



Subject:	<i>Proposed serving Notice of Article 4 Directions on Adelaide Park and Malone Park Conservation Areas</i>
Date:	<i>Tuesday, 14th June 2016</i>
Reporting Officer:	<i>Phil Williams ext. 2300</i>
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Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	<p>In June 2015 Committee agreed to authorise the undertaking of a public consultation exercise in order to ascertain the level of support for Article 4 Directions to be issued within Adelaide Park and Malone Park Conservation Areas. The directions will enable the Council to restrict permitted development rights associated with householder development that can currently be undertaken without the need for planning permission.</p> <p>It was agreed that, should sufficient support be demonstrated for the proposal Article 4 Directions would be issued</p> <p>The purpose of this paper is to update members of the outcome of the public consultation which demonstrates that a majority of residents support Article 4 Directions within Adelaide Park and Malone Park Conservation Areas.</p>
2.0	Recommendations
2.1	<p>The Committee is requested to:</p> <ul style="list-style-type: none">• Approve Serving Notice of Article 4 Directions in Adelaide Park and Malone Park Conservation Areas restricting some of the householder permitted development rights
3.0	Main report
3.1	<p>Conservation Areas are designated Under Article 104 of the Planning (NI) Act 2011, as “areas of special architectural or historic interest....the character or appearance of which it is desirable to preserve or enhance”. It is therefore a</p>

	<p>statutory requirement for the Council to take action to ensure that the character of Conservation Areas is protected.</p>
3.2	<p>Insensitive alterations to buildings within Conservation Areas, even if they appear relatively minor, can individually and cumulatively, have a detrimental impact on the character of both the host building and wider area.</p>
3.3	<p>Under the Planning (General Permitted Development) Order (NI) 2015, many such changes would be permitted development. However under Article 4 of the same Order the Council enables the Council to bring such changes under planning control. Use of such Directions would bring this practice into use here for the first time; it is widely used in other jurisdictions.</p>
3.4	<p>An Article 4 Direction will represent a minor extension over existing planning control - bringing replacement of existing elements under planning control. Historic elements express the craftsmanship of the era, and possess narrative and aesthetic qualities. They are important individually and collectively to the character of these Conservation Areas. They are important to architectural unity – i.e. inherent to the design / style of properties.</p>
3.5	<p>There are no fees associated with applications arising from Article 4 Directions. Where details are required in support of applications drawings by suppliers and companies carrying out the proposed works such as replacement window frames / doors could suffice, when of sufficient detail, thereby negating the potential cost associated with detailed supporting information.</p>
3.6	<p>A survey was carried out to ascertain the level of support for Article 4 Directions. This lasted 4 weeks and ended on 21 March 2016. The survey was delivered to all residents who live in the Malone Park and Adelaide Park. Officers also engaged with local residents at a meeting at Council offices. A summary of the consultation exercise is set out in Appendix 1. Given the majority support for the introduction of Article Directions it is proposed, subject to Committee approval, to serve Notice of</p>
3.7	<p>Article 4 Directions in both areas covering the following –</p> <ul style="list-style-type: none"> - Altering the size of window and door openings to front elevations and side elevations were they are visible from the public road - Replacing window and door frames to front elevations and side elevations were they are visible from the public road - The creation of hardstandings to front lawns - The creation of porches to external doors
3.8	<p>Members may wish to note that there was a lower level of support in Malone Park Conservation Area. Objections focused on the replacement of windows and doors, although some of these were associated with dwellings from a later period where the impact of more modern interventions would be less significant in planning terms. Several objections were submitted in respect of properties that were boarded up or derelict. Malone Park Residents Association who attended a meeting with officers supported the proposal in a joint submission which is perhaps reflective of a broader level of support that the responses submitted individually.</p>
3.9	<p>Article 4 Directions are considered an essential additional operational tool to</p>

3.10	<p>support decisions making in achieving the objective of maintaining the character of Conservation Areas where there can be potential for significant change. When introduced they have also been useful in assisting at appeals involving demolition of properties.</p> <p>It is recommended therefore that the Council approve the serving of Article 4 Directions as outlined above for the Adelaide Park and Malone Park Conservation Areas. Committee should note that these Directions will require the approval of the Department for Infrastructure prior to final implementation.</p>
4.0	Finance and Resource Implications
4.1	This is a new element of work for the Planning and Place Department and impact of the additional workload will be kept under review
5.0	Equality or Good Relations Implications
5.1	The ongoing work has been developed in line with the Council's Equality and Goods relations framework and policies

Appendix 1

The Table below summarises the responses to the public consultation exercise. The total number of respondents were:

- Malone Park – 34
- Adelaide Park - 25

	<i>Adelaide Park</i>	<i>Malone Park</i>
Survey Question	%	%
Do you believe Article 4 Directions will help protect the character of the Conservation Area	83	56
Do you support the introduction of Article 4 Directions	80	56
Do you support the introduction of planning control over altering the size of window and door openings	83	56
<i>Of people who supported this the degree of support was as follows -</i>		
<i>Front elevations only</i>	11	11
<i>Front elevations and all side elevations</i>	26	28
<i>Front elevations but only side elevations visible from the public road</i>	63	61
Do you support the introduction of replacing window frames and doors	68	56
<i>Of people who supported this the degree of support was as follows -</i>		
<i>Front elevations only</i>	12	6
<i>Front elevations and all side elevations</i>	44	38
<i>Front elevations but only side elevations visible from the public road</i>	44	56
Do you support the introduction of planning control over painting the exterior of dwelling houses	52	43
Should planning permission be required for the construction of porches	88	56