

## **TRAFFORD COUNCIL**

**Report to:** Planning and Development Management Committee  
**Date:** 26 September 2024  
**Report for:** Information  
**Report of:** Head of Planning and Development

### **Report Title**

**273 Davyhulme Road Davyhulme Manchester M41 8GA: Making of immediate Article 4 direction to remove permitted development rights for the demolition of the building.**

### **Summary**

This report informs Members of the Planning and Development Management Committee of the making of an immediate Article 4 Direction, removing permitted development rights for the demolition of 273 Davyhulme Road, Davyhulme Manchester M41 8GA, which has taken place since the previous meeting of the Committee on 8 August 2024.

The decision was made by the Chair and Vice Chair of the Planning and Development Management Committee together with the Corporate Director of Place by reason of urgency and because the matter constituted 'an emergency action which cannot reasonably await the next meeting'. This was because, in order to prevent the demolition of the building, an Article 4 Direction needed to be made before the expiry of an application for prior approval for demolition on 3 September 2024.

The Opposition Spokesperson was not available for consultation within the relevant timescales but subsequently confirmed that had they been, they would have been minded to approve the report. The Chair of the Committee confirmed he was willing to proceed in the absence of the Opposition Spokesperson.

The immediate Article 4 direction was made on 29 August and came into effect on 30 August. The prior approval application for the demolition of the building was subsequently refused on the 2 September.

### **Recommendation**

That the Planning and Development Management Committee

- (i) Note the contents of this report and appended report for information.

**Contact person for access to background papers and further information:**

Name: Rebecca Coley

Extension: 4788

**1.0 INTRODUCTION AND BACKGROUND**

1.1 This report is brought to the Planning and Development Management Committee to inform the Committee of the making an immediate Article 4 direction in relation to 273 Davyhulme Road, Davyhulme.

1.2 Point 5 under 'General Provisions' of Trafford Council's Scheme of Delegation states the following:

*'With regard to situations which arise between Committee or Executive meetings and require emergency action which cannot reasonably await the next meeting, the Chief Executive, relevant Corporate Director or Director of Legal and Democratic Services has authority to take such action in consultation with the Chairman, Vice-Chairman and Opposition Spokesperson of the Committee concerned (or with such of the latter as are available for consultation) or with the relevant Executive Portfolio Holder and subject to a subsequent report to the next meeting of the Committee or the Executive.'*

1.3 On 6 August 2024 the Council received an application for Prior Approval under Schedule 2, Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the demolition of the existing dwelling at 273 Davyhulme Road, M41 8GA. These types of application have a deemed consent if undetermined within 28 days, and the application can only take into account very limited matters, and cannot be refused on heritage grounds. Demolition of the property would have resulted in the total loss of a non-designated heritage asset. The application would have had to be approved unless an immediate Article 4 Direction was served removing permitted development rights for demolition at this property.

1.4 Article 4 Directions are normally taken to Planning and Development Management Committee for their approval. However, given the constrained timescales it would not have been possible to take the making of an immediate Article 4 Direction to this Planning Committee as the Prior Approval application would already have expired. Officers considered this a situation that arose between Committee meetings, and required emergency action which could not reasonably await the next meeting. As such, Point 5 under 'General Provisions' of Trafford Council's Scheme of Delegation was engaged and a report was

submitted to the Chairman, Vice-Chairman and Opposition Spokesperson of the Committee for their approval. This is appended to this report.

- 1.5 The Chair and Vice-Chair issued their approval on the 21 August 2024. The Opposition Spokesperson was not available for consultation by the deadline given of 27 August although did subsequently confirm their approval on the 1 September 2024. The immediate Article 4 Direction was made on 29 August 2024 and came into effect on 30 August 2024. Prior approval for demolition was refused on 2 September 2024, as the permitted development rights relied upon were no longer available.

## **2.0 RECOMMENDATIONS**

That the Planning and Development Management Committee:

- (i) Note the contents of this report and appended report for information.

**Appendix 1:** Report to Chair, Vice Chair and Opposition Spokesperson of the Planning and Development Management Committee: *273 Davyhulme Road, Davyhulme, Manchester M41 8GA, Making of immediate Article 4 Direction to remove permitted development rights for the demolition of the building.*

## Appendix 1

### TRAFFORD COUNCIL

**Report to:** Chair, Vice Chair and Opposition Spokesperson of the Planning and Development Management Committee  
**Date:** 21 August 2024  
**Report for:** Decision  
**Report of:** Corporate Director of Place

### Report Title

**273 Davyhulme Road Davyhulme Manchester M41 8GA: Making of immediate Article 4 direction to remove permitted development rights for the demolition of the building.**

### Summary

This report sets out the reasons behind the proposal to make an immediate Article 4 Direction removing permitted development rights for the demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA. This report seeks approval from the Chair, Vice Chair and Opposition Spokesperson of the Planning and Development Management Committee ('Planning Committee') to make the immediate Article 4 Direction including undertaking statutory consultation requirements.

This report is brought to the Chair, Vice Chair and Opposition Spokesperson rather than to the full Planning Committee by reason of urgency. This matter constitutes 'emergency action which cannot reasonably await the next meeting'. An application for prior approval for demolition of 273 Davyhulme Road was made on 6 August 2024. Prior approval applications for demolition must be determined within 28 days of receipt otherwise approval is deemed to have been granted. This period expires on 3 September 2024. Prior approval applications for demolition cannot be refused on the grounds of heritage interest of the building and the only recourse to the Local Planning Authority if they wish to prevent demolition is via an immediate Article 4 Direction. The next meeting of the Planning Committee where this matter could be considered is not until Thursday 26 September 2024. The Article 4 Direction needs to be served before the expiry of the application for prior approval – i.e. on or before 3 September 2024, which is significantly before the next meeting of the Planning Committee.

### Recommendation

That the Chair, Vice Chair and Opposition Spokesperson of the Planning and Development Management Committee:

- (ii) Resolve that the making of an immediate Direction pursuant to Article 4(1) of the Town and Country Planning (General Permitted Development) (England)

Order 2015 to withdraw the permitted development rights to demolish 273 Davyhulme Road Davyhulme Manchester M41 8GA is appropriate, and justified, as demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA would be prejudicial to the proper planning of the area and constitutes a threat to the amenities of the area.

- (iii) Approve the making of the Article 4(1) Direction for 273 Davyhulme Road Davyhulme Manchester M41 8GA, the extent of which is shown in Appendix 2.
- (iv) Delegate authority to the Director of Legal and Governance and Monitoring Officer to make the Article 4(1) Direction for the land at 273 Davyhulme Road Davyhulme Manchester M41 8GA, as shown on the plan attached at Appendix 1 and delegate to the Corporate Director of Place authority to carry out all necessary consultation following the making of the Direction, to notify the Secretary of State in accordance with statutory requirements and to take all other action considered necessary or expedient to give effect to the matters set out in this report.
- (v) Confirm that the Article 4(1) Direction will be effective with immediate effect once made.
- (vi) Delegate authority to the Director of Legal and Governance and Monitoring Officer to confirm the Direction in due course if there are no objections.
- (vii) Request that subsequent planning applications involving the demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA and where the Article 4 Direction remains in force to be referred to the Planning and Development Management Committee for determination.
- (viii) Note that a report will be taken for information to the next meeting of the Planning and Development Management Committee.

**Contact person for access to background papers and further information:**

Name: Rebecca Coley

Extension: 4788

## **2.0 INTRODUCTION AND BACKGROUND**

2.1 This report is brought to the Chair, Vice Chair and Opposition Spokesperson rather than to the full Planning Committee by reason of urgency. This matter constitutes 'emergency action which cannot reasonably await the next meeting'. An application for prior approval for demolition of 273 Davyhulme Road was made on 6 August 2024. Prior approval applications for demolition must be determined within 28 days of receipt otherwise approval is deemed to have been granted. This period expires on 3 September 2024. Prior approval applications for demolition cannot be refused on the grounds of heritage interest of the building and the only recourse to the Local Planning Authority if they wish to prevent demolition is via an immediate Article 4 Direction. The next meeting of the Planning Committee where this matter could be considered is not until Thursday 26 September 2024. The Article 4 Direction needs to be served before the expiry of the application for prior approval – i.e. on or before 3 September 2024, which is significantly before the next meeting of the Planning Committee.

- 2.2 273 Davyhulme Road, known as 'Jawbone Cottage', is a presently vacant part-single part-two storey dwelling accessed immediately off Davyhulme Road and sitting adjacent to the course of Davyhulme Golf Club. The making of an immediate Article 4 direction has been prompted by the submission of a Prior Approval application made under Schedule 2, Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) to demolish the dwelling. The reference number for this application is 114179/DEM/24.
- 2.3 The 350sqm (approx.) site is located and accessed immediately off Davyhulme Road and sits almost within the grounds of Davyhulme Golf Club, the site incorporating the existing dwelling, a small outbuilding to the rear, low stone wall and metal gates to the front access off Davyhulme Road and a taller brick wall bounding the site to the east. The dwelling and access are located at the northern end of the site, with the southern end forming external residential curtilage. The site appears generally unmaintained and currently lies vacant.
- 2.4 The dwelling lies on the southern side of Davyhulme Road and is bound east, west and south by land belonging to and in use by Davyhulme Golf Club. Immediately north/north-west at Pleasant Drive sits a recently completed residential development of 8no dwellings. The surrounding context looking north-west to north-east is overwhelmingly suburban, low-density residential development. A location plan identifying 273 Davyhulme Road can be found in Appendix 2.
- 2.5 Demolition is development permitted under Article 3, Schedule 2, Part 11 of the GPDO. This requires the applicant to apply to the Local Planning Authority (LPA) for a determination as to whether the prior approval of the authority is required as to the method of demolition and any proposed restoration of the site. The LPA is not able to object to the demolition of a building in principle through this process, or on heritage grounds.
- 2.6 Article 4 of the GPDO allows for an LPA to make a Direction that certain classes of development set out in this Order should not be carried out unless permission is granted for it on application to the LPA. An immediate Article 4 Direction can be made if the Council considers that the development would be prejudicial to the proper planning of the area or would constitute a threat to the amenities of the area.
- 2.7 Schedule 3 of the GPDO sets out the procedure for the making of an Article 4 Direction, including the requirement to publicise such a direction.
- 2.8 It is the view of officers that the demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA would be prejudicial to the proper planning of the area and

constitutes a threat to the amenities of the area. The making of the Article 4 Direction is proposed only for 273 Davyhulme Road Davyhulme Manchester M41 8GA.

- 2.9 It is therefore proposed to make a Direction with immediate effect under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.10 The proposed Direction under Article 4 and Paragraph 2 of Schedule 3 of the GPDO will have the effect of withdrawing the permitted development rights conferred by the GPDO Class B of Part 11 of Schedule 2, relating to the demolition of the building. The Direction will cease to have effect after six months unless confirmed by the Council during that period. Under Class B of Part 11 of Schedule 2, development is permitted for any building operation consisting of the demolition of a building.
- 2.11 The effect of the immediate Article 4 Direction is that the building cannot be demolished unless a planning application is made and permission granted.

### **3.0 JUSTIFICATION FOR IMMEDIATE ARTICLE 4 DIRECTION**

- 3.1 Jawbone Cottage is a two storey cottage, rectangular in plan and sited on the southern side of Davyhulme Road. The building was originally constructed from brick with white painted cementitious render added in the 20th/early 21st century. The roof is pitched and clad with slate. The principal elevation faces west, comprising of two bays, one room deep on each floor, and is symmetrical in composition with central doorway. The building was later extended at ground floor to form a single storey kitchen extension (possibly late 19th century), conservatory and porch (late 20th / early 21st century).
- 3.2 The dwelling is understood to date from the early 18th century and this is supported by the Trading Places sales particulars (17th May 2023) which identifies 1728 as the date of construction. The building is shown on the Ordnance Survey first edition Lancashire 1:10560 map 1848 which also indicates the tradesman entrance and driveway to the east which served Davyhulme Hall and stables. This road was aligned with Bents Lane on the opposite of Davyhulme Road. Later historic mapping (OS 1895 & 1904), indicates the driveway was moved closer to Jawbone Cottage. Originally named Hulmesdale, the cottage was renamed after whale jaw bones were relocated there from an earlier lodge and entrance at Davyhulme Hall and installed in the garden. Evidence of part of the jawbone can be found in the rear garden to the south.
- 3.3 Historically, the site has long been associated with the Davyhulme Hall Estate, at one time a gate keepers lodge and also a gardener's cottage. Nevertheless, the orientation of the building faced towards fields to the west with the gable end

fronting Davyhulme Road suggesting an agricultural association. This is emphasised with the majority of the fenestration is focused on the west elevation, with two cambered arched windows at ground floor and two windows positioned under the eaves at first floor. Two chimney stacks are present one on each gable; the southern stack is internal and looks to be original with the external stack on the northern gable a later addition likely 19th century.

- 3.4 The dwelling is contemporaneous with Yewtree Farmhouse and barn to the north west of the site as well as other cottages towards the eastern end of Davyhulme Road, illustrating the growth of this rural settlement during this period. It is clear that the building has been the subject of alteration including the replacement of windows, application of render and uPVC additions. Whilst these cosmetic additions diminish some of the building's appearance, the vernacular construction is still identifiable through siting, scale, and form of the dwelling.
- 3.5 The former Davyhulme Hall Estate, now Davyhulme Golf Club forms an established landscape setting to the site. This surrounds the site to the east, west and south and lies adjacent to the long rear garden. This landscape is a remnant of the historic parkland which surrounded the Hall, stable block and ancillary buildings and incorporates elements of the 17th – 19th century design including the lake, pathways, lawn, lodge and Grade II listed commemorative urn. The latter is sited on the south side of Davyhulme Road and forms part of the 19th century parkland commemorating the burial of two racehorses. Whilst there is no intervisibility between the urn and 273 Davyhulme Road due to mature landscaping, the memorial reinforces the development of the former Davyhulme Hall Estate. The club house, lodge and former parkland are also considered to be non-designated heritage assets. It is noted that the rear garden to Jawbone Cottage reinforces this setting.
- 3.6 273 Davyhulme Road is not a listed building and is not located within a conservation area. Nevertheless, following investigation of the site and its history it is the view of officers that the property is a non-designated heritage asset in that it has a degree of heritage significance meriting consideration in planning decisions. The building was added to the draft List of Local Heritage Assets for Trafford on 16<sup>th</sup> May 2023 as it meets the criteria for doing so.
- 3.7 The significance of 273 Davyhulme Road derives from the its aesthetic and historic values. The coherence with dwellings of a similar period along Davyhulme amplifies this significance and the experience of one another. The dwelling also illustrates the historic development of Davyhulme during the 18th century and contributes strongly to the former Davyhulme Hall parkland.
- 3.8 The demolition of the building would lead to the total loss of its significance. It is therefore the view of officers that the demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA would be prejudicial to the proper planning of



the area and constitutes a threat to the amenities of the area and as such a planning application should be required to assess any proposal for demolition in full.

#### **4.0 USE OF AN IMMEDIATE ARTICLE 4 DIRECTION**

- 4.1 An Article 4 Direction can be used to remove specific permitted development rights from all or part of a local authority's area. It does not restrict development altogether but means that planning permission is required. The proposed Article 4 Direction does not seek to prevent any demolition, rather it seeks to ensure that any demolition is thoroughly assessed against the Development Plan and the future redevelopment of this site is managed to take account of and with a full understanding of the significance of the existing property. Should an application come forward to redevelop the site it would allow for a proper survey of the property and assessment of the most significant elements to assist in understanding to what extent the existing buildings could or should be retained and converted. There clearly needs to be a future viable use for this building and site and the Article 4 Direction will not prevent the Local Planning Authority from taking a pragmatic and balanced view but with all the necessary information available to it.
- 4.2 Paragraph 53(b) of the NPPF states that "The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities). Paragraph 54 goes on to state that "Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so."
- 4.3 Planning Practice Guidance (PPG) states that "The use of article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to= ... cases where prior approval powers are available to control permitted development".
- 4.4 In relation to immediate Article 4 Directions, the PPG states "The circumstances in which an immediate direction can restrict development are limited. Immediate directions can be made in relation to development permitted by Parts 1 to 4 and 11 of Schedule 2 to the General Permitted Development Order, where the development presents an immediate threat to local amenity or prejudices the proper planning of an area."

- 4.5 PPG also states that “If a local planning authority makes an article 4 direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn, but only if it then subsequently:
- refuses planning permission for development which would otherwise have been permitted development; or
  - grants planning permission subject to more limiting conditions than the General Permitted Development Order.

The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.”

- 4.6 Article 4 Directions can be either immediate or non-immediate. A non-immediate Direction requires the local planning authority to serve notice by way of a local advertisement, site notice and by writing to the owner and occupier of the land. The site notices must be in place for a period of not less than 6 weeks.
- 4.7 An immediate Article 4 Direction would take effect straight away. This will immediately remove the permitted development rights relating to demolition at 273 Davyhulme Road and will last for a 6 month period before which the Direction will either expire or be confirmed. A draft Direction can be found in Appendix 1.
- 4.8 Following an immediate Article 4 Direction, the Council is required to give notice of the decision by way of local advertisement, site notice and by serving notice to owners and occupiers of the land. The Direction must also be referred to the Secretary of State. After a period of 28 days, and no longer than 6 months, the Council decides whether to go ahead and confirm the Direction, taking into account any representations which have been received and depending on the outcome the Council can confirm the Direction to permanently withdraw the permitted development right. This decision would normally be taken by the Planning Committee.
- 4.9 The issue of compensation is considered further in sections 6.0 and 7.0 below.
- 4.10 There is no formal right of appeal against the making of an immediate Article 4 Direction. However, the owner or proposed developer of a building the subject of an Article 4 Direction may apply for planning permission for its demolition. If, following the making of an immediate Article 4 Direction, such an application was made it would have to be considered by the Council in the proper manner and there would be the usual right of appeal if the application was refused.

## **5.0 OTHER OPTIONS**

- 5.1 Option 1 – Do nothing

273 Davyhulme Road could be lost from the Davyhulme Road street-scene without full consideration to the impact this would have on the character and appearance of the area.

## 5.2 Option 2 – Make a non-immediate Article 4 Direction

A non-immediate Direction could be made which, if it comes into force 12 months after the Direction being issued, would remove the possibility of paying compensation.. However, it is likely that a further application for prior approval would be submitted and that 273 Davyhulme Road would be demolished within the intervening 12 months with the visual and heritage harm that that would entail.

## 6.0 CONSULTATION

6.1 Consultation has been carried out with the LPA's Heritage & Urban Design Manager for the purpose of providing evidence for this report.

6.2 Consultation is required to be carried out with the owners and occupiers of 273 Davyhulme Road Davyhulme Manchester M41 8GA in line with the regulations set out in the GPDO.

## 7.0 LEGAL IMPLICATIONS

7.1 There is no statutory appeal against the making of an Article 4 Direction. However, such a decision would be open to challenge by way of judicial review. In order to make an Article 4 Direction, the LPA must be satisfied that it is expedient that the permitted change of use should not be carried out unless permission is granted for it (see Article 4(1)). In making any such decision, it is important that the LPA takes into account all relevant guidance. Overall, provided that a LPA takes into account all relevant considerations, and applies the correct test, it is unlikely there would be a successful judicial review of an Article 4 direction.

7.2 Section 108 of the Town and Country Planning Act 1990 includes a provision that compensation can be sought where (i) the LPA makes an Article 4 Direction, (ii) an application is made for planning permission to carry out development that would formerly have been permitted by the GPDO and (iii) the LPA refuses that application or grants permission subject to conditions differing from those in the GPDO.

7.3 However, where 12 months' notice is given in advance of a Direction taking effect there will be no liability to pay compensation (provided that the development authorised by the new changes had not started before the notice was published). Where Directions are made with immediate effect or less than 12 months' notice, compensation will only be payable in relation to planning applications which are

submitted within 12 months of the effective date of the Direction and which are subsequently refused or where permission is granted subject to conditions.

- 7.4 Compensation may only be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.

## **8.0 FINANCIAL IMPLICATIONS**

- 8.1 The preparation of the Article 4 Direction can be undertaken using existing officer resource.
- 8.2 A claim for compensation can only arise if a subsequent planning application for demolition is refused. The level of compensation would be a material consideration in the determination of a subsequent planning application and so is an issue that would be considered at that point. There is no direct risk of compensation from the issuing of an immediate Article 4 Direction alone. It is therefore recommended that future planning applications for the demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA be referred back to the Planning Committee to allow appropriate oversight of this issue.
- 8.3 Any future report to the Committee in association with a relevant planning application would set out the level of compensation likely to be payable, underpinned by specialist advice from the Council's Development and Estates Service. Members will be able to take this information into account in the determination of that application.

## **9.0 HUMAN RIGHTS AND EQUALITIES**

- 9.1 Section 6 of the Human Rights Act 1998 requires public authorities to act in a way that is compatible with the European Convention on Human Rights. Various Rights may be relevant to this direction including Article 1 (protection of property) and Article 8 (Right to respect for a private and family life). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Any interference must be necessary and proportionate.
- 9.2 The rights of the individual have been considered against the wider public interest and it is determined that the Articles will not be triggered.
- 9.3 The Local Planning Authority has had regard to the provisions of the Equality Act 2010 in making this recommendation. The issuing of an Article 4 Direction would not have an adverse impact on protected groups.

## **10.0 RECOMMENDATIONS**

That the Chair, Vice Chair and Opposition Spokesperson of the Planning and Development Management Committee:

- (ii) Resolve that the making of an immediate Direction pursuant to Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 to withdraw the permitted development rights to demolish 273 Davyhulme Road Davyhulme Manchester M41 8GA is appropriate, and justified, as demolition of 273 Davyhulme Road would be prejudicial to the proper planning of the area and constitutes a threat to the amenities of the area.
- (iii) Approve the making of the Article 4(1) Direction for 273 Davyhulme Road Davyhulme Manchester M41 8GA the extent of which is shown in Appendix 2.
- (iv) Delegate authority to the Director of Legal and Governance and Monitoring Officer to make the Article 4(1) Direction for the land at 273 Davyhulme Road Davyhulme Manchester M41 8GA shown on the plan attached at Appendix 1 and delegate to the Corporate Director of Place authority to carry out all necessary consultation following the making of the Direction, to notify the Secretary of State in accordance with statutory requirements and to take all other action considered necessary or expedient to give effect to the matters set out in this report.
- (v) Confirm that the Article 4(1) Direction will be effective with immediate effect once made.
- (vi) Delegate authority to the Director of Legal and Governance and Monitoring Officer to confirm the Direction in due course if there are no objections.
- (vii) Request that subsequent planning applications involving the demolition of 273 Davyhulme Road Davyhulme Manchester M41 8GA and where the Article 4 Direction remains in force to be referred to the Planning and Development Management Committee for determination.
- (viii) Note that a report will be taken for information to the next meeting of the Planning and Development Management Committee.

### **Background Papers**

None.

**APPENDIX 1**

**DRAFT ARTICLE 4 DIRECTION (NOW MADE)**



**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
ORDER 2015, AS AMENDED**

**DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH PARAGRAPH 2 OF  
SCHEDULE 3 APPLIES**

**273 Davyhulme Road Davyhulme Manchester M41 8GA**

**WHEREAS** Trafford Borough Council being the appropriate Local Planning Authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) Order 2015, as amended, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged in red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

**NOW THEREFORE** the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015, as amended, hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

**THIS DIRECTION** is made under Article 4(1) of the said Order and, in accordance with Paragraph 2(6) of Schedule 3, shall remain in force until .....(*insert date*) (being six months from the date of this direction) and shall then expire unless it has been confirmed by the appropriate Local Planning Authority in accordance with Paragraph 7 of Schedule 3 before the end of the six month period.

**SCHEDULE**

**Any building operation consisting of the demolition of a building being development comprised within Class B & Class C of Part 11 of Schedule 2 to the said Order and not being development comprised within any other Class.**

**1. Made under the Common Seal of Trafford Borough Council**

**this .....day of.....2024**

**The Common Seal of the Council was affixed to this Direction in the presence of .....**

**Authorised Signatory**

**2. Confirmed under the Common Seal of Trafford Borough Council**

**this .....day of.....2024**

**The Common Seal of the Council was affixed to this Direction in the presence  
of .....  
Authorised Signatory**



**APPENDIX 2**

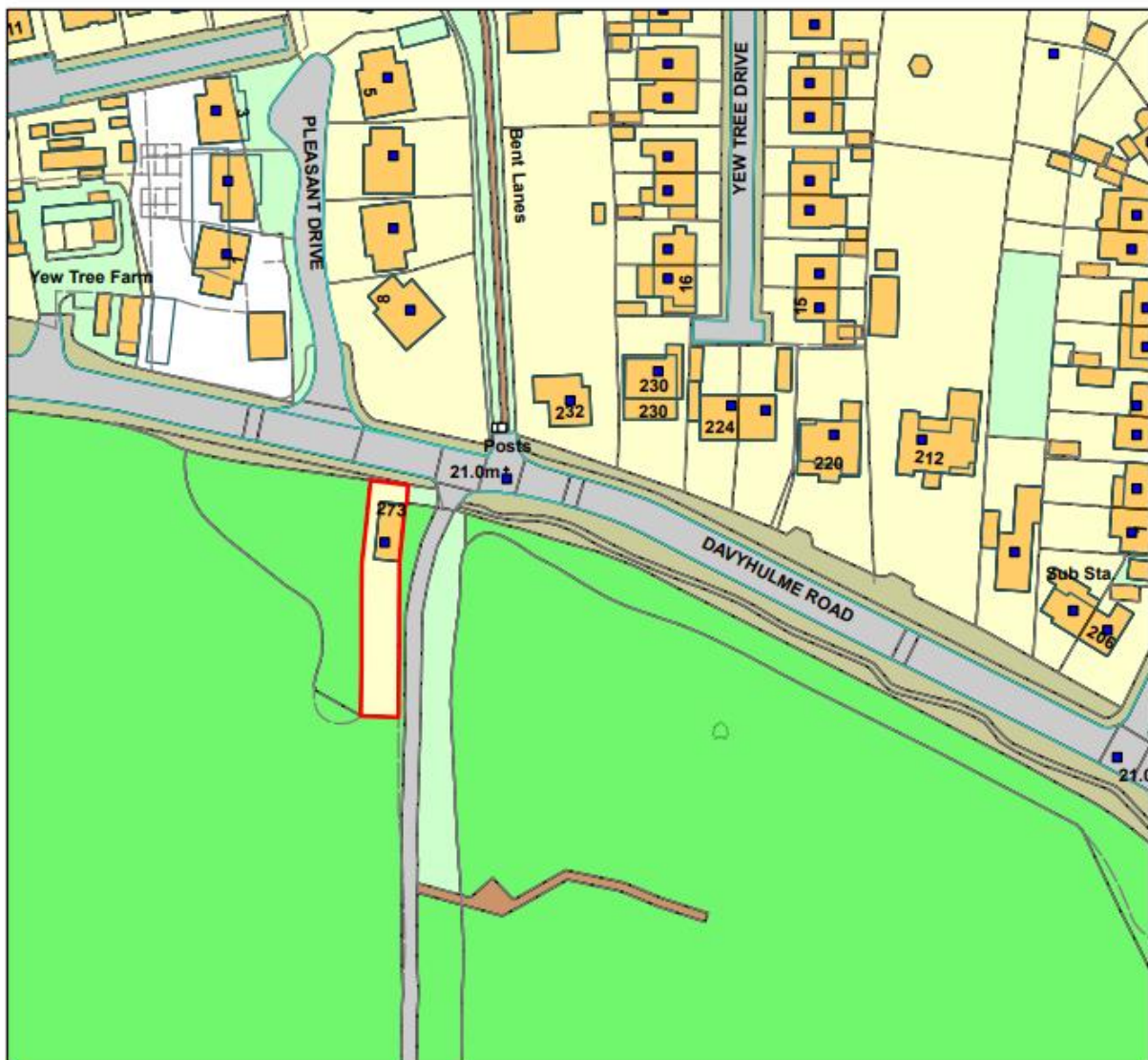
**ARTICLE 4 DIRECTION PLAN BOUNDARY**

**273 Davyhulme Road Davyhulme Manchester M41 8GA**



**TRAFFORD  
COUNCIL**

273 Davyhulme Road, Davyhulme



**Scale:** 1:1,250

**APPENDIX 3**

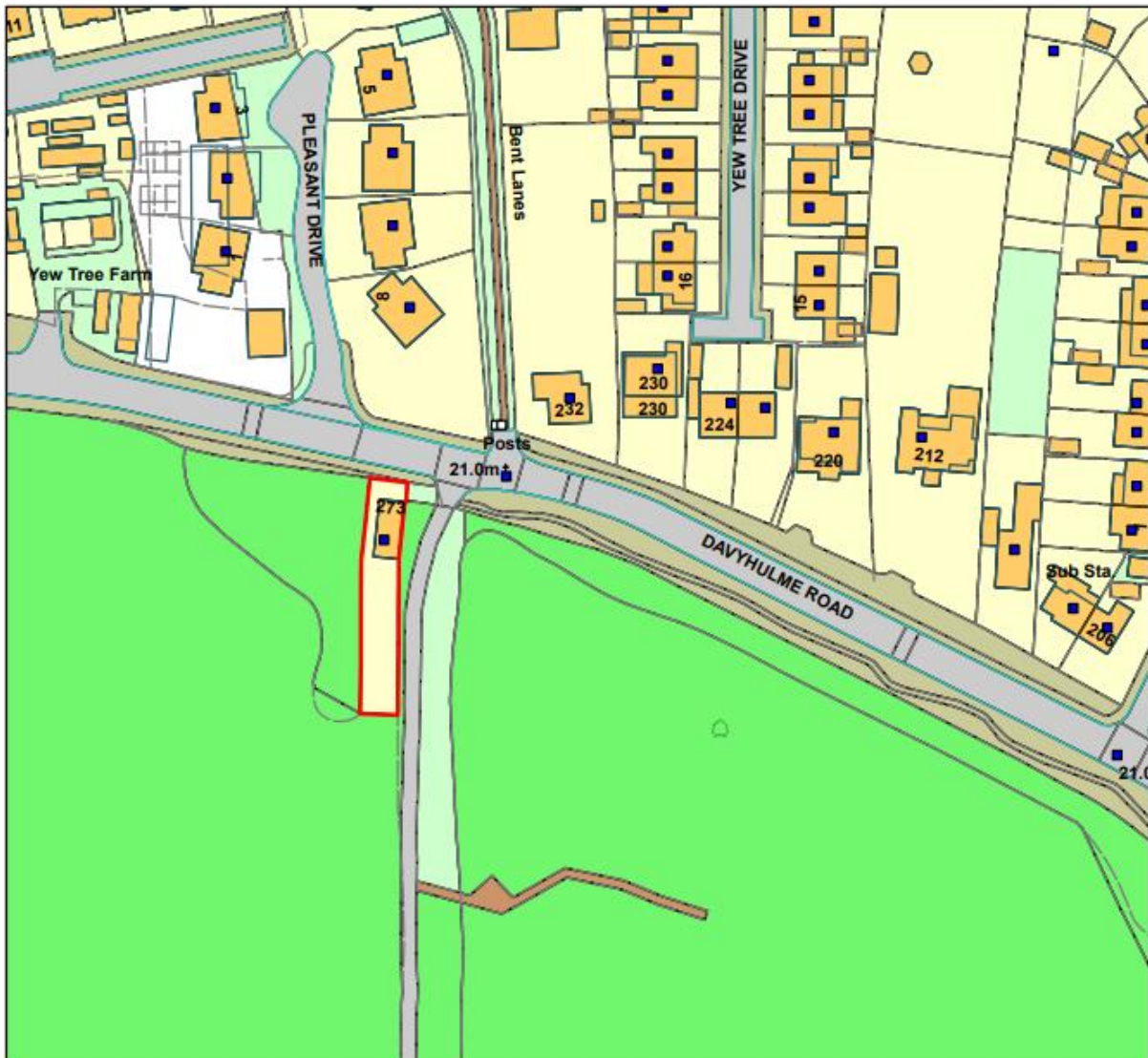
**SITE BOUNDARY**

**273 Davyhulme Road Davyhulme Manchester M41 8GA**



**TRAFFORD  
COUNCIL**

273 Davyhulme Road, Davyhulme



**Scale:** 1:1,250