

Town and Country Planning General Development Orders 1977 to 1982⁵Avenham Conservation Area

WHEREAS:

- (1) The Preston Borough Council, being the appropriate local planning authority within the meaning of Article 4 of the Town and Country Planning General Development Orders 1977 to 1982⁵ for the Avenham Conservation Area in the Borough of Preston (the area of which is indicated on the plan annexed hereto), is of the opinion that development of the classes specified in Article 1 of this Direction, being development in respect of which permission would otherwise be granted by virtue of Article 3 of the said Order, would constitute a threat to the amenities of the said Conservation Area and accordingly that the provisions of Article 4(3)(b) should apply to this Direction
- (2) The said Council is satisfied that it is expedient that the said development should not be carried out in the said Conservation Area unless permission is granted on an application in that behalf

NOW THEREFORE the Council in pursuance of the powers conferred on it by the said Article 4 hereby directs as follows:-

1. Save as provided in Article 2 of this Direction, the permission granted by Article 3 of the Town and Country Planning General Development Orders 1977 to 1982⁵ shall not apply, in respect of premises situate in the Avenham Conservation Area, to the following classes of development, all of which fall within Classes I and II as specified in Schedule 1 to the said Order:-

- Class I.I The enlargement, improvement or other alteration of a dwellinghouse so long as:
- (a) the cubic content of the original dwellinghouse (as ascertained by external measurement) is not exceeded by more than
 - (i) ~~in the case of a terrace house,~~ 50 cubic metres or ten per cent, whichever is the greater, ~~or subject to a maximum of 115 cubic metres;~~
 - (ii) ~~in any other case, 70 cubic metres or fifteen per cent, whichever is the greater,~~ subject (in either case) to a maximum of 115 cubic metres;
 - (b) the height of the building as so enlarged, improved or altered does not exceed the height of the highest part of the roof of the original dwellinghouse;
 - (c) no part of the building as so enlarged, improved or altered projects beyond the forwardmost part of any wall of the original dwellinghouse which fronts on a highway;
 - (d) no part of the building (as so enlarged, improved or altered) which lies within a distance of two metres from any boundary of the curtilage of the dwellinghouse has, as a result of the development, a height exceeding four metres;

- (e) the area of ground covered by buildings within the curtilage (other than the original dwellinghouse) does not thereby exceed fifty per cent of the total area of the curtilage excluding the ground area of the original dwellinghouse;

Provided that:-

- (a) the erection of a garage, ^{stable, loosebox} or coachhouse within the curtilage of the dwellinghouse shall be treated as the enlargement of the dwellinghouse for all purposes of this permission (including the calculation of cubic content); ~~if any part of that building lies within a distance of five metres from any part of the dwellinghouse;~~
- ~~(b) the erection of a stable or loose-box anywhere within the curtilage of the dwellinghouse shall be treated as the enlargement of the dwellinghouse for all purposes of this permission (including the calculation of cubic content);~~
- ^b~~(c)~~ for the purpose of this permission the extent to which the cubic content of the original dwellinghouse is exceeded shall be ascertained by deducting the amount of the cubic content of the original dwellinghouse from the amount of the cubic content of the dwellinghouse as enlarged, improved or altered (whether such enlargement, improvement or alteration was carried out in pursuance of this permission or otherwise); and
- ~~(d) where any part of the dwellinghouse will, as a result of the development, lie within a distance of five metres from an existing garage or coachhouse, that building shall (for the purpose of the calculation of cubic content) be treated as forming part of the dwellinghouse as enlarged, improved or altered; and~~
- ^c~~(e)~~ the limitation contained in sub-paragraph (d) above shall not apply to development consisting of:-
- (i) the insertion of a window (including a dormer window) into a wall or the roof of the original dwellinghouse; or the alteration or enlargement of an existing window; or
- (ii) any other alterations to any part of the roof of the original dwellinghouse.

Class I.2 The erection or construction of a porch outside any external door of a dwellinghouse so long as:

- (a) the floor area does not exceed two square metres;
- (b) no part of the structure is more than three metres above the level of the ground;
- (c) no part of the structure is less than two metres from any boundary of the curtilage which fronts on a highway.

Class I.4 The construction within the curtilage of a dwellinghouse of hardstanding for vehicles for a purpose incidental to the enjoyment of the dwellinghouse as such.

Class II.1 The erection or construction of gates, fences, walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic or two metres in height in any other case and the maintenance, improvement or any other alteration of any gates, fences, walls, or other means of enclosure: so long as such improvement or alteration does not increase the height above the height appropriate for a new means of enclosure.

Class II.2 The formation, laying out and construction of a means of access to a highway not being a trunk or classified road, where required in connection with development permitted by Article 3 of and Schedule 1 to this Order (other than under this Class).

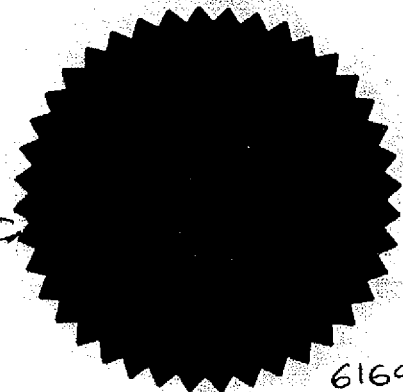
Class II.3 The painting of the exterior of any building or work otherwise than for the purpose of advertisement, announcement or direction.

2. The permission granted by Article 3 of and Schedule 1 to the Town and Country Planning General Development Orders 1977 to 1985 shall continue to apply in respect of development falling within Class II.3 if the painting is of the windows, the doors or the guttering of a building.
3. This Direction, being made in pursuance of Article 4(3)(b) of the said Order, shall remain in force for a period of six months from the date on which it comes into force pursuant to a resolution of the Development Committee of the Council passed on 20th August, 1985 and confirmed at a meeting of the Council held on 26th September, 1985 and will then expire unless it has been approved by the Secretary of State for the Environment before the expiry of that period.

THE COMMON SEAL of the within-named)
PRESTON BOROUGH COUNCIL was hereunto)
affixed the nineteenth day of)
February 1986 in the presence of:-)

E.H. McCloy

BOROUGH SOLICITOR



6169

*Development Committee, 20th August, 1985
Minute No. 545*

The Secretary of State for the Environment hereby approves the foregoing direction subject to the modifications shown in red ink thereon.

[Signature]

Signed by authority of
the Secretary of State

An Under Secretary in the
Department of the Environment

18 August 1986