

CENTRAL FULHAM (NO. 1) ARTICLE 4 DIRECTION

This purpose of this note is to provide a non technical summary of the information contained within the Article 4 Direction, it does not form part of the legal documentation.

This Article 4 Direction affects the following properties:

- 222 and 224 Munster Road
- 1 to 43 (odd) Rosaline Road
- School House adjoining 25 Rosaline Road
- 74 to 90 (even) Sherbrooke Road
- 100 to 114 (even) Sherbrooke Road
- 59 to 139 (odd) Sherbrooke Road
- 1 to 83 (odd) Orbain Road
- 2 to 86 (even) Orbain Road

This Article 4 Direction restricts the following works from being undertaken as permitted development, and planning permission will be required for:

- The erection of any new structure at ground or first floor level at the rear of the main building wall.

For more information please contact the Urban Design and Conservation Team on 020 8753 1081 or email: planning@lbhf.gov.uk

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT
ORDER 1977

LONDON BOROUGH OF HAMMERSMITH
(MUNSTER, ROSALINE, SHERBROOKE AND ORBAIN ROADS)

TOWN AND COUNTRY PLANNING DIRECTION - 1979

CENTRAL FULHAM No.1 (part of in C.A.)
DIRECTION UNDER ARTICLE 4 31.1.79

of the
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT
ORDER 1977

(1) WHEREAS:

The Mayor and Burgesses of the London Borough of Hammersmith (hereinafter called "the Council") are the appropriate Local Planning Authority for the purposes of Part III of the Town and Country Planning Act 1971 and for the purposes of the Town and Country Planning General Development Order 1977 (hereinafter called "the Development Order") in respect of the area which includes the properties described in Schedule I hereto (hereinafter called "the properties")

(2) The Council are of the opinion that any uncontrolled development of the properties in the manner described in Schedule II hereto would be prejudicial to the proper planning of the area

(3) The Council therefore considers that any such development should be subject to its control

NOW THEREFORE THE COUNCIL HEREBY DIRECTS
as follows:

1. THAT the properties shall be the subject of a Direction made under Article 4 of the Development Order and the effect of this Direction is that notwithstanding the provisions of Article 3 of the Development Order any development of the properties in the manner described in Schedule II hereto shall not be carried out unless planning permission for such development has been granted by the Council or the Secretary of State for the Environment.

2. THIS DIRECTION may be cited as the London Borough of Hammersmith (Munster, Rosaline, Sherbrooke and Orbain Roads) Town and Country Planning Direction 1979.

222 & 224 - CA

SCHEDULE I

1. The properties included in this Direction are:

226 - 244 (even) inclusive, Munster Road Not CA

1 - 43 (odd) inclusive, Rosaline Road Not CA ✓

School House, adjoining 25 Rosaline Road Not CA ✓

74 - 90 (even) inclusive and 100 - 114 (even) Not CA

inclusive, Sherbrooke Road

59 - 139 (odd) inclusive, Sherbrooke Road - CA

1 - 83 (odd) inclusive, Orbain Road - CA
2 - 86 (even) inclusive, Orbain Road - CA

all of which are shown coloured pink on the map annexed hereto.



[Properties included in The Direction
 - Rear main building wall of Properties included in The Direction

C. T. Mahoney

PLAN REFERRED TO IN THE I.B.H.
 ROSALINE RD., SHERBROOKE RD.,
 ORBAIN RD. AND MUNSTER RD.
 TOWN & COUNTRY PLANNING
 DIRECTION 1979

William & George
 Director of Development Planning
 Town & Country Planning
 King Street, Dublin 1
 1/1250
 L.E.B.

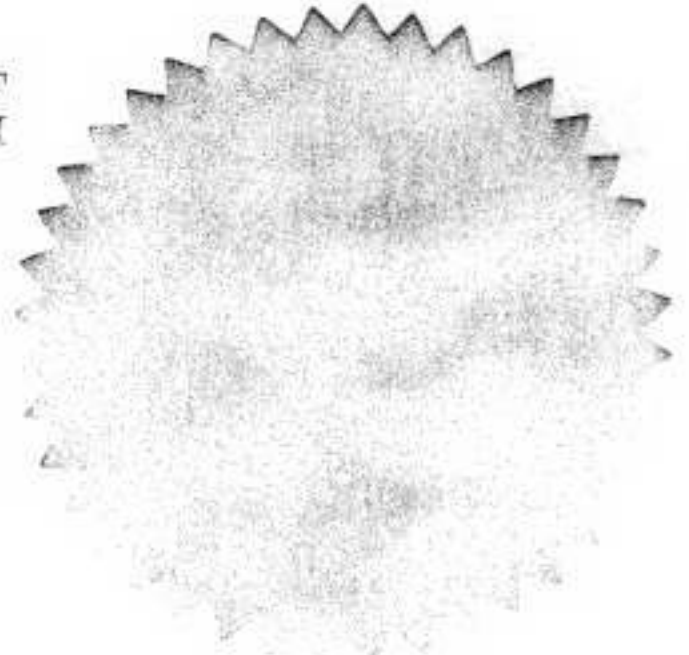
SCHEDULE 11

2. The class of development to which this Direction applies is the erection of any new structure at ground or first floor level at the rear of the main building wall of any of the properties (such walls being marked with a broken black line on the map annexed hereto) other than the replacement of existing structures up to their present cubic content, being development included within Class I(1) or Class I(3) of the Development Order.

DATED this 31st day of January 1979

THE COMMON SEAL OF THE COUNCIL OF THE LONDON BOROUGH OF HAMMERSMITH WAS HEREUNTO AFFIXED IN THE PRESENCE OF:

C. T. Mahoney
Authorised Officer



DET 33484

The Secretary of State for the Environment hereby approves the foregoing direction.

John Baxter

Signed by authority of the Secretary of State

An Assistant Secretary in the Department of the Environment.

6 August 1979

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING GENERAL
DEVELOPMENT

ORDER

1977

LONDON BOROUGH OF HAMMERSMITH
(MUNSTER, ROSALINE, SHERBROOKE AND
ORBAIN ROADS)

TOWN AND COUNTRY PLANNING DIRECTIO
1979

DIRECTION UNDER
ARTICLE 4

of the

TOWN AND COUNTRY PLANNING GENERAL
DEVELOPMENT ORDER

1977

W.R. Flanagan,
Borough Solicitor,
London Borough of
Hammersmith,
Blacks Road,
London, W.6.

Ref. RHC/RD.

Development Planning

William A. McKee
BA MSc(Eng) DIC DipTP MRTPI MIHE

Address letters to
The Director of Development Planning

When telephoning ask for:
Mr. T.W. Adams (Ext 427)

Our ref: TWA/CV/Pt 4.14

Your ref:

Date: 17 September 1979

Dear Sir/Madam,

TOWN & COUNTRY PLANNING ACT 1971 AND
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER (1977)
LONDON BOROUGH OF HAMMERSMITH (MUNSTER, ROSALINE,
SHERBROOKE AND ORBAIN ROADS)
TOWN & COUNTRY PLANNING DIRECTION 1979

Notice is hereby given that the Secretary of State for the Environment approved the Article 4 Direction relating to the above mentioned properties on the 6th August 1979.

A copy of the Direction was sent to you with an explanatory letter at the time the Council submitted the Direction to the Secretary of State for his approval.

The Direction takes effect immediately and generally speaking this means that, in future, before any new structure is erected at ground or first floor level at the rear of the main building wall (as defined in the Direction Map) other than the replacement of existing structures up to their present cubic content, an application must be made to the Council for planning permission and such work may not be carried out without planning permission.

A copy of this letter is enclosed in a separate envelope for the attention of the owner of the property, if you are not yourself the owner, please ensure that he or she receives it as soon as possible.

If you are in any doubt as to whether any work that you propose to carry out requires planning permission, please do not hesitate to contact my department for advice.

Yours faithfully,

William A. McKee

Director of Development Planning



Room C8/02
Department of the Environment
2 Marsham Street London SW1P 3EB

Direct line 01-212 3300
Switchboard 01-212 3434



The Borough Solicitor
London Borough of Hammersmith & Fulham
Hammersmith House
(BOC Building)
Blacks Road
LONDON
W6 9EG

Your reference
BB/FM
Our reference
GLP/5014/19/10
Date
7 August 1979

Sir

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1973 TO 1977
DIRECTION UNDER ARTICLE 4
LONDON BOROUGH OF HAMMERSMITH (MUNSTER, ROSALINE, SHERBROOKE & ORBAIN ROADS) TOWN
AND COUNTRY PLANNING DIRECTION 1979

1. I am directed by the Secretary of State for the Environment to refer to your letter of 1 February 1979 and to return herewith one copy of the above direction endorsed with his approval.
2. Our detailed examination of the direction left us in considerable doubt as to whether it could properly be regarded as a direction to which Article 4(3)(b) applied. Notwithstanding that the notice served on owners and occupiers at the time the direction was made implied that Article 4(3)(b) applied, there is little such indication in the direction itself. This fundamental omission raises considerable doubt as to whether the direction has in fact already taken effect.
3. In the circumstances it is suggested that the direction has not yet come into force and will not do so until "post approval" notice is served in accordance with Article 4(5).
4. In future cases where it is intended that Article 4(3)(b) should apply I should be grateful if you would adopt the wording used in the attached specimen direction. In addition, when referring details of such directions to the Department would you please clarify whether your Council is seeking the Secretary of State's approval (in order to extend the validity of the direction beyond the 6 months period) or else requesting that the Secretary of State should not disallow it within the 6 month period in accordance with Article 4(4). In the case of the current direction it was initially assumed that the latter applied, and this delayed formal consideration of the Direction and hence resulted in the complications mentioned above not being picked up at an earlier stage.
5. Finally, may I remind you that applications for approval of directions should be accompanied by two sealed copies and one unsealed copy of the direction.

I am Sir
Your obedient Servant

D W Woodward

D W WOODWARD