

Report of the Head of Planning, Transportation and Regeneration

Address KINGDOM HALL OF JEHOVAH'S WITNESSES OAKDALE AVENUE NORTHWOOD

Development: Conversion of part of the ground floor of an existing place of worship to form 2 x studio flats and alterations to fenestration

LBH Ref Nos: 11385/APP/2020/2982

Drawing Nos:

- NOR-PL01
- NOR-PL02
- NOR-PL03
- NOR-PL04
- NOR-PL05
- NOR-PL06

Design and Access Statement
Flood Risk Plan

Date Plans Received: 17/09/2020

Date(s) of Amendment(s):

Date Application Valid: 28/09/2020

1. SUMMARY

The application seeks planning permission for the conversion of part of the ground floor of an existing place of worship to form 2 x studio flats and alterations to the building's fenestration.

The area to be converted is currently being used as an office/meeting room and a storage area. Both of the proposed ground floor units would be accessed from an internal corridor within the existing church. This would be a change of use from Use Class D2 to Use Class C3 and it is proposed that the two studio flats would be intended for use on an ad hoc basis by visiting dignitaries of the church. The Design & Access Statement states:

'The studios would only be occupied by ministers connected to the charity. Due to the nature of their pastoral work these ministers travel to visit other congregations and so the use of the studios would only be for part of each week'.

The application is recommended for approval, but subject to a legal agreement which controls the proposed use of the studios solely for the proposed use.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Transportation and Regeneration to grant planning permission, subject to the following:

1. That the applicant enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:

i) That the permission be personal to Kingdom Hall Trust on behalf of the Kingdom Hall of Jehovah's Witnesses and that the proposed studio flats will only be occupied by itinerant church ministers connected to the charity and will not be

released for sale on the open private housing market.

2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of any S106 Agreement and any abortive work as a result of the agreement not being completed.

3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

4. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within six months or any other period deemed appropriate by the Head of Planning, Transportation and Regeneration then delegated authority be granted to the Head of Planning, Transportation and Regeneration to refuse the application for the following reasons:

"1. The applicant has failed to agree that the permission should be personal to Kingdom Hall Trust on behalf of the Kingdom Hall of Jehovah's Witnesses and that the proposed studio flats will only be occupied by itinerant church ministers connected to the charity and will not be released for sale on the private housing market. The development therefore fails to comply with the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016)."

5. That subject to the above, the application be deferred for determination by the Head of Planning, Transportation and Regeneration under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant

6. That if the application is approved, the following conditions be attached:

1 RES3 Time Limit

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

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 RES4 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 NOR-PL04, NOR-PL05 and NOR-PL06 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).

3 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing west

towards the rear elevations of the premises in Joel Street or east facing the highway known as Oakdale Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4 RES13 Obscure Glazing

The ground floor windows facing west towards the rear elevations of the premises in Joel Street shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policies DMHB 11 and DMHD 1-2 of the Hillingdon Local Plan Part 2 (2020).

5 RES17 Sound Insulation

Development shall not begin until a scheme for protecting the proposed development from garage and MOT Testing Centre noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by garage and MOT Testing Centre noise in accordance with policy EM8 of the Local Plan Part 1 (2012), DMAV 2-3 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2016) Policy 7.15.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT 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 I53 Compulsory Informative (2)

The decision to GRANT 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMCI 1	Retention of Existing Community Sport and Education Facilities
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space

DMT 1	Managing Transport Impacts
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

4 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

5 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a

private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a two storey building providing a meeting room, storage facility and toilet facilities on the ground floor with a place of worship on the first floor. It is located on the west side of Oakdale Avenue.

To the rear of the subject site is a rear access way that serves the ground floor commercial properties at Nos. 9 to 19 Joel Street and the residential properties above at first and second floor level. This is a terraced shopping parade addressed as 'The Broadway' which lies within the Secondary Shopping Area of the Northwood Hills Town Centre as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The subject site also adjoins a garage and MOT testing Centre which has frontages onto both Oakdale Avenue and Pinner Road. The site also lies within a Critical Drainage Area.

3.2 Proposed Scheme

The application seeks planning permission for the conversion of part of the ground floor of an existing place of worship to form 2 x studio flats and alterations to fenestration.

3.3 Relevant Planning History

11385/PRC/2019/208 Kingdom Hall Of Jehovah'S Witnesses Oakdale Avenue Northwood

Conversion of part of ground floor of an existing place of worship into 2 x Studio flats for the purpose of accommodating ministers

Decision: 23-12-2019 OBJ

Comment on Relevant Planning History

11385/APP/2005/424 - REMOVAL OF EXISTING EXTERNAL ENTRANCE STAIRCASE AND REDUNDANT CHIMNEY, CONSTRUCTION OF NEW SINGLE STOREY ENTRANCE, CHANGE OF USE OF GROUND FLOOR UNIT A, FOR ANCILLARY USE IN CONNECTION WITH RELIGIOUS MEETING HALL - Approved 7/4/2005

4. Planning Policies and Standards

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

Development Plan

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

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

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan - Consolidated With Alterations (2016)

Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2020)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions.

More limited weight should be attached to parts of draft London Plan policies where the Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

- DMCI 1 Retention of Existing Community Sport and Education Facilities
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 18 Private Outdoor Amenity Space
- DMT 1 Managing Transport Impacts
- DMT 6 Vehicle Parking
- DMTC 1 Town Centre Development
- LPP 7.4 (2016) Local character
- LPP 7.5 (2016) Public realm

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

37 neighbouring properties and the local residents association were consulted by letter dated 30/9/2020. The consultation period expired on 21/10/2020

One written representation has been received objecting to the proposal summarised as follows:-

Concerns over noise and disturbance that may arise during course of the development.

Internal Consultees

Please refer to Sections 7.10, 7.11 and 7.14 of this report

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site is not located in a Conservation Area and the building is not Listed. There are no policies which would specifically prevent the alteration and conversion of part of the building to residential use in principle.

7.02 Density of the proposed development

Not relevant to this application

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not relevant to this application

7.04 Airport safeguarding

Not relevant to this application

7.05 Impact on the green belt

Not relevant to this application

7.07 Impact on the character & appearance of the area

The NPPF (2019) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Only minor alterations are proposed to the east facing elevation of the building which opens directly onto the public highway known as Oakdale Avenue. The existing doors to each of the areas would be replaced with a window. The west elevation faces onto the rear service yards of the commercial premises and upper flats in the shopping parade that face onto Joel Street. As all of these new windows would be obscure glazed there would be no element of overlooking or loss of privacy

That said, both of the proposed studio flats would be single aspect with access to both outlook and light via two windows that would face onto Oakdale Avenue. Outlook is defined

as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout in order to ensure development does not result in a loss of outlook. Single aspect dwellings should be avoided.

Policy DMCI 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that proposals involving the loss of an existing community facility will be permitted if:

A) the specific use is no longer required on-site. In such circumstances, the applicant must provide evidence demonstrating that:

- i) the proposal would not lead to a shortfall in provision for the specific use within the local catchment area;
- ii) there is either no demand for another suitable social infrastructure use on-site, or that the site/premises is no longer appropriate for social infrastructure uses; and
- iii) any replacement/relocated facilities for the specific use provides a level of accessibility and standard of provision at least equal to that of the existing facility.

B) the activities carried out are inconsistent and cannot be made consistent with acceptable living conditions for nearby residents; and

C) the redevelopment of the site would secure an over-riding public benefit.

The main use of the building is as a place of worship with ancillary office and storage facilities. It is considered that the introduction of a 'separate' residential element within the building in the form of two studio flats could be considered as an ancillary use to the established use as a place of worship which is seen as an on-site community use, provided that the use be restricted to occupation by visiting ministers of the church.

No other evidence has been submitted in regard to the area within the building as being no longer appropriate as an office and storage facilities or that there is no demand for another suitable social infrastructure use on-site, or that the site/premises is no longer appropriate for other social infrastructure uses.

However, as the use would be restricted to be ancillary to the main established use as a church the proposal, in this particular instance, would comply with Policy DMCI 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.08 Impact on neighbours

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.

There are existing windows in the east facing elevation which would be retained and which would give an outlook to each of the flats. The existing garage doors and entrance door would be replaced by windows.

Existing windows in the rear (west) that are currently blocked out but three of these would be opened up to provide new windows within the existing openings. All of these three windows would serve the internal corridor giving access to the flats and could be

conditioned to be obscure glazed and non opening.

The proposal does not include any alterations to the scale of the building and would not therefore have any impact upon light, outlook or privacy.

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A one person studio is required to provide 39 square metres. Both the units would meet this at 39 m² and 43 m².

Policy DMHB 18: Private Outdoor Amenity Space states:

All new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2. Studio flats should be provided with minimum of 20 sqm of private external amenity space. The current application does not provide any external private amenity space for the proposed flats. However, as the flats will be used only for visiting ministers, in this particular instance, this is considered to be acceptable.

Should the application be approved, a legal obligation is recommended to restrict the use of the proposed studio units for occupation by visiting ministers of the church and to prevent any future sale on the open private housing market.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Highways & Transportation commented as follows: -

Site Characteristics & Background

The site is located on Oakdale Avenue which is located off Pinner Road and runs parallel to Joel Street in Northwood. The site consists of a place of worship part of which is proposed for conversion to 2 studio flats for visiting ministers. 6 spaces are allocated on private land for worshippers on the opposite side of the road.

The location is relatively devoid of parking controls operating and exhibits a public transport accessibility (PTAL) rating of 3 which is considered as average despite its relative proximity to Northwood Hills LU station and a number of bus services.

Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

It is proposed to provide 2 studio flats. To comply with the adopted parking standard, the

maximum on-site requirement demands up to 1 space for both units. It is assumed that 1 of the 6 existing spaces can be utilised to facilitate a single space provision in order to ensure compliance. This arrangement is considered acceptable given the transient nature of visiting ministers thereby indicating conformity to the Council's standard.

Cycling Provision

In terms of cycle parking there should be a provision of at least 1 secure and accessible space for the proposal. As this is not indicated, this aspect should be secured via planning condition.

Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

As a consequence of the relatively small scale of development, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

Access Officer commented as follows: -

This proposal to convert part of the existing place of worship into two studio flats, has been reviewed against the requirements of London Plan policy 3.8(c) which should not be applied to the conversion and change of use.

Conclusion: No objections raised from an accessibility perspective.

7.12 Disabled access

Not relevant to this application

7.13 Provision of affordable & special needs housing

Not relevant to this application

7.14 Trees, Landscaping and Ecology

The Trees & Landscaping officer commented as follows: -

This site is occupied by a two-storey Jehovah's Witness meeting hall, located to the south of Pinner Road and rear of a service road which provides access to the shops fronting onto Joel street town centre. This is an urban area and there is no external amenity space attached to the building. The hall has a number of dedicated parking spaces across the road on the east side of Oakdale Avenue. There are no TPO's or Conservation Area designations affecting the site.

COMMENT No trees will be affected by the proposal. The provision of two studio flats will

occupy part of the ground floor only, leaving the main hall and first floor facilities unaffected.

RECOMMENDATION No objection and no need for landscape conditions.

7.15 Sustainable waste management

Not relevant to this application

7.16 Renewable energy / Sustainability

Not relevant to this application

7.17 Flooding or Drainage Issues

Not relevant to this application

7.18 Noise or Air Quality Issues

Not relevant to this application

7.19 Comments on Public Consultations

Officer response - Noise and disturbance caused by development is considered to be transient and would be controlled by Environmental Health legislation and an advisory informative could be added if the application is approved.

7.20 Planning Obligations

The application is recommended for approval, but subject to a legal agreement which controls the proposed use of the studios solely for the proposed use.

7.21 Expediency of enforcement action

Not relevant to this application

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probit in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

It is considered that the proposed development would be ancillary to the main, established use of the building, would not adversely impact on the amenity of adjacent properties and is considered acceptable in terms of highway and pedestrian safety. Subject to a legal obligation to restrict the use of the proposed studio units for occupation by visiting ministers of the church and to prevent any future sale on the open private housing market, it is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

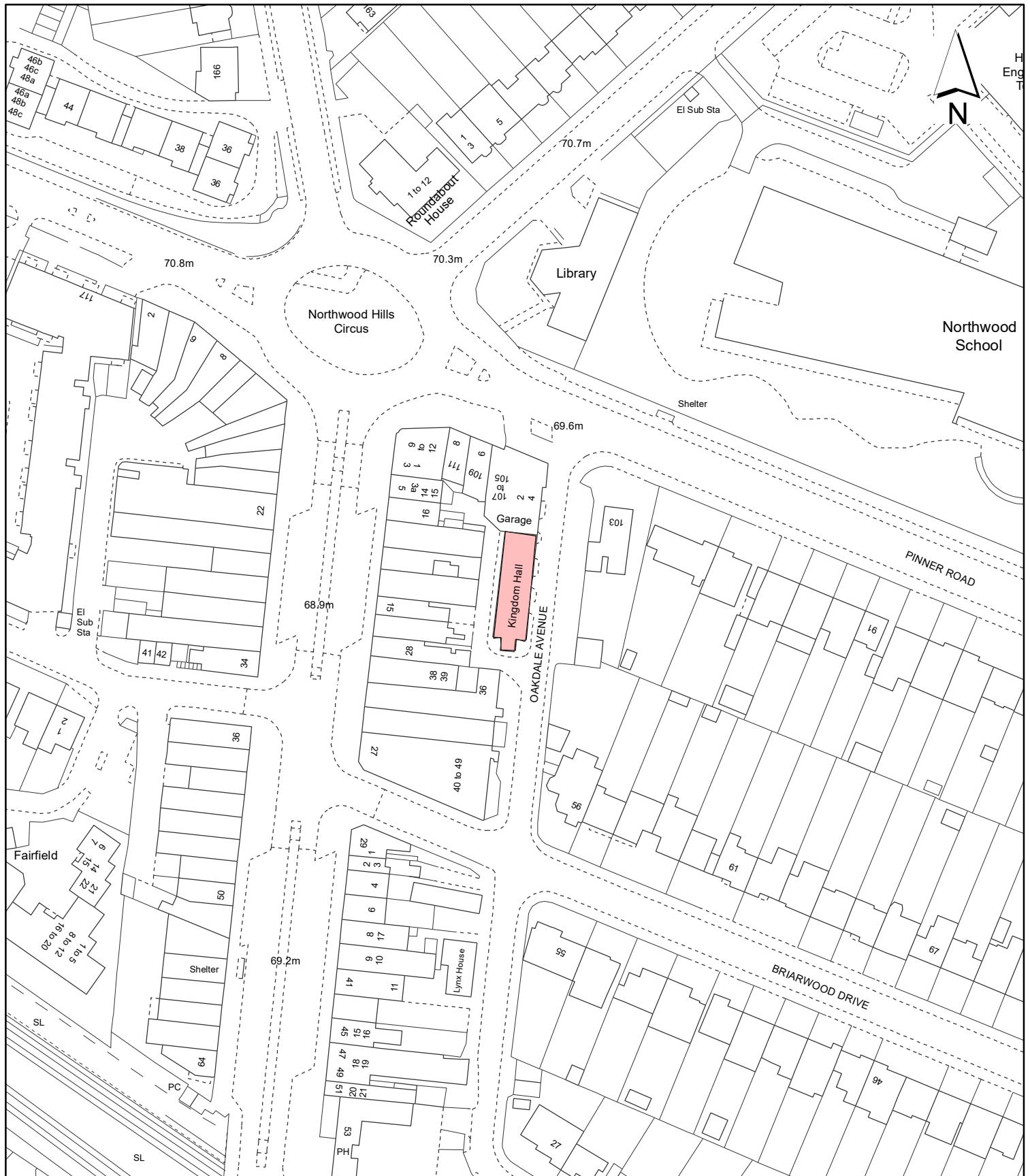
Technical Housing Standards - Nationally Described Space Standard

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

Contact Officer: Diane Verona

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

**KINGDOM HALL OF
JEHOVAH'S WITNESSES
OAKDALE AVENUE**

**LONDON BOROUGH
OF HILLINGDON**
Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: 01895 250111

Planning Application Ref:

11385/APP/2020/2982

Scale:

1:1,250

Planning Committee:

North

Date:

January 2021



HILLINGDON
LONDON