

## Report of the Head of Planning & Enforcement Services

**Address** 1-8 (INCLUSIVE), BREAKSPEAR MEWS BREAKSPEAR ROAD NORTH HAREFIELD

**Development:** Regularisation of building work that has already been carried out within Units 1 and 2 (Application for Listed Building Consent.)

**LBH Ref Nos:** 7902/APP/2009/2481

**Drawing Nos:** Design and Access Statement  
113/2009/01A  
113/2009/02A  
113/2009/05A  
113/2009/03A  
113/2009/04A  
113/2009/06A

**Date Plans Received:** 16/11/2009

**Date(s) of Amendment(s):**

**Date Application Valid:** 01/12/2009

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

This application relates to Breakspear Stables, located on Breakspear Road North in Harefield, approximately opposite the Council picnic site. The stables originally served Breakspear House, a Grade I Listed Building, formally owned by the London Borough of Harrow, but now in private ownership and in the process of being converted into 9 apartments, with enabling development.

The rear wall of the 'stables' forms the roadside boundary with Breakspear Road North. Access is via a track to the north of Breakspear Cottage. The front of the 'stables' face the track with an enclosed courtyard. The building is of an attractive traditional appearance (brick and tile construction). The original site also encompassed part of the paddock which lies to the south of the access track, plus a small piece of land on the opposite side of Breakspear Road North.

The former stable block has recently been converted into 6 residential units, and this application relates to units 1 and 2, located at the north west end of the former stable block.

The site falls within both the Harefield Village Conservation Area and the Green Belt as designated in the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## 1.2 Proposed Scheme

This application seeks Listed Building Consent for works necessary to regularise the planning situation relating to numbers 1 and 2 Breakspear Mews, as the works were not carried out in accordance with the approved drawings attached to planning permission 7902/D/96/1275.

The overall approval consisted of 6 residential units. Remedial works have been carried out to units 7 and 8, which are under separate ownership, converting them back to car ports to serve units 3, 4, 5 and 6, in accordance with the consented scheme.

This application relates only to units 1 and 2. The remedial works to these units consists of:

1. Removal of the dormer windows facing onto the courtyard above the uncompleted car ports with new roof rafters and tiles, to infill the removed dormers, to reasonably match the existing roof.
2. Complete the car ports to provide 4 covered parking spaces, as per the original consent.

Consent is also sought to retain the pitched roof over the central link element and 5 inward facing dormer windows.

Given that the application site falls within the curtilage of the Grade I Listed Building, both Listed Building Consent and planning permission is required for the proposal. A corresponding application for planning permission is dealt with under a separate submission.

## 1.3 Relevant Planning History

7902/APP/2009/2480      1-8 (Inclusive), Breakspear Mews Breakspear Road North Har

Regularisation of building work that has already been carried out within Units 1 and 2, involving the removal of two courtyard dormers and completion of the car ports.

### Decision Date:

7902/D/96/1275

### Appeal:

Breakspear Livery Stables Breakspear Road North Harefield

Conversion of redundant stable buildings to form 3 one-bedroom houses and 3 two-bedroom houses

Decision Date: 06-06-1997

Approved

Appeal: 06-JUN-97

Allowed

### Comment on Planning History

1904: stables were constructed and used in connection with Breakspear House.

1985: Stables used as a workshop in connection with the Colne Valley Trust.

26/10/95: Listed Building Consent granted under reference 7902/C/94/1953 for works in connection with the conversion of the stables to 6 residential units comprising three, one bedroom dwellings and three, two bedroom dwellings, with provision of associated car parking spaces.

6/6/97: Secretary of State grants planning permission, for the conversion of Breakspear Stables to 6 residential units. The planning application reference: 7902/D/96/1275, was the subject of a call in inquiry, the same inquiry heard an application to release the

Stables from the 1938 Green Belt Act; this was also approved.

This approved scheme allowed for 3 one bedroom units and three two bedroom units served by a total of 10 parking spaces. The one bedroom units are formed from the main element of the stable block, the rear wall of which adjoins Breakspear Road North.

In February 1998 Planning (ref:7902/G/98/316) and Listed Building Consent (ref:7902/G/98/319) applications were submitted, seeking a series of amendments to the Secretary of State's grant of planning permission/grant of Listed Building Consent, for the conversion of Breakspear Stables to 6 residential units. These applications were withdrawn by the applicants.

#### Enforcement History

In 1995 Listed Building Consent was granted for conversion of the buildings to 6 residential units, three 2 bed and three 3 bed units, with 10 parking spaces located in three original open sheds within the mews. In 1997, following an appeal (the application as referred to the Secretary of State as a departure), planning permission was granted for the works.

In 1998 applications for amendments to the approvals were received. These included additional rebuilding works resulting from the deteriorating condition of the buildings, changes to the fenestration, internal layout changes and the inclusion of 3 dormer windows. A building condition report and a ground condition survey were included with the supporting information. The proposed ground works included the underpinning of the buildings and the structural survey noted extensive cracking to most walls. It advised that the rebuilding of the walls fronting the driveway was necessary, thus the rebuilding of the open sheds would be required. The removal and replacement of all of the roofs was advised, plus the removal of all bonding timbers and timber lintels as result of extensive beetle infestation. It appears that the buildings had been badly neglected and vandalised, and as a result were in a very poor condition.

Following this, funding for the scheme was lost and despite the Council's in principle support, the application for planning permission was withdrawn and the Listed Building Consent not determined. Notes on the files indicate that unauthorised works had been noted in 2001 including the demolition of the open cart shed adjacent to the access road.

It appears that despite initial negotiations, these issues were not resolved. In 2008, it came to the attention of the Council that the development as built, substantially deviated from the approved plans. The major deviations that were identified included;

- Unauthorised construction of two residential premises (previously open garaging) totalling 8 residential units, where 6 were approved.
- Construction of a garage doors to the North East Elevation.
- Additional dormer windows.
- Internal layout deviations.
- Various fenestration elements

Since 2009 negotiations have occurred with site owners to try to resolve the breaches, which has culminated in submission of the current planning and listed building application

Should the current modifications be approved, it is considered that the current breach in planning control in relation to Units 1 and 2 would have been addressed and there will be

no requirement to pursue further enforcement action.

## **2. Advertisement and Site Notice**

**2.1** Advertisement Expiry Date:- Not applicable

**2.2** Site Notice Expiry Date:- Not applicable

## **3. Comments on Public Consultations**

The application has been advertised as a development which would in the opinion of the Council affect the character and appearance of Harefield Village Conservation Area and the setting of the listed building known as Breakspear House. No representations have been received.

Harefield Village Conservation Panel: No response.

Harefield Residents' Association: No response.

Ickenham Residents' Association: No response.

ENGLISH HERITAGE: You are hereby authorised to determine the application for listed Building Consent as you think fit. In doing so English Heritage would stress that it is not expressing any views on the merits of the proposals, which are the subject of the application.

INTERNAL

URBAN DESIGN AND CONSERVATION OFFICER

CONSIDERATION: The current application refers to units 1 and 2 and their associated parking. As approved, these should be 2 one bed units, comprising the end (northern) bays of the original east and west ranges, linked with a new flat roofed single storey building. This was to be positioned partly under and to the rear of an existing timber framed open shed, which housed 2 parking spaces. A further 4 parking spaces were included within an open fronted cart shed which formed part of the south range.

As built the mews has undergone extensive rebuilding and alteration, so much so that none of the open cart sheds now remain. Until recently the mews contained 8 residential units, including two in what should have been a covered parking area. The other parking area (subject of these applications) had been partially converted to storage units. Following the threat of enforcement action, the number of units has been reduced to 6. This work, however, is not included within these applications and still requires to be regularised.

With regard to the current application for units 1 and 2, these seek to return the partially converted storage buildings back to a covered parking area for 4 cars, and to remove the dormer windows in the roofs over these areas. In addition, both units have been enlarged to include a further bedroom by building a pitched roof over the new link, raising the ridges of the adjacent structures by up to 1m and the inclusion of 5 dormer windows.

RECOMMENDATIONS: The current situation is far from ideal, however, considering the history of the site and the fact that the buildings had fallen into considerable disrepair and would have required extensive rebuilding, the loss of historic fabric that has occurred could probably not have been avoided.

Whilst ideally the new build should have replicated the originals, as proposed, the mews retains its essential character and the reinstatement of four of the parking spaces will relieve the problem of residents parking on the access road. The existing dormer windows are too numerous and slightly over large given the small scale of the buildings. The removal of the two dormers over the covered car parking area will improve this situation. The inclusion of painted timber folding doors to the garage areas would also improve the appearance of the courtyard. These are not currently shown on the drawings and were not discussed previously with the applicants. Recent works undertaken in the mews, however, have highlighted the need to screen the interior of the garages and this should be required by condition.

If possible, we should also seek to install gates at the entrance of the mews as originally agreed.

The owners of units 1 and 2 should be given a limited period of time to put the proposed alterations in place.

Within the same time frame, the owner of the remaining units should be required to submit an application to regularise the situation as regards his properties.

Whilst not ideal, given the history of the site, the alterations shown are on balance, considered as acceptable.

#### **4. UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

|      |   |
|------|---|
| BE4  | New development within or on the fringes of conservation areas        |
| BE8  | Planning applications for alteration or extension of listed buildings |
| BE9  | Listed building consent applications for alterations or extensions    |
| BE10 | Proposals detrimental to the setting of a listed building             |
| PPS5 | Planning for the Historic Environment                                 |

#### **5. MAIN PLANNING ISSUES**

The buildings are considered as listed by virtue of being within the curtilage of Breakspear House, which is Grade I listed. The site falls within Harefield Village Conservation Area. Of particular relevance are Saved Policies BE8, BE9, BE10, BE11 and BE12. These seek to ensure that any development involving listed buildings or curtilage structures does not have any detrimental impact on the overall value of the structure or building.

The site also falls within Harefield Village Conservation Area. Saved Policy BE4 states

that new development within or on the fringes of conservation areas will be expected to preserve or enhance the features, which contribute to the Conservation Area's special architectural or visual qualities.

The current application refers to units 1 and 2 and their associated parking. As approved, these should be 2 one bed units, comprising the end (northern) bays of the original east and west ranges, linked with a new flat roofed single storey building. This was to be positioned partly under and to the rear of an existing timber framed open shed, which housed 2 parking spaces. A further 4 parking spaces were included within an open fronted cart shed which formed part of the south range.

The Urban Design and Conservation Officer notes that as built, the Mews has undergone extensive rebuilding and alteration, to the extent that none of the original open cart sheds now remain. It is also noted that until recently the mews contained 8 residential units, including two in what should have been a covered the parking area (units 7 and 8). However these units, which do not form part of the applicant's ownership, have already reverted back to car ports. Nevertheless, these works, which are not included within this application, still require regularisation.

The other parking area (subject of this application) had been partially converted to storage units.

With regard to the current applications for units 1 and 2, these and seek to return the partially converted storage buildings back to a covered parking area for 4 cars, and to remove the dormer windows in the roofs over these areas. In addition, both units have been enlarged to include a further bedroom by building a pitched roof over the new link, raising the ridges of the adjacent structures by up to 1m and the inclusion of 5 dormer windows.

The Urban Design and Conservation Officer considers that given the history of the site and the fact that the buildings had fallen into considerable disrepair and would have required extensive rebuilding, the loss of historic fabric that has occurred could probably not have been avoided.

Whilst ideally the new build should have replicated the originals, as proposed, the mews retains its essential character and the reinstatement of four of the parking spaces will relieve the problem of residents parking on the access road.

The Urban Design and Conservation Officer considers that the existing dormer windows are too numerous and slightly over large given the small scale of the buildings. The removal of the two dormers over the covered car parking area will improve this situation.

The Urban Design and Conservation Officer has suggested that the inclusion of painted timber folding doors to the garage (car port) areas would also improve the appearance of the courtyard.

However, as highlighted by recent works undertaken in the mews (units 7 and 8), the car ports are substandard in terms of internal dimensions, being only 4.3 metres deep. The inclusion of garage doors would therefore preclude the use of the car ports to anything other than smaller vehicles, thereby compromising their ability to provide effective off street parking for the development. As a compromise, the Urban Design and Conservation Officer has suggested that the internal finishes of the car ports should

reflect their function as vehicle storage areas, given that as part of the unauthorised development, they were intended to form habitable rooms with an inappropriate high standard of internal finish. A condition is recommended to address this issue.

English Heritage has raised no objections on Listed Building grounds. Overall, whilst not ideal, given the history of the site, it is considered that the alterations shown are on balance, acceptable, in compliance with Saved Policy BE8 of the UDP.

It is noted that gates have already been installed at the entrance of the mews as originally agreed.

A condition is recommended on the associated planning application requiring the owners of units 1 and 2 to submit a time table for the completion of the remedial works within one month of the date of this permission. The time table should stipulate that such works must be completed no longer than 6 months from the date of the Local Planning Authority agreeing the timetable.

## **6. RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 CAC1 Time Limit (5 years) - Conservation Area Consent**

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

#### **REASON**

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **2 CAC10 Extent of demolition**

No demolition beyond that indicated on the approved drawings shall take place without the approval of the Local Planning Authority.

#### **REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **3 CAC12 Samples of materials**

Samples of all materials and finishes to be used for all external surfaces of the building and the internal finishes of the car ports shall be submitted to and approved in writing by the Local Planning Authority before commencement of any works.

#### **REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **4 CAC11 Measures to protect the building**

Prior to works commencing, details of measures to protect the building from the weather,

vandalism and accidental damage shall be submitted to and approved by the Local Planning Authority. Such measures shall be implemented prior to any works commencing.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 CAC13 Internal and External Finishes (Listed Buildings)**

All new works and works of making good to the retained external fabric of the building shall be finished to match the existing fabric with regard to methods used and to material, colour, texture and profile.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 CAC4 Making good of any damage**

Any damage caused to the building in execution of the works shall be made good to the satisfaction of the Local Planning Authority within 3 months of the works being completed.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1** The decision to GRANT Listed Building Consent 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).

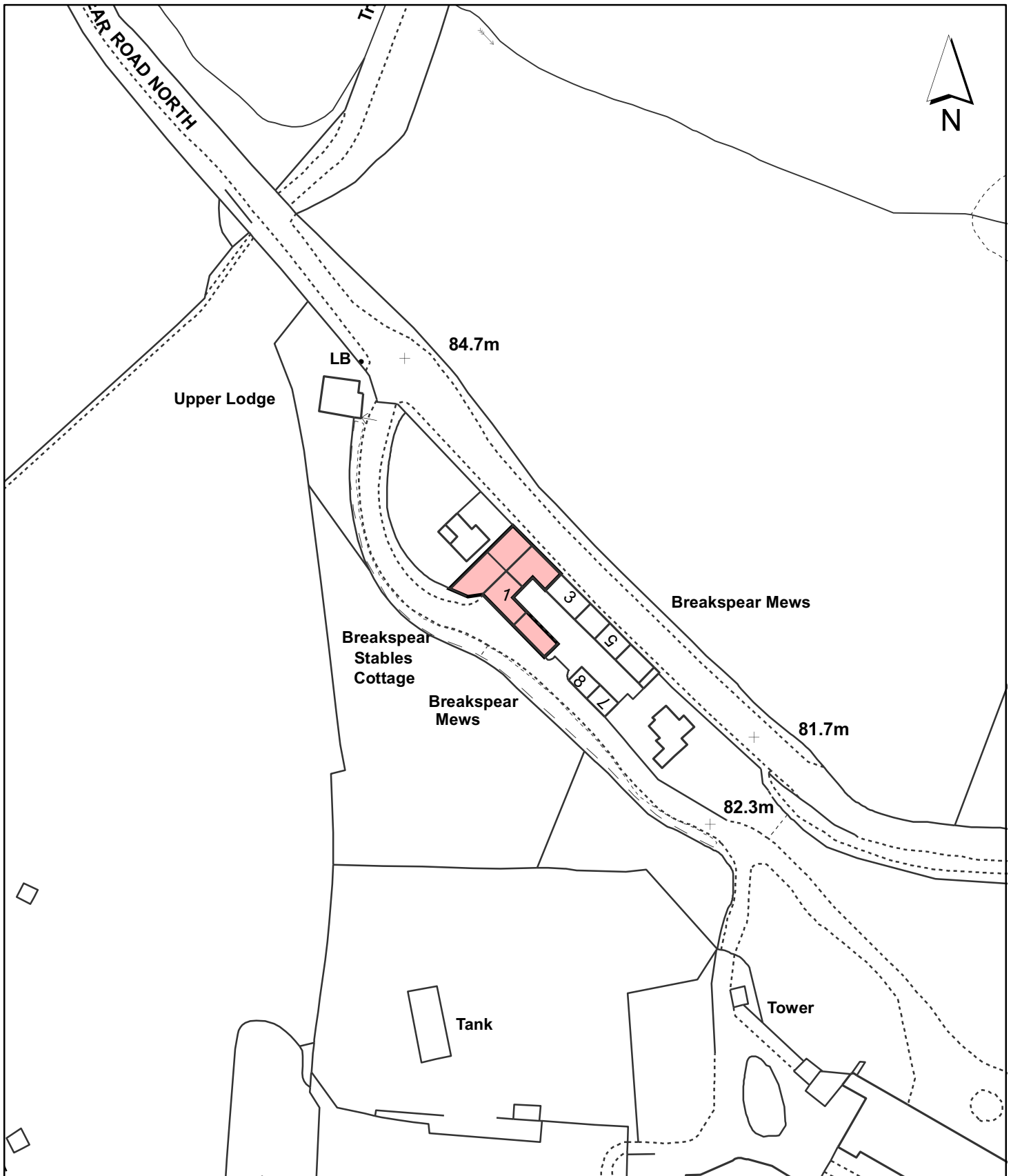
**2** The decision to GRANT Listed Building Consent has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

- BE4 New development within or on the fringes of conservation areas
- BE8 Planning applications for alteration or extension of listed buildings
- BE9 Listed building consent applications for alterations or extensions
- BE10 Proposals detrimental to the setting of a listed building
- PPS5 Planning for the Historic Environment




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**Notes**

 Site boundary

For identification purposes only.

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|--|-------------------|
| Site Address   |                   |
| <b>1 - 8 (inclusive) Breakspears Mews<br/>Breakspears Road North<br/>Harefield</b> |                   |
| Planning Application Ref:  | Scale             |
| <b>7902/APP/2009/2481</b>  | <b>1:1,250</b>    |
| Planning Committee   | Date              |
| <b>North</b>   | <b>March 2011</b> |

**LONDON BOROUGH OF HILLINGDON**

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