

## ST ALBANS CITY AND DISTRICT COUNCIL

### DECISION REGISTER

Portfolio(s) decision relates to:	Planning and Conservation			Name of Portfolio Holder:			Cllr Chris Whiteside	
Name of decision maker:	Cllr Whiteside in Consultation with Peter Lerner, Head of Paid Service, and The Right Worshipful The Mayor, Jenny Stroud			Signature of decision maker:			Chris Whiteside	
Name of relevant Overview and Scrutiny Committee:	Overview and Scrutiny Committee)Enterprise and Civic Environment)			Date of decision:			28 August 2003	
Type of decision <i>(please tick)</i>	Key		Significant		Virement		Other	√ - urgent decision
Scheme of delegation reference under which decision is taken:		1.2.5						
Has this decision drawn upon confidential information? <i>(If yes – please set out what confidential information has been taken into account on a separate sheet)</i>				No				
<p>DECISION</p> <p>To approve the making of a Direction under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 1995 in respect of operations and development on land at Harpenden Road, St Albans.</p> <p>In arriving at my decision I have properly and thoroughly taken into account the legal, financial and workforce implications for the Council, including the requirements of the Human Rights Act 1998. My decision is within the Council’s policy and budget framework and complies with the regulations and procedures set out in the Constitution. In coming to my decision I have explicitly considered the Council’s corporate objectives and consulted with all relevant parties as appropriate and in accordance with the scheme of delegation.</p>								

## REASON/S FOR THE DECISION

The basis for this decision is that the Council has received information that plots of agricultural land within the Metropolitan Green Belt at Harpenden Road, St Albans are being offered for sale. There is concern that prospective purchasers may wish the plots to be divided by some form of enclosure, which would have an adverse impact on the rural openness, character and appearance of the Green Belt. There have been six previous instances in this district where land had been similarly marketed and Article 4 Directions have been served. All six directions were confirmed by the Secretary of State. Confirmation has been received dated 21 August 2003 for an Article 4 Direction issued on land at Sandridgebury Lane, St Albans. It was recommended that an Article 4 Direction be served in respect of the land at Harpenden Road removing permitted development rights for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

An Article 4 Direction has already been issued in respect of one area of land at this location. In view of additional areas of land being offered for sale it appears necessary to issue a further Article 4 for the remaining part of the site purchased by the Company.

As Portfolio Holder, under Rule 17 of the Overview & Scrutiny procedure rules I consider that the decision was urgent. Delay would prejudice the public interest, as there was felt to be an immediate threat to the openness of agricultural land within the Metropolitan Green Belt. Agreement by the Head of Paid Service and the Mayor was sought and obtained that the decision was reasonable and could be treated as urgent so that call-in does not apply.

OTHER OPTIONS CONSIDERED:		REASONS FOR REJECTING THESE OPTIONS	
1. No action		Risk to openness of Green Belt countryside	
2. article 4 direction without urgency procedure		Risk of enclosures being erected before it took effect	
CONSULTEES			
In making this decision, I have consulted the following people:			
Name	Position	Date of consultation	Outcome of consultation (may cross reference to supplementary /background sheets)
Cllr Stammers	Chairman Planning Ctte.	Report by e-mail on 12 Aug. 03	No objections received.
Cllr Heritage	Vice Chair Planning Ctte.	Report by e-mail on 12 Aug. 03.	No objections received.
Cllr Leach	District Ward Councillor	Copy of report on 12 Aug. 03	No objections received.
Cllr Mills	District Ward Councillor	Copy of report on 12 Aug. 03	No objections received.
Cllr O'Donovan	District Ward Councillor	Copy of report on 12 Aug. 03	No objections received.
Cllr Rose	District Ward Councillor	Copy of report on 12 Aug. 03	No objections received.
Cllr Schofield	District Ward Councillor	Copy of report on 12 Aug. 03	No objections received.
Cllr Swendell	District Ward Councillor	Copy of report on 12 Aug. 03	No objections received.
LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985			
Bibliography	Custodian	File location	
Article 4 Direction, land at Bylands Meadow, Redbourn confirmed by Secretary of State 12 Sept. 2002.	N Smith, Senior Planning Enforcement Officer 01727 866100 ext 2346	St Albans District Council St Peter's Street St Albans, Herts AL1 1JE	
Five other Article 4 Directions confirmed by Secretary of State between 2000 and 2002.	As Above	As Above	
Report to Portfolio Holder on land at Harpenden Rd. written 15 July 2003.	As Above	As Above	
Report to Portfolio Holder on land at Harpenden Rd. written 12 Aug 2003.	As Above	As Above	