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Ref 1

Land to the north of
Palmerston Street and
Old Chapel Land
Underwood NSTs

ASHFIELD DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1977 -

PROPOSED ARTICLE 4 DIRECTION

Land to the north of Palmerston Street/Ashbourne Road
and Old Chapel Lane, Underwood

1. Description of Site Area

The site in question involves land in the vicinity of existing and proposed residential development. Residential development fronting Ashbourne Road was constructed in the early 1980s and all such properties are now occupied. The St. Michaels View development, which includes Old Chapel Lane, comprises a private plot residential development. These plots have recently be disposed of by the Local Planning Authority and processing of the individual plot designs is now taking place.

The land in question comprises parcels of agricultural land in respect of which it is considered that any form of agricultural building development should be strictly controlled.

Such control is considered necessary because of the potential damaging impact of any agricultural buildings on existing and proposed residential development. It is considered that any such buildings would be likely to adversely affect the amenities of existing and future residents in the vicinity.

2. Grounds on which the Authority consider that the
Direction is needed

Recent discussions with the land owner of the 1.5 acre parcel, immediately to the north of the Ashbourne Road residential properties, indicates that it is intended to locate buildings for the accommodation of cattle adjacent to the rear boundary of plot 19, Old Chapel Lane. The land owner has also indicated that it is his intention to acquire land to the north to provide similar facilities.

It is the opinion of the Local Planning Authority that adequate essential means of control should exist to ensure that full consideration can be given to the implications of any proposed agricultural buildings in proximity to this developing residential area. Class VI of the first schedule to the Town and Country Planning General Development Order 1977 gives permitted development rights to the erection of agricultural buildings and it is felt that in this particular case such buildings would be likely to have an adverse impact on the amenities of the adjacent residential area.

The land owner in question has advised the Authority that it is his intention.

The land owner in question has advised the Authority that it is his intention to use the permitted development rights available in this particular case.

The contents of the recent Department of the Environment Consultation Paper indicating possible changes to the General Development Order, is considered to be relevant in relation to this particular case. It is noted that such does, in fact, make reference to the need for specific planning

permission to be required for any building housing livestock (whether intensively or otherwise) if it is proposed to erect such within one hundred metres of the perimeter of existing residential properties.

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS
1977 TO 1981 1983

WHEREAS the Council of the District of Ashfield being the local planning authority for the said District of Ashfield are satisfied that it is expedient that development of the description set out in Part I of the Schedule hereto should not be carried out on the land shown edged red ^{described in Part II of the Schedule} ^{and hatched green} on the plan annexed hereto unless permission therefor is granted on application made under the Town and Country Planning General Development Order 1977 as amended

NOW THEREFORE the said Council in pursuance of the powers conferred upon them by article 4 of the Town and Country Planning General Development Order 1977 as amended hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description set out in ^{Part II of} the Schedule hereto.

SCHEDULE

PART I

Description of Class of development

to which this ^{Direction} ~~Article~~ relates

Development comprised within

1/ Class VI of Schedule I of the Town and Country Planning

General Development Order 1977, *and not being development comprised within any other class.*

PART II

Description of area of land to which

this ^{Direction} ~~Article~~ relates

approximately 1.78 acres of

Comprising ~~mainly~~ agricultural land bounded on the south by the ~~sites of the former prefabricated dwellings on the former~~

~~Chapel Street now Old Chapel Lane Underwood in the County of Nottingham and also by properties on Ashbourne Road Underwood; on the east by Nos. 105 119 Chapel Lane Underwood and on the north and west by agricultural land. The parcel of land extends some 100 metres from the rear gardens of the properties proposed to be developed on Old Chapel Lane, Underwood as private plot type development.~~

Given under the Common Seal of the
Ashfield District Council this
13th day of May One thousand nine hundred
and eighty five.

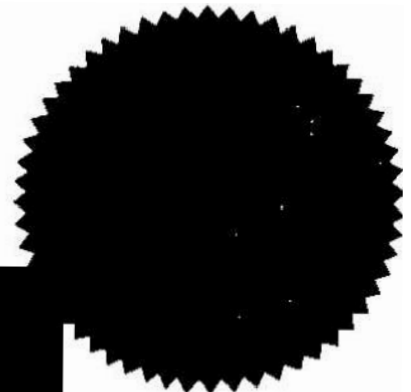
The Common Seal of the Council was hereunto
affixed in the presence of:-

[Redacted signature]

Chairman

[Redacted signature]

Deputy Clerk and Legal Adviser.



9683

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

Signed by authority
of the Secretary of
State

21 May 1985

[Redacted signature]

A Superintending Planner
in the Department of
the Environment.

