

Cargate Article 4 Direction Consultation: 31 January 2020 – 13 March 2020
Summary of Responses

The Article 4 Direction made on 31 January 2020 was subject to six weeks’ public consultation between 31 January 2020 and 13 March 2020.

Each residential property that the direction affects was notified in writing of the consultation. In addition, copies of the Article 4 direction were made available to view at the following locations during opening hours:

- Rushmoor Borough Council Offices
- Aldershot Library
- Farnborough Library

The consultation was also promoted via a press release and was advertised extensively on the Council’s website. In addition, leaflets were delivered to residential properties within the current Cargate Avenue Conservation Area. Representations were invited via email or via post.

In total, nine responses were received to the consultation, of which four were supportive. A summary of the responses received is provided below:

Respondent	Summary of Comments	Council Response
1	We have moved to flat (<i>address redacted</i>) 4 months ago, and this morning received a load of paperwork that means absolutely nothing to us ,we are not stupid People ,but both just turned 70 and cannot make head nor tail to us what we Can and can’t do in our apartment. Been on your website and felt the same.	Legislation dictates the content of correspondence in relation to Article 4 directions. However, we note your comments about ensuring future communications are more user-friendly. Following the receipt of the Article 4 direction by post, all impacted residents were sent a leaflet promoting two consultation drop-in events that were attended by Council officers, so that detailed questions could be asked.

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		The Planning Policy and Conservation Team has produced a guidance document to provide further information on the Article 4 direction
2	<p>I am writing to say that I am in support of the Article 4 Directions which will hopefully encourage restoration which retains the original architectural character and features.</p> <p>I believe it is well worth preserving the old character of the town and look forward to seeing progress with the regeneration campaign as well.</p>	Support noted.
3	<p>The implementation of Article 4(2) Directions is welcomed as something very much overdue.</p> <p>As I have long-argued, the sort of development that continually erodes the CA's character and significance "day-to-day" is not so much the threat of new development on a larger scale — but the smaller scale, incremental damage in the form of unsympathetic alterations to existing buildings.</p>	Support noted.

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4	<p>While I do not disagree with, or challenge the content of the Article 4 direction, I would like to make the following comments about the communication (<i>note this was in relation to the initial letter sent to all affected properties and prior to further communication</i>)</p> <p>This is a legal document, with absolutely no context indicating why it has been sent out, I would expect that it appears irrelevant or incomprehensible to a significant number of residents, and therefore one must wonder why the Planning department felt that, sending it in this form, was a good use of Council Tax Payers' money.</p> <p>I would suggest in future, all communications of this type include a plain English contextual overview to explain why they have been sent, to describe what has changed, and why this is relevant to the recipient.</p> <p>There is a spelling mistake in the title of the letter, and the map included is difficult to read even for people with good vision.</p> <p>I note that the letter is sent to the "Occupier", the occupier in this area, is often a tenant not the owner, you should include a paragraph at the beginning to ensure that this letter is forwarded to the building owner if they are not the occupier.</p>	<p>General support for the Article 4 direction noted.</p> <p>We are required by legislation to follow specific procedures when implementing Article 4 directions. These include the display of at least two notices within the area to which the direction applies, a statutory notification in the press (Hampshire Independent) and serving notice on the occupier of every part of the land within the area or site to which the direction relates (unless it is impracticable).</p> <p>In terms of the content of the letter, this is guided by legislation. However, we did include information about the consultation and where to find out more information on our website.</p> <p>We apologise for the spelling mistake in the communication and the quality of the maps. We will seek to improve this in future communications.</p> <p>As noted above, the legislation requires us to notify the "occupier", but we agree that a paragraph could have been inserted to enable the letter to be passed to the owner if the property is occupied by a tenant(s). We will include such text in future correspondence in relation to Article 4 directions.</p>

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	<p>I note that there is a consultation session, regarding the Cargate Conservation area at the Aldershot Baptist Church on the 25th February, I would like to know why the opportunity was not taken to communicate this in the above letter, please can you confirm that you will be writing to all of the residents again, to remind them of this date.</p>	<p>At the time the Article 4 letters were sent to print, we were awaiting final confirmation from the Aldershot Baptist Church that the venue would be available. This was subsequently confirmed and was promoted on our website and through leaflets delivered to all households in the affected area.</p>
5	<p>The Article 4 introduction, is further testimony to what seems to be a belated attempt to take back control. It is to be applauded and supported of course but must be strictly enforced.</p>	<p>Support noted.</p>
6	<p>I would like to strongly object to such changes which appear to place an unnecessary burden on the homeowner in a number of areas. The direction calls out the following items which will require planning permission and whilst some items may make sense in a conservation area, others are just bureaucratic nonsense. This Direction is hugely bureaucratic putting unnecessary requirements on homeowners and increasing the burden of work on the local council. It would appear to be an ill thought through document with no basis for its existence and I strongly object to the required changes.</p>	<p>It is not the Council's intention to create unnecessary work, but as some areas of the historic environment have been developed unsympathetically, a system where this can be monitored and managed for future generations is needed. The Planning Policy and Conservation Team has produced a guidance document to provide further information on the Article 4 direction.</p>

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7	<p>I could see this having a negative impact on maintenance, it would negate all good intentions and the easier path of ‘doing nothing’ would be adopted. I also hope that the current policy of not charging for article 4 planning applications would not change.</p> <p>If a satellite dish appeared on my rental house, at their request and unbeknownst to me, who would you aim your correspondence towards, the guilty tenant or the owner</p>	<p>The Planning Policy and Conservation Team has produced a guidance document to provide further information on the Article 4 direction. Planning applications generated solely as a result of the removal of permitted development rights by the Article 4 Direction will be free of charge.</p> <p>It is the responsibility of landlords to ensure that tenants are aware that they must inform or request the permission of the property owner before making any changes to a property.</p>
8	<p>Please note my very strong assertion that, where the Council seeks to require residents to seek planning permission for works to improve the frontings of properties which previously could be carried out under permitted development rules, this planning permission should be FREE OF CHARGE in order to not penalise residents seeking to maintain their properties.</p> <p>Article 4 Direction should only cover frontages of properties.</p>	<p>Planning applications generated solely as a result of the removal of permitted development rights by the Article 4 Direction will be free of charge.</p> <p>The current Article 4 direction will ‘lapse’ and a new Article 4 direction will be made that will specify that it only applies to the specified types of development that would be visible from any public highway or open space (i.e. frontages visible from public spaces).</p>

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		<p>The Planning Policy and Conservation Team has produced a guidance document to provide further information on the Article 4 direction.</p>
9	<p>The properties affected by the proposed Article 4 direction don't seem to match up to the totality of the Cargate conservation area; we were originally (a few years ago) outside the conservation area, but now seem to be in it, and seem to be just inside the Article 4 area – why is this so, when lots of other properties in the 'new' conservation area are not in the Article 4 area - why not?</p> <p>Secondly, is this change likely to affect the value of our properties?</p> <p>Third, I am unclear what work we will be able to do without having to apply for permission. We were also just about to create a turning area for cars in our main drive to make it easier to get out onto the road, as backing out is getting increasingly dangerous – lorries, vans and cars are now almost always parked opposite our entrance, so the traffic coming up from our left has to drive in the middle of the road! This would entail expanding what is already a stone surface on our drive. Will we need planning permission for this?</p>	<p>The area covered by the Article 4 direction aligns with the proposed boundary detailed in the Cargate Conservation Area Appraisal and Management Plan.</p> <p>Our records show that the property indicated is within the current Conservation Area boundary, and we have no record of the boundary having been changed since its original designation.</p> <p>The value of properties is not a planning consideration.</p> <p>The Planning Policy and Conservation Team has produced a guidance document to provide further information on the Article 4 direction.</p> <p>Planning applications generated solely as a result of the removal of permitted development rights by the Article 4 Direction will be free of charge.</p>

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	Finally, whilst we are certainly not against maintaining the character of the area please don't turn this into long delays and a nightmare of paperwork.	