



Departments of the Environment and Transport

South East Regional Office

Charles House 375 Kensington High Street London W14 8QH

Telephone 01-603 3444 ext

Chief Executive
Mid Sussex District Council
"Oaklands"
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Your reference ES P23/4

Our reference SE2/5405/19/8

Date 7th December 1984

Sir

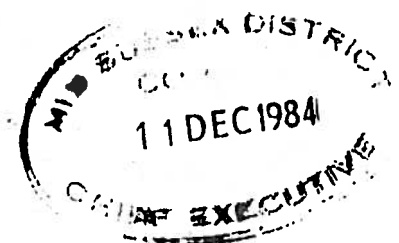
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977-1981
DIRECTION UNDER ARTICLE 4
RUSHFIELD NURSERIES AND ADJACANT LAND, FOYNINGS, WEST SUSSEX

1. I am directed by the Secretary of State for the Environment to refer to your letter of 22nd August and to return herewith one copy of the direction endorsed with his approval.
2. The Council's attention is drawn to the provisions of articles 4(5) and 4(6) of the General Development Order which relates to the service or publication of notice of the direction.

I am Sir

Your obedient Servant

D J MACVICAR



MID SUSSEX DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING GENERAL
DEVELOPMENT ORDER 1977

WHEREAS the MID SUSSEX DISTRICT COUNCIL of "Oaklands" Oaklands Road Havwards Heath in the County of West Sussex (hereinafter called "the Council") as Local Planning Authority is satisfied that it is expedient that development of the description set out in the Schedule hereto should not be carried out on land situate at Rushfield Nurseries and adjacent land to the north-east of the road A.2⁸¹ at Crossways Cottages Poynings West Sussex aforesaid (hereinafter called "the land") shown edged red on the plan attached hereto unless permission therefore is granted on an application in that behalf made under the Town and Country Planning General Development Order 1977

NOW THEREFORE the Council in pursuance of the powers conferred upon it by Article 4 of the Town and Country Planning General Development Order 1977 HEREBY DIRECTS that the permission granted by Article 3 of the said Order shall not apply to development on the land of the description set out in the Schedule hereto

THIS Direction may be cited as the "MID SUSSEX DISTRICT (RUSHFIELD NURSERIES AND ADJACENT LAND, POYNINGS) DIRECTION 1984

THE SCHEDULE

1. The carrying out on agricultural land having an area of more than one acre and comprised in an agricultural unit of building or engineering operations requisite for the use of that land for the purposes of agriculture (other than the placing on land of structures not designed for those purposes or the provision and alteration of dwellings), so long as:-

- (a) the ground area covered by a building erected pursuant to this permission does not, either by itself or after the addition thereto of the ground area covered by any existing building or buildings (other than a dwellinghouse) within the same unit erected or in course of erection within the preceding two years and wholly or partly within 90 metres of the nearest part of the said building, exceed 465 square metres;
- (b) the height of any buildings or works does not exceed 3 metres in the case of a building or works within 3 kilometres of the perimeter of an aerodrome, nor 12 metres in any other case;
- (c) no part of any buildings (other than moveable structures) or works is within 25 metres of the metalled portion of a trunk or classified road.

being development comprised within Class VI of Schedule 1 to the General Development Order 1977 and not being development comprised within any other class.

THE COMMON SEAL of MID
 SUSSEX DISTRICT COUNCIL
 was hereunto affixed on
 the 21st day of August
 1984 in the presence of:-



J. Palmer
 Authorised Officer.

The Secretary of State for the Environment
 hereby approves the foregoing direction.

[Signature]
 An Assistant Secretary
 in the Department of
 the Environment.

Issued by authority
 of the Secretary of
 State
 6th November 1984.

Site of Article 4 Direction



10/9/84

Handwritten signature
District Planning Officer

MID SUSSEX DISTRICT COUNCIL

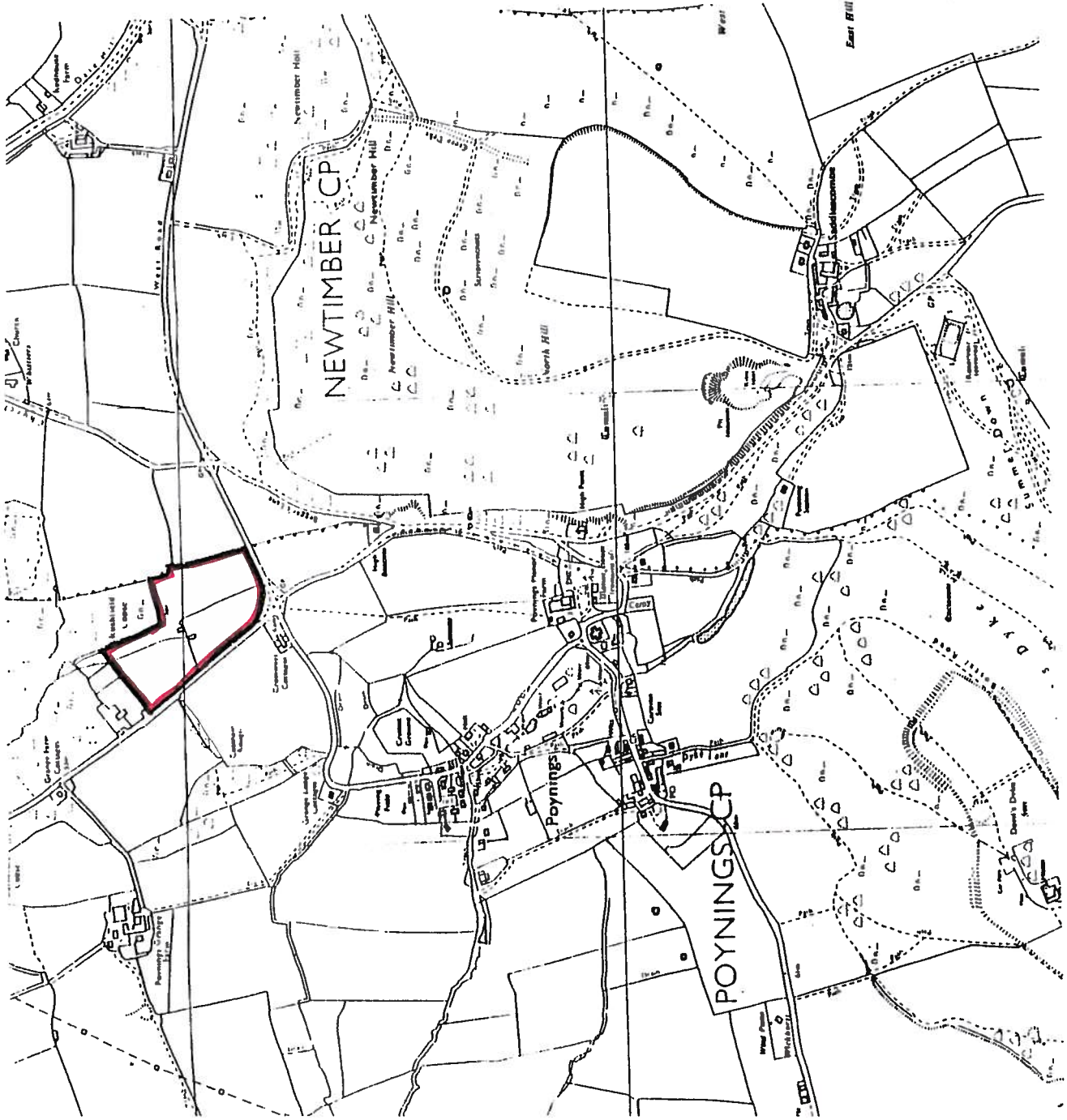
W. J. H. Hatton B.A. M.R.T.P.I. District Planning Officer,
38 Boltro Road Haywards Heath Sussex RH 16 1 LP

Location MID SUSSEX,
RUSHFIELD NURSERIES &
ADJACENT LAND,
POYNINGS.

L.A. Ref. PN/1/4 Scale 1:10,000

D.O.E. Ref. Date JUNE 1984

Drawing No. PLAN 1



ARTICLE 4 DIRECTION

Dated 21st August 1984

TOWN AND COUNTRY PLANNING
GENERAL DEVELOPMENT ORDER 1977

MID SUSSEX DISTRICT
(RUSHFIELD NURSERIES
AND ADJACENT LAND, POYNINGS)
DIRECTION 1984

MID SUSSEX DISTRICT COUNCIL

STATEMENT OF REASONS for making the MID SUSSEX DISTRICT (RUSHFIELD NURSERIES AND ADJACENT LAND, POYNINGS) DIRECTION 1984

EXPLANATORY NOTE

At its meeting held on the 17th April 1984, the Development Services Committee of the Mid Sussex District Council, resolved that a Direction be made in respect of Rushfield Nurseries and adjacent land, Poynings, West Sussex, concerning rights under Class VI(1) of Schedule 1 to the Town and Country Planning General Development Order 1977. Class VI(1) relates to:

" 1. The carrying out on agricultural land having an area of more than one acre and comprised in an agricultural unit of building or engineering operations requisite for the use of that land for the purposes of agriculture (other than the placing on land of structures not designed for those purposes or the provision and alteration of dwellings), so long as :-

- (a) the ground area covered by a building erected pursuant to this permission does not, either by itself or after the addition thereto of the ground area covered by any existing building or buildings (other than a dwellinghouse) within the same unit erected or in course of erection within the preceding two years and wholly or partly within 90 metres of the nearest part of the said building, exceed 465 square metres;
- (b) the height of any buildings or works does not exceed 3 metres in the case of a building or works within 3 kilometres of the perimeter of an aerodrome, nor 12 metres in any other case;
- (c) no part of any buildings (other than moveable structures) or works is within 25 metres of the metalled portion of a trunk or classified road.

Description of Area

The area of the proposed Direction covers 17.43 acres on slightly undulating ground at the foot of the South Downs. To the north is woodland whilst two boundaries front onto highways. Much of the area is grazing land with a new horticultural holding on one side ("Rushfield Nurseries"). Several of the old hedge boundaries remain whilst others have been replaced by post and wire fences. One field has been sub-divided into several paddocks.

Need for a Direction

Much emphasis is placed in Mid Sussex on the countryside protection policies of the West Sussex Structure Plan, which was approved by the Secretary of State in 1980. The following policies are incorporated within the Plan and are relevant to this issue :-

C1 (part) The Planning Authorities will seek to protect the countryside and to ensure that the amount of land taken for development is kept to a minimum. Development unrelated to the needs of agriculture, forestry, the extraction of minerals and, in appropriate cases, recreation and the disposal of waste will not normally be approved in the countryside.

Exceptions to this presumption may be made where the need for the development is overriding, or where secondary or linked uses will make the optimum use of land; however, exceptions are particularly unlikely to be permitted where the proposed development would ...

(2) be obtrusive in and damaging to the landscape, particularly in Areas of Outstanding Natural Beauty.

C2 New agricultural and horticultural buildings for which planning permission has to be obtained will be permitted only where their siting and design are not detrimental to the landscape and buildings of the countryside, and where they do not adversely affect other countryside resources.

Dwellings for agricultural and horticultural workers outside existing settlements will be permitted only when there is an overriding need for the dwelling to be in a particular location.

C5 (part) The Planning Authorities will seek to protect and enhance the quality and distinctive character of the landscape in different parts of the County in all their decisions concerned with development in the countryside; particular attention will be paid to existing and proposed Areas of Outstanding Natural Beauty.

C5A There will be a strong presumption against development and changes of land use and management which would be harmful to the visual quality and essential rural character of Areas of Outstanding Natural Beauty; applications for substantial new mineral workings or extensions of existing workings will be subject to the most rigorous examination because of their impact on the natural beauty of these areas.

Until recently these fields were part of a large holding and contained one old agricultural building in traditional materials - stained boarding under a plain tiled roof. After the holding was sub-divided, resulting in four small ownerships, a horticultural activity was started on one lot with a row of polythene tunnels and a small greenhouse, and a stable building/field shelter appeared on two others. As these buildings were ostensibly required for agricultural purposes they did not therefore require the express grant of planning permission.

The visual change in this fairly small area has been dramatic, mostly because of the nursery's business with its tunnels and signs. The area lies within the South Downs Area of Outstanding Natural Beauty which was confirmed by the Secretary of State on the 7th April 1966, and is in full view from the Downs at Newtimber Hill, which is owned by the National Trust (opening unrestricted). There is also a public footpath crossing the land in a south-west, north-east line.

From the public highways there is little to screen most of the various buildings that have been erected. They remain therefore in prominent view and, in the case of one tunnel, of a striking, discordant colour.

The nursery holding is expanding in terms of activity and the number of tunnels. The need to restore some control over its expansion and appearance in building terms is now urgent, since it is known that the owner is transferring his entire business to this site, and is intending to construct more buildings and another car park.

Publicity

The Poynings Parish Council have for some time been expressing "grave disquiet" (their words) at "the plethora of greenhouses, sheds and shelters of every description that appear to have been constructed lately".

The owners of the Rushfield Nurseries have been informed of the proposed Direction and of its consequences if approved. Through agents, they have formally requested that their site be excluded from such a Direction (copy letter attached).

Conclusion

The Council feels that the sub-division of the land together with the several buildings and structures that have been erected considerably mar the appearance of the locality. Therefore in the interests of the Area of Outstanding Natural Beauty a Direction under Article 4 is essential in order that future development proposals are to be subject to an application for the express grant of planning permission.



B.J. Grimshaw,
Chief Executive and Solicitor,
Mid Sussex District Council,
Oaklands, Oaklands Road,
Haywards Heath, West Sussex.

14th August, 1984.