

The Article 4 Direction: 201 to 247 Aylestone Road
LEICESTER CITY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) ORDERS 1977 to
1981

ARTICLE 4 DIRECTION

WHEREAS The Leicester City Council being the appropriate local planning authority within the meaning of Article 4 of The Town and Country Planning (General Development) Orders 1977 to 1981 are of the opinion that development of the descriptions set out in the Schedule hereto should not be carried out on land at 201 to 247 Aylestone Road, Leicester, being the land shown edged in red on the plan annexed hereto unless permission therefore is granted on application made under the Town and Country Planning (General Development) Orders 1977 to 1981.

AND WHEREAS the Council are further of the opinion that development of the said descriptions would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that paragraph 3(b) of the said Article 4 should apply to this Direction.

NOW THEREFORE the said 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 Town and Country Planning (General Development) Orders 1977 to 1981 shall not apply to development on the said land of the descriptions set out in the Schedule hereto.

THIS DIRECTION is made in pursuance of the provisions of paragraph 3(b) of the said Article 4 and shall remain in force until the 2nd day of September, 1983, (being six months from the date of this Direction) and will then expire unless it has been approved by the Secretary of State for the Environment before that date.

SCHEDULE

Class I - Development within the curtilage of a dwellinghouse

1. The enlargement, improvement or other alteration of a dwellinghouse so long as:

(a) the cubic content of the original dwellinghouse (as ascertained by external measurement) is not exceeded by more than -

(i) in the case of a terrace house, 50 cubic metres or ten per cent, whichever is the greater; or

(ii) in any other case, 70 cubic metres or fifteen per cent, whichever is the greater,

subject (in either case) to a maximum of 115 cubic metres;

(b) the height of the building as so enlarged, improved or altered does not exceed the height of the highest part of the roof of the original dwellinghouse;

(c) no part of the building as so enlarged, improved or altered projects beyond the forwardmost part of any wall of the original dwellinghouse which fronts on a highway;

(d) no part of the building (as so enlarged, improved or altered) which lies within a distance of two metres from any boundary of the curtilage of the dwellinghouse has, as a result of the development, a height exceeding four metres;

(e) the area of ground covered by buildings within the curtilage (other than the original dwellinghouse) does not thereby exceed fifty per cent of the total area of the curtilage excluding the ground area of the original dwellinghouse:

Provided that:-

(a) the erection of a garage or coachhouse within the curtilage of the dwellinghouse shall be treated as the enlargement of the dwellinghouse for all purposes of this permission (including the calculation of cubic content) if any part of that building lies within a distance of five metres from any part of the dwellinghouse;

(b) the erection of a stable or loose-box anywhere within the curtilage of the dwellinghouse shall be treated as the enlargement of the dwellinghouse for all purposes of this permission (including the calculation of cubic content);

(c) for the purposes of this permission the extent to which the cubic content of the original dwellinghouse is exceeded shall be ascertained by deducting the amount of the cubic content of the original dwellinghouse from the amount of the cubic content of the dwellinghouse as enlarged, improved or altered (whether such enlargement, improvement or alteration was carried out in pursuance of this permission or otherwise);

(d) where any part of the dwellinghouse will, as a result of the development, lie within a distance of five metres from an existing garage or coachhouse, that building shall (for the purpose of the calculation of cubic content) be treated as forming part of the dwellinghouse as enlarged, improved or altered; and

(e) the limitation contained in subparagraph (d) above shall not apply to development consisting of:-

(i) the insertion of a window (including a dormer window) into a wall or the roof of the original dwellinghouse, or the alteration or enlargement of an existing window; or

(ii) any other alterations to any part of the roof of the original dwellinghouse.

Class I

2. The erection or construction of a porch outside any external door of a dwellinghouse so long as:

(a) the floor area does not exceed 2 square metres;

(b) no part of the structure is more than 3 metres above the level of the ground;

(c) no part of the structure is less than 2 metres from any boundary of the curtilage which fronts on a highway.

Class I

4. The construction within the curtilage of a dwellinghouse of a hardstanding for vehicles for a purpose incidental to the enjoyment of the dwellinghouse as such.

Class II - Sundry minor operations

1. The erection or construction of gates, fences, walls or other means of enclosure not exceeding 1 metre in height where abutting on a highway used by vehicular traffic or 2 metres in height in any other case, and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure: so long as such improvement or alteration does not increase the height above the height appropriate for a new means of enclosure.

Class II

3. The painting of the exterior of any building or work otherwise than for the purpose of advertisement, announcement or direction.

THE COMMON SEAL of the
Leicester City Council
was hereunto affixed on
the 2nd day of March 1983.

(signed)

City Attorney

The Article 4 Direction was approved by the Secretary of State for the Environment on 30th August 1983.

