

BOROUGH COUNCIL OF PENDLE

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

1. The Borough Council of Pendle ("the Council") as local planning authority is satisfied that it is expedient that development described in the First Schedule shall not be carried out on any land or property within the Whitefield Conservation Area and described in the Second Schedule ("the Land") unless permission for that development is granted on application made under the Town and Country Planning Act 1990.
2. The Council therefore directs that the permission granted by Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the Order") shall not apply to the Land for the development listed in the First Schedule.
3. This Direction shall come into force in respect of any part of the Land on the date on which notice of the making of the Direction is received by the occupier of that part of the Land, or, if there is no occupier, the owner. If the Council considers that individual service on the owners or occupiers of the Land is impracticable because of the number of owners or because it is difficult to identify or locate one or more of them, the Council shall publish a notice of making of the Direction in a newspaper circulating in the locality of the Land and, in accordance with article 6(3)(b) of the Order, the Direction shall come into effect on the date on which the notice is first published. The Direction shall expire at the end of six months from the date upon which it is made unless confirmed within that period by the Council.

FIRST SCHEDULE

1. Development falling within Part 1 of the Schedule to the Order.

The erection, alteration or removal of a chimney on a dwellinghouse or on a building within the curtilage of a dwellinghouse.

2. Development falling within the following specified Classes of Part 1 of Schedule 2 to the Order.

CLASS A

The enlargement, improvement or other alteration of a dwellinghouse where any part of the enlargement, improvement or alteration would front a highway.

CLASS C

The alteration of a dwellinghouse roof slope where the alteration would be to a roof slope which fronts a highway.

CLASS D

The erection or construction of a porch outside any external door of a dwellinghouse where the external door fronts a highway.

CLASS E

The provision within the curtilage of a dwelling house of any building, or enclosure required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure which would front a highway or where the part of the building or enclosure maintained, improved or altered fronts a highway.

CLASS F

The provision, enlargement, improvement or alteration within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse where that hard surface would front a highway or is fronting a highway.

CLASS H

The installation, alteration or replacement of a satellite antenna on a part of a dwellinghouse, or on a building within the curtilage of a dwellinghouse, which in either case fronts a highway.

3. Development falling within the following specified classes of Schedule 2, Part 2 of the Order.

CLASS A

The erection or alteration of a gate, wall or fence within the curtilage of a dwellinghouse that would front or is fronting a highway.

CLASS C

The painting of the exterior of any part of a dwellinghouse or any building or enclosure within the curtilage of a dwellinghouse which fronts a highway.

4. Development falling within the following specified class of Schedule 2, Part 31 of the Order.

CLASS B

The demolition of a gate, fence, wall or other means of enclosure which is within the curtilage of a dwelling house and fronts a highway.

SECOND SCHEDULE

The Land

All that part of Whitefield Conservation Area in Nelson comprising the following dwellinghouses and where applicable the first and last dwellinghouses are included

1. on Manchester Road all the even numbers from 104 to 114
2. on St Mary's Street all the odd numbers from 1 to 33
3. numbers 2, 4 and 6 on St Mary's Street
4. on Every Street all the odd numbers from 141 to 191
5. on Lomeshaye Road all the numbers from 5 to 39
6. on Bond Street all the numbers from 1 to 16
7. on Bishop Street all the numbers from 1 to 16
8. on Maurice Street all even numbers from 2 to 26
9. on Victoria Street all even numbers from 2 to 24
10. numbers 2a and 4a on Victoria Street
11. on Victoria Street all the odd numbers from 1 to 23
12. on Macleod Street all the odd numbers from 5 to 27.

THE COMMON SEAL of)
BOROUGH COUNCIL OF)
PENDLE was hereunto affixed)
in the presence of:-

R. Townson

Legal Services Manager, Borough Council of Pendle
this 21 July 2006.

