

This is an accessible version. Please also refer to the original Direction.

Cossall Conservation Area Article 4(1) Direction

Broxtowe Borough Council 1996

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) - 1995.

DIRECTION UNDER ARTICLE 4(1) - COSSALL CONSERVATION AREA

This article 4 (1) Direction was approved by the Secretary of State for the Environment on 8 November 1996 and came into force on 2 December 1996. It remains in force until further notice.

TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

DIRECTION MADE UNDER ARTICLE 4 (1)

WHEREAS the Council of the District of Broxtowe, 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 descriptions set out in the schedule below should not be carried out on the land 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.

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 descriptions set out in the Schedule below.

SCHEDULE

Being all development comprised within Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and not being development comprised within any other part:

Class A Development on units of 5 hectares or more

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of -

- (a) works for the erection, extension or alteration of a building; or
- (b) any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit

Class B Development on units of less than 5 hectares

B. The carrying out on agricultural land comprised in an agricultural unit of not less than 0.4 but less than 5 hectares in area of development consisting of -

- (a) the extension or alteration of an agricultural building;
- (b) the installation of additional or replacement plant or machinery;
- (c) the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus;
- (d) the provision, rearrangement or replacement of a private way;
- (e) the provision of a hard surface;
- (f) the deposit of waste; or

- (g) the carrying out of any of the following operations in connection' with fish farming, namely, repairing 6onds and raceways; the installation of grading machinery, aeration equipment or flow meters and any associated channel; the dredging of ponds; and the replacement of tanks and nets,

where the development is reasonably necessary for the purposes of agriculture within the unit.

Class C Mineral working for agricultural purposes

C. The winning and working on land held or occupied with land used for the purposes of agriculture of any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part.

THE COMMON SEAL of

BROXTOWE 80R01JGH COUNCIL

was hereunto affixed

in the presence of:-

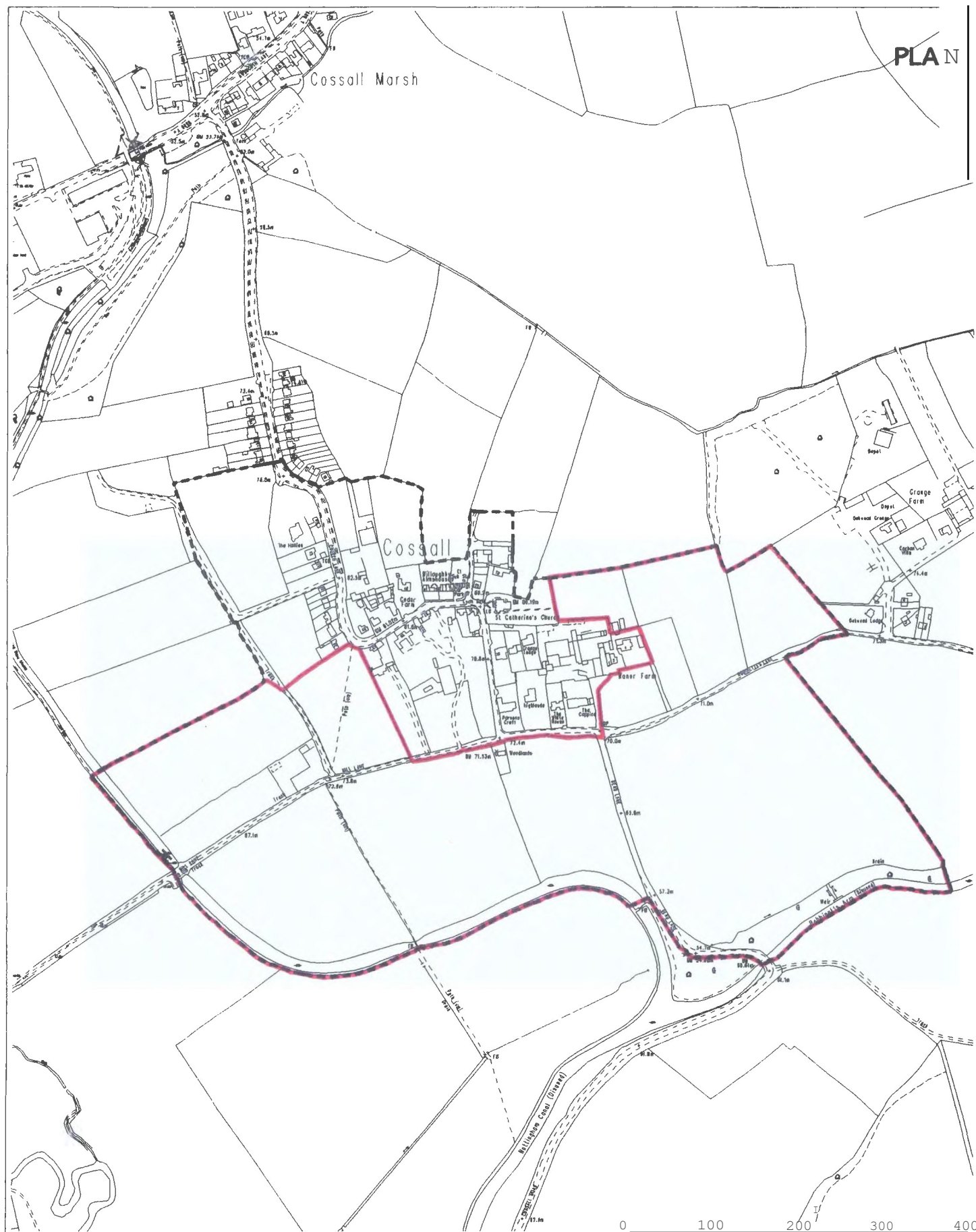
Mayor

Duly Authorised Officer

The Secretary of State for the
Environment
hereby approves the foregoing direction

Signed by
authority
of the
Secretary of
state

A Principle
in the Department
oi the Environment



COSSALL CONSERVATION AREA

— AREA OF ARTICLE 4(1) DIRECTION

- - - - - BOUNDARY OF CONSERVATION AREA



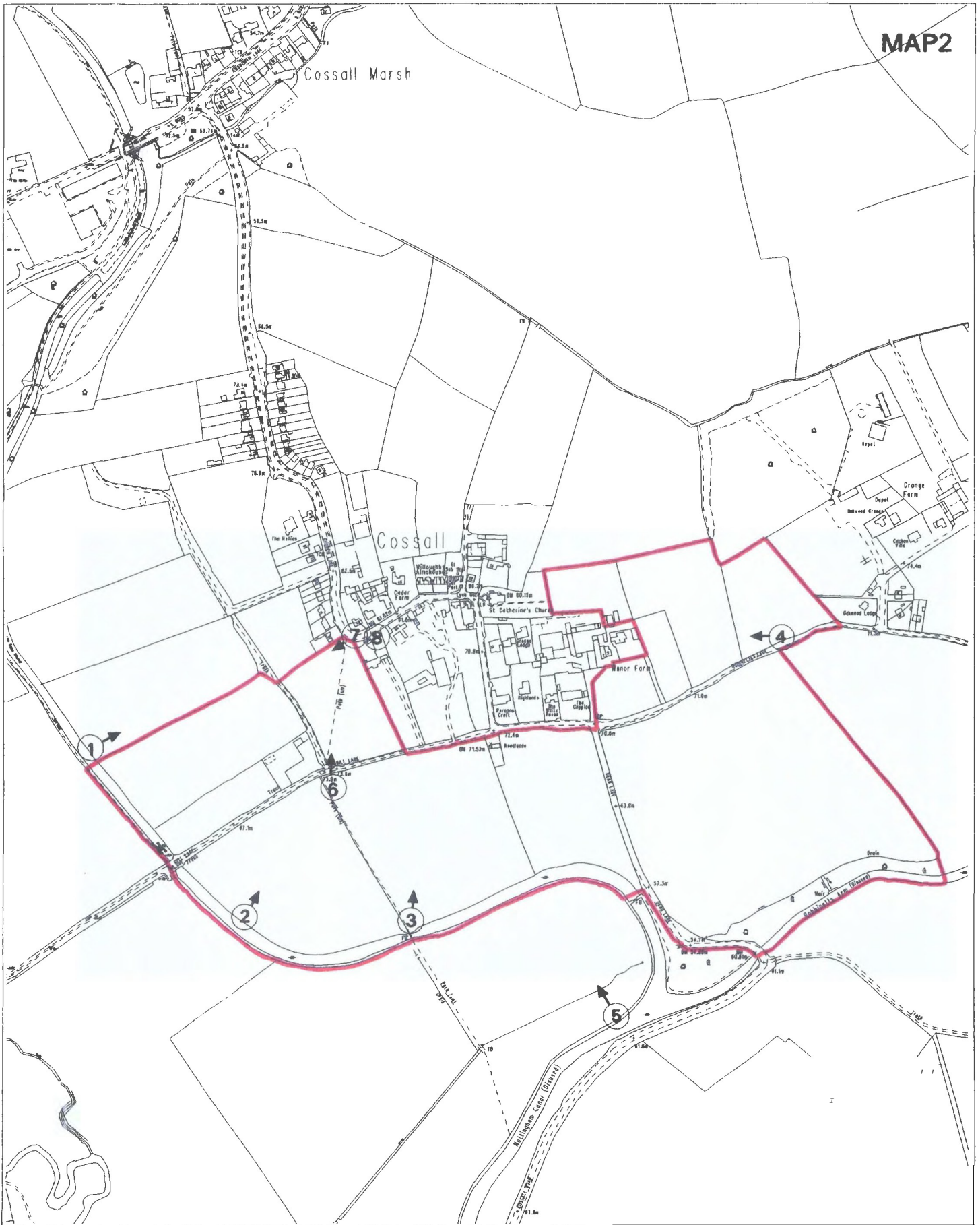
DIRECTORATE
OF
PLANNING & DEVELOPMENT
DIRECTOR D. J. CLACK

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Cossall Conservation Area:

Article 4(1) Direction to control agricultural development
on the southern part of the area.

1. Cossall is an attractive village of historic importance, set on a hill with views across the Erewash Valley. It presents a distinctive skyline from all approaches, with the spire of the church forming a landmark, flanked by a variety of mature trees and the roofs of mainly two storey residential property. When viewed from the south, the village has a foreground of gradually sloping fields uninterrupted by agricultural structures. This open view of the village's hilltop setting can be admired by users of the Nottingham Canal towpath as it winds round to the south and west of the village. This path forms part of a long-distance footpath and the whole route of the canal was designated a Local Nature Reserve in 1993.
2. The Article 4 (1) Direction recognises the village's special hilltop setting. The Direction gives the Borough Council control over the location, size, design and external appearance of agricultural developments normally permitted under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. Under the Direction the Council can prevent the erection of inappropriate agricultural structures and so protect the quality of these views, which are part of the character of the village and contribute to its Conservation Area status.
3. Equally important to the character of the village is the manner in which views open out from within the village, along Church Lane as it takes various sharp turns. Views open out particularly to the south and west, over the Erewash valley and emphasise the village's hilltop setting. The Article 4(1) Direction assists in maintaining these views as an essential part of the character of the Conservation Area.
4. Photographs 1-6 help to demonstrate the character of the views of the village from the south (see map 2) while photographs 7-8 depict the complementary effect of the views out from between gaps in properties in the village.
5. Agricultural buildings are typically larger in scale than domestic buildings. Therefore particularly in cases where they were proposed to be sited on the higher ground within the specified fields, (see map 1), they would be likely to visually harm the setting of the village, in which there are very few buildings over two storeys in height. Visual detriment to the village's character could arise from development described in any of the classes within Part 6. Therefore the whole of Part 6 is specified in the Article 4(1) Direction, effectively bringing all agricultural development within control in this area.



0 100 200 300 400

Metres

COSSALL CONSERVATION AREA ARTICLE 4(1) DIRECTION
VIEWPOINTS OF PHOTOGRAPHS IN THIS REPORT

 AREA OF ARTICLE 4(1) DIRECTION



DIRECTORATE
OF
PLANNING & DEVELOPMENT
DIRECTOR D.J. CLACK

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Appendices

1. Secretary of State's letter of approval
2. Background information

Appendix 1

Director of Planning and Development
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Direct line: 0115 971 249

For the attention of Mr Tony Ward

Your ref: TW/JCSP.408.01.07
Our Ref: EMP/3015/19/1

Date: 8 November 1996

Dear Sir

TOWN AND COUNTY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER
1995
ARTICLE 4 (1) DIRECTION - COSSALL CONSERVATION AREA

I am directed by the Secretary of State for the Environment to reference your letter of 15 July 1996 and the revised Directions sent to this office on 9 August and to return herewith one copy of the modified Direction endorsed with his approval.

Technical modifications made to remove unnecessary wording and hereby clarify the order are indicated in red ink.*

The Council's attention is drawn to the provisions of Article 5 (10) and Article 5 (12) of the General Development Order which relates to the publication or service of notice of the Direction.

Yours Faithfully

D WILSON
Authorised by the Secretary of State
In sign in that behalf

*These modifications are incorporated in the approved version of the Direction which is included in this booklet

Appendix 2

Background information

Cossall Conservation Area was originally designated in 1972. The Area was extended in 1995, in anticipation of the proposed Article 4(1) Direction and a Conservation Area leaflet was consequently published in 1996.

The proposed Direction was the subject of consultation in 1995, as a result of which the Parish Council expressed their full agreement and no objections were made. The Secretary of State gave his approval in November 1996, following which owners were notified and notices were published in local newspapers. The Direction came into force on 2 December 1996.

The Direction relates to field numbers 6527, 4900, 2800, 7400, 0900, 9901, 9809, 5130, 2117, 3911, 5418 and 7794 to the west, south and east of the village, plus a 850 metre section of the Nottingham Canal and a 230 metre section of the Robbinetts Arm, where they adjoin these fields. The total area covered is approximately 36 hectares.

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The Borough Council would like to express its thanks for the help of Cossall Parish Council in the preparation of the Direction and the Conservation Area leaflet.

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PUBLISHED BY:
Directorate of Planning and Development
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For copies of the Conservation Area leaflet or any further information please contact Tony Ward (extension 4482) or David Lawson (extension 4452).