

Report of the Head of Planning, Sport and Green Spaces

Address 133B HIGH STREET UXBRIDGE

Development: Retention of outbuilding to the rear as built to be used as a community centre/place of worship (Listed Building Consent).

LBH Ref Nos: 68976/APP/2016/254

Drawing Nos: Design, Access and Heritage Statement
Location Plan (1:1250)
B3919-20

Date Plans Received: 21/01/2016 **Date(s) of Amendment(s):**

Date Application Valid: 21/01/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises an existing single storey, rectangular building located to the rear of the retail parade on the eastern side of Uxbridge High Street. The building is currently in use as the Eyup Sultan Educational Cultural Centre and place of worship, which is classified as a D1 use.

The building is to the rear of the three storey terraced building, No.133 High Street, which has a split retail unit at ground floor and residential accommodation at first and second floors. The building is Grade II Listed as part of a listing which covers Nos.129-133 High Street. The application building is link attached to No.133a High Street through a brick wall, running along the boundary with the footpath passageway between the High Street and Redford Way to the rear of the site. The wall is protected as part of the Listing of the building. There is a curved section of the listed wall at the rear of the existing building which is hidden under render, along with an up stand of bricks (from the original wall) along the north-west elevation.

No.132 High Street, The Good Yarn Public House, is located opposite the site. To the south of the site is the two storey rear wing of No.134A High Street, this building is also Grade II Listed and was granted approval in 2012 to be converted into 3 x 2 bedroom flats.

To the rear (north-east) of the site is the nearest residential property, a purpose built residential block known as Culham Court on Redford Way. Located opposite Culham Court and also on Redford Way is Redford House, in use as a charity furniture store (A1 Use) and the building immediately to the north of Redford House also accessed via Redford Way is a place of worship.

The site lies in the Old Uxbridge/Windsor Street Conservation Area and is located within an Archaeological Priority Area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

Redford Way and all the surrounding residential streets are located within a controlled parking zone, with car parking limited to permit parking between 9am and 5pm Monday to

Saturday on Redford Way. The site has a Public Transport Accessibility Level (PTAL) of 6.

1.2 Proposed Scheme

Listed Building Consent is sought for the retention of an outbuilding, as built, to be used as a community centre/place of worship (D1 Use Class).

1.3 Relevant Planning History

68976/APP/2013/799 133b High Street Uxbridge

Demolition of existing outbuilding and erection of new single-storey building, for use as cultural centre/place of worship (Use Class D1)

Decision Date: 10-07-2013 Refused **Appeal:**

68976/APP/2013/800 133b High Street Uxbridge

Demolition of existing outbuilding (Conservation Area Consent).

Decision Date: 10-07-2013 Refused **Appeal:**

68976/APP/2014/3478 133b High Street Uxbridge

Details pursuant to condition 6 (footings) of planning permission ref: 68976/APP/2014/467, dated 17-06-2014 (Listed Building Consent for demolition of existing outbuilding and erection of new single storey building, for continued use as a cultural centre/place of worship (D1))

Decision Date: 18-12-2014 Approved **Appeal:**

68976/APP/2014/3479 133b High Street Uxbridge

Details pursuant to condition 5 (footings) of planning permission ref: 68976/APP/2014/351, dated 17-06-2014 (Demolition of existing outbuilding and erection of new single storey building, for continued use as a cultural centre/place of worship (D1))

Decision Date: 18-12-2014 Approved **Appeal:**

68976/APP/2014/351 133b High Street Uxbridge

Demolition of existing outbuilding and erection of new single storey building, for continued use as a cultural centre/place of worship (D1)

Decision Date: 12-06-2014 Approved **Appeal:**

68976/APP/2014/3829 133b High Street Uxbridge

Details pursuant to condition 6 (Written Scheme of Archaeological Investigation and Watching Brief) of planning permission ref: 68976/APP/2014/351, dated 17/6/2014 (Demolition of existing outbuilding and erection of new single storey building, for continued use as a cultural centre/place of worship (Class D1)).

Decision Date: 01-12-2014 Approved **Appeal:**

68976/APP/2014/3830 133b High Street Uxbridge

Details pursuant to condition 7 (Written Scheme of Archaeological Investigation and Watching Brief) of Listed Building Consent ref: 68976/APP/2014/467, dated 14/6/2014 (Demolition of existing outbuilding and erection of new single storey building, for continued use as a cultural centre/place of worship (D1)).

Decision Date: 01-12-2014 Approved **Appeal:**

68976/APP/2014/467 133b High Street Uxbridge

Listed Building Consent for demolition of existing outbuilding and erection of new single storey building, for continued use as a cultural centre/place of worship (D1)

Decision Date: 12-06-2014 **Approved** **Appeal:**
68976/APP/2016/253 133b High Street Uxbridge

Retention of outbuilding to the rear as built to be used as a community centre/place of worship.

Decision Date: **Appeal:**

Comment on Planning History

The application site had been in use as an unauthorised cultural centre/place of worship for a number of years, and was considered immune from enforcement action. The use of the site as a cultural centre/place of worship (D1 Use Class) was regularised through planning permission ref: 68976/APP/2014/351 and the associated Listed Building Consent (ref: 68976/APP/2014/467) granted in June 2014.

There is currently an enforcement investigation on the site as the development has not been built in accordance with the approved plans. This current application, and the associated Listed Building Consent (ref: 68976/APP/2016/254) seeks to regularise the as built outbuilding.

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

EXTERNAL

Consultation letters were sent to 28 local owners/occupiers and a site notice was displayed. One response was received:

- i) Impact on Listed Building and Conservation Area
- ii) The Listed Wall needs to be properly repaired and rendered
- iii) Visual amenity for residents
- iv) Design, appearance and materials of windows and doors inappropriate for Conservation Area - will they be PVC or wooden?
- v) Development has not been built in accordance with approved plans
- vi) Unacceptable parking
- vii) Commercial refuse bins along Johnson's Yard impact on public access

Officer comments: Points i), ii), iii), iv) and v) have been discussed elsewhere in this report. In regards to Points vi) and vii) parking and refuse storage are planning matters which have been dealt with as part of the associated planning application ref: 68976/APP/2016/253.

Old Uxbridge Conservation Panel: No response received

Uxbridge Local History and Archive Society: No response received

Historic England: On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

Ward Councillor: Requests that the application is reported to committee for consideration.

INTERNAL

Conservation Officer:

The site lies within the Old Uxbridge Windsor Street Conservation Area, the boundary wall is considered as listed as it falls within the curtilage of the grade II frontage property and the site itself also falls within the curtilage of this listed structure.

There are considerable concerns re this application:

- The Design and Access Statement advises that the building is to be retained as built, whilst the drawings show the changes that were discussed with the applicant, such as changes to the boiler flue, the removal of the metal door left hanging off the wall and replacement of the PVC windows. It is important that these elements of the works are undertaken in order to ensure that the current building is of a sufficient quality, in terms of the adjacent heritage assets and their settings, that it can be retained.

- Where there are vertical gaps between the new building and original walls, these should be infilled with brickwork toothed into the original structure. The wall should not be cut back. It is advised that the gap to the south of the new building is corrected by the insertion of a brick pier located within the garden space between the 2 structures, this can then be used to support the free end of the bowed section of brickwork (to the original wall). It is advised that an appropriately experienced specialist brick layer is employed to undertake these works and details will be required.

- The PVC windows should be removed and white painted timber, side hung casements of a traditional appearance inserted in their place - detailed design to be agreed.

- The shiny white plastic fascia boards should be replaced in timber and the PVC down pipes and gutters replaced in metal. The down pipe adjacent to the listed wall to the south must be run into the existing drain.

- The new timber door design (in place) is acceptable and the door at the northern end of the building should be replaced to match. The door in the original wall can also be replaced in timber, however, a detail should be provided of this as its not to the same proportions as the other standard modern doors.

- The existing stub of the original wall at ground level should be protected by a wide stone capping with a DPC below, if required - it should not be capped with additional concrete, or be covered with a flashing.

- The proposed "roof" cover to the end of the wall should be omitted, as this is proposed to be slate covered in felt, which would be visible over the top of the existing structures. If a water proof cover is necessary, this should sit below the roof/wall parapet.

- The rear elevation drawing and cross-section do not match re the roof profile

- Details of the repairs to the wall are required
- The wall and new building should both be painted off white, RAL colour/manufacturers colour code to be confirmed

Revised drawings required

Officer comments: No revised drawings have been received to address the Conservation Officer's comments. Whilst some of the issues raised could be dealt with through the use of suitably worded conditions, it is considered that insufficient detail has been provided in order to fully address the concerns raised by the Conservation Officer.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.HE1 (2012) Heritage
- PT1.BE1 (2012) Built Environment

Part 2 Policies:

- BE4 New development within or on the fringes of conservation areas
- BE10 Proposals detrimental to the setting of a listed building

5. MAIN PLANNING ISSUES

The main planning issue relates to the impact the development has on the Grade II Listed Building, No.133 High Street, and the boundary wall next to the existing outbuilding.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new developments should retain or enhance the character and appearance of the Conservation Area and those features which contribute to the special architectural qualities. Policy BE10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states planning permission will not normally be granted for proposals which are considered detrimental to the setting of a listed building.

The application site lies within the Old Uxbridge/Windsor Street Conservation Area and falls within the curtilage of No.133 High Street, which is a Grade II Listed Building. The building was once a merchant's house and would have had a generous sized rear yard/garden befitting of this eminent building in Uxbridge's historic town centre. The boundary wall to Johnson's Yard in the backyard is brick built, of historic interest that is an attractive feature and is of visual amenity value to the adjacent Johnson's Yard passageway and to the wider locality of the Old Uxbridge/Windsor Street Conservation Area.

The Council's Conservation Officer considers that the outbuilding, as built, is visually unacceptable due to an incomplete appearance resulting in gaps between the new building and original listed walls and the use of PVC windows, PVC down pipes and PVC gutters. The development would have a detrimental impact on the character, appearance and setting of the Grade II Listed Building and Listed Wall. The development would also visibly

impact upon, and fail to preserve the character and appearance of the surrounding Old Uxbridge/Windsor Street Conservation Area. As such, the proposed scheme does not comply with Policies BE4 and BE10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application for Listed Building Consent is therefore recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The outbuilding, by reason of its visually unacceptable appearance would detrimentally impact on the character, appearance and setting of the Grade II Listed Building and Listed Wall and fails to preserve the character and appearance of the immediate street scene and surrounding Old Uxbridge/Windsor Street Conservation Area contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE4 and BE10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 The decision to REFUSE 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).

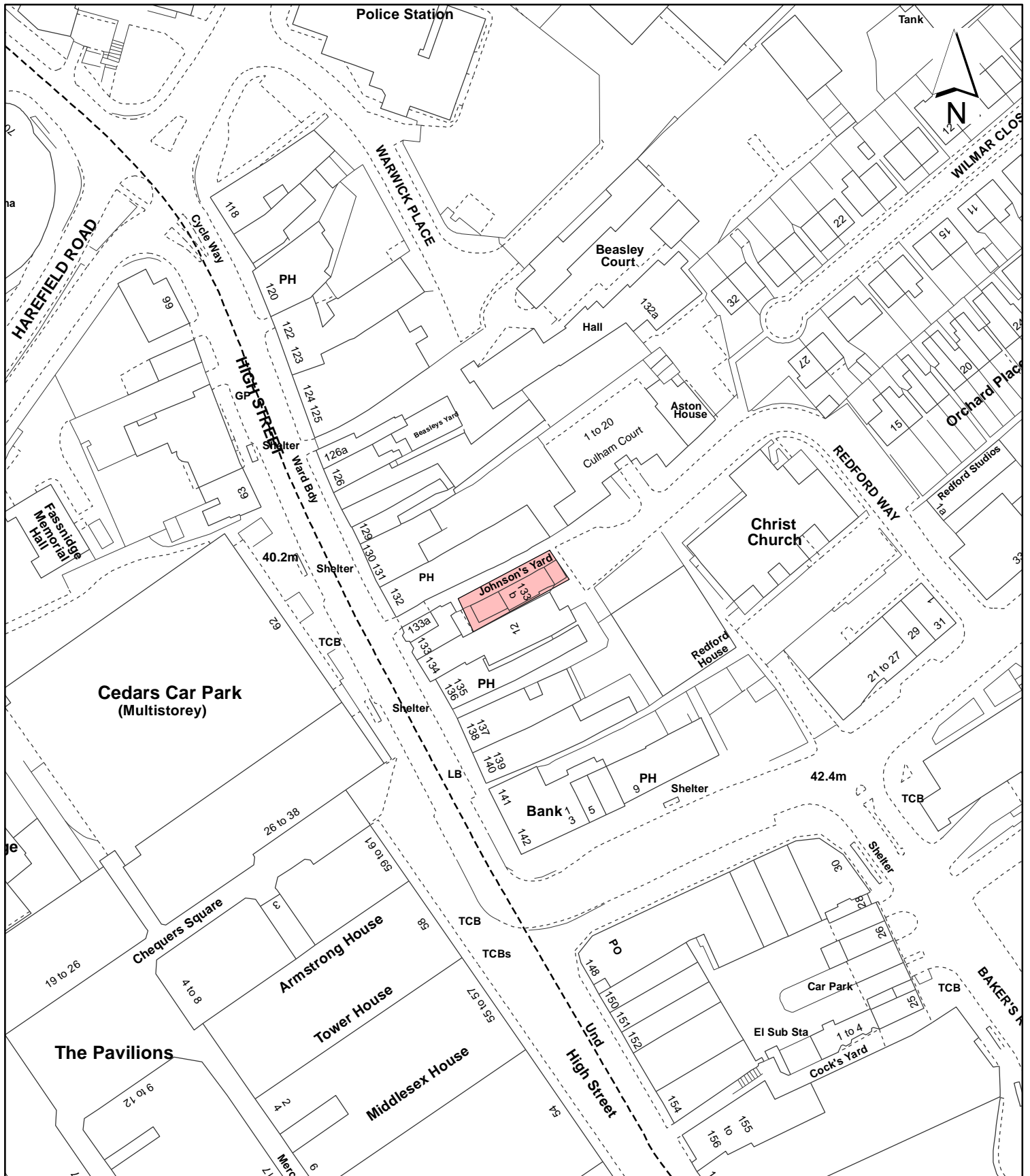
2 The decision to REFUSE Listed Building Consent has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

BE4 New development within or on the fringes of conservation areas

BE10 Proposals detrimental to the setting of a listed building

Contact Officer: Katherine Mills

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Notes:

 Site boundary

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Site Address:

**133B High Street
 Uxbridge**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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

Planning Application Ref:

68976/APP/2016/254

Scale:

1:1,250

Planning Committee:

Central & South

Date:

May 2016



HILLINGDON
 LONDON