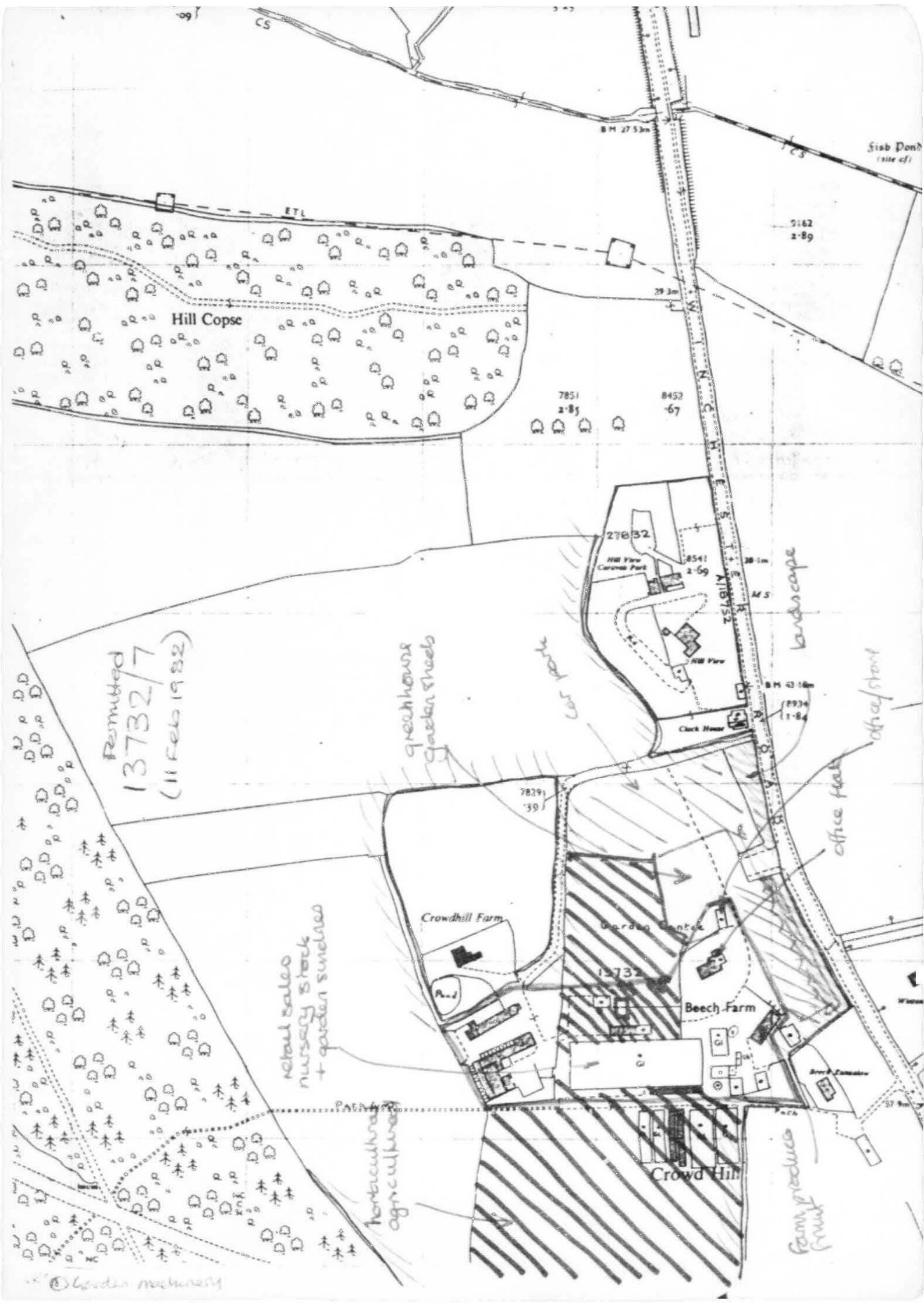




Permitted
13732/7
(11 Feb 1982)

Retail Sales
nursery stock
+ garden sundries

horticultural
agriculture

greenhouse
garden sheds

bank

landscaping

office flat

drift stone

bank
farm produce
fruit

garden machinery

HAMPSHIRE
EASTLEIGH BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT, 1971

To:— Capability Brown Ltd.,
 c/o M.J. Edmunds, Esq.,
 Debenham Tewson & Chinnocks,
 Bancroft House,
 Paternoster Square,
 LONDON EC4P 4ET

Reference No.: 13732/7

In pursuance of their powers under the above-mentioned Act the Council, as the local planning authority, hereby **PERMIT** use of land as garden centre - to regularise the existing use at Beech Farm Nurseries, Crowd Hill, Fair Oak.

in accordance with your application received on 31st March 1981

as amended by plans and letter received 18th January 1982

and the plans and particulars submitted in connection therewith and subject also to due compliance with the conditions specified hereunder:—

1. The development hereby permitted must be begun within a period of five years beginning with the date on which this permission is granted.
2. The retail sales at the premises being of nursery stock, garden sundries, garden sheds and greenhouses only and the premises being used for no other purposes in Class I of the Schedule of the Town and Country Planning (Use Classes) Order 1972.
3. The area since hatched green on the approved plan shall be used for horticultural/agricultural purposes only and for no other purpose whatsoever.
4. Retail sales of nursery stock and garden sundries shall only take place from the building since hatched yellow on the approved plan.
5. The existing greenhouse buildings shall be used for horticultural purposes only and no retail sales or any other use whatsoever shall take place within the buildings.
6. Details of the conversion of the existing dwelling to office/staff flat shall be submitted to and approved by the Local Planning Authority before the building is occupied.
7. Details of any use of the Thatched Barn shall be submitted to and approved by the Local Planning Authority before the use of the barn is first begun.
8. No other area than that hatched brown on the approved plan shall be used for the sale of greenhouses and garden sheds without the prior written consent of the Local Planning Authority.
9. No goods, plant or material shall be deposited or stored in the open or displayed for sale in the open on the site without the prior consent in writing of the Local Planning Authority.
10. The existing trees and hedges shall be retained and protected during building operations by the erection of pickets for a distance of 1.5m from the tree trunks

contd/.....

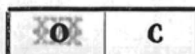
Civic Offices,
 Leigh Road,
 Eastleigh, SO5 4YN.
 Telephone: Eastleigh 614646.

CHIEF PLANNING OFFICER

11 FEB 1982
 Date

All enquiries relating to this permission should be made of the
 Chief Planning Officer, Civic Offices, Leigh Road, Eastleigh, SO5 4YN. Telephone: Eastleigh 614646.

N.B.—See Notes overleaf.



HAMPSHIRE
EASTLEIGH BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT, 1971

contd/...

Reference No.: 13732/7

SCHEDULE

and 2 metres from the hedges. The hedges shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

11. Before the development commences a landscaping and tree planting scheme and details of other hard surfacing shall be submitted to, and approved by, the Local Planning Authority. Such scheme shall specify the position, species and size of trees to be planted, the phasing and timing of such planting and shall include provision for its maintenance during the first 5 years from the date of planting.

12. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking, loading and unloading of vehicles shall have been made available, surfaced and marked out, and the area shall be retained in a condition to the satisfaction of the Local Planning Authority and reserved for that purpose at all times.

13. Notwithstanding the provision of the Town and Country Planning (Control of Advertisements) Regulations 1969, no signs or flags shall be erected or displayed without the prior consent of the Local Planning Authority.

14. Unless otherwise stated these conditions shall be complied with before the buildings are occupied or the use commenced.

The reasons for the conditions above are:

1. To comply with Section 41 of the Town and Country Planning Act 1971
- 2,3,4,5. To enable the Local Planning Authority to regulate and control the use of the land.
- 6 & 7. To secure properly planned development and since no such details have been submitted.
8. To enable the Local Planning Authority to regulate and control the use of the land.
9. In order to protect the amenities of the area and to maintain adequate parking areas.
10. To maintain as far as possible the appearance of the area.
11. To ensure that the appearance of the development is satisfactory.
12. In the interests of highway safety.
13. In the interests of visual amenities.
14. To ensure that the development is completed satisfactorily.

Civic Offices,
 Leigh Road,
 Eastleigh, SO5 4YN.
 Telephone: Eastleigh 614646.

CHIEF PLANNING OFFICER

11 FEB 1982

Date

NOTIFICATION

(1) If the applicant is aggrieved by the decision of the local planning authority to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 36 of the Town and Country Planning Act, 1971, within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ. The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him. (The statutory requirements are those set out in Section 36(7) of the Town and Country Planning Act, 1971, namely Sections 29(1), 30(1), 67 and 74 of the Act).

(2) In cases where a Government Department has expressed views on the proposals which are incorporated in the reasons for the imposition of conditions and the applicant wishes to lodge an appeal against such decision then a representative from that Government Department will attend any Planning Inquiry and be available to give evidence if the appellant asks for the presence of such a witness at the Inquiry. In such cases the appellant should notify the Council at the address given on the front of this form without delay. The representative would not be liable to cross-examination on questions of Ministerial policy but only on matters of fact and expert opinion.

(3) If permission to develop the land is granted subject to conditions whether by the local Planning Authority or by the Secretary of the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.

(4) In certain circumstances, a claim may be made against the local planning authority for compensation where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act, 1971.

(5) The applicant is recommended to retain this form with the title deeds of the property.

IMPORTANT

Any failure to adhere to the details of the plans hereby approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act, 1971, in respect of which enforcement action may be taken.

If it is desired to depart in any way from the approved proposals, you should consult the Council at the address overleaf before carrying out the development.

- NOTES:
- (1) This permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act, 1971, otherwise than under Section 29—34, or which may be required under any other Acts, including any Byelaws, Orders or Regulations made under such other Acts.
 - (2) Developers are reminded that the grant of planning permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:—
 - (a) in the case of a footpath or bridleway, for an Authority under Section 210 of the Town and Country Planning Act, 1971;
 - (b) in any other case to the Secretary of State for the Environment for an Order under Section 209 of the Town and Country Planning Act, 1971;
 - (3) Attention is drawn to the provisions of Section 43 of the Hampshire County Council Act, 1972, relating to access for the Fire Brigade. A copy of the Section can be obtained at the local planning office.