

ART4(2)/2009/4

**Burnham on  
Crouch  
Conservation Area**

8<sup>th</sup> July 2009

**THE MALDON DISTRICT COUNCIL**

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

**DIRECTION UNDER ARTICLE 4(2) OF THE TOWN AND COUNTRY  
PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995  
RESTRICTING  
PERMITTED DEVELOPMENT IN THE BURNHAM-ON-CROUCH  
CONSERVATION AREA**

**RECITALS**

1. The Maldon District Council ('the Authority') is the local planning authority in respect of the Conservation Area specified in this Direction.
2. The Authority is satisfied that it is expedient that the development described in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 ('the Order') and specified in this Direction should not be carried out unless permission is granted for it on an application.

**NOW THEREFORE** the Authority in pursuance of Article 4(2) of the Order and all other powers thereby enabling **DIRECTS THAT**

1. The permission granted by Article 3 of the Order shall not apply to development specified in the First Schedule to this Direction in the area specified in the Second Schedule to this Direction ('the Land').
2. This Direction does not require the approval of the Secretary of State and under Article 6(7) of the Order shall expire at the end of six months from the date upon which it is made unless confirmed by the Authority before the end of that six month period. The Direction shall, in accordance with Article 6(3) of the Order, come into force in respect of any part of the Land on the date on which notice of the making of the Direction is served on the occupier of that part of the Land or, if there is no occupier, the owner.

**FIRST SCHEDULE**

The alteration of a dwelling house affecting windows, doors or other openings to the front elevations including the insertion of dormer or other windows in the roofs and the change of roof material, being development within Schedule 2, Part 1, Class A of the *General Permitted Development Order 1995*.

Works involving the roof that would consist of or include an alteration to any part of the front roof slope, including the installation of a micro-generation unit, being development within Schedule 2, Part 1, Class A of the *General Permitted Development Order 1995*.

The erection or construction of a porch outside the front of a dwelling house, being development within Schedule 2, Part 1, Class D of the *General Permitted Development Order 1995*.

The erection or construction of any fences, walls, gates or other forms of enclosure to the front of a dwelling house, being development within Schedule 2, Part 2, Class A of the *General Permitted Development Order 1995*.

The construction within the curtilage of a dwelling house of a vehicle hard standing incidental to the dwelling house. The formation of an access to a dwelling house from an unclassified road, being development within Schedule 2, Part 2, Class B of the *General Permitted Development Order 1995*.

The painting of (or application of colour to) the exterior of any part of a dwelling house fronting the highway. This includes the painting over of unpainted brick or stonework but excludes the painting of doors, windows, bargeboards and soffits, being development within Schedule 2, Part 2, Class C of the *General Permitted Development Order 1995*.

The erection, alteration or removal of a chimney on a dwelling house or on a building in the curtilage of a dwelling house, whether or not it fronts the highway being development within Schedule 2, Class G of the *General Permitted Development Order 1995 (as amended)*

## SECOND SCHEDULE

The Burnham-on-Crouch Conservation Area affecting unlisted dwelling houses on High Street, Chapel Road, Silver Road, Station Road and Providence in the County of Essex (edged red on the plan annexed hereto).

DATE: 8 July 2009

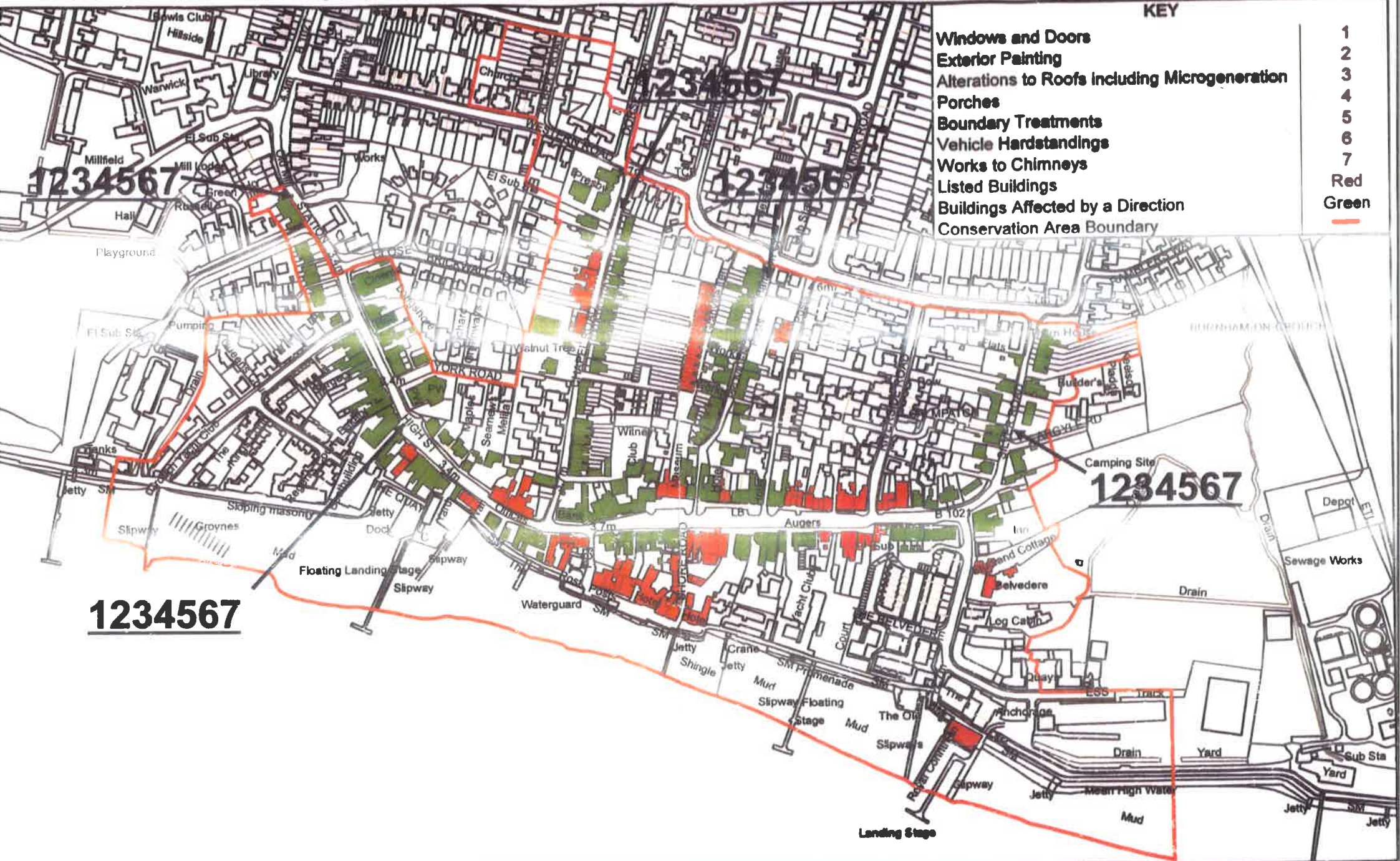
SIGNED:



Alan Storah  
Head of Planning Services  
for and on behalf of Maldon District Council



# Burnham-on-Crouch Conservation Area: Article 4(2) Directions



## KEY

- 1 Windows and Doors
- 2 Exterior Painting
- 3 Alterations to Roofs including Microgeneration
- 4 Porches
- 5 Boundary Treatments
- 6 Vehicle Hardstandings
- 7 Works to Chimneys
- Red Listed Buildings
- Green Buildings Affected by a Direction
- Red Conservation Area Boundary

**1234567**

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Our ref: TH/JH/CA Burnham

To the Owner/Occupier

**DIRECTORATE OF  
COMMUNITY SERVICES  
HEAD OF PLANNING SERVICES  
Alan Stora**

14 July 2009

Dear Sir/Madam,

### **BURNHAM-ON-CROUCH CONSERVATION AREA ARTICLE 4(2) DIRECTION**

As an owner or occupier of an unlisted dwelling within the Burnham-on-Crouch Conservation Area you have been given notice that Maldon District Council has withdrawn specific General Permitted Development rights granted to you under the Town and Country Planning (General Permitted Development) Order 1997, as amended 2008 through Article 4(2) Directions of this order.

Below is a list of development which will now require Planning Permission:

- The alteration of your front doors or windows, including the formation of new windows and doors.  
*REASON: This is to discourage the loss of historic windows and doors which contribute positively to the character of the area in the instances where it is possible to repair and retain them. It is also to ensure that new windows and doors respect the special character of the Burnham-on-Crouch Conservation Area in terms of design, detailing and materials and to discourage the introduction of windows and doors of unsympathetic design. With respect to any elevation on your house which faces a highway, complete replacement of a window or door or formation of a new window or door opening will therefore require Planning Permission. The need for Planning Permission does not extend to such alterations on elevations which do not front a highway.*
- The alteration of your front roof slope, such as the replacement of the existing roof coverings or the installation of a microgeneration unit.  
*REASON: This measure is to ensure the continued use of roof coverings that are in keeping with the special character of the Conservation Area, such as natural slates and clay tiles. While Maldon District Council supports efforts towards sustainability and energy efficiency, this measure will ensure that microgeneration units are installed in a way that does not detract from the special character of the Conservation Area. Planning Permission will be required when the front roof slope is completely re-covered or a microgeneration unit is attached to the front roof slope. Planning Permission will not be required in the instances when re-roofing only involves replacing a proportion of failed slates or tiles with slates or tiles that match the existing.*



- The erection or construction of a porch outside the front of your house.  
*REASON: The construction of a front porch is not necessarily objectionable but in some instances it can be to the detriment of the Conservation Area. For instance, the introduction of a front porch on a well-preserved, uniform terrace can unbalance the appearance of the terrace as a whole. This measure would discourage the instances in which a front porch would detract from a building's appearance and in other instances make sure that it is of a sympathetic design.*
  
- The erection or construction of any fences, walls, gates or other forms of enclosure to the front of your house.  
*REASON: Street-fronting boundary treatments can have a considerable impact on the appearance of a street. Too great a variety of types of boundary treatment can create visual anarchy. This measure would ensure the continued use of sympathetic boundary treatments and discourage the introduction of types that are out of character.*
  
- The construction of a vehicle hard standing. The formation of an access to a dwelling house from an unclassified road.  
*REASON: The complete loss of front boundaries and gardens to vehicle hard standing can seriously erode the traditional character of a street, resulting in the loss of the important visual separation between the road and houses. This measure would seek to prevent the undesirable loss of front boundaries and gardens, while accepting that front parking can be achieved sensitively in some instances.*
  
- The painting of (or change of colour to) those external walls of a dwelling house which front the highway. This includes the painting over of unpainted brick or stonework but excludes the painting of doors, windows, bargeboards and soffits.  
*REASON: Traditional historic brickwork or stone work was usually not meant to be painted and when it is painted it can seriously affect the character of a building. Once a historic brick wall has been painted it is difficult and expensive to expose again. This measure would therefore seek to discourage the painting of areas of unpainted brickwork which were always meant to be exposed, where its character as such is deemed to be important. The change of the external colour of a house can be detrimental to the appearance of an area, for instance the introduction of a bright or brash colour that could contrast harshly with the rest of the houses in the street. Weatherboarding is common in Burnham-on-Crouch and is typically painted black or white; this measure will seek to discourage deviation from this standard treatment. Repainting the exterior of a house in the same colour as already exists will not require consent.*
  
- Alterations to or the removal of a chimney on a house or buildings associated with the house.  
*REASON: Chimneys make an important contribution to the roofscape of parts of the Conservation Area. This measure will encourage the retention of historic chimneys where they make a positive contribution to the character of the Conservation Area.*

Making a Planning Application for any of the above works will be free of charge. A planning application will only be refused if it is considered that the proposal would adversely affect the Conservation Area's special architectural or historic character. Please be aware that these new restrictions are much less stringent than those imposed upon listed buildings, where any alterations to the interior or exterior require Listed Building Consent.

Following its statutory duty, Maldon District Council has reviewed each of its Conservation Areas. The Review and Appraisal document for Burnham-on-Crouch acknowledged the very

special and well-preserved character of the town. With regard to the introduction of Article 4(2) Directions the document stated:

The real threat to Conservation Area character and appearance is gradual erosion by minor changes, most of which currently do not require planning permission. These tend to be justified as being convenient or the result of other priorities and Burnham has its full share of recent date. Many of these objectives could be achieved in less damaging ways, but they need appropriate thought and care. However, the Local Planning authority, by means Article 4 (2) Directions, can bring many of these changes within the remit of the planning system (p. 41).

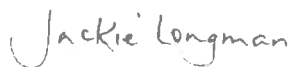
Residents of the Burnham-on-Crouch Conservation Area were consulted on the *Burnham-on-Crouch Conservation Area Review and Appraisal* document and a public meeting was held on 7 December 2004, at which the introduction of Article 4(2) Directions was discussed though no actual objection was raised.

By requiring planning permission the District Council can promote sympathetic alterations, and manage change in a way that respects the unique and special character of the Burnham-on-Crouch Conservation Area.

As the owner of an unlisted building in a Conservation Area you are eligible for our Conservation Area Enhancement Grant Scheme. This scheme offers financial assistance towards the sensitive maintenance of the special character of our Conservation Areas.

You may also be interested to know that any representations concerning the Article 4(2) Direction may be made to Maldon District Council who is the Local Planning Authority.

Yours faithfully,



Jackie Longman  
Conservation Officer