

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Interim Director of Planning, Regeneration & Public Realm**

Address: COWLEY HOUSE 181 COWLEY ROAD UXBRIDGE

Development: Upgrading of the existing gas supply via the installation of external gas pipe apparatus.

LBH Ref Nos: 15841/APP/2022/912

Drawing Nos: CA12470-004-P0
Design Options Appraisal
CA12470-010-P0
Covering letter
CA12470-001 P0
CA12470-002-P0
CA12470-005B
CA12470-012B
CA12470-009B
CA12470-006-P0
CA12470-003B
CA12470-011B
CA12470-007B
Design and Heritage Statement
CA12470-008-P0

Date Plans received: 18-03-22 **Date(s) of Amendments(s):** 26-01-23

Date Application valid 18-03-22

1. SUMMARY

The application seeks planning permission for the upgrading of the existing gas supply via the installation of external gas pipe apparatus. The proposal would not respect the significance of the building and would alter its character and appearance in a detrimental way. There would also be some harm to the historic fabric with the fixings and the openings. No details have been provided on the internal impact of this listed building. The public benefits identified would not outweigh the less than substantial harm. The proposal is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposal would be harmful due to the cluttering of the elevations and disrupting of notable architectural features, in particular the cornice and would not respect the significance of the building and would alter its character and appearance in a detrimental way. There would also be harm to the historic fabric with the fixings and the openings, and no information or floor plans have been provided to demonstrate that there would be no harm to the internal fabric of this statutorily listed building. Therefore the proposal would fail to preserve the significance of the Grade II Listed Building by posing 'less than substantial harm' to the significance of the designated heritage asset, and adversely affect the visual amenity of the street scene and character of the area. Further, the proposed development would not deliver public benefits sufficient to outweigh the harm posed. As such, the proposal is contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 (2012), Policies DMHB 1, DMHB 2 and DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policies D3 and HC1 of the London Plan (2021) and Chapters 12 and 16 of the National Planning Policy Framework (2021).

INFORMATIVES

1. I71 LBH worked applicant in a positive & proactive (Refusing)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

3. CONSIDERATIONS

3.1 Site and Locality

Cowley House originates from the 18th century however was altered and enlarged in the 19th century. The building includes semi-basement level with 3-storeys above.

Externally the elevations are constructed in a brown brick with red brick dressings. The elevations are decorated with double hung timber sash windows with flat headed arches, string course detailing, attractive cornices and roof eaves with dentil detail, bay windows and a stucco parapet. Pilasters frame the corners of the building.

Internally the property retains notable features of interest.

The building has a strong presence within the area, positioned on a spacious plot and enclosed by a historic (curtilage listed) brick boundary wall, all positively and strongly contributing to the building's significance as a designated heritage asset.

3.2 Proposed Scheme

The application seeks planning permission for the upgrading of the existing gas supply via the installation of external gas pipe apparatus.

3.3 Relevant Planning History

15841/A/XX/13141

15841/XX/13140

15841/B/XX/13142

15841/C/XX/13769

15841/D/XX/13770

15841/E/73/0359

15841/F/74/0535

15841/J /77/0360

15841/APP/2022/1168 COWLEY HOUSE 181 COWLEY ROAD UXBRIDGE

Upgrading of the existing gas supply via the installation of external gas pipe apparatus
(Application for Listed Building Consent)

15841/T /80/0476

15841/TRE/2013/37 181 COWLEY ROAD UXBRIDGE

To carry out tree surgery to one Sycamore tree (T3) on TPO 125.

Decision: 04-07-2013 Withdrawn (P)

15841/APP/2006/517 COWLEY HOUSE 181 COWLEY ROAD UXBRIDGE
ERECTION OF FREE-STANDING TIMBER FRAMED STEPS LEADING TO GROUND FLOOR
BAY WINDOW.

Decision: 11-05-2006 Approval

41248/B/0012/95
Enforcement(advertisement hoarding)

15841/W/82/1083 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Tree application. *INCORRECTLY REGISTERED ON 1584W/82/1083*

Decision: 09-09-1982 Approval

15841/T/80/0476 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Res.development - House conversion (Full) (P)

Decision: 16-06-1980 Approve Deemed
Hill.

15841/S/79/0322 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Listed building consent to dev/alter (P)

Decision: 06-08-1979 Refer to DTLR

15841/R/78/0352 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Reserved mats. of outline 15841/770360(P)

Decision: 17-03-1978 Approval

15841/Q/78/0309 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Listed building consent to dev/alter (P)

Decision: 25-07-1978 Refer to DTLR

15841/M/77/1791 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Reserved mats. of outline 15841/770360(P)

Decision: 23-01-1978 Approval

15841/K/77/0361 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Listed building consent to dev/alter (P)

Decision: 27-06-1977 Refer to DTLR

15841/J/77/0360 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Residential development-15 units (Outline)(P)

Decision: 24-06-1977 Approval

15841/H/76/1197 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Residential development-25 units (Outline)(P)

Decision: 19-11-1976 Approval

15841/G/75/1512 COWLEY HOUSE LODGE COWLEY ROAD UXBRIDGE
Residential development-23 units (Outline)(P)

Decision: 17-02-1976 Approval

Comment on Planning History

The relevant planning history is listed above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

Conservation Officer - Objection - Less than substantial harm.

The proposal would harm the character and appearance of the elevations disrupting notable architectural features, and there would likely be harm to the historic fabric with the fixings and openings. Of real concern is the relationship between the projecting cornice and pipework.

The harm identified is less than substantial harm and NPPF 2021, Para 202 should therefore be applied in this case. The applicant while stating that the proposal does not constitute less than substantial harm, lays out the public benefits at 8.1.4. of the Design and Access Statement of the scheme.

The full comments are incorporated into the assessment below.

Access Officer - No impact on accessibility

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 11	Design of New Development
LPP D3	(2021) Optimising site capacity through the design-led approach
DMHB 2	Listed Buildings
LPP HC1	(2021) Heritage conservation and growth
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF12	NPPF 2021 - Achieving well-designed places

In addition: Development Plan
Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

N/A

7.2 Impact on Street Scene

The main issues for consideration with this application are whether the proposed alterations are appropriate to the special historic character and appearance of the building.

Legal and policy considerations Sections 16 and 66 of the Planning (Listed Buildings and conservation Areas) Act 1990 (the 'Act') require the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

Paragraph 199 of the NPPF (2021) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 202 of the NPPF (2021) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy HE1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building. This is reinforced by Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020) which states that the Council will expect development proposals to avoid harm to the historic environment, and that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

Policy DMHB 1 of the Local Plan: Part Two (2020) notes the Council will expect development proposals to avoid harm to the historic environment. Development that has an effect on heritage assets will only be supported where it sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation and will not lead to a loss of significance or harm to an asset amongst other criteria.

Policy DMHB 2 of the Local Plan: Part Two (2020) requires applications for Listed Building Consent to only be permitted if they are considered to retain its significance and value and are appropriate in terms of the fabric, historic integrity, spatial quality and layout of the building. Any additions or alterations to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship.

The application site is Grade II listed. Externally the elevations are constructed in a brown brick with red brick dressings. The elevations are decorated with double hung timber sash windows with flat headed arches, string course detailing, attractive cornices and roof eaves with dentil detail, bay windows and a stucco parapet. Pilasters frame the corners of the building. Internally the property retains notable features of interest. The building has a strong presence within the area, positioned on a spacious plot and enclosed by a historic (curtilage listed) brick boundary wall, all positively and strongly contributing to the building's significance as a designated heritage asset.

The Council's Conservation Officer has advised that the proposal would harm the character and appearance of the elevations disrupting notable architectural features, and there would likely be harm to the historic fabric with the fixings and openings. Of real concern is the relationship between the projecting cornice and pipework.

On 21st October a conservation officer conducted a site visit to discuss the proposal and see samples of pipework. It was concluded that the amended plans following the 15th May 2022 comments did not overcome the previous listed building objections and that the amended proposal would be harmful to the character and special interest of the listed building.

The precedent schemes that were presented were not comparable and showed short localised

stretches of pipework discreetly located. It was concluded that this suggested that the long stretches of pipework externally were not necessary and were for the convenience of installation so that the flats inside did not need to be entered. The proposal remains harmful due to the cluttering of the elevations and disrupting of notable architectural features, in particular the cornice. The proposal would not respect the significance of the building and would alter its character and appearance in a detrimental way. There would also be some harm to the historic fabric with the fixings and the openings.

The harm identified is less than substantial harm and NPPF 2021, Para 202 should therefore be applied in this case. The applicant while stating that the proposal does not constitute less than substantial harm, lays out the public benefits at 8.1.4. of the Design and Access Statement of the scheme.

The proposal remains harmful and this application would not preserve the listed building in line with the Planning (Listed Buildings and Conservation Areas) Act 1990 section 66. As the harm identified is less than substantial harm, a balanced judgement in relation to NPPF 2021 para 202 and public benefit has been carried out and it is not considered that the public benefits outweigh the identified harm. This is particularly so given that the public benefits identified would also be achievable with a more sensitive, less intrusive and ultimately less harmful proposal as evidenced by the precedent schemes that were presented.

This application is therefore recommended for refusal.

7.3 Traffic Impact/Pedestrian Safety

N/A

7.4 Carparking & Layout

N/A

7.5 Urban Design, Access and Security Considerations

The issues are addressed in the sections above.

7.6 Other Issues

No other issues are raised.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Contact Officer: Nicola Taplin

Telephone No: 01895 250230