

# Report of the Head of Development Management and Building Control Planning Committee Report

Case Officer: **Mike Kemp**

Date Application Valid:	<b>08/07/2024</b>	Statutory / Agreed Determination Deadline:	<b>07/05/2025</b>
Application Type:	<b>Listed Building Consent</b>	Ward:	<b>Uxbridge</b>

Applicant: **Vinci St Modwen**

Site Address: **Former Cinema Building, Burton Road, Uxbridge, UB8 1LE**

Proposal: **Application for Listed Building Consent for internal and external alterations to former cinema building, to enable reinstatement of gym use (Use Class E(d)) and change of use to provide a cafe (Use Class E(b))**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 8 of the Planning Scheme of Delegation (associated Planning Application being reported to Committee)**



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

### **1 Executive Summary**

- 1.1 A series of works are proposed to the Grade II listed former cinema building to facilitate the conversion of the listed building for use as a commercial gym and café as proposed under related planning application 585/APP/2024/1879. A detailed schedule of works document has been submitted in support of the planning application (243052-PUR-00-XX-RD-A-0001). The building is presently vacant and has been identified and is included in the Historic England 'at risk' register owing to the poor condition of the building. A series of internal and external repairs and refurbishment works are proposed, which include the replacement of windows and doors, insertion of new window and door openings and the addition of a replacement roof to the former squash courts to enable use of this part of the building as a café.
- 1.2 The proposed works would provide an overall enhancement to the significance of the Grade II listed building and would bring the building back into viable use and should therefore be considered positively in line with the aims Paragraph 210 of the NPPF. The proposals include important repairs and renovation to an historic 'at risk' building.
- 1.3 Elements of the proposed works would result in a low level of less than substantial harm to the significance of the Grade II listed building as the proposals would result in the removal of existing windows and the insertion of new openings. The low level of less than substantial harm would be demonstrably outweighed by the substantial cumulative public benefits that the works would facilitate in bringing the listed building back into a viable use consistent with its long-term preservation, alongside the direct repair and renovation works proposed within this listed building consent application. There would also be minor economic benefits arising from employment provided as part of the end use as a gym and café.
- 1.4 The proposals are compliant with Policy HE1 of the Local Plan Part 1; Policy DMHB1 of the Local Plan Part 2 Development Management Policies; Policy HC 1 of the London Plan 2021; and the NPPF 2024. It is recommended that listed

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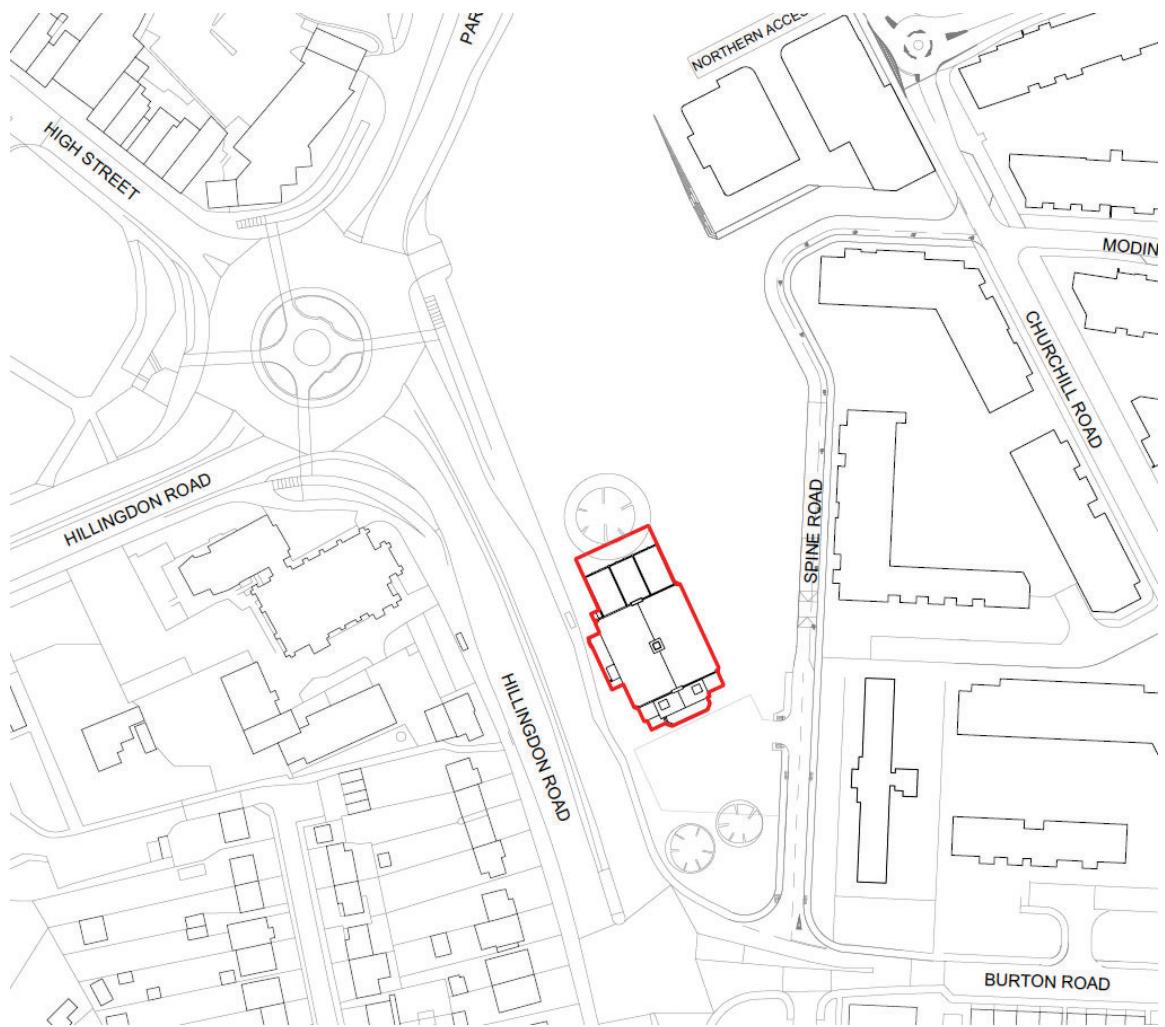
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building consent is granted in subject to the conditions set out in Appendix 1 of the report.

## **2 The Site and Locality**

- 2.1 The site comprises the Grade II listed former Cinema Building which is located on the St Andrews Park (Former RAF Uxbridge) site located to the west of Uxbridge Town Centre.
- 2.2 The building was constructed in 1919 for use as a cinema and lecture hall with the attached squash courts a later addition. The building was converted to use as a gym and concert hall in 1960. The pitched roof above the squash courts was replaced around this time with a flat roof. The use of the building as a gym is understood to have ceased in the 1970's. The building alongside the Mons Barracks Building and St Andrews Gate are the only remaining buildings within this part of the St Andrews Park site are the only surviving buildings on the RAF Uxbridge site located to the west of the River Pinn.
- 2.3 The building consists of a main block which houses the former Cinema building and a lower flat roofed block located on the northern side of the building, housing the former squash court. A two-storey pitched roof porch is located to the front of the building. Two later 20<sup>th</sup> century single storey flat roofed single storey structures are located to the side of the two-storey front porch.
- 2.4 The building has been vacant for an extended period and its condition has deteriorated. The building has been identified as a Category A building (immediate risk of further rapid deterioration or loss of fabric) on Historic England's Heritage at Risk register.
- 2.5 A dual carriageway section of Hillingdon Road adjoins the site to the west. The land to the south and the north comprises vacant areas of land which forms part of the Town Centre East site subject of linked planning application 585/APP/2024/1879. Construction is underway on a phase of the development to the north east of the site (Town Centre West - 585/APP/2016/4504)). To the east of the site is the locally listed Mons Barracks building and to the east of this is a cleared site with planning permission also for a high-density residential development (585/ APP/2022/665).

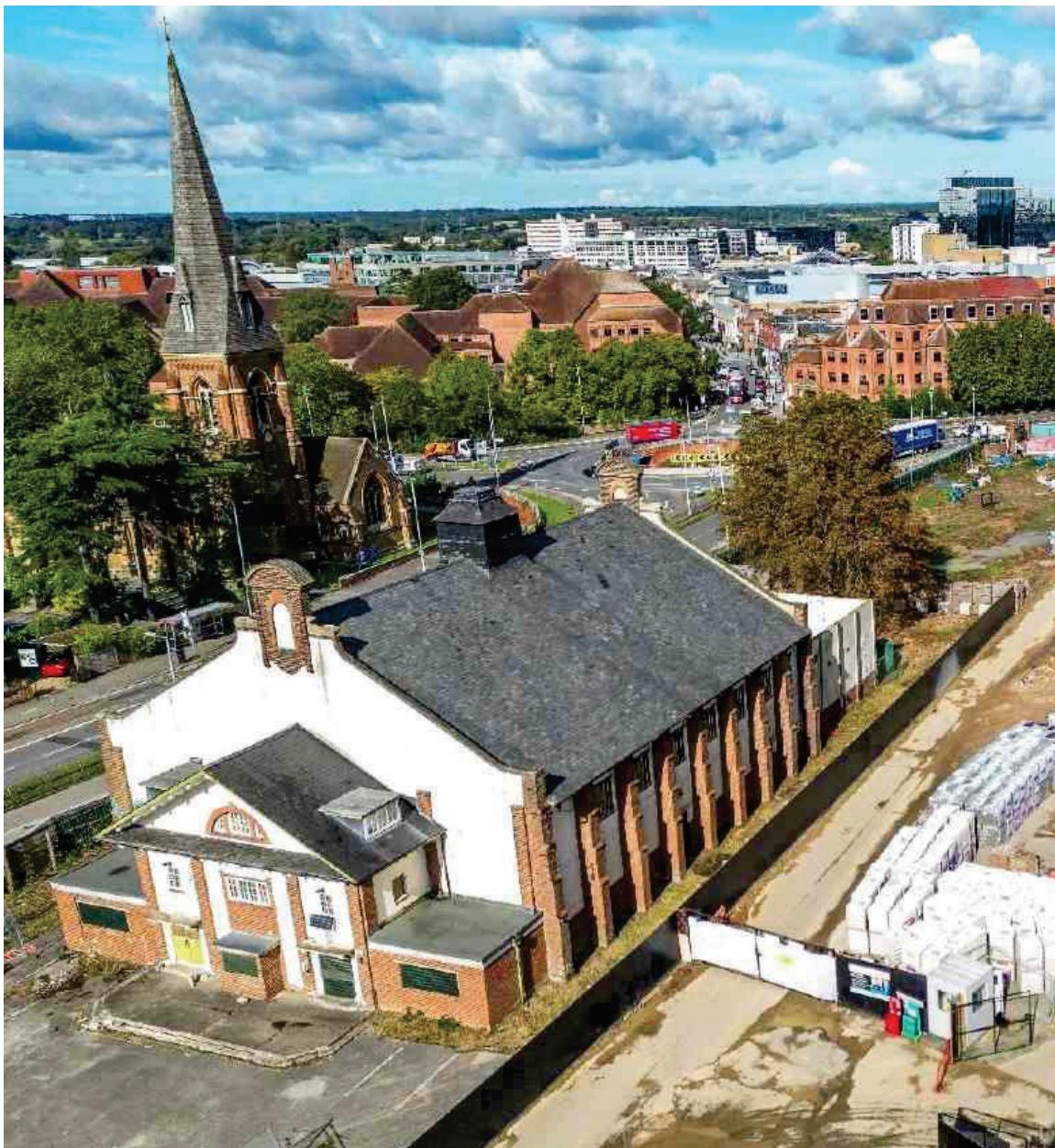
***Figure 1: Location Plan (application site edged red)***



***Figure 2: Aerial View of the former Cinema taken from Applicants Heritage Statement***

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### **3      Proposal**

- 3.1    A series of works are proposed to the Grade II listed building to facilitate its conversion to use as a commercial gym and café as proposed under related planning application 585/APP/2024/1879. A detailed schedule of works document has been submitted in support of the planning application (243052-PUR-00-XX-RD-A-0001).
- 3.2    Internal alterations throughout include the removal of redundant electrical cables and utilities, repainting/plastering and redecoration of internal walls, installation of new doors and replacement of existing doors, installation of lighting and electrical items, installation of M&E/extract fans. Within the main hall, the stage would be

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retained and incorporated into the use as a gym with refurbishment carried out. The existing cornice would be repaired.

### 3.3 External works include the following:

- Repair of existing render and brickwork where required.
- Removal of graffiti.
- Installation of new flat roof above existing squash courts with cast iron gutters and rainwater pipes.
- Installation of external lighting.
- Replacement of existing windows and doors.
- Installation of new window and door openings.
- Install new MEP louvres within existing high-level openings to former squash courts.
- Install new condenser units to north and south of shower block.
- Installation of new signage zone to front, side and rear elevation.
- Addition of access ramp to the west of the entrance steps into the main hall.

**Figure 3: Proposed External Elevation Plan** (please note – larger version of plan can be found in the Committee Plan Pack)



## 4 Relevant Planning History

4.1 A list of the relevant planning history related to the property can be found in Appendix 2. Hybrid planning permission 585/APP/2009/2752 which was submitted in 2009 and was approved in 2012 included the reuse of the former cinema

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building for a non-residential institution' (D1) use or 'assembly and leisure' use (D2) use, although no alterations were proposed to the building as an end user had not been identified at the time.

## 5 Planning Policy

5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

## 6 Consultations and Representations

6.1 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

***Table 1: Summary of Representations Received***

Representations	Summary of Issues Raised	Planning Officer Response
A total of 7 representations have been received. Five representations were in support of the application. one representation was in objection and one representation raised comments for and against the proposals.	1. The proposed use of the building as a gym and café is supported.	Comments in support are noted.
	2. The proposals would bring the derelict building back into a positive use.	Comments in support are noted.
	3. Public electric vehicle charging infrastructure is required.	This matter is addressed under the related detailed planning application 585/APP/2024/1879 and is referenced within the

		report accompanying this application.
	4. The building should be reused for a community purpose such as a Town Hall.	The principle of the use of the building is addressed in further depth under planning application 585/APP/2024/1879.
	5. The gym and café would be a positive community resource and is well located.	Comments in support are noted.

**Table 2: Summary of Consultee Responses**

Consultee and Summary of Comments	Planning Officer Response
<p><b>Conservation Officer</b></p> <p>No objection subject to conditions requiring that the development is carried out in accordance with the schedule of works document June 2024 243052-PUR-00-XX-RD-A-0001; and that all materials shall match the existing original work and materials used.</p>	The recommended conditions are included in the list of conditions at Appendix 1.

## 7 Planning Assessment

### Impact on the Grade II Listed Building

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

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- 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.

Development proposals affecting designated heritage assets need to take account of the effects of climate change and renewable energy without impacting negatively on the heritage asset. The Council may require an alternative solution which will protect the asset yet meet the sustainability objectives of the Local Plan. The Council will seek to secure the repair and reuse of Listed Buildings and monuments and improvements to Conservation Areas on the Heritage at Risk Register, through negotiations with owners, the provision of advice and guidance, the use of appropriate legal action, and through bids for external funding for improvement works.

7.2 Paragraph 210 of the NPPF 2024 sets out that in determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

7.3 In line with Paragraph 212 of the NPPF 2024 consideration must be given to the impact of a proposed development on the significance of this designated heritage asset and 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.

7.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that in considering whether to grant planning permission for development affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.

7.5 The proposals seek to restore and renovate the existing building with the aim of facilitating the use of the building as a commercial gym and café. The building is in a deteriorated condition, having been vacant for an extended period. As such there is damage to areas of the building, notably the squash courts where the original roof is missing, whilst in other areas fabric has deteriorated and parts of the interior and exterior have been vandalised. The condition has resulted in the building being placed on Historic England's heritage at risk register. The vacant condition of the building and lack of upkeep and preservation has contributed to the building's deteriorated condition.

7.6 The proposed works are considered highly beneficial in enhancing the condition of the building and its historic fabric. The internal and external works would secure repairs to parts of the building that have deteriorated, including the external brickwork and render and replacement of the roof above the former squash courts to the rear of the building as well as the removal of graffiti. Repair and replacement of the roof and render/brickwork is proposed on a like for like basis, thereby preserving the historic fabric of the building. The internal works set out within the submitted plans, schedule of works and draft method statements are considered appropriate and beneficial overall in carrying out essential repair and renovation works necessary to facilitate the proposed use of the building as a gym and café.

7.7 Replacement of original windows and doors is proposed throughout, alongside the replacement of later fire doors. The loss of the original windows would amount to a harmful change; however, the windows are single glazed and are in a poor condition and retention would not be viable accounting for the reuse of the building. The proposal would also improve the thermal functionality of the building. New openings have been kept to a minimum. The most prominent would be the large window opening to the rear (north) elevation serving the proposed café in the former squash courts. New window and doors are proposed to be of a design that matches the appearance of the existing windows. Detailed drawings of the replacement windows and doors are requested by planning condition.

7.8 The installation of appropriate signage is considered acceptable in principle given the intended commercial use of the building. A condition is recommended to be attached requiring the submission of detailed drawings relating to the signage prior to the installation of any signage on site.

7.9 The addition of the proposed access ramp would adjoin the 1960's extension and would have a neutral impact on the significance of the listed building. The changes are considered necessary, to allow disabled access to the building, which would constitute a public benefit of the works.

7.10 Overall, the scope of the works would result in a low level of less than substantial harm to the significance of the Grade II listed building. This would predominantly be as a result of the removal of the existing windows and the addition of new doubled glazed windows, as well as the insertion of new window and door openings.

7.11 Paragraph 215 of the NPPF 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.

7.12 The works would facilitate the buildings use as a gym and café, which would secure a long term viable commercial use for the building thereby helping to preserve its condition and historic fabric, compared with its current vacant condition. This should be considered positively in line with Paragraph 210 of the NPPF 2024 and is considered would equate to a major public benefit. The installation of the proposed double glazing would assist in improving the energy

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performance of the building, which has sustainability benefits and is considered necessary to facilitate the end use of the building. There would also be minor economic benefits arising from employment provided as part of the end use as a gym and café. The impact of the new windows may be mitigation through the selection of appropriate windows which relate to the historic character of the building, which are indicated within the supporting documents, but would be secured by way of planning condition. It is considered that the public benefits of the works would clearly and demonstrably outweigh the low level of less than substantial harm that would be caused to the significance of the Grade II listed building. The council's Conservation Officer has reviewed the proposals and raised no objections.

7.13 The proposed development therefore complies with the NPPF, Policy HC1 of The London Plan, Policy HE1 of the Local Plan Part 1, and Policy DMHB 4 of the Local Plan Part 2 and it is recommended that listed building consent is granted.

## **8 Other Matters**

### Human Rights

8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### Equality

8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

## **9 Conclusion / Planning Balance**

9.1 The works proposed would enhance the significance of the Grade II listed by providing much needed repairs to the historic fabric of the listed building and are proposed with the aim of securing a long term viable commercial use that would secure the buildings long term preservation.

9.2 Elements of the proposed works would result in a low level of less than substantial harm to the significance of the Grade II listed building as the proposals would result in the removal of existing windows and the insertion of new openings. The low level of less than substantial harm would be demonstrably outweighed by the substantial cumulative public benefits that the works would facilitate in bringing the

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listed building back into a viable use consistent with its long-term preservation, alongside the direct repair and renovation works proposed within this listed building consent application. There would also be minor economic benefits arising from employment provided as part of the end use as a gym and café. The council's Conservation Officer has reviewed the proposals and raised no objections.

- 9.3 The proposals are therefore considered to comply with Policy DMHB 1 of the Local Plan Part 2; Policy HC1 of the London Plan 2021; and the NPPF 2024 and it is recommended that listed building consent is granted subject to the conditions set out in Appendix 1 of the report.

## **10 Background Papers**

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk).

# APPENDICES

## Planning Application

**585/APP/2024/1799**

## Appendix 1: Recommended Conditions and Informatives

### Conditions

#### 1. LB1 Time Limit (3 years) - Listed Building Consent

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

#### REASON

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

#### 2. COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers and supporting documents:

Site Location Plan ref 243052-PUR-00-XX-DR-A-1000 Rev C01

Proposed Site Plan ref 243052-PUR-00-XX-DR-A-2002 Rev C01

Existing Lower Ground and Ground Floor Plans - Demolitions ref. 243052-PUR-00-ZZ-DR-A-1050 Rev C01

Existing First and Second Floor Plans - Demolitions ref. 243052-PUR-00-ZZ-DR-A-1051 Rev C01

Existing Roof Plan - Demolitions ref. 243052-PUR-00-RF-DR-A-1055 Rev C01

Existing External Elevations - Demolitions ref. 243052-PUR-00-ZZ-DR-A-1060 Rev C01

Existing Sections - Demolitions ref. 243052-PUR-00-ZZ-DR-A-1065 Rev C01

Existing Internal Demolitions - Main Hall - Demolitions ref. 243052-PUR-00-ZZ-DR-A-1070 Rev C01

Existing Internal Elevations - Squash Courts - Demolitions ref. 243052-PUR-00-ZZ-DR-A-1071 Rev C01

Proposed Lower Ground and Ground Floor Plans ref. 243052-PUR-00-ZZ-DR-A-2010 Rev C01

Proposed First and Second Floor Plans ref. 243052-PUR-00-ZZ-DR-A-2011 Rev C01

Proposed Roof Plan ref. 243052-PUR-00-RF-DR-A-2015 Rev C01

Proposed External Elevations ref. 243052-PUR-00-ZZ-DR-A-2020 Rev C01

Proposed Sections ref. 243052-PUR-00-ZZ-DR-A-2025 Rev C01

Proposed Internal Elevations - Gym ref. 243052-PUR-00-ZZ-DR-A-2030 Rev C01

Proposed Internal Elevations - Cafe ref. 243052-PUR-00-ZZ-DR-A-2031 Rev C01

Proposed Door and Window Types ref. 243052 -PUR-00-ZZ-DR-A-3000 Rev C01

Proposed Treatment of Glazed Bricks ref. 243052-PUR-00-ZZ-DR-A-3010 Rev C01

Proposed Balustrade and Handrail Details ref. 243052-PUR-00-ZZ-DR-A-3015 Rev C01

Schedule of Proposed Works ref. 243052-PUR-00-XX-RD-A-0001

Accessible WC's Plan ref. 243052-PUR-00-ZZ-DR-A-3020

Design and Access Statement June 2024

and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

**3. NONSC Schedule of Works**

All works to the former cinema building shall be carried out in accordance with the schedule of works document June 2024 243052-PUR-00-XX-RD-A-0001 unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part 2 (2020).

**4. NONSC Samples of Materials**

Samples of all materials and finishes to be used for all external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. All brick, render and lime mortar pointing, external joinery shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part 2 (2020).

**5. NONSC Hidden features**

During the works, if hidden historic features are revealed they should be retained in-situ. Works shall be halted in the relevant area of the building and the Local Planning Authority should be notified immediately.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part 2 (2020), Policy HC1 of the London Plan (2021) and Section 16 of the NPPF (2024).

**6. LB2 Making good of any damage**

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

## REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part 2 (2020), Policy HC1 of the London Plan (2021) and Section 16 of the NPPF (2024).

### 7. NONSC Signage

Detailed drawings of the proposed signage, to be located within the signage zones, shall be submitted to and approved in writing by the Local Planning Authority before the relevant signage is installed.

## REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy DMHB 2 of the Hillingdon Local Plan Part 2 (2020).

### 8. NONSC Materials including windows

No development shall take place until details of all materials and external surfaces, including details of windows and doors have been submitted to and approved in writing by the Local Planning Authority. All brick, render and lime mortar pointing, external joinery shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

## REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

## Informatics

### 1. I52 Compulsory Informative (1)

The decision to GRANT listed building consent has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### I53 Compulsory Informative (2)

The decision to GRANT listed building consent 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 (2021) and NPPF (2024).

DMHB 1      Heritage Assets

LPP HC1      (2021) Heritage conservation and growth

NPPF16 -24    NPPF16 2024 - Conserving and enhancing the historic environment

## Appendix 2: Relevant Planning History

585/APP/2015/1297 St Andrews Park Hillingdon Road Uxbridge

Reserved Matters Application for the erection of 1 x 5 storey office building and 1 x 4 storey office building with associated plant, parking and landscaping

**Decision:** 21-06-2016      Approved

585/APP/2016/4504 St Andrew'S Park Hillingdon Road Uxbridge

Reserved matters (layout, scale, appearance and landscaping) for the erection of 294 dwellings and up to 469 sq.m of retail floorspace (use classes F.2, E and Public House/Takeaway (Sui Generis), formerly A1-5) development together with associated parking and landscaping within the Town Centre Extension (West) Phase of planning permission ref. 585/APP/2015/848 dated 21-12-2015.

**Decision:** 30-11-2021      Approved

585/APP/2024/1879 St Andrews Park Hillingdon Road Uxbridge

Hybrid planning application comprising: Outline planning permission (with all matters reserved) for residential development and commercial uses, to be occupied flexibly within Use Classes E(a), E(b), E(c), E(e), E(g)(i), E(g)(ii) and a convenience store (Use Class E(a)); plus car parking, hard and soft landscaping, and all other associated works; Plus, full planning permission for reinstatement of gym use (Use Class E(d)) and change of use to provide a cafe (Use Class E(b)) within the former cinema building; and external alterations; and associated car parking, hard and soft landscaping and all other associated works.

## **Appendix 3: List of Relevant Planning Policies**

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

### **Part 1 Policies:**

PT1.HE1 (2012) Heritage

### **Part 2 Policies:**

DMHB 1 Heritage Assets

LPP HC1 (2021) Heritage conservation and growth

NPPF16 -24 NPPF16 2024 - Conserving and enhancing the historic environment