

TELFORD & WREKIN COUNCIL

CABINET - 29 MARCH 2012

AMENDMENT TO THE ARTICLE 4(2) DIRECTION IN THE IRONBRIDGE WORLD HERITAGE SITE/SEVERN GORGE CONSERVATION AREA

REPORT OF ASSISTANT DIRECTOR: PLANNING SPECIALIST

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

The Ironbridge Gorge World Heritage Site has been subject to an Article 4(2) Direction since 1998. The function of such a Direction is to withdraw certain classes of permitted development. The existing Direction is over 13 years old and due to recent changes in the permitted development regulations the Article 4 (2) Direction now requires updating to reflect those changes.

The purpose of the Article 4(2) Direction is to assist in fulfilling the Council's obligation to preserve and enhance the character, fabric and appearance of the Ironbridge Gorge World Heritage Site, also known as the Severn Gorge Conservation Area. By removing certain permitted development rights it becomes possible to retain more control of the extent of development within the World Heritage Site. The Direction is not designed to prevent development but to encourage better quality development with consideration to the internationally recognised status of the site.

2. RECOMMENDATIONS

That the Assistant Director: Planning Specialist be granted delegated authority, following consultation with the Cabinet Member for Housing, Regeneration and Economic Development to:

2.1 Amend and re-issue and confirm the Ironbridge Gorge World Heritage Site Article 4 (2) Direction.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<i>Housing, Regeneration and Prosperity (outcome no.3)</i>
	Will the proposals impact on specific groups of people?	
	Yes	People living in Madeley and The Gorge wards/areas of the Borough.
TARGET COMPLETION/DELIVERY DATE	<i>Within 3 months of the date of Cabinet approval to have issued a revised Article 4(2) Direction. Within 6 months of the date of issue of the Article 4(2) Direction, if deemed acceptable following minimum 8 week public consultation, to have confirmed the Direction.</i>	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The estimated increase in planning applications as a result of the proposed amendment to the Direction is minimal and can be covered within existing available resources and budgets. There are, therefore, no anticipated financial implications of this report. JAC 250112

LEGAL ISSUES	Yes	Following the appropriate procedural/consultation steps to achieve an amended Article (4) Direction will ensure that the extensions to permitted development rules introduced in 2008 do not automatically impact on these sensitive areas of development
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<i>Opportunity: The proposal will continue to preserve the historic appearance and fabric of the World Heritage Site/Conservation Area and bolster the area as a leisure and tourism destination.</i> <i>Impact: The proposal will have an impact on private dwellings but this is a minor revision to an existing Article 4(2) Direction.</i>
IMPACT ON SPECIFIC WARDS	Yes	<i>Madeley and The Gorge.</i>

4. INFORMATION

4.1 STATUS OF THE WORLD HERITAGE SITE/CONSERVATION AREA

Severn Gorge Conservation Area was designated in 1971 and enlarged in 1980 to include Madeley. The site was designated as a World Heritage Site by UNESCO in 1986, known as the Ironbridge Gorge World Heritage Site. Its status as a World Heritage Site recognises the “Outstanding Universal Value” of the area which gives us “a powerful insight into the origins of the Industrial Revolution and also contains extensive evidence and remains of that period when the area was the focus of international attention from artists, engineers, and writers. The site contains substantial remains of mines, foundries, factories, workshops, warehouses, ironmasters’ and workers’ housing, public buildings, infrastructure, and transport systems, together with traditional landscape and forests of the Severn Gorge”.

4.2 CONSERVATION AREAS AT RISK

In 2009 English Heritage began to monitor the condition of existing Conservation Areas (including those designated as World Heritage Sites) in England out of concern for the continuing erosion of character. Its survey resulted in the first widely published “Conservation Areas/Heritage at Risk” survey. Heritage at Risk is now a nationally reported official statistic.

We are fortunate that within the Borough of Telford and Wrekin, that none of our Conservation Areas are deemed to be ‘at risk’. This is down to comprehensive planning controls and a sound policy framework which encourages appropriate development that re-enforces the sense of place that Conservation Areas and particularly World Heritage Sites, offer.

It became clear from the survey that the biggest threat to Conservation Areas/World Heritage Sites was minor incremental changes, mostly done under Permitted Development rights, which in themselves appear small but over time can greatly undermine the character and value of an area.

The results of English Heritage’s survey of the condition of conservation areas showed the top threats to be: – plastic windows and doors (83% of conservation areas affected) – poorly maintained roads and pavements (60%) – street clutter (45%) – loss of front garden walls, fences and hedges (43%) – unsightly satellite dishes (38%) – the effects of traffic calming or traffic management (36%) – alterations to the fronts, roofs and chimneys of buildings (34%) – unsympathetic extensions (31%) – impact of advertisements (23%) – neglected green spaces (18%). (See appendix 2 and www.english-heritage.org.uk/caring/heritage-at-risk)

English Heritage is *actively* encouraging Local Authorities to use their powers under Article 4 Directions to ensure that erosion of our historic environment is prevented.

4.3 THE EXISTING ARTICLE 4(2) DIRECTION

The existing Article 4 Direction was brought in during October 1998; a copy of the Direction is contained within Appendix 1 of the Background Papers section. The Direction was brought about specifically to address the piecemeal, incremental damage occurring within site and has been highly successful in retaining and enhancing the quality and character of the local area. The Direction clearly identifies which categories of development are exempt from Permitted Development Rights, for example, replacement windows and doors, porches, boundary treatments such as fences, gates and walls etc. The Direction, once enacted requires people to obtain Planning Permission for those categories of works identified.

The purpose of the Direction is not necessarily to prevent such development but to encourage good quality design to ensure that such development is done with sensitivity to the historic environment and consideration is given to avoiding potentially harmful development.

The existing direction is successful and the additional work involved is adequately managed. On average, according to English Heritage, a new Article 4 Direction will result in no more than an additional 1 to 2 applications a week.

4.4 DEVELOPMENT CONTROL CONTEXT

As part of a good management system to ensure the continued protection of this site we need to periodically review our development controls and policies to ensure that they are meeting their requirements. In October 2008 the Government introduced a revision (The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008) to the existing permitted development controls (identified under the town and Country Planning (General Permitted Development Order) 1995) in. This revision increased the types of categories covered under Permitted development. The purpose of the updated Article 4 (2) Direction requested here is to reflect those changes within the Direction to ensure the continued protection of this internationally recognised heritage site. The categories proposed to be included are listed within this report

The threat of uncontrolled development within The Gorge is a real consideration. Ironbridge has a readily identifiable architectural character. Principally this is reflected as small houses and cottages of traditional brick and clay tile pitched roof with chimneys. The steep sides of the Gorge make the dwellings within the Gorge particularly prominent and therefore sensitive to changes which are in conflict with the prevailing forms, scale and massing and materials etc. Under the new amendment some two storey front side, rear and extensions and out buildings could be built freely without the need for Planning Permission. Similarly satellite dishes or solar panels could be erected in prominent locations that detract from the appearance of the World Heritage Site. These latter two categories are particularly apparent in the Gorge where dishes and solar panels are becoming more common.

4.5 WHO IS AFFECTED

Article 4(2) Directions affect dwelling houses only and affects any development which fronts highway, waterway or open space. Commercial and industrial premises are already subject to tighter Permitted Development controls as are some flats/apartments. Listed Buildings are generally not affected by such Directions as they have no permitted development rights anyway.

4.6 ADDITIONAL CLASSES PROPOSED TO BE INCLUDED

The additional elements to be considered for inclusion under the existing Article 4(2) Direction are:

- Class H (Annex A): Solar panels and micro generation
- Class H: Satellite dishes

- Class A: Small extensions (rear, side and front)
- Class G: Chimneys, flues, soil and vent pipes
- Class E: Outbuildings

Plans 1 to 4 indicate the area affected.

4.7 NEXT STEPS

If the Cabinet is in agreement to grant delegated authority to draw up and issue the revised Article 4 (2) Direction the following steps would be taken:

- Within 3 months a revised draft of the Direction will be drawn up and formally issued (subject to legal approval). This Direction becomes effective from the date of issue. A Notice is issued in the press and Notice of the Direction, a map and further guidance will be served on each property within the affected area, informing them of their obligations under the Direction.
- From the date of issue of the Direction it will be subject to public consultation for a minimum period of 3 weeks (though normally 8). Following which, assuming no contentious matters arise, the Direction needs to be formally confirmed and identified as a land charge. This would be done under delegated powers via the Corporate Director/Head of Service or through another Cabinet Report; this process should be complete within 6 months of the date of the Direction.
- If the Direction is not formally confirmed within 6 months it will lapse.

5. PREVIOUS MINUTES

Nil (adoption date pre-Cabinet – 10/1998)

6. BACKGROUND PAPERS

Appendix 1: Existing Article 4 (2) Direction that is to be updated and amp of the affected area.

Appendix 2: English Heritage Press Notice of Conservation Areas at Risk

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