 <p data-bbox="256 510 780 546"><b>BROWN BOOTS TOWN PLANNING</b></p>	<p data-bbox="871 145 975 172"><b>Location</b></p> <p data-bbox="871 188 1217 219">40 Windsor Street, Uxbridge,</p> <p data-bbox="871 232 1342 297"><b>Design and Access, Planning, Heritage Statement and noise statement</b></p> <p data-bbox="871 313 1422 450">The Heritage Statement is produced by Matt Brown of Brown Boots Town Planning for the Conservation Officer London Borough of Hillingdon.</p> <p data-bbox="871 465 979 492"><b>Proposal</b></p> <p data-bbox="871 508 1417 645">Alterations to existing shop front, internal remodelling and replacement of single storey temporary extension with a permanent structure.</p> <p data-bbox="871 705 935 732">Plans</p>
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### National Planning Policy Framework (NPPF)

The National Planning Policy Framework (Department for Communities and Local Government, February 2021) Section 194 states that:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. In addition to this, whilst the NPPF and development plan are material considerations, the approach to listed buildings and conservation areas is underpinned by the statutory requirements in Sections 66 and 72 of the Town and Country Planning (Listed buildings and Conservation Areas) Act 1990 (1990 Act) where, in determining development proposals, Local Planning Authorities should pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest and preserving or enhancing the character and appearance of a conservation area.

## Heritage Statement

### Site Name

40 Windsor Street, Uxbridge

### 1 A DESCRIPTION OF THE HERITAGE ASSET

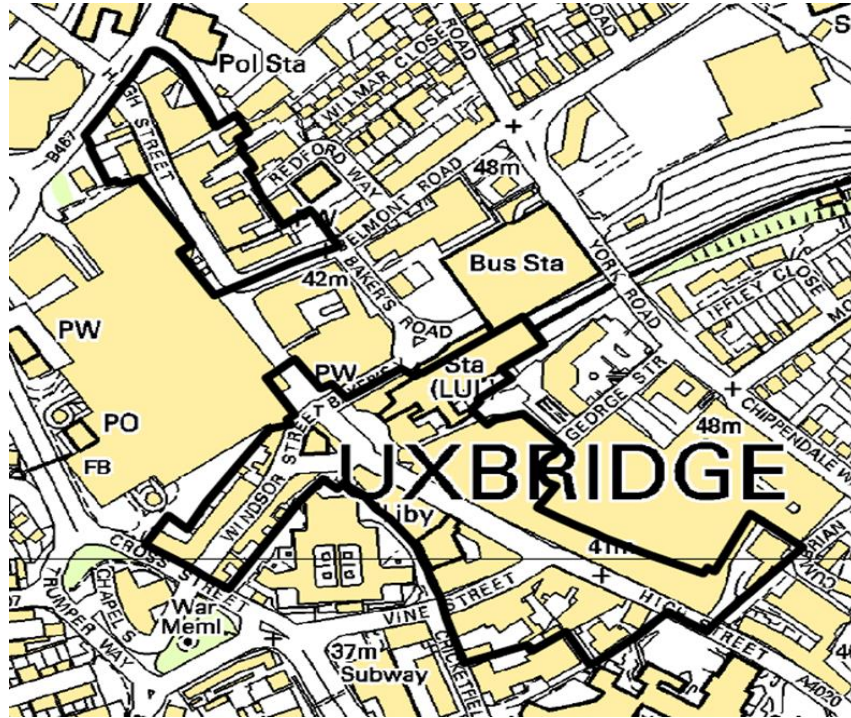
#### (a) What heritage assets are affected by the proposals?

(Please tick the relevant boxes below)

Scheduled Ancient Monument	
Listed Building 40 Windsor Street, Uxbridge is a grade II listed building	X
Conservation Area	x
Registered Historic Park and Garden	
Building of Local Interest	
Site of known archaeological remains	
Other non-designated Heritage Asset	

#### (b) Describe the character and appearance of the heritage asset.

The site falls within the limits of the Old Uxbridge / Windsor Street conservation area. Windsor Street is a commercial area with a variety of shops, pubs and restaurants.



It is a grade II listed building on the north west side of Windsor Street, Uxbridge. Both numbers 39 & 40 are grade 2 . Probably C16 timber framed building of 2 storeys, 3 windows. Very high pitched tiled roof. Painted brick front. 1st floor C19 1-bar casements. Ground floor modern shop fronts.

**(c) Describe the development site and its relationship with its surroundings.**

The application site is number 40 Windsor Street which forms one half of a wider building which incorporates 39 Windsor Street Uxbridge. 39 and 40 are located in between two buildings which are very different in scale and design.

The property subject to this application has been used as a restaurant for many years and has a shop front which is completely different to that of number 39 Windsor Street, Uxbridge.

The site is located in the Old Uxbridge / Windsor Street Conservation Area. This was originally the Windsor Street Conservation Area (designated 19<sup>th</sup> July 1973) and was amalgamated in 1987 to create the Old Uxbridge / Windsor Street Conservation Area. There were further extensions and deletion in 1988.



This heritage statement identifies the significance of the historic environment, to fulfil the requirement of paragraph 189 of the National Planning Policy Framework (The Framework), which requires:

*“an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting.”*

To inform an assessment of the acceptability of the proposed development regarding its impact on the historic environment, in line with the heritage paragraphs of the Framework, any harm to the historic environment resulting from the proposed development is described, including impacts on significance through changes to setting.

In this instance the heritage asset grade II listed building and conservation area is not adversely impacted by the proposed front extension.

## 2. STATEMENT OF SIGNIFICANCE

**(a) What research have you undertaken to understand the significance of the heritage asset(s) affected?**

Local Historic Environment Record	X
Record Office	
Historic Maps	
Historic England	X

Museum or Library	
Local Heritage Groups	
Conservation Area	X
Other (please state) <b>Planning history search on surrounding properties.</b>	X

**(b) Using the information you have obtained provide a summary of the history of the site/building**

**(c) What is important about the affected heritage asset(s) (what is the significance)?**

The Planning Policy Framework defines significance as:

“the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”

In terms of articulating value, Historic Environment Good Practice Advice in Planning Note 2: ‘Managing Significance in Decision Taking in the Historic Environment (Planning Note 2) gives advice on the assessment of significance as part of the application process.

In understanding the nature and level of significance of a heritage asset Planning Note 2 identifies four types of heritage value an asset may hold, these are: aesthetic, communal, historic and evidential.

Evidential value is the potential of a place to yield evidence about past human activity. This value is derived from physical remains, such as archaeological remains, and genetic lines.

Historical Value is the way in which past people, events and aspects of life can be connected through a place to the present. It would be illustrative or associative. Illustration is the perception of a place as a link between the past and present people and depends upon visibility. In contrast, associative value need not necessarily be legible as an asset, but gives resonance through association with a notable family, person, event or movement.

Aesthetic value is the ways in which people draw sensory and intellectual stimulation from a place.

Communal value is the meanings of a place for the people who relating to it, or for whom it figures in the collective experience or memory.

Significance results from a combination of any, some or all the values described above.

**Setting and Significance** - The Framework stipulates that significance derives not only from a heritage asset’s physical presence, but also from its setting. Setting of a heritage asset is defined at Annex 2 of the Framework as “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may contribute to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

Therefore, setting can contribute to, detract from or be neutral with regard to heritage values, and therefore change to setting has the potential to reduce, enhance, or leave unchanged the significance of a heritage asset through change to the value.

The contribution of how setting contributes to value is assessed in this statement with reference to Historic England’s Planning Note 3 – The Setting of Heritage Assets taking account of the checklist given on page 9. In order to articulate the setting of heritage assets Planning Note 3 advocates that this relates to what matters and why. A stepped approach is advocated of which Step 1 is to identify the heritage assets affected and their settings. Step 2 is to assess ‘whether, how and to what degree settings make a contribution to the significance of the heritage asset(s). Step 3 is to assess the effect of the proposed development on the significance of the assets(s) and Step 4 is ‘maximising enhancement

and minimising harm'. Step 5 is 'making and documenting the decision and monitoring outcomes'.

Four levels of significance are identified, these are:

- 1.Designated heritage assets of the highest significance comprising Grade I and II\* Listed buildings; Grade I & II\* Registered Parks and Gardens; Scheduled Ancient Monuments; Protected Wreck Sites, Registered Battlefields and some conservation areas;
2. Designated heritage assets of less than highest significance comprising Grade II Listed Buildings and Grade II Registered Parks and Gardens and some conservation areas;
- 3.Non-designated heritage assets such as archaeological remains and locally listed buildings.
- 4.Sites, buildings or areas of no heritage significance.

It is established from previous planning applications that the only heritage asset of concern, the conservation area .

Its significance as a heritage asset has unfortunately been incrementally undermined by the plethora of additions to commercial properties along Windsor Street and the listed building itself despite of this careful consideration has been given as to the design of the new shop front, internal alterations and the proposed remodeling to the rear of the listed building and these will not harm the heritage asset.

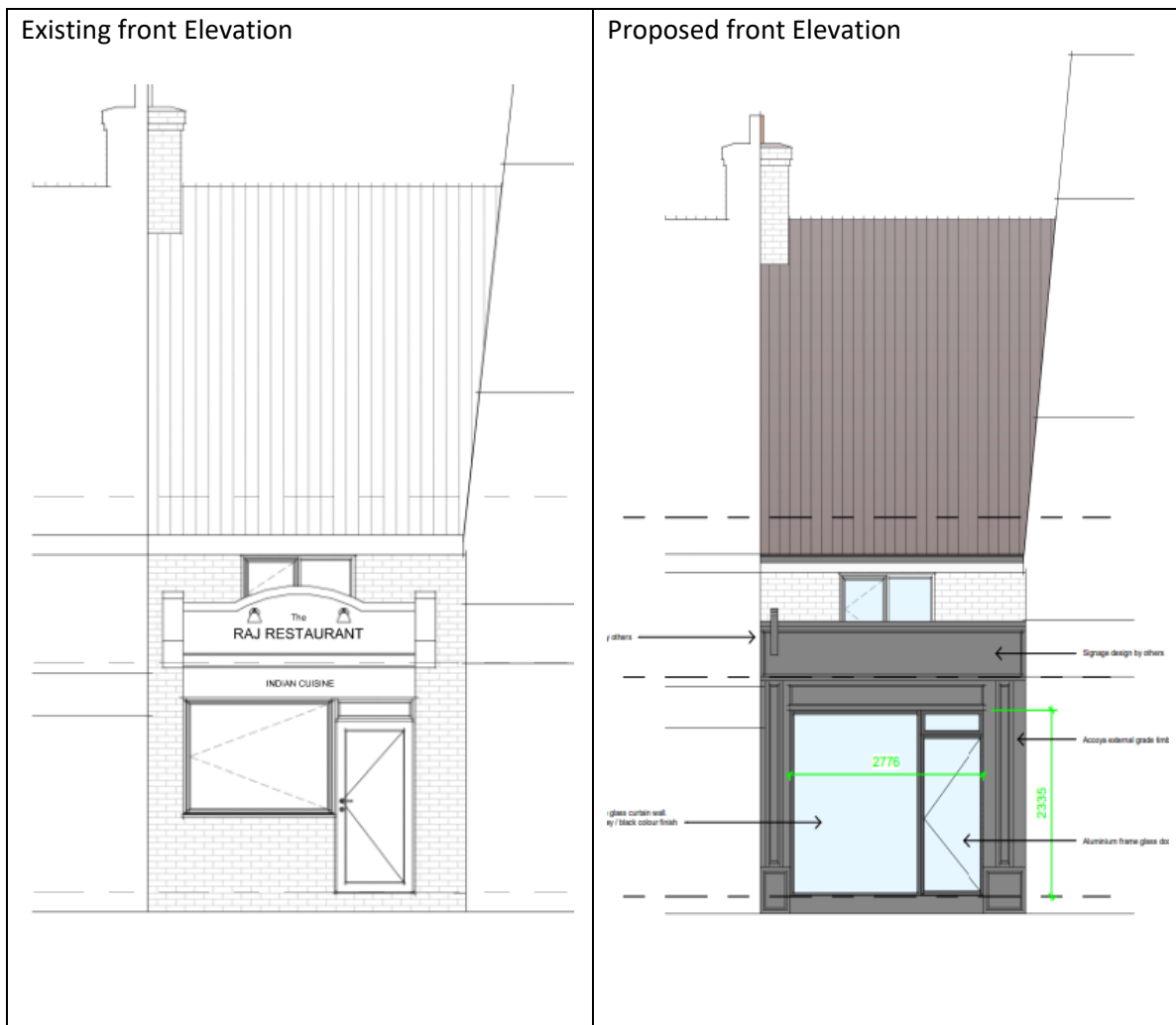
Works similar to those proposed as part of these applications have not been considered to have a negative impact on either the buildings of positive merit or the wider conservation area.

### 3. DESIGN CONCEPT

#### (a) Describe the proposed development.

It is proposed to replace the existing shop front removing the existing fascia replacing this with a much more traditional shop front and installing a greater amount of glass. It is also proposed to install a smaller stall riser and narrowing pilaster.

The applicant has taken the design ideas from numerous other shop fronts on Windsor Street.



At the rear of the property it is proposed to formalize the garage and food preparation area to the rear.



The proposal would result in the removal of the up and over garage door, install a more permanent flat roof. It would also result in the installation of a new signage fascia board and a replacement door. In total the proposal will result in the removal of 6.2m<sup>3</sup> of this non original part of the building.

The minor alterations at the front and the rear would not result in a development that is out of character with the adjacent properties or the character of the Conservation Area. The proposal should be read in the context of surrounding properties which have been extended and altered in a very similar fashion to that subject to the proposals before use.

It is imperative to note that the scheme has been designed so that the existing external extraction equipment is utilized therefore no new extraction equipment is required to facilitate the internal alterations.

**Internal Alterations.** As you can see below very minor internal alterations are proposed and these are proposed to take place in the more recent additions to the rear of the property (not an original part of the property.). There would also be the insertion of a number stud walls in the existing kitchen area. These works in isolation do not require planning permission but they have been included on both the planning application and listed building consent proposal for consistency

**Impact on neighboring properties and bins-** London Plan (2021) policy D3 seeks to optimise design capacity through a design-led approach. Among other considerations, this also requires new development to 'achieve safe, secure and inclusive environments' and 'help prevent or mitigate the impacts of noise and poor air quality'.

London Plan (2021) policy D14, in part, requires development proposals to mitigate and minimise 'the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of

adjacent properties and open space.

This policy also requires development proposals to make sufficient provision for well designed internal and external storage for waste provision, with suitable access for collection. Policy DMEI 14 of the same plan requires, inter alia, that as a minimum, development proposals should 'include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new'. Policy DMTC 4 also seeks to, inter alia, prevent unacceptable disturbance or loss of amenity to nearby properties by reason of noise, odour, emissions, safety and security, refuse, parking or traffic congestion. This policy is discussed with respect to the principle of the development. OREPDEL (ODB 2022) 5 of 10 Importantly, the Hillingdon Local Plan Part Two recognises that 'evening and night time uses can also be associated with noise, crime, antisocial behaviour, community safety problems and detrimental effects on public health which, without appropriate management and mitigation, impacts on the quality of life of local residents.

Planning applications for evening and night time uses need to demonstrate that the use will not result in adverse impacts, particularly on residential amenity or result in an unacceptable concentration of uses ('The proposed external and internal alterations will not result in any additional disturbance to nearby residential occupiers as the property is currently operated as a restaurant further to this the additional seating area and reconfigured kitchen is located in a the single storey element of the building and this area can be used at present without planning permission being required.(Only Listed Building Consent is required for this element.)

In addition to the above the current refuse storage remains unchanged.

In light of the above no additional information is required for noise/odours as the in situ extraction equipment is not required to be upgraded. As such neighbouring occupiers would not be materially impacted by the proposed development by way of noise or odour. The proposed alterations would not therefore harm the residential amenity of neighbouring occupiers and the general amenities of the area, as such it accords with policies DMTC 4, DMHB 11 and DMEI 14 of the Hillingdon Local Plan - Part Two (2020) and Policy D14 of the London plan (2021). 7.2 Impact on Street Scene Policy BE1 of the Hillingdon Local Plan (November)

#### **4. Planning Policy**

### **PLANNING POLICY RELATING TO THE HISTORIC ENVIRONMENT**

#### **Revised National Planning Policy Framework 2021**

Paragraph 194 states "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- and c) the desirability of new development making a positive contribution to local character and distinctiveness.

198. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

#### Considering potential impacts

199. 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>68</sup>.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. 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.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

205. Local planning authorities should require developers to record and advance understanding of the

significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favorably.

207. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

### **London Plan**

Policy HC1 highlights the importance of protecting/conserving heritage assets in development proposals affecting these assets. Development proposals should be sensitive and conserve heritage significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

Analysis: Proposal will be sensitive to the heritage assets and conservation area and it will be in keeping with its surroundings. Proposal will not have detrimental impact on heritage assets and it is therefore compliant with the above policy of London Plan.

### **Local Plan Part 1 Strategic Policies (2012)**

HE1- Heritage

BE1 – Built Environment

### **Local Plan Part 2 Development Management Policies (2020)**

Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape (including locally and statutorily Listed Buildings, Conservation Areas, Areas of Special Local Character and Archaeological Priority Zones and Areas), and encourage the reuse, modification and regeneration of historic assets.

Policy DMHB 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that the Council will expect development proposals to avoid harm to the historic environment and to prevent the loss of significance or harm to the character, appearance and setting of heritage assets.

Policy DMHB 2 of the Hillingdon Local Plan: Part Two - Development Management 3. Comments on Public Consultations Page 4 of 6 Policies (January 2020) states that planning permission will not be granted for proposals that are detrimental to the setting of the Listed Building.

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that new developments retain or enhance the character and appearance of Conservation Areas and retain or enhance those features which contribute to the special architectural qualities. Policy

DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) requires all development to be designed to the highest standards and incorporate principles of good design, either complementing or improving the character and appearance of the area.

Policy DMHB 13 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that all new shopfronts and alterations to existing shopfronts should complement the original design, proportions, materials and detailing of the building of which it forms a part and the surrounding street scene. The design of shopfronts should be of a high quality in order to improve and maintain the quality of the public realm.

Policy DMHB 13A of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that advertisements, signs and hoardings will be required to demonstrate that they complement the scale, form, materials and architectural composition of the individual building, complement the visual amenity and character of the site and the surrounding area, enhance historic assets and their setting, do not have an adverse impact on public or highway safety, do not lead to visual clutter and provide an appropriate type and level of illumination that avoids visual intrusion from light pollution to adjoining or nearby residents.

The main considerations are the impact upon impact on the grade II listed building, the visual amenity of the immediate street scene, the wider Old Uxbridge/Windsor Street Conservation Area.

As highlighted, the proposals impact on the listed building is minor and in fact is an improvement in terms of materials used and has full regard for the built form qualities of the heritage asset both in terms of the listed building and the wider conservation area.

The proposed shop front and alterations to the rear would sit comfortably within the host building and would not result in significant disruption to the character and appearance of the surrounding street scene. It is therefore considered that the proposed shop front, internal alterations, re-modelling of the rear elevation and retention of the existing extraction equipment would preserve the character and appearance of the application building and the immediate street scene, as well as the surrounding Old Uxbridge/Windsor Street Conservation Area and specific build form qualities of the Grade II listed buildings. The proposal therefore complies with Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 2, DMHB 4, DMHB 11, DMHB 1 and DMHB 13A of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

## **5. Conclusions.**

As explained in detail the proposal as submitted is compliant with Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 2, DMHB 4, DMHB 11, DMHB 1 and DMHB 13A of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and policies contained within the London Plan.

As such planning permission and listed building consent should be granted.