

Decision Maker: **DEVELOPMENT CONTROL COMMITTEE**

Date: **Tuesday 29 January 2013**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **THE CHENIES ARTICLE 4 DIRECTION**

Contact Officer: Robert Buckley, Principal Conservation Officer
Tel: 020 84617532 E-mail: Robert.Buckley@bromley.gov.uk

Chief Officer: Director of Renewal & Recreation

Ward: Petts Wood and Knoll

1. Reason for report

The issue for consideration is the confirmation of an article 4 Direction at the Chenies conservation area in Petts Wood. This will remove the Permitted Development (PD) right to install a rooflight on the front elevation of a dwelling house or the side elevation where it is seen from the public highway. Members agreed that this direction could be made at the 8th September 2011 DCC meeting. This report therefore seeks to confirm this non immediate article 4 to come into effect on 8th February 2013

2. **RECOMMENDATION(S)**

Confirm Article 4 direction to remove the PD right to install rooflights to come into effect on 8th February 2013.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
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Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Staff

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 4
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 29 Dwellings
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 Members will recall that on September 8th 2011, authorisation was given to make an Article 4 Direction on the Chenies conservation area. The direction will remove the Permitted Development right to insert a rooflight on the front or side elevation of a dwelling. A statutory 6 week consultation was done as part of the process. No objections were received and 27 signatures of support were received from the Chenies Residents Association. The Secretary of State was also consulted with no objection being received.

3.2 In order to avoid the risk of compensation claims it was recommended that a “non-immediate” Article 4 Direction be used whereby the direction comes into effect no earlier than 12 months after the direction is made. No such compensation claims have been received by the Council. The Direction was made on February 8th 2012. It is therefore requested that members authorise the confirmation of the direction to come into effect on February 8th 2013

4. POLICY IMPLICATIONS

Existing Policy

5. FINANCIAL IMPLICATIONS

No planning fee is chargeable for applications generated by the direction. However this Article 4 direction is not expected to generate many additional applications.

6. LEGAL IMPLICATIONS

Article 4 of the GPDO (amended 1995) allows LPAs to withdraw certain PD rights from specified areas

7. PERSONNEL IMPLICATIONS

Due to the small area (29 houses) a large increase in workload is not projected.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	The Chenies Supplementary Planning Guidance