

Decision Maker: R&R Portfolio Holder for Pre-decision Scrutiny by the R&R PDS Committee

Date: 28th January 2014

Decision Type: Non-Urgent Executive Non-Key

Title: LAND AT SNAG LANE, CUDHAM PROPOSED ARTICLE 4 DIRECTION

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Chief Officer: Marc Hume, Director of Regeneration & Transformation

Ward: Darwin

1. Reason for report

- 1.1 An area of land to the east of Cudham Lane North and bounded to the east by Snag Lane has recently been purchased by a development company based in Bahrain who have made enquiries regarding the long term possibility of releasing the land for residential development.
 - 1.2 The land comprises approx. 25 acres of agricultural land which has in recent years been used as pasture for grazing. The land is within the Green Belt where there is a presumption against inappropriate development unrelated to agriculture or other uses appropriate to the Green Belt. Although the land is considered to have no development potential in the foreseeable future there is concern that it may be fragmented and sold in the form of small 'leisure plots'. In this way its open, rural character could be eroded by uncontrolled development which would normally not require planning permission.
 - 1.3 It is therefore considered expedient to make an Article 4 Direction to remove certain classes of 'permitted development' as there is concern that sub-division of the land into small plots could undermine the open character and visual amenities of the area due to indiscriminate development including fencing, structures, temporary uses of land, and stationing of caravans.
 - 1.4 The DCC considered this matter at its 7th January 2014 meeting, a copy of the report is attached. The DCC endorsed the making of an Article 4 Direction.
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2. RECOMMENDATION(S)

2.1 That the Portfolio Holder be recommended to authorise an Article 4 Direction on land between Cudham Lane North and Snag Lane as indicated on the attached plan (Appendix 1) to remove permitted development rights for the following classes of the development.

- (i) erection or construction of gates, fences, walls or other means of enclosure (Class A of Part 2);
- (ii) formation, laying out and construction of means of access...(Class B of Part 2);
- (iii) provision of temporary buildings, etc. (Class A of Part 4);
- (iv) temporary uses of land for any purpose for not more than 28 days per year (Class B of Part 4);
- (v) use of land as a caravan site (Class A of Part 5)

Corporate Policy

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

1. Cost of proposal: Cannot be quantified at this moment in time
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Planning and Renewal
 4. Total current budget for this head: £2.689m
 5. Source of funding: 2013/14
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Staff

1. Number of staff (current and additional): 62 ftes
 2. If from existing staff resources, number of staff hours: 5
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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): approx. 500
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? The report follows concerns raised by the Ward Member
2. Summary of Ward Councillors comments: N/A

