

Address:	Brentford Dock, Hounslow
Ward:	Syon
Proposal:	The imposition of an Article 4 Direction to restrict the installation of gating that would restrict access to the riverside at Brentford Dock

This application is being presented to planning committee as approval is required to impose an Article 4 Direction.

PLEASE NOTE: This report was presented verbally to members of Planning Committee on 12 January 2023. It forms the basis for the justification for an immediate Article 4 Direction. Minutes of the meeting may be viewed on the Councils Planning Committee Pages.

1.0 SUMMARY

- 1.1 Brentford Dock is a residential area of the borough located between Syon Park and the River Thames. Around 590 new homes were approved and constructed on the site in 1972.
- 1.2 Authority is sought to impose an Article 4 Direction at Brentford Dock, Hounslow. The direction would remove permitted development rights that would have otherwise allowed the installation of gates to restrict access to the river from the estate and its surrounds.

It is recommended that members give authority to the Director of Planning and Buildings to impose an Article 4 direction in accordance with the details contained within this report.

2.0 BACKGROUND

- 2.1 An 'Article 4 Direction' is a legislative tool contained with the General Permitted Development Order that allows a Local Planning Authority to withdraw certain Permitted Development Rights where it is felt that the use of such rights could give rise to planning concerns. Imposing an Article 4 Direction would not prohibit development that would otherwise not have required planning permission but it would mean that permission would be required so formal consideration may take place. Government guidance states that local authorities should consider making Article 4 directions only in those exceptional circumstances where the exercise of permitted development rights would harm local amenity, the historic environment or the proper planning of the area.

2.2 On 7 January 2021 a similar proposal was considered and approved by members of Planning Committee. However, following a period of consultation and discussions it was decided not to impose the Article 4 Direction at the time.

3.0 THE SITE

3.1 Brentford Dock is a development site constructed in the early 1970s containing approximately 600 homes and is located within Syon Ward. The site is bordered by Syon Park on its South Western side and the River Thames to the East. Access is available through the site from adopted highways onto the River Thames footpath which is a Heritage Trail and in part within the Grand Union Canal and Boston Manor Conservation Area.



4.0 PLANNING ISSUES

- 4.1 The proposal is to remove the Permitted Development Rights within the land outlined in red on the attached site location plan insofar as they allow the installation of gates, walls or other means of enclosure outside the curtilage of a private property.
- 4.2 The need for the Article 4 is to ensure that access would not be blocked to the Thames riverside and footpath for members of the public.
- 4.3 Policy GB5 (Blue Ribbon Network) of the Councils adopted Local Plan and policy SI 16 (Waterways – use and enjoyment) of the emerging London Plan seek to ensure that public access to and along waterway frontages are retained.
- 4.4 There were no conditions attached to the original consent, being more than 45 years old, that control the placement of boundary treatment. This would otherwise have been recommended for a scheme considered against the current policy framework to allow for public access to this space.
- 4.5 Given the harm that would be caused by the erection of boundary treatment, which would restrict the use and enjoyment of the River

Thames footpath by members of the public any proposed gating would directly conflict with the aims and objectives of adopted Local Plan policies. This is considered to be an exceptional circumstance where the use of an Article 4 direction should be used.

5.0 RECOMMENDATION:

That members give authority to the Head of Development Management to impose an Article 4 direction on the land outlined in red on the attached site location plan and worded as follows:

The following permitted development rights are withdrawn relating to Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

Development consisting of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure being development comprised within Schedule 2, Part 2 and Class A of the Order insofar as such development would be located outside of the curtilage of a dwelling – house.