



GOVERNMENT OFFICE
FOR THE SOUTH EAST

Temp files

Mr Thomas Pollock
Trainee Solicitor
East Hampshire District Council
Penns Place
Petersfield
Hampshire GU31 4EX

**Hampshire and Isle of Wight
Area Team**

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1 Walnut Tree Close
Guildford
GU1 4GA

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22 February 2005

Our Ref: GOSE/104/1/EHAM

Dear Mr Pollock

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995 – ARTICLE 4
LAND AT THE JUNCTION OF LOVEDEAN LANE AND HINTON DAUBNEY HILL,
CLANFIELD, WATERLOOVILLE, HAMPSHIRE**

I am directed by the First Secretary of State to refer to your letter dated 16 September 2004 enclosing two sealed copies and one unsealed copy of a direction made under article 4 (1) of the Town and Country Planning (General Permitted Development) Order 1995, in respect of land at the junction of Lovedean Lane and Hinton Daubney Hill, Clanfield, Waterlooville.

1. The direction relates to development comprised within Class B, Part 4 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995
2. The Council's reasons for making this direction have been carefully considered in the light of the guidance in DoE Circular 9/95. An officer from the Department visited the site on 16 February 2005.
3. The Council considers that the impact of such development permitted under the provisions of Class B of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 would harm the character and appearance of the countryside. The Council considers that the storage of waste



INVESTOR IN PEOPLE



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and materials on the land is an unacceptable intrusion of development in the open countryside and detrimental to the character of the area.

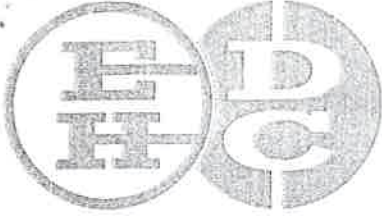
4. Circular 9/95 states that permitted development rights should be withdrawn only in exceptional circumstances and where there is a need for control in the wider public interest. It is not justifiable to withdraw permitted development rights unless there is a real and specific threat to interests of acknowledged importance.
5. The Secretary of State notes that the land falls within the proposed South Downs National Park and an Area of Special Landscape Quality, and he notes that the character of the area comprises open rolling landscape in arable agricultural use, free of development. The Secretary of State finds that the land is clearly visible from Lovedean Lane, Hinton Daubney Hill and more distant vantage points. He accepts that the impact of development permitted under the provisions of Class B, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 would be significantly detrimental to the visual amenities of the open undeveloped countryside in this locality. In addition, the Secretary of State notes that at the time of the Department Officer's inspection, there was evidence of some tipping and the remains of a bonfire.
6. Accordingly, the Secretary of State is satisfied that a real and specific threat of development has been demonstrated sufficient to withdraw permitted development rights covered by the provisions of Class B of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and returns herewith one copy of the direction endorsed with his approval.
7. The Council is requested to notify the owners and occupiers of land on whom this direction was served of the Secretary of State's approval of the direction and the effect of that approval.

Yours faithfully

DARREN RICHARDS

Authorised by the First Secretary of State to sign in that behalf





MEMORANDUM

Partners

DATE : 2nd October 2001
TO : Peter Eggleton
FROM : Nick Leach - Legal Services
EXTENSION : 4088
OUR REF: NL/PT/1/5/0/15
YOUR REF: PE

6.3.01 2001

Article 4 Direction -Land at junction of Lovedean Lane and Hinton Daubney Hill, Clanfield, Waterlooville

I confirm that the above Article 4 Direction has been made and I enclose a copy for your records.

Nick Leach
for Acting Legal Services Manager

ARTICLE FOUR DIRECTION

EAST HAMPSHIRE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 GENERAL PERMITTED DEVELOPMENT ORDER 1995

Direction under Article 4(1) of the General Permitted Development Order 1995 Restricting Permitted Development

RECITALS

1. East Hampshire District Council (hereinafter called "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 (hereinafter called "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 (hereinafter called "the Land").
2. 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 first published.

FIRST SCHEDULE

The use of land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes referred to in paragraph B", and the provision on the land of any moveable structure for the purposes of the permitted use, being development comprised within Part 4 of Class B of Schedule 2 to the Order and not being development comprised within any other Class.

SECOND SCHEDULE

Land at the junction of Lovedean Lane and Hinton Daubney Hill, Clanfield, Waterlooville, Hampshire as shown edged red on the attached plan.

GIVEN UNDER THE COMMON SEAL)
)
of EAST HAMPSHIRE DISTRICT COUNCIL)
)
this 15 day of September 2004)

[Handwritten signature]

Solicitor to the Council



The First Secretary of State in the Office of the Deputy Prime Minister hereby approves the foregoing direction.

213145

Signed by authority of the First Secretary of State

[Handwritten signature]

An authorised officer in the Government Office for the South East.

Date: 22/2/05

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

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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.

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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

ARTICLE FOUR DIRECTION

EAST HAMPSHIRE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 GENERAL PERMITTED DEVELOPMENT ORDER 1995

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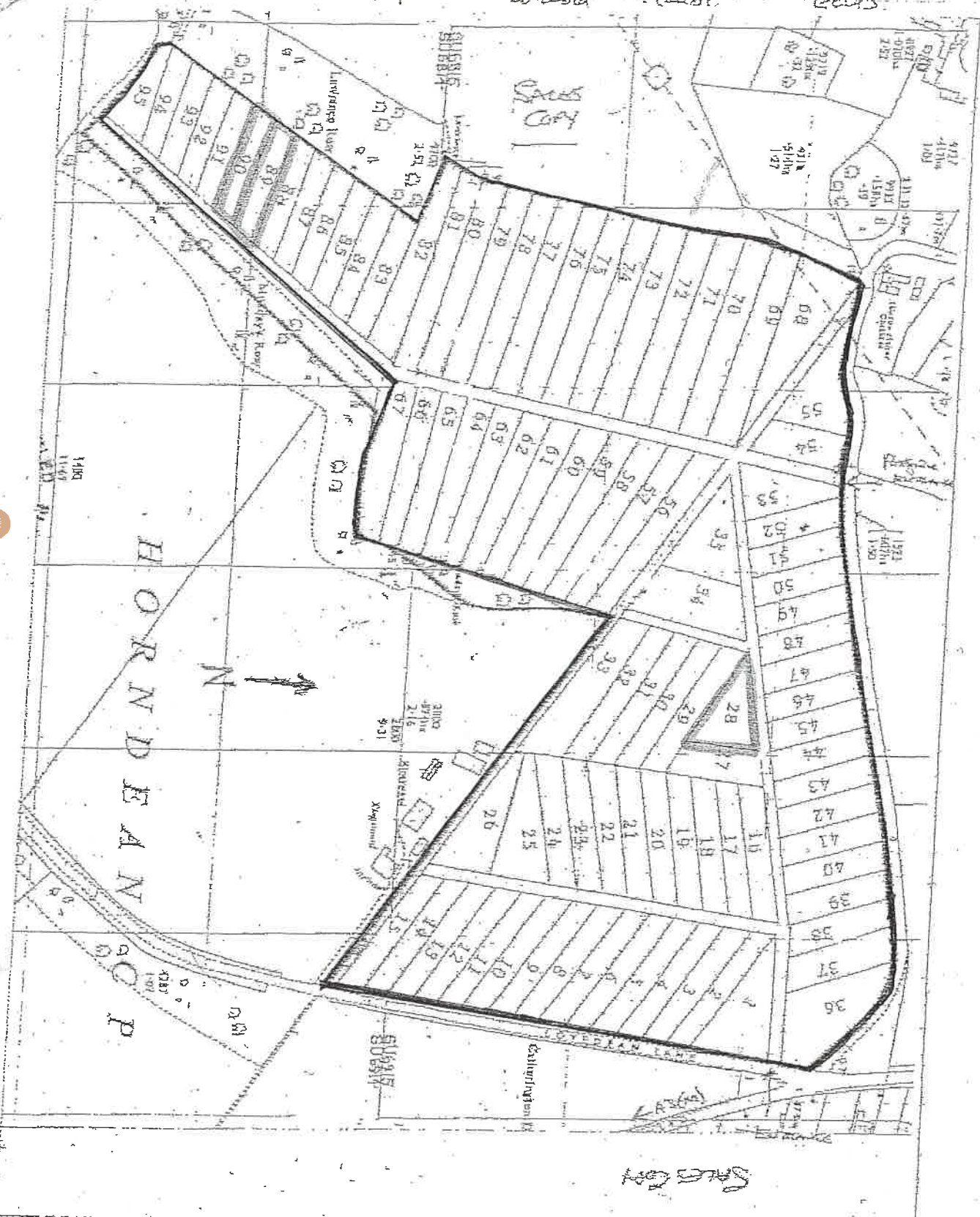
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THE MAP IS NOT EXACTLY TO SCALE

The First Secretary of State in the Office of the Deputy Prime Minister hereby approves the foregoing direction.

Signed by authority of the First Secretary of State

JP Rahn

An authorised officer in the Government Office for the South East.

Date: 22/2/05

c News - St/D/00

8281

1 Total hrs



012101

FIRST SCHEDULE

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GIVEN UNDER THE COMMON SEAL)
of EAST HAMPSHIRE DISTRICT COUNCIL)
this 15 day of September 2004)

Richard Lamb

Solicitor to the Council



213151

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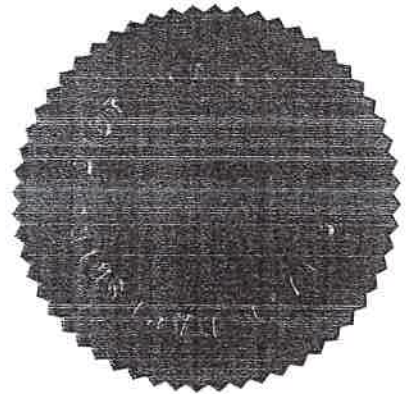
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Solicitor to the Council



213145

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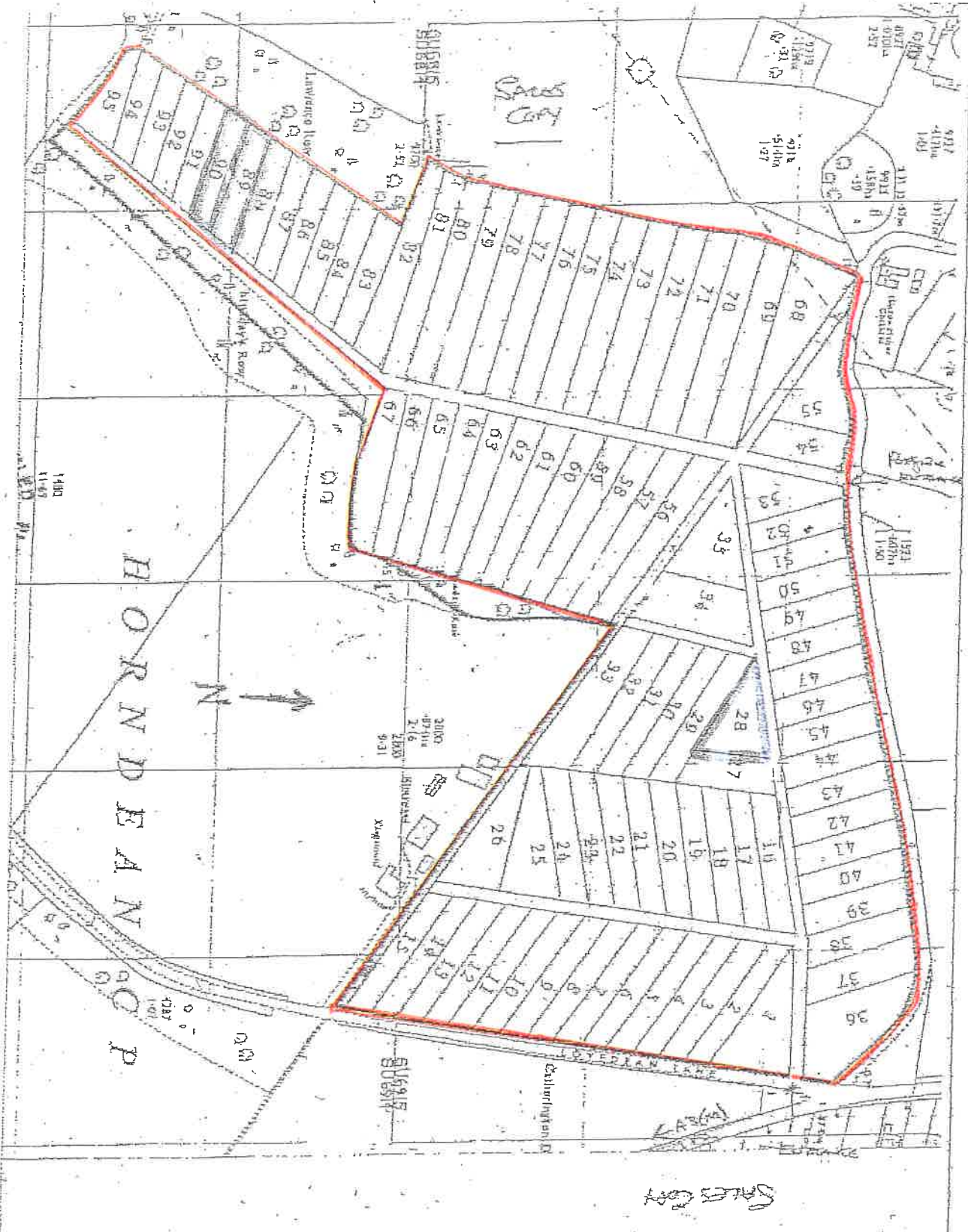
Signed by authority of the First Secretary of State

[Handwritten signature]

An authorised officer in the Government Office for the South East.

Date:

22/2/05



THE MAP IS NOT EXACTLY TO SCALE

Advertisements in BETHUNE ECONOMIC NEWS -- 21/01/00.

GLADWISH LANDSCAPES
PHONE NO: 01403 2628231.

Phillip



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