (Schedule 2, Part 1, Class D of the GPDO).
- 5) Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).

Churchefelle Mews, Greystones and Willow Lodge, Green Lane for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Green Lane: Rylands, Olde Cottage, Tremar, Green Lane Cottage, Fordyce, Littlecote, Martinsell, Wallon Cottage, Nos 1-4 (inc) Franklin Cottages, The Cott, Nos 1-4 (inc) Chart Cottages, Nos 1-3 (inc) Hillcrest Cottages, 5 Pinnacle Place, 1-7 (inc) and 11-12 (inc) Green Lane Cottages, 1-4 (inc) Park Cottages

Stanmore Hill: Nos 75-81 (odd), 129, 131, 80, 58

For:

- 1) The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse (Schedule 2, Part 1, Class G of the GPDO).

- **Old Church Lane Conservation Area:**

1 and 2 Gate House, Old Church Lane for:

The provision and the replacement within the curtilage of a dwelling house of a hard surface (Schedule 2, Part 1, Class F of the GPDO).

7 Cherry Tree Way, Friars Meadon Old Church Lane, and 1 Tudor Well Close for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).
- 3) The provision within the curtilage of a dwelling house of a hardsurface (Schedule 2, Part 1, Class F of the GPDO).
- 4) The formation, laying out and construction of a means of access to a highway (Schedule 2, Part 2, Class B of the GPDO).

1-4 Rectory Close for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

• **Canons Park Conservation Area**

All properties within the Conservation Area excluding 1, 5, 9-75 and 8-74 Lake View and Donnefield Avenue for:

- 1) Works for the enlargement, improvement or other alteration of a dwellinghouse, (*including the alteration or replacement of windows or doors*) (Schedule 2, Part 1, Class A of the GPDO).
- 2) Other alterations to the roof of the dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 3) The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse (Schedule 2, Part 1, Class G of the GPDO).
- 4) The erection or construction of a porch outside any external door (Schedule 2, Part 1, Class D of the GPDO).
- 5) Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).

End House, Donnefield Avenue for:

- 1) Other alteration to the roof of a dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 2) The erection or construction of a porch outside any external door (Schedule 2, Part 1, Class D of the GPDO).

- **Little Common Conservation Area**

147 Stanmore Hill for:

- 1) Works for the enlargement, improvement or other alteration of a dwellinghouse, (*including the alteration or replacement of windows or doors*) (Schedule 2, Part 1, Class A of the GPDO).
- 2) The erection or construction of a porch outside any external door (Schedule 2, Part 1, Class D of the GPDO).
- 3) Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).
- 4) Other alteration to the roof of a dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 5) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 6) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Stanmore Hill: 116, 156, 158, 193

Wood Lane: By the Pond, Woodleigh, The Lodge, Wood Farm Cottage, Moor House, 1 & 2 Garage Cottages

Aylmer Close: 3

Little Common: 1, 2, 3, 12, 18, 19, 20, 21, 22

For:

- 1) The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse (Schedule 2, Part 1, Class G of the GPDO).

**Recommendations:**

Planning Committee is requested to:

- a) Consider and agree to officers' recommendation to introduce non-immediate Article 4 Direction of the Town and Country Planning (General Permitted Development) (England) Order 2015 to require planning permission for the works listed above under Schedule 2 of the GPDO. The proposed Article 4 Directions are to apply only to residential properties within the Conservation Area ("CA") where facing a highway, waterway or open space and to
- b) Delegate authority to Interim Chief Planning Officer to undertake the necessary statutory processes to serve the proposed Article 4 Directions, noting that any representations received during the statutory consultation period will be reported back to the Planning Committee along with a recommendation as to whether or not to confirm the Direction.

There are two types of Article 4 Directions under the 2015 Order: non-immediate directions and directions with immediate effect. An immediate

Direction withdraws permitted development (PD) rights with immediate effect. However, a local planning authority may be liable to pay compensation to a landowner when PD rights are removed by an immediate Article 4 Direction if planning permission is subsequently refused for the development to which the Direction applies.

For certain types of PD rights, a local planning authority is not liable to pay compensation provided that the bringing into force of the Article 4 Direction is stayed for 12 months ('non-immediate direction').

**Reason: (For recommendations)**

To ensure that the special character of the conservation areas affected is preserved or enhanced. Since 1967 local authorities have been required to protect areas which are valued for their special architectural or historic interest – the character or appearance of which it is desirable to preserve or enhance - through the designation of Conservation Areas under the provisions of Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990. They are required to carry out reviews 'from time to time' to ensure areas are adequately covered. This proposal stems from the 2013 Stanmore and Edgware Conservation Areas SPD including its individual appendices of Conservation Area Appraisals and Management Strategy ("CAAMS") which identified these Article 4 Directions as important for the protection for the conservation areas. Recent surveys have re-enforced the desirability of implementing Article 4 Directions to preserve and enhance the special architectural features identified in the SPD.

## **Section 2 – Report**

### **1. Introduction**

1.1 The report incorporates the corporate priority concerning:

- Making a difference for communities

1.2 The improved protection of areas of special architectural or historic interest will help maintain the unique historical local character of areas or neighbourhoods within Harrow which residents cherish and value.

### **2. Options considered**

2.1 The option of not introducing the new non-immediate Article 4 Direction was considered but this would be contrary to the Council's statutory obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990, under which local planning authorities are required to carry out reviews 'from time to time' to ensure areas are adequately protected to ensure the areas preservation or enhancement. The option of doing nothing to address the issue would risk harm being done to the character of Conservation Areas within the borough.

### **3. Background**

3.1 Harrow has 29 conservation areas, each having special character and appearance derived from its architectural, townscape or landscape qualities. The Council has a duty to preserve and enhance these, and does so by preparing and following area specific guidance along with introducing Article 4 Directions. In December 2013 the Stanmore and Edgware Conservation Areas SPD was adopted by Cabinet. This outlined the need for specific Article 4 Directions in five of the six Stanmore and Edgware Conservation Areas. Article 4 Directions require planning permission to be obtained for certain works that would not usually require planning permission (even in a conservation area). This is to ensure change is sensitively managed to preserve the special character and appearance of conservation areas. The proposed Article 4 Directions are tailored to reflect the special character and appearance of each conservation area, based on the adopted Conservation Area Appraisal and Management Strategy (CAAMS) and summarised below.

#### Canons Park Conservation Area

3.2 The residential roads that are the subject of this report are situated, firstly, within the Canons Park Conservation Area. The special character and appearance of the area is defined within the Canons Park Conservation Area Appraisal and Management Strategy adopted December 2013 which states it is: 'an outstanding area for its landscaping, openness and high quality architecture', noting that 'The detailing, especially windows, doors and tall chimneys, are usually of special interest'. The area includes a high quality formally planned Metroland estate in a largely Kentish inspired black and white 'Tudor revival' design and street layout within a green, sylvan setting that incorporates landscape features of the original

estate, including two lakes, a historic avenue and abundant greenery. The Estate is defined by Canons Drive, the primary spinal route with secondary offshoot roads such as Handel Close, and Dukes Avenue. The layout of the Estate and its landscaped setting lends an informal and soft appearance to the residential streets, contributing to the delicate balance of greenery and rich architectural character within the area.

### Kerry Avenue Conservation Area

- 3.3 Secondly, the residences located within the Kerry Avenue Conservation Area are defined within the Conservation Area Appraisal and Management Strategy, also adopted December 2013, whereby 'The special interest of Kerry Avenue CA relates to its unusual concentration of the Modern or International Style idiom demonstrated in its collection of inter-war and post-war houses. It is recognised as the 'earliest domestic group in west London to adopt the principals of the modern movement' (Pevsner and Cherry, *London 3: North West*, 1991) and is, on the whole, well preserved in terms of the original fabric, details and layout. The continuity of building style, type and materials, while also maintaining individuality, is central to the area's character. The area's symmetrical layout based upon the axis of the station represents a very good example of the formal estate layout characteristic of the period'.

### Old Church Lane Conservation Area

- 3.4 The residential properties within the Old Church Lane Conservation Area noted earlier, are a varied collection of houses added to the Conservation Area relatively recently in 2002, and discussed within the Conservation Area Appraisal and Management Strategy adopted in December 2013. They are all located just off the main thoroughfare of Old Church Lane and built between 1958-1968. Specifically 'New developments have often incorporated relics of the past within them. The locally listed Tudor Well Cover, where Tudor Well Close gets its name, was likely moved from the grounds of the original timber framed Manor House'. Section 3.2 describes the areas special character in detail stating 'More recent development has on the whole respected the historic and architectural character of the area and its densities of development. For example, the open spaces within the CA, which are important to the setting of buildings within the CA, and provide good relief, have not been developed'. It is these open spaces and the presently respected historic character that significantly contribute to the conservation area and must be preserved.

### Stanmore Hill Conservation Area

- 3.5 The residential properties listed above along Green Lane within the Stanmore Hill Conservation Area are characterised by 'interesting roofscape views, with

chimneys, chimney pots and gables ends or shallow hipped roofs often stepped with the hill. Varied building designs provides interest, but common architectural qualities provide coherence (as outlined within the 'Architectural Qualities' section). The streetscene greenery complements buildings helping create the suburban character along with predominance of single-family dwelling houses'. Green Lane is one of the primary and most historic routes in this part of the Conservation area, and indeed some important, historic, boundary walls 'remain to Rylands and Cherchefelle Mews marking the presence of former historic large, detached houses. They define the street edge and provide a sense of entrance'. It is the historic development of the area that can still be read through the architecture and the characteristic layout which in turn must be preserved and set a precedent for future development.

#### Little Common Conservation Area

- 3.6 The residential houses of this conservation area are characterised by 'a particular mix of high quality, period properties' according to the CAAMS. It notes 'Adding to the significance of the CA's roofscape are brick chimneys often with terracotta pots' in paragraph 1.105 of the CAAMS and it states the green glazed roof tiles and white render to 147 Stanmore Hill are of particular interest.

#### **4. Proposed Article 4 Directions**

- 4.1 The Council as local planning authority has powers to seek and confirm Article 4 Directions, without the need of the Secretary of State's confirmation, for dwelling houses within conservation areas, within specified classes of permitted development. In order to more fully preserve the character of each conservation area, it is proposed to make Article 4 Directions for all of the residential houses listed within this Report within the five Conservation Areas. This would withdraw 'permitted development' rights that would otherwise apply by virtue of the Town and Country Planning (General Permitted Development) Order 2015 as amended (the 'GPDO').
- 4.2 Paragraph 53 of the National Planning Policy Framework (NPPF) (2019) states 'The use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area'. Recent surveys undertaken within the Conservation Areas demonstrate that small cumulative changes are beginning to affect the appearance and architectural significance of the area. A good proportion of original features remain, however some distinctive architectural features as noted within the Conservation Area Appraisals (2013) are being replaced with unsympathetic alternatives. Introducing the Article 4 Directions that the 2013 CAAMS suggested would address this. The directions would be targeted and specific. They would mean small scale changes such as porch extensions or enclosures, replacement windows, replacement roof tiles and chimneys, or alterations to the enclosure and boundary treatments of the various properties, which ordinarily would not require planning permission, would require consent. The reason for this is that whilst changes can be small scale under such permitted development rights, cumulatively they can undermine and damage much of what



is special about the conservation area e.g. by altering the visual appearance and key characteristics of the buildings and street layouts.

### **Canons Park Estate (Proposed Article 4: Schedule 2, Part 1, Class A, C, D and G and Part 2, Schedule C GPDO).**

- 4.3 Within the Canons Park Estate Conservation Area Appraisal under Section 6.63 it is stated 'that on some of the buildings the original Tudor Revival inspired doors, garage doors, windows and tall chimneys are missing and brick patterns no longer visible. If done in large numbers this would harm the character of the CA'. It is this gradual, unregulated development that could in time lead to a loss of character and the architectural identity for which the area is known.
- 4.4 In order to measure the current quality of the Canons Park Estate, a survey relating to the intact presence of chimneys, roof tiles, porches, windows and front doors was conducted along the specified roads. On the whole, a good proportion of original features remain, particularly in relation to chimneys and roof tiles and original patterns such as herring bone brickwork or black applied timber, however the number of original windows, doors and porches is in decline with many unsympathetic replacements being installed. It is such change that can be managed through the implementation of an Article 4 Direction. Lake View had such a high proportion of change that it was considered unnecessary for Article 4 Directions on most properties as per the recommendation of the adopted 2013 CAAMS. However, given the mostly unaltered state of numbers 2, 3, 4, 6 and 7 Lake View at the entrance to this road relevant Article 4 Directions are recommended for these houses only.

### Windows

- 4.5 Windows are the most common feature to have been unsympathetically replaced. The design of original windows includes varied Tudor Revival style, with some of the properties along Canons Drive having distinctive windows with stained glass and leaded light detailing. It is the detail and craftsmanship embodied in the original windows that is being lost in favour of unsympathetic replacements. The windows were surveyed for their material ie timber, plastic, metal or a mix.
- 4.6 In the very worst case, Canons Close has no original windows. All have been replaced with unattractive and unsustainable plastic windows which appear out of place on the carefully composed elevations. On Canons Drive, the principle route within the Conservation Area, 57% of properties have retained original windows. In the best case, well over half of the windows on Orchard Close are timber at 64%. It is vital for the retention and repair of original windows to be encouraged in the first instance, and where necessary sympathetic timber replacements to be advocated in favour of plastic or aluminium windows which are not in keeping with the appearance or character of the Conservation Area. The introduction of an Article 4 Direction would aid this significantly. Whilst in some cases, plastic windows could not be avoided even with the Article 4 Direction given the existing character of the area, the direction would help advocate for timber.

## Doors and porches

- 4.7 Doors (front and garage) and porches are both key architectural features in the design and appearance of the houses in the estate. They give a sense of individuality to each house while also collectively being of similar design or material composition such that they unite the area in terms of character and contribute to a consistent visual appearance. Examples of the design and materials common for original entrances are detailed within the CAAMS under Section 6.2.5 Architectural Qualities and 6.2.6 Prevalent and Traditional Building Materials and Detailing.
- 4.8 Original doors (front and garage) are usually timber, designed in a Tudor revival style sometimes with a small window or ornate ironmongery. Orchard Close retains the highest percentage of timber doors with 100% of front doors in timber and 86% of timber garage doors, closely followed by Handel Close has 80% of front doors and 80% of timber garage doors%. The primary route of the Estate, Canons Drive preserves just over half with 59% original timber garage doors and 62% timber front doors. . The unsympathetic replacements drastically alter the visual appearance of each house resulting in a loss of character which collectively detracts from the Conservation Areas overall architectural quality.
- 4.9 The retention of original porches (unaltered, not enlarged or enclosed) is key in maintaining the Conservation Area's intended architectural appearance. In general a good proportion is preserved, however the gradual alterations, currently unregulated, could in the future result in a loss of character which at present contributes to the special character of the area. In the worst cases, both Canons Close and Rose Garden Close retain 58% of porches as originally designed. However Orchard Close retains 78% and Canons Drive maintains 82% of original porches. From the survey it is clear that this is an architectural feature which could continue to decline as homeowners seek to enlarge or modify entry points to their properties. There are a variety of porch designs, as part of the Metroland and Tudor Revival styles, including tiled ones and those recessed under an arch, and it is important to maintain these or replace with a sensitively designed replica to maintain the character of the Conservation area and each property's individuality.

## Roofs and chimneys

- 4.10 On the whole, original chimneys remain throughout. In the worst cases Dukes Avenue retains only 39% of its chimneys while Rose Garden Close has 75%, however Orchard Close has 86% of chimneys fully intact and Chestnut Avenue has 91% and overall the Conservation area at present retains a large proportion of original chimneys. In relation to roof tiles, Canons Drive preserves 84% of clay roof tiles with 16% having been replaced or completely re-tiled roofs with unsympathetic tiles. Dukes Avenue retains 100% clay roof tiles, while all properties in the remaining roads have 100% original roof tiles. Most houses, with the odd variation, have traditional clay roof tiles with prominent or even striking chimneys. As described in the CAAMS, under section 6.69 'Chimneys are particularly important architectural features and provide interest to the roofscape of this area. Chimney stacks are sited centrally on semi-detached buildings and provide an important visual element in their symmetry. On some properties the

chimney stacks form quite tall distinctive features as part of the Tudor Revival style, sometimes two closely sited together add strong definition to one elevation'. It is this distinctive architectural character which unites the houses and contributes to the significance and appearance of the area, and therefore must be maintained.

### Original patterns

- 4.11 Given the Tudor revival style or partly Tudor revival inspired style of the majority of properties in the Conservation Area the original finish patterns are important. For example, many have herring bone brick panels, tile hanging or applied black timber and white render and timber bargeboards. This all contributes to the special character and appearance. Each property on Dukes Avenue and Canons Close have some level of this original finish, whilst along the main route of Canons Drive, 73% have this original finish. Therefore suitable Article 4 directions are recommended to help conserve this.

### Lake View

- 4.12 Article 4 directions are only being proposed for a few properties on Lake View where more of the original features intact in line with survey results. There was generally more alteration in this street such that an Article 4 Direction is not recommended as being necessary. This is in accordance with the 2013 adopted CAAMS.

### Donnefield Avenue

- 4.13 End House is very prominent on this street. The green clay pantiles are important as they help ensure the property blends in on this corner plot adjacent the park. Likewise the original porch contains similar such tiles. Therefore suitable Article 4 Directions are recommended.

### **Kerry Avenue (Proposed Article 4: Schedule 2, Part 2, Class B GPDO).**

- 4.12 The significance of the Kerry Avenue Conservation Area is defined by 'The open and spacious character is accentuated by: the low density development, the spaces around the buildings, the medium scale of buildings, the constant position of buildings within their plots and building line, and the use of wide roads and much public and private greenery. These factors, along with the use of Modern-style houses, are vital as they contribute to the cohesiveness of the area as a townscape' (Section 4.32).

- 4.13 Within the Kerry Avenue CAAMS under Section 4.94 it is stated 'The streetscape in the CA is generally of a high quality, being relatively uncluttered by signage and enhanced with well-kept gardens and roadsides. However, there has been a steady, piecemeal erosion of the unifying characteristics of the streetscape' ..... 'in terms of the introduction of hard surfaces into front gardens and poorly considered landscaping'. Certainly upon surveying the area the wide grass verges and soft landscaped setting and uncluttered highways are a distinctive feature, but it is evident in places that this is under pressure with multiple points of access between

the property and highway. The Appraisal continues under Section 4.106 noting boundaries and access to the highway 'are broken in places by driveways detracting from the continuity of the grass verges'....'These are very important as they contribute to the soft, semi-rural character of the area, though again these are broken in places by driveways'. It is this gradual erosion of the streetscape and property thresholds, that could, in time result in the loss of character, setting and architectural identity for which the area is known and so unique, and with this in mind an Article 4 is sought to require planning permission for new openings to the highway in order to preserve the special character and appearance of this area.

**Old Church Lane (Proposed Article 4: Schedule 2, Part 1, Class F, Schedule 2, Part 2, Class A and Class B; and Schedule 2, Part 11, Class C GPDO).**

- 4.13 Open spaces, trees, hedges and soft landscaping are key to the architecture, landscape and setting within the Old Church Lane Conservation Area. As noted under CAAMS Section 3.67 'boundary treatments are predominantly comprised of soft landscaping either as hedges, trees or soft planting which draws the area together and adds to the soft suburban character of the CA'.
- 4.14 The soft street-scene helps retain the semi-rural feel and historic character of the area which is discussed in detail under CAAMS Section 3.1. An Article 4 Direction is sought to preserve this special historic and architectural character, and to avoid what has unfortunately occurred within Cherry Tree Way through the erection and construction of enclosure to every property. These enclosures are predominantly mid-level brick walls with railings, and combined with some hedges. The result is a far more urban character and that of a private estate which is at odds with the prevailing open, and more rural character along Old Church Lane. The boundary to 7 Cherry Tree Way is still quite informal being low railings with hedge behind and there is some garden greenery and there is a wide grass verge in front. This faces Old Church Lane. Therefore relevant Article 4 Directions are sought. The boundary to Kestrel Court and 8-10 Cherry Tree Way is already protected as they are flats and so do not have permitted development rights.
- 4.15 No 1-4 Rectory Close still maintain their character being set back from the road in large garden plots, with boundaries only defined by relatively unobtrusive simple timber post-and-chain low level fences or remain open. This contributes to the wide open feel of Old Church Lane and needs to be protected in order to retain the overall rural feel of the area, and so an Article 4 Direction is sought. Indeed, the CAAMS notes under Section 3.76 'Further down Old Church Lane, the streetscape widens out, as there are open front gardens and wide grass verges. These front gardens and grass verges are very important as they soften the street scene and combined with a change in level between the road and the pavement, help to separate pedestrians and houses from the road. They also help to draw the CA together and provide relief to the setting of the buildings. They include the land adjacent to Rectory Close and the boundary of the Old Church House' which is already protected as this is listed.

- 4.16 Friars Mead and 1 Tudor Well Close were also surveyed. Friars Mead demonstrated the piecemeal approach and gradual loss of the more informal boundary treatments for which the area is known – with dark railings along one boundary edge, contrasted with a lightweight wire fence with a mature hedge along the main frontage onto Old Church Lane. Additionally, upon surveying, it was evident that the front garden was in part hard surfaced with two areas of greenery remaining. It is vital to retain this and prevent the further loss of green space within the curtilage of the property. Similarly, the grass verge in front of the property is an important part of the character of the area and a new entrance to the Highway could harm this. It is with this in mind that Article 4 Directions are sought.
- 4.17 1 Tudor Well Close is almost opposite Friars Mead and located within the Curtilage of its front garden is the Locally Listed ‘Tudor well cover’, now used as a large, ornate plant pot, is easier to miss but an interesting relic of the past which has elaborately detailed stonework. It is a stone ionic well cover, with intricate carved details and coat of arms and once stood in the gardens of the early late 16<sup>th</sup> or 17<sup>th</sup> century timber framed Manor House which was demolished in 1930’ (CAAMS Section 3.55). Also it is listed as an Important Item of historic street furniture under Section 3.69. One Tudor Well Close is the property on the corner with Old Church Lane, and while the immediate frontage to the property has already been fully hardsurfaced, the Well cover is presently located on the boundary with Old Church Lane within a raised bed and relative greenery more reminiscent of its historic setting. An Article 4 Direction is sought to prevent any further hardsurfacing within the curtilage of the property so as to avoid the historic well becoming an isolated and alien feature within the local landscape. Also, to require permission for the creation of means of access to a Highway given the important soft landscaping and side garden.
- 4.18 The front of 1 and 2 Gate House, Old Church Lane has a ‘good floorscape underneath the arch and on the ground in front made of a fanned layout York Stone and cobbles which together form good elements of street furniture’ as noted in paragraph 3.51 of the CAAMS. Since this is an important part of the streetscene and setting of the listed building an Article 4 Direction is sought to require planning permission to alter this.

**Stanmore Hill (Proposed Article 4: Schedule 2, Part 1, Class A, C, D and G; Schedule 2, Part 2, Class A and Class C; and Schedule 2, Part 11, Class C GPDO).**

- 4.18 It is proposed to introduce a series of Article 4 Directions to cover a number of properties in the lower reaches of Green Lane within the Stanmore Hill Conservation Area. This is to preserve and protect the character and appearance of the area as noted in the Appraisal under Section 2.6 the ‘fine examples of residential houses’.... ‘using high quality traditional materials and detailing. These date from the 18<sup>th</sup> century to the early 20<sup>th</sup> century and are on sloping land, set amongst much greenery and important historic walls. Development is linear reflecting the way properties were introduced primarily to serve travelers towards London along the major route of Stanmore Hill’. The development of the area is discussed at length under section 2.14-2.16.

- 4.19 With this in mind and following the survey carried out in August 2019, the architectural character, decorative features and high level of craftsmanship apparent on individual properties are integral to this part of the conservation area and its special interest. The houses pertinent to this are Applegarth, The Glade and The Orchard. All currently have original porches and retain the majority of their original features including clay roof tiles, distinctive chimneys and roofscapes. There is a recognized pressure for family homes to be extended either into the roof or within their large plots. This is to be avoided to preserve the 'softer, lower density character, as medium-sized detached houses are in spacious grounds' as noted in CAAMS Section 2.6. Furthermore 'common characteristics exist for example due to a similar building line and scale, usually not exceeding two stories, and traditional materials. Also, there is a common Domestic Revival influence, occasionally expressed as Tudor Revival designs' as stated under Section 2.27 and it is these characteristics that need to be protected against future pressures and unsympathetic piecemeal developments.
- 4.20 Unfortunately, The Glade appeared to have all new PVC windows, whilst Applegarth and The Orchard retain their originals or sympathetic replacements. Windows are a very common area for unsympathetic replacements and so an Article 4 Direction covering these is recommended. The Orchard appeared to have a very interesting roofscape and various decorative chimneys which if left unprotected without an Article 4 Direction could be lost should the owners choose to extend up into the loft and roofspaces. Additionally under Section 2.65 'High quality traditional detailing and materials are usually used, including Welsh slate, red clay tiles, timber (windows, doors and bargeboards), cast iron (windows), red and yellow stock bricks and stucco'. This is to be encouraged and further enforced by the implementation of a number of Article 4 Directions covering the external appearance and detailing of the properties.
- 4.21 An Article 4 Direction is also sought to cover the historic boundary wall that defines the edge of the two properties at the bottom of Green Lane, Churchfelle Mews, and Willow Lodge. These properties are not within the Conservation Area boundary, however the wall which defines their threshold and provides an entrance to Green Lane, does extend along and up past Rylands and should be recognized and protected as a very significant part of the historic layout and development of the Stanmore Hill Conservation Area. This is pertinent as a third property, Greystones (now renamed Mauray), only retains part of the walled frontage and therefore has already reduced the coherence and continuity of the historic wall somewhat. Indeed CAAMS Section 2.27 describes how the wall in front of 'Cherchefelle Mews marking the presence of former historic large, detached houses. They define the street edge and provide a sense of entrance'. Furthermore Section 2.66 states 'Historic boundary walls are important. These mark the boundaries of earlier large detached historic houses which have since been replaced and therefore help illustrate the area's historical development. They create a formal boundary and complement the main house's materials and style'. ...'Brick ones include the walls to Churchfelle Mews.... Where the walls are quite high their added height is desirable in these instances. With the above points in mind, the implementation of a series of Article 4 Directions are felt to be the most successful way of preserving and enhancing the special architectural interest of the Conservation Area.

4.22 The existing Article 4 Direction covers the following properties in relation to ‘any other alterations to the roof of the dwelling house’:

**Green Lane:** Rylands, Olde Cottage, Tremar, Green Lane Cottage, Fordyce, Littlecote, Martinsell, Wallon Cottage, Nos 1-4 (inc) Franklin Cottages, The Cott, Nos 1-4 (inc) Chart Cottages, Nos 1-3 (inc) Hillcrest Cottages, 5 Pinnacle Place, 1-7 (inc) and 11-12 (inc) Green Lane Cottages, 1-4 (inc) Park Cottages

**Stanmore Hill:** Nos 75-81 (odd), 129, 131, 80, 58

However, this Article 4 Direction does not cover alterations to chimneys. Chimneys make up an important part of the traditional character of each of these properties. The CAAMS notes as much in paragraph 2.24 as it refers to the ‘interesting roofscape views, with chimneys, chimney pots’ etc. So it is recommended that an Article 4 direction is introduced for these to address this omission.

**Little Common Conservation Area (Proposed Article 4: Schedule 2, Part 1, Class A, Class C, Class D, Schedule 2, Part 2, Class A, Class C, and Schedule 2, Part 11, Class C of the GPDO).**

4.23 The existing Article 4 Direction covers the following properties in relation to ‘any other alterations to the roof of the dwelling house’:

**Stanmore Hill:** 116, 156, 158, 193

**Wood Lane:** By the Pond, Woodleigh, The Lodge, Wood Farm Cottage, Moor House, 1 & 2 Garage Cottages

**Aylmer Close:** 3

**Little Common:** 1, 2, 3, 12, 18, 19, 20, 21, 22

However, the above existing Article 4 Direction does not cover alterations to chimneys. The special character and appearance of the area is outlined by the 2013 CAAMS as relating to the roofscape of chimneys. So it is recommended that a new Article 4 Direction is introduced for these to address this omission.

4.24 In 2013 the Conservation Area boundary was amended to include 147 Stanmore Hill. This features distinctive green glazed tile roof and white render and a boundary treatment with the same distinctive green tiling complementing the setting. The front garden greenery is also noted to enhance the setting of the house. Whereas other houses with such high quality features had Article 4 Directions added to protect them in a review in 2003, since this house was not added until later it does not benefit in the same way. Therefore the 2013 CAAMS recommended relevant Article 4 Directions. The 2019 survey confirmed that features remain in place and are worthy of protection and so these Article 4 directions are recommended.

**5. Implications of the Introduction of the Article 4 Direction for Five Conservation Areas.**

5.1 This would enable the Local Planning Authority to better manage change affecting the special character and appearance of these conservation areas.

**6. Procedure**

- 6.1 Once the non-immediate direction has been proposed to be made by the Local Planning Authority, it shall give notice of the Article 4 Direction:
- by local advertisement in at least one newspaper in the local area (as defined in article 1(2) of the GPDO)
  - by site display at no fewer than two locations within the relevant Conservation Area on site for a period not less than six weeks
  - individually on every owner and occupier of the site to which the direction relates
  - on the same day that the notice of an Article 4 Direction is first published or displayed locally, the local planning authority shall notify the Secretary of State.
  - specify the date on which the proposed direction comes into force (which must be at least 28 days from the end of the specified date of consultation period but no longer than 2 years from the end of that specified date)
- 8.2 Any representations received during consultation (period of not less than 21 days) will be taken into account by the local planning authority in determining whether to confirm a direction. Material changes to the direction resulting from consultation would require re-consultation.
- 8.3 The local planning authority cannot confirm the direction until after the expiration of either a period of at least 28 days following the latest date on which any notice relating to the direction was served or published, and no longer than 2 years or such longer period as may be specified by the Secretary of State (after having been notified by the local planning authority of making a direction).

## Legal Implications

The Council has a statutory duty and is required under section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to carry out reviews 'from time to time' to determine whether any parts or further parts of their area should be designated as conservation areas; and if it so determines, that part(s) shall be so designated.

The statutory procedure for making Article 4(1) Directions is set out in Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

A non-immediate Article 4 Direction withdraws the permitted development rights where the local planning authority consider the exercise of permitted development rights would harm the local amenity or the well being of the area.

As a consequence of the Article 4 Direction, any planning application received by the Council once the Article 4 Direction is in force, will be exempt from the usual planning application fee.



## **Financial Implications**

The costs of making the proposed Article 4 Direction would be met from within the existing revenue budgets of the Council's Planning Policy team.

## **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? No

There are no significant risks arising from the recommendations.

## **Equalities implications / Public Sector Equality Duty**

Was an Equality Impact Assessment carried out? No

EqlA is not considered necessary in respect of the making of an Article 4 Direction. Such a proposal is based on the architectural and historic merit of an area and in this particular instance, seeking to correct a legal anomaly. Furthermore, the higher order Local Plan policy that contains the criteria against which development within Conservation Areas is assessed was subject to an equalities impact assessment prior to its adoption. Any potential equality implications of a specific proposal would be addressed during the assessment of the planning action necessitated by the marking of the proposed Article 4 Direction.

## **Council Priorities**

The decision sought will help the Council meet the priority of a making a difference for communities by helping ensure the attractiveness of the borough as a place to live and demonstrating that the Council seeks and listens to the views of its residents.

### Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 06/02/2020		
Name: Jimmy Walsh	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 28/02/2020		
Name: Paul Walker	<input checked="" type="checkbox"/>	Corporate Director
Date: 03/02/2020		

<b>MANDATORY</b>
<b>Ward Councillors notified:</b> YES

### Section 4 - Contact Details and Background Papers

**Contact:** Lucy Haile, Principal Conservation Officer, 0208 736 6101 or lucy.haile@harrow.gov.uk

**Background Papers:** Article 4 direction survey August 2019

Conservation Area Appraisals and Management Strategies for each conservation area in the borough: <https://www.harrow.gov.uk/conservation>