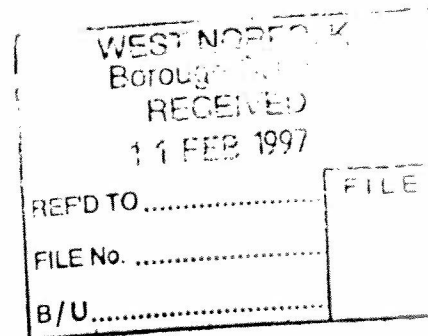




GOVERNMENT OFFICE
FOR EASTERN REGION

Heron House 49-53 Goldington Road Bedford MK40 3LL
Telephone 01234 79 or 01234 796152 Fax 01234 796341 (Planning) 796327 (Transport)

Head of Legal and Committee Services
King's Lynn and West Norfolk Borough Council
King's Court
Chapel Street
King's Lynn
PE30 1EX



Our ref: E1/V2635/2/8/05
Your ref: T30/1/JC

10 February 1997

Dear Sir

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

**DIRECTION UNDER ARTICLE 4(1) TO WHICH ARTICLE 5(4) APPLIES
RESTRICTING DEVELOPMENT ON LAND AT PLOT 10, ARLINGTON PARK,
MIDDLETON, KING'S LYNN, NORFOLK**

1. I am directed by the Secretary of State for the Environment to refer to your letter of 17 October 1996, enclosing a Direction under Article 4(1) of the above Order which restricts development falling within Class A of Part 1 of schedule 2 of the above Order in respect of land at Plot 10, Arlington Park, Middleton, King's Lynn, Norfolk.
2. The Council's reasons for making the Direction have been carefully considered together with plans and photographs.
3. It is the Secretary of State's policy to approve the withdrawal of permitted development rights granted to land and property owners by Parliament under Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, only in exceptional circumstances. The Secretary of State notes that Arlington Park is a development of 36 dwellings in Middleton near King's Lynn. The plot which is the subject of this direction is situated in a cul de sac road. The approved plans show the north west gable of the house with two first floor bedrooms at a distance of 2.5 and 3 metres from the boundary with plot 9 to the north. The applicant and prospective owner of plot 10 proposed an amendment so as to open an additional window in the north west gable. Kings Lynn and West Norfolk Borough Council advised the parties that the new window could not be treated as an amendment to the planning permission and that a new planning application would be necessary. The Secretary of State further notes that the Council are concerned over the fact that investigations have revealed that a recess had been inserted in the inner leaf of the wall and that on occupation it would be possible for the owner to complete the work by removing the outer brickwork and install a window.

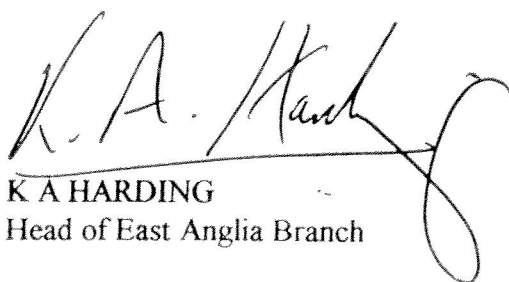
4. The Secretary of State notes that there is evidence that the prospective owner of plot 10 is set to open a window without planning permission and to the detriment of his neighbour. It is therefore essential for the proper planning of the area that a development which goes against planning regulations is brought under the scope of planning control.

5. The Secretary of State is therefore satisfied from the evidence submitted by King's Lynn and West Norfolk Borough Council that the opening of an additional window in the north west gable would have an adverse impact on the privacy of the neighbouring property and the proper planning of the area.

6. For the reasons given above, the Secretary of State, in exercise of his powers under Article 5(1) of the General Permitted Development Order (GDPO), has decided to approve the Direction under Article 4(1), and I return herewith one copy endorsed accordingly.

7. The Council's attention is drawn to the provisions of Article 5(11), (12), (13) and (15) of the GDPO, which relate to the service or publication of notice of the Direction.

Yours faithfully



K A HARDING
Head of East Anglia Branch

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

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

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5(4) APPLIES

WHEREAS the Council of the Borough of King's Lynn and West Norfolk 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 description set out in the Schedule below should not be carried out on land at Plot 10, Arlington Park, Middleton, King's Lynn, Norfolk being the land shown shaded on the attached plan, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990,

AND WHEREAS the Council consider that development of the said description would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that the provisions of paragraph 4 of article 5 of the Town and Country Planning (General Permitted Development) Order 1995 apply,

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 set out in the Schedule below

THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with article 5(4), shall remain in force until 17 April 1997 (being six months from the date of this Direction) and shall then expire unless it has been approved by the Secretary of State for the Environment.

SCHEDULE

The alteration of the dwellinghouse by the insertion of a window in the first floor of the north west gable being development comprised within Class A of Part 1 of Schedule 2 to the said Order and not being development comprised within any other class.

Given under the Common Seal of the Borough Council of King's Lynn and West Norfolk

dated this Seventeenth day of October 1996

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

Mayor

M. C. Nais
P. Mearns
Duly Authorised Signatory



The Secretary of the Council hereby orders

N. A. Hardy
Signed by authority
of the Secretary of
State

10 FEBRUARY 1997

DIRECTION UNDER ARTICLE 4 (1)

*Town & Country Planning (General Permitted Development)
Order 1995*

BOROUGH PLANNING

King's Court, Chapel Street
King's Lynn, Norfolk, PE30 1EX
Tel: (0553) 692722
Fax: (0553) 691663
DX 57825 KING'S LYNN



A plan showing site at:

PLOT 10, ARLINGTON PARK, MIDDLETON

Ref: 2/51

Traced From: TF 6616

Date: 15 OCTOBER 1996

Scale: 1:1250

