


<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;">Overview and Scrutiny Committee</p> <p style="text-align: center;">18th January 2016</p>	
<p>Report of: Melanie Clay, Director of Law, Probity and Governance Aman Dalvi, Corporate Director Development and Renewal</p>	<p>Classification: Unrestricted</p>
<p>Challenge session progress update - planning in conservation areas: the implications of conservation areas on the extension of family homes</p>	

<p>Originating Officer(s)</p>	<p>Owen Whalley, Service Head Planning and Building Control</p> <p>Louise Russell, Service Head Corporate Strategy and Equality</p> <p>Vicky Allen, Strategy, Policy and Performance Officer</p>
<p>Wards affected</p>	<p>All</p>

Summary

This report follows up from the scrutiny challenge session on planning in conservation areas: the implications of conservation areas on the extension of family homes scrutiny, which went to Overview and Scrutiny Committee (OSC) in January 2015. This report reviews the progress against the original recommendations.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the report findings.

1. DETAILS OF REPORT

- 1.1 The challenge session took place on 17th November 2014. Overview and Scrutiny members identified a concern amongst some residents that the planning constraints in conservation areas are adversely affecting the ability of homeowners to remain in the borough as their families grow. This is due to planning controls over extending properties within conservation area. The issue predominantly affects Victorian and Edwardian terraced properties, with the majority of these properties being in a conservation area. Tower Hamlets has 58 designated conservation areas, covering around 26 percent of the borough's land mass.
- 1.2 The focus of the challenge session was therefore to see if a middle-ground could be found between preserving the special character of conservation areas and finding solutions for modern family living. The challenge session looked to explore what changes to planning policy, practice or procedures could be made to address these concerns, whilst still protecting the character of Conservation Areas. The session was led by Cllr Joshua Peck, then-Chair of Overview and Scrutiny.
- 1.3 The objectives of the challenge session were to answer the following questions:
- What changes to planning policy or practice are possible, which still protect the character of conservation areas;
 - What improvements could be made in the planning application process in relation to extensions in conservation areas.
- 1.4 The report made six recommendations which were agreed by OSC and by Cabinet. The body of this report outlines the progress against these recommendations. The original report with recommendations and the action plan which accompanies the report is attached as **Appendix 1**.
- 1.5 All of the recommendations set out in the Action Plan are progressing, albeit with some delays. The following provides a summary of progress to date. These bullet points are followed by a more detailed update on each recommendation.
- **Recommendation 1** this recommendation is a catch all and sets out the overall aim of the project, that is to recognise the detrimental impact that some planning restrictions are having on residents and the social capital of an area and redress the balance in favour of planning applicants, whilst still seeking to protect and enhance the Borough's heritage. The service has taken this forward through the detailed Actions set out under Recommendations 2 to 6. An update on their progress is provided below.
 - **Recommendations 2, 4 & 5** actions are being progressed, as part of the preparation of the new Local Plan. The stages of the new Local Plan are different to the dates originally envisaged. Consultation on the

Draft Local Plan is anticipated in September 2016 rather than August 2015. This is when a weight can arguably be applied to the draft policies. The adoption date for the new Local Plan is now Autumn 2017 rather than March 2017. This is when the existing policies are replaced.

- **Recommendation 3** is being taken forward through a refresh of eight identified Conservation Area Character Appraisals in the form of approved Addendums. Consultation on the relevant draft Addendums began in November 2015 and not October 2015, as the action set out. The Action Plan anticipated that public consultation, consideration of the comments received, document review, Cabinet approval and publication would all take place between October and December 2015. However, following an 8 week public consultation to 18 January 2016, officers anticipate that May 2016 is the earliest date for completion, providing that there is no fundamental change to the methodology and approach taken.
- **Recommendation 6** was to prepare a new Supplementary Planning Guidance (SPG) for mansard roofs. This is being progressed in the form of a Guidance Note for Mansard Roofs. Consultation on the draft Guidance Note began in November 2015 and not October 2015, as the action set out. The Action Plan anticipated that public consultation, consideration of the comments received, document review, Cabinet approval and publication would all take place between October 2015 and February 2016. Following an 8 week public consultation to 18 January 2016, officers anticipated that a Guidance Note can be published as scheduled in February 2016, providing that there is no fundamental change to the methodology and that Cabinet approval is not required.

1.6 **Recommendation 1:** The Council should recognise the detrimental impact that some planning restrictions are having on residents and the social capital of an area and redress the balance in favour of planning applicants, whilst still seeking to protect and enhance the Borough's heritage.

1.7 **Service comment at action planning stage:** This is the priority, and the Scrutiny Action Plan sets out the steps to be taken to support the accommodation needs of growing families who wish to continue living in Conservation Areas. The service drew up two actions to support the implementation of this recommendation as follows:

- Write a Delivery Plan outlining the programme of activities for the eight Conservation Areas with family dwelling houses where householders submit the most planning applications (April 2015)
- Implement the actions in the Delivery Plan for these eight Conservation Areas to help meet needs of expanding families to increase the size of family houses, ensuring, at the same time, proposals also preserve the character of these Conservation Areas (starting April 2015 – March 2017)

1.8 **Update from service:** Following the approval of the recommendations of the of the scrutiny report to Cabinet in April 2015, officers prepared two Delivery

Plans to take forward recommendations 3 and 6 respectively. They outline the programme of activities for the eight Conservation areas with family dwelling houses where householders submit the most planning applications. Those conservation areas covered are Chapel House, Driffield Road, Fairfield Road, Jesus Hospital, Medway, Tredegar Square, Victoria Park and York Square. The Delivery Plan has been monitored and updated regularly to reflect progress and to incorporate feedback from the Lead Member. The Delivery Plan is included in **Appendix 2** and **Appendix 3** of this report. The Delivery Plans may be further amended in response to the feedback received at the consultation stage.

- 1.9 As identified in 1.5 above, the actions relating to recommendations 2, 4 and 5 are being progressed as part of the Local Plan. The Delivery Plan for the Local Plan is published, as part of the Local Plan preparation and monitoring process and can be viewed on the Council's website in the Annual Monitoring Report and Local Development Scheme. A summary of this is set out for information in paragraph 1.15 below.
- 1.10 **Recommendation 2:** Amend DM27 to:
- be more permissive towards extensions, particularly mansard roofs within Conservation Areas;
 - be more specific about what may and may not be appropriate within individual Conservation Areas (rather than having a blanket policy); and
 - rely more strongly on the individual Conservation Area Assessments for decision-making on extensions
- 1.11 **Service comment at action planning stage:** The review of Policy DM27 will take place through the Local Plan Review process. The review will include an audit of buildings in relevant Conservation Areas. The process for reviewing the Local Plan is set by Statute. However the consultation process on draft policy, including DM27, gives 'weighting' to that policy and the policy can therefore be used as part of the Developing Management Process at consultation stage. Five actions were drawn up by the service to implement this recommendation:
- Engagement Draft of Local Plan (including DM27) for public consultation (by August 2015)
 - Public consultation on Submission Document of Local Plan (by January / February 2016)
 - Proposed Submission Draft of Local Plan (including DM27) to Secretary of State (by July 2016)
 - Examination in Public (by September / October 2016)
 - Local Plan report to Cabinet and Full Council for approval (by early 2017)
- 1.12 **Update from service:** This recommendation is directly linked to the preparation of a new Local Plan, which is underway. Originally the five actions drawn up by the service in late 2014 to implement this were to be carried forward in line with a time table for a review and partial update of the existing Local Plan. However, since this time and the election of the new Mayor and administration in June 2015, it has been agreed that a new Local Plan will be prepared. This change in approach has resulted in changes to timetable for the publication

and adoption of the new Local Plan, which has obvious knock on effects for the review of this policy in line with the agreed recommendation and actions. The most up to date Local Plan time table is set out below:

- April 15 - June 2016 – evidence gathering to support policies in the Draft Local Plan (including consideration of DM27 and basements)
- December 2015 – Initial pre-Local Plan engagement document 'Our Borough; Our Plan' published for consultation
- Sept 16 – publication of Draft Local Plan for public consultation
- Publication of Submission Document of Local Plan (Winter 2016/2017)
- Proposed Submission Draft of Local Plan (including DM27) to Secretary of State (Winter/Spring 2017)
- Examination in Public (Spring/summer 2017)
- Autumn 2017 – Local Plan adopted

Consultation on the Draft Local Plan is anticipated in September 2016 rather than August 2015. This is when a weight can arguably be applied to the draft policies. It should be noted that weight that can be applied to the draft policies increases from this stage to adoption. The adoption date for the new Local Plan is currently Autumn 2017 rather than March 2017 as originally anticipated. This is when the existing policies are replaced.

1.13 **Recommendation 3:** Individually refresh the Conservation Area Character Appraisal and Management Documents for the eight Conservation Areas with family dwelling houses where householders submit the most planning applications:

- Appraise properties within each Conservation Area and categorise them according to their suitability for extensions;
- Identify criteria where it would be possible to build additional roof storeys and back extensions and possible restrictions;
- Include detailed technical notes for repairs and restoration work and for extensions, back up by photo visuals to avoid ambiguity

1.14 **Service comment at action planning stage:** The Service drew up several actions to implement this recommendation:

- Appraise relevant housing types and categorise according to suitability for extensions with advice from the Council's Conservation and Design Advisory Panel.
 - Review nature of advice contained within Character Appraisal and Management document for comparable areas with other local authorities to identify best practice (by April 2015)
 - Devise assessment methodology and assess each property within Conservation Areas (by April 2015)
- Identify criteria where it would be possible to build additional roof storeys and back extensions and possible restrictions with advice from the Council's Conservation and Design Advisory Panel.
 - Undertake detailed analysis of building types and research with regard to history of change within relevant Conservation Areas to inform selection of criteria against which proposals would be assessed.

Clearly identify types of proposal where these are acceptable (by July 2015)

- Technical Notes for repairs and restoration work and for extensions – backed up by photo visuals.
 - Assessment of buildings within Conservation Areas to identify issues and opportunities with regard to repairs and restoration work which Revised Appraisals should address (by July 2015)
 - Undertake photographic study of buildings within Conservation Areas to inform Technical Notes (by July 2015)
 - Complete first draft of revised Appraisals (by September 2015)
 - Undertake public consultation on Revised Appraisals as set out in the Council's Statement of Community Involvement (by October 2015)
 - Revised Appraisals taken to Cabinet for approval (by December 2015)
 - Complete and publish revised Appraisals (by December 2015)
- 1.15 Update from the service: Officers analysed the eight conservation areas where householders submit the most planning applications to identify locations suitable for roof and rear extensions. They also undertook a review of Conservation Area Character Appraisals and how extensions were handled in other local authorities in Central London boroughs. Following this, an assessment methodology, criteria for identifying suitable locations for extensions and the general approach to the project was drafted to assess properties within the eight Conservation Areas.
- 1.16 Advice from CADAP was sought on the assessment methodology, criteria and general approach to the project in July 2015. CADAP supported the approach taken and provided feedback that was incorporated in developing the proposals.
- 1.17 The assessment methodology, criteria for identifying suitable locations for extensions and the general approach to the project was also presented and agreed with national and regional stakeholders including Historic England, Victorian Society, SPAB and the Georgian Group.
- 1.18 The approach taken was to prepare appraisals in the form of Addendums to the Conservation Areas Character Appraisals and Management Plans for the eight Conservation Areas. The Addendums includes maps showing locations suitable for roof and rear extensions after carefully assessing all the properties within Conservation Areas.
- 1.19 The Addendums have been prepared carefully to balance two things:
- a) Concern amongst some residents that the planning constraints in conservation areas are adversely affecting the ability of homeowners with growing families, carers and people with disabilities to remain in the borough.
 - b) The Council's legal duty to preserve and enhance the character or appearance of the conservation areas; and case law that says that where the authority 'finds that there is harm to a conservation area they

must give considerable weight to the desirability of avoiding that harm and it is not enough to ask whether the benefits of a development outweigh the harm' (summary from the legal section of April 2015 Cabinet Report).

- 1.20 A detailed audit of existing roof and rear extensions was carried out for the eight Conservation Areas and maps were prepared to inform the assessment.
- 1.21 Analysis of the eight Conservation Areas identified locations suitable for roof and rear extensions to support families living in these areas whilst ensuring that the proposals are in keeping with the Council's statutory duty to preserve and enhance the character and appearance of the conservation area. Using the criteria set out in the Addendums locations suitable for roof/rear extensions without creating a known harm to the conservation areas were identified.
- 1.22 The Addendums also acknowledge that there may be restrictions due to amenity considerations. The document recognises that even where locations are identified as suitable for extensions all the restrictions of general planning policy will apply.
- 1.23 The proposals in the form of eight draft Addendums [Addendums](#) are the subject of public consultation. As part of the public consultation, views from National and regional stakeholders including Historic England, Victorian Society, SPAB and the Georgian Group will be sought.
- 1.24 The Addendums and Guidance Note documents are the subject of a public consultation which runs between 23rd November 2015 and 18th January 2016. The documents have been published on the Council's website for resident's feedback. The link to the documents on Council's website is provided below: http://www.towerhamlets.gov.uk/ignl/environment_and_planning/planning/planning_guidance/consultation_and_engagement.aspx

Conservation Area	Venue	Afternoon Session 2-5pm	Evening Session 5.30-8.30pm
Driffield Road, Fairfield Road, Medway, Tredegar Square & Victoria Park	St. Paul's Church, St. Stephens Road, London E3 5JL	Thursday 3 rd December	Friday 11 th December
Jesus Hospital Estate & York Square	The Scott Room, Oxford House, Derbyshire St, Bethnal Green, London E2 6HG	Tuesday 8 th December	Friday 4 th December
Chapel House	Canary Wharf Idea Store, Churchill Place, London E14 5RB	Friday 4 th December	Monday 30 th November

- 1.25 As part of the consultation process, six public events were held to receive comments and feedback to inform the proposals. In addition the Conservation and Design Advisory Panel (CADAP) were consulted and the proposals were also tabled for discussion at the panel meeting in December 2015. Details of the public consultation events are set out below:

- 1.26 During this consultation, the Mayor issued a Statement that acknowledged the concerns raised by residents, his views on the proposals and the consultation as a necessary first step in the process to receive feedback from residents. The Mayor's Statement is included in **Appendix 4**.
- 1.27 At the end of the consultation period, officers will review feedback and comments received and revise the document accordingly. Depending on the nature of comments received, additional work may be required to address residents' concerns. Any additional work to be carried out will be agreed with the Mayor and may be the subject of a second consultation...
- 1.28 The intention is to take the revised documents to Cabinet for adoption in spring 2016. Officers recognise that this timescale may be subject to amendment depending on the feedback we receive during public consultation and the actions required addressing any issues.
- 1.29 A technical note for repairs and restoration works and for extension is a very specialist piece of work with a wide scope. There is already a wealth of information available to householders from reputed sources like Historic England, SPAB and other amenity societies. The Adopted Character Appraisals and Management Plans for the eight Conservation Areas identify issues and opportunities with regards to existing buildings including maintenance and restoration works.
- 1.30 Officers collected what they consider to be the most relevant information sources for residents' information for reference in the form of a Draft Technical Guidance Leaflet, which was made available at the consultation events for comment and feedback. . The public consultation also provided an opportunity to engage with residents to identify the specific repair/restoration topics that they consider may require further/additional guidance or information.
- 1.31 Feedback was also requested as part of the consultation in the form of e-forms for householders to identify specific repairs or maintenance or restoration topics for additional guidance. At the end of the consultation period officers will review the response received and update the Technical Guidance leaflet with relevant additional information. The leaflet will be made available on the Council's website in Spring 2016. The Draft Technical Guidance Leaflet that was presented at the Consultation event is attached in Appendix 4.
- 1.32 **Recommendation 4:** Write a policy for underground extensions and basements as part of the Local Plan Refresh.
- 1.33 Comment from service at action planning stage: The review of Policy DM27 will take place through the Local Plan Review process. The review will include drafting a relevant policy. The process for reviewing the Local Plan is set by Statute, however the consultation process on draft policy, including DM27, gives 'weighting' to that policy and the policy can therefore be used as part of the Developing Management Process at consultation stage. The

service identified three actions to support the delivery of this recommendation:

- Background research and scoping (April 2015)
 - identify other London Boroughs with basement policies.
 - identify existing basement development in the borough.
- Consult specialist consulting engineering advice to undertake a study / produce detailed advice on technical issues (May 2015)
- Identify all issues relevant to project including adequate soil depth, undeveloped garden land, ground conditions and land stability, depth, and habitable accommodation.
- Internal discussions with other Council specialists (Building Control, Highways, Tree Officer) (May 2015)
- Formulate policy (actions, responsibility and dates as in R2 above)

1.34 Update from the service: This recommendation is directly linked to the preparation of a new Local Plan and work is well underway. The five actions drawn up by the service to implement this recommendation will be carried forward in line with the Local Plan time table. The current timetable for the new Local Plan is outlined in 1.15 above.

1.35 **Recommendation 5: Consult with residents in Conservation Areas on the use of Article 4 Directions to further restrict development as part of the Local Plan refresh.**

1.36 Comments from the service at action planning stage: Consideration of introduction of Article 4 Directions will take place through the Local Plan Review (as recommendation 2 above). Five actions were drawn up to support this recommendation:

- Engagement draft of Local Plan (including draft Article 4 proposals) for public consultation (August 2015)
- Public consultation of Submission Document of Local Plan (Jan/Feb 2016)
- Proposed submission draft of Local Plan (including DM27) to Secretary of State (July 2016)
- Local Plan report to Cabinet and Full Council for approval (date as per R2 above)

1.37 Update from service: As above, this recommendation is directly linked to the preparation of a new Local Plan and work is well underway. The four actions drawn up by the service to implement this recommendation will be carried forward in line with the Local Plan time table. The current timetable for the new Local Plan is outlined in 1.15 above.

1.38 **Recommendation 6:** In line with any new approach to permitting roof extensions, create new Supplementary Planning Guidance for mansard roof extensions in Conservation Areas (and following this other issues) in order to help people plan, and understand the decision making process and the reasons why some changes be acceptable or not. The guidance should:

- Be clearly illustrated with examples of best practice to allow it to be readily and easily understood by non-professionals;

- Be prescriptive and consistent where materials for extensions and renovations are not appropriate.
- Set out permitted standard designs for additional roof storeys and rear extensions where planning is approved.
- Incorporate the principles of this guidance when refreshing the Conservation Area Character Appraisal and Management Guidance.

1.39 Comments from the service at action planning stage: Write a new Supplementary Planning Guidance (SPG) for mansard and roof extensions with advice from the Council's Conservation and Design Advisory Panel. The eight actions drawn up by the service to support the delivery of this recommendation were:

- Assessment of buildings within Conservation Areas to identify issues and opportunities with regard to mansard roofs which SPG should address (April 2015)
- Undertake photographic study of buildings within Conservation Areas to inform SPG and use in completed document (April 2015)
- Review guidance on roof extensions provided by the National Amenity Societies and other London Boroughs with a similar housing stock (April 2015)
- Prepare guidance clearly establishing principles for roof extensions and information about the way in which an application is assessed (September 2015)
- Complete technical guidance regarding the design of an appropriate mansard, including information regarding the design details and materials expected. Guidance will be accompanied by clear illustrations and examples of good practice (September 2015)
- Drafted guidance submitted to a broad and inclusive consultation process, to capture local resident's views and ensure that the document reflects these residents' views (October 2015)
- Guidance taken to Cabinet for approval (February 2016)
- Complete and publish Supplementary Guidance (February 2016)

1.40 Update from service: this recommendation was to prepare a Supplementary Planning Document (SPD) for mansard roof extensions. Officers discussed the scope of the document with the Lead Member. Following this discussion, it was agreed that an SPD is not necessarily required to meet the objectives of Recommendation 6 and that this can be delivered through an Executive approved Guidance Note, which would take significantly less time and resource to produce.

1.41 This Guidance Note would:

- meet the objectives of Recommendation 6
- be a material consideration in the determination of planning applications, providing it was approved by Cabinet following public consultation
- be subject to a similar level of public consultation as the SPD
- expedite the process (could be approved in Spring 2016 whereas an SPD will take much longer and it is likely that it would be June 2017)

- 1.42 As part of the preparation of the Guidance Note, officers prepared a draft outline of the scope of the guidance document and carried out a review of guidance prepared by other local authorities in Central London for mansard roofs. The general principles and guidance provided in those documents were carefully considered to inform the scope of the guidance document and in particular the design considerations for mansard roof extensions.
- 1.43 Advice on the proposed guidance document was sought from CADAP in July 2015 and their feedback informed the scope of the Guidance Note.
- 1.44 An assessment of buildings in the eight conservation areas was carried out to identify issues and opportunities with regard to mansard roof extensions. The assessment presented an opportunity to understand the range of roof types and architectural character and how they contributed to the character of the conservation area. The assessment also identified issues and opportunities for new mansard roof extensions within conservation areas.
- 1.45 As part of the assessment photographic documentation was carried out to understand the different roof forms that exist in the eight conservation areas to inform the development of design considerations for mansard roof extension in the Conservation Areas.
- 1.46 The Guidance Note outlines:
- a. Characteristics and design considerations by setting out the context for mansard roofs, types and form; and
 - b. Detailed design principles by setting out specific guidance including roof details, rear gables, part wall extensions chimney stacks and pots, cornice, parapet and balustrade , materials and window design details.
- 1.47 As agreed early on the Guidance Note was intended to provide general design principles for mansard roof extensions in Conservation Areas. The Guidance Note therefore does not include a prototype for a mansard roof. It is important to note that there are 58 conservation areas in the borough with varying building types and character. The design of mansard roof is specific to the host building/terrace and as such no prototype can be designed to fit for any building in any of the boroughs 58 conservation areas. The Guidance Note therefore sets out good design principles for design of mansard roof rather than developing a prototype.
- 1.48 The draft [Guidance Note](#) is the subject of the public consultation along with the eight Addendums for the Conservation Areas (see 1.28 above). Following an 8 week public consultation to 18 January 2016, officers anticipated that a Guidance Note can be published as scheduled in February 2016, providing that there is no fundamental change to the methodology and that Cabinet approval is not required.. An action plan relating to this recommendation is attached as Appendix 4.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 Following a Scrutiny challenge session on 17 November 2014, this report provides an update on the implications of conservation areas on the extension of family homes.

4.2 The recommendations resulting from the report are outlined in paragraph 3.4 above. The majority of the recommendations are associated with reviewing and updating policies and planning documentation – the main costs associated with these relating to officer time and the undertaking of a formal consultation process. All associated costs must be met from within existing revenue budgets.

5. LEGAL COMMENTS

5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for the Executive to provide a response.

5.2 Following the Scrutiny challenge session, the attached report makes a number of recommendations which aim to protect and enhance the Borough's heritage, whilst providing more flexibility and guidance to those wishing to carry out extensions and other forms of development to properties within the Borough's conservation areas. The attached Scrutiny report sets out the relevant planning policy relating to conservation areas.

5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that with respect to any buildings or other land in a conservation area, in taking decisions on planning applications the decision maker must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Case law suggests that whilst an assessment of the degree of harm is a matter for planning judgment, once a decision maker considering a proposal finds that there is harm to a conservation area they must give considerable weight to the desirability of avoiding that harm, and it is not enough to ask whether the benefits of a development outweigh the harm.

5.4 Any amendments to the Council's local plan would need to go through the statutory procedure set out in The Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012. This includes inter alia extensive consultation and an independent examination. There is also a prescribed procedure which must be followed before a Supplementary Planning Document (SPD) can be adopted, involving two stages of public consultation. No independent examination is required prior to the adoption of a SPD because they are not development plan documents and carry less weight in decision making.

Supplementary Planning Documents must not conflict with the adopted development plan.

5.5 Permitted development rights can be removed by a local planning authority through a direction made under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (“the GPDO”). Guidance in the National Planning Policy Framework provides that the use of Article 4 directions to remove national permitted development rights, should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. Article 4 Directions are commonly used to provide a greater level of protection in conservation areas. Where development has been restricted by an Article 4 direction planning permission will be required. The procedure for making an Article 4 direction is set out in Articles 5 and 6 of the GDPO. Any proposal to make any Article 4 direction in respect of the Borough’s conservation areas should commence with consultation.

5.6 In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don’t (the public sector equality duty). The Council will have to comply with this duty in bringing forward and taking decisions on any proposed changes and appropriate screenings or equalities assessments will need to be undertaken.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 Whilst the Council’s focus is rightly social housing, the lack of supply of 4 and 5 bedroom houses has caused a housing predicament amongst some residents with growing families who live in period houses in one of the borough’s many conservation areas.

6.2 The majority of the borough’s period houses are located within a conservation area and therefore the residents who live in them are restricted in when it comes to building extensions.

6.3 Some householders have moved out of the borough in order to find larger period houses to suit the needs of their growing families. Families moving out of neighbourhoods can have a detrimental effect on community, social capital and economic prosperity in an area.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The recommendations in this report are made as part of the Overview & Scrutiny Committee’s role in helping to secure continuous improvement for the council, as required under its Best Value duty.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no direct environmental implications arising from the report or recommendations.

9. RISK MANAGEMENT IMPLICATIONS

- 8.1 There are no direct risk management implications arising from the report or recommendations.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no direct implications of crime and disorder as a result of the recommendations of this review.
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Linked Reports, Appendices and Background Documents

Linked Report

- [List any linked reports, for example those that went to other Committees on the same issue]
- State NONE if none.

Appendices

- Appendix 1 – Scrutiny Review and Action Plan
- Appendix 2 – Delivery Plan
- Appendix 3 – Technical Repair work leaflet
- Appendix 4 – Mayor’s Statement

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- NONE

Officer contact details for documents:

- N/A