

MID SUSSEX DISTRICT COUNCIL

MEMORANDUM

To: District Planning Officer

From: Chief Executive - Legal

My Ref: ES A35/7

Your Ref: HO/1/88 C/16

Date: 5th September 1988

Town & Country Planning General Development Orders 1977-1985
Direction under Article 4
Land, O.S. No. 5959, Vowels Lane, West Hoathly

I attach for your information, a copy of a letter today received from the Departments of the Environment and Transport in connection with the above together with a copy of the Direction approved, subject to modifications, by the Secretary of State on the 30th August 1988.

ES

Senior Legal Assistant

Jim

*Tracy - copies for
the planning files
& admin file.
Record on cards
etc.*

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MID SUSSEX DC.
- 6 SEP 1988
PLANNING DEPT

Good news!

Mr. Staqq - Article 4 Direction.



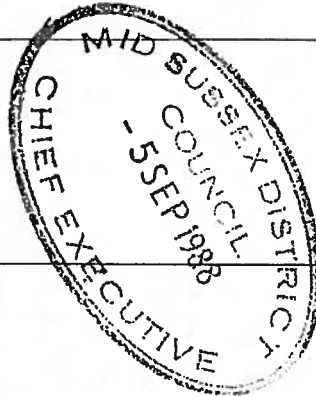
Departments of the Environment and Transport

South East Regional Office

Charles House 375 Kensington High Street London W14 8QH

Direct Line 01-605
Switchboard 01-605 9000
GTN 2570

Chief Executive
Mid Sussex District Council
"Oaklands", Oaklands Road
HAYWARDS HEATH
West Sussex
RH16 1SS



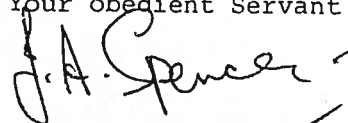
Your reference
ES/P 357
Our reference
SE2/5405/19/15
Date
30th August 1988

Sir

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977 (AS AMENDED)
DIRECTION UNDER ARTICLE 4
LAND AT VOWELS LANE, WEST HOATHLY

1. I am directed by the Secretary of State for the Environment to refer to your letter of 30 June 1988 seeking approval of an Article 4 Direction covering development within Class VI of the General Development Order 1977 (as amended).
2. Careful consideration has been given to the Council's reasons for making the Direction and an officer from the Department has visited the site.
3. Permitted development as set out in the General Development Order has been approved by Parliament to apply throughout England and Wales and must therefore not be locally withdrawn without very good reason. It is not the Secretary of State's practice to approve Directions under Article 4 unless it can be demonstrated that the circumstances for doing so are compelling.
4. The Council's wish to avoid unsympathetic development is understood and the Department is satisfied, on the information before it, that there is a specific threat of development which would be visually damaging to the area unless controlled; however, this threat has been shown in the Council's statement of reasons to be confined only to those developments described in paragraph 1 of Class VI and the submitted Direction has been approved as amended to bring under planning control only that type of development.
5. Accordingly, I return herewith a copy of the Direction endorsed with the Secretary of State's approval subject to the modifications shown in red ink thereon.
6. 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


J A SPENCER

ENC.

MID SUSSEX DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977 (AS AMENDED)

WHEREAS the MID SUSSEX DISTRICT COUNCIL of "Oaklands" Oaklands Road Haywards 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 comprising approximately 3.3 acres being Ordnance Survey parcel number 5959 on the north side of Vowels Lane, West Hoathly, West Sussex (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 (LAND O.S.NO.5959, VOWELS LANE, WEST HOATHLY) DIRECTION 1988"

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 alterations of dwellings), so long as :-

0900
1.036ha
2.56

- (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.

~~2. The erection or construction and the maintenance, improvement or other alteration of roadside stands for milk churns, except where they would abut on any trunk or classified road~~

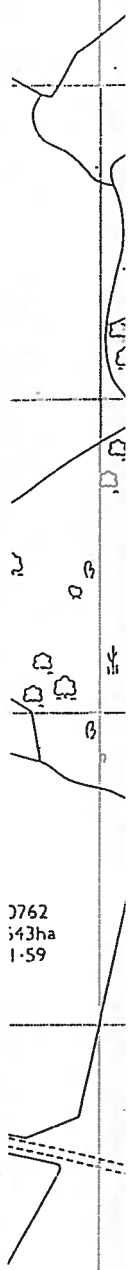
~~3. The winning and working, on land held or occupied with land used for the purposes of agriculture, any minerals, reasonably required for the purposes of that use, including :-~~

- (i) ~~the fertilisation of the land so used, and~~
- (ii) ~~the maintenance, improvement or alteration of buildings or works thereon which are occupied or used for the purposes aforesaid,~~

~~so long as no excavation is made within 25 metres of the metalled portion of a trunk or classified road~~

~~4. The carrying out of operations for the construction of fishponds (including the excavation of land and the winning and working of minerals) and other engineering operations on agricultural land used for the purposes of any business of fish farming or of shellfish farming which is registered in a register kept by the Ministry of Agriculture Fisheries and Food or the Secretary of State (as the case may be) for the purposes of any Order made under Section 7 of the Diseases of Fish Act 1983, where :-~~

- (a) ~~the area of the site within which the operations are carried out does not exceed 2 hectares~~
- (b) ~~no operations are carried out within 25 metres of the metalled portion of a trunk or classified road~~
- (c) ~~in a case where the operations involve the winning or working of minerals, they comply with both of the following limitations:-~~



0762
143ha
1.59

ST HOF

.EC T101

~~(i) that no excavation exceeds a depth of 2.5 metres, and~~

~~(ii) that the area of excavation (taken together with any other excavations carried out on the land within the preceding two years) does not exceed 0.2 hectares~~

paragraph 1 of

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

THE COMMON SEAL of MID SUSSEX DISTRICT COUNCIL was hereunto affixed this ~~Twenty-Ninth~~ day of ~~June~~ One thousand nine hundred and Eighty-eight



13492

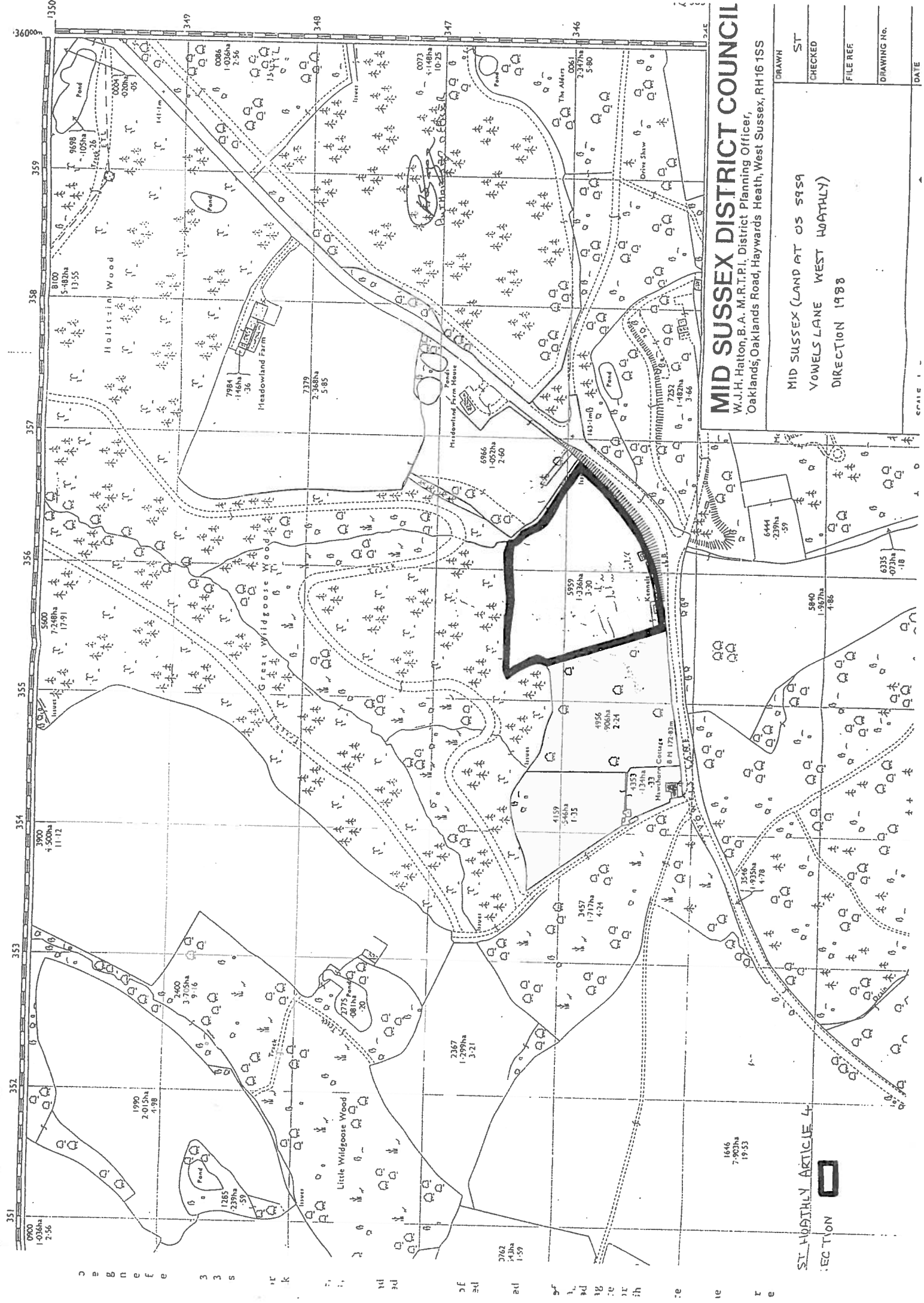
Authorised Officer

The Secretary of State for the Environment hereby approves the foregoing direction, ~~subject to the modifications shown in red ink thereon.~~ subject to the modifications shown in red ink thereon.

Signed by authority of the Secretary of State

A Regional Controller In the Department of the Environment.

30 August 1988



MID SUSSEX DISTRICT COUNCIL
 W.J.H. Hatton, B.A. M.R.T.P.I. District Planning Officer,
 Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS

DRAWN	ST
CHECKED	
FILE REF.	
DRAWING No.	
DATE	

MID SUSSEX (LAND AT OS 5959)
 VOWELS LANE WEST HOATHLY
 DIRECTION 1988

SECTION ARTICLE 4
 HOATHLY

DATED

29th June

1988

TOWN AND COUNTRY PLANNING
GENERAL DEVELOPMENT ORDER 1977

MID SUSSEX DISTRICT (LAND O.S. NO.
5959, VOWELS LANE, WEST HOATHLY)
DIRECTION 1988
