

**ARTICLE 4 DIRECTION  
WELWYN HATFIELD DISTRICT COUNCIL**

**TOWN & COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
ORDER 1995**

**DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5(4) APPLIES  
(restricting permitted development)**

WHEREAS Welwyn Hatfield District Council, the Council of the District of Welwyn Hatfield, Council Offices, The Campus, Welwyn Garden City, Hertfordshire AL8 6AE ("the Council") being the appropriate local planning authority within the meaning of Article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995 ("the Order"), are satisfied that it is expedient that development of the descriptions set out in the Second Schedule below should not be carried out on the land described in the First Schedule below, shown edged red on the attached plan, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990,

AND WHEREAS the Council consider that development of the said descriptions would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that the provisions of paragraph 4 of article 5 of the Town and Country Planning (General Permitted Development) Order 1995 apply,

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the descriptions set out in the Second Schedule below.

**THIS DIRECTION** is made under article 4(1) of the said Order and, in accordance with article 5(4), shall, unless disallowed or approved by the First Secretary of State, expire at the end of six months from the date of this Direction.

**FIRST SCHEDULE**

Land to the west of Coopers Lane, Northaw, Hertfordshire, shown edged red on the attached plan ("the land")

**SECOND SCHEDULE**

Development on the said land of the descriptions comprised within Class A of Part 2 and Class B of Part 4 of the Town and Country Planning (General Permitted Development) Order 1995, and not being development of any other Class.

The wording of Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 1995 is as follows:-

"A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall, or other means of enclosure"

The wording of Part 4 Class B of the Town and Country Planning (General Permitted Development) Order 1995 is as follows:-

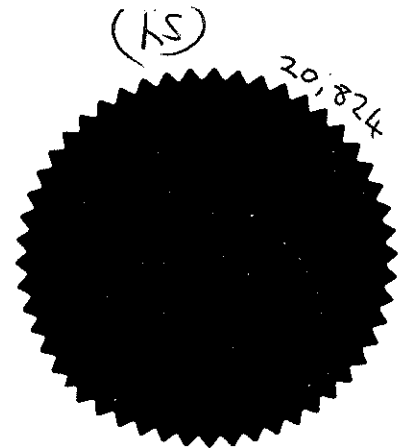
"B. The use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes referred to in Paragraph B.2, and the provision on the land of any moveable structure for the purposes of the permitted use"

"B.2. The purposes mentioned in Class B above are –

(a) the holding of a market;

(b) motor car and motorcycle racing, including trials of speed, and practicing<sup>s</sup> these activities"

Given under the Common Seal of the Welwyn Hatfield District Council, of Council Offices, The Campus, Welwyn Garden City, Hertfordshire AL8 6AE, this 23rd day of January 2003



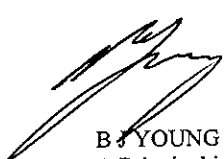
*Margaret Scarff*  
.....  
Chairman of the Council

The Common Seal of the Council was affixed to this Direction in the presence of Melinda J. Davies, Solicitor to the Council and duly authorised Officer

*M J Davies*  
.....  
Solicitor to the Council

Signed by authority  
of the Secretary of State

29 JAN 2003

  
B. YOUNG  
A Principal in the  
Government Office  
for the East of England

# GO-East



GOVERNMENT OFFICE  
FOR THE EAST OF ENGLAND

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29 January 2003

Our Ref: E1/C19502/8/O1

Your Ref: RR/Pig/DevArt4

Dear Madam

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER  
1995 - ARTICLE 4(1) DIRECTION TO WHICH ARTICLE 5(4) APPLIES  
LAND TO WEST OF COOPERS LANE, NORTHAW, HERTFORDSHIRE**

I am directed by the First Secretary of State to refer to your letter of 23 January 2003 with which you enclosed a Direction made under Article 4(1) and Article 5(4) of the Town and Country Planning (General Permitted Development) Order 1995 restricting development within Class A and Class B of Part 2 in Schedule 2, and Class B of Part 4 in Schedule 2 of the Order, permitted under Article 3, in respect of land to the west of Coopers Lane, Northaw, Hertfordshire.

The Secretary of State has carefully considered the Council's reasons for making the Direction against the policies set out in Appendix D to DOE Circular 9/95. He notes that the site is designated for agricultural use in the development plan and is within the Metropolitan Green Belt. The site forms a large area of land that is bordered to the south by residential housing, and is adjacent to a waste paper recycling depot and sports field on the north and north-eastern boundaries, and is within a Landscape Conservation Area.

The Council has submitted evidence that the land is being marketed as investment land. A plan accompanying the sale details indicates that the land is to be divided into various plots. The Council is concerned that the plots will be fenced off, which would have an adverse impact on the rural openness, character and appearance of the area.

It is the policy of the Secretary of State to approve the withdrawal of permitted development rights that have been granted by Parliament only in exceptional circumstances but, on the basis of the evidence before him, he is satisfied that in this case such action is justified. He agrees with the Council that the uncontrolled erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure; and the use of



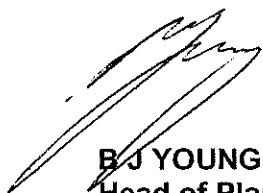
INVESTOR IN PEOPLE

any land for any purpose for not more than 28 days in total in any calendar year, etc could cause serious harm to the rural openness, character and appearance of the Green Belt. He is satisfied that clear evidence of a real and specific threat has been provided which would damage an interest of acknowledged importance, and which should therefore be brought within planning control in the public interest.

For the reasons given above, the Secretary of State, in exercise of his power under Article 5(1) of the Town and Country Planning (General Permitted Development) Order 1995, hereby approves the Article 4 Direction, as amended in red ink. One copy of the direction endorsed with his approval is returned herewith.

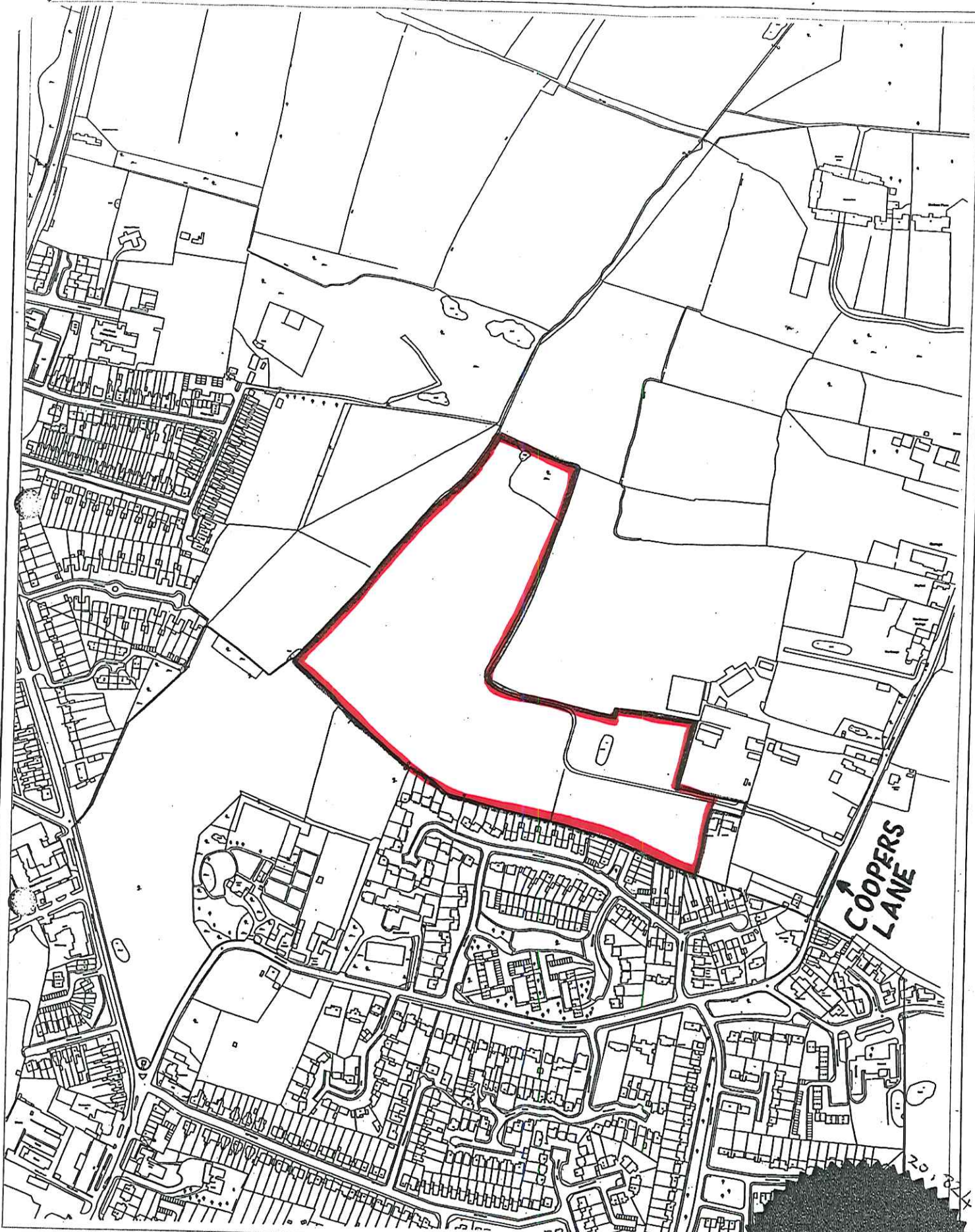
The Council's attention is drawn to the provisions of articles 5(10) and 5(12) to 5(15) of the 1995 Order relating to the service or publication of notice of the Direction.

Yours faithfully



**B J YOUNG**  
Head of Planning Casework Team

Enc



**WELWYN  
HATFIELD  
COUNCIL**

Council Offices, The Campus,  
Welwyn Garden City, Herts. AL8 6AE

LAND TO WEST OF  
COOPERS LANE  
NORTHAW, HERTFORDSHIRE

*Margaret Scott*  
*M J Davies*

SCALE: 1:5000

DRAWN BY: Margaret Walker

DATE 10th December 2002

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