

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977

WHEREAS THE COUNCIL FOR THE BOROUGH OF TEWKESBURY (hereinafter called 'the Council') being the Local Planning Authority for the said Borough of Tewkesbury are satisfied that it is expedient that development of the description set out in the Schedule hereto should not be carried out on any land situate within the Conservation Area of Tewkesbury designated by the Gloucestershire County Council on the 29th December 1969 and extended by the Council on the 6th October 1987 which said land is shown coloured red on the plan annexed hereto

NOW THEREFORE the Council in pursuance of the powers conferred upon it by Article 4 of the Town and Country General Development Order 1977 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 hereto, unless permission therefor is granted on application made under the Town and Country Planning General Development Order 1977

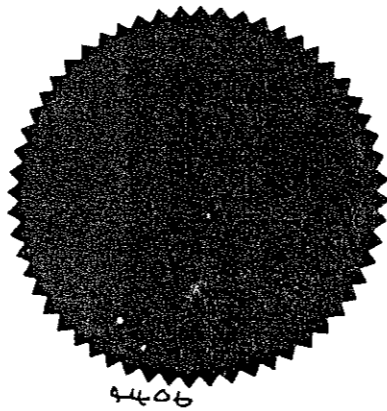
THE SCHEDULE above referred to

The provisions of Article 3 of the Town and Country Planning General Development Order 1977 shall not apply to development in the following Classes, being Classes specified in Schedule 1 of the said Order:-

- (A) (D) Class I.1, I.2 & ~~I.3~~ Development within the curtilage of a dwellinghouse
- (C) Class ~~II.1~~ & II.3 Sundry minor operations

Dated the 23<sup>rd</sup> day of October 1987

THE COMMON SEAL of the )  
COUNCIL FOR THE BOROUGH )  
OF TEWKESBURY was hereunto )  
affixed in the presence of: )



*E. L. Weston*

Mayor

*[Signature]*  
Borough Secretary

Secretary of State for the )  
Government hereby approves the )  
above direction subject to the )  
provisions shown in red ink )

By authority )  
Secretary of )

\*An Assistant )  
Secretary in the )  
Department of the )  
Environment.

*[Signature]*

June 1988

ALSO  
(AMENDED G D O 1985)

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HAZEL  
CAROLINE

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STATUTORY INSTRUMENTS

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1977 No. 289

TOWN AND COUNTRY PLANNING,  
ENGLAND AND WALES

The Town and Country Planning General Development  
Order 1977

Made - - - 22nd February 1977  
Laid before Parliament 8th March 1977  
Coming into Operation 29th March 1977

ARTICLE

1. Application, citation and commencement.
2. Interpretation.
3. Permitted development.
4. Directions restricting permitted development.
5. Applications for planning permission.
6. Other forms of application.
7. General provisions relating to applications.
8. Notice under section 26.
9. Certificates and notices under section 27.
10. Directions restricting the grant of permission.
11. Special provisions as to permission for development affecting certain existing and proposed highways.
12. Power of local highway authority to issue directions restricting the grant of planning permission.
13. Application of bye-laws in relation to the construction of new streets.
14. Development not in accordance with the development plan.
15. Consultations before the grant of permission.
16. Applications relating to county matters.
17. Notice to parish and community councils.
18. Provisions for applications affecting listed buildings.
19. Notice of reference of applications to the Secretary of State.
20. Appeals.
21. Register of applications.
22. Established use certificates.
23. Directions and notices.
24. Revocations and savings.

SCHEDULE 1

PERMITTED DEVELOPMENT

CLASS

- I. Development within the curtilage of a dwelling house.
- II. Sundry minor operations.
- III. Changes of use.
- IV. Temporary buildings and uses.
- V. Uses by members of recreational organisations.
- VI. Agricultural buildings, works and uses.

[DET 24594]

*Directions and notices*

23.—(1) Any power conferred by this order to give direction shall be construed as including power to cancel or vary the direction by a subsequent direction.

(2) Any notice or other document to be served or given under this order may be served or given in the manner prescribed by section 283 of the Act and by any regulations made under that section.

*Revocations and savings*

24.—(1) The statutory instruments specified in Schedule 7 hereto are hereby revoked, but without prejudice to any permission granted or determination made or certificate issued thereunder; and any application for planning permission or for a determination or for an established use certificate which at the coming into operation of this order is outstanding shall have effect as if made and be determined under and in accordance with the provisions of this order.

(2) Any directions in force immediately before the coming into operation of this order under articles 4, 5, 6, 7, 10, 11, 12, 14, 15, 18, 19, 22 or 23, of the Town and Country Planning General Development Orders 1973 to 1976 shall continue in force and have effect as if given under this order.

SCHEDULE 1

The following development is permitted under article 3 of this order subject to the limitations contained in the description of that development in column (1) and subject to the conditions set out opposite that description in column (2).

Column (1) Description of Development	Column (2) Conditions
<p><i>Class I.—Development within the curtilage of a dwellinghouse</i></p> <p>1. The enlargement improvement or other alteration of a dwellinghouse so long as:</p> <p>(a) the cubic content of the original dwellinghouse (as ascertained by external measurement) is not exceeded by more than 50 cubic metres or one-tenth whichever is the greater, subject to a maximum of 115 cubic metres;</p> <p>(b) the height of the building as so enlarged altered or improved does not exceed the height of the highest part of the roof of the original dwellinghouse;</p> <p>(c) no part of the building as so enlarged altered or improved projects beyond the forwardmost part of any wall of the original dwellinghouse which fronts on a highway:</p> <p>Provided that the erection of a garage, stable loose-box or coach-house within the curtilage of the dwellinghouse shall be treated as the enlargement of the dwellinghouse for all purposes of this permission including the calculation of cubic contents.</p>	

2. The erection or construction of a porch outside any external door of a dwellinghouse so long as:

(a) the floor area does not exceed 2 square metres;

(b) no part of the structure is more than 3 metres above the level of the ground;

(c) no part of the structure is less than 2 metres from any boundary of the curtilage which fronts on a highway.

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, loose-box or coach-house) 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 of the dwellinghouse, so long as:

(a) no part of such building or enclosure projects beyond the forwardmost part of any wall of the original dwellinghouse which fronts on a highway;

(b) the height does not exceed, in the case of a building with a ridged roof, 4 metres, or in any other case, 3 metres;

(c) the area of ground covered by buildings within the curtilage (other than the original dwellinghouse) does not thereby exceed one half of the total area of the curtilage excluding the ground area of the original dwellinghouse.

4. The construction within the curtilage of a dwellinghouse of a hardstanding for vehicles for a purpose incidental to the enjoyment of the dwellinghouse as such.

5. The erection or placing within the curtilage of a dwellinghouse of a tank for the storage of oil for domestic heating so long as:

(a) the capacity of the tank does not exceed 3500 litres;

(b) no part of the tank is more than 3 metres above the level of the ground;

(c) no part of the tank projects beyond the forwardmost part of any wall of the original dwellinghouse which fronts on a highway.

*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.

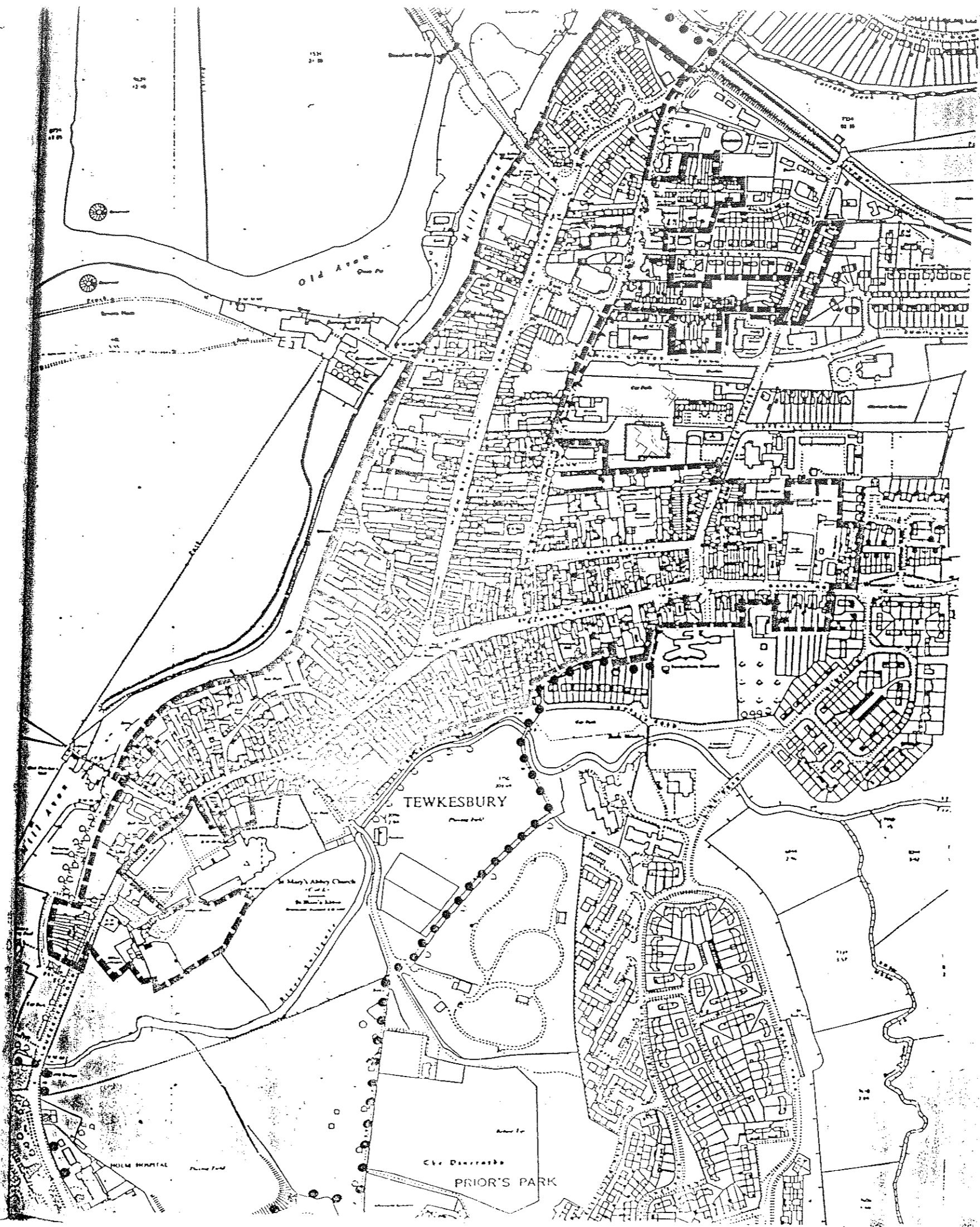
Column (1) Description of Development	Column (2) Conditions	Column (1) Description of Development	Column (2) Conditions
<p>2. The formation, laying out and construction of a means of access to a highway not being a trunk or classified road, where required in connection with development permitted by article 3 of and Schedule I to this order (other than under this class).</p> <p>Class C 3. The painting of the exterior of any building or work otherwise than for the purpose of advertisement, announcement or direction.</p> <p><i>Class III.—Changes of use</i></p> <p>Development consisting of a change of use to:—</p> <p>(a) use as a light industrial building as defined by the Town and Country Planning (Use Classes) Order 1972(a) from use as a general industrial building as so defined;</p> <p>(b) use as a shop for any purpose included in Class I of the Schedule to the Town and Country Planning (Use Classes) Order 1972 from use as:—</p> <p>(i) a shop for the sale of hot food;</p> <p>(ii) a tripe shop;</p> <p>(iii) a shop for the sale of pet animals or birds;</p> <p>(iv) a cats meat shop; or</p> <p>(v) a shop for the sale of motor vehicles.</p> <p><i>Class IV.—Temporary buildings and uses</i></p> <p>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.</p> <p>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 motor-cycle racing or for the purpose of the holding of markets), and the erection or placing of moveable structures on the land for the purposes of that use.</p> <p>Provided that for the purpose of the limitation imposed on the number of days on which land may be used for motor car or motor-cycle racing, account shall be taken only of those days on which races are held or practising takes place.</p>	<p>Such buildings, works, plant or machinery shall be removed at the expiration of the period of such operations and where they were sited on any such adjoining land, that land shall be forthwith reinstated.</p>	<p><i>Class V.—Uses by members of recreational organisations</i></p> <p>The use of land, other than buildings and not within the curtilage of a dwellinghouse, for the purposes of recreation or instruction by members of an organisation which holds a certificate of exemption granted under section 269 of the Public Health Act 1936, and the erection or placing of tents on the land for the purposes of that use.</p> <p><i>Class VI.—Agricultural buildings, works and uses</i></p> <p>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:—</p> <p>(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 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;</p> <p>(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; 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.</p> <p>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.</p> <p>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—</p> <p>(i) the fertilisation of the land so used, and</p> <p>(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.</p> <p><i>Class VII.—Forestry buildings and works</i></p> <p>The carrying out on land used for the purposes of forestry (including afforestation) of building and other operations (other than the provision or altera-</p>	

fig 3

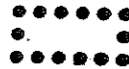

# Conservation Area

AREA OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST, THE CHARACTER OR APPEARANCE OF WHICH IT IS DESIRABLE TO PRESERVE OR ENHANCE.

# Proposed Article 4 Direction



KEY

-  Conservation Area
-  Area of proposed Article 4 Direction



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