

HAMMERSMITH ODEON 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 33 (consec) The Cottages, Peabody Estate, Fulham Palace Road

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.
- The erection or construction of a porch outside an external door of the dwelling house.
- The erection, alteration or removal of a chimney on a dwelling house.
- Any alteration, insertion, enlargement or replacement to gates, walls or fences for the dwelling house.
- The painting of the exterior of the dwelling house, excluding doors and window frames.

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

DATE: 25 NOVEMBER 2003

PLANNING APPLICATIONS COMMITTEE

MINOR OPERATIONAL

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SUBJECT

ARTICLE 4(1) DIRECTION -

HAMMERSMITH ODEON No.1
(Nos. 1 to 33 THE COTTAGES,
PEABODY ESTATE, FULHAM PALACE ROAD)

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WARD/S

HAMMERSMITH BROADWAY

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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 elevations of the dwelling houses covering windows, doors and architectural features. Restrictions are also being proposed to altering the roofs, altering the chimneys, painting the exterior of the dwelling houses and alterations to the boundary treatments of the affected properties including the gates, walls and fences.

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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 33 The Cottages, Peabody Estate, Fulham Palace Road, W6.

1. ISSUE REQUIRING DECISION

1.1 To approve an Article 4(1) Direction be made removing permitted development rights with regard to:

B (1) any enlargement, improvement or other alteration of the front elevation of a dwelling house located at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].

F (2) any enlargement of a dwelling house, consisting of an addition or alteration to its roof at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].

F (3) any alteration to the roof profile or roof covering materials of a dwelling house at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].

E (4) any erection or construction of a porch outside any external door of a dwelling house at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].

A (5) any erection, alteration or removal of a chimney on a dwelling house at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 1 of the Town & Country Planning (General Permitted Development) Order 1995].

G (6) any alteration, insertion, enlargement or replacement to gates, walls or fences for the dwelling houses at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 2 of the Town & Country Planning (General Permitted Development) Order 1995].

K (7) painting the exterior of a dwelling house excluding doors and window frames at Nos. 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road. [Permitted development under Part 2 of the Town & Country Planning (General Permitted Development) Order 1995].

2. THE COUNCIL'S POLICIES AND OBJECTIVES

2.1 Policy EN2 of the Unitary Development Plan states; "Where appropriate, Article 4 Directions will be made, restricting development rights granted by the General Development Order".

3. BACKGROUND

3.1 The properties included in the Direction form part of the Peabody Trust Hammersmith Estate, located between Fulham Palace Road and Queen Caroline Street. The properties, along with the rest of the estate are located within the Hammersmith Odeon Conservation Area and are included within the Local Register of Buildings of Merit.

3.2 The Peabody Trust Hammersmith Estate was designed by the architect Victor Wilkins F.R.I.B.A. and was developed in 1926 on the site and grounds of the Good Shepherd Roman Catholic Convent. Although much of the estate is made up of four and five storey flat blocks, the overall impression is one of space and of the character of a garden suburb, particularly with regard to the cottage-like houses between the entrance block and The Square and on the south side of the site. The estate is remarkable for retaining almost entirely its original design and detail, the buildings on the estate being Georgian in style with classical architectural details.

3.3 The two storey cottages are of red brick and have a suburban character and variety of appearance resulting from the alternation of projection gables, tall hipped tiled roofs and tiled mansard roofs with dormers. Most windows are paired sashes, and front doors have moulded stone surrounds. The houses have attractive planted front gardens with timber picket gates and concrete boundary posts which probably originally supported picket fences in front of privet hedges. Nos. 1-2, 10-11, 12-13 & 20-21 are semi-detached properties. Nos. 3-9, 14-19, 22-27 & 28-33 form short terraces.

3.4 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 required within a conservation area, 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.

3.5 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.

4. THE PURPOSE OF THE DIRECTION

4.1 There is a real and specific threat to the character and appearance of the houses in the Peabody Estate because some alterations have already been made to the boundary treatments and front doors, which have adversely affected the special and historic interest of the estate and the character of the dwelling houses.

4.2 These houses were designed as high quality social housing as part of the Peabody Trust Hammersmith Estate and are unusual in that they retain almost all of their original architectural features. Changing such features, which remain largely intact would not only affect the character of the individual buildings but it would also be visually detrimental to the individual terraces and the estate in general.

4.3 The Peabody Trust have, in the past, sought to replace all the existing timber windows with PVCU. As no permitted development rights exist for flats, planning permission would be required for material alteration to the windows of the blocks of flats. This direction would give equal planning control to the dwelling houses.

4.4 Permitted development rights, which would: allow alterations to the windows, doors and decorative architectural features; allow alterations to the roofs and chimneys; permit the construction of porches; allow painting of the exterior 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 would constitute 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 the Peabody Estate, Fulham Palace Road 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 **B** The enlargement, improvement or other alteration to the front elevation of a dwelling house.

Part 1, Class B **F** The enlargement of a dwelling house consisting of an addition or alteration to its roof

Part 1, Class C **F** Any other alteration to the roof including the roof covering material.

Part 1, Class D **E** The erection or construction of a porch outside any external door of a dwelling house.

Part 1 **A** The erection, alteration or removal of a chimney

Part 2, Class A **G** The alteration, insertion, enlargement or replacement of any gate, fence or wall in respect of the front boundary.

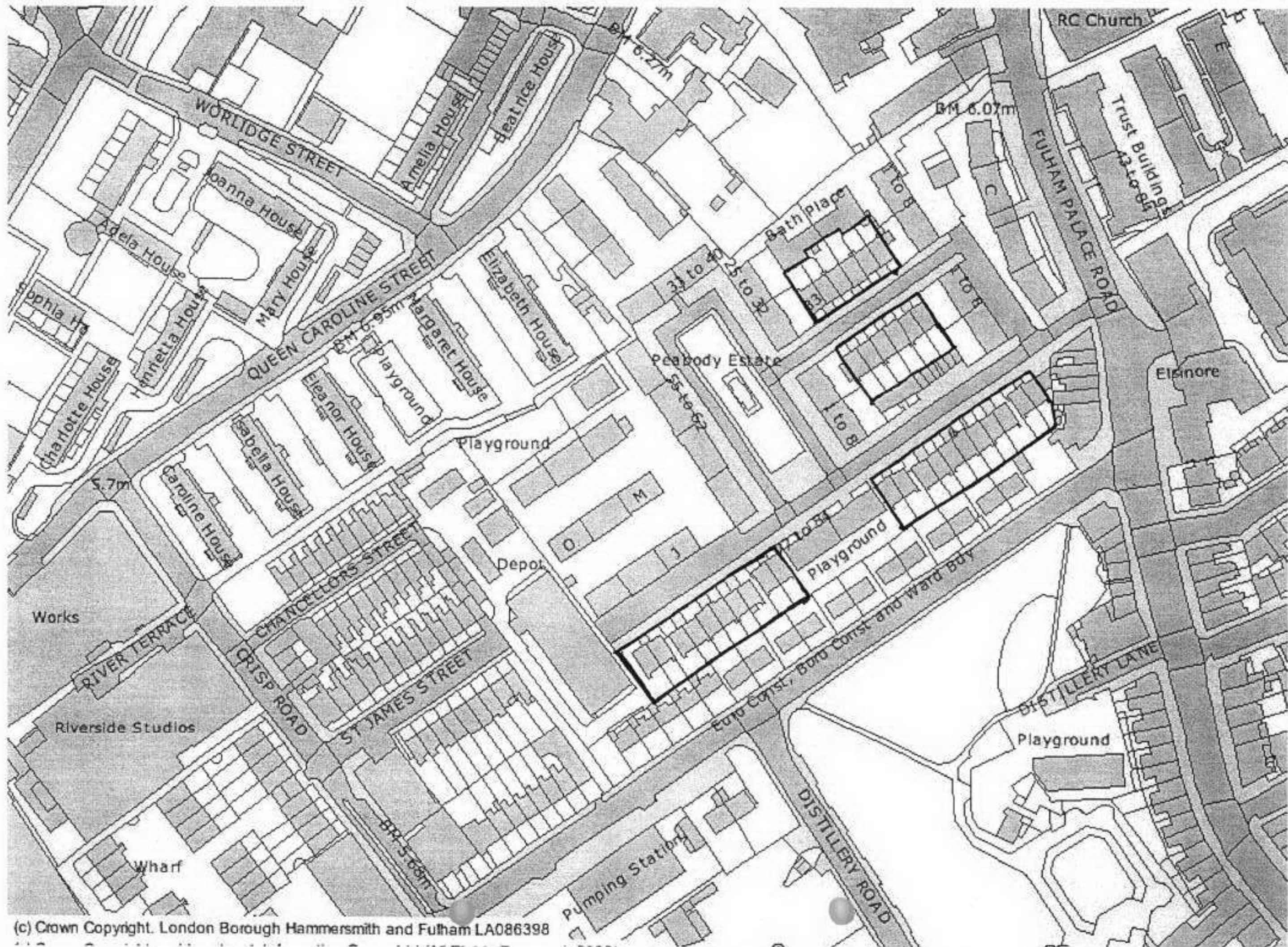
Part 2, Class C

K

Any alteration to a dwelling house by painting the exterior of the building, except windows, window frames, doors and door frames.

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 1 to 33 The Cottages, Peabody Estate, Fulham Palace Road	A. O'Neill Ext. 3318	EnvD/HTHX 3rd Floor





ARTICLE 4(1) DIRECTION - THE COTTAGES, PEABODY ESTATE, FULHAM PALACE ROAD, W6

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 form part of the Peabody Trust Hammersmith Estate, located between Fulham Palace Road and Queen Caroline Street.

1.2 The properties at Nos. 1-33 The Cottages were designed by the architect Victor Wilkins and were developed in 1926 on the site and grounds of the Good Shepherd Roman Catholic Convent. Nos. 1-2, 10-11, 12-13 and 20-21 are semi-detached properties. Nos. 3-9, 14-19, 22-17 and 28-33 form short terraces.

1.3 The estate is remarkable for retaining almost entirely its original design and detail, the buildings on the estate being Georgian in style with classical architectural details. Although much of the estate is made up of four and five storey flat blocks, the overall impression is one of space and of the character of a garden suburb, particularly with regard to the cottage-like houses between the entrance block and The Square and on the south side of the site. The two storey cottages are of red brick and have a suburban character and variety of appearance resulting from the alternation of projection gables, tall hipped tiled roofs and tiled stone surrounds. The houses have attractive planted front gardens with timber picket gates and concrete boundary posts which probably originally supported picket fences in front of privet hedges. It is important to preserve all of 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 Hammersmith Odeon Conservation Area and are included within the Local Register of Buildings of Merit.

Grounds for Making the Direction

2.1 There is a real and specific threat to the character and appearance of the houses at Railway Cottages because some alterations have already been made to the boundary treatments and front doors, which have adversely affected the special and historic interest of the square and the character of the dwelling houses. In addition, the Peabody Trust have, in the past, sought to replace all existing timber windows with PVCU.

2.2 These houses were designed as high quality social housing as part of the Peabody Trust Hammersmith Estate and are unusual in that they retain almost all of their original architectural features. Changing such features, which remain largely intact, would not only affect the character of the individual buildings but it would also be visually detrimental to the individual terraces and the estate in general. Permitted development rights, which would: allow alterations to the windows, doors, and decorative architectural features; allow alterations to the roofs and chimneys; permit the construction of porches; allow painting of the exterior and allow 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 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 to the front elevation 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 other alterations to the roof of a dwelling house including the roof covering material.

Part 1, Class D, the erection or construction of a porch outside any external door of a dwelling house.

Part 2, Class A, the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Part 2, Class C, the painting of the exterior of any building or work.

Identification of the properties to be included in the Direction:

Nos. 1-33 The Cottages, Peabody Estate, Fulham Palace Road, W6

ENVIRONMENT DEPARTMENT

14 July 2004

The Occupier/Owner,
The Cottages,
Peabody Trust Estate,
Fulham Palace Road,
London,
W6 9PZ.



**LONDON BOROUGH OF
HAMMERSMITH & FULHAM**

Town Hall, King Street
Hammersmith, London W6 9JU

WEB www.lbhf.gov.uk

TEL 020 8753 1084

FAX 020 8753 3418

When telephoning please ask for
Adam O'Neill ext. 3318

Dear Sir/Madam,

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

A recent design appraisal of the dwelling houses at The Cottages, Peabody Trust Estate, Fulham Palace Road revealed that many original features remain intact. The properties were designed by the Architect Victor Wilkins and were developed as part of the Peabody Trust Estate in 1926. The estate is remarkable for retaining almost entirely its original design and detail, the buildings being Georgian in style with classical architectural details. Although much of the estate is made up of four and five storey flat blocks, the overall impression is one of space and of the character of a garden suburb, particularly with regard to the cottage-like houses between the entrance block and The Square and on the south side of the site.

Recognising the special character of The Cottages, on 12 July 2004 the London Borough of Hammersmith and Fulham Council made an Article 4 Direction. The Direction is intended to protect the appearance and original features of the dwelling houses at The Cottages. Specifically, the Direction controls the following:

- enlargement, improvement or other alterations to the front elevation of a dwelling house,
- enlargement consisting of any alterations to the roof of a dwelling house,
- alteration of the roof profile or roof covering materials of a dwelling house (including chimneys),
- construction of a porch outside any external door of a dwelling house,
- construction, improvement or alteration to any fence, gate and wall of a dwelling house,
- painting of the front elevation of a dwelling house (except windows, window frames, doors and door frames).

The Direction applies to all dwelling houses at The Cottages, being Nos. 1 to 33 inclusive. Should you wish to carry out any of the alterations described above to your dwelling house, you need to apply for planning permission. The appropriate forms can be obtained from the above address. The Direction took effect immediately, if you have any comments these should be sent to me at the address above, within 21 days.

Yours faithfully

Adam O'Neill
Planning Officer, Design and Conservation Team



INVESTOR IN PEOPLE



2002-2003
Improving Urban Green Spaces
2003-2004
Street and Highway Works

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

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

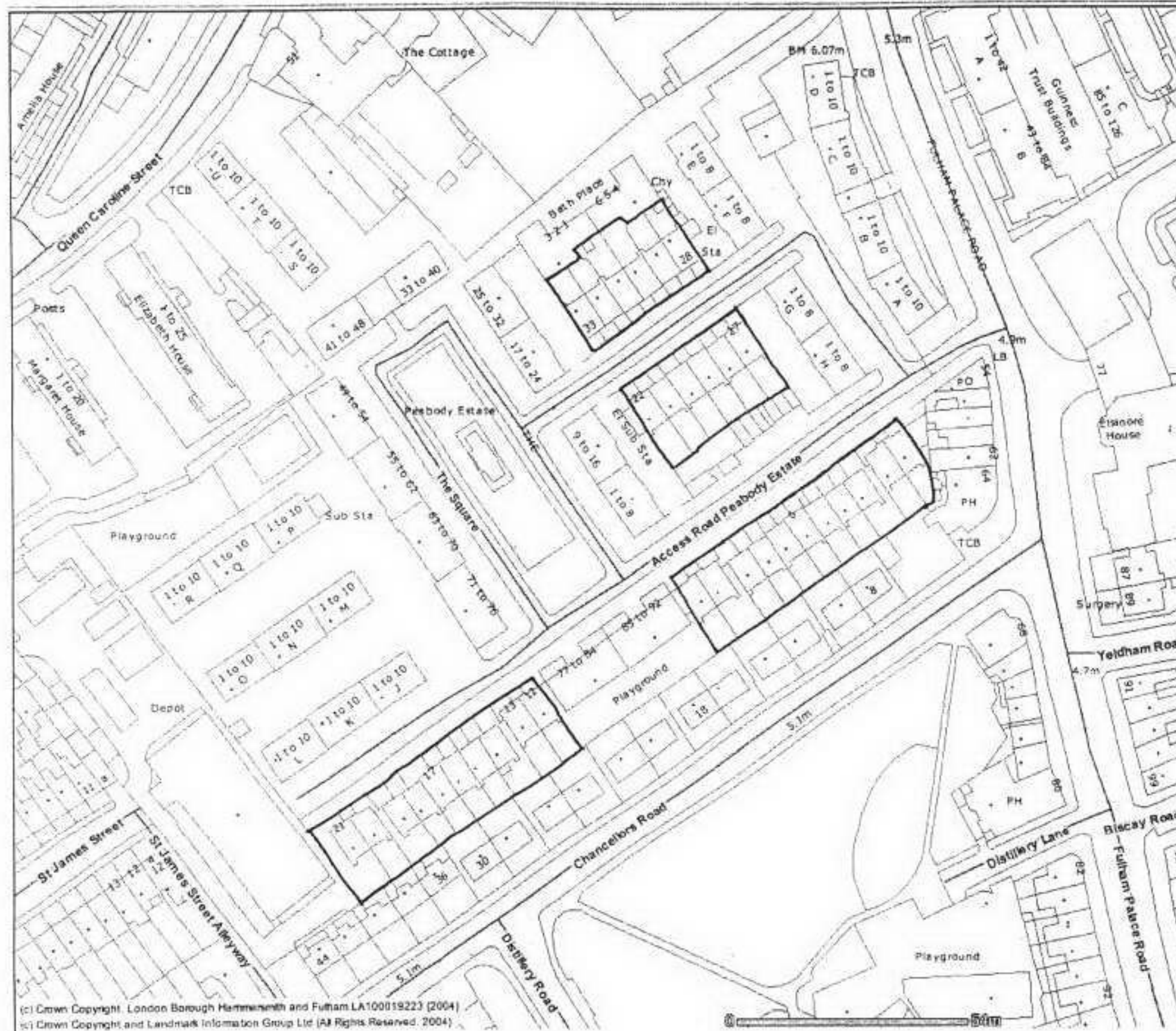
**Nos. 1 to 33 THE COTTAGES, PEABODY ESTATE
FULHAM PALACE ROAD W6**

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 black 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 12 January 2005 (being six months from the date of this Direction) and shall then expire unless it has been approved by the First Secretary of State.



**Hammersmith
& Fulham**
Serving our Community

ARTICLE 4(1) DIRECTION,

Nos. 1 - 33 The Cottages,
Peabody Estate,

Fulham Palace Road, W6

Printed on 8-Jul-2004

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SCHEDULE

The classes of Development to which the Direction applies are:

Any enlargement, improvement or other alteration of the front elevation of a dwelling house, being development within Class A of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class.

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.

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.

The erection or construction of a porch outside any external door of a dwelling house, being development within Class D of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class.

Any building operation consisting of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, 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.

Any alteration to a dwelling house by painting of the exterior of a dwelling house except doors and window 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.

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 12th day of July 2004.

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. 12/439

DATED 12th July 2004

**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 33 THE COTTAGES
PEABODY ESTATE, FULHAM
PALACE ROAD, W6**

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

**Ref.: CHS/E31.13
Tel: 020 8753 2771**