

BRENTHAM SOCIETY



NEWSLETTER NO. 37

APRIL 1975

Newsletter Editor:

Dennis Johnson

Hon. Sec.:

Stefanie Poulain

Chairman: Martin Jiggins
1 Winscombe Crescent

TOWN PLANNING CONTROL

Accompanying this Newsletter is a formal notice from Ealing Council which the Society has been asked to distribute. This follows a decision made by the Council some months ago, which was formally implemented by an announcement in the press a few weeks ago, all of which is action which this Society first proposed immediately it was founded, and for which it has been pressing ever since.

However, since both the press announcement and the Council's letter are couched in legal terminology, obscure to most of us, the Committee has decided to provide a simplified explanation of the measures which have been taken. Their overall effect is to provide for stricter Town Planning control over all alterations to houses in the future.

Building work is subject to two main sets of regulations, the Building Regulations, and the Town and Country Planning Acts. The former are concerned chiefly with the standards of the actual physical construction, their strength, insulation value, and so on, and are not in any way altered by the new measures. The Town and Country Planning Acts control changes in the use of buildings, and building work which alters or increases the existing use of property, and also lays down provisions for the control of the appearance of buildings.

However, in order to minimise the extent of the controls, the regulations set out certain alterations to buildings which are called "Permitted Developments", and which may be carried out without Planning Permission. These include small extensions, front porches, garages, car standings, patios, and walls and fences, all of which cover the majority of the unneighbourly alterations to houses on the Brentham Estate over recent years. These alterations have been possible because there has been no legal control over them as "Permitted Developments".

Nevertheless, the Town and Country Planning General Development Order, in Article 4, provides that a Council might issue a Direction restricting any or all Permitted Developments, and placing them under Town Planning Control. This is what Ealing Council has now done, so that all these alterations now require a Town Planning Application.

In addition, certain aspects of the Town Planning regulations are operated with a degree of flexibility, in accordance with the local circumstances, and the Council are also announcing that this too is now being tightened up. In the Town Planning Act, work of alteration, improvement, or maintenance falling within the curtilage of a building does not constitute development (and thus require Planning Permission) unless it materially affects the external appearance of the building. In the past, this has been very liberally judged, and thus the main visual defacement of the houses,

the removal of the small pane windows, has been carried out without the Council requiring Planning Permission. Now, all alterations affecting the external appearance of a building on the Estate will require a Planning Application.

Therefore, any householder contemplating alterations to a house on the Estate is advised to consult the Town Planning Department before proceeding too far. There are penalties for contravening the Planning Acts. This Society will do everything possible to assist residents in these matters, and your enquiries can be passed to any Committee member.

It is worth noting that similar steps have been taken by the Council to protect the Hanger Hill Garden Estate (near West Acton Station), which has an association very like our Society, and with which we are in regular contact.

BRENTHAM LAWN TENNIS CLUB

The Brentham Lawn Tennis Club is holding its pre-season Drinks Party on Sunday, April 20th at 12.00 noon at the club; any residents thinking of playing tennis this summer are invited to attend and will be given full particulars about subscriptions, etc.

The season's first American Drive and Barbecue is on Saturday, May 17th.

MAY DAY FESTIVITIES

Saturday, 10th May: this is the day fixed for the traditional May Day celebration. A children's procession will start at Brentham Green at 2.45 p.m. and make its way around the Estate, followed by the crowning of the May Queen and dancing round the maypole in the grounds of the Brentham Club. Rehearsals are already in progress and over 100 children are taking part. In the evening, a dance for the May Queen will be held in the Brentham Club, to which all parents and friends are invited.

RECENT BRENTHAM SOCIETY GATHERINGS

The Cheese and Wine Party proved to be a most convivial occasion. Perhaps we should hold another later in the year.

However, the meeting at St. Barnabas' Church Hall for the local police to advise us on anti-burglar precautions was a flop; only four people came. We understand that it clashed with a local school's activity, and so we hope to re-arrange the meeting at a more convenient time.

BRENTHAM PRESS

Just published: ON MODERN GARDENING by Horace Walpole - an eighteenth-century view of the development of landscape gardening. Not much on growing your own veg, but appropriate for Architectural Heritage Year. Illustrated, 32 pages, price 50p.

Still available (but only just): THE BEAUTY OF LIFE by William Morris - conservation 18th-style, with a message for today. Morris cover design, 24 pages, price 30p.

We are interested in publishing local history. All enquiries to Margaret Tims, 137 Fowler's Walk. (997 7401, evenings/weekend).

Ealing

London Borough

Town Hall
New Broadway
London W5 2BY

tel 01-579 2424

your ref	my ref	date
	K/WB/ES/17500	14.3.75.

Dear Sir/Madam

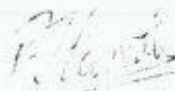
TOWN & COUNTRY PLANNING ACT 1971
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1973

I write to inform you that the Council have made a direction under Article 4 of the above mentioned Order relating to the Brentham Garden Estate Conservation Area. A copy of the direction (but without the map it refers to) is printed at the foot of this letter. Because of the impracticability of serving a formal notice of the direction on the owners and occupiers of all the properties concerned, the Council have instead published a notice of the direction in the London Gazette and the Ealing Gazette. The Council have also given instructions that occupiers of property within the Conservation Area be informed of the direction. This letter is, therefore, being sent to you as an occupier of property within that area. A copy of the map defining the area referred to in the direction may be inspected at the Council's Town Planning Office on the second floor at 24 Uxbridge Road, Ealing W5 (a short distance from the Town Hall), telephone No. 579 2424, extension 788, between the hours of 9.00 a.m. and 4.00 p.m. Mondays to Fridays. The effect of the direction is to withdraw the general right to carry out certain kinds of "development" without applying for and obtaining planning permission.

The Council also wish me to write something about Section 22(2) of the Town & Country Planning Act 1971. This provides, inter alia, that the following shall not be taken for the purpose of the Act as constituting development (and so planning permission is not needed) - "the carrying out of work for the maintenance, improvement or the alteration of any building being works which affect only the interior of the building or which do not materially affect the external appearance of the building and (in either case) are not works for the making good of war damage or works begun after the 5th December 1968 for the alteration of a building by providing additional space therein below ground". The Council are especially concerned to ensure that no works for the maintenance, improvement or alteration of a building in the Conservation Area are carried out unless either they fall within the description quoted above or they are authorised by a planning permission granted by the Local Authority. Therefore, if you propose to carry out any such works you are invited to discuss with officers of the Council's Town Planning Division whether an application for planning permission is necessary. I also draw your attention to Section 53(1) of the Act of 1971 which provides a procedure

for obtaining an authoritative determination of whether planning permission is required. Under this Section any person who proposes to carry out any operations on, or to make any change in the use of land may apply in writing to the Local Planning Authority for a determination whether the proposed operation or change of use would constitute development and, if so, whether an application for planning permission is required.

Yours faithfully


Town Clerk

THE LONDON BOROUGH OF EALING
TOWN & COUNTRY PLANNING ACT 1971
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1973
DIRECTION UNDER ARTICLE 4

WHEREAS:

1. The Council of the London Borough of Ealing the local Planning Authority are satisfied that it is expedient that development in the Brentham Garden Estate Conservation Area (being the area delineated and edged black on the map annexed hereto) of the classes hereinafter mentioned should not be carried out unless permission for the same is granted on an application in that behalf
2. The Council are further of the opinion that such development could be prejudicial to the proper planning of the area or constitute a threat to the amenities of the area

NOW THEREFORE the Mayor Aldermen and Burgesses of the London Borough of Ealing acting by the Council HEREBY DIRECT that the permission granted by article 3 of the Town & Country Planning General Development Order 1973 shall not apply to paragraphs 1 2 and 4 in Class I and paragraphs 1 2 and 3 in Class II of the First Schedule of the said Order

GIVEN under the Common Seal of The Mayor Aldermen and Burgesses of the London Borough of Ealing the twelfth day of February 1975

Arthur Surry
Mayor

N L Green
Deputy Town Clerk (The Proper Officer)

LS

Footnote:

A copy of the Classes referred to in the Direction may be seen at the Council's Town Planning Office.