

**CLARIFYING THE TERMINOLOGY IN THE ARTICLE 4(2) DIRECTION IN THE  
IRONBRIDGE WORLD HERITAGE SITE/SEVERN GORGE CONSERVATION AREA**

**REPORT OF ASSISTANT DIRECTOR: PLANNING SPECIALIST**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 The Ironbridge Gorge World Heritage Site has been subject to an Article 4(2) Direction since 1998 [updated 2012]. The function of such a Direction is to withdraw certain classes of permitted development in order to ensure that development in this sensitive and important area is managed effectively.
- 1.2 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 over 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 and value of the site.
- 1.3 The purpose of this report is to clarify the application of the Direction. Since the application of the Direction in 1998 the Council has defined "fronting a highway, waterway or open space" to be that 'which is *visible* from a highway, waterway or open space', because this is the purpose the Article 4 Direction was designed to serve. That is the control of visible change affecting unlisted dwelling houses in the Ironbridge World Heritage Site.
- 1.4 Since the application of the Direction the Council has required proposed development to comply with its terms and has required applicants to submit planning applications that are then determined in this context.
- 1.5 This report seeks endorsement by Members of Planning Committee, for purposes of clarity, confirming that when officers apply the Article 4(2) Direction that the current definition continues to be used.

**2. RECOMMENDATIONS**

**That Members note the clarification of the Article 4 Direction as defined at paragraph 4.3.4 of this report and endorse the clarification in applying the Article 4 Direction.**

### 3. SUMMARY IMPACT ASSESSMENT

<b>COMMUNITY IMPACT</b>	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	<i>People living in Madeley and The Gorge wards/areas of the Borough.</i>
<b>TARGET COMPLETION/ DELIVERY DATE</b>	<i>Immediate.</i>	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>		
<b>LEGAL ISSUES</b>		<p>Article 4(2) Directions are an important legal mechanism to ensure that planning applications are made in areas like the Ironbridge World Heritage Site to enable the Council to control even minor development to ensure that the status and integrity of the Site are preserved.</p> <p>The clarifications suggested in this report will help to maintain that status</p>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>		<p><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></p> <p><i>Impact: The proposal will have no additional impact on private dwellings.</i></p>
<b>IMPACT ON SPECIFIC WARDS</b>		<p><i>Madeley Ward – Councillors Paul Watling, Janice Jones, Dave Wright</i></p> <p><i>Ironbridge Gorge Ward – Councillor Nic Lowery</i></p>

### 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 part of 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 and the need for Article 4 Directions

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.

4.2.1 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.

4.2.2 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.

4.2.3 The results of English Heritage’s survey of the condition of conservation areas nationally 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%).

4.2.4 English Heritage is *actively* encouraging all 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

4.3.1 The existing Article 4 Direction was brought in during October 1998 and recently updated in March 2012; 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 the World Heritage 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.

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

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

- 4.3.4 In order to clarify the application of the Direction, it is being confirmed that the term “fronting a highway, waterway or open space” should continue to be interpreted by the Council as meaning ‘which is visible from a highway, waterway or open space’. This is being recommended because this is considered to be the purpose for which the Article 4 Direction was designed to serve i.e. the control of visible change within unlisted dwelling houses in the Ironbridge World Heritage Site.
- 4.3.5 Endorsement by Planning Committee will support the continuing work by the Development Management Team to preserve the historic appearance and fabric of the World Heritage Site/Conservation Area and protect the heritage asset as a destination for leisure and tourism. It will also assist in the determination of Planning Applications within the World Heritage site.
- 4.3.6 The recommendation does not include any changes to the Direction itself, the boundary of the area affected or the development classes affected and does not represent a change in the day to day practice of the Development Management Team in the application and advice given currently. As such it is not considered to have any additional impacts.

## **5. PREVIOUS MINUTES**

Article 4(2) Direction was adopted by Cabinet on 29<sup>th</sup> March 2012

## **6. BACKGROUND PAPERS**

Appendix 1: Existing Article 4 (2) Direction

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