

**Memorandum  
From  
Legal services**



TO: Kathy Fowler

FROM: Sophie Thorp

Cc: Land Charges  
Planning Control

OUR REF: ST/Plan-gen/Gates Nursery

DATE: 15 July 2008

MATTER: **Article 4 Direction relating to land at former Gates  
Nursery site, Hill House Hill, Liphook, Hampshire GU30  
7PX.**

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Dear Kathy,

Please find enclosed 2 copies of an Article Four Direction for display at Reception. Please could you make these copies available for inspection by the public at Reception for 6 months?

If members of the public would like a copy of the Article Four Direction there is a charge of £3.00.

Please let me know if you would like to discuss further or if you have any questions.

Thank you,

Regards,

Sophie

Sophie Thorp  
**Trainee Solicitor**  
x4087

Enc.

**ARTICLE FOUR DIRECTION**

**EAST HAMPSHIRE DISTRICT COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990**

**GENERAL PERMITTED DEVELOPMENT ORDER 1995**

**Direction under Article 4 of the General Permitted Development Order 1995  
Restricting Permitted Development**

**RECITALS**

1. East Hampshire District Council ("the Authority") is the local planning authority in respect of the area of land specified in this Direction.
2. The Authority is satisfied that it is expedient that the development described in Schedule 2 to the General Permitted Development Order 1995 ("the Order") and specified in this Direction should not be carried out unless permission is granted for it on an application.

**NOW THEREFORE** the Authority in pursuance of article 4 of the Order and all other powers thereby enabling

**DIRECTS THAT**

1. The permission granted by article 3 of the Order shall not apply to development specified in the First Schedule to this Direction in the area specified in the Second Schedule to this Direction ("the Land").
2. It is expressly provided that this Direction shall apply to "the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of "enclosure."
3. Pursuant to article 5(4) of the Order, this Direction does not require the approval of the Secretary of State because it relates only to development permitted by Parts 1 to 4 of Schedule 2 to the Order and the authority consider that the development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. The Direction shall expire at the end of six months from the date upon which it is made unless disallowed or approved by the Secretary of State. The Direction shall, in accordance with article 5(10) of the Order, come into force in respect of any part of the Land on the date on which notice of the making of the Direction is served on the occupier of that part of the Land or, if there is no occupier, the owner. If the Authority consider that individual service on the owners or occupiers of the Land is impracticable



because the number of them makes such service impracticable or because it is difficult to identify or locate one or more of them, the Authority shall publish a notice of making of the Direction in a newspaper circulating in the locality in which the Land is situated and, in accordance with article 5(15) of the Order, the Direction shall come into effect on the date on which the notice is published.

FIRST SCHEDULE

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

SECOND SCHEDULE

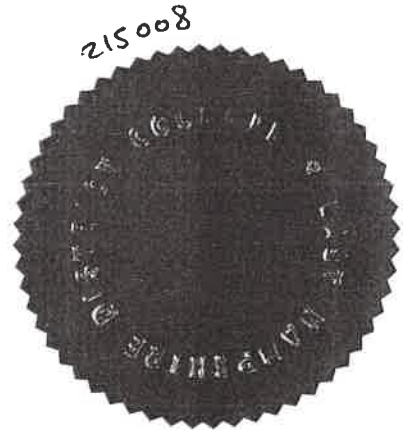
Land at the former Gates Nursery site, Hill House Hill, Liphook, Hampshire GU30 7PX as shown outlined by the red line on the attached plan.

Dated this 8<sup>th</sup> day of July 2008

The COMMON SEAL of EAST )  
)  
HAMPSHIRE DISTRICT COUNCIL )  
)  
was hereunto affixed in the )  
)  
presence of:- )

*N. Leach*

*fr*  
Solicitor to the Council



ARTICLE FOUR DIRECTION

EAST HAMPSHIRE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

GENERAL PERMITTED DEVELOPMENT ORDER 1995

Direction under Article 4 of the General Permitted Development Order 1995  
Restricting Permitted Development

RECITALS

1. East Hampshire District Council ("the Authority") is the local planning authority in respect of the area of land specified in this Direction.
2. The Authority is satisfied that it is expedient that the development described in Schedule 2 to the General Permitted Development Order 1995 ("the Order") and specified in this Direction should not be carried out unless permission is granted for it on an application.

NOW THEREFORE the Authority in pursuance of article 4 of the Order and all other powers thereby enabling

DIRECTS THAT

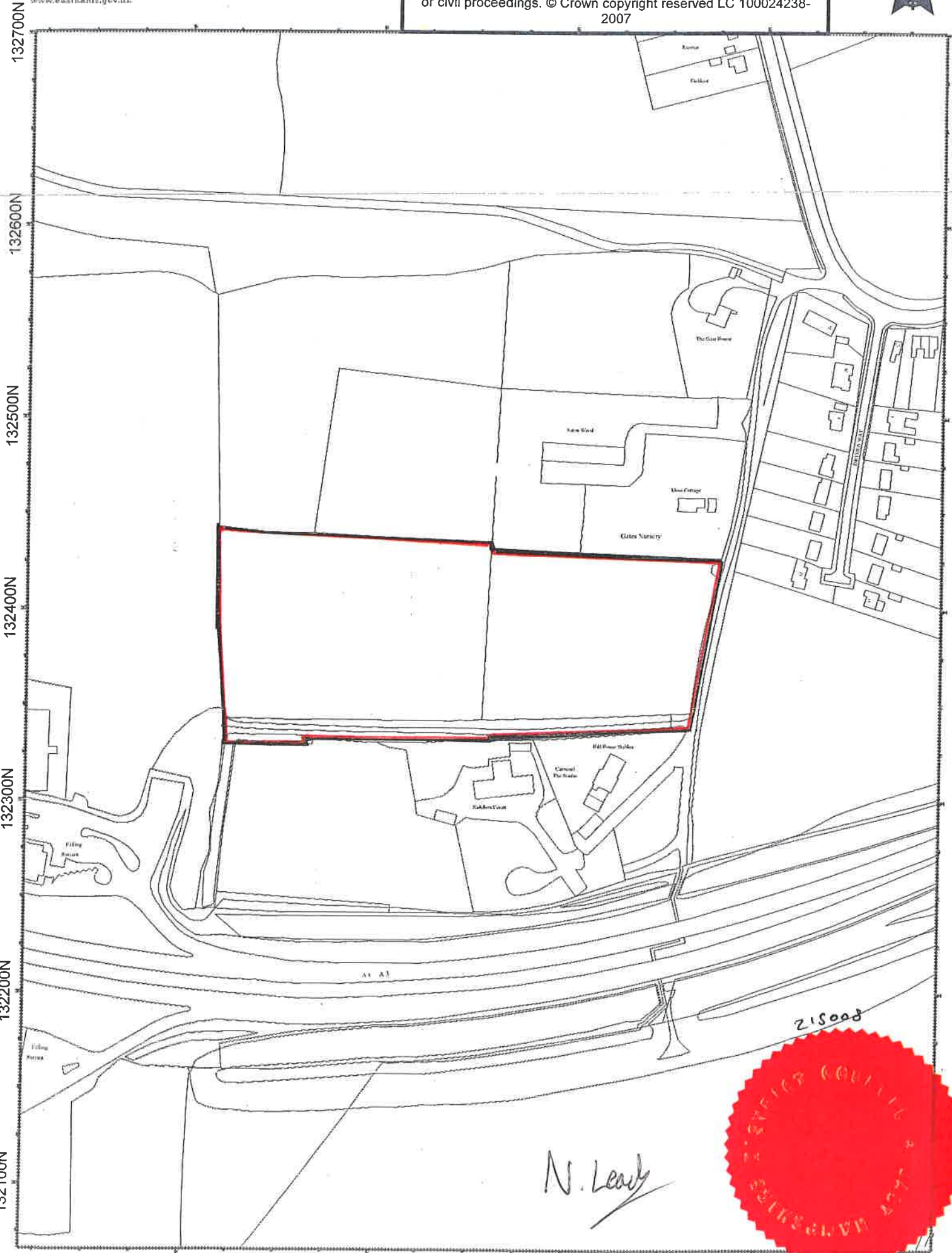
1. The permission granted by article 3 of the Order shall not apply to development specified in the First Schedule to this Direction in the area specified in the Second Schedule to this Direction ("the Land").
2. It is expressly provided that this Direction shall apply to "the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of "enclosure."
3. Pursuant to article 5(4) of the Order, this Direction does not require the approval of the Secretary of State because it relates only to development permitted by Parts 1 to 4 of Schedule 2 to the Order and the authority consider that the development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. The Direction shall expire at the end of six months from the date upon which it is made unless disallowed or approved by the Secretary of State. The Direction shall, in accordance with article 5(10) of the Order, come into force in respect of any part of the Land on the date on which notice of the making of the Direction is served on the occupier of that part of the Land or, if there is no occupier, the owner. If the Authority consider that individual service on the owners or occupiers of the Land is impracticable





Scale: 1: 2500  
Date: 08/07/2008

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*N. Lead*



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FIRST SCHEDULE

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

SECOND SCHEDULE

Land at the former Gates Nursery site, Hill House Hill, Liphook, Hampshire GU30 7PX as shown outlined by the red line on the attached plan.

Dated this 8<sup>th</sup> day of July 2008

The COMMON SEAL of EAST )  
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*N. Leach*

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