

DD

TP Ref: 4/0698/87D

Your application dated 11 May 1987 has been considered under the provisions of s.53 of the Town and Country Planning Act 1971, to determine whether planning permission is required in respect of

~~You are hereby given notice that the proposals set out therein do/do not constitute development within the meaning the the said Act, and therefore/but~~

(a) ~~planning permission must be obtained before any such proposals~~
~~xxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx~~
~~xxxxxx can be carried out~~
~~xxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx~~

(b) ~~do not require the permission of the local planning authority.~~
XX

~~The grounds for this determination are as follows:~~

(a) The growing of young trees and other plants falls within the definition of "agriculture" under Section 290(1) of the Town and Country Planning Act 1971. Section 22(e) of the said Act specifies that "agriculture" is not defined within the meaning of "development" and therefore the use of the site for such purposes does not require planning permission of the local planning authority.

(continued Page 2)

(See notes on reverse)

NOTES

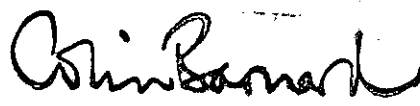
1. Any person who desires to appeal -
 - (a) against a determination of the local planning authority under s.53 of the Act; or
 - (b) on the failure of a local planning authority to give notice of their decision or determination or of the reference of the application to the Secretary of State,

shall give notice of appeal to the Secretary of State within six months of notice of the decision or determination or of the expiry of the appropriate period allowed under Article 7(6) of the Town and Country Planning General Development Order 1977 as amended, for giving such notice (ie 8 weeks from date of receipt of application by Local Planning Authority), as the case may be, or such longer period as the Secretary of State may at any time allow. The notice shall be given in writing, addressed to The Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ.

2. Such person shall also furnish to the Secretary of State a copy of the following documents:-
 - (i) the application;
 - (ii) all relevant plans, drawings, particulars and documents submitted with the application;
 - (iii) the notice of the decision or determination, if any;
 - (iv) all other relevant correspondence with any local planning authority.

- (b) Planning permission of the local planning authority would be required for the carrying out of building and engineering operations on the land. Development permitted under Article 3 Schedule 1 Class VI 1(a) of the Town and Country Planning General Development Orders 1977-1986 could not be undertaken at the site as "agricultural land" referred to in Class VI is defined by the Agriculture Act 1947 as inter alia, land which is so used for the purposes of a trade or business. There is no evidence of such activity at the site.
- (c) Planning permission of the local planning authority would be required for the proposed buildings should the site be used as agricultural land. The buildings would be located within 25 metres of a metalled portion of a classified road as specified in Class VI 1(a) of the said General Development Order.
- (d) Planning permission of the local planning authority would be required for the proposed car parking area. This engineering operation, in the opinion of the local planning authority, is development which would not be requisite for the use of the land for the purposes of agriculture should trade or business be established at the site as referred to in (b).

Yours faithfully



Chief Planning Officer

Dated Ninth day of July 1987