



Mr A Butcher  
Development Control Manager  
Braintree District Council  
Causeway House  
Braintree  
Essex  
CM7 9HB

Lindsay Speed  
Environment Group  
Victory House  
Vision Park  
Chivers Way  
Histon  
Cambridge  
CB4 9ZR

BDD		GOVERNMENT SERVICES	
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Our Ref: E1/Z1510/2/8/01

Your Ref: ENF/ASB/SB/03/001808/  
COU3

28 March 2003

Dear Sir

## TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 - ARTICLE 4 (1) DIRECTIONS LAND OFF BACK LANE, STISTED, ESSEX

1. I am directed by the First Secretary of State to refer to your letter of 24 March 2003 with which you enclosed two Directions made under (i) Article 4(1) and 5(4), and (ii) Article 4(1), of the Town and Country Planning (General Permitted Development) Order 1995 restricting development within (i) Class A of Part 2, Class A and Class B of Part 4 of Schedule 2 to the Order, and (ii) Class A of Part 5 and Class A of Part 27 of Schedule 2 to the Order in respect of the land off Back Lane, Stisted, Essex.
2. The Secretary of State notes that the area of land specified in the Directions is currently open farmland and is adjacent to a Site of Special Scientific Interest and a County Wildlife Site. He also notes that it has been divided into small parcels of land, and that the Council understands that these are in the process of being sold to numerous individuals.
3. The Council is concerned that the existing permitted development rights relating to minor operations, temporary buildings and uses, the stationing of caravans, and other recreational activities, would alter the appearance of the site and cause considerable harm to the character and appearance of the rural area.
4. The Secretary of State has carefully considered the Council's reasons for making the Directions against the policies set out in Appendix D to the Department of the Environment Circular 9/95. It is his policy to approve the withdrawal of permitted development rights that have been granted by Parliament only in exceptional circumstances, but on the basis of the

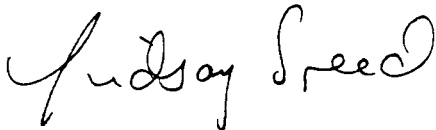


information before him the Secretary of State is satisfied that in this case such action is justified. Evidence of a real and specific threat has been provided and he agrees with the Council that the potential for the uncontrolled erection, construction, maintenance, improvement or alteration of gates, fences, walls or other means of enclosure and temporary buildings and other temporary uses, could cause serious harm to the character and appearance of the rural area and thereby interests of acknowledged importance. The Secretary of State is also of the view that the uncontrolled use of the land as a caravan site or other recreational uses, could also harm those interests.

5. For the reasons given above, the Secretary of State, in exercise of his powers under Article 5(1) of the Town and Country Planning (General Permitted Development) Order 1995, hereby approves the Article 4 Directions, subject to the modification shown in red ink thereon.

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

Yours faithfully



**L SPEED**  
**Planning Casework Team**

**Important:** As from 22 April 2003, GO East will be moving to new offices in Cambridge.  
From that date, our new contact details will be:  
GO-East, Eastbrook, Shaftesbury Road, Cambridge, CB2 2DF  
Tel: 01223 372000 Fax: 01223 372001



**BRAINTREE**

DISTRICT  
COUNCIL

## TOWN AND COUNTRY PLANNING

### GENERAL PERMITTED DEVELOPMENT ORDER 1995

#### Direction made under Article 4(1)

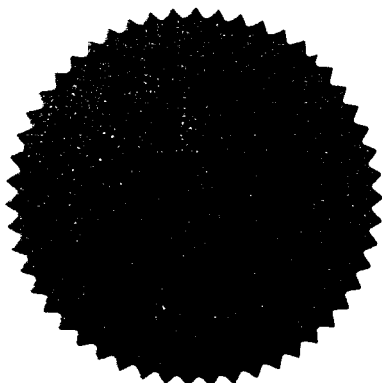
WHEREAS the Council of the District of Braintree being the appropriate local planning authority within the meaning of article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995, are satisfied that it is expedient that the development of the description(s) set out in the Schedule below should not be carried out on part of OS tile E 5810 and W 2260 being land known as Brook Farm, Stisted, near Braintree in the County of Essex, being the land more particularly shown <sup>hatched</sup> 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,

NOW THEREFORE the 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(s) set out in the Schedule below.

#### SCHEDULE

- (i) The use of land, other than a building, as a caravan site in the circumstances referred to in Paragraph A2 of the Order being development comprised within Class A of Part 5 Caravan Sites of Schedule 2 to the said Order and not being development comprised in any other Class.
- (ii) The use of land by members of a recreational organisation for the purposes of recreation or instruction, and the erection or placing of tents on the land for the purposes of the use being development comprised within Class A of Part 27 Use by members of certain recreational organisations of Schedule 2 to the said Order and not being development comprised within any other Class.

GIVEN UNDER THE COMMON SEAL of Braintree District  
Council this 24<sup>th</sup> March 2003. The Common Seal of the Council  
was affixed to this Direction in the presence of:-



17957

Proper Officer

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

28 MARCH 2003

Signed by authority  
of the Secretary of State

L SPEED  
A Principal in the  
Government Office  
for the East of  
England

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

*L Speed*

28 MARCH 2003  
Signed by authority  
of the Secretary of State

L SPEED  
A Principal in the  
Government Office  
for the East of  
England



**AUTHORISED  
SIGNATORY**

BRAINTREE DISTRICT  
COUNCIL  
Causeway House  
Bocking End  
Braintree  
Essex CM7 9HB  
Tel: 01376 552525

Land Part of OS Tile E5810 N2260  
Near Brooks Farm  
Stisted  
Essex

Date: 24 March 2003  
Scale: 1: 5000



**BRAINTREE**

DISTRICT  
COUNCIL



**BRAINTREE**

DISTRICT  
COUNCIL

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 the District of Braintree 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 the development of the descriptions set out in the Schedule below should not be carried out on part of OS tile E 5810 and W 2260 being land known as Brook Farm, Stisted, near Braintree in the County of Essex, being the land more particularly 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 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(s) set out in the Schedule below.

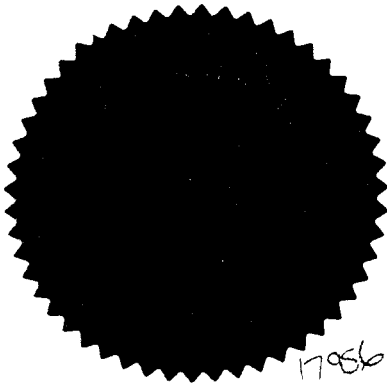
THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with article 5(4), shall remain in force until 20<sup>th</sup> September 2003 (being six months from the date of this Direction) and shall then expire unless it has been approved by the Office of the Deputy Prime Minister.

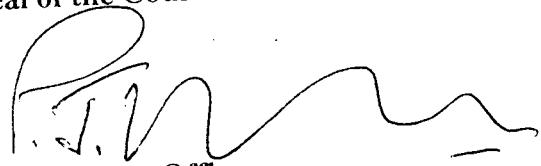
SCHEDULE

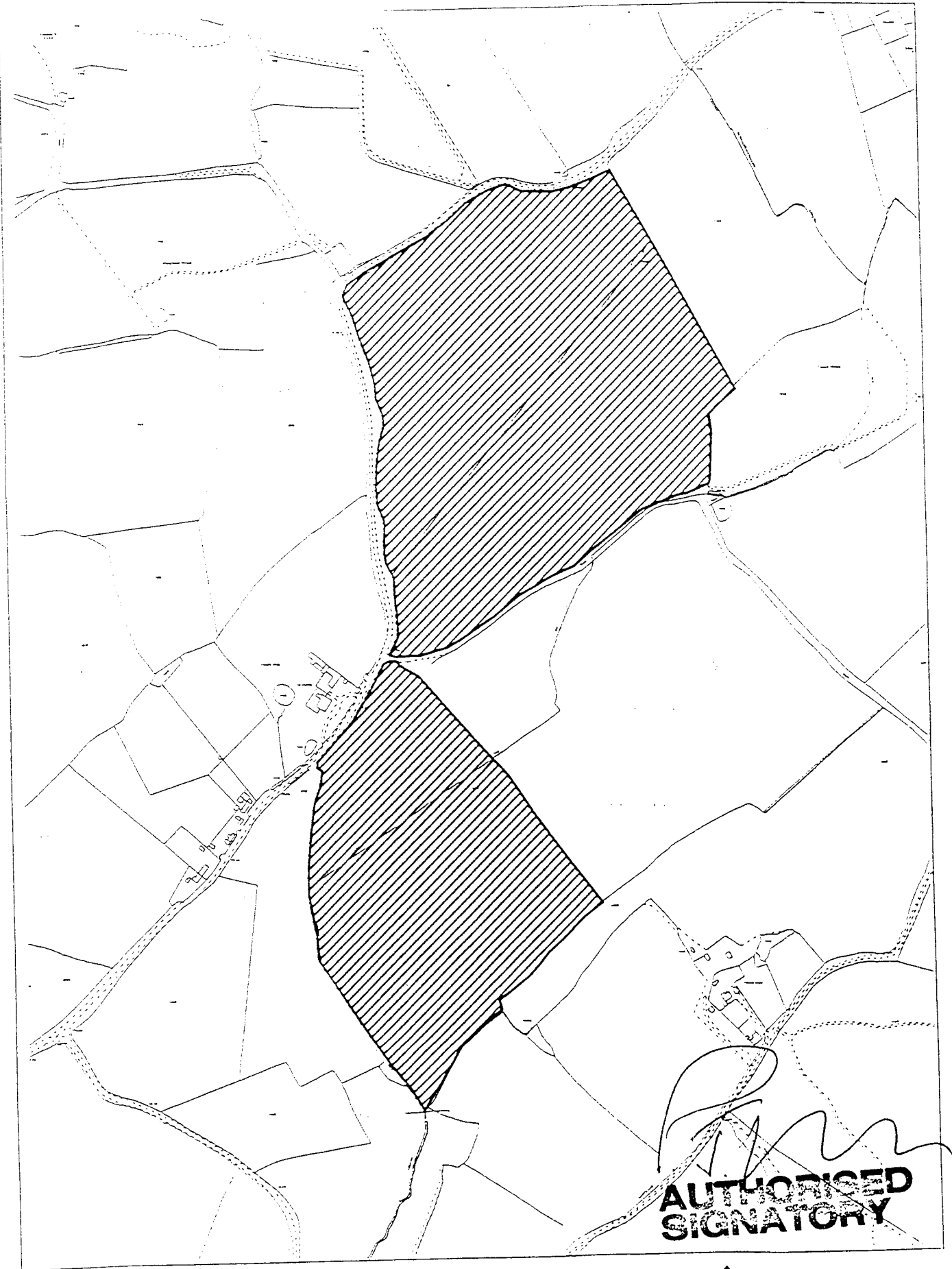
- (i) – the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure being development comprised within Class A of Part 2 Minor Operations referred to in Schedule 2 to the Order and not being development comprised within any other class.

- (ii) The provision on land of buildings, movable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land being development comprised within Class A of Part 4 Temporary Buildings and Uses referred to in Schedule 2 to the Order and not being development comprised within any other class.
- (iii) 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 B2, and the provision on the land of any movable structure for the purpose of the permitted use, being development comprised within Class B of Part 4 Temporary Buildings and Uses of Schedule 2 to the said Order and not being development comprised within any other Class.

GIVEN UNDER THE COMMON SEAL of Braintree District Council  
this 24th day of March 2003. The Common Seal of the Council was affixed to this  
Direction in the presence of:-



  
Proper Officer



*[Handwritten Signature]*  
**AUTHORIZED  
SIGNATORY**

**BRAINTREE DISTRICT  
COUNCIL**

Causeway House  
Bocking End  
Braintree  
Essex CM7 9HB  
Tel: 01376 552525

Land Part of OS Tile E5810 N2260  
Near Brooks Farm  
Stisted  
Essex

Date: 24 March 2003  
Scale: 1: 5000



**BRAINTREE**

DISTRICT  
COUNCIL