

IMPERIAL SQUARE 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 30 (consec) Imperial Square

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

- Any enlargement, improvement or other alteration to the front elevation of the dwelling house.
- Any alteration or addition the roof of the dwelling house.
- Any alteration to the roof profile or roof covering materials of the dwelling house.
- Any alteration, insertion, enlargement or replacement to a gate, wall or fence for in respect of the front elevation.
- Any demolition in whole or part of any gate or fence.
- Any painting of the exterior of the dwelling house, except windows, window frames, doors and door frames.

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 (GENERAL PERMITTED
DEVELOPMENT) ORDER 1995**

**DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH
ARTICLE 5(4) APPLIES**

IMPERIAL SQUARE No. 1
(Nos. 1 to 30 IMPERIAL SQUARE SW6)

WHEREAS the Council of the London Borough of Hammersmith and Fulham being the appropriate local planning authority within the meaning of article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995, are satisfied that development of the description set out in the Schedule below should not be carried out on land shown edged red on the attached plans, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990,

AND WHEREAS the Council consider that development of the said description would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that the provisions of paragraph 4 of article 5 of the Town and Country Planning (General Permitted Development) Order 1995 apply,

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description set out in the Schedule below.

THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with article 5(4), shall remain in force until July 15, 2003 (being six months from the date of this Direction) and shall then expire unless it has been approved by the First Secretary of State.

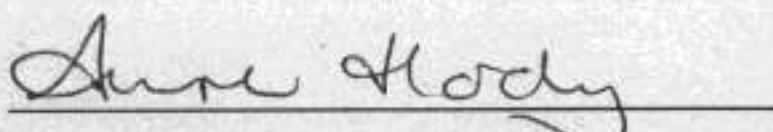
SCHEDULE

The classes of Development to which the Direction applies are:

- B Any enlargement, improvement or other alteration of a dwelling house in respect of the front elevation, being development within Class A of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class.
- F Any enlargement of a dwelling house consisting of an addition or alteration to its roof, being development within Class B of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class.
- F Any alteration to the roof profile or roof covering materials of a dwelling house, being development within Class C of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class.
- G Any building operation consisting of the alteration, insertion, enlargement or replacement of a gate or fence in respect of the front elevation, being development comprised within Class A of Part 2 of Schedule 2 to the said Order and not being development comprised within any other Class.
- G Any building operation consisting of any demolition in whole or in part of any gate or fence, being development comprised within Class B of Part 31 of Schedule 2 to the said Order and not being development comprised within any other Class.
- K Any operation consisting of painting of the exterior of a dwelling house except windows, window frames, doors and door frames, being development comprised within Class C of Part 2 of Schedule 2 to the said Order and not being development comprised within any other Class.
- ~~Any building operation consisting of the demolition or alteration of any part of the front elevation of a dwelling house (including a front porch), being development comprised within Class A of Part 31 of Schedule 2 to the said Order and not being development comprised within any other Class.~~

Given under the Common Seal of the Council of the London Borough of Hammersmith and Fulham of Town Hall, King Street, Hammersmith, London W6 9JU this 16 day of January 2003.

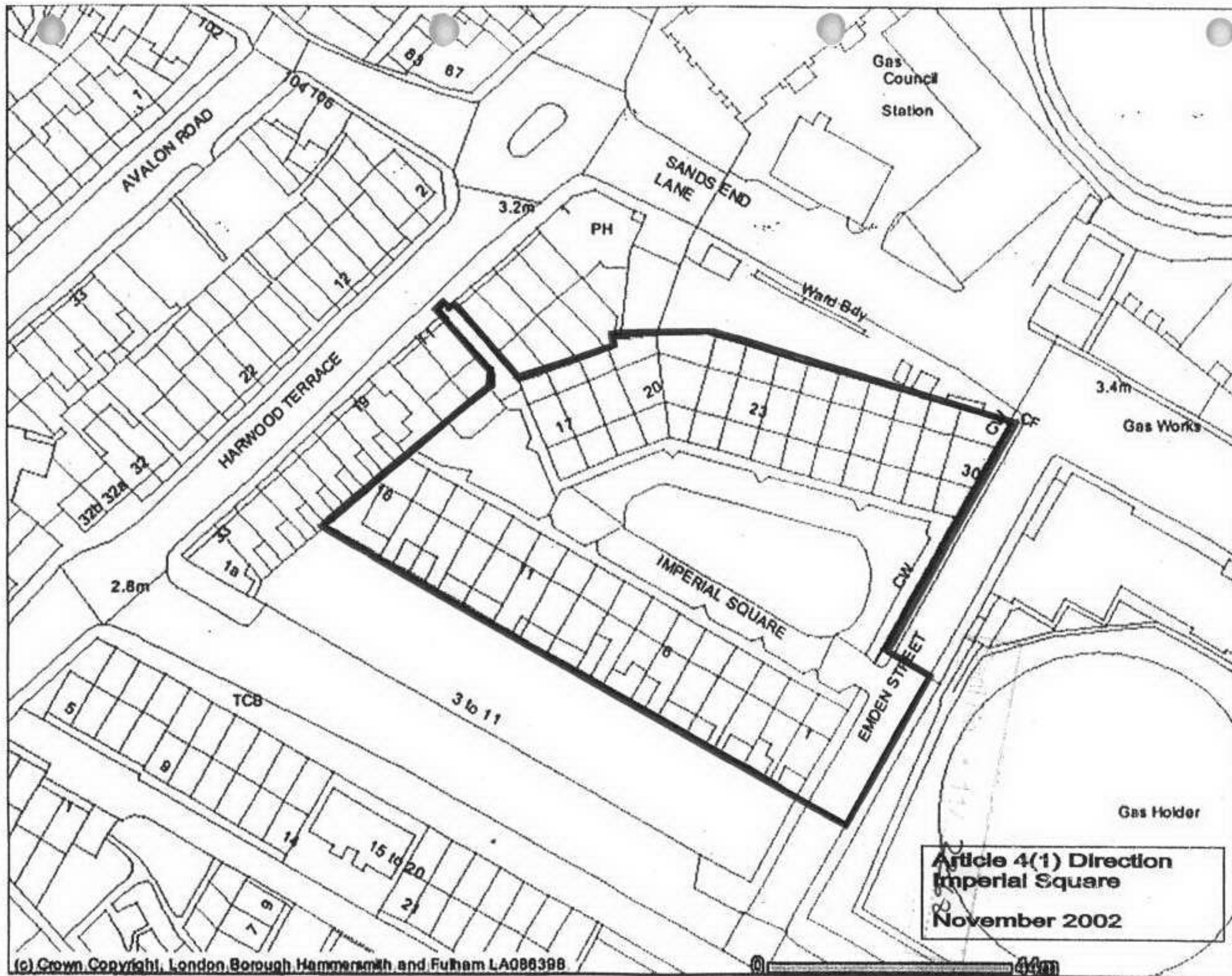
The Common Seal of the
LONDON BOROUGH OF HAMMERSMITH
AND FULHAM was affixed to this Direction
in the presence of



The duly authorised officer of the Council



Seal No. • 11/.....2268.....



Amsterdam

The First Secretary of State hereby approves
the foregoing direction, subject to the
modifications shown in red ink.

Andrew Mitchell
Signed by authority of the Secretary of State
Head of Planning in
the Government Office
for London, Office
of the Deputy Prime
Minister

15 July 2003

DATED 16 JANUARY 2003

**THE LONDON BOROUGH OF
HAMMERSMITH AND FULHAM**

-and-

**TOWN AND COUNTRY
PLANNING
(GENERAL PERMITTED
DEVELOPMENT) ORDER 1995**

**DIRECTIONS MADE UNDER
ARTICLE 4(1) TO WHICH
ARTICLE 5(4) APPLIES**

**NOS 1 TO 30 IMPERIAL SQUARE
SW6**

**Michael Cogher
Head of Legal Services
London Borough of Hammersmith
and Fulham
Town Hall
King Street
Hammersmith
London W6 9JU**

**Ref: AGB/S17/57/RMD
Tel: 020 8753 2770**

DATE: 11 DECEMBER 2002

**PLANNING APPLICATIONS AND
TRANSPORT SUB-COMMITTEE**

MINOR OPERATIONAL

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SUBJECT

ARTICLE 4(1) DIRECTION - Nos. 1 to 30 IMPERIAL SQUARE

--
WARD/S

TOWN

--
CONTRIBUTORS

Env.D

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SYNOPSIS

This report gives the reasons why the Committee is being asked to restrict the permitted development rights of the affected properties; in particular with regard to alterations to the façade of dwelling houses covering windows, doors and the retention of the front porches. Restrictions are also being proposed to altering the roofs, painting front and side elevations of the dwelling houses and alterations to the boundary treatments of the affected properties including the gates, and fences.

RECOMMENDATION

The Committee approve the making of an Article 4(1) Direction in accordance with Article 5(4) of the Town and Country Planning (General Permitted Development) Order 1995, in relation to Nos. 1 to 30 Imperial Square SW6.

ARTICLE 4(1) DIRECTION Nos. 1 to 30 IMPERIAL SQUARE

1. EXTENT OF THE PROPOSED ARTICLE 4 DIRECTION

1.1 It is proposed that an Article 4(1) Direction be made removing permitted development rights with regard to:

- (1) any enlargement, improvement or other alteration of a dwelling house located at Nos. 1 to 30 Imperial Square including the front porch. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].
- (2) any addition or alteration to the roof profile or roof covering materials of a dwelling house at Nos. 1 to 30 Imperial Square. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].
- (3) any alteration, insertion, enlargement or replacement to gates or fences for the dwelling houses at Nos. 1 to 30 Imperial Square. [Permitted development under Part 2 of the Town & Country Planning (General Permitted Development) Order 1995].
- (4) any demolition in whole or in part of any gate or fence for the dwelling houses at Nos. 1 to 30 Imperial Square. [Permitted development under Part 31 of the Town & Country Planning (General Permitted Development) Order 1995].
- (5) painting the exterior of a dwelling house excluding doors and window frames at Nos. 1 to 30 Imperial Square. [Permitted development under Part 2 of the Town & Country Planning (General Permitted Development) Order 1995].
- (6) any demolition or alteration of any part of the front elevation of a dwelling house (including a front porch) at Nos. 1 to 30 Imperial Square. [Permitted development under Part 31 of the Town & Country Planning (General Permitted Development) Order 1995].

2. THE COUNCIL'S POLICIES AND OBJECTIVES

2.1 Policy EN1 of the Unitary Development Plan 1994 states; "Where appropriate, Article 4 Directions will be made, restricting development rights granted by the General Development Order".

3. BACKGROUND

3.1 A restrictive covenant currently affects all properties in Imperial Square. It requires that written consent be obtained from the Council before any alteration or addition is made to the dwelling houses. However, dealing with a breach of the covenant is onerous. It requires the Council take legal action in the magistrate's court against occupants who refuse to reinstate lost features.

3.2 Under Section 5 (4) of the Town and Country Planning (General Permitted Development) Order 1995, the approval of the First Secretary of State is not initially required where a Local Planning Authority makes an Article 4 Direction relating only to development permitted by any of Parts 1 to 4 or Part 31 of Schedule 2 if it is considered that the development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area.

3.3 The Council is empowered to make a Direction under Section 5 (4) when there is a real and specific threat to the character of an area. It will then be in force for a period of 6 months. During that period the necessary consultation will take place. Subsequently, the First Secretary of State will review the Article 4 Direction to determine whether it will be approved.

3.4 The properties included in the proposed Direction are located in Imperial Square, off Emden Street and situated around the central open space.

4. THE PURPOSE OF THE DIRECTION

4.1 There is a real and specific threat to the character and appearance of the houses in Imperial Square, many of which retain their original windows, entryways and boundary treatments. These features on the buildings' front elevations create a uniform rhythm.

4.2 Replacing original features would completely change the character of the dwelling houses' façades. This terrace was designed to be viewed as a single composition, achieved by the repetitive arrangement of identical features of all the dwelling houses including windows, doors, boundary treatments and decorative features. Altering such features would not only affect the character of the individual building but it would also be visually detrimental to the terrace and the square in general.

4.3 Permitted development rights, which would: allow alterations to the windows and doors; permit the removal or alteration to front porches; allow alterations to the roof profile and the roofing materials; allow painting of the façades and alteration to boundary treatments, would pose a threat to the character of the conservation area and to these locally listed buildings. This exercise of permitted development rights would be prejudicial to the proper planning of the area, and constitutes a threat to the amenities of the area.

5. STAFFING AND FINANCIAL IMPLICATIONS

5.1 There are no major financial, legal or staffing implications relating to making an Article 4 Direction. It may, however, lead to a small increase in planning applications. The Article 4 Direction will ensure that proposals to alter the character and appearance of the dwelling houses in Imperial Square can be suitably controlled.

6. DOCUMENTATION

6.1 A plan indicating the location of the properties, which it is proposed to make the subject of the Article 4 Direction, is attached.

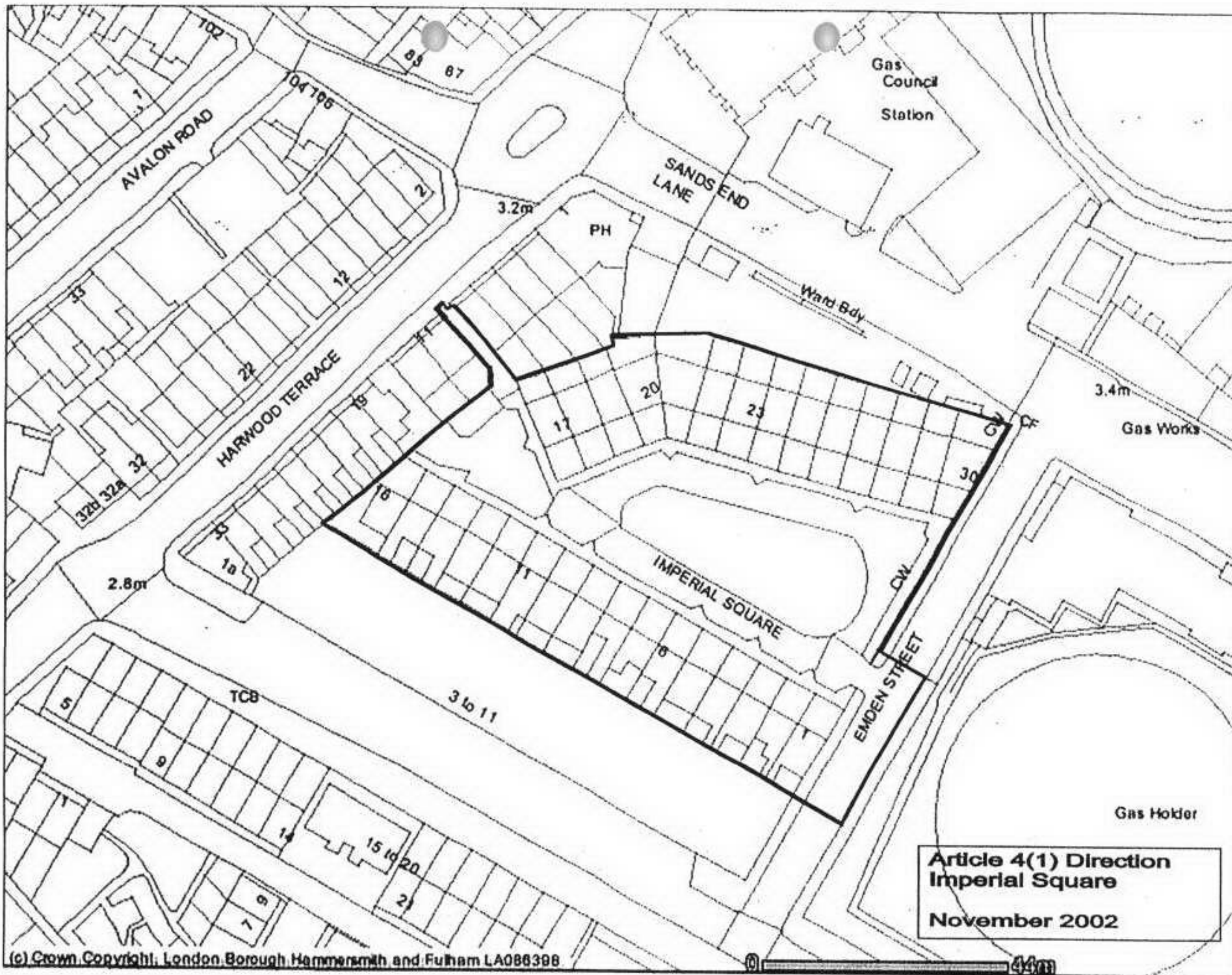
7. RECOMMENDATION

7.1 For the reasons set out above, the Head of Legal Services should be instructed to issue an Article 4 Direction in accordance with Article 5(4) of the Town and Country Planning (General Permitted Development) Order 1995 in relation to the type of permitted development as follows;

Part 1, Class A.	The enlargement, improvement or other alteration to a dwelling house.
Part 1, Class B.	Any addition or alteration to the roof profile.
Part 1, Class C.	Any other alteration to the roof including the roof material.
Part 2, Class A.	Any alteration to the boundary treatment of a dwelling house consisting of insertion, enlargement or replacement.
Part 2, Class C.	Any alteration to a dwelling house by painting the exterior of the building.
Part 31, Class A.	Any building operation consisting of the demolition of any part of a dwelling house.
Part 31, Class B.	Any building operation consisting of the demolition of the whole or any part of any gate or fence.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - BACKGROUND PAPERS

No.	Brief Description of Background Paper	Name/Ext. of holder of file/copy	Department/ Location
1.	Article 4 Direction File Imperial Square	M. O'Doherty Ext. 3318	EnvD/HTHX 3rd Floor



Article 4(1) Direction
Imperial Square
November 2002

ARTICLE 4(1) DIRECTION IMPERIAL SQUARE SW6

TOWN & COUNTRY PLANNING ACT 1990

TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

STATEMENT OF REASONS

Description of the Area.

1.1 The properties included in the Direction are located in Imperial Square, off Emden Street, and situated around a central open space.

1.2 The properties at Nos. 1-30 Imperial Square were built by the Imperial Gas, Light and Coke Company Limited as modest worker housing. The dwelling houses are two-storey late Victorian cottage style, arranged into two terraces around the central open 'square'.

1.3 The terraces are largely unaltered on the façades and have a simple character derived in part from the modest scale and uncomplicated design of the dwelling houses. The building materials and the uniformity of the key architectural and decorative features such as windows, doors, porches and boundary treatments also contribute to the special character of the dwellings. The houses are built from yellow grey gault brick with contrasting red brick for the window arches and the dentil course. The shallow pitched roof is covered in Welsh slate with half round red clay tiles on the ridge. The original front doors, at least half of which still survive, are timber with four flush panels. Around the front door is a porch built from a trellis in a diamond pattern and containing a built-in seat. The three windows on the front elevation are two leaf casements with a top light. The windows on the ground floor have two panes per leaf and the ones on the first floor have three panes. Each property has an individual garden, most of which are enclosed by the original or a replica white timber palisade fence and matching gate. The small rear gardens have had few changes with the exception of extensions to enlarge the living area. It is important to preserve of all the features described above because they are important to the conservation area's special interest.

1.4 The properties included in the Direction are within the Imperial Square Conservation Area.

Grounds for Making the Direction.

2.1 There is a real and specific threat to the character and appearance of the houses in Imperial Square because some alterations have already been made to the boundary treatments, windows and doors, which have adversely affected the special and historic interest of the square and the uniformity and modest character of the dwelling houses.

2.2 These houses in the two terraces were designed as modest workmen's cottages of identical and simple architectural features. Allowing inappropriate alterations to the doors, windows, boundary treatments, the façades and to the roofs would adversely affect the original character of the dwelling houses. Changing such features, which remain largely intact, would not only affect the character of an individual dwelling house but it would also be visually detrimental to the terrace and the square in general. Permitted development rights, which would: allow alterations to the windows and doors; permit alterations or removal of front porches; allow painting of the façades; allow alterations to the roofs and to boundary treatments would pose a threat to the character of the conservation area and to these modest dwelling houses. This exercise of permitted development rights would be prejudicial to the proper planning of the area, and would constitute a threat to the amenities of the area.

The Class of Development to which the Direction applies is:

Part 1, Class A, the enlargement, improvement or other alteration of a dwelling house.

Part 1, Class B, the enlargement of a dwelling house consisting of an addition or alteration to its roof.

Part 1, Class C, any material alteration to the roof of a dwelling house.

Part 2, Class A, the erection, construction, maintenance, improvement or alteration of a gate or fence in respect of the front boundary.

Part 2, Class C, painting of the exterior of any dwelling house except window frames, doors and door frames.

Part 31, Class A, any building operation consisting of the demolition of any part of the front elevation of a dwelling house.

Part 31, Class B, any building operation consisting of the demolition of the whole or any part of any gate or fence.

Identification of the properties to be included in the Direction:

Nos. 1-30 Imperial Square.

The Owner/Occupier
Imperial Square
London SW6

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

The dwellings, which are late Victorian cottage style, were built to provide accommodation for the workers at the Imperial Gas, Light and Coke Company Limited. Their decoration and architectural details such as trellised porches with built in seats are in keeping with the style of rural cottages that were applied to urban areas. Imperial Square is unique though because 19th Century housing built by employers was rare in London. The fact that most of the original features still exist creates a strong sense of place. Specifically, the Direction controls the following:

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Yours faithfully

Stephen Moralee
Head of Development Control