



Departments of the Environment and Transport

East Midlands Regional Office

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GTN 2954

FILE REF.	SCA/2
FILE REF. LETTER	
DEPT	
TO	Director
REFD. TO	ADW
RECEIVED	
	10V 187
Your reference	
DH/5202/ACK	
Our reference	com.
EMP 531/MS/5	
Date	26 November 1987

Director of Planning and Property
 Lincoln City Council
 City Hall
 Beaumont Fee
 LINCOLN
 LN1 1DF

Your reference
 DH/5202/ACK
 Our reference
 EMP 531/MS/5
 Date
 26 November 1987

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1971
 TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977 TO 1985
 ARTICLE 4 DIRECTION - SWANPOOL GARDEN SUBURB, LINCOLN

1. I am directed by the Secretary of State for the Environment to refer to your letters of 14 August and 4 September 1987 and to return herewith one copy of the modified Direction endorsed with his approval.
2. The direction has been modified to exclude Class 1.3 which would have brought the erection of garden sheds and greenhouses under planning control. It is considered that the construction of sheds and greenhouses within the curtilage of dwelling houses would not unduly affect the appearance of the Conservation Area and, therefore, that control of this type of development is not justified in this case.
3. References to the direction to the General Development Order have been modified to read "Town and Country Planning General Development Orders 1977-1985". The last amendments to the General Development Order (other than Special Development Orders) affecting permitted development rights were issued in 1985.
4. The Council's attention is drawn to the provisions of Articles 4(5) and 4(6) of the General Development Order (as amended) which relate to the publication or service of notice of the direction.
5. In the penultimate paragraph of your letter of 14 August you request that the Secretary of State cancel the earlier Article 4 direction affecting the Swanpool Garden suburb. In this connection I would draw your attention to Article 4(7) of the General Development Order as substituted by the Town and Country Planning General Development (Amendment) (No 2) Order 1985 (Statutory Instrument 1985 No 1981). You will note that any direction made by a local planning authority may be cancelled by a subsequent direction by that authority if it contains no provision other than the cancellation of the original direction. Such action does not require the approval of the Secretary of State but for our records perhaps you will let us know when the earlier direction has been cancelled.

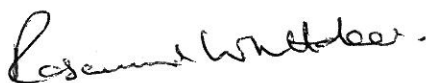
I am Sir
 Your obedient Servant

K I MCKENZIE
 Authorised by the Secretary of State
 to sign in that behalf

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

Signed by authority
of the Secretary of
State

26th November 1987



A Regional Controller
in the Department of
the Environment.

LINCOLN CITY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977-1987⁵

TOWN AND COUNTRY PLANNING (NATIONAL PARKS, AREAS OF OUTSTANDING NATURAL BEAUTY AND CONSERVATION AREAS) SPECIAL DEVELOPMENT ORDER 1985 (AS AMENDED)

DIRECTION UNDER ARTICLE 4

Whereas the Lincoln City Council being the Local Planning Authority for the City of Lincoln are satisfied that it is expedient that development of the descriptions set out in the First Schedule hereto should not be carried out on the land described in the Second Schedule and coloured red on Plan Number CON/629/D annexed hereto unless permission therefor is granted on application made under the Town and Country Planning General Development Orders 1977 to 1987⁵

NOW THEREFORE the said Council in pursuance of the powers conferred upon them by Article 4 of the Town and Country Planning General Development Orders 1977 to 1987⁵, hereby direct that the permission granted by Article 3 of the Town and Country Planning (National Parks, Areas of Outstanding Natural Beauty and Conservation Areas Etc) Special Development Order 1985, (as amended) shall not apply to development on the said land of the descriptions set out in the First Schedule hereto.

FIRST SCHEDULE

Class I Development within the curtilage of a dwellinghouse

1. The enlargement, improvement or other alteration of a dwellinghouse (including the erection of a garage, stable, loose-box or coach-house within the curtilage of a dwellinghouse) being development comprised within Class I.1 referred to in Schedule 1 to the Order and not being development comprised within any other class.
2. The erection or construction of a porch outside any external door of a dwellinghouse, being development comprised within Class I.2 referred to in Schedule 1 to the Order and not being development comprised within any other class.
- 2A. The installation, alteration or replacement of a satellite antenna on a dwellinghouse or within the curtilage of a dwellinghouse, being development comprised within Class I.2A referred to in Schedule 1 to the Order, and not being development comprised within any other class.

- ~~3. The erection, construction or placing, and the maintenance, improvement or other alteration within the curtilage of a dwellinghouse, of any building or enclosure (other than a dwelling, garage, stable, satellite antenna, coach-house or loose-box) required for a purpose incidental to the enjoyment of the dwellinghouse as such including the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants, being development comprised within Class I.3 referred to in Schedule 1 to the Order, and not being development comprised within any other class.~~

Class II Sundry minor operations

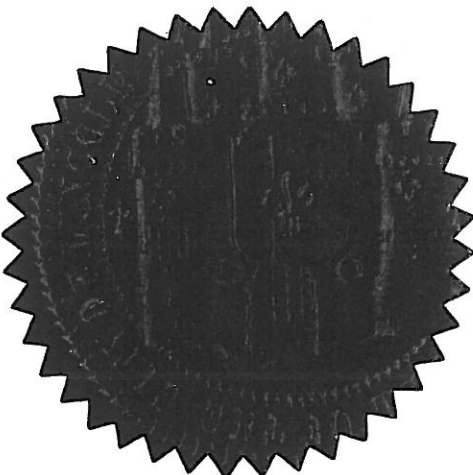
1. The erection or construction of gates, fences, walls or other means of enclosure and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure, being development comprised within Class II.1 referred to in Schedule 1 to the Order and not being development comprised within any other class.
3. The painting of the exterior of any building or work otherwise than for the purpose of advertisement, announcement or direction being development comprised within Class II.3 referred to in Schedule 1 to the Order and not being development comprised within any other class.

SECOND SCHEDULE

Land with the premises situate thereon known as :

Numbers 266 - 308 Skellingthorpe Road (even numbers)
 1 - 12 Almond Avenue
 1 - 14 Cherry Grove
 1 - 14 Westwood Close
 1 - 24 Hartsholme Drive
 25 - 77 Hartsholme Drive (odd numbers only)

Given under the Common Seal of the Lincoln City Council the
22nd day of July 1987 in the presence of



G.R. Ireland

MAYOR

Richard Wade

CITY SOLICITOR

