BOROUGH OF KETTERING

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

6 STATION ROAD, RUSHTON

ARTICLE 4 DIRECTION 1988

WHEREAS KETTERING BOROUGH COUNCIL (hereinafter called "the Council") is the local planning authority within the meaning of Article 4 of the Town and Country Planning General Development Order 1988 (hereinafter called "the Order") in respect of land and buildings situate and known as 6 Station Road, Rushton in the County of Northampton being the land shown edged red on the plan annexed hereto (hereinafter called "the land")

AND WHEREAS the Council is satisfied that it is expedient that development of the description set out in the Schedule hereto should not be carried out on the land unless permission is granted for it on application made under the Town and Country Planning General Development Order 1988.

NOW THEREFORE the Council in pursuance of Article 4 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 on the land of the descriptions set out in the Schedule to this Direction

2. Pursuant to Article 5 (4) of the Order, this Direction does not require the approval of the Secretary of State because it relates only to development permitted by Parts 1 to 4 of Schedule 2 to the Order and the Council consider that the development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. The Direction shall expire at the end of six months from the date upon which it is made unless it has been disallowed or approved by the Secretary of State.

The direction shall, in accordance with Article 5 (10) 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. If the Council consider that individual service on the
THE SCHEDULE

The following class of development comprised within Part 1 referred to in Schedule 2 to the Order and not being development comprised within any other class:—

(i) Class A Alteration and replacement of windows and doors.
(ii) Class C—Any other alterations to the roof of the dwelling.

Given under the Common Seal of the Council this 30th day of June One Thousand Nine Hundred and Ninety-Four.

THE COMMON SEAL OF
KETTERING BOROUGH COUNCIL

was hereunto affixed in
the presence of:—

Borough Solicitor
(Proper Officer For This Purpose)

Signed by authority of the Secretary of State

Martin J. Gorman
An Assistant Director
in the Department of
the Environment.

22nd December 1994.
Article 4 Direction

6 Station Road, Rushton

Statement of Justification

No.6 Station Road, Rushton is a substantial detached red-brick Victorian dwelling house prominently located within the designated Conservation Area of the village of Rushton, adjoining the village school to the East. Given the character of the property and its location it is probable that it was built in association with the adjoining school. Its elevated position and location on the corner of Chapel Lane means that the majority of the windows of the property are highly visible from the public realm of the Conservation Area.

An application for Conservation Area Consent was received from the owner on 8th June 1994 which proposes to remove all the existing timber windows, including the characteristic Victorian sashes, and replace with 'exact copies in UPVC'. It is considered that the loss of the traditional windows would seriously erode the character of this individual property which contributes so significantly to this part of the Conservation Area of Rushton. Furthermore, this authority has no confidence in the contention that the replacement windows in UPVC will faithfully match the existing timber frame proportions, glazing bar detailing, reveal depths etc.

Policy Consideration

Policy 22 of the Local Plan for Kettering Borough, (as proposed to be modified) which reflects the statutory duty of the Local Planning Authority to preserve and enhance the character and appearance of the designated conservation area, is considered to be the principally relevant policy in respect of this application for an Article 4 Direction.

It is the Local Planning Authority's duty to seek the protection and preservation of traditional design and materials in conservation areas, embodied in DOE circular advice. In this respect the contribution to the street scene in this part of the conservation area made by the existing traditional windows is considered to be of paramount importance. Therefore, a presumption exists for either the retention and repair of the existing windows or, where it is demonstrated that repair is not possible, the replacement by 'like for like' timber windows which effectively match the character of the original.

For this reason it is considered that the proposed alterations to the elevations would cause harm to the character and appearance of the conservation area.

Conclusion

It is respectfully suggested that the above represents a serious threat to the character and original integrity of traditional elements of this Victorian property in the Conservation Area of Rushton which would be seriously detrimental to the character and appearance of No.6 Station Road and the street scene in general.