



THE LONDON BOROUGH
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley
Lisa.Thornley@bromley.gov.uk

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 18 September 2013

RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Meeting to be held on Wednesday 18 September 2013

Please see attached, update on the following item:-

- 7e SALE OF LAND IN PLOTS OFF KEMNAL ROAD, CHISLEHURST -
PROPOSED ARTICLE 4 DIRECTION (Pages 3-8)**

*Copies of the documents referred to above can be obtained from
www.bromley.gov.uk/meetings*

This page is left intentionally blank

London Borough of Bromley

PART ONE - PUBLIC

Title: **UPDATE ON SALE OF LAND IN PLOTS OFF KEMNAL ROAD, CHISLEHURST – PROPOSED ARTICLE 4 DIRECTION**

Contact Officer: Jim Kehoe, Chief Planner
Tel: 020 8313 4441 E-mail: jim.kehoe@bromley.gov.uk

Chief Officer: Marc Hume, Director of Regeneration & Transformation

Ward: Chislehurst

1. Reason for report

1.1 The purpose of this report is to provide an update to Members following the meeting of the Development Control Committee (DCC) on 12 September 2013.

2. Commentary

2.1 At that meeting, discussion took place about whether to make an 'Immediate' or 'Non-Immediate' Article 4 Direction. Officer advice was given with reference to the Agenda that the recommendation was a 12 month 'Non-Immediate' Direction as this minimises the risk that compensation claims would be payable by the Council. Conversely, an 'Immediate' Direction carries the risk of substantial potential claims for compensation.

2.2 Following the debate, an amendment was agreed by DCC that requested the making of an Article 4 Direction with Immediate effect in the interests of Green Belt protection. Attached is a draft of the minute taken at the meeting on 12 September, together with a slightly revised Plan of the area.

2.3 An 'Immediate' Direction carries a risk of substantial potential claims for financial compensation from the Council. Therefore, for clarity, the officer recommendation to the R&R PDS is that a Non-Immediate Direction be made so as to ensure that it is unlikely that compensation claims will be payable. It is important to progress with the making of a Direction so that the 12 month period passes as soon as possible.

This page is left intentionally blank

DEVELOPMENT CONTROL COMMITTEE

Minute of the meeting held on 12 September 2013

**17 SALE OF LAND IN PLOTS OFF KEMNAL ROAD,
CHISLEHURST - PROPOSED ARTICLE 4 DIRECTION**

Report DRR 13/108

Members considered a request to endorse the making of an Article 4 Direction to remove specific forms of permitted development in regard to plots of Green Belt land offered for sale via the internet. The land, situated within a Conservation Area just off Kemnal Road, Chislehurst, was regarded as a site of importance for nature conservation. In order to prevent the erosion of the amenity of the area and to protect the appearance and character of the countryside, it was deemed necessary to seek an Article 4 Direction.

Councillor Bosshard emphasised the need to preserve Green Belt land and moved that the Article 4 Direction should be approved. Councillor Boughey seconded the motion.

Concerns were raised in regard to the length of time it would take for the Direction to come into force (12 months). The option to issue the Direction with immediate effect was discussed. However, Members were informed that an Immediate Direction carried the risk that claims for substantial compensation would be sought against the Council. The Chief Planner advised that a Non-Immediate Direction was proposed in the report and recommended a Non-Immediate Direction as this minimised the risk of compensation being payable. In any event, should it prove necessary, an Immediate Direction could be issued at a later date. The Chief Planner tabled a slightly revised plan of the area.

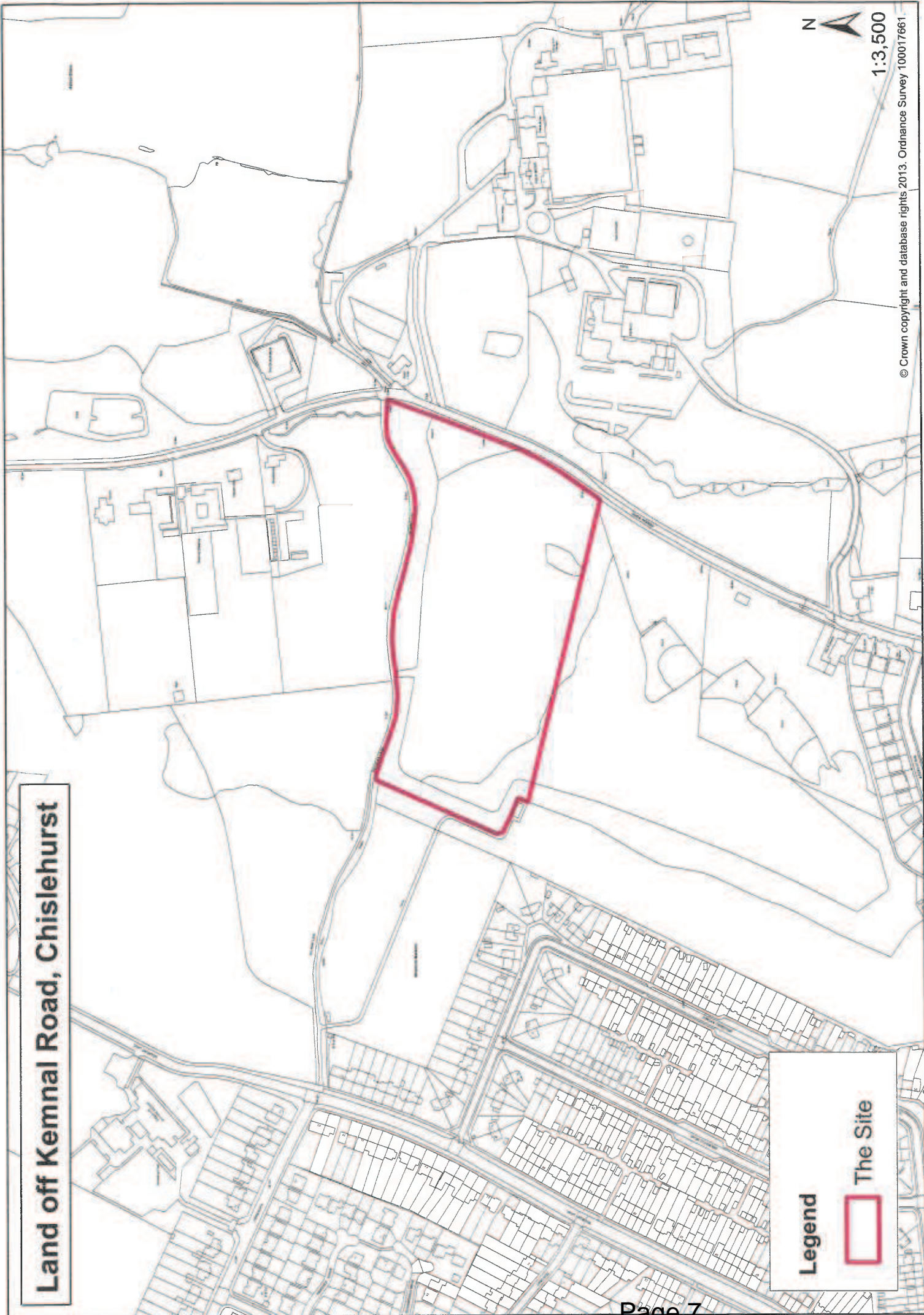
Councillor Fawthrop urged the Council to be proactive in its protection of the Green Belt and moved an amendment to the recommendation for the Article 4 Direction to be issued with immediate effect. This was seconded by Councillor Buttinger.

Following a vote of 11-5, Members RESOLVED that the making of an Article 4 Direction be endorsed.

Following a further vote, Members RESOLVED that the Portfolio Holder for Renewal and Recreation be requested to authorise the making of the Article 4 Direction to be issued with immediate effect.

This page is left intentionally blank

Land off Kemnal Road, Chislehurst



Legend



The Site



1:3,500

© Crown copyright and database rights 2013. Ordnance Survey 100017661

This page is left intentionally blank