

ASHFORD BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977

DIRECTION UNDER ARTICLE 4

WOODLAND KNOWN AS DERING WOOD, SMARDEN, NR. ASHFORD, KENT.

W H E R E A S:-

(1) Article 3 of the Town and Country Planning General Development Order 1973 (hereinafter called "the Order") permits the development described in Classes II, IV, VI, VIII, IX and XXII of the First Schedule to the Order

(2) The Ashford Borough Council (hereinafter called "the Council") are the District Planning Authority for the land specified in the Second Schedule hereto

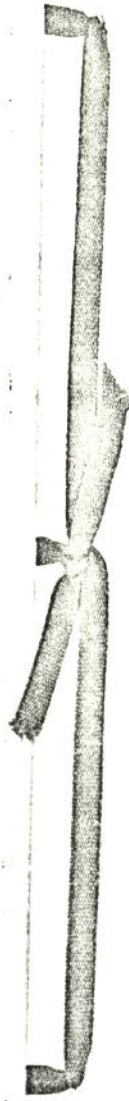
(3) The Council are satisfied that it is expedient in the interests of the amenities of the area that the development of the description specified in the First Schedule hereto should not be carried out on the land specified in the Second Schedule hereto unless permission therefor is granted on an application in that behalf

NOW THEREFORE the Borough Council in pursuance of the powers conferred on them by Article 4 of the Town and Country Planning General Development Order 1977 HEREBY DIRECT that the permission granted by Article 3 of the Order shall not apply to the development of the descriptions specified in the First Schedule hereto in respect of the land specified in the Second Schedule hereto THIS DIRECTION may be cited as the Ashford Borough Council (Dering Wood, Smarden) Town and Country Planning Direction No. 4 1978

FIRST SCHEDULE

Class II - Sundry minor operations

1. The erection or construction of gates, fences, walls or other means of enclosure not exceeding 1 metre in height where abutting on a highway used by vehicular traffic or 2 metres in height in any other case, and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure: so long as such improvement or alteration does not increase the height above the height appropriate for a new means of enclosure



2. The formation, laying out and construction of a means of access to a highway not being a trunk or classified road, where required in connection with development permitted by article 3 of and Schedule 1 to this order (other than under this class)

3. The painting of the exterior of any building or work otherwise than for the purpose of advertisement, announcement or direction

Class IV - Temporary buildings and uses

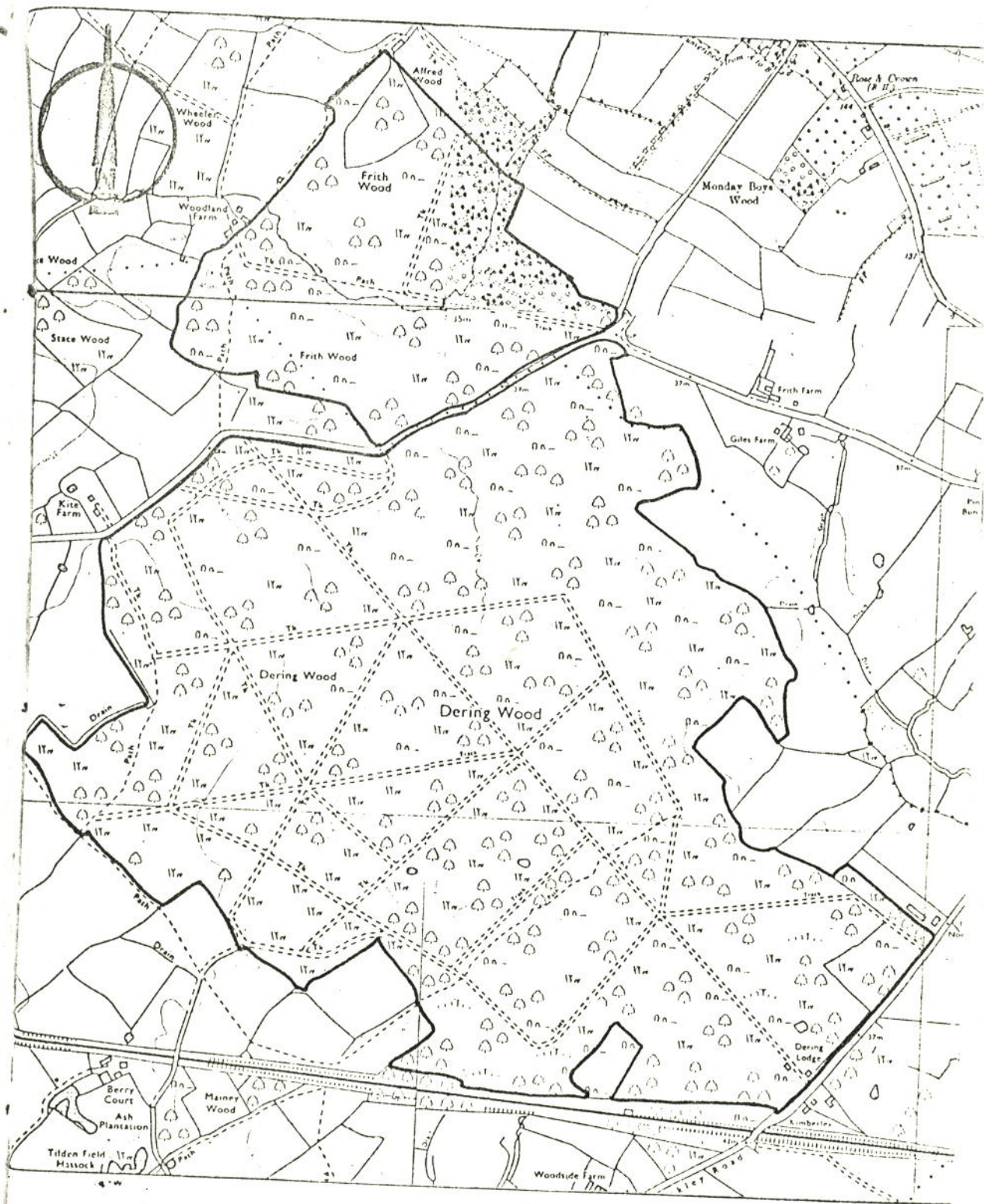
1. The erection or construction on land, in, on, over or under which operations other than mining operations are being or are about to be carried out (being operations for which planning permission has been granted or is deemed to have been granted under Part III of the Act, or for which planning permission is not required), or on land adjoining such land, of buildings, works, plant or machinery needed temporarily in connection with the said operations, for the period of such operations

2. The use of land (other than a building or the curtilage of a building) for any purpose or purposes except as a caravan site on not more than 28 days in total in any calendar year (of which not more than 14 days in total may be devoted to use for the purpose of motor car or motorcycle racing or for the purpose of the holding of markets), and the erection or placing of moveable structures on the land for the purpose of that use: Provided that for the purpose of the limitation imposed on the number of days on which land may be used for motor car or motorcycle racing, account shall be taken only of those days on which races are held or practising takes place

Class-VI - Agricultural buildings, works and uses

1. The carrying out on agricultural land having an area of more than one acre and comprised in an agricultural unit of building or engineering operations requisite for the use of that land for the purposes of agriculture (other than the placing on land of structures not designed for those purposes or the provision and alteration of dwellings), so long as:-

(a) the ground area covered by a building erected pursuant to this permission does not, either by itself or after the addition thereto of the ground area



ASHFORD BOROUGH COUNCIL

ARTICLE 4 DIRECTION NO.4
DERING WOOD, SMARDEN.

Date. October 1978.
Scale. 1:10,000.

P.S.Vafidis MA, Dip.T.P., MR.T.P.I.,
Borough Planning Officer,
Trafalgar House,
Elwick Road,
Ashford, Kent.

Drawing No. EN/78/49
Ref. No. 83/2/44/5.

covered by any existing building or buildings (other than a dwellinghouse) within the same unit erected or in course of erection within the preceding two years and wholly or partly within 90 metres of the nearest part of the said building, exceed 465 square metres;

(b) the height of any buildings or works does not exceed 3 metres in the case of a building or works within 3 kilometres of the perimeter of an aerodrome, nor 12 metres in any other case;

(c) no part of any buildings (other than moveable structures) or works is within 25 metres of the metalled portion of a trunk or classified road

2. The erection or construction and the maintenance, improvement or other alteration of roadside stands for milk churns, except where they would abut on any trunk or classified road

3. The winning and working, on land held or occupied with land used for the purposes of agriculture, of any minerals reasonably required for the purposes of that use, including:-

(i) the fertilisation of the land so used, and

(ii) the maintenance, improvement or alteration of buildings or works thereon which are occupied or used for the purposes aforesaid, so long as no excavation is made within 25 metres of the metalled portion of a trunk or classified road

Class VIII - Development for industrial purposes

1. Development of the following descriptions, carried out by an industrial undertaker on land used (otherwise than (i) in contravention of previous planning control or (ii) without planning permission granted or deemed to be granted under Part III of the Act) for the carrying out of any industrial process, and for the purposes of such process, or on land used (otherwise than as aforesaid) as a dock, harbour or quay for the purposes of an industrial undertaking:-

(i) the provision, rearrangement or replacement of private ways or private railways, sidings or conveyors;

(ii) the provision or rearrangement of sewers, mains, pipes, cables or other apparatus;

(iii) the installation or erection, by way of addition or replacement, of plant or machinery or structures or erections of the nature of plant or machinery, not exceeding 15 metres in height or

the height of the plant, machinery, structure or erection so replaced, whichever is the greater;

- (iv) the extension or alteration of buildings (whether erected before or after 1st July 1948) so long as the height of the original building is not exceeded and the cubic content of the original building (as ascertained by external measurement) is not exceeded by more than one tenth nor the aggregate floor space thereof by more than 500 square metres;

So long as:-

- (a) in the case of operations carried out under sub-paragraphs (iii) or (iv) the external appearance of the premises of the undertaking is not materially affected; and
- (b) in the case of operations carried out under sub-paragraph (iv) no certificate would be required under section 67 of the Act if an application for planning permission for the development in question were made:

Provided that the erection on land within the curtilage of any such building of an additional building to be used in connection with the original building shall be treated as an extension of the original building, and where any two or more original buildings comprised in the same curtilage are used as one unit for the purposes of the undertaking, the reference in this permission to the cubic content shall be construed as a reference to the aggregate cubic content of those buildings, and the reference to the aggregate floor space as a reference to the total floor space of those buildings

2. The deposit by an industrial undertaker of waste material or refuse resulting from an industrial process on any land comprised in a site which was used for such deposit on 1st July 1948, whether or not the superficial area or the height of the deposit is thereby extended

Class IX - Repairs to unadopted streets and private ways

The carrying out of works required for the maintenance or improvement of an unadopted street or private way, being works carried out on land within the boundaries of the street or way

Class XXII - Use as a caravan site

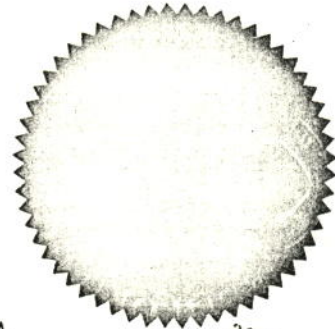
The use of land, other than a building, as a caravan site in any of the circumstances specified in paragraphs 2 to 9 (inclusive) of Schedule 1 to the Caravan Sites and Control of Development Act 1960 or in the circumstances (other than those relating to winter quarters) specified in paragraph 10 of the said Schedule

And not being development comprised within any other Class

SECOND SCHEDULE

The Woodland known as Dering Wood, Smarden, Nr. Ashford, Kent, lying to the North-west of the road from Maltman's Hill to Pluckley containing an area of 145.5 hectares or thereabouts and shown edged black on the plan annexed hereto

THE COMMON SEAL of the)
ASHFORD BOROUGH COUNCIL)
was hereunto affixed)
this 26th day of October)
1978 in the presence of:)



W. Colman

Mayor

J. Buss

Borough Secretary

DET 31575

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

M. Thompson

Signed by authority
of the Secretary of
State

10th January 1979

An Assistant Secretary
in the Department of
the Environment.

ASHFORD BOROUGH

COUNCIL

Ashford Borough Council (Dering
Wood, Smarden) Town and Country
Planning Direction No. 4 1978.

E.H.W. Mexter,
Ashford, Kent.

BGW/EW/DS.66