

CRABTREE (NITON STREET) 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:

- 1 to 25 (odd) Niton Street
- 2 to 24 (even) Niton Street

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

- The enlargement or alteration of the front roof of the dwelling house.

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 ORDERS 1977 to 1981

CRABTREE (NITON STREET) 13.8.86

1. WHEREAS the Council of the London Borough of Hammersmith and Fulham (hereinafter referred to as "the Council") being the local planning authority within the meaning of Article 4 of the Town and Country Planning General Development Orders 1977 to 1981 (hereinafter referred to as "the Development Orders") are satisfied that it is expedient that development of the description set out in the First Schedule hereto should not be carried out on the land described in the Second Schedule hereto unless permission therefor is granted on application made under the Development Orders

2. AND WHEREAS the Council are further of the opinion that development of the description(s) set out in the First Schedule hereto would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of that area and that the provisions of paragraph 3(b) of the said Article 4 should apply to this Direction

3. NOW THEREFORE the Council in pursuance of the powers conferred upon them by Article 4 of the Development Orders hereby direct that the permission granted by Article 3 of the Development Orders shall not apply to development of the description set out in the First Schedule hereto on the land described in the Second Schedule hereto

4. THIS DIRECTION is made in pursuance of the provisions of paragraph 3(b) of Article 4 of the Development Orders and shall remain in force until day of February 1987 (being six months from the date of this Direction) and will then expire

unless it has been approved by the Secretary of State for the Environment before that date

5. THIS DIRECTION may be cited as the London Borough of Hammersmith and Fulham (1-25 Niton Street) (No.1) Town and Country Planning Direction 1986

THE FIRST SCHEDULE

The class of development to which this Direction applies is enlargement or alteration of the front roof of a dwellinghouse being development comprised within Class I.1 referred to in Schedule 1 to the Development Orders and not being development comprised within any other class

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THE SECOND SCHEDULE

The land subject to this Direction is as follows :-

All those dwellinghouses situate at and known as Number 1-25 (inclusive) Niton Street, London, SW6 being the properties comprised within the land shown edged red on the plan annexed hereto

THE COMMON SEAL OF THE COUNCIL)
OF THE LONDON BOROUGH OF)
HAMMERSMITH AND FULHAM was)
hereunto affixed this 13th)
day of August 1986)
in the presence of :-)

.....
The Officer duly authorised for
this purpose



Properties included in the Niton Street
Direction under Article 4, 1977/81

DATED

13th

AUGUST 1986

LONDON BOROUGH OF HAMMERSMITH AND FULHAM
(1-25 inclusive) NITON STREET) (No. 1)
TOWN AND COUNTRY PLANNING DIRECTION 1986

ARTICLE 4(3)(b) DIRECTION

Borough Solicitor
Vencourt House
255 King Street
London W6

Ref BB/P05AAS

Your ref Our ref BB/86/562/NC Date 14 August 1986

From BOROUGH SOLICITOR

To DIRECTOR OF DEVELOPMENT PLANNING
 ATTN. GEORGE EKE

RE : THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM
 (1-25 NITON STREET (NO. 1)
 TOWN & COUNTRY PLANNING DIRECTION 1986

Further to the resolution of planning application sub-committee of the 12th August, I confirm that this direction was made on 13th August. A copy of the direction, which has now been submitted to the Department of the Environment for approval, is attached.



for BOROUGH SOLICITOR

TOWN AND COUNTRY PLANNING ACT
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977-81
LONDON BOROUGH OF HAMMERSMITH & FULHAM

NITON STREET DIRECTION NO 1

STATEMENT OF REASONS

This statement sets out the Council's reasons for making the above order pursuant to Article 4(3)b of the General Development Order. It consists of the following:-

1. Description of the area covered by the Direction.
2. An explanation of the grounds on which the Council considers that the Direction is needed.
3. An account of the measures taken to inform interested persons of the Council's decision to make a Direction.
4. Summary.

The following appendices are attached to this statement.

- Appendix I Identification of the properties subject to the Direction (Plan).
- Appendix II Letter from Surveyors acting on behalf of the freeholders number 17 and 21 Niton Street.
- Appendix III Photographs of Niton Street.
- Appendix IV Letter of Notification to the properties concerned.

AREAC:NITONSTREET
DGE/12.8.86

NITON STREET

ARTICLE 4 DIRECTION

STATEMENT OF REASONS

1. THE AREA

- 1.1 The properties which are the subject of this Direction (Appendix I) are two storey residential Edwardian terrace properties, built for single family occupation. The houses were constructed of red brick with slate pitched roofs punctuated by low external party walls. All properties have elaborate mouldings both using special bricks and composite castings. The latter appear in the form of a cornice, false capitals on windows and decoration to the recessed panels. The windows are vertically hung wooden sash, front doors are wooden panelled with a large proportion of glazing, segmented by tracery, with lights set above. Nos. 1-25 (odd), 2-24 (even) have angled bays with hipped roofs which meet at approximately half the height of the main roof.
- 1.2 Numbers 26-74 (inclusive) have a similar basic facade to 1-25 (odd) and 2-24 (even), however their bays are rectangular, surmounted by a substantial triangular gable. The first floor bay windows ^{are} casement types with an infill of coloured glass, in the arch of the window opening above. The rest of the windows are vertically hung wooden sash type. The porches project level with the front of the bays with a simple plain tiled monopitched roof.
- 1.3 There are no existing Article 4 Directions applying to Niton Street, no houses are listed and they do not have Conservation Area status.

2. GROUNDS FOR MAKING THE DIRECTION

- 2.1 Surveyors acting on behalf of the freeholders of numbers 17 and 21 Niton Street in the matter of party wall agreements, have contacted the Council by telephone and letter (Appendix II) requesting action to prevent the construction of a front roof extension at number 19 Niton Street.
- 2.2 The proposal is for a full width front and rear mansard type extension which falls within the permitted development rights for the property. It is the visual effect of the front extension, which is a cause for concern.
- 2.3 The shallow pitch of the roof and low hipped roof of the bay in each property in the terrace 1-25 (odd) 2-24 (even) effectively dictate that any form of front roof extension will dominate both the house in question and the terrace as a whole. A full width mansard type extension would magnify this effect by changing the pitch of the roof and erecting blank expanses of party wall on either side.

- 2.4 Currently there is only one front roof extension in the street, at number 33. It is a small square dormer, which is partly concealed by the gable. It should be noted that the design (which is permitted development) makes little concession, apart from its size, to the original facade.
- 2.5 The Council's policy published in the Borough's Local Plan (February 1985; paragraph 19:18) states:
- "Front roof extensions either of a vertical or mansard design which extend across the roof of a 2-storey property with or without semi-basement in a terrace with a uniform roof line will normally be unacceptable. The insertion of dormer windows or velux roof lights in the front roof slope may be allowed if they are compatible with the street scenes".
- 2.6 In the latter half of 1985, a survey of front roof extensions and house types was undertaken on a borough-wide basis to establish the precise situation and to determine the need for additional planning controls. An interim report was presented to the Council's Planning Application Executive Committee on 26th November 1985 giving a preliminary list of streets in Fulham where an Article 4 Direction would be required to control front roof extensions. Niton Street as among those listed.
- 2.7 Until the Inspector's report on the Borough Local Plan Inquiry is received it will not be possible to make further progress towards a comprehensive Borough policy on front roof extensions. Individual controls will therefore need to be sought for the time being.
- 2.8 In view of the potential detrimental effect of a front roof extension at 19 Niton Street on other properties in the terrace, or any form of roof extension in the terraces, the Council resolved to make a Direction to protect the unspoilt roof of terrace 1-25 (odd). In view of the fact that numbers 2-26 (even) are of an identical design, Committee resolved to include these properties within the Direction both as recognition that such a threat could also occur and in the interests of equity.
3. NOTIFICATION OF RESIDENTS
- 3.1 On the 12th August 1986 the Council's Planning Application Sub-Committee resolved to make a Direction under Article 4.3(b) the enlargement, improvement or other alterations to the roofs of numbers 1-25 (odd) and 2-24 (even) Niton Street.
- 3.2 At present eighteen of the twenty-five houses in the two terraces are known to be in single family occupation, compared to twelve in 1978. In view of known social change within the area, it is reasonable to assume that this reversion to single family occupancy will continue.

- 3.3 A letter notifying the owners/occupiers of the Direction and explaining the effect of new controls (Appendix IV) was delivered on 13th August 1986.

4. SUMMARY

- 4.1 For the reasons outlined in Section 2 above, the Council considers that any uncontrolled enlargement improvement or other alterations to roofs and gables at the front of 1-25 (odd) and 2-24 (even) Niton Street would irreparably change the character of Niton Street in a manner which would significantly devalue the quality of the streetscape.
- 4.2 It is accordingly submitted that the Direction is required in order that the Council may control such development of the properties and confirmation of the Direction is requested.

APPENDIX II

Dear Sirs,

17, 19 AND 21 NITON STREET, SW6

We have been appointed by the Freeholders of 17 and 21 Niton Street to act as Party Wall Surveyors following their receipt of informal notices of building works at No. 19. The works involve the construction of a loft extension into the main roofspace and the complete reconstruction of the front roof slope as a mansard with dormers.

We understand that none of the three buildings are Listed or within Conservation Areas and that the scheme as envisaged is within the owner's normal permitted development rights.

It is a matter of great concern to my clients and to many other occupiers in the area that a picturesque and well preserved Victorian terrace should be permanently spoiled in the way proposed to the cost of all residents. The extension will be the first in the terrace, and no doubt, once the precedent has been set, others will follow.

We understand that the Council is concerned about the proliferation of front loft extensions in the Fulham area particularly since the Building Regulations 1985 which have removed the requirement for internal headroom of 2.3m in habitable rooms which previously forced similar schemes in front of Planning Officers as the height requirements necessitated raising of main ridges which in turn required Planning Permission.

Work is due to start within a matter of days or weeks subject to party wall negotiations and we therefore request your immediate attention to this matter.

Could you please telephone Mr Peter Davies at the above office with your comments, particularly on the possibility of initiating an Article IV Direction. We can provide further details of the proposals for no. 19 and would be pleased to meet you on site if this would assist.

APPENDIX IV

The Owner/Occupier

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977-81
DIRECTION ARTICLE 4.3(b)
1-25 (ODD) AND 2-24 (EVEN) NITON STREET

On the 12th August 1986 the Council's Planning Application Sub-Committee resolved to make an Article 4 Direction to costed changes to roofs at the front of numbers 1-25 (odd) and 2-24 (even) Niton Street. The Direction was made in order to protect the character of the individual houses and the appearance of the street in general.

Planning permission is now required for any works which would alter the appearance of the front roof of your property. The appropriate forms can be obtained from the above address.

The Direction takes effect immediately. It has been submitted to the Secretary of State whose approval has to be given for it to remain in force beyond the period of six months. If you have any comment on the contents of this letter, please send them either to me at the above address or direct to:-

The Secretary of State for the Environment
2 Marsham Street
London SW1

I shall write to you again when the Secretary of State has notified me of his decision as to whether or not he approves the Direction.

Development Planning

Keith G. Jones
ARICS, Dip. T.P., MRTPI.

Address letters to
The Director of Development Planning

When telephoning ask for:

Mr. D.G. Eke (Ext 3318)

Our ref: DGE/CV/Pt 3.9

Your ref:

Date:

12 3 DEC 1986

The Owner/Occupier

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977-81

DIRECTION UNDER ARTICLE 4 NITON STREET

I refer to my letter dated the 13th August 1986, which notified you of the above Article 4 Direction. I am now writing to inform you that the Secretary of State for the Environment approved the Direction, without modification, on the 11th December 1986. The Direction now becomes permanent.

I would like to remind you that planning permission will be required prior to undertaking any of the following form of development:

Any alteration to the appearance of the front roof of your property.

Should you have any queries regarding the Direction please write to the above address or contact Mr. D.G. Eke on 748 3020 X 3318.,

Yours faithfully,



 DIRECTOR OF DEVELOPMENT PLANNING

B.S.



Department of the Environment
Greater London Regional Office
Millbank Tower 21-24 Millbank
London SW1P 4QU

Telephone 01-211 3000
Direct Line 01-211 3297

The Director of Development
Planning
London Borough of Hammersmith
and Fulham
Encourt House
255 King Street
Hammersmith W6 9HP

Your reference
BB/PK

Our reference
GLP/5014/19/37

Date
11 December 1986

Sir

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS
ORDERS 1977 TO 1985
THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM
(1-25 NITON STREET SW6)
DIRECTION UNDER ARTICLE 4(3)b

1. I am directed by the Secretary of State for the Environment to refer to your letter dated August 1986 and to return herewith one copy of the Direction endorsed with his approval.

2. The Council's attention is drawn to the provisions of articles 4(5) and 4(6) of the General Development Order which relates to the service or publication of notice of the Direction.

I am Sir
Your obedient Servant

M M BADCOCK