



Office of the  
Deputy Prime Minister

Creating sustainable communities

Kay Powell  
National Planning Forum

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Dear Kay

National Planning Forum

At the meeting of the National Planning Forum on 9 March Henry Oliver enquired what was happening in respect of changes to article 4 directions. The context of this is the practice of property companies buying agricultural land and selling it, usually on the internet, in small subdivided plots as speculative investments to private individuals, frequently in areas where there appears to be little or no chance that development would be allowed. These sales have created a number of problems for local planning authorities. The impacts on visual amenity relate to the erection of fences and other minor development, using the general planning permission granted for such works by the Town and Country Planning (General Permitted Development) Order 1995 (the GPDO).

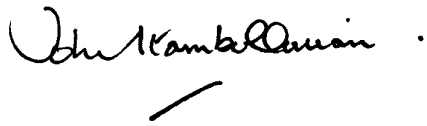
As you know, a local planning authority can use its powers under article 4 of the Order to withdraw a permitted development right. The effect is to require a planning application for works which normally do not need one. Article 4 directions may be used in exceptional circumstances, where protection of some important amenity necessitates tighter planning control.

We expect to consult soon on proposed improvements to the procedure for making article 4 directions. We intend to amend the GPDO to enable local planning authorities to serve directions swiftly and effectively, even where individual plot owners cannot be traced. It would become possible to bring a direction into effect by site display of the relevant notice. We wish also to widen the scope of a local planning authority's power to bring article 4 directions into force without having to await prior approval from the First Secretary of State.

Henry also raised the topic of light pollution. Although Defra's changes to the law in the area of statutory nuisance have helped to deal with one source of complaint to this Office, there remains the fact that, even in many rural areas, it is difficult to see and enjoy the night sky. In recent years ODPM has received many representations from astronomers and others, not least from the Campaign for Dark Skies.

We intend to draft a new annex to Planning Policy Statement 23 to provide advice on how the planning system can be used to minimise the adverse effects of external lighting. This draft publication is in our work programme, and we aim to consult in the summer.

Yours sincerely

A handwritten signature in black ink, reading "John Stambolouian" with a period at the end. Below the signature is a single diagonal stroke.

**JOHN STAMBOLLOUIAN**