

Report of the Head of Planning & Enforcement

Address HILLINGDON AND UXBRIDGE CEMETERY HILLINGDON HILL
HILLINGDON

Development: Repair and Refurbishment of existing Chapel.

LBH Ref Nos: 64409/APP/2009/2268

Drawing Nos: DRAWING ISSUE SHEET
DESIGN STATEMENT
100
100-1 (1:1250 Location Plan)
202
103
201
102
200
101
SCHEDULE OF WORKS

Date Plans Received: 19/10/2009

Date(s) of Amendment(s):

Date Application Valid: 19/10/2009

1. SUMMARY

Planning permission is sought for the repair and refurbishment of the catholic chapel at Hillingdon Cemetery; a Grade II listed building. The proposed works are acceptable given that would respect the historic fabric of the listed building and would enhance the character and appearance of the surrounding area.

2. RECOMMENDATION

APPROVAL subject to the following:

1 SP01 Council Application Standard Paragraph

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land)

2 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE8 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 M1 Details/Samples to be Submitted

No development shall take place until the following details/samples have been submitted to and approved by the local planning authority:

Samples of all materials to be agreed on the exterior of the building including: clay tiles, ragstone, brickwork and stone for window surrounds and dressings;

Samples of plastic stone work repairs; general pointing mix and style;

Detailed drawings illustrating the design and construction of the new external gothic arch double doors and hinges;

Cleaning method for stone work;

Detailed drawings of the design of the central stone column capital, wall brackets (kneelers) supporting roof structure and roof finials;

Detailed drawings of the construction and design of the new windows;

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policies BE8, BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 CAC2 Demolition - requirement for development contract

No demolition shall take place until a contract for the redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

REASON

To ensure that premature demolition does not occur in accordance with Policy BE4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the

policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE8	Planning applications for alteration or extension of listed buildings

3 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

5 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by

means that would minimise disturbance to adjoining premises.

6 145 Discharge of Conditions

Your attention is drawn to condition 4 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this conditions. The Council may consider taking enforcement action to rectify the breach of this conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

7 151 Notification of Commencement of Works

Written notification of the intended start of works shall be sent to Planning & Community Services, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW at least seven days before the works hereby approved are commenced.

3. CONSIDERATIONS

3.1 Site and Locality

This application relates to Hillingdon & Uxbridge Cemetery, comprising Chapels and cemetery grounds, located on the south side of Hillingdon Hill. Access to the Cemetery is via a gatehouse entrance located between 42 and 44 Hillingdon Hill and the two Chapel buildings, one a catholic chapel, the subject of this application, and the other a Church of England chapel, lie some 70m from the road. Both chapels are Grade II listed buildings, and are surrounded by the cemetery burial grounds. The application site lies within the Green Belt, as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

The Catholic Chapel was damaged by fire and as a result has lost its roof and has a very badly damaged interior. Much of the stone work has been damaged by the heat of the fire, leaving the arches and metal windows in very poor condition. The decorative central supporting column within the building has been reduced to stick like proportions and is no longer structurally sound and the elevations have been soot covered.

This application, which is accompanied by an application for listed building consent and can be found elsewhere on the agenda, seeks to repair the damaged Chapel and bring it back into use.

The main external works comprise cleaning, re-pointing and the use of new stone work for the chapel walls and Gable elevations. The remaining original windows would be carefully removed and repaired and new windows replicating the original windows will be installed where it is not possible to refurbish the existing windows. New substantial pair of treated softwood arched gothic doors, which form the porch doors, would be installed. These doors would be painted finished and incorporate black ironmongery, so as to match the doors and ironmongery of the existing chapel.

New roof trusses would be erected to support a new roof. The new roof would comprise a gable pitched roof with finials between the northern and southern gable elevations and a gable pitched roof and a central valley gutter over the chapel porch along the west side of

the building. Again, these would replicate the original roof of the chapel.

3.3 Relevant Planning History

64409/APP/2009/2269 Hillingdon And Uxbridge Cemetery Hillingdon Hill Hillingdon
Refurbishment of existing Chapel (Application for Listed Building Consent)

Decision:

Comment on Relevant Planning History

The above application for listed building consent should be considered with this current planning application, and can be found elsewhere on this agenda.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

OL1	Green Belt - acceptable open land uses and restrictions on new development
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE8	Planning applications for alteration or extension of listed buildings

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

5 adjoining owner occupiers and the Ickenham Residents' Association have been consulted. The application has been advertised as a development that affects the special architectural or historic interest of a listed building. No comments have been received.

Uxbridge Local History & Archive Society: No comments received.

English Heritage:

English Heritage supports the like for like repair and reinstatement of this listed chapel after a

recent fire. The submission seems appropriate and well considered, and therefore is supported. It is recommended that the local planning authority attach conditions requiring the submission of sample materials for new stonework, new roof tiles and new floor tiles, and conditions requesting detailed drawings of leaded lights, doors and ironmongery.

Internal Consultees

Urban Design/Conservation:

This is a mid C19 chapel by Benjamin Terrey. It is one of a pair of similar design, set behind a gatehouse with covered entrance fronting Hillingdon Hill. All of the buildings are of coursed rubble with freestone dressings, plain clay tiled roofs in Early English style.

The building is included on the EH Buildings at Risk Register.

RECOMMENDATIONS: The repairs are to be welcomed and include some minor improvements to the building - the unblocking of two windows, the reinstatement of the original floor finish and the removal of an unsightly boiler flue.

The application drawings and supporting schedule have been well considered and carefully drafted. Subject to EH support and GoL final approval, no objections are raised subject to conditions requiring further details and samples.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed development seeks to repair and refurbish a Grade II listed chapel damaged by fire. As such, the no objections are raised to the principle of the proposed development.

7.02 Density of the proposed development

This is not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The impact on historic fabric of the building is addressed in sections 01.0, 07.01 and 07.07 above.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

Planning Policy Guidance Note 2: Green Belts (PPG2) states that the most important attribute of the Green Belt is its openness. Therefore, the construction of new buildings in the Green Belt is inappropriate unless it is for a limited range of uses, including agriculture, forestry, recreation, limited alteration/re-building of dwellings, and infilling major developed sites as identified in adopted plans.

PPG2 also makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The guidance adds that such circumstances will not exist unless the harm is clearly outweighed by other considerations, and that it is for the applicant to show why permission should be granted.

The proposal for the rebuilding chapel damage by fire, falls within rebuilding works which are an acceptable form of work to buildings in the Green Belt. Therefore, the proposal does not constitute inappropriate development.

7.07 Impact on the character & appearance of the area

The proposed works are considered to be acceptable and would reintroduce the original features of the Chapel. It is quite clear from the information submitted by the applicant that the reinstatement works would be carried out by experienced personnel and this is welcomed. The proposed scheme has been well thought through.

The proposal also involves unblocking two original windows and reinstates original replica features that have been lost over time. Overall, the proposal would relate satisfactorily with the architectural composition of the original listed chapel and would enhance the character and appearance of the surrounding area, in accordance with policies BE8, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

The nearest residential property, 42 Hillingdon Hill, lies some 50m to the north and as such would not be adversely affected by the proposed development. As such, the proposal would comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

This is not applicable to this application.

7.11 Urban design, access and security

This is addressed at section 07.07.

7.12 Disabled access

This is not applicable to this application.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, landscaping and Ecology

This is not applicable to this application.

7.15 Sustainable waste management

This is not applicable to this application.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

This is covered in sections 06.1 and 06.2 above.

7.20 Planning obligations

This is not applicable to this application.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other relevant issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

The proposal is has been carefully designed to replicate the original building, using similar materials. The proposed is welcomed and would comply with the aforementioned policies. This application is recommended for approval.

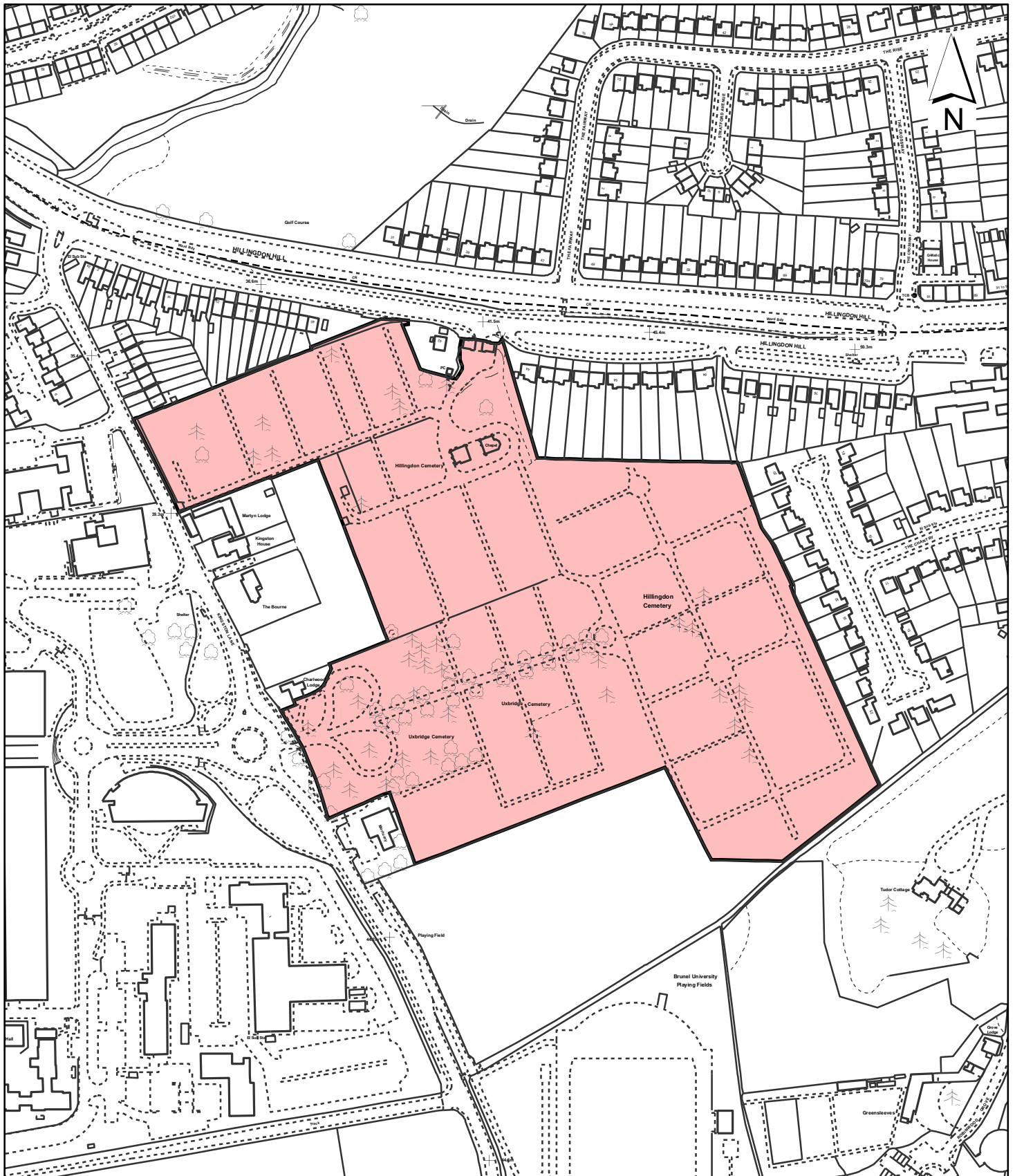
11. Reference Documents

Planning Policy Guidance Note 2: Green Belts


Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Contact Officer: Sonia Bowen

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Hillingdon & Uxbridge Cemetery
Hillingdon Hill
Hillingdon**

Planning Application Ref:
64409/APP/2009/2268

Planning Committee
Central and South

Scale
1:3,000

Date
February 2010

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111



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