

	Delegated Decision Corporate Director Neighbourhoods and Regeneration
	Report from the Director Inclusive Regeneration and Climate Resilience
	Decision Date: 20 June 2025
Confirmation of Non-Immediate Article 4 Directions for new Conservation Area boundaries	

Wards Affected:	Brondesbury Park, Cricklewood and Mapesbury, Harlesden and Kensal Green, Kilburn, Mapesbury, Queen's Park and Willesden Green
Key or Non-Key Decision:	Key decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Appendix A: Summary of representations received Appendix B: Brondesbury Conservation Area Article 4 Direction Appendix C: Kensal Rise Conservation Area Article 4 Direction Appendix D: Mapesbury Conservation Area Article 4 Direction: Appendix E: Queens Park Conservation Area Article 4 Direction Appendix F: Willesden Green Conservation Area Article 4 Direction
Background Papers:	None
Contact Officer(s):	Paul Lewin Spatial and Transportation Planning Manager paul.lewin@brent.gov.uk

1.0 Executive Summary

- 1.1 To consider representations received to the public consultation for the making of the non-immediate Article 4 Directions, and to confirm the Article 4 directions.

2.0 Recommendation(s)

2.1 That the Corporate Director Neighbourhoods and Regeneration:

- a) Considers the summary of representations received, officer responses and recommendations as set out in Appendix A.
- b) Approves the confirmation of the non-immediate Article 4 Directions for Brondesbury, Kensal Rise, Mapesbury, Queens Park and Willesden Green conservation areas as set out in Appendices B to F.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

3.1 Article 4 Directions help support the protection of the borough's Conservation Areas and associated heritage. They do this by ensuring development is controlled so that the heritage asset's unique characteristics can be retained and enhanced. This helps advance the borough plan priorities as follows:

- 1. Prosperity and Stability in Brent – Protecting the borough's heritage and character will ensure that it maintains a strong sense of place and improves the quality of its housing stock and public realm. This will sustain its desirability and prosperity, whilst providing clear guidelines for development helps ensure stability in an area.
- 2. Thriving Communities – A strengthened sense of place helps to improve and a sense of belonging which contributes towards community cohesion.
- 3. A Healthier Brent – Protecting the borough's character, including retaining the quality of the public realm such as front gardens, can increase the desirability of using sustainable modes of transport in an area, such as walking, improve mental well-being, improve air quality and reduce urban heat island effects.
- 4. A Cleaner, Greener Future – By protecting the borough's existing building stock, and ensuring it is retained and enhanced long term, the need to redevelop/ regenerate is reduced.

3.2 Background

3.3 On [28th May 2024 Cabinet resolved to approve several changes to the borough's Conservation Areas](#). The [associated Cabinet report](#) set out the need to reflect changes to boundaries and circumstances through a number of new Article 4 directions. In relation to heritage assets the directions are used to remove permitted development rights conferred in the General Permitted Development (England) Order 2015 (as amended) (GPDO) which the Council considers would otherwise have the potential to undermine the asset's preservation or enhancement. Requiring planning permission for specified development allows the Council to consider whether it is appropriate or not in its impacts of the heritage asset. Cabinet resolved to approve 'the making of immediate and non-immediate Article 4 directions (as required)'. The Cabinet report in paragraph 3.71 identified that 'Consideration of responses and

whether to confirm the Article 4s if uncontentious can be delegated decision by the Corporate Director, Neighbourhoods and Regeneration’.

- 3.4 Non-Immediate Article 4 directions were subsequently made for new additions to Brondesbury, Mapesbury, Queens Park and Willesden Green Conservation Areas, and the new Kensal Rise Conservation Area (where not covered by an existing Queens Park Conservation Area subsumed into Kensal Green Conservation Area) on the 18th July 2024.
- 3.5 Consistent with the requirements of the GPDO, prior to their confirmation, they were required to be subject to consultation for a minimum period of 21 days. Consultation occurred from the 1st August 2024 to 30th August 2024. A minimum of two public notices were placed within the respective areas as well as in the local press for the start of the consultation period. Notice was not served on individual property owners or occupiers as, consistent with the exemption allowed in the GPDO, this was considered impractical. The consultation was also advertised on the Council’s ‘Have Your Say’ web platform, as well as notifications being sent to those on the Local Plan consultation database, ward councillors, wider borough councillors through the members’ bulletin and other relevant groups.

Consultation Responses Summary

- 3.6 Only one response was received to the consultation on the non-immediate Article 4 directions. This was focussed on the one for Queen’s Park.
- 3.7 Essentially it reiterated an objection to the extension of the Queens Park conservation area and the additional unnecessary restrictions the Article 4 would place on property owners.
- 3.8 The principle of the Queen’s Park conservation area extension was not subject to consultation, as this had already been approved by Cabinet. The Article 4 is considered necessary to protect the character and appearance of the new parts of the conservation area. This will bring the restrictions on permitted development rights to a level consistent with the wider conservation area.
- 3.9 In respect of the Article 4 consultation, as only one response has been received and it addresses broad issues of principle of creating additional burdens on property owners, consultation has not drawn out anything contentious that merits consideration by Cabinet and therefore it is appropriate for the Corporate Director Neighbourhoods and Regeneration to decide whether the Article 4 directions should be confirmed.

Options

- 3.10 There are potentially two options open to the Council following consultation:
- a) Confirm the four Article 4 Directions
 - b) Do not confirm any of the four Article 4 Directions

Confirm the Article 4 Directions

- 3.11 Confirmation of the Article 4 directions will ensure that the permitted development rights will be removed. This will provide protection that is consistent with most of the other conservation areas in the borough. On this basis, this is the recommended option.

Do not confirm the Article 4 Directions

- 3.12 The Article 4 directions if not confirmed will not come into effect on the 1st September 2025. In this scenario there will be no limitations on permitted development rights other than those specifically that within the GPDO are removed. This would put the heritage assets a greater risk of a reduction in the special characteristics that make their designation as heritage assets appropriate than the remainder of the parts of the conservation areas that already benefit from the Article 4 directions. It would also be inconsistent with the content of the Cabinet report which identified the need for Article 4 directions and Cabinet's resolution to support the making of Article 4 directions. On this basis, this is not the recommended option.

Next steps

- 3.13 On confirmation of the Article 4s, the Council must, in a timely manner, pursue the same processes in terms of notifications and making the documents available as it did with the consultation.

4 Financial implications

- 4.1 The implementation of Article 4 Directions will be undertaken using existing budget and resources within the Council.

5 Stakeholder and ward member consultation and engagement

- 5.1 Site notices were placed in each Article 4 area as well as a notice in the local press, notifications were sent to interested parties on the planning policy consultation database, statutory bodies as set out in regulations and an article was placed in the Council's members' bulletin. The directions were placed in the Wembley library and on the Council's website. The consultation was also placed on the council's consultation portal which notifies registered users of consultations they may be interested in.

6 Legal Considerations

- 6.1 The process for Article 4 Directions is set out in Schedule 3 of the GPDO. The process for taking forward the Article 4 has been consistent with the regulations

7 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have 'due regard' to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c) Foster good relations between people who share a protected characteristic and those who do not.
- 7.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 7.3 The proposals will introduce new Article 4 Directions in some areas, whilst removing the same Directions in others. The proposals are based on the character and quality of existing heritage assets subject to Article 4 directions. As such there are not considered to be any detrimental impacts to groups with protected characteristics under the Equality Act 2010. Neither are there considered to be any health equalities implications.

8 Climate Change and Environmental Considerations

- 8.1 The Directions remove some rights which might marginally impact take up of renewable energy technologies, e.g. planning permission for solar panels apart from rear elevations will continue to be required. They do however, reduce the likelihood of homes paving over front gardens for car parking, thus benefiting biodiversity and reducing urban heat island effect and prospective flooding. The Article 4s are part of a package of measures that support sensitive conservation and invariably areas are more desirable/ sustainable to live in. This reduces the likelihood of decline and the associated climate change impacts of carbon emissions associated with demolition and redevelopment of failing residential areas, rather than renovation and retrofitting. This is supported by Brent's Climate Emergency Strategy 2021-2030 which advocates the need to reduce emissions from building and construction both the operational emissions and the embodied carbon. It is important if Brent is to meet its target of being net zero carbon by 2030.

8 Communication Considerations

- 8.1 The regulations require the confirmation of the Article 4s to be publicised in the same manner as occurred when they were made.

Report sign off:

Alice Lester

Corporate Director for Neighbourhoods and Regeneration