

APPLICATION FOR: 10622/APP/2021/1491

HIGHGROVE HOUSE LIDGOULD GROVE RUISLIP

COMMITTEE: Major Apps PC

DATE: 16th November 2021

I confirm:-

- All consultations have been completed
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- _____
Case Officer

Signed:- _____
Team Manager

Signed:- _____
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- _____
DC Tech Admin

Item No.	Report of the Head of Planning, Transportation and Regeneration		
Address	HIGHGROVE HOUSE LIDGOULD GROVE RUISLIP		
Development:	Erection of a detached three bedroom house (Application for Listed Building Consent)		
LBH Ref Nos:	10622/APP/2021/1491		
Drawing Nos:	FLU.1324.01 Rev. J Planning, Design, Heritage and Access Statement FLU.1324.03 Rev B Energy and Sustainability Statement E1071-ESS-00 Briefing Note - Badger Survey Results Arboricultural Implications Report SJA air 20561-01 FLU.1324.02 Rev B		
Date Plans Received:	14/04/2021	Date(s) of Amendment(s):	14/04/2021
Date Application Valid:	08/07/2021		15/04/2021

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises Highgrove House, together with its grounds, located to the south east of Eastcote Road and west of Kent Gardens. The application site previously formed part of a larger site, including land to the north of the access road. This has now been redeveloped to provide a sheltered housing scheme known as Yew Tree Lodge.

Highgrove House is a two storey Grade II listed building, which dates from 1881, but was gutted by fire in 1978. Following the grant of planning and listed building consent, the building has been refurbished/converted and is now in use as residential flats. Two blocks of mews housing have also been erected within the grounds.

Access is from an internal access road from Eastcote Road. The access road sweeps around into the site, between Highgrove House and the adjoining Yew Tree Lodge to the north, providing an access and adjoining parking for both buildings. Yew Tree Lodge is a purpose built two storey L-shaped building, with 12 units of sheltered accommodation, together with office and staff accommodation. Planning permission for this building formed part of the wider redevelopment proposals for the Highgrove House site.

The site slopes gently from east to west. It contains a number of trees which are more dense on the south and west boundaries, where the site abuts the wooded area of the Highgrove Site of Importance for Nature Conservation (SINC). To the east, the site adjoins two storey houses on Kent Gardens, while to the north, beyond a public footpath, is the former RAF Eastcote site which has been developed for residential purposes.

The majority of the application site forms part of the developed area, although as noted above the area to the south and west is designated as being a Nature Conservation Site

of Borough Grade II or Local Importance as identified in the Hillingdon Local Plan.

1.2 Proposed Scheme

Whilst the application proposes the erection of a three-bedroom house on land adjacent to No. 17 Lidgould Grove within the grounds of Highgrove House, the Local Planning Authority is of the opinion that the works proposed do not require Listed Building Consent. The applicant contends that the ancillary railings and structures are curtilage listed and this application therefore relates to the removal of these, which run along the frontage of the site.

1.3 Relevant Planning History

10622/APP/2006/2490 Highgrove House Eastcote Road Ruislip

REFURBISHMENT AND CONVERSION OF LISTED BUILDING TO 12 RESIDENTIAL UNITS COMPRISING ONE STUDIO, 6 ONE BED, 2 TWO BED AND 1 THREE BED FLATS AND 2 TWO BED MAISONETTES AND ERECTION OF 4 TWO-BEDROOM MEWS DWELLINGHOUSES WITH ASSOCIATED AMENITY SPACE AND LANDSCAPING (INVOLVING DEMOLITION OF DETACHED STABLE BUILDING).

Decision Date: 11-01-2007 **Approved** **Appeal:**

10622/APP/2006/2491 Highgrove House Eastcote Road Ruislip

REFURBISHMENT AND CONVERSION OF LISTED BUILDING TO 12 RESIDENTIAL UNITS COMPRISING ONE STUDIO, 6 ONE BED, 2 TWO BED AND 1 THREE-BED FLATS AND 2 TWO-BED MAISONETTES (LISTED BUILDING CONSENT)

Decision Date: 12-01-2007 **Approved** **Appeal:**

10622/APP/2006/2494 Highgrove House Annex Eastcote Road Ruislip

ERECTION OF A TWO STOREY BUILDING TO PROVIDE TWELVE RESIDENTIAL FLATS (FOR PEOPLE WITH LEARNING DIFFICULTIES), COMMUNAL AMENITY SPACE, ANCILLARY OFFICE AND STAFF ACCOMMODATION AND LANDSCAPING (INVOLVING DEMOLITION OF EXISTING HOSTEL BUILDING)

Decision Date: 11-01-2007 **Approved** **Appeal:**

10622/APP/2010/1822 Highgrove House Eastcote Road Ruislip

Variation of Condition 3 - Minor material amendment to planning permission ref: 10622/APP/2009/2504 dated 11/02/2010: Refurbishment and conversion of listed building to 12 residential units and erection of 4 two-bedroom mews dwellinghouses and associated works (time extension of planning permission ref: 10622/APP/ 2006/2490 dated 11/01/2007) to allow alterations to the siting and design of the two blocks of mews housing (Retrospective application).

Decision Date: 25-10-2011 **Approved** **Appeal:**

10622/APP/2011/3041 Highgrove House Eastcote Road Ruislip

Variation of Condition 3 (Compliance with Approved Plans) of Planning Permission dated 11/02/11, ref. 10622/APP/2009/2504 to allow the retention of the conversion of Flat 7 from a one-bedroom flat into a two bedroom flat (Retrospective Application).

Decision Date: 08-02-2012 **Refused** **Appeal:** 05-JUL-12 **Dismissed**

10622/APP/2012/1984 Highgrove House Annex Eastcote Road Ruislip

Non-material amendment to planning permission 10622/APP/2006/2494, to provide an additional unit for use by a person with learning difficulties replacing the existing staff flat (Application for non-material amendment)

Decision Date: 17-08-2012 **Approved** **Appeal:**
10622/APP/2021/1490 Highgrove House Lidgould Grove Ruislip
Erection of a detached three-bedroom house

Decision Date: **Appeal:**

Comment on Planning History

Applications for planning permission and listed building consent (refs. 10622/APP/2006/2490 and 2491) were originally presented to Planning Committee meeting on the 09/01/07 for the refurbishment and conversion of Highgrove House to 12 residential units comprising 1 studio, 6 one-bedroom, 2 two-bedroom and 1 three-bedroom flats and 2 two-bedroom maisonettes, together with the erection of 4 two-bedroom mews dwellinghouses in two blocks on the eastern boundary of the site. The works included associated amenity space, off-street parking and landscaping and involved the demolition of a detached stable building at the rear of Highgrove House. Members resolved to grant permission and listed building consent and these were issued on the 11 and 12/01/07 respectively.

Also presented to the committee was application ref. 10622/APP/2006/2494 on the adjoining site to the north of the access road for the erection of a two storey building to provide 12 residential flats for people with learning difficulties, communal amenity space, ancillary office and staff accommodation and landscaping (involving the demolition of the existing hostel building). This was also granted on the 11/01/07.

Subsequently, applications seeking to extend the time limits of the un-implemented planning permission and listed building consent at Highgrove House were presented to the Planning Committee meeting on the 04/02/10 and these were approved on the 11 and 12/02/10 respectively (refs. 10622/APP/2009/2504 and 2506).

Applications have been submitted seeking to discharge the various conditions attached to the renewed planning and listed building consent permissions, in particular:

10622/APP/2010/887 - Details in compliance with conditions 4 (existing and proposed levels), 6 (fencing and gates), 10 (fenestration), 11 (detailed design and layout of mews housing), 18 (tree survey), 20 (protective fencing), 21 (landscape scheme), 23 (landscape maintenance), 26 (elevations), 32 (sustainability measures and renewable energy) and 35 (sustainable homes assessment) was approved on 31/05/11.

It was subsequently brought to the attention of the Local Planning Authority that works had commenced on the mews houses at the end of March 2011. A temporary stop notice was served on the 14/04/11 requiring the cessation of works to Block A. On 11 May 2011, the developers agreed to enter into a legal undertaking preventing the developers from undertaking further works on Block A until planning permission for the re-siting of the mews blocks had been obtained.

On 03-08-10 application reference 10622/APP/2010/1822 for the 'Variation of Condition 3

- Minor material amendment to planning permission ref: 10622/APP/2009/2504 dated 11/02/2010: Refurbishment and conversion of listed building to 12 residential units and erection of 4 two-bedroom mews dwellinghouses and associated works (time extension of planning permission ref: 10622/APP/ 2006/2490 dated 11/01/2007) to allow alterations to the siting and design of the two blocks of mews housing (Retrospective application)' was submitted and approved on 27-10-11.

It is worth noting that application references 10622/APP/2006/2490, 10622/APP/2006/2491 and 10622/APP/2010/1822 all proposed that there would be an area of recreation and soft landscaping to the west of No. 17 Lidgould Grove where the detached house subject to this application is proposed to be located. However the area remains as unmaintained hard standing.

Application reference 10622/APP/2011/2691 also discharged Condition 12 (Sustainable Urban Drainage) of planning permission Ref. 10622/APP/ 2010/1822, and consented a rainwater harvesting tank and perforated soakaway in the location of the proposed new dwelling.

In addition to the above a planning application (reference 10622/APP/2021/1490) has also been submitted to run alongside this listed building consent application for the same proposals.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 3rd September 2021

3. Comments on Public Consultations

Consultation letters were sent to 62 local owner/occupiers and the Ruislip and Eastcote Residents' Associations on 03-08-21. Site notices were also posted. 12 letters of objection were received as well as two petitions against the proposals with 154 signatures.

The two petitions in objection state:

'We the undersigned petition Hillingdon Council to Refuse the proposals for the over development of the Grade II Highgrove House Site 10622/APP/2021/1490 & 10622/APP/2021/1491. We the undersigned are opposed to the addition of new residential buildings on this site. The proposed building will have significant negative impact to the council listed SINC and its wildlife, who make use of the green open space the new residential building will be built on. It will have a significantly negative impact on the beauty and characteristics of Highgrove House which is a Grade II listed building. There is inadequate parking for current residents and Yew Tree Lodge which shares the site. Over development of the site will put future strain on an already problematic parking situation. Given Pembroke Park is a stones throw away, we urge the council to very seriously scrutinize the need for one additional home on this Grade II listed site which has a significant ecological value relative to the SINC and refuse both planning applications.'

The 12 letters of objection can be summarised as:

- Detrimental impact on Highgrove House and its setting
- Encroachment towards and detrimental impact on views of Highgrove House

- Impact on existing wildlife/ecology (including adjacent badger sett, newts, bats and birds)
- Impact on and loss of trees
- Loss of much needed recreational/amenity/green space
- Impact on safety
- Inadequate parking/increased congestion
- Disruption during construction
- Would be better to have landscaping and cycle parking
- Loss of light
- Loss of sunlight warm leading to increased heating requirements
- Impact on character of the area
- There is already substantial housing provision
- Loss of privacy for existing residents
- Lack of privacy for new residents
- Loss of outlook
- Loss of airflow to No. 17 Lidgould Grove
- Insufficient space for proposed car parking
- Insufficient waste/food/recycling provision
- Proven history of non-compliance with previous consents (building locations/subdivision of rooms/landscaping/drainage/services/waste/cycle storage)
- Errors in the existing elevation plans
- DAS Picture 3 is labelled No.17 Lidgould Grove, whereas it is actually No. 16.
- English Heritage advised against any development in the 'Drying Area' where the dwelling is proposed
- Increased risk of flooding
- Proposal is not affordable housing, first time buy or step down housing
- Increased strain on infrastructure

EASTCOTE CONSERVATION PANEL

This proposal is totally unacceptable, reasons for our objections are set out below.

The proposed new build will be approximately 2 metres away from the windows of the mews house, number 17. These front windows are the only natural light source for this dwelling. It is not acceptable that any of the habitable rooms should be deprived of natural light. Part of the private amenity space, which is already meagre, will also be removed. Natural light will also be reduced to the windows of the flats within High Grove House. The private amenity space for the ground floor flats will also become cast into permanent shade. The proposal will also detract from the setting of the Grade II Listed Building High Grove House.

The Design and Access Statement is rather confused, incorrect and the content should be disregarded. It refers several times to a two bedroom two storey house when in fact, if the drawings are correct, it is a three bedroom two storey house. The gross internal area indicated of 70m² is less than the required 84m² for a two storey 3b 4p dwelling. Page 3 shows a photograph captioned 17 Lidgould Grove when the house shown is number 16 Lidgould Grove. Page 3 also refers to the application site being 'largely hard surfaced, a long standing feature'.

This area forms part of the amenity space for the whole site. Condition 21 of application 10622/APP/2009/2504 was dispersed within application 10622/APP/2010/657 drawing number MCA031/01A a landscaping plan showing this area laid to turf. The developer never implemented the plan. Therefore, despite the developer not complying with his

obligations, this area is part of the amenity space, making this proposal green field not brown field. It is 100% 'garden grab'.

Page 4 omits to mention that the site has a PTAL of 1a. Which indicates, that access to public transport is poor. Therefore this is not a highly sustainable location.

Page 5 refers to Yew Tree Lodge as a new building to the site. It is actually a replacement for the hostel annex that was already on the site.

Page 6 of this document, points 1-10 and further pages make many incorrect and outlandish statements, most of which are dealt with in full within the rest of this submission.

Energy and Sustainability Statement.

This is a 56 page document that is mainly conjecture, the only sustainable method of energy saving indicated are solar panels. Section 3.11 of the statement says 'Surface Water Drainage a) Surface water drainage at the site will follow the Sustainable Drainage Systems (SuDS) management train. b) The surface water will drain into the existing watercourse on site, with the permeable surfacing acting as an attenuation device for slowing and holding the surface water run-off.' Where is the water course on site? There are ponds in the adjoining SINC, but this is not part of the site.

Application 10622/APP/2011/2691 dispersal of condition 12 of 10622/2010/1822 Drawing 1134/40 shows the approved SUDS system for surface water drainage. If this system was installed then the proposed house would disrupt this system, being build on top of it.

If as mentioned above, there is a SUDS system already on site, why is this not adapted and used? It must be noted that the land drainage on site is poor, with lying water after any rainfall. The basement of High Grove House regularly floods during wet weather. This gives rise to the premise that as with other approved plans the SUDS was never installed.

Parking.

Currently there are insufficient parking spaces within the grounds of High Grove House for the number of cars belonging to residents, staff and visitors to Yew Tree Lodge. Regrettably this situation was allowed on the original applications.

The position allocated for the single parking space for the new house, on the walkway serving the mews houses is inappropriate. The space is sited in a narrow walkway, between the houses, the vehicle would need to either back into or out of the space, along a very narrow and long drive. The railings at the entrance to the mews houses would need to be removed. The roadway is narrow and would not give a turning circle anywhere. Once parked the vehicle could only be exited from one side. This would leave a very narrow gap on the footpath for pedestrians. Again this is a ruse to try to make this application appear acceptable.

Boundary Change.

The applicants appear to have conveniently changed the boundary outline of the site, incorporating a large section of High Grove Woods SINC into the proposed site. Attached is the Land Registry map for this area showing the boundaries exactly the same as they were in 2006 with the first application and all later applications after Westholme Estates took over the site. This manipulation of the boundaries negates all the reports dealing with trees and ecology on the site.

Ecology Report.

This report deals only with badgers, it does not mention the other protected species, bats and great crested newts, slow worms and stag beetles, that are found in Highgrove Woods. Full surveys for bats and newts and all other wildlife should have been submitted with this application. Both bats and newts have a wide foraging area. Bats, have both hibernating and maternity roosts in trees as well as old buildings. A Newt spends most of its life away from the breeding pond, some have been found in the basement of High Grove House. This image was taken in the basement below number 5 Highgrove House.

To claim that the badgers will not be disturbed by this proposal is totally incorrect. The report does not ascertain how far underground the badger sett extends or how deep it is. The report also mentions rabbit holes, rabbits are not known to inhabit Highgrove Woods. It is our opinion that all forms of protected species will be caused great harm should this proposal be granted permission.

Tree Report.

This report deals solely with trees that form part of Highgrove Woods SINC, not Highgrove House. The developer has no right to assume that this behaviour is acceptable. As part of the landscaping report mentioned above, a buffer zone of trees and shrubs should have been planted along the boundary between the two sites to give protection to the woods and its inhabitants, this was never carried out. The photograph below shows the boundary with the SINC, evidence that no boundary planting was ever carried out.

The sycamore noted for felling, is ivy covered, therefore a perfect tree for bat roosts. Cutting back other trees to stop overshadowing of the new building is pointless, the trees will quickly grow back and then pressure will be brought to fell even more trees.

We ask that this application be refused for the many justifiable reasons given above.

THE RUISLIP, NORTHWOOD AND EASTCOTE LOCAL HISTORY SOCIETY

The Ruislip, Northwood and Eastcote Local History Society is opposed to this application as it will be very damaging to the setting of High Grove a listed grade 2 building. It will also be disruptive for the local wildlife.

The proposed three bedroom house (not two bedroom as claimed in the Heritage Statement) will be sited too close to both High Grove and the neighbouring mews houses. It will be obtrusive and detrimental to the surroundings of High Grove.

The application claims that the proposed site for the new house is already hard surfaced so that there will be no loss of green space. But according to the previous application in 2009 this site should have been turfed over as it was supposed to be part of the amenity space for the whole area but it did not happen.

The Society understands that there seems to be a dispute about the boundary of the site and some of Highgrove Woods has been incorporated by mistake. We trust that this will be sorted out before a decision is made.

For all these reasons we request that the application is refused.

INTERNAL CONSULTEES

DESIGN AND CONSERVATION

This listed building consent application has been submitted to run alongside planning application (10622/APP/2021/1490) for the erection of a new house within the grounds of Highgrove House.

No alterations are proposed to the grade II listed building and therefore an LBC application is not required.

The impact of the new house on the setting of the listed building would be assessed under the planning application 10622/APP/2021/1490 of which an objection has been raised.

Case Officer's comments

The above advice that a listed building consent application is not required was put to the agent, who stated that the fixtures of the structures in the curtilage of Highgrove House are also listed, and therefore the removal of railings to facilitate the proposed parking space and the house would require listed building consent. There is no mention of the railings within the submission, nor on any of the submitted plans, which explains the Conservation and Design Officer being unaware of any. It is considered that if the full planning application is recommended for refusal based on the impact of the proposals on the grade II listed building, then it should also be the case that the listed building consent application also be recommended for refusal.

HOUSING

The application is for a well proportioned detached 3 bedroom house that will contribute to boroughs Housing Targets and demand for family homes as evidenced in the Strategic Housing Market Assessment as such the application is supported.

LANDSCAPE ARCHITECT

This site is occupied by an area of open ground situated to the south of Highgrove House, a Grade II Listed Building, located to the south-east of Eastcote Road and west of Kent Gardens.

The site slopes gently from east to west and there is deciduous woodland adjacent to the south and west boundaries, designated the Highgrove SINCE. The residential areas of Lidgould Grove lies to the north, with Kent Gardens to the east.

There are no TPO's or Conservation Area designations affecting the site.

A tree report, to BS5837:2012 has been prepared by SJA Trees, dated January 2021. The report has identified and assessed the condition and value of 22 individual trees, of which none are A grade. There are 7 B grade trees; T9 oak, T10 oak, T13 Lawson cypress, T15 Lawson cypress, T20 Field maple, T21 Common lime, T22 Common lime which will all be protected and retained. There are 2 U grade trees; T18 whitebeam and T19 ash - which could be removed due to their poor condition and short life expectancy. The remaining individual specimens are C grade (poor), of which one, T1 a C category sycamore, will be removed to improve the relationship of the proposed dwelling with the woodland to the south.

There are 4 tree groups, C category, which will be retained and one woodland area, B category, which will be unaffected by the proposal.

The report concludes (S1 and S2) that the arboricultural impact of the scheme is negligible with no category A or B trees on site and no trees of high landscape or biodiversity value to be removed. It also provides tree protection details, an arboricultural method statement and proposes a pre-commencement meeting between the consultant and the contractor to check the protection measures.

There is no objection to the conclusions of the tree report or the proposed development. The loss of the single (C grade) sycamore is acceptable, as it will create space for the remaining woodland to develop, or regenerate. Replacement tree planting should be secured as part of a c landscape scheme

No objection subject to landscaping condition RES9 (parts 1,2,and 5).

ACCESS OFFICER

Any grant of planning permission for this 3 bedroom dwelling should include the following conditions:

1. Prior to works commencing, details of step free access via the principal private entrance, and all other points of entry and exit, shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

Reason

To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

2. The dwelling(s) hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

Reason

To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

WASTE STRATEGY

No Comments Required

4. 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 2	Listed Buildings
LPP HC1	(2021) Heritage conservation and growth
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

5. MAIN PLANNING ISSUES

The main planning issue relates to the impact the works would have on the character, appearance and setting of the Grade II Listed Highgrove House.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess.

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 were 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) requires development to identify, value, conserve, restore, re-use and incorporate heritage assets, including registered historic parks, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy HE1 of the Local Plan: Part One (2012) states the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes Registered Parks and Gardens and historic landscapes, both natural and designed.

Policy DMHB 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) 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:

- i) it sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation;
- ii) it will not lead to a loss of significance or harm to an asset, unless it can be demonstrated that it will provide public benefit that would outweigh the harm or loss, in accordance with the NPPF;
- iii) it makes a positive contribution to the local character and distinctiveness of the area;
- iv) any extensions or alterations are designed in sympathy, without detracting from or competing with the heritage asset;
- v) the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials;
- vi) buildings and structures within the curtilage of a heritage asset, or in close proximity to it, do not compromise its setting; and

vii) opportunities are taken to conserve or enhance the setting, so that the significance of the asset can be appreciated more readily.

Policy DMHB 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

Planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

The Local Planning Authority is of the opinion that the works proposed do not require Listed Building Consent. The applicant contends that the ancillary railings and structures are curtilage listed and this application therefore relates to the removal of these, which run along the frontage of the site.

As stated above the Council's Conservation and Design Officer has commented that this listed building consent application is not required as no works are proposed to the listed building. The planning agent has responded to say that the fixtures of the structures in the curtilage of Highgrove House are also listed, and therefore the removal of railings to facilitate the parking space and the house would require listed building consent. There is no mention of the railings within the submission, nor on any of the submitted plans, which explains the Conservation and Design Officer being unaware of any, no details relating to the significance or otherwise of such assets is contained within the submitted application.

When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building's setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This obligation, found in section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings.

The NPPF requires its own exercise to be undertaken as set out in its chapter 16. Conserving and enhancing the historic environment. Paragraphs 189-208 require consideration of the impact of a proposed development on the significance of a designated heritage asset and assessment of the identification of any harm. In particular, where there is harm identified. Paragraph 202 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.'

Insufficient information has been provided to show what alterations are proposed to the ancillary railings and structures to consider the harm to the Grade II Listed heritage asset. The proposal is therefore contrary to Policies HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy HC1 of the London Plan (2021) and paragraphs 189-208 of the National Planning Policy Framework (2021).

Had an appeal against non determination not been lodged the application would have been refused.

6. RECOMMENDATION

Had an appeal against non determination not been lodged the application would have been refused for the following reasons:

1 NON2 Non Standard reason for refusal

Insufficient information has been provided to show what alterations are proposed to the ancillary railings and structures to consider the harm to the Grade II Listed heritage asset. The proposal is therefore contrary to Policies HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy HC1 of the London Plan (2021) and paragraphs 189-208 of the National Planning Policy Framework (2021).

INFORMATIVES

- 1 The decision to REFUSE 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 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan and national guidance.

DMHB 1 Heritage Assets

DMHB 2 Listed Buildings

LPP HC (2021) Heritage conservation and growth

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

3 DESCRIPTION OF DEVELOPMENT

The LPA is of the opinion that the applicants description of development does not accurately reflect the works proposed. The LPA consider the description of development should read (in accordance with the applicants own correspondence) 'Listed Building Consent for the removal of railings and structures along the site boundary'.

Contact Officer: Ed Laughton

Telephone No: 01895 250230