

MID SUSSEX DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

WHEREAS the MID SUSSEX DISTRICT COUNCIL of Oaklands Oaklands Road Haywards Heath in the County of West Sussex being the appropriate Local Planning Authority within the meaning of Article 4 of the Town and Country Planning General Development Order 1988 ("the Order") is satisfied that it is expedient that development of the descriptions set out in the Schedule hereto should not be carried out on land off Bylanes Close, Cuckfield, West Sussex, being the land shown edged red on the plan annexed hereto unless permission therefor is granted on application made in that behalf under the Town and Country Planning Act 1971

AND WHEREAS the Council considers that development of the said descriptions would constitute a threat to the amenities of their area

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

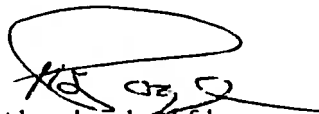
THIS DIRECTION is made in pursuance of the provisions of Article 4 (1) of the Order and by virtue of Article 5(5) of the Order shall remain in force until the 7th day of December 1989 (being six months from the date of this Direction) and will then expire unless it has been approved by the Secretary of State for the Environment before that date

This Direction may be cited as the "MID SUSSEX DISTRICT (LAND OFF BYLANES CLOSE, CUCKFIELD) DIRECTION 1989"

SCHEDULE

The erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure, being development comprised within Schedule 2, Part 2, Class A of the Order and not being development comprised within any other Class

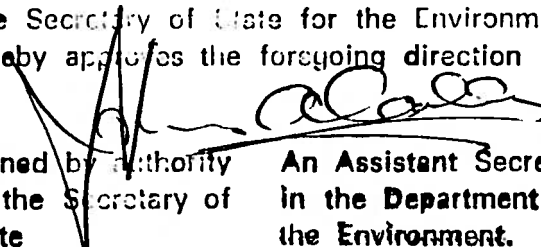
THE COMMON SEAL of MID SUSSEX DISTRICT COUNCIL was hereunto affixed this 7th day of June 1989 in the presence of:-


Authorised Officer



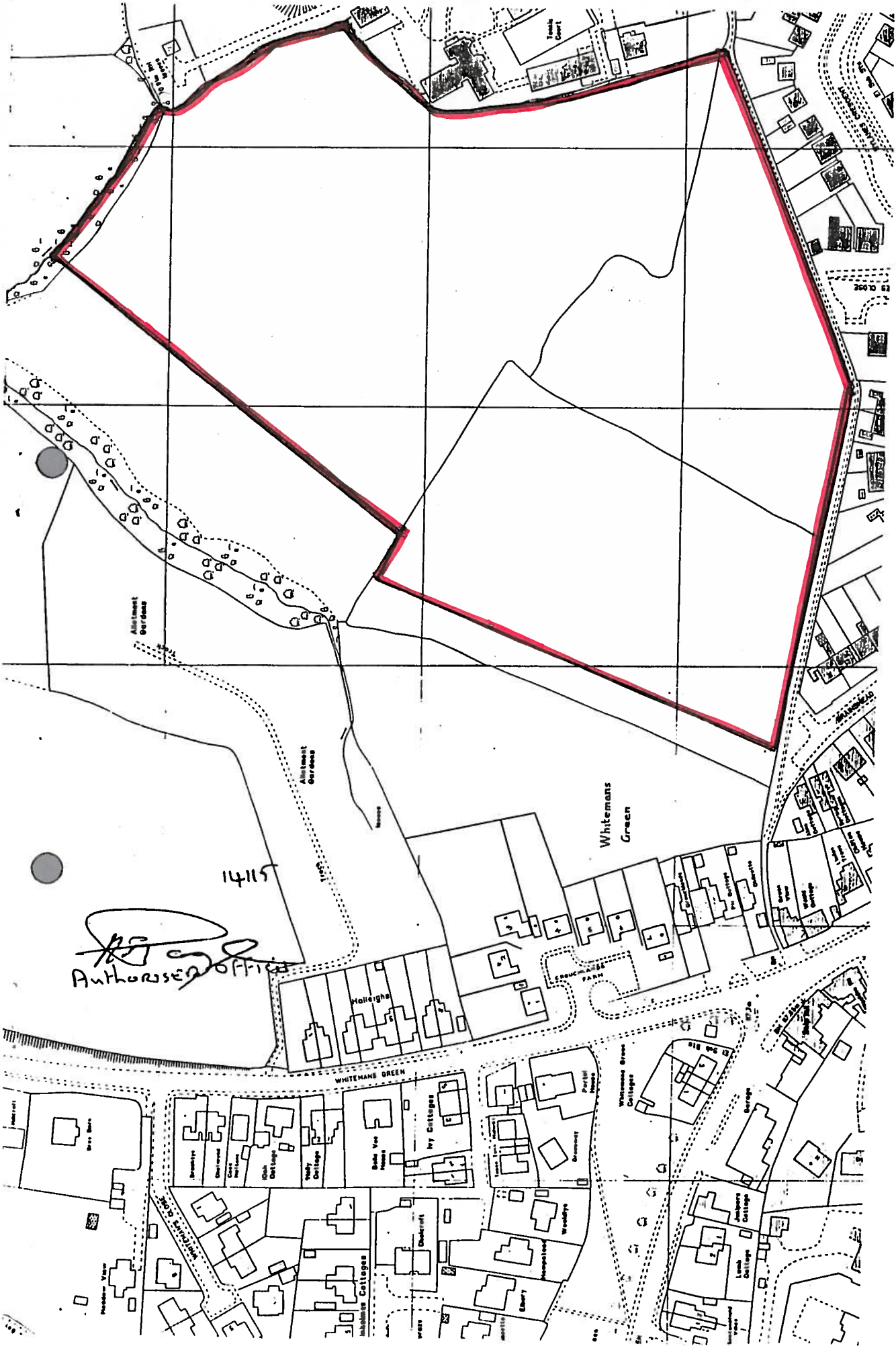
14115

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


Signed by authority
of the Secretary of
State

An Assistant Secretary
in the Department of
the Environment.

7th October 1989



14115

[Handwritten Signature]
Authorised Office

Whitemans Green

Halleigha

WHITEMANS GREEN

by Cottages

Reds Van House

Inhabited Cottages

Chapel

Woods

Woods

Whitemans Green Cottages

Whitemans Green Cottages

Whitemans Green Cottages

Whitemans Green Cottages

Whitemans Green Cottages

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Whitemans Green Cottages

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Whitemans Green Cottages

MID SUSSEX DISTRICT COUNCIL

MEMORANDUM

To: Chief Executive, for attention
of Miss Sims

From: District Planning Officer

My Ref: RMW/SJM CU/34/86 Your Ref: ES A35/

Date: 8th June 1989

EF/195/89

C16

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
ARTICLE 4 DIRECTION
LAND OFF BYLANES CLOSE, CUCKFIELD

Thank you for your memorandum of 7th June 1989 and copy of the Direction under Article 4. I enclose my statement of reasons for serving the Direction.

Work has continued in contravention of the Direction and Mr. Gubby will be arranging for the service of an enforcement notice in the very near future.

for District Planning Officer

LAND OFF BYLANES CLOSE, CUCKFIELD

DIRECTION UNDER ARTICLE 4 OF THE TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

STATEMENT OF REASONS

The site of the proposed Direction is on land adjoining the footpath which links Whitemans Green, Cuckfield with Ardingly Road at a point adjacent to the Cuckfield Hospital. The footpath passes to the rear of dwellings in Brainsmead Close, Bylanes Close and Bylanes Crescent and marks the northern edge of the built up area of Cuckfield.

To the north the attractive landscape is part of the High Weald Area of Outstanding Natural Beauty.

To the north of the footpath planning permissions have been refused for residential estate development and these decisions have been supported on appeal. The most recent appeal decision (LPA Reference CU/34/86) dated 1st June 1988 is enclosed.

Since then, the land owners have blocked views of the Area of Outstanding Natural Beauty from the footpath by the erection of a 1.8m high hit and miss boarded fence at distances between 4m and 12m from the footpath and have carried out extensive planting of trees and shrubs within the intervening grassed area. This area is demarcated from the footpath by a low wire mesh fence.

The land owner now intends to replace the low wire mesh fence with a 2m high chain link fence supported by concrete posts which are to a height of 2.3m at 3m intervals along a length of about 190m. . The Local Authority consider that the nature of the fencing proposed is particularly unattractive and an Article 4 Direction is necessary in order that the Council may have control over fencing to be erected in this area.

The initial erection of the hit and miss boarded fence, thereby preventing views to the north over the Area of Outstanding Natural Beauty, has been mitigated to a certain extent by the planting which has taken place between the footpath and the fence. However, any benefits which have accrued from this landscaping will be significantly diminished if foreground fencing is erected in a manner which is detrimental to the visual amenities of the area.

Due consideration has been taken of the owner's concern at the amount of damage and vandalism to his landscaping scheme and also to his reasons for wishing to erect a fence giving greater protection. Nevertheless, it is considered that fencing proposed will be so detrimental to visual amenities that it is not excused by the circumstances which led to its erection.

7th June 1989.

MID SUSSEX DISTRICT COUNCIL

MEMORANDUM

To: District Planning Officer (attention of Mr.Gubby)

From: Chief Executive - Legal


Yr.Ref. NG EF/195/89
My Ref. ES A35/

Date: 7th June 1989

Town & Country Planning General Development Order 1988
Article 4 Direction
Land off Bylanes Close, Cuckfield, West Sussex

I attach a copy of the above Direction dated 7th June 1989, for your file.
The Direction has today been submitted to the Secretary of State for the Environment for approval and has been served on Rydon Homes Limited, the owners of the land, as instructed by you.

I look forward to receiving from you the Council's reasons for making the Direction, for submission to the Secretary of State and to the owners.



Senior Legal Assistant

MID SUSSEX DC.
- 8 JUN 1989
PLANNING DEPT

DATED

7th

June 1989

TOWN AND COUNTRY PLANNING GENERAL
DEVELOPMENT ORDER 1988 ARTICLE 4

MID SUSSEX DISTRICT
(LAND OFF BYLANES CLOSE, CUCKFIELD)
DIRECTION 1989