

# LONDON BOROUGH OF HOUNSLOW ARTICLE 4 DIRECTION: CONSULTATION REPORT

January 2025

## 1. Introduction

Hounslow Council made a non-immediate direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO) on 17 April 2024. This removed the following permitted development rights in certain specified designations:

- Change of use of commercial, business and service use (use class E) to residential (Part 3, Class MA)
- Demolition of single, purpose built, detached block of flats or a single detached office, light industrial or research and development building and its replacement with a detached block of flats or detached house (Part 20, Class ZA).

The direction applies to the following areas (as designated in the Local Plan 2015-30) within Hounslow borough:

- Town centres
- Large neighbourhood centres
- Small neighbourhood centres
- Strategic industrial locations
- Locally significant industrial sites
- Key existing office locations

This Consultation Report summarises the consultation and notification measures undertaken, and reports on the results of consultation.

## 2. Summary of Consultation and Notification Measures

A six-week consultation on the direction was carried out between 19<sup>th</sup> April and 31<sup>st</sup> May 2024. This was longer than the statutory minimum 21-day period for such publicity. The regulations require local authorities to publicise Article 4 Directions through local advertisement, displaying a minimum of two notices in different locations in the area affected, notifying owners and occupiers within the affected area (the local planning authority need not serve individual notice on owners or occupiers where individual service is impracticable) and sending notification to the Secretary of State.

### Secretary of State

In line with these requirements, the Council sent notification of the direction to the Secretary of State. Civil servants at the Department for Levelling Up, Housing and Communities (DLUHC) emailed the Council on 23<sup>rd</sup> April 2024, requesting evidence

for making the Article 4 Direction. In response to this, Council officers replied by email with links to the various background and evidence reports, on 7<sup>th</sup> May 2024. No further response or comment has been received from DLUHC (which, following the change of government triggered by the General Election on 5<sup>th</sup> July 2024, changed its name to the Ministry of Housing, Communities and Local Government) on these documents to date.

#### Site notices and publicity

The statutory requirement is that site notices should be placed in at least two locations within the area. Given the geographical extent of the direction, it was considered that more than the two site notices would be required, and that site notices should be placed in locations across the borough. These included one notice in each forum area, and additionally in the borough's town centres and the main employment areas. So the overall list of locations where a notice was displayed was:

- Old Market Place, Chiswick High Road
- Bedfont Lakes Business Park
- Brentford High Street
- Bath Road, Hounslow West
- Bath Road, Cranford
- North Feltham Trading Estate (Central Way and River Gardens)
- Feltham High Street
- Hanworth Market Place
- Great West Corridor:
  - West Cross Industrial Estate
  - Great West House
- Isleworth (Isleworth station and corner of London Road/St Johns Road, South Street)
- Heston Village Centre (Central Parade)
- High Street, Hounslow

Other methods of advertising the Article 4 Direction were as follows:

- Displaying the notice in a local newspaper (Hounslow Herald), on 26 April 2024;
- Providing information about the direction on a dedicated page on the Council's website with all of the above documents available to download;
- Providing all of the above information on the Council's 'Have Your Say' consultation portal of the Council's website, as well as on the Article 4 Directions webpage;
- Providing the links to all of the Article 4 Direction documents for public viewing at the Council Offices at Hounslow House, and at the borough's libraries;

#### Owners and occupiers

Paragraph 1(2) of Schedule 3 of the GPDO states that local planning authorities are not required to serve notice on every owner and occupier of every part of land within the area under 1(1)(c) if:

- (a) Individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person; or
- (b) The number of owners or occupiers within the area to which the direction relates makes individual service impracticable.

The Council considers that the number of owners or occupiers within the area makes individual service impracticable, given the extent of designations and areas covered by the direction. However, we have sought to undertake other measures to try to reach as many businesses and owners within the area as possible. An email including the notice was sent out to all contacts on our LDF consultation database. The recipients therefore included key stakeholders including local businesses, chambers of commerce and town centre interests.

### **3. Summary of Responses**

During the publicity period, 9 representations were received by the Council on the Article 4 Direction. These comprised:

- 3 from developers opposing the direction being applied to their particular site;
- 1 from a local stakeholder group calling for an additional site to be added to the area of the Article 4 Direction;
- 2 from individuals and local stakeholder groups supporting the direction;
- 1 from a government statutory body (Historic England) supporting the direction;
- 2 raising no comments.

See Appendix 2 below for a summary of all the representations.

### **4. Council response to the Representations**

In response to the representations received on the making of the Direction, the Council continues to consider that the evidence base highlights that there are particular circumstances in place in Hounslow justifying the direction as made. These are the importance and profile of employment land which means that there is the potential for Class MA and ZA permitted development rights to cause significant harm to the boroughs' economy and communities. The Council maintains the concern that the prior approval process does not provide adequate mitigation of these impacts. The presence of an Article 4 Direction will not stymie appropriate developments coming forward; it merely allows the Council to maintain an appropriate level of management and oversight over the nature of this development, via the planning application process.

In light of the evidence and the representations received during the consultation period, officers are therefore satisfied that the permitted development rights granted by Part 3, Class MA and Part 20, Class ZA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) prejudice the proper planning in the borough and therefore that the Article 4 Direction should be confirmed.

## Appendix 1: Public Notice (used in the press notice and on site notices)

**LONDON BOROUGH OF HOUNSLOW**  
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)**  
**(ENGLAND) ORDER 2015 (AS AMENDED)**

**NOTICE OF MAKING OF A DIRECTION UNDER ARTICLE 4(1)**

**NOTICE IS HEREBY GIVEN** that the London Borough of Hounslow ('the Council'), being the appropriate local planning authority, has made a non-immediate Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the Order").

The Direction was made on 17 April 2024 and removes permitted development rights for development under the following classes of Schedule 2 of the Order ("Development"):

Part 3, Class MA: development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of the Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO) to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the UCO within the identified areas listed below.

Part 20, Class ZA: development consisting of the works for the demolition of one or other of any building comprising a single purpose-built detached block of flats, and any other single detached building, comprising premises established for office use falling within Class B1(a), for research and development falling within Class B1(b) or for an industrial process falling within Class B1(c) of the Schedule to the Town and Country Planning (Use Classes Order) 1987 or for any combination of them for the construction of either a purpose-built detached block of flats or a purpose-built detached dwellinghouse within the identified areas listed below.

The Direction applies to the following designations: town centres, large neighbourhood centres, small neighbourhood centres, strategic industrial locations, locally significant industrial sites and key existing office locations, as defined in the Hounslow Local Plan 2015-2030, as shown on the plan attached to the Direction ("the Area").  
The effect of the Direction is that permission granted by Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall not apply to the Development as described above and that such development shall not be carried out in the identified areas unless planning permission is granted by the London Borough of Hounslow on an application made to them.

A copy of the Direction, including a map defining the Area covered, is available for inspection by viewing on the Council's website [www.hounslow.gov.uk](http://www.hounslow.gov.uk) or at the Council's offices at Hounslow House, 7 Bath Road, Hounslow, TW3 3EB and at all local libraries.

Representations on the Direction can be made to the Council in writing from Friday 19 April until Friday 31 May 2024. These can be sent by email to [spp@hounslow.gov.uk](mailto:spp@hounslow.gov.uk), or by post to Spatial Planning, Hounslow House, 7 Bath Road, Hounslow TW3 3EB.

It is proposed that the Direction shall come into force on 19 April 2025 subject to consideration of any representations received during the consultation period and the Direction being confirmed by the Council. For enquiries, email: [spp@hounslow.gov.uk](mailto:spp@hounslow.gov.uk) or telephone 020 8583 6252.

Dated this 19th April 2024

Phil Cresswell  
Executive Director of Regeneration and Housing

## Appendix 2: Summary of Representations and Council Responses

Name/organisation	Summary of representation	Council response
Avison Young on behalf of Workspace Group PLC	Representation requests the removal of the Mille building, 1000 Great West Road, from the Article 4 Direction area. The representation states that the loss of offices on the site would not result in wholly unacceptable adverse impacts; is on the very edge of the Key Existing Office Location (KEOL) and suffers from limited demand and take-up; does not fall within a strategically important employment cluster; and is not considered a viable future location in the future for offices. Its inclusion in the designated area would therefore mean that the direction would not apply to the smallest geographical area possible, the representation states.	Comments noted. However, the Council considers that the site's location at the edge of the KEOL, does not mitigate the fact that it is within the designation. In a context in which the borough faces a shortage of employment land, wholly unacceptable adverse impacts risk being caused if the Council loses its ability to manage the stock of such land. The site is also within the Great West Corridor opportunity area, which is of strategic importance. In this area, the Council is promoting growth sectors such as the creatives, and so even if there is limited take-up for conventional offices, it is critical for the Council to be able to manage stock in a way which will provide a source of supply for a range of employment uses.
CBRE on behalf of the owners of the Kew Bridge Distribution Centre site	Representation requests the removal of the Kew Bridge Distribution Centre (KBDC) from the Article 4 Direction area. The representation states that the proposed direction does not meet the policy requirements of the NPPF, as it is not based on adequate or robust evidence to support the case for it being applied to the KBDC site. It states that the direction is not considered necessary to avoid a wholly unacceptable adverse impact on the Brentford area; and that the loss of the non-residential use at KBDC would not undermine the essential employment uses in this part of Brentford, nor would it be necessary to protect local amenity or the well-being of the area.	Comments noted. However, the Council considers that loss of employment land on this site would harm the strategic objectives of providing sufficient supply of such land to meet identified employment land requirements, and to support the growth of key sectors such as the creatives, in this part of the borough. The Council maintains that it is critical to include all of the borough's employment designations within the area covered by the direction, in order to avoid wholly unacceptable adverse impacts.
RPS, on behalf of the Dunmore Group, owners of the Victory Business Centre, Isleworth (also	Representation requests the removal of the Victory Business Centre from the Article 4 Direction area. The representation states that the buildings on the site are substantially vacant; that the historic designation as LSIS is redundant; and that the site is not of strategic	Comments noted. However, the Council considers that the site's location within an employment designation means that, without the direction in place, there is a risk of wholly unacceptable adverse impacts. The importance of employment development in the profile of the borough

known as the Wireless Factory).	importance and does not form part of the Creative Enterprise Zone. It states that the buildings on the site are not only not used for industrial use, but are unsuitable for that use as not capable of conversion to suit modern industrial needs; and that the site has proven capable of supporting the delivery of much needed residential units via the Prior approval process. It states that the direction fails to be supported by an adequate evidence base and ignores the potential for permitted development to deliver much needed homes in suitable places.	and the need to maintain a stock of such land in the context of a significant shortfall mean that the ability to manage all of the borough's employment land in these designations is critical.
Mr Chris Hern	Support for direction. Reference to loss of office space in town centres reducing local employment diversity, smaller services closing and retail diversity reducing.	Comments noted.
Friends of the River Crane Environment (FORCE)	Support for direction. Reference to the direction offering the opportunity to safeguard green spaces in the River Crane area by requiring more forms of development to go through a full application process, allowing for greater opportunities for consultation with stakeholder groups and assessment of environmental impacts.	Comments noted.
Historic England	Support for the direction. Representation states that the direction will better protect the historic environment, particularly conservation areas and non-designated heritage assets. Representation also states that it will help facilitate better planning for the retention of retail and key uses in town centres and strategic sites, protecting their vitality and character for the benefit of local communities.	Comments noted.
Natural England	No comment	Noted
Surrey County Council	No comment	Noted
West Chiswick & Gunnersbury Society (WCGS)	Supported for the direction. The representation highlights concerns over the prospect of local shopping parades being eroded by prior approval applications for residential communities; and the high	Comments noted. Regarding the proposed inclusion of the Chiswick Tower, as suggested by the representation by WCGS, there is no provision in the legislation to add additional locations to an Article 4 Direction after

	<p>likelihood of substantial amounts of employment floorspace being lost to residential conversions and that this will reduce local employment opportunities, with a knock-on impact on public transport infrastructure provision.</p> <p>The representation also expresses concerns that the Chiswick Tower, Chiswick High Road, has not been included in the direction, and calls for the Council to consider the case for a direction covering this site and its curtilage. It states that a prior approval application for residential conversion of the tower would seriously undermine the ability of the Council to secure and deliver improvements to the capacity and accessibility of Gunnersbury Station and the surrounding public realm.</p>	<p>notification has taken place. As notification for the proposed Direction has already been given, any additional sites would have to be included in a new Article 4 Direction that would have to be introduced through the full statutory process. The issues highlighted in the WGCS representation are specific to this site and therefore may not necessarily apply to the wider Article 4 Direction being proposed. It is not therefore proposed to make any change to the area covered by the Direction on the basis of the issues highlighted in this representation.</p>
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