

Appeal Decision

Site visit made on 21 November 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th December 2016

Appeal Ref: APP/R5510/W/16/3153319

West Way Chapel, West Way, Ruislip, Hillingdon HA4 8HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Goldbridge Assets Limited against the Council of the London Borough of Hillingdon.
 - The application Ref 71295/APP/2016/135, is dated 12 January 2016.
 - The development proposed is to redevelop the chapel building to provide a new three storey building comprising 6 flats of mixed use (2 x studio, 1 x 1 bed, 3 x 2 bed).
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal arises from the Council's failure to determine this planning application within the prescribed period. However, the delegated report contains a number of reasons for refusal which can be taken as forming the Council's position.
3. Accordingly, the main issues in this case are:
 - Whether there is a need for the building to be retained for community use.
 - The effect of the proposal on the character and appearance of the area.
 - Whether the proposed vehicular access would allow for the safe and convenient use of the adjoining public highway.
 - Whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to internal and outdoor living space.
 - Whether adequate provision is made for cycle storage.

Reasons

Need for the building to be retained for community use

4. The proposal is for the re-development of a site, containing a modest 1930s chapel, to provide 6 flats. The chapel's ageing congregation has dwindled to the extent the trustees consider its current use to be redundant.
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5. The appeal site is within Ruislip Manor town centre, situated close to a good range of shops, businesses and other facilities, with a nearby tube station and bus interchange which provide convenient access to public transport. West Way contains a mixture of uses. Fronting the opposite side of the street is a tyre-fitters, a modern development of flats and, at the junction with Manor Way, the recently built Ruislip Baptist Church. Adjacent and to the north of the appeal site is a pair of semi-detached houses, and residential development continues along this side of the road. To its south the appeal site abuts private car parking associated with the Most Sacred Heart Catholic Church and its community centre. This church and its outbuildings are located immediately to the rear of the appeal site.
6. The Council has saved the policies in the 2007 Unitary Development Plan (UDP) not already replaced by those in the Hillingdon Local Plan: Part 1 Strategic Policies adopted in 2012 (HLP1). UDP Policy R5 resists proposals involving the loss of buildings providing for recreation and leisure uses, including churches, unless suitable alternative facilities are available. In assessing such proposals, Policy R5 requires that regard be had to the potential for the building to meet recreational/leisure needs for the population within walking distance and 3.2km, to the availability of accessible alternative premises and, where the building is worthy of retention, to suitable alternative uses.
7. The evidence from trustees of this church persuades me that that current use of the building has effectively ceased and that the new Baptist Church on the other side of West Way provides an alternative place of worship suitable for this congregation. Therefore, the proposal does not displace an existing activity and suitable alternative facilities are available.
8. I concur with the appellant that Policy R5 appears to address activities falling within Use Classes¹ D1 (non-residential institutions) and D2 (assembly and leisure). Based on the evidence produced, the needs of the population appear to be well-met by the range and amount of D uses within a 3.2km radius of the appeal site.
9. The application of Policy R5 requires regard be had to suitable alternative uses, where the building is architecturally worthy of retention. I concur with the comments made at the application stage by the Council's Conservation Officer that West Way Chapel has some commendable features. However, there is no evidence that the Council had considered this building merited inclusion on a local list and, consequently, it has no policy status as a non-designated heritage asset. The building, whilst of some architectural interest, is not of sufficient merit for the principle of its redevelopment to be unacceptable. Accordingly, as this proposal does not propose conversion of the chapel to an alternative use, this criterion of Policy R5 is not considered to be relevant.
10. The Council officer comments provided indicate that to satisfy Policy R5 a robust case would need to be made providing information as to why the community use was no longer viable, which should also include marketing information and other advice as to where the community use has been relocated to. Policy R5 makes no reference to the need for marketing information, although this has been provided. The evidence is that there is no current congregational use of this building and adequate, accessible, alternative facilities are available nearby at the Ruislip Baptist Church. The

¹ Town and Country Planning (Use Classes) Order 1987.

evidence suggests that the recreational needs of the community within a 3.2km radius of the appeal site are sufficiently catered for not to justify the retention of this building for such purposes. Consequently, this proposal would satisfy the terms of Policy R5.

11. The offer made in August 2015 by the Diocese of Westminster to acquire the property indicates an interest in the building from the Most Sacred Heart Catholic Church. However, an offer made privately would not alter my findings in respect of the general compliance of this proposal with Policy R5. I am not persuaded that this interest would justify the retention of this building for any demonstrable unmet community need that could not otherwise be provided for.

Effect on the character and appearance of the area

12. The existing chapel is situated in a prominent urban location and currently provides a quite attractive component of both the street scene along West Way and that viewed from Pembroke Road, where it is seen more distantly beyond the car park forming part of the group of buildings adjacent to the Catholic Church.
13. The loss of this pleasant building should be compensated for by a redevelopment which would enhance the built environment in this urban location. The proposed elevation onto West Way reflects the design of the adjacent inter-war semi-detached houses and is quite satisfactory. The same would apply to the rear elevation, to which public views are more restricted.
14. However, the building's deep plan would present facades to each side of considerable mass. The design approach is less successful in addressing the scale of these elevations, where the prominent south-east side provides an over-dominant mass of walling, with a weakly proportioned area of roofing. The high-level windows might respond to the adjacent car park, but the design, arrangement and level of emphasis of the fenestration is visually unsatisfactory. The side view of the entrance column would also appear somewhat incongruous.
15. Overall, this prominent elevation would appear unduly bulky, be poorly proportioned with a weak roofscape and provide a general lack visual interest, balance and coherence. A better quality design would be required to enhance the built form in this location, which forms part of the setting of the locally listed Catholic Church, and to compensate for the loss of the quite pleasing and inoffensive chapel. As a consequence this proposal would have a harmful effect upon the character and appearance of this area.
16. Notwithstanding the mixed character of the surrounding buildings, the design of the flats proposed would not provide the high quality of design, appropriate to the identity and context of the townscape, necessary to satisfy HLP1 Policy BE1.

Safety and convenience of vehicular access

17. The access to the parking provided to the rear of the proposed development would be adequate for a development of this number of flats. It would not be necessary to provide the width for two car to pass, given the level of vehicular movements likely to be generated and the space provided at either end of the straight access for cars to wait.

18. The provision of six car parking spaces, one per flat, is considered sufficient given the urban location of the proposed housing and its proximity to a full range of services, including public transport. West Way is a one-way street with double yellow line permanent on-street parking restriction. The arrangements for access and parking proposed would not be contrary to the interests of the safe and convenient use of the adjoining public highway and would comply with UDP saved Policy AM7.

Living conditions for future occupiers

19. The flats proposed would all meet the internal space standards contained in the Mayor of London's Housing Standards of March 2016². The revised plans submitted on 16 June 2016 make more effective use of the outside space at the rear of the proposed flats, providing a rear garden of 140m² with dedicated bin and cycle storage. The outside space provided for the flat accommodation exceeds the standards required by the Council's Supplementary Planning Document entitled Residential Layouts³. The area shown provides sufficient external amenity space, of a usable shape and siting, to satisfy UDP saved Policy BE23. Consequently this proposal would provide acceptable living conditions for future occupiers, in regard to both internal and outdoor living space.

Provision for cycle storage

20. A revised plan provides secure storage for 9 cycles which exceeds the Council's standards, as taken from the London Plan.

Conclusion

21. The West Way Chapel no longer serves a viable congregation, and a suitable alternative place of worship is available nearby at the new Ruislip Baptist Church. There would be no demonstrable requirement for this building to be retained for its present or an alternative community use, where there is adequate provision in the local area. There would be no objection in principle to the re-use of the building or re-development of this site for residential purposes. However, the scheme proposed would not provide the high quality of urban design necessary to provide the visually attractive and good architecture encouraged through part 7 of the National Planning Policy Framework. Therefore, having taken into consideration all other matters raised, I conclude that the appeal should be dismissed and planning permission refused.

Jonathan Price

INSPECTOR

² Housing Standards – Minor Alterations to the London Plan – Mayor of London, March 2016.

³ Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts – London Borough of Hillingdon July 2006.