

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address THE ANGEL PH, 697 UXBRIDGE ROAD HAYES

Development: Proposed change of use from Public House (Sui Generis) to Place of Worship (Use Class F.1(f)) and Community Centre (Use Class F.2(b))

LBH Ref Nos: 6270/APP/2021/3877

Drawing Nos: 786_HMC_SU_050_SITE LOCATION PLAN
786_HMC_SU_100_EXISTING SITE PLAN
786_HMC_SU_104_EXISTING 3D VIEWS
786_HMC_SU_105_EXISTING 3D CUT VIEWS
786_HMC_SU_106_3D SITE PLAN
786_HMC_PP_200_PROPOSED BASEMENT GROUND FIRST FLOOR
786_HMC_PP_201_PROPOSED SECOND FLOOR ROOF PLANS
786_HMC_PP_202_PROPOSED ELEVATIONS SECTIONS.
786_HMC_PP_203_PROPOSED 3D VIEWS.
786_HMC_PP_204_PROPOSED 3D CUT VIEWS
786_HMC_PP_210_PROPOSED SITE PLAN
Design, Access, Sustainability & Planning Statement (dated October 2021)
Noise Impact Assessment Report (ref. 23706.NIA.01)
Transport Technical Note (ref. P1303 dated August 2021)
Travel Plan (Revision 2 dated March 2021)
Scope of Heritage Works
Heritage Assessment Part 1 (dated 27 April 2020)
Transport Statement (Revision 2 dated March 2021)
Air Quality Assessment (ref. 21-8456 dated November 2021)

Date Plans Recieved: 16/10/2021 **Date(s) of Amendment(s):**

Date Application Valid: 25/11/2021

1. SUMMARY

The application proposes the change of use of The Angel Public House (Sui Generis) to a Place of Worship (Use Class F1(f)) and Community Centre (Use Class F2(b)).

While the provision of community and social uses is generally supported in principle by planning policies, the unjustifiable loss of a public house is contrary to London Plan aims to protect public houses with heritage, economic, social or cultural values. In the absence of authoritative marketing evidence to demonstrate that there is no realistic prospect of the Grade II listed building being brought back into use as a public house in the foreseeable future, the principle of the loss of the public house is unacceptable.

Internal and external alterations are proposed to the Grade II listed building in order to facilitate the change of use. However, due to the lack of detailed information and inconsistent plans, the precise nature and level of the harm and benefits cannot be determined. Consequently planning officers are unable to make a balanced judgement as to whether any 'less than substantial harm' to the building would be outweighed by the public benefits of the scheme, or whether the conservation of the listed building would outweigh the dis-benefits of the loss of the public house use. In the absence of this information and evidence, the development is unacceptable.

The proposed change of use would result in a significant number of people traveling to the site by motor vehicle at various times throughout any given week. This would give rise to unacceptable harm to the highways network due to the increased demand for on-street car parking and the resultant impacts this would have on the free-flow of traffic, parking congestion and the safety of all highway users including pedestrians, cyclists and vehicle occupants.

Taking into account the highway concerns, and the scale and timing of the proposed activities it has not been demonstrated that there would not be any undue harm to the residential amenity of neighbouring occupiers through noise and disturbance resulting from the comings and goings to and from the site in the surrounding residential streets.

Furthermore, the proposal would not result in an air quality neutral development, and no measures have been proposed to mitigate the operational impacts of the development or improve air quality. Consequently the application has failed to demonstrate that the full air quality impact and implications of the proposed development have been appropriately assessed and mitigated.

As such the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development has failed to demonstrate through the submission of authoritative marketing evidence that there is no realistic prospect of the Grade II listed building being brought back into use as a public house in the foreseeable future. Therefore, the principle of the loss of the public house is unacceptable, contrary to Policy HC7 of the London Plan (March 2021) and Section 8 of the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed development due to a lack of detailed information and inconsistent plans has failed to demonstrate that it would have an acceptable impact on the character, appearance and setting of the Grade II Listed The Angel Public House. In combination with the unjustified loss of the public house use, the development has failed to demonstrate that any 'less than substantial harm' would be outweighed by the public benefits of the scheme, or that the conservation of this heritage building would outweigh the disbenefits of the loss of the public house use. The development is therefore contrary to Policies HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy HC1 of the London Plan (2021) and Section 16 of the National Planning Policy Framework (2021).

3 NON2 Non Standard reason for refusal

The proposed development would give rise to unacceptable harm to the highways network due to the increased demand for on-street car parking and the resultant impacts this would have on the free-flow of traffic, parking congestion and the safety of all highway users including pedestrians, cyclists and vehicle occupants. The development is therefore contrary to Policies DMT 1, DMT 2 and DMT 6 the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4 and T6 of the London Plan (2021) and Section 9 of the National Planning Policy Framework (2021).

4 NON2 Non Standard reason for refusal

It has not been demonstrated that the proposed development would not result in undue

harm to the residential amenity of neighbouring occupiers due to noise and disturbance resulting from the comings and goings to and from the site in the surrounding residential streets, contrary to Policy D14 of the London Plan (2021), and Policies DMHB 11 and DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

5 NON2 Non Standard reason for refusal

The proposed development produces excessive pollutant emissions into the atmosphere, is not air quality neutral, and no suitable mitigation has been provided. As such, the development is contrary to Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 (Part B) of the London Plan (2021) and Paragraph 186 of the National Planning Policy Framework (2021).

6 NON2 Non Standard reason for refusal

In the absence of a Section 106 legal agreement, this application has failed to mitigate the impacts of the development in respect of highway impacts and a potential contribution to implement air quality improvement measures. The proposal is therefore contrary to Policy DMCI 7 of the Hillingdon Local Plan: Part 2 Development Management Policies, the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations and Policy DF1 of the London Plan (2021).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 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 (2021). 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.

3. CONSIDERATIONS

3.1 Site and Locality

This site forms a prominent corner plot located on the southern side of Uxbridge Road, at its junction with Angel Lane.

The existing building is a Grade II listed public house which dates from the 1920s. The current Angel pub relates to a historic pub known as The Angel Inn which was located in Hayes End prior to the suburbanisation of the Hayes area. The existing pub building was designed by a notable 'pub' Architect, Thomas Henry Nowell Parr for Fuller's brewery. The building's design shows influence from the Arts and Crafts style. It is two and a half storeys in height, with rooms contained within the attic space. Whilst it has benefited from some alterations and extensions notably in the 1930's and 70s, it has retained much of its original form and 1920's interiors.

The public house is sited at the back edge of the pavement and has various extensions, structures and outbuildings at the side and rear. On the ground floor are two saloon bar areas, a restaurant area and a main public bar area. These are located around a central

bar/servery with internal office and central stair case to the upper floors. On the first floor are 4 bedrooms, a meeting room, large communal kitchen, a bathroom and two separate WCs. There are three further bedrooms on the second floor. Limited car parking is provided in the rear and side yard areas which is accessed from Angel Lane and Uxbridge Road.

Fronting Uxbridge Road on the opposite side of Angel Lane is a small retail parade with an office building immediately on the opposite side of Uxbridge Road and a retail parade further to the west. At the rear of the site are two storey residential terraced cottages.

The site has a PTAL of 2/3 and is located within an Air Quality Management Area.

3.2 Proposed Scheme

The application proposes the change of use of The Angel Public House (Sui Generis) to a Place of Worship and a Community Centre (Use Class F1) to be known as the Angel Muslim Centre.

The only external works that would require planning permission is the replacement of an external ground floor door on the western elevation with a window. This would facilitate the internal change of this room from a store room to a WC. This application for planning permission pertains principally to the proposed change of use.

Internal works and external refurbishment and restoration is proposed to this Grade II listed building to facilitate the proposed change of use. For these works the applicant has submitted a concurrent application for listed building consent that is considered under application ref. 6270/APP/2021/3878.

The submitted Design, Access, Sustainability and Planning Statement states that 220 plus people are expected to use the place of worship during Friday (Jummah) prayers for around 60 minutes (1pm - 2pm). For other prayer activities which take place from dawn to approximately 11.30pm, the following number of attendees are expected on a daily basis, including weekends:

- Dawn (Fajr) Prayer - 15 people (10 minute prayer duration)
- Mid-day (Zuhr) Prayer - 50-85 people at approximately 1:30pm (15 minute prayer duration)
- Mid-afternoon (Asr) Prayer - 60-85 people at a time that varies (10 minute prayer duration)
- Sunset (Maghrib) Prayer - 60-85 people at a time that varies (20 minute prayer duration)
- Evening (Isha) Prayer - 75 plus people at a time that varies (20 minute prayer duration)

The applicants, the Haye's Muslim Centre (HMC) state in their Design, Access, Sustainability and Planning Statement that "Due to the changing demographic HMC's congregation continue to increase and the need for a satellite Centre has become paramount. HMC have been trying for almost thirty years to find additional premises...The needs of the community in dealing with social, welfare and educational issues have been increasing, with the community approaching the centre for help, support and advice on issues such as housing, benefits, health, etc."

This submitted document further states that "HMC as a local, charitable organisation, have been actively engaging with the local community over a number of years in the various ways noted below. Such is the strength of that engagement, dedication and commitment of their staff and team of volunteers that their work in building cohesive communities has been recognised nationally". It is intended that development would "operate an open door policy where all are welcome...breaking down stereotypes and

encouraging understanding, through engagement and dialogue".

The submission includes details of the activities that are proposed to take place in the Community Centre, including times and the number of people expected to attend. This range of activities include: weekend kids classes; health and fitness classes; educational events; language classes; prayer facilities; interfaith work; food bank; elderly peoples club; Knit and Knatter; and drop-in surgeries for services such as GP, dietician, legal advice, counselling and a baby clinic.

The classes and clubs anticipated to have the largest number of attendees appears to be for children with 60-80 participants expected daily on weekday evenings, and 50 participants each morning on Saturday and Sunday for homework club and youth clubs. The other classes and groups anticipated during the week range from 15 people for study circles to 50 plus attendees on a Wednesday evening to hear from guest speakers.

Externally it is proposed to provide 11 car parking spaces on the site, including 2 disabled car parking spaces. It is also proposed to provide a sheltered bike store for 10 cycles in the existing attached outbuilding which is to be refurbished. No details have been provided as to the storage and collection of waste and recycling.

The proposed hours of use are indicated on the application form to be from 9.00am to 10.00pm on Monday to Friday, 10.00am to 11.00pm on Saturdays and 10.00am to 10.00pm on Sunday and Bank Holidays. This however does not appear to take into account the proposed prayer times that are outlined in the submitted Design, Access, Sustainability and Planning Statement.

1 full time and 8 part time employee positions would be created, as stated in the application form.

3.3 Relevant Planning History

6270/APP/2015/2454 The Angel Ph, 697 Uxbridge Road Hayes

Partial re-build of single storey flat roof side/rear extension

Decision: 04-12-2015 Approved

6270/APP/2015/2455 The Angel Ph, 697 Uxbridge Road Hayes

Partial re-build of single storey flat roof side/rear extension, re-roofing of rear outbuilding and internal works to bar (Listed Building Consent).

Decision: 04-12-2015 Approved

6270/APP/2019/1772 The Angel Ph, 697 Uxbridge Road Hayes

Installation of CCTV and intruder alarm systems (Application for Listed Building Consent)

Decision: 21-04-2020 Refused

6270/APP/2019/1880 The Angel Ph, 697 Uxbridge Road Hayes

Change of use from Public House (Use Class A4) to Islamic Community Centre (Use Class D1) on the ground floor and House of Multiple Occupation use (Use Class C4) on first and second floors (AMENDED SEPTEMBER 2019 to reduce the internal alterations proposed).

Decision: 17-10-2019 Withdrawn

6270/APP/2019/1881 The Angel Ph, 697 Uxbridge Road Hayes

Change of use from Public House (Use Class A4) to Islamic Community Centre (Use Class D1) on the ground floor and House of Multiple Occupation use (Use Class C4) on first and second floors (Application for Listed Building Consent - AMENDED SEPTEMBER 2019 to reduce the internal alterations proposed).

Decision: 17-10-2019 Withdrawn

6270/APP/2021/3878 The Angel Ph, 697 Uxbridge Road Hayes

Proposed change of use from Public House to Place of Worship and Community Centre with associated internal and external works (Application for Listed Building Consent)

Decision:

Comment on Relevant Planning History

The site has relatively minimal planning history based on its existing lawful use as a Public House with ancillary residential accommodation above.

There is also a Listed Building consent application (ref. 6270/APP/2021/3878) that has been submitted in parallel to this planning application for the internal works and external refurbishment to the Grade II Listed Building.

It is noted that a previous planning application and associated application for listed building consent (refs. 6270/APP/2019/1880 and 6270/APP/2019/1881) were submitted for a similar scheme in June 2019. This proposal was for a change of use from Public House (Use Class A4) to Islamic Community Centre (Use Class D1) on the ground floor and House of Multiple Occupation use (Use Class C4) on first and second floors. These applications however were not formally determined, but were instead withdrawn in October 2019.

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.

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 (2021)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.HE1 (2012) Heritage
PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 2	Listed Buildings
DMHB 15	Planning for Safer Places
DMHB 12	Streets and Public Realm
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 3	Road Safeguarding
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP HC1	(2021) Heritage conservation and growth
LPP D11	(2021) Safety, security and resilience to emergency
LPP S11	(2021) Improving air quality
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D8	(2021) Public realm
LPP HC7	(2021) Protecting public houses
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.5	(2021) Non-residential disabled persons parking
LPP T7	(2021) Deliveries, servicing and construction
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF8	NPPF 2021 - Promoting healthy and safe communities
NPPF4	NPPF 2021 - Decision-Making
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **21st January 2022**

5.2 Site Notice Expiry Date:- **21st January 2022**

6. Consultations

External Consultees

A total of 260 adjoining and nearby neighbouring properties were consulted by letter on 03 December 2021. Site notices were displayed in the vicinity of the site on 29 December 2021. The application was also notified in a press advert on 30 December 2021. The public consultation period expired on 21 January 2022.

Across the two applications for the proposed works (6270/APP/2021/3877 Full Planning Application and 6270/APP/2021/3878 Listed Building Consent) two separate petitions in objection have been received, one comprising 227 valid signatures and the other comprising 71 valid signatures. In addition, individual representations have been received from a total of 277 separate addresses, 153 in objection, 123 in support, and one neutral comment. Comments raised can be summarised as follows.

COMMENTS IN OBJECTION:

Heritage

- i. Harm to listed building/heritage asset
- ii. Loss of Nowell Parr designed internal features
- iii. One of the only listed public houses in the area

Principle/Use

- iv. Object to loss of public house/until the pub closed this was a vibrant viable pub that was a real community asset
- v. Already a community centre nearby
- vi. Plenty of other places of worship/object to use as a place of worship
- vii. Location unsuitable - close to residential housing
- viii. Suggest alternative uses for building - e.g. leisure, sport, health centre, housing etc.
- ix. Don't need additional development
- x. Lack of amenities/infrastructure to support proposed development

Highways/Parking

- xi. Parking issues/insufficient parking/existing uses have high parking demand
- xii. Parking restrictions would be required
- xiii. Congestion/heavily used one way system/lots of large vehicles in the area already
- xiv. Concern about highway safety
- xv. Concerns about restriction of access/obstruction/main emergency service turning point/obstruction of police HQ and prisoner access/obstruction to care home and local residents
- xvi. Unlikely that attendees would use public transport/walk
- xvii. Question findings of Transport Assessment

Amenity and Pollution Impacts

- xviii. Noise and disturbance/noise from bus stop/concern about noise from loudspeakers
- xix. Queuing people could lead to antisocial behaviour, loss of privacy and littering
- xx. Disruption from building work
- xxi. Air pollution as a result of increased traffic

Social Issues and Health

- xxii. Adversely affect residents' and visitors' wellbeing
- xxiii. Concern about covid and number of people using the premises
- xxiv. Predominance of one faith not representative of community/lack of inclusion of other faiths
- xxv. Will not benefit wider community
- xxvi. Lead to chaos/antisocial behaviour/violence

Other

- xxvii. Not overcome previous concerns
- xxviii. Harm to high street/local businesses would lose custom e.g. as a result of parking issues
- xxix. Covenant on building requires the serving of food and drink
- xxx. Construction should be by reputable builders, familiar with heritage assets
- xxxi. Site being used for car storage
- xxxii. Inadequate/unsatisfactory consultation exercise by applicant
- xxxiii. Does not comply with educational strategy
- xxxiv. Concern about potential future uses
- xxxv. Applicant should not have been allowed to submit application again
- xxxvi. Should be another public meeting about this
- xxxvii. Building is too small for proposed uses
- xxxviii. Lack of consultation by Hillingdon Council/no site notices
- xxxix. Wish for application to be considered by the Borough Planning Committee

PLANNING OFFICER COMMENTS

Material planning issues raised above are addressed in the relevant sections of this report. In addition, officers make the following comments:

In relation to points viii and xxxiv, Members are required to consider whether the proposal before them is acceptable in planning terms.

In relation to point xx, had the planning application been recommended for approval, a construction management plan condition would have been included, in order to minimise the impacts of construction as far as reasonably practical.

In relation to points xxvii and xxxv, the previous scheme was not formally determined by the Council as it was withdrawn by the applicant prior to determination. The Council is required to determine the current applications and in the absence of the Council reaching a decision, the applicant would have the right to appeal against non-determination.

Point xxviii is noted, however conversely it could be argued that additional footfall would support local businesses. Taking both these points into account, officers do not consider that the impact on local businesses would be so great as to warrant either a refusal of planning permission or substantial weight in favour of the scheme.

Point xxix is noted, however covenants are not a material planning consideration.

In relation to point xxx, it would be the responsibility of the applicant/building owner to ensure building work is carried out appropriately and without harm to the listed building. The Council has enforcement powers in the event of unauthorised works or harm to the listed building (which would be a criminal offence).

Point xxxi is noted, however any unauthorised use of the site would form a separate enforcement matter and is not material to this planning decision.

Point xxxii is noted, however the Council has conducted its own consultation exercise. The adequacy of the applicant's consultation exercise is not material to this planning decision.

Point xxxiii is noted, however education requirements are considered to fall outside of the remit of planning.

In relation to point xxxvi, the applications are being reported to the Borough Planning Committee (a public meeting) for determination.

In relation to point xxxviii, the Council has exceeded statutory requirements with respect to the public consultation of the applications.

COMMENTS IN SUPPORT:

Highways and Sustainable Access

- i. Would enable worshippers/attendees to walk - current facilities some distance away
- ii. Support sustainable travel modes/proximity to buses - this would support environmental improvement, benefit economy of individual households and improve access
- iii. Improve access to facilities for disabled people
- iv. Parking restrictions can address parking concerns
- v. Assist with reducing traffic in other areas/at other places of worship

Principle/Use

- vi. Need for place of worship
- vii. Need for community centre
- viii. Reduce overcrowding at other facilities
- ix. Peaceful use
- x. Provide for education/need for education centre

Heritage/Design

- xi. Ensure long term preservation of heritage asset
- xii. Nice looking building
- xiii. Since the works are to be carried out to the interior there will be no change to the scale, character, appearance of the area or reduction in privacy to the other properties in the area

Social Issues and Health

- xiv. Provide a hub for the local community/promote social interaction
- xv. Thriving community centre will deter anti-social behaviour and increase surveillance
- xvi. Reflect/support Hillingdon's diversity
- xvii. Much needed space/activity for youths - help to prevent crime and antisocial behaviour
- xviii. Mosque would support/benefit the local Muslim and wider community
- xix. Enable people to pray more frequently/help people practise their faith
- xx. Religion is a protected characteristic under equality law, community would be disadvantaged by a refusal of this application
- xxi. Promote harmony/social inclusion
- xxii. Promote wellbeing

Other

- xxiii. Support regeneration of Hayes End/much needed investment in the local economy
- xxiv. Increase footfall which will support local businesses
- xxv. Bring a derelict site back into use/remove risk of squatters
- xxvi. No harm to trees

PLANNING OFFICER COMMENTS:

Material planning issues raised above are addressed in the relevant sections of this report.

CLLR REPRESENTATIONS:

Objections have been received from four local Ward Cllrs (three Cllrs representing Botwell ward

and one Cllr representing Charville ward). The objections can be summarised as follows:

- i. Inappropriate location
- ii. Inadequate parking/there are small service roads near to this site on both sides of the Uxbridge road, these would quickly fill up taking away the opportunity for local shoppers
- iii. Highway and congestion issues - existing/documented problems in the area already, with large vehicles causing obstruction and vehicles going the wrong way down the road/obstruction issues caused by commercial business on opposite side of Angel Lane/problems compounded by school traffic - proposal would exacerbate existing issues
- iv. Reference should be made to reports made to the Parking Enforcement Team
- v. Residents in Dawson Close and Cranmer Road are being consulted on having permit parking due to existing parking situation/yellow lines have been installed on the bend into Morgan's Lane in view of parking issues
- vi. Increase of traffic in the area during times of worship
- vii. Increased road hazard, including to pedestrians crossing the road
- viii. Residents have been trying to address highway/parking concerns through the Council's Parking Services Team, the Police and through contacting local Councillors - however the problems continue
- ix. A prime example of traffic generation associated with this use is the Mosque in Pump Lane, Hayes, which causes street parking in and around the area and cars parking in Botwell Green leisure centre car park which takes away opportunities for users of the centre
- x. Proximity to care home and issues with blocking access for community transport and emergency vehicles
- xi. Question parking and highway assumptions in the applicant's submission
- xii. Despite proximity to bus route, many attendees will travel using their own vehicle
- xiii. Botwell Councillors have no objections to places of worship, whatever religion but this application would not sit well with us or local residents who are rightly concerned
- xiv. The reference in the Design, Access, Sustainability and Planning Statement (submitted with the application) to Councillor surgeries on page 9, item 1.7, is not known to Botwell Councillors - Botwell Councillors have not been approached by the organisation to hold Councillor surgeries as part of their programme offer
- xv. Increased traffic and resultant negative impact on air quality
- xvi. Noise and disturbance - including impact on nearby care home and nearby home for residents with special needs
- xvii. Concern about queues forming outside the building in front of residential properties
- xviii. Grade II listing/unique listing would hinder adaptations
- xix. Concern about upkeep of the listed building and building owner's duty of care

PLANNING OFFICER COMMENTS:

Material planning issues raised above are addressed in the relevant sections of this report.

Internal Consultees

CONSERVATION AND DESIGN OFFICER

The proposed change of use and works would result in less than substantial harm to the heritage asset. Paragraph 202 of the National Planning Policy Framework (NPPF, 2021) would be relevant.

In any instance it is recognised that opportunities to enhance the significance of the Listed Building are being proposed as part of the scope of works, providing some heritage benefit in terms of the longevity of the building.

In determining this application, duties under sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would need to be considered by the decision maker Conclusion: Amendments and further information required.

PLANNING OFFICER RESPONSE: These comments are noted. It is recognised that the principal works to this Grade II listed building are internal with some external restoration and refurbishment. Consequently these proposals are subject to an application for Listed Building Consent, and thus are addressed more fully in the associated application ref. 6270/APP/2021/3878. Nevertheless, the heritage impacts of this proposal are considered in Section 7.03 of this report.

TRANSPORT OFFICER (objects, refusal)

The Council's Transport Officer has reviewed the proposal and submitted transport documents. Highway objections to this proposal have been raised as it would not be in accordance with the published London Plan (2021) Policy T2 'Healthy Streets' which requires that "development proposals should reduce the dominance of vehicles on London's streets whether stationary or moving" and Policy T4 'Assessing and mitigating transport impacts' which requires that "development proposals should not increase road danger".

PLANNING OFFICER RESPONSE: The summarised objections raised by the Council's Transport Officer are supported, and are discussed more fully in Section 7.10 of this report.

AIR QUALITY CONSULTANT (objects, refusal)

The proposed development is located within the LBH Air Quality Management area (AQMA), and within LBH Uxbridge Road Focus Area, bringing additional traffic emissions which will add to current likely exceedances. Proposals are required to improve air quality within Focus Areas and should be air quality neutral for transport emissions.

The development is not Air Quality Neutral and further action is required to reduce emissions to acceptable levels. The proposal does not include suitable mitigation measures to remove the emissions associated with the operation of the proposal and therefore is contrary to local, regional, and national policies.

PLANNING OFFICER RESPONSE: The summarised objections raised by the Council's Air Quality consultant are supported, and are discussed more fully in Section 7.18 of this report.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

LOSS OF AND REPROVISION OF SOCIAL / COMMUNITY INFRASTRUCTURE

Policy Context

Section 8 of the National Planning Policy Framework (2021) seeks to promote healthy and safe communities. Paragraph 93 recognises the importance of public houses and places of worship as community facilities that enhance the sustainability of communities and residential environments. In this regard the NPPF seeks to support the provision of facilities and services that benefit communities, and to guard against the unnecessary loss of valued facilities and services.

This is supported by Policy S1 of the London Plan (2021) which supports the provision of "high quality, inclusive social infrastructure that addresses a local or strategic need" and resists "the loss of social infrastructure in an area of defined need as identified in the borough's social infrastructure needs assessment" unless "there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community".

At the local level, Policies CI1 and CI2 of Hillingdon's Local Plan Part 1 - Strategic Policies (2012) also provides the strategic context that the Council will support the retention of existing community and leisure facilities, ensuring that development proposals will not

result in the loss of existing leisure and community facilities unless satisfactory alternative provision is made or it can be demonstrated that the asset is no longer needed.

Policy DMCI 1 of Hillingdon's Local Plan Part 2 - 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.

Policy DMCI 2 of Hillingdon's Local Plan Part 2 - Development Management Policies (2020) supports the refurbishment and re-use of existing premises for new community facilities.

Assessment

In general policy terms the provision of a place of worship and community centre, as social infrastructure, is supported in principle subject to compliance with all other planning policy considerations. This includes the refurbishment and re-use of existing premises for community facilities, as specified by Policy DMCI 2 of Hillingdon's Local Plan Part 2 - Development Management Policies (2020).

In terms of the loss of social infrastructure, the lawful permitted use of the site is as a public house which the applicant has stated The Angel public house closed its doors on 26th September 2018, with the purchase of the pub completed on 14th January 2019. For the purposes of planning policy, public houses are identified as a community use both in the Council's Local Plan Part 2 Policy DMCI 1 'Retention of Existing Community Facilities' and in the National Planning Policy Framework (paragraph 93). As stated above, Policy DMCI 1 requires that proposals involving the loss of an existing community facility demonstrate that the specific use is no longer required including evidence that the proposal will not result in a shortfall in provision for the specific use within the local catchment area.

The applicant has submitted some evidence in the Design, Access, Sustainability and Planning Statement demonstrating the alternative provision of operating public houses within the local area that are within a 1-mile radius of the site. This list names six pubs, including two pubs within 5 minutes-walk of the site, including the Wishing Well which is almost directly opposite. This demonstrates alternative provision of the public house use within an accessible walking distance of the site, and with commensurate offering of activities and facilities as the former The Angel public house.

If it can be demonstrated that alternative provision is available for the specified use, then Policy DMCI 1 indicates that consideration should be given to another suitable social infrastructure use on the site. The proposed development would fall within the definition of an alternative community/ social use as a place for religious worship and assembly for community use, and would provide a notable public benefit.

Consequently, the loss of the public house use would be generally compliant with Policy DMCI 1 of Hillingdon's Local Plan Part 2 - Development Management Policies (2020).

However, the London Plan (2021) seeks to protect the loss of public houses, recognising their "unique and intrinsic part of British culture". Therefore while the principle of the provision of place of worship and community centre is acceptable in principle, the principle of the loss of the public house needs to be considered under the relevant London Plan policy.

LOSS OF THE PUBLIC HOUSE

Policy HC7 of the London Plan (2021) states that planning decisions "should protect public houses where they have a heritage, economic, social or cultural value to local communities, or where they contribute to wider policy objectives for town centres, night-time economy areas, Cultural Quarters and Creative Enterprise Zones".

In addition Policy HC7 states that "applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future".

Given that The Angel Public House is a Grade II listed building it is evident that this former pub has at least heritage value. In determining whether there is no realistic prospect of the listed building being used as a pub in the foreseeable future, Paragraph 7.7.7 of the London Plan (2021) clarifies that the 'authoritative marketing evidence' should provide "proof that all reasonable measures have been taken to market the pub to other potential operators.

The pub should have been marketed as a pub for at least 24 months at an agreed price following an independent valuation, and in a condition that allows the property to continue functioning as a pub. The business should have been offered for sale locally and London-wide in appropriate publications and through relevant specialised agents".

The applicant has stated within their submission documents that marketing of the site for a public house use has been carried out. However, robust evidence has not been submitted in support of the application to demonstrate authoritatively that there is no realistic prospect of the listed building being brought back into a viable use as a pub in the foreseeable future. As such the principle of the loss of the public house use is unacceptable, contrary to Policy HC7 of the London Plan (2021) and Section 8 of the NPPF (2021).

7.02 Density of the proposed development

Not applicable to the determination of this application.

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

POLICY CONTEXT

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that the Local Planning Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 16 of the NPPF (2021) states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 199).'

Paragraph 202 of the NPPF (2021) 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.'

Paragraph 208 of the NPPF (2021) requires that '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 (2021) Policy HC1 (Heritage conservation and growth) criterion C, states: 'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.'

Policy HE1 (Heritage) 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 (Heritage) of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) seeks to ensure that development proposals avoid harm to the historic environment.

This is supported by policy DMHB 2 (Listed Buildings) which states:

'A) Applications for Listed Building Consent and planning permission to alter, extend, or change the use of a statutorily Listed Building will only be permitted if they are considered to retain its significance and value and are appropriate in terms of the fabric, historic integrity, spatial quality, and layout of the building. Any additions or alterations to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship

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

ASSESSMENT

The application proposes the change of use of The Angel Public House (Sui Generis) to a Place of Worship (Use Class F1) and Community Centre (Use Class F2).

The existing application site although currently vacant is occupied by a two-storey public house which has been afforded national heritage status. The building is Grade II listed and the Historic England designation makes reference to the following key characteristics:

- Architectural quality: a subtly distinguished, Arts and Crafts-influenced design by one of the leading pub architects of the early/mid-C20;
- Planning interest: the compartmental plan marks the diversification and careful separation of functions typical of the 'improved' or 'reformed' public house;
- Intactness: the building is very well preserved both within and without, with the original

1920s interior - including rare features like the off-sales compartment and manager's office - surviving exceptionally well.

The proposed development would seek to make internal alterations and restorations to the listed building to support the proposed change of use. Having regard to the nature of the building and its heritage status, the proposed alterations to the building are generally limited to internal changes, however there are a number of external restoration and refurbishment works that are also required.

In terms of external works that would specifically require planning permission it is proposed to replace an existing door on the ground floor western elevation with a window to change this existing store into an accessible WC. While there is no objection to the use of this room as a WC, the loss of the external door would not be supported. Rather the door would need to be retained and fixed shut externally.

A Heritage Statement has been submitted in support of the application which outlines the proposed works subject to the listed building consent application, and has been appraised by the Council's Heritage Officer.

The submission includes insufficient details regarding a considerable number of items and requires amendments, such as the retention of the external store door referred to above. Other amendments considered to be required include - but are not limited to - the existing men's urinals on the ground floor should be retained in situ; the reinstatement of windows shown on elevations that have presumably been omitted in error on proposed elevations; the retention of existing sideboard and fitted cupboards within the former kitchen; alterations to the methods of cleaning masonry and mortar restoration.

In addition to this there are a number of concerns where further details are required to determine acceptability of the proposed works. For example, a schedule of doors to be removed and installed is required; details of the proposed opening up works required for the creation of the reception counter; details of the opening up works to alter the wall between the existing bedroom 2 and bathroom; confirmation as to whether the fireplace surround in bedroom 2 is to be retained; and a full schedule of the windows including a condition survey of each individual window.

It is recognised that planning permission is technically only required for the proposed external alterations. However, in light of the fact that the proposed replacement of the external door with a window would not be supported in heritage terms, and that the change of use would be facilitated by the internal alterations, it is appropriate to consider the proposals as a whole.

It is acknowledged that the Heritage Officer has advised that the harm from the proposed works would likely be 'less than substantial' in NPPF terms. However, planning officers need to make a balanced judgement of the harms, public benefits and ensuring the longevity of the building. As has been discussed with respect to the principle of the development (Section 7.01 of this report), the loss of the public house cannot be supported due to the lack of marketing evidence submitted. Planning officers therefore have concerns that the lack of detail and inaccurate plans do not allow for an adequate, accurate assessment of the proposed works and the precise level of harm to carry out the planning balance.

As currently proposed there is insufficient heritage information and marketing information to determine if the 'less than substantial harm' is outweighed by the public benefits of the scheme, including whether the proposed use is the optimal viable use pursuant to

paragraph 202 of the NPPF (2021).

In addition, if the proposed use is considered an enabling development there is insufficient information to determine whether the benefits of the 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' pursuant to paragraph 208 of the NPPF (2021).

Based on the above considerations, the proposal is considered contrary to Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); Policy DMHB 1 and DMHB 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy HC1 of the London Plan (2021) and the National Planning Policy Framework (2021).

7.04 Airport safeguarding

Not applicable to the determination of the application.

7.05 Impact on the green belt

Not applicable to the determination of the application.

7.07 Impact on the character & appearance of the area

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings. Parts b) and c) of paragraph 130 of the NPPF (2021) states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be a high quality and to enhance the local context and be delivering buildings and spaces that positively respond to local distinctiveness.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that development should be well integrated with the surrounding area.

The only external alterations proposed that would require planning permission is the replacement of a ground floor door with a window on the western elevation. This would facilitate the alteration of this room from a store to a WC. The Council's Heritage Officer has identified this alteration as unacceptable. Instead the door should be retained and fixed shut externally. There are no objections from a heritage perspective for this door to be protected and covered over internally to facilitate the use of the room as an accessible WC. If the application had otherwise been acceptable revised drawings would have been sought from the applicant.

The internal alterations and external restoration and refurbishment, while facilitating the proposed change of use, are principally subject to the parallel application for listed building consent (ref. 6270/APP/2021/3878).

Notwithstanding the unacceptability from a heritage perspective of the proposed window

to replace the external door, given that only minimal changes are proposed to the building exterior the impact of the proposals on the character and appearance of the area are considered generally acceptable and in accordance with the aforementioned planning policies.

Heritage impacts are considered in Section 7.03 of this report.

Landscaping is considered in Section 7.14 of this report.

7.08 Impact on neighbours

Part B of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that "development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space".

There are no extensions proposed to the existing building. Therefore there would not be any adverse amenity impact in terms of loss of outlook, overshadowing or loss of outlook to neighbouring residences.

In terms of the proposed use of the upper floors of the building there would not be any significant impact on overlooking or loss of privacy beyond the pre-existing site circumstances when the building was in use as a public house.

The most likely affected residential neighbours in terms of potential overlooking are the terraced houses to the rear of the site on Angel Lane, with No. 2 Angel Lane being the closest dwelling. The two first floor windows on the rear elevation of the building served a kitchen and bedroom as a public house, with an external staircase from a corridor off the kitchen. In the proposed scheme the kitchen with external access would remain unchanged, and the window which formally served a bedroom would instead serve a classroom / training / function room. Taking into account that the separation distance between these windows and the shared boundary with No. 2 Angel Lane is approximately 18.8 metres, there would not be any material loss of privacy for the occupiers of the dwellings in Angel Lane. If the application had been recommended for approval, a condition may have been included requiring details of a sympathetically designed privacy screening to the platform of the external stairs to mitigate any real or perceived loss of privacy to the gardens on Angel Lane.

All other upper floor windows would either overlook the highway (Angel Lane to the east and the Uxbridge Road to the north) or would serve non-habitable rooms such as WCs (on the western elevation).

As such, it is considered that the proposal, in so far as the impact of the built form, complies with the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020).

However, the potential impacts on neighbouring residential amenity from noise and disturbance is discussed in Section 7.18 of this report. In this respect it is considered that there would be harm to neighbouring residential amenity, and the application should therefore be refused.

7.09 Living conditions for future occupiers

Not applicable to the determination of this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

POLICY CONTEXT

Paragraph 111 of the NPPF (2021) states that development should only be prevented or

refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

London Plan (2021) Policies T1- T6, seek to promote sustainable modes of transport, encourage the effective use of land, reduce car dominance and be integrated with current and planned transport access, capacity and connectivity, and ensure that the impacts of proposals are fully assessed and do not increase road danger.

On a local scale 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. Development proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 6 states that A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

THE PROPOSAL

Planning permission is sought to change the use of the currently vacant Angel Public House to a Place of Worship and Community Centre. The Centre would be open 7 days a week, as well as being a Place of Worship it would host community activities including Children's Classes, a drop in Health and Fitness Surgery, a Youth Club and Study Circles for both men and women.

The development would have 11no. car parking spaces, 2no. of which would be blue badge accessible disabled parking. Two car parking spaces would be provided with active electric vehicle charge points with the remainder having passive provision. There would be an access into the proposal site from both Uxbridge Road A4020 and Angel Lane. In addition, there would be 10no. cycle parking spaces with showers/changing facilities. The proposal would not have a formal drop off/pick up facility.

SITE CHARACTERISTICS AND BACKGROUND

The proposal site is located on the corner of the Uxbridge Road and Angel Lane, both of which make up part of Hillingdon's Classified Road Network. Within the vicinity of the site the Uxbridge Road is subject to a 40mph speed restriction and benefits from pedestrian footways, street lighting and hazard warning centrelines.

Uxbridge Road is a busy dual carriageway which runs east-west connecting Uxbridge with Shepherds Bush. The westbound and eastbound lanes are separated by a central reservation with pedestrian guard rails, these are a road safety facility provided to stop people from attempting to cross the road. Just in front of the proposal site is a two-stage signalised pedestrian crossing. An informal crossing with dropped kerb and tactile paving has been provided across Angel Lane just back from where it intersects with Uxbridge Road.

Angel Lane forms the eastern boundary of the site and is subject to a 30mph speed restriction and a camera enforced 7.5 tonne weight restriction. This was provided in response to high numbers of heavy goods vehicles using this narrow mostly residential road. Angel Lane operates one-way only from Uxbridge Road towards the Wood End Green Road/Kingsway/Morgan's Lane roundabout junction. Angel Lane benefits from pedestrian footways and street lighting.

Public Transport and Cycling

Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access to public transport. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. The application site has a PTAL ranking of 3 indicating that access to public transport is 'moderate' compared to London as a whole.

London Cycle Network Route 39 follows the Uxbridge Road parts of which are on-street, part off-street. Outside the proposal site itself, there is a missing gap in the cycle route.

The nearest bus stops along the Uxbridge Road are within walking distance of the proposal site with services to Acton High Street, Uxbridge, White City, Hounslow Bus Station and Hayes End. Two term-time only school services also call at these stops. Bus stops are also located further away on the Kingsway.

Parking Restrictions

Many of the streets surrounding the site have parking restrictions. Immediately outside the proposal site on the southern side of the Uxbridge Road there is a single yellow line parking restriction (Monday - Friday 08:00 to 18:30h).

On-street unrestricted parking is available some 45 metres away to the west. East of the proposal site is a small layby with space for 3no. cars. Parking on Angel Lane is also restricted 08:00 to 18:30h.

As recently as September 2021 the Cabinet Member for Public Safety and Transport heard a petition from residents concerned about parking stress along Dawson Close. Dawson Close is a road east of and parallel to Angel Lane. Whilst there is no vehicle access onto Uxbridge Road, footpath H21 provides pedestrian access. At this petition hearing the Cabinet Member instructed officers to add Dawson Close to the list of roads where residents are to be informally consulted on the potential introduction of a residents parking management scheme. Given footpath H21 would provide convenient access to the proposal it is anticipated that some visitors to the proposed scheme would park on Dawson Close which would further worsen existing parking pressures.

TRIP GENERATION, PARKING PROVISION AND HIGHWAY SAFETY

As has been noted above, the development is proposed to have 11no. car parking spaces, inclusive of 2no. which would be blue badge accessible disabled parking. Two of these car parking spaces would be provided with active electric vehicle charge points with the remainder having passive provision.

Planning law requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The published London Plan (2021) is silent on parking standards for Places of Worship. Therefore, the Highway Authority has referred to The Hillingdon Local Plan: Part 2 Development Management Policies Policy DMT 6: Vehicle Parking.

The standards in Policy DMT 6 require that parking provision is assessed on an "individual basis using a transport assessment and travel plan". The Council's Transport Officer, representing the Council as the Highway Authority, has therefore determined the parking requirement based on the submitted documents titled 'Transport Statement Proposed

Change of Use to Muslim Community Centre, March 2021' and the 'Technical Note August 2021'.

Trip Generation

To determine the net traffic impact the development would have on the surrounding road network the applicant has calculated trip generation for the site on its former use as a Public House and compared this to the anticipated trip generation with the site in use as a Place of Worship and Community Centre. The former Public House would generate c.25 two-way vehicle trips in the PM Peak hour. There would be none in the AM Peak as the Public House would not be open.

The applicant has provided a schedule of the activities with the forecast number of people that would attend with the site in its proposed use. Most community activities start after 10:00h by which time the AM Peak would have subsided.

However, the proposal site would be busy during the weekday PM Peak 17:00 to 19:00h when c.60 to 80no. students would attend Children's Classes. The Highway Authority anticipates that some of these students would arrive by car and be dropped off. However, some parents/guardians may park and wait in the Centre until the classes have finished.

The community use of the site would also be busy weekday evenings when c.100 attendees would be present. Whilst the PM Peak would have ended it should be borne in mind that most people living in the vicinity of the site would have returned home from work. This is the time when the availability of on-street car parking is most limited.

At the same time as the site is hosting community activities it would also be available for prayer. The busiest period overall would be on Fridays for Friday Prayer (Jumma) between 13:00 to 14:00h when over 220no. people are expected to attend.

To forecast how people would travel to the site the applicant has referred to the TRICS database and the provided trip information for the Cranford Mosque, Hounslow. The Hounslow site is broadly similar in transport terms to the proposal site. It has a PTAL ranking of 3 though it does provide slightly more car parking both in total number and ratio of spaces to floor area. The Cranford Mosque provides 17no. spaces compared to the proposed 11no. for the application site. The number of spaces per 100sqm of the Cranford Mosque site is 2.6 where at the proposal site it is 1.5.

According to TRICS, the mode split for the Cranford Mosque site is 15.9% driver only private car and 15.6% multi occupancy private car - a driver plus passengers. On the basis that multi-occupancy private cars carry one passenger, Friday Prayer (Jumma) would generate 52no. car trips, upon arrival all would then need somewhere to park. As mentioned above the proposal would have 11no. car parking spaces meaning 42no. cars would be displaced on-street. Forty-two cars parked in a line would measure c.250m in length.

Parking Capacity in Surrounding Streets

To determine whether there is capacity on the surrounding streets to cater for the parking needs of the proposal the results of a Lambeth Methodology - Commercial Use car parking survey have been provided. There are arithmetic errors in the applicant's submitted report, as such some of the results are technically invalid. Nevertheless, the Lambeth Methodology is the "industry standard" way of assessing car parking stress.

Lambeth Methodology - Commercial Use parking surveys should cover an area within 500m walking distance (or a 5-minute walk) of a site and should be carried out on two separate days. The submitted survey was undertaken on a Friday afternoon between 11:00 and 14:00h - the time of Friday Prayer (Jumma) when the proposal would generate the highest number of trips overall. However, as the survey was carried out on one day only, the level of confidence that can be afforded to the results is diminished.

The survey was also based on the 500m walking distance threshold as opposed to the 5-minute walk. Using the 500m threshold provides a larger survey area and therefore includes more car parking spaces. The 5-minute walk threshold provides a smaller survey area given the time it would take to cross the busy Uxbridge Road. Whilst there is a pedestrian crossing outside the former Angel Public House, this is a two-stage crossing which necessitates pedestrians having to wait twice for a green signal before they can cross. Visitors would be dissuaded from parking on the opposite side of the Uxbridge Road mindful of the inconvenience of crossing it. This may result in people cruising around looking for somewhere to park on the proposal site side of the Uxbridge Road and/or them parking injudiciously.

Based on 500m walking distance the survey showed there are 614no. on-street unrestricted car parking spaces available of which 290no. were occupied. This would leave 324no. spaces vacant for visitors to the proposed development to use. However, if roads on the other side of the Uxbridge Road and those with 85% parking stress are removed, then the actual supply of on-street parking is much less.

Furthermore, it should be considered that on-street parking a 5-minute walk away may not be suitable for all visitors to use. For example, some people arriving by car may be disabled or frail and not able to walk very far. Others may be carrying heavy bags or pushing a buggy which would also make a 5-minute walking trip difficult and unattractive. This would incentivise some people to cruise around looking for somewhere to park and/or parking injudiciously. Other people may drive to the proposal site to drop their passengers off, possibly stopping in the middle of the carriageway which would present a risk to road safety and impede the free flow of traffic. This would be contrary to the published London Plan (2021) policy T4 'Assessing and mitigating transport impact' which requires that development proposals do not "increase road danger".

As mentioned above, approximately 100 people would be attending the proposed development on weekday evenings. Using the same modal split as applied to Friday Prayers (Jumma) this would suggest c.24no. cars trips would be generated. This would be at a time when on-street parking demand is at its greatest, as most people would have returned home from work and parked. The applicant has not provided any parking survey information to show that these c.24no. cars could park on-street without leading to parking stress.

As mentioned above, the proposal would provide just 11no. car parking spaces. As such the proposal would be dependent on people that arrive by car being able to park on-street nearby. However, this is contrary to Policy T2 'Healthy Streets' of the published London Plan (2021) which requires that development "proposals should reduce the dominance of vehicles on London's streets whether stationary or moving".

There are significant concerns that the displacement of parking on-street would result in pavement parking, obstruction of driveways and accesses, hindrance to larger delivery and refuse freighters, damage to soft landscaping and footways, and cluttered, unsightly streets. It can even cause tension between residents and visitors. Parking stress presents a risk to the road safety of all road users particularly cyclists and pedestrians as sight lines

can become blocked.

Travel Plan

In the absence of on-site car parking, developers can produce and implement Travel Plans. Successful Travel Plans help reduce the amount of driver-only private car trips the proposal would generate, and in turn the demand for parking.

A Travel Plan has been submitted alongside the planning application which has been assessed by the Highway Authority. The Travel Plan contains a target to increase the expected number of people that walk, cycle or travel by bus from 70% to 75% and reduce the corresponding number that drive from 30% to 25%.

However, the measures that would be put in place to achieve these targets are considered ineffective, with the emphasis on awareness raising and promotion. To be successful a Travel Plan should offer irresistible incentives to walk, cycle or use public transport and penalties for those that resort to driving.

Active Travel Zone and Healthy Streets

A Transport Statement has been submitted alongside the planning application which includes an Active Travel Zone assessment (ATZ). Four routes to the proposal site have been identified. The walking and cycling environment along these routes have been reviewed against each Healthy Streets Indicator and areas for improvements identified.

The delivery of works to improve the safety and convenience of walking and cycling along these routes would help reduce reliance on the private car as a means of travel to the proposal site and in turn reduce the demand for on-street parking.

To help mitigate the transport impacts of the proposal, if the application had otherwise been acceptable, a s.106 agreement would be required to secure funds for the works identified in the submitted ATZ. Specifically, these works are to improve the two subways under the Uxbridge Road, street trees and benches. In addition, it would be required that the applicant fund the provision of one Santander Bike Hire docking station with bicycles.

The Highway Authority would require the applicant to enter a s.106 legal agreement of the 1990 Town and Country Planning Act obliging them to fund the delivery of these works and the docking station.

OTHER MATTERS

If this planning application had otherwise been acceptable then planning conditions would have been recommended, and considered appropriate to secure the following:

- i. Provision of active Electric Vehicle Charging points at 20% of all parking spaces with all the remainder having passive provision.
- ii. Submission of a Car Parking Management Plan for approval.
- iii. Submission of a Construction Logistics Plan for approval.
- iv. Submission of a Service and Delivery Plan for approval.

The following heads of terms would also have been recommended to be secured in a s106 agreement pursuant to the Town and Country Planning Act 1990 (as amended):

- v. The developer would fund subway improvements and the provision of street trees,

benches and a Santander Bike Hire docking station with bicycles.

vi. The implementation and monitoring of an approved Travel Plan, including any costs associated with monitoring.

vii. The developer to fund the installation of localised parking restrictions and/or a Residents Parking Management Scheme should the proposal give rise to parking stress.

Provision vii is in recognition that parts of the surrounding road network is unprotected in terms of waiting restrictions. As detailed in the above assessment it is anticipated that there will be parking displacement from the site onto the highway. In the event that this application is allowed, to help mitigate against this and the undesirable impacts it would have, a financial contribution would be sought via a s.106 legal agreement. This would fund the installation of localised parking restrictions and/or a Residents Parking Management Scheme should the proposal result in parking stress following substantive use of the development. Any unused or residual monies would be returned by-way of the above legal mechanism within a mutually agreed timescale.

However, in the absence of a s106 agreement to assist in mitigating the impacts of the development and make the proposal acceptable in planning terms, it is recommended that the application is refused. The absence of a s106 agreement therefore forms a separate reason for refusal.

HIGHWAYS IMPACT CONCLUSION

Taking the above into consideration officers consider that the proposed development would give rise to unacceptable harm to the highways network by virtue of the increased demand for on street car parking and the resultant impacts this would have on the free-flow of traffic and the safety of all highway users - pedestrians, cyclists and vehicle occupants. Officers are cognisant of the additional information submitted as part of the proposal since the previously withdrawn application. Nevertheless, the applicant has failed to adequately demonstrate that there would be adequate on street capacity taking into consideration the large influx of users of the site during peak times for Friday prayers and mid week community activities.

Additionally, the submitted travel plan does not provide adequate information pertaining to tangible incentives for users of the site to travel to and from the site using sustainable modes of transport to meaningfully reduce the dependence on private motor vehicle. Given the moderate PTAL level of 3 it is reasonable to assume that there would be greater incentives for people travelling further distances to do so via. private car which is contrary to London Plan and Local Plan policies which seek to reduce congestion.

Whilst it is acknowledged that there could be some scope to overcome some of the concerns and objections by way of a legal agreement and robust appropriately worded conditions. Officers give due regard to the potential for up to 220 attendees to access the site during peak hours and consider it incumbent upon the applicant to provide the Local Planning Authority with sufficient details with a proper methodology up front. In the absence of this and owing to the information presently assessed, officers consider there to be substantial weight to the objections presented by Highways officers and therefore consider the proposed development unacceptable and recommend refusal.

7.11 Urban design, access and security

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. The London Plan also states that development should include measures to design out crime and that borough's should work with the Metropolitan Police 'Design Out Crime Officers'.

The Metropolitan Police have not been consulted on this application. However, it is noted that they were consulted on the withdrawn application for a similar scheme (ref. 6270/APP/2019/1880) and provided comments stating that they have no objection to the proposed scheme.

Whilst the Metropolitan Police would normally recommend a Secure By Design condition they were aware in the previous application that it is unlikely that the certification could be achieved given the listed status of the building.

Additional comments were also provided regarding appropriate safety considerations. These comments noted that the current design of the car park is poor and prone to crime. It was recommended that the car park is secured by 2.1m high boundary treatment. This is noted and if the application had otherwise been acceptable a condition would have been attached requiring the details of boundary treatment and other such design measures that provide security to the car park, while ensuring pedestrian visibility sight lines are maintained and that the impact on the setting of the listed building is acceptable.

Taking into account the listed status of the existing building, on balance it is considered acceptable not to require the development to achieve Secured by Design Accreditation and that the car park could be sympathetically designed to be secure, subject to a details condition.

It is noted that concerns have been raised in public consultation with the potential for anti-social behaviour as a result of the development and the influx of people. While planning officers consider how the built development can be physically configured, particularly in layout, to 'design out crime', anti-social behaviour is not a specific material planning consideration and is best dealt with by law enforcement and other community services.

It is also noted in Section 3.2 of this report that the development will in part provide community engagement and outreach work to the young, elderly and vulnerable with the aims to provide cohesive communities, where all are welcome at the proposed centre.

Nevertheless, if this application had otherwise been acceptable a condition would have been attached requiring a management plan for the site, albeit principally to address related amenity issues with the significant numbers of people visiting the site at any given time.

7.12 Disabled access

Policy D5 of the London Plan (2021) seeks to ensure development proposals achieve the highest standards of accessible and inclusive design.

The existing building appears to have relatively level access from street level to its main entrances. Accessible WCs compliant with Approved Document Part M would also be provided. It is also noted that the submitted 'Design, Access, Sustainability & Planning Statement' states that "provision to be made at Ground floor level, for any facility or programme that is otherwise not accessible at 1st floor level". Two of the eleven vehicle parking spaces would also be blue badge accessible.

At the time that this committee report was published comments had not yet been obtained from the Council's Access Officer. Nevertheless it is recognised that the Access Officer did not raise any objections to the previously withdrawn application, which is similar. Therefore it is unlikely that objections would be raised. Any comments received before planning committee will be reported in the Addendum Report.

Taking into account the above, and in recognition that there is a fine balance between

retrofitting accessible adaptations to a statutory listed building and preserving its historic fabric, on balance the proposal is considered generally compliant with the aims of Policy D5 of the London Plan (2021).

7.13 Provision of affordable & special needs housing

Not applicable to the determination of this application.

7.14 Trees, landscaping and Ecology

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that landscaping and tree planting should enhance amenity, biodiversity and green infrastructure.

This is supported by Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which states:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The existing site contains no landscape features of note or worthy of retention. No alterations to the existing hard landscaping is proposed, with the exception of marking out the vehicle parking layout on site.

Nevertheless, the site contains a Grade II listed building. A well-considered landscaping scheme that introduces meaningful planting and soft landscaping would significantly enhance the setting of this listed building and improve the amenity and biodiversity values in this location that is deficient in green infrastructure.

Had the application been otherwise acceptable, indicative landscaping plans may have been sought and a condition added to secure a comprehensive landscaping scheme within the application site. Subject to such a condition the proposal is considered in accordance with the aforementioned policies above.

7.15 Sustainable waste management

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

No details have been provided on the submitted drawings or documents of the proposed refuse and recycling storage and collection arrangements. It is noted that the Transport Statement states that "servicing of the Centre will occur within the site and is considered to be in line with the previous servicing of the Public House" (p.50). However, no further details have been provided as to these arrangements for waste and recycling management.

The Council's Waste Management Officer was consulted on the previously withdrawn application (ref. 6270/2019/1880) and advised that Community Centres and Places of Worship are considered as Household Waste under the Waste Regulations 2012 and therefore, the same standards applied to residential properties would be required. This

includes the requirement that the bins would need to be fully accessible between the hours of 6am and 5pm.

In the previous application, the Council's Waste Management Officer noted that under the public house use the car park was vacant for much of the day during the week. However, based on the hours of use detailed in the submitted documents and the expected number of vehicles, concern was previously raised regarding access issues for a Refuse Collection Vehicle to enter the site and stop within 10 metres of the bin store and then turn around within site and leave. This was particularly noted as there is currently a height barrier preventing the vehicle leaving via Angel Lane.

Consequently the Council's Waste Management Officer previously recommended that the applicant adjust the parking layout to accommodate the bins being placed closer to the kerbside. As has been noted, no details have been submitted as to the proposed storage, screening and collection arrangements for waste and recycling management. Nevertheless, there appears to be capacity within the site to accommodate provision.

Had this application been recommended for approval further details would have been requested or a Servicing Management Plan condition be recommended to be attached to any grant of planning consent.

As such, subject to the above the proposal could be amended or conditioned so as to be in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies.

7.16 Renewable energy / Sustainability

The application is for a change of use of an existing building and is below the threshold of a major planning application. Therefore Policy SI 2 of the London Plan, which pertains to minimising greenhouse gas emissions through renewable energy strategies, is not applicable to this scale of development.

However, it is noted that at the local level Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.

No details have been submitted to demonstrate how the proposed development would incorporate sustainability measures. However, it is recognised that the fundamental building works involve internal alterations to an existing building and the exterior refurbished, which would somewhat limit opportunities to incorporate sustainability measures in the construction. These opportunities would be further restricted by the need to limit interventions to the historic fabric of this listed building and preserve its heritage values.

Nevertheless, if this application had otherwise been acceptable a condition would have been included requiring the submission of a sustainability statement, demonstrating what measures could be taken within the confines of any listed building consent to minimise carbon dioxide emissions. This could include measures such as the use of sustainable materials, sustainable waste management, minimising energy consumption and transport considerations (both during construction and operation). Subject to such a condition the application would be considered compliant with Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.17 Flooding or Drainage Issues

No flood risk assessment was required to be submitted with this application. The site is not located within Flood Zones 2, 3a or 3b, and is not in an area identified as a critical

drainage area or susceptible to flooding. The proposal is also to convert an existing building with no additional built development. The proposal would also not introduce a more sensitive use to the site. Therefore there are no flooding or drainage concerns that are applicable to this application.

The proposed development would therefore not increase the risk of flooding on the site or elsewhere in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

7.18 Noise or Air Quality Issues

NOISE IMPACTS

Policy D13 of the London Plan (2021) concerns the Agent of Change principle. This principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.

The proposed use as a place of worship and community centre is not considered a noise-sensitive development, particularly given the surrounding more noise-sensitive residential uses. There are no unusual noise-generating activities (e.g., industrial uses) adjacent to the site that would create any additional noise attenuation to the building so as not to unduly prejudice any adjacent noise-generating activities. The proposal would therefore be compliant with Policy D13 of the London Plan.

Policy D14 of the London Plan also seeks to mitigate and minimise the existing and potential adverse impacts of noise and improve and enhance the acoustic environment.

There are significant concerns that the proposed change of use would result in harmful noise and disturbance to adjacent residential occupiers. The times and days of proposed activities and the expected numbers of attendees at the site are detailed in the submitted Design, Access, Sustainability and Planning Statement (DASS) and summarised in Section 3.2 of this report.

These numbers range from 15 to over 220 attendees. Contrary to the submitted application form the DASS details that the site would be open from dawn until 11.30pm in the evenings every day of the week, including bank holidays. This is a significant number of people visiting the site on any given day.

The site is not located within a town centre, and while it is recognised that Uxbridge Road is characterised by mixed-use commercial and residential uses, the immediately adjacent streets where people would be driving to find parking is residential. As has been detailed with respect to highway impacts (Section 7.10 of this report) visitors would be dependent on obtaining car parking spaces adjacent to the site, resulting in traffic congestion, cruising around the same streets and likely injudicious parking. This traffic congestion as well as the comings and goings to the site from parked cars in adjacent residential streets would result in undue noise and disturbance to neighbouring residents.

While this level of noise and disturbance may otherwise be acceptable during daytime hours on weekdays, the scale of activity during the early morning hours, the late evening hours and on Sundays and bank holidays would result in harm to residents' peaceful enjoyment of their homes. This would be particularly noticeable during early hours and late evenings when the background noise is most quiet. It is noted that the previous use was a public house, however the hours and numbers of visitors are not comparable, with public houses usually closed in the early hours and customers arriving and departing throughout opening hours at more randomly staggered intervals.

It is acknowledged that a Noise Impact Assessment has been submitted in support of the application. This report does address noise and disturbance concerns from the comings and goings to the site. However, the mitigation measures principally depend on visitors entering and leaving the site either individually or in groups of no more than five, not using raised voices and not gathering outside the building. This would be an unreasonable expectation, and behavioural changes would be impossible to enforce.

In terms of breakout noise, conditions may be attached to any grant of planning permission preventing any internal or external amplified music or speech; or requiring a sound limiter if internal amplified sound is required. It is noted that the existing vestibules of the pub would largely be retained which would provide a barrier to some breakout noise. Depending on the design and impact on the historic fabric of the building, conditions may be attached requiring self-closing mechanisms to be installed on the doors. However, in terms of sound insulating the envelope of the building itself, it is recognised that the listed building would have limitations in what type and design of sound insulation could be installed if required.

Consequently, based on the above, the proposed development has failed to demonstrate that there would not be any undue harm to the residential amenity of neighbouring occupiers due to noise and disturbance resulting from the comings and goings to and from the site, contrary to Policy D14 of the London Plan (2021), and Policies DMHB 11 and DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

AIR QUALITY

Policy SI 1 of the London Plan in part seeks to improve air quality by requiring that development proposals do not lead to further deterioration of existing poor air quality. To meet this requirement as a minimum, minor applications:

- must be at least Air Quality Neutral;
- should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retrofitted mitigation measures; and
- development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.

The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Area(s). Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required.

This is supported by Policy EM8 of the Hillingdon Local Plan: Part 1 Strategic Policies (2012) and Policy DME1 14 of the Local Plan Part 2 Development Management Policies which states that:

- A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
- B) Development proposals should, as a minimum:
 - i) be at least "air quality neutral";
 - ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

As stated, the proposed development is located within Hillingdon's Air Quality Management area (AQMA), and within Hillingdon's Uxbridge Road Focus Area, bringing additional traffic emissions which will add to current likely exceedances. Proposals are required to improve air quality within Focus Areas. In addition, the proposal is not air quality neutral for transport emissions.

As per Hillingdon's Local Action Plan 2019-2024, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of air pollutant emissions in these sensitive locations. It is required that new developments incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas.

Furthermore, policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area. In addition, the London Plan (2021) requires development to be air quality neutral as minimum and air quality positive in certain circumstances, actively contributing to reduce pollutant emissions to the atmosphere. Finally, the National Planning Practice Guidance requires suitable mitigation to be provided (paragraph 008).

The development is not Air Quality Neutral and further action is required to reduce emissions to acceptable levels. The proposal does not include suitable mitigation measures to remove the emissions associated with the operation of the proposal contrary to local, regional, and national policies.

In summary, the proposed development produces excessive pollutant emissions into the atmosphere, is not air quality neutral, and no suitable mitigation has been provided. As such, the development is contrary to Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 (Part B) of the London Plan (2021) and Paragraph 186 of the National Planning Policy Framework (2021).

7.19 Comments on Public Consultations

This has been considered more fully in Section 6 of this report under 'External Consultees'.

7.20 Planning obligations

PLANNING OBLIGATIONS

Part B(iii) of Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that planning obligations will be sought on a scheme-by-scheme basis to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. Part 3 of this policy states that applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

Had the application been otherwise recommended for approval, planning obligations would have been sought to mitigate the impact of the development. These obligations include financial contributions to fund subway improvements, to provide street trees, and to provide a Santander Bike Hire docking station with bicycles; the implementation and monitoring of an approved travel plan; and a financial contribution to fund the installation of localised parking restrictions and/or a Residents Parking Management Scheme had the

proposal given rise to parking stress.

However, in the absence of a s106 legal agreement this proposal is recommended for refusal, in accordance with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 Development Management Policies.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Part A of Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

The proposal involves the change of use of an existing building with no additional floor space being created. Therefore, the proposal would not be CIL liable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

NOTE ON EQUALITIES ASSESSMENT

The Local Planning Authority is required to have due regard to the Human Rights Act 1998 in all decisions. With respect to the provisions of the Act, officers note that the Article 9 "Freedom of thought, belief and religion" would be most relevant to the application site.

Notwithstanding this, officers maintain that there was no bias or prejudice against the right of religion in making a recommendation that the proposal is not in accordance with the development plan, and should be refused planning permission.

In making a recommendation to refuse this planning application, officers have given due regard to the Council's equalities obligations including those under section 149 of the Equality Act 2010 and the direct and indirect impacts of the proposal on those with protected characteristics. It is noted the proposal would benefit a particular part of the local community, those with a religious belief, by providing a facility that offers a space for prayer.

As such, if the application is refused it would directly prevent individuals with such a protected characteristic from praying or congregating at the site forming a community use. Whilst officers acknowledge that the proposal will affect a particular group of the local community, due regard was given to this in reaching the recommendation.

In reaching the recommendation officers have had due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics along with all other material considerations. It is not considered that the equalities impact is outweighed by the identified harms of the proposal.

CONTAMINATED LAND

There are no contaminated land concerns with regards to the proposed change of use of the existing building.

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 *Probity 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 proposed to change the use of The Angel Public House (Sui Generis) to a Place of Worship (Use Class F1(f)) and Community Centre (Use Class F2(b)).

As has been detailed in this committee report, significant concerns are raised with the impact of the proposed development.

The principle of the loss of a public house is not acceptable.

The level of information provided and inconsistent drawings mean that the precise level of harm to the Grade II Listed Building cannot be determined. Therefore planning officers are unable to provide a balanced planning judgement as to whether any public benefits of the scheme outweigh the harms, including the unjustified loss of the public house use. The proposal is therefore unacceptable.

The proposed development would give rise to unacceptable harm to the highways network due to the increased demand for on-street car parking and the resultant impacts this would have on the free-flow of traffic, parking congestion and the safety of all highway users including pedestrians, cyclists and vehicle occupants.

It has not been demonstrated that the proposed development would not result in undue harm to the residential amenity of neighbouring occupiers due to noise and disturbance resulting from the comings and goings to and from the site in the surrounding residential streets.

Furthermore, the proposed development has failed to demonstrate that the scheme will have an acceptable impact on air quality.

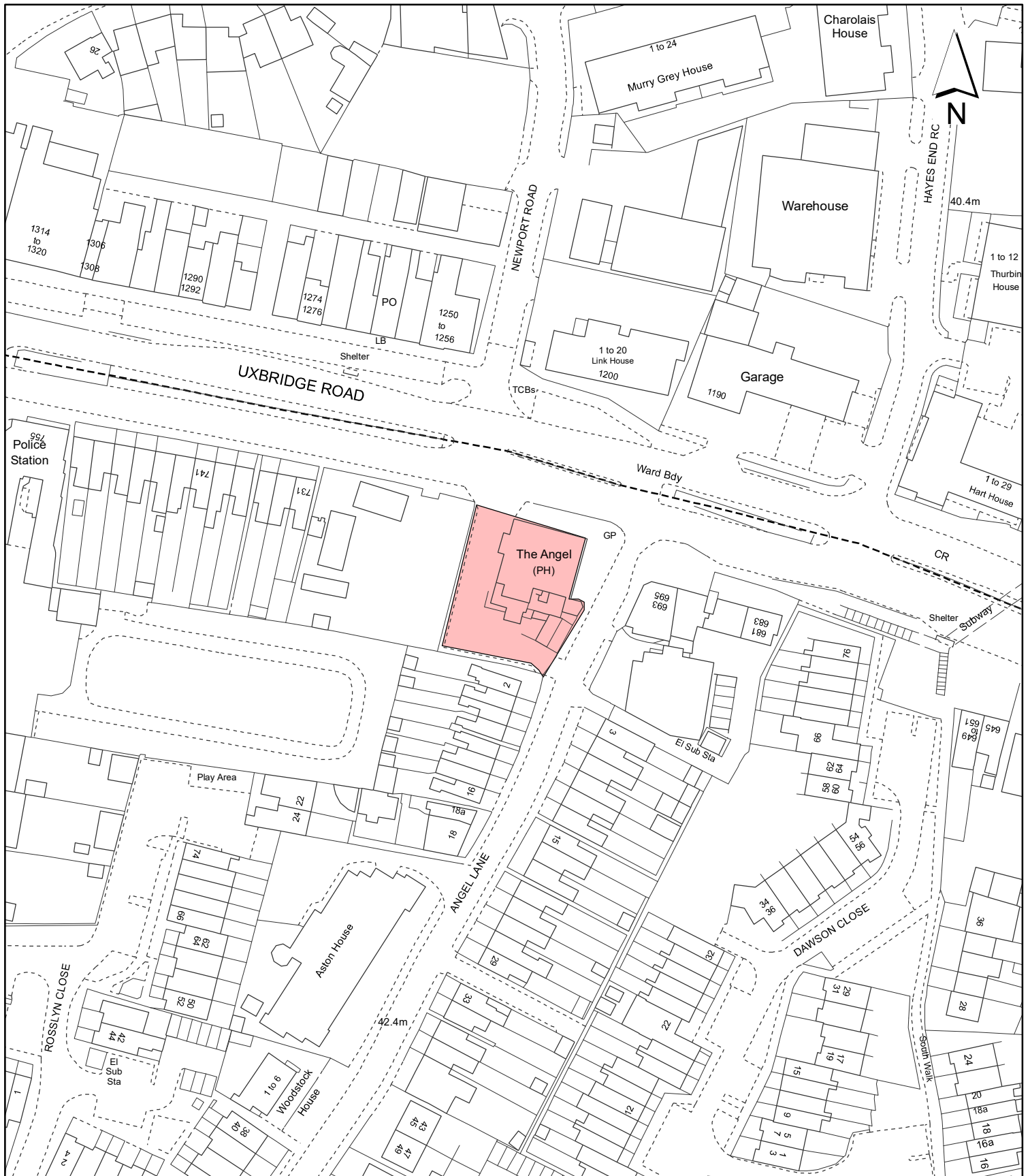
As such it is recommended that the application is refused.

11. Reference 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)
Planning Obligations Supplementary Planning Document (2014)
The London Plan (2021)
The National Planning Policy Framework (NPPF) (2021)
Planning (Listed Buildings and Conservation Areas) Act 1990
Historic Environment Good Practice Advice in Planning: 3 (2nd Edition)

Contact Officer: Katie Crosbie

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:
**The Angel Public House,
 687 Uxbridge Road,
 Hayes**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
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Borough

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