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LOCAL LAND  
CHARGES

11 SEP 2002

RECEIVED

FILE

## MEMORANDUM

**TO:** Head of Legal and Democratic Services  
For the attention of Land Charges Section

**FROM:** Head of Planning and Building Control

**OUR REF:** TP/2/1/05 (02)

**YOUR REF:**

**DATE:** 10<sup>th</sup> September 2002

**SUBJECT:** Land rear of 26-64 Manor Road, Wheathampstead.

I wrote to you, on 13<sup>th</sup> May 2002, enclosing a copy of an Article 4 Direction issued in respect of the above land.

The Order has been approved by the Secretary of State and I attach, for your information, a copy of the approved Order dated 6<sup>th</sup> August 2002.



.....  
N Smith



GOVERNMENT OFFICE  
FOR THE EAST OF ENGLAND

Mr D Goodman  
Head of Planning and Building Control  
St Albans City and District Council  
District Council Offices  
St Peter's Street  
St Albans  
Hertfordshire  
AL1 3JE

**Brian Young**  
**Environment Group**

Victory House  
Vision Park  
Chivers Way  
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CB4 9ZR

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Website: <http://www.go-east.gov.uk>

Our Ref: E1/B1930/2/8/  
Your Ref: TP/2/1/05(02)

DECE		
- 7 AUG 2002		
SEEN BY		
DECE	HED	HPE
PASSED TO:		

6 August 2002

Dear Sir

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
ORDER 1995 - ARTICLE 4 (1) DIRECTION TO WHICH ARTICLE 5 (4) APPLIES  
LAND AT REAR OF 26-64 MANOR ROAD, WHEATHAMPSTEAD,  
HERTFORDSHIRE.**

1. I am directed by the First Secretary of State to refer to your letter of 9 July 2002 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 of Part 2 in Schedule 2 to the Order, in respect of land at rear of 26-64 Manor Road, Wheathampstead, together with additional evidence.
2. 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.
3. The Council has submitted evidence that the land is being offered for sale to house owners along Manor Road. It 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. Evidence has also been provided to show that fencing has already been erected to divide the area of land being offered for sale from land to be retained by the owner.
4. 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 could cause serious harm to the rural openness, character and appearance of the Green Belt. Clear evidence of a real and specific threat has been provided which would damage an interest of acknowledged importance and which therefore should be brought within planning control in the public interest.

5. 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. One copy of the direction endorsed with his approval is returned herewith.

6. 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

A handwritten signature in black ink, appearing to read 'B J Young', with a stylized flourish at the end.

**B J YOUNG**

**Head of Bedfordshire, Essex and Hertfordshire Planning Team**

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

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

**WHEREAS** The Council of St Albans City and District being the appropriate local planning authority within the meaning of Article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995, are satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out on land at the rear of 26-64 Manor Road Wheathampstead as shown hatched blue 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 description 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 the 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 description set out in the Schedule below.

**THIS DIRECTION** is made under Article 4(1) of the said Order and, in accordance with Article 5(4), shall remain in force until 3 November 2002 and shall then expire unless it has been approved by the Secretary of State for Transport, Local Government and the Regions.

**SCHEDULE**

Development of the following parts and classes as described in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

**Part 2: Minor Operations**

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

**GIVEN UNDER THE COMMON SEAL  
OF THE CITY AND DISTRICT  
COUNCIL OF ST ALBANS ON  
3 MAY 2002**

**THE COMMON SEAL OF THE COUNCIL  
WAS HERETO AFFIXED IN THE  
PRESENCE OF:-**

*JW Peters*

**MAYOR**

*[Signature]*  
**HEAD OF PAID SERVICE**

Signed by authority  
of the Secretary of State


*[Signature]*  
**B. YOUNG**  
A Principal in the  
Government Office  
for the East of England

16102



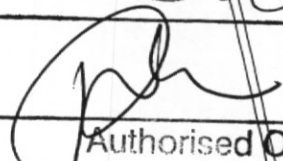
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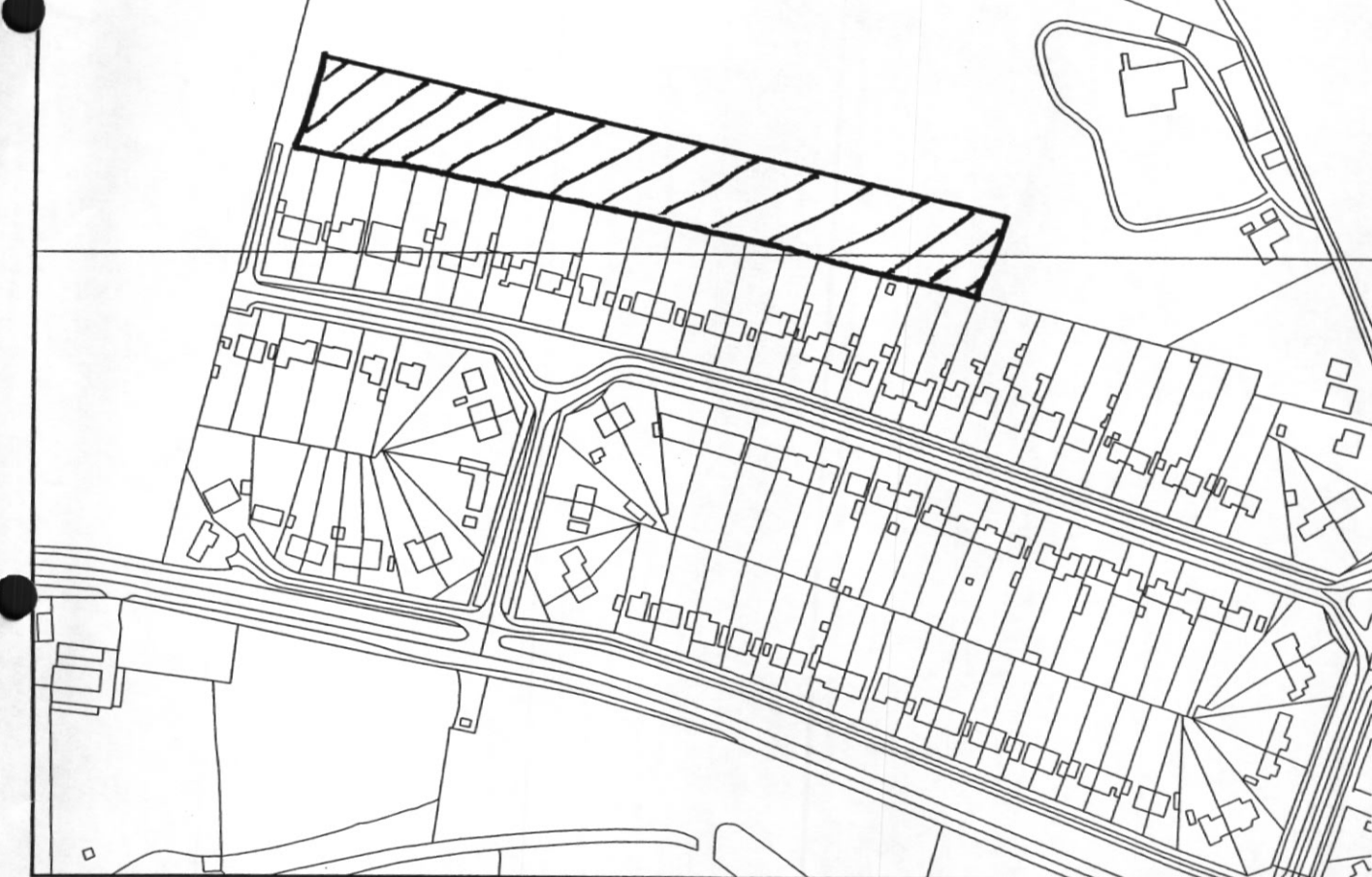
Signed by authority  
of the Secretary of State

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

THE COMMON SEAL of THE COUNCIL  
of the DISTRICT OF ST ALBANS was  
hereunto affixed in the presence  
of:-

  
Mayor

  
Authorised Officer



0 20 40 60 80 100 120 140 160 180 200 Meters



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r/o 26-64 Manor Road, Wheathampstead

SCALE: 1:2500

DRAWN BY: JCM

Notes:

REF:



**St Albans**  
CITY AND DISTRICT