

ARTICLE IV DIRECTION

NUMBER 88

PROPERTIES COVERED

1-55 Brewster Gardens, 2-56 Bracewell Road

NUMBER OF DOCUMENTS

14 pages

NUMBER OF PLANS

0 plans

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT
ORDER 1977

LONDON BOROUGH OF HAMMERSMITH AND FULHAM
(BREWSTER GARDENS AND BRACEWELL ROAD)
TOWN AND COUNTRY PLANNING DIRECTION 1979

DIRECTION UNDER ARTICLE 4
of the
TOWN AND COUNTRY PLANNING GENERAL
DEVELOPMENT ORDER 1977

WHEREAS the Mayor and Burgesses of the London Borough of
Hammersmith and Fulham ("the Council") being the appropriate
local planning authority within the meaning of Article 4
of the Town and Country Planning General Development Order
1977 ("The 1977 Development Order") are of the opinion that
development of the description set out in Schedule I hereto
should not be carried out on the land described in Schedule III
hereto ("The Land") unless permission therefore is granted
on application made under the 1977 Development Order

AND WHEREAS the Council are further of the opinion that
development of the said descriptions would be prejudicial
to the proper planning of the area in which The Land is
located and would constitute a threat to the amenities thereof
and that the provisions of paragraph (3)(b) of the said Article
4 should apply to this Direction

NOW THEREFORE the Council in pursuance of the powers conferred
upon them by the said Article 4 hereby direct that the
permission granted by Article 3 of the 1977 Development Order
shall not apply to development on The Land of the descriptions
set out in Schedule I hereto

THIS DIRECTION which may be cited as The London Borough of
Hammersmith and Fulham (Brewster Gardens and Bracewell Road)
Town and Country Planning Direction 1979 is made in pursuance
of paragraph (3)(b) of the said Article 4 and shall

The classes of development to which this Direction applies are :-

- (1) All extensions to the rear of the properties referred to in Schedule II hereto including rear roof extensions being development comprised within Class 1(i) of the First Schedule to the 1977 Development Order and not being development comprised within any other Class and
- (2) The erection of any building or structures within the curtilage of the properties referred to in Schedule II hereto being development comprised within Class 1(3) of the First Schedule to the 1977 Development Order and not being development comprised within any other class

SCHEDULE II

The land included in this Direction comprises those properties situate at:-

- (1) Nos. 1 - 55 (odd inclusive) Brewster Gardens
 - (2) Nos. 2 - 56 (even inclusive) Bracewell Road
- being the properties shown coloured on the plans annexed hereto

Dated the 13th day of November 1979

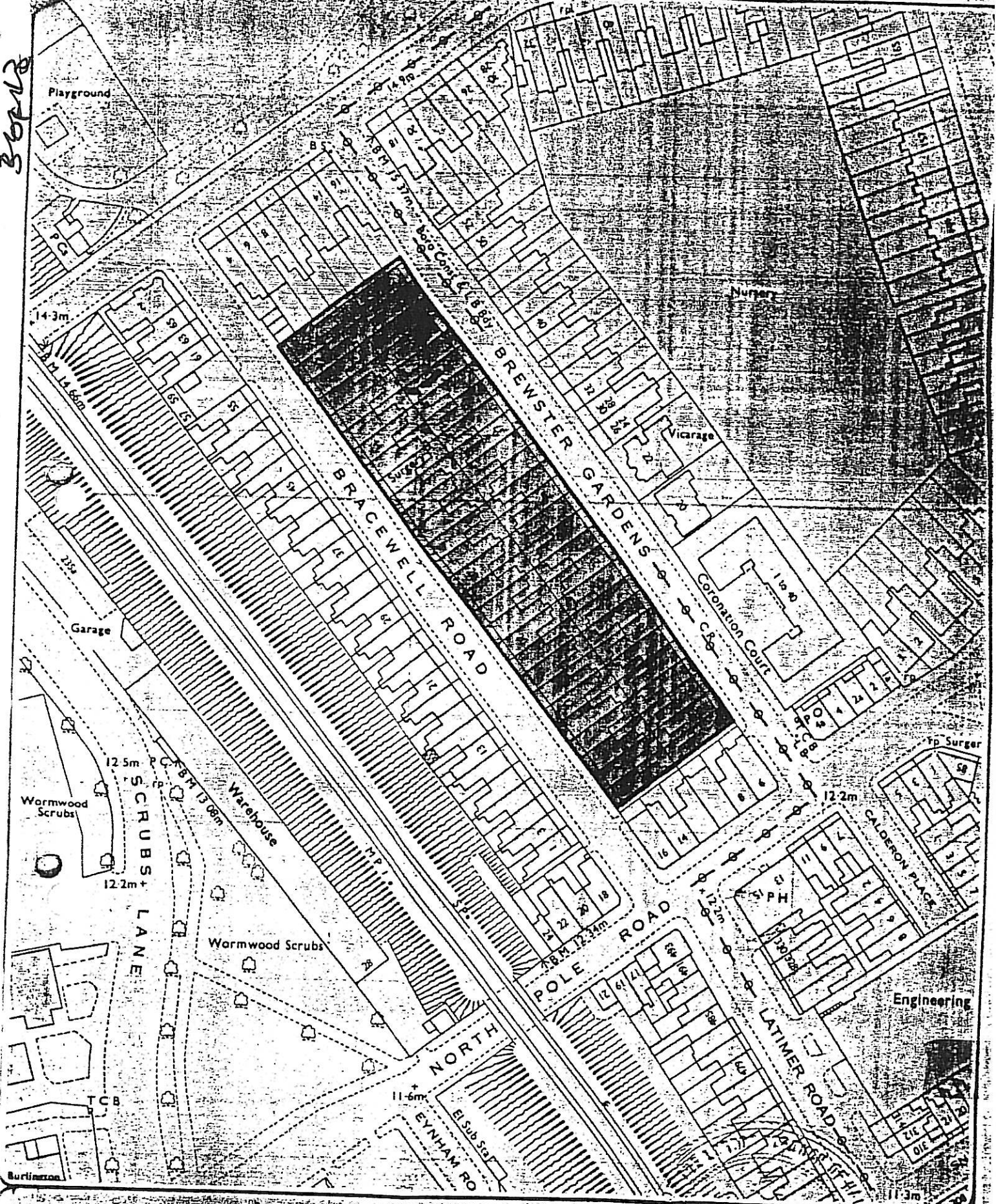
THE COMMON SEAL OF THE COUNCIL OF THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM was hereunto affixed in the presence of:-

James Ruck
Authorised Officer.



2574

36/12



Properties included in the Direction

**BREWSTER GARDENS
BRACEWELL ROAD TOWN &
COUNTRY PLANNING ACT
1979**

Scale: 1:1250
 Date of Issue: 23-10-79
 Drawing No: P/405/15/2
 London Borough of Hammersmith & Fulham

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Development Planning

William A. McKee
BA MSc(Eng) DIC DipTP MRTPI MIHE

Address letters to
The Director of Development Planning

When telephoning ask for:
Mr. T.W. Adam (Ext 427)

Our ref: TWA/CV/Pt 4.14

Your ref:

Date: 7th December, 1979

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1971 AND
TOWN AND COUNTRY GENERAL DEVELOPMENT ORDER 1977
BREWSTER GARDENS AND BRACEWELL ROAD
TOWN AND COUNTRY PLANNING DIRECTION 1979

The back gardens to some houses in Brewster Gardens and Bracewell Road are very small. Under the Town and Country Planning General Development Order 1977 planning permission is not normally needed to build small rear extensions to these properties if they are occupied by one household. However, uncontrolled rear extensions could result in undesirable back to back development, serious loss of daylight to dwellings, impair visual amenity generally and diminish the usefulness of the remaining garden spaces.

The Council therefore decided to make a Direction under Article 4 of the General Development Order 1977 affecting extensions at the rear of your property.

Generally speaking, this means that, in future, specific planning permission must be obtained before any development can take place at the rear of the properties. Thus for example the following types of work proposed at your property may not now be carried out without planning permission: the erection of rear extensions at ground, first floor and roof levels, and the erection of any buildings or structures within the curtilage of the rear of the property.

This does not mean that permission would necessarily be refused - just that the Council will be given the chance to ensure that any new structures erected at the rear of the properties do not constitute a threat to the amenities of the area. The aim is not to prevent all development but to protect the area (and thus the interests of those living there) by allowing only those developments that are in keeping with its overall character. If you are in doubt about whether you need to apply for permission for any development you may propose to carry out, please contact my office for advice.

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The Direction takes effect immediately. It has been submitted to the Secretary of State whose confirmation has to be given for it to remain in force beyond the next six months. If you have any comments on the above, please send them either to my assistant, Mr. Adams at the Town Hall or direct to the Secretary of State at 2 Marsham Street, London SW1.

A copy of this letter is enclosed in a separate envelope for the attention of the owner of the property; if you are not yourself the owner, please ensure that he or she receives it as soon as possible.

I will write to you again if the Secretary of State decides not to confirm the Direction.

Yours faithfully,



Director of Development Planning

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977

LONDON BOROUGH OF HAMMERSMITH AND FULHAM (BREWSTER GARDENS & BRACEWELL ROAD)

TOWN AND COUNTRY PLANNING DIRECTION 1979

STATEMENT OF REASONS

1. The Mayor and Burgesses of the London Borough of Hammersmith and Fulham ("the Council") are the appropriate Local Planning Authority within the meaning of the Town and Country Planning General Development Order 1977 ("the 1977 Development Order") in respect of the area which includes the properties described in Appendix A hereto ("the Properties")
2. The Council have made the London Borough of Hammersmith and Fulham (Brewster Gardens & Bracewell Road) Town and Country Planning Direction 1979 ("the Direction") the effect of which is that development of the Properties in the manner specified in Appendix B hereto shall not be carried out unless planning permission in respect thereof has been granted by either the Council or the Secretary of State for the Environment
3. This Statement gives the Council's reasons for making the Direction. It consists of the following:
 - Section 1 A description of the area covered by the Direction and of the character of the surroundings

Section 2

An explanation of the grounds on which the Council consider the Direction is needed

Section 3

An account of the measures taken to let interested parties know of the proposed Direction and of the results of these consultations

Section 4

A summary

Appendix A

Identification of the Land included in the Direction

Appendix B

The Classes of development included in the Direction

Appendix C

Photographs

THE AREA

1.1 The properties are as described in Appendix A hereto and as shown coloured black on the plan therein referred to

1.2 Brewster Gardens and Bracewell Road are adjacent residential streets and the area predominantly residential in character. To the north of the Properties is little Wormwood Scrubs public open space; to the south is North Pole Road where there is a small parade of local shops with residential uses above. The streets are flanked to the east and west by residential properties

1.3 Details of the Properties are as follows:-
Two-storey terraced houses red-bricked with projecting bay windows at ground and first floor level surmounted by chipped roofs at the front. At the rear the houses, which back on to each other, have small gardens overshadowed by existing three-storey back additions common to all the Properties. These back additions project by about 18' from the rear main walls of the Properties and there is a distance of only 22' between the rear faces of the back additions

2.0 GROUNDS FOR THE DIRECTION

2.1 Particular features of the Properties are their extremely limited rear gardens

Planning permission for single storey rear extensions to existing back additions was granted in 1966 and 1968 for Nos. 53 and 31 Brewster Gardens respectively similar extensions have been built to Nos. 3 and 11 Brewster Gardens as permitted development

The extensions referred to above have been built to the rear boundary walls and if such development were carried out at all of the Properties it would result in a most undesirable form of back-to-back housing. This would be most detrimental to the amenities of individual houses as it would seriously reduce the amount of garden space available for their domestic use and personal enjoyment. Furthermore it would cause detriment to the terrace as a whole by increasing the bulk of building in relation to open space

3.0

CONSULTATIONS

3.1

On 21st April 1978 the Director of Development Planning of the Council wrote to the occupiers/owners of the Properties which are subject to the Direction as follows:-

"TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977
DIRECTION UNDER ARTICLE 4 IN RESPECT OF EXTENSIONS TO THE
REAR OF PROPERTIES IN BREWSTER GARDENS AND BRACEWELL RD NW10

The Council is concerned at the possibility of back to back development between Brewster Gardens and Bracewell Road and is therefore proposing to make a Direction to control certain types of development. This would mean that planning permission would be required for all extensions at the rear of properties including roof extensions at the rear, and also for the erection of any buildings or structures in the back gardens. Obviously, it would still be open to the Council to grant planning permission for such development, depending on the merits of the application.

The proposed Direction has to be approved by the Secretary of State for the Environment before it comes into force. If you have any comments to make on the proposal please would you send them to me within 21 days of the date of this letter.

All comments will be forwarded to the Secretary of State who will take them into account when making his decision.

3.2

The following replies have been received.
From P.E. Jones of 7 Brewster Gardens:-

"In answer to your circular letter dated 24/4/78 We have the following comments to make. We are in the unfortunate position of being next to No. 5 Brewster Gardens which has one of these large brick extensions for the tenant to do their cooking and washing in and has been used as late as 2 a.m. accompanied by loud music. Because that landlord built this monstrosity without planning permission and proceeded to fill it with lodgers, we have lost our peace and privacy and also a financial loss on our property as no one would buy our house as a family home to live next door to a "doss house".

So I presume that if this extension building is allowed to go unchecked many ordinary Hammersmith people will leave and Brewster Gardens and Bracewell Road will become streets of lodging houses.

There are three people living here my wife and I and our tenant a widow of 77 she pays us a controlled rent of about £1.00 plus rates. I presume No. 5 pays the same rates and water rates as we do, but the mind boggles at the amount of money the owner of No. 5 puts in his pocket every week.

As the application of the landlord of No. 5 was turned down last September, we were informed of this by the Borough we are still awaiting developments We lost our late neighbours pretty little garden with laburnum trees, lilacs and rambling roses in exchange for that awful extension, a breeding ground for vermin, the back garden paths have not been swept or cleared since the house changed hands and some one elses financial gain".

From Mr & Mrs. Lawrence of 9. Brewster Gardens.

"Thank you for your letter of 21 April 1978. It would be quite inconceivable for the council to grant planning permission for any more back to back development between Brewster Gardens and Bracewell Road. At the rear of the properties in Brewster Gardens and Bracewell Road there is very little space for the erection of buildings or structures in the back gardens. The occupants have an area, at the rear, measuring only 12 ft. by 10 ft. which consists of a small garden, which also has to be utilised for hanging out laundry. The erection of any more buildings or structures in the back gardens would obscure the daylight in all the rooms at the rear of the houses and the little sunlight we get now would be practically obliterated".

From Mrs. Roberts of 13 Brewster Gardens

"In reply to your letter about the back development between Brewster Gardens and Bracewell Road. I live at No. 15 Brewster they have just finished No. 11 we have had enough of that. My front is got to be done again but still that as been done for people to live in. I dont hold on with these people having extensions on the backs. We are too much on top of one another now it drives you mad when they start their music up. Bracewell Road should have been pulled down when they were going to do it would have given us a bit more space thats what they should have done, it gets dark enough in the bottom when you have high fences".

From Rose Jackson of 19 Brewster Gardens

"Thank you for your letter of 24/4/78 informing the owners/residents of Brewster Gardens and Bracewell Road that you are proposing to control certain types of development at the rear of our properties. I have recently felt concerned about the amount of light that might be blocked out by the construction of rear extensions to these houses as well as the increase of noise and general feeling of being crowded in, overlooked and neighbours being on top of each other. As it is in my case at least and I should imagine it is the same along the whole of the street, the dining walls with the house next door is very thin and lets most of the sound through! I only wish to say that I welcome and fully support your proposal".

3.3 No other comments or observations regarding the Direction have been received.

4.0 SUMMARY

4.1 For the reasons before outlined the Council consider that any uncontrolled development of the Properties in the manner described in Appendix B hereto would be prejudicial to the proper planning of the area in which the Properties are located and would constitute a threat to the amenities thereof.

4.2 It is accordingly submitted that the Direction is required in order that the Council may control such development of the Properties

Appendix A

The Land included in the Direction comprises those properties situate at:-

- (1) Nos. 1 - 55 (odd inclusive) Brewster Gardens
 - (2) Nos. 2 - 56 (even inclusive) Bracewell Road
- being the properties shown coloured black on the plan annexed hereto.

Appendix B

The classes of development covered by the Direction are:

1. all extensions to the rear of the Properties including rear roof extensions being development included within Class 1 (1) of the First Schedule to the 1977 Development Order and not being Development comprised within any other class and
2. the erection of any building or structures within the curtilage of the Properties being development included within Class 1 (3) of the First Schedule to the 1977 Development Order and not being development comprised within any other class.

APPENDIX C PHOTOGRAPHS

