

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) ORDER 1995**

DIRECTION MADE UNDER ARTICLE 4(1)

WHEREAS the Borough Council of Castle Point being the appropriate local planning authority within the meaning of article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995, is satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged/coloured 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 description(s) set out in the Schedule below.

SCHEDULE 1 The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, within Class A of Part 2 of Schedule 2 to the 1995 Order,

And

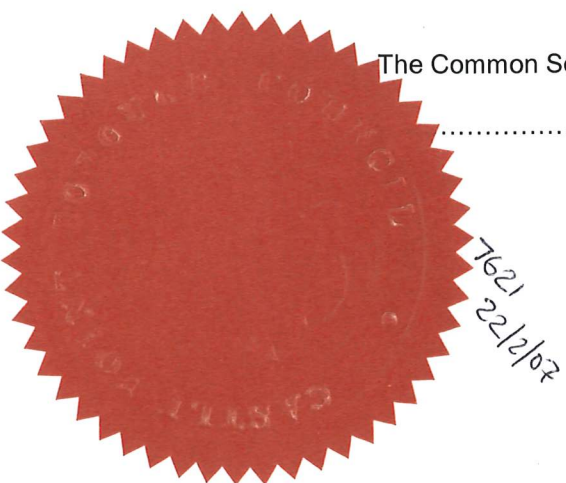
SCHEDULE 2 The siting of caravans and/or mobile homes, and the use of the land as a caravan site, being development comprised within Class A, of Part 5 of Schedule 2 to the 1995 Order, and not being development comprised within any other Class.

Given under the Common Seal of the Borough Council of Castle Point
this 23rd day of February 2007.

The Common Seal of the Council was affixed to this Direction in the presence of



Duly authorised officer of the Council





**TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995**

ARTICLE 4(1) DIRECTION

COOMBE WOOD THUNDERSLEY BENFLEET ESSEX

STATEMENT OF REASONS FOR MAKING DIRECTION

1. Site and surrounding area

1.1. The Site

The site of Coombe Wood is situated on the northern side of London Road (Bread & Cheese Hill) in Thundersley. It is a heavily wooded area of land with steep undulations falling generally from north to south and from west to east. The land is crossed by a public bridleway, as well as a number of tracks and drains. The land is designated as Metropolitan Green Belt. A Tree Preservation Order (TPO15/49) is in force on the land.

1.2. The character of the surrounding area

The area surrounding Coombe Wood is essentially residential in character and use. Single and two storey detached dwelling houses and their curtilages adjoin the land on its eastern and western boundaries. The southern boundary is formed by the A13 London Road. The northern boundary adjoins further open land also within the Metropolitan Green Belt. An application to have the land designated as Village Green under the Commons Registration Act 1965 is presently with Essex County Council.

2. The grounds for making the Direction

2.1. Work already undertaken

The Council were alerted to the erection of fencing within this area of natural land by the Friends of Coombe Wood in December 2005. The fencing comprises wooden stakes to a height of about 1 metre spaced at regular intervals with chain link fencing and barbed wire between the stakes. The work is permitted development. Adverse comment was

made regarding this work in a recent Open Space Appraisal carried out on behalf of the Council.

2.2. Potential further works

There is evidence of multiple ownership of small parcels of land throughout the Coombe Wood. Concern has been expressed that owners of these parcels may also attempt to define their ownership by similar fencing.

2.3. Damage to interests of acknowledged importance

The introduction of suburban style fences or walls in this natural sylvan setting is likely to erode the special character of this long established and much valued woodland. Its unique character in woodland terms has also been recognised in the recent Open Space Appraisal. Furthermore this area of woodland performs a classic Green Belt function of separation because of its narrowness dividing two distinct settlements in this part of Thundersley.

2.4. Harm from permitted development

The erection of fencing or indeed walls crossing the land and creating irregular parcels would be damaging to this open and wooded section of Green Belt land. "Sub-urbanisation" of the land with fencing would represent highly intrusive and damaging work in a sensitive area.

3. Representations

3.1. Owner/occupiers

No representations have yet been received from owners of land as a result of the making of this Direction.

3.2. Friends of Coombe Wood

The Friends of Coombe Wood fully support the Council's action in making an Article 4 Direction, recognising that the damage which could be caused to the wood by the introduction of fencing or caravans.

3.3. Essex County Council

The County Council is presently considering the Inspectors Report following the Village Green Inquiry. Subsequent to that report, a number of further representations have been made, as well as a judgement given in the *Oxfordshire County Council v, Oxford City Council and C.M. Robinson* case.

4. Conclusions

4.1. The land

This is a sensitive and wooded area of Green Belt land. The introduction of fencing to delineate parcels of ownership has already taken place in part. This work has compromised the character and appearance of the land.

4.2. The proposal

Further protection for the land is required in order to prevent yet more fences or wall or the introduction of trailers, caravans or mobile homes.

4.3. The benefit

The Direction will counter a real and serious threat to a highly valued area of natural wooded Green Belt bringing particular development within the Council's control.