

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

Case Officer: **Christos Chrysanthou**

76417/APP/2025/1879

Date Application Valid:	10-07-25	Statutory / Agreed Determination Deadline:	09-06-26
Application Type:	Full	Ward:	Yiewsley

Applicant: **The Kingsborough Centre**
Site Address: **Technology House, 215 High Street, Yiewsley, UB7 7QP**
Proposal: **Change of use from mixed Class B8 (Storage and Distribution) and Class E (Commercial Business and Services) uses to mixed Class B8 (Storage and Distribution) and Class E (Commercial Business and Services) and Class F.1 (Learning and Non-Residential Institutions).**
Summary of Recommendation: **REFUSE planning permission**
Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



Summary of Recommendation:

REFUSE planning permission for the reasons specified in Appendix 1.

1 Executive Summary

- 1.1 The application proposes the change of use from mixed Class B8 (Storage and Distribution) and Class E (Commercial Business and Services) to mixed Class B8 (Storage and Distribution) and Class E (Commercial Business and Services) and Class F.1 (Learning and Non-Residential Institutions).
- 1.2 It is recognised that the development plan provides support for community use and F1 floor space in appropriate locations and that the proposal would bring forward some public benefits to the local community. However, in this case the proposed building to be repurposed is in an inappropriate location and therefore the public benefits are not considered to outweigh the harm identified.
- 1.3 The development would not be served by adequate pedestrian and vehicular access or car parking provision and would therefore prejudice highway and pedestrian safety. It has also not been demonstrated that flood risk has been satisfactorily addressed. There is also a planning obligation in respect of air quality mitigation that has not been secured by the completion of a s106 legal agreement.
- 1.4 For the above reasons, the application is recommended for refusal. A detailed assessment of the scheme is provided in this report.

2 The Site and Locality

- 2.1 Technology House is a two-storey building housing 1202sq.m floorspace located on a rectangular parcel of land. It is understood that the building was previously occupied by an IT company which used the building for a mix of Class E (office) and Class B8 (storage and distribution) uses.
- 2.2 The site is accessed via The High Street through the forecourt of the adjoining Shell petrol station to the east. The site is located between two large retail units. Tesco occupy the unit to the south, whilst the unit to the north is presently under renovation. The Grand Union Canal is located to the west of the site, the public towpath runs immediately to the west of the site and rear of the building. There are 22 parking spaces within the site allocated for use by occupiers of the building.

Figure 1: Location Plan (application site edged red)

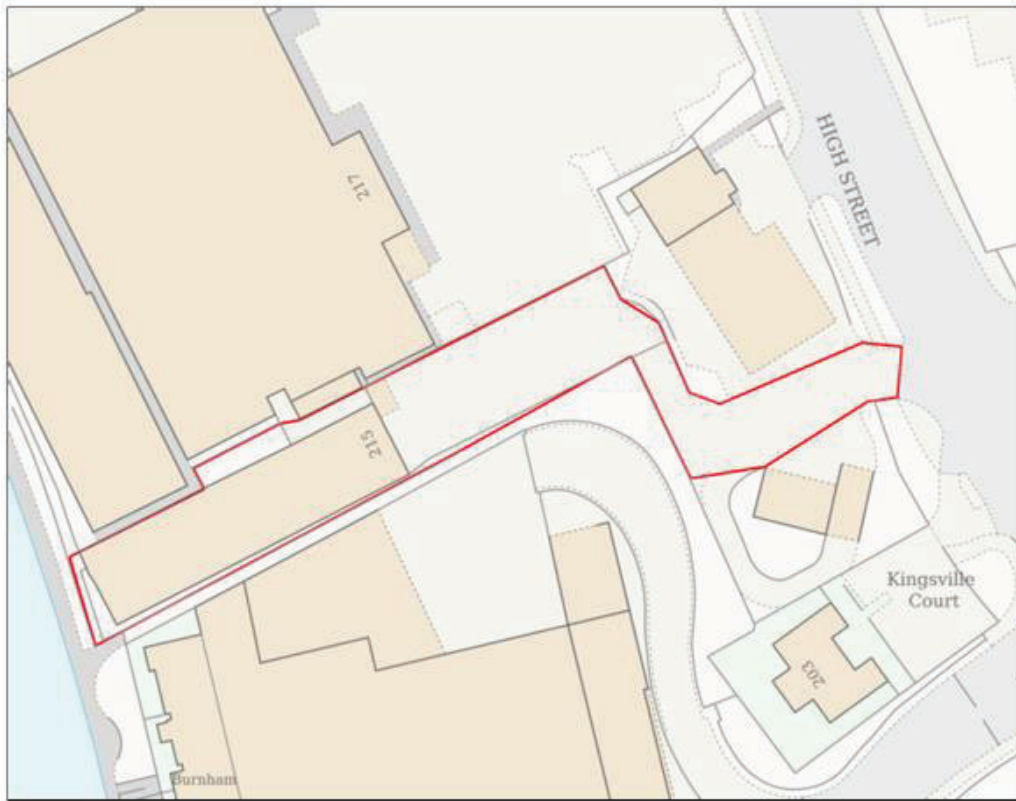


Figure 2: Street View Image of the Application Property



3 Proposal

- 3.1 Planning permission is sought for the change of use from mixed use Class B8 (Storage and Distribution) and Class E (Commercial Business and Services) to mixed use Class B8 (Storage and Distribution), Class E (Commercial Business and Services) and Class F.1 (Learning and Non Residential Institutions).
- 3.2 The proposal would retain approximately 488 sqm of Class E floorspace for office and nursery uses, together with 266 sqm of Class B8 floorspace for storage and distribution associated with the Hillingdon Foodbank. The Class E uses and the relocation of the Foodbank's existing storage and distribution operations under Class B8 would fall within the existing extant uses of the site.
- 3.3 The proposal would also involve the conversion of approximately 238 sqm of existing Class E floorspace and 250 sqm of Class B8 storage and distribution space to provide a total of 488 sqm of Class F.1 floorspace for public worship and religious instruction. This would accommodate a place of worship with a capacity of approximately 150 people. The Church previously operated from leased premises at Legion House, Uxbridge Road, Hayes, which were subsequently redeveloped for residential use, and is currently temporarily accommodated on part of the first floor of the Coat of Many Colours Nursery. Additional community use floor space is proposed to be created in the void area of the first floor at the rear of the building. The proposed community use would additionally provide recreational facilities for wraparound care, including before and afterschool provision.

Figure 3: Proposed Plans (please note – larger version of plans can be found in the Committee Plan Pack)

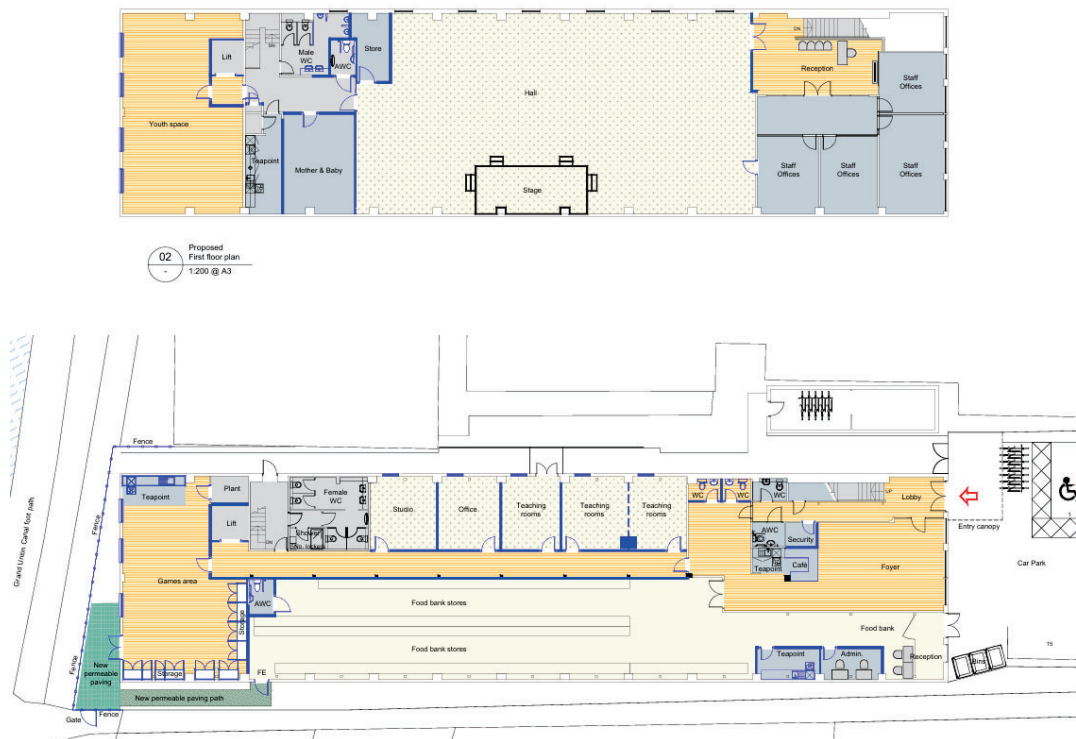
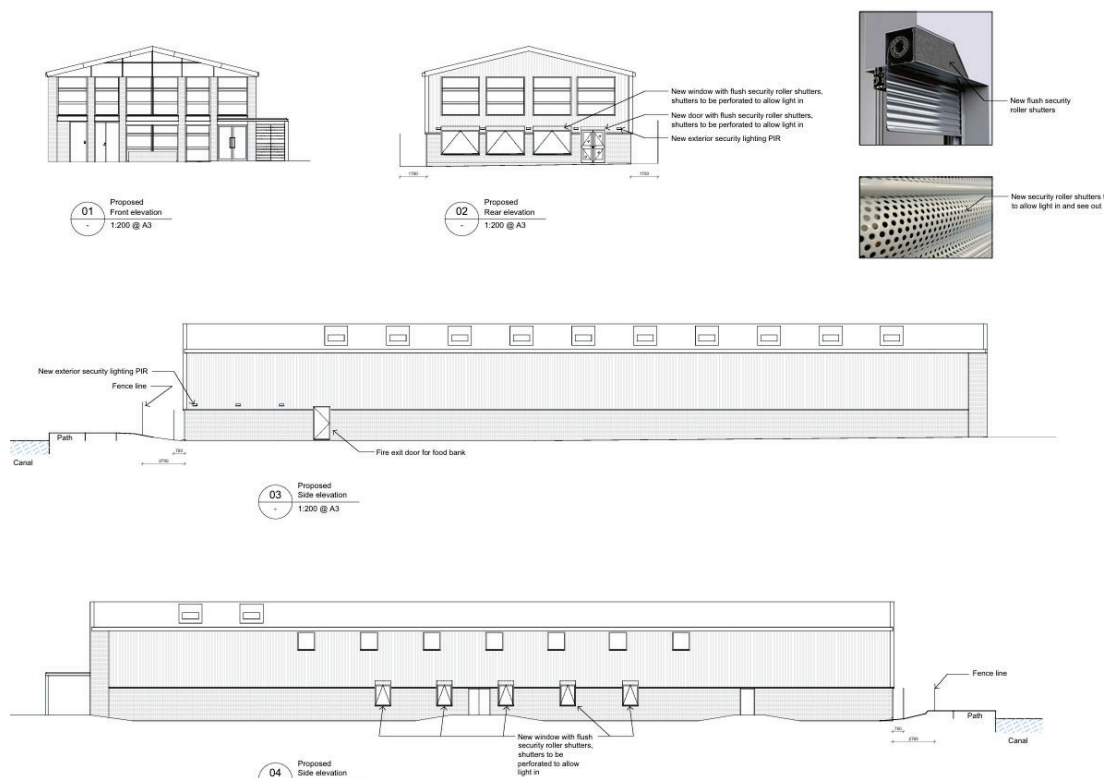


Figure 4: Proposed Elevations



4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 There is no relevant planning history.

5 Planning Policy

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

6 Consultations and Representations

- 6.1 88 neighbours were consulted on 28-07-25. No comments have been received, however a petition in support with 28 signatures was received.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
Petition in Support	The Kingsborough Centre is a Registered Charity which is involved with a range of local community projects and events including the food bank, support for the unemployed and disadvantaged families, vocational training and spiritual support. It makes a valuable contribution to the local community. We support their proposals for new and improved accommodation and urge the Council to approve the planning application.	The community use is supported by the LPA, however for the reasons detailed in this report, the application site is not considered to be suitable for the range of proposed uses.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Access Officer No objection.	Noted.
Air Quality Officer The proposal is air quality neutral but not air quality positive. An air quality mitigation contribution would be required in the event of an approval.	Air quality is discussed at Paragraphs 7.22 – 7.25 of this report.
Highways Objection on the grounds of parking provision and highway and pedestrian safety.	Highway safety and Parking are discussed at Paragraphs 7.42 – 7.55 of this report.
Noise Specialist No objection.	Noted.
Canal & River Trust No objection subject to conditions.	Noted.

7 Planning Assessment

Principle of Development

Loss of Employment Space

- 7.1 The site falls under an employment use but is not classed as a designated employment site. Policy DME2 of the Local Plan is therefore applicable as this relates to development on sites outside designated employment areas.
- 7.2 Policy DME2 states that proposals which involve the loss of employment floorspace or land outside of designated employment areas will normally be permitted if:
- i) the existing use negatively impacts on local amenity, through disturbance to neighbours, visual intrusion or has an adverse impact on the character of the area; or
 - ii) the site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
 - iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes; or

- iv) The new use will not adversely affect the functioning of any adjoining employment land; or
- v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan

- 7.3 In reference to points i, ii and iii of the policy the existing Class B8 and Class E use is not considered to have an adverse impact on the surrounding area and could be suitable for employment reuse. The proposed development would retain 60% of the existing floor area within the building for employment uses. As the primary use of the site is retained for employment uses, it is considered that evidence of marketing would not be required in this instance.
- 7.4 Point iv of the policy is of relevance, although the surrounding uses are retail uses as opposed to office/industrial employment uses. The building is already in use for employment purposes and could be repurposed for alternative uses. In any event the proposed uses are unlikely to impact adversely on the function of any of the adjoining retail uses. With regards to point v of the policy, the site is not allocated for any other purpose in the Local Plan. On this basis the partial loss of employment space on the site would not appear to conflict with Policy DME2 of the Local Plan.
- 7.5 There appears to be an element of previously existing Class B8 and Class E uses on the site and as such part of the building could be repurposed for use as a food bank or other training/office/children's club uses without the requirement to apply for planning permission for a change of use, although this would not apply to the use of the building as a place of worship, the in-principle acceptability of using the building for this purpose is outlined below.

Community Use

- 7.6 Policy S1 of the London Plan relates to social infrastructure and states that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic delivery strategies should be supported. The policy states that new facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.
- 7.7 The subtext to the policy states that it is important to consider the way that social infrastructure integrates with other facilities and the way people who live or work in the area want to access it. Shared use and co-location of facilities should be encouraged, to align service provision, use land more efficiently and facilitate opportunities for different groups of people to come together, encouraging further inclusion and community participation.
- 7.8 Policy DMCI 2 of the Local Plan states that: A) Proposals for the refurbishment and re-use of existing premises for community facilities will be supported. B) Proposals for the provision of new community facilities will be supported where they: i) are located within the community or catchment that they are intended to serve; ii) provide buildings that are inclusive, accessible, flexible and which

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provide design and space standards that meet the needs of intended occupants; iii) are sited to maximise shared use of the facility, particularly for recreational and community uses; and iv) make provision for community access to the facilities provided. C) New cultural facilities that are expected to attract significant numbers of visitors should be located in Town centres.

- 7.9 In relation to Local Plan Policy DMCI 2 (Part B (i)) it is set out in the planning statement that the community catchment for the church is mainly within Yiewsley and West Drayton and was currently based in Uxbridge on a temporary basis.
- 7.10 As explained in further detail in the Highway Safety and Parking section of the report, there are concerns in terms of parking provision, and accessing the site safely and highway and pedestrian safety. Due to the size of the congregation, the proposal is expected to generate a significant number of visitors including younger more vulnerable visitors. Policy DMCI 2 states that such facilities should be located within a town centre. The LPA note that the site is not suitably located within a designated town centre.
- 7.11 The key consideration for the proposal will be whether the site is suitable for the intended use, in particular the F1 use. Based on the location and the site constraints, visitors are far more likely to opt to travel by private car. This is explored in more detail within the transport section of the report but in essence the site is not in a highly accessible and sustainable location and as such it would increase the reliance on the motor vehicle to travel to and from the site, thus increase the need for parking which in itself is a conflict with the Development Plan's drive to reduce motor vehicle use and increase walking and cycling. The application site does not appear easily accessible which is a key aim of Policy SI 1 of the London Plan.

Childcare Uses

- 7.12 Use of the building for hosting children's clubs would be consistent with Use Class E, which is the same use class as the office space. The provision of childcare facilities is supported under Policy S3 of the London Plan, though the policy makes clear that development proposals should:
- 1) locate facilities in areas of identified need
 - 2) locate facilities in accessible locations, with good public transport accessibility and access by walking and cycling
 - 3) locate entrances and playgrounds away from busy roads, with traffic calming at entrances
 - 4) link to existing footpath and cycle networks to create healthy routes to schools, and other education and childcare facilities, to enable all children to travel actively to school (walk, cycle or travel by public transport)
 - 5) maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures
 - 6) encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers

- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach
- 8) ensure that facilities incorporate suitable, accessible outdoor space
- 9) locate facilities next to parks or green spaces, where possible

7.13 It is noted that the proposal includes the hosting of after school clubs for children. A number of the above criteria, namely points 5), 6), 8) and 9) are potentially more relevant to school or nursery uses, however points 1) to 4) and 7) are of relevance where considering the location based suitability of the site and accessibility by active travel and public transport, which is discussed in further detail in the 'Highway Safety and Parking' section of this report. It is clear from the assessment of the proposal including the mitigation put forward to address the highway safety concerns, that the location of the building is not fit for purpose for F1 use and the activities proposed as part of this use.

Accessibility

- 7.14 Policy D5 of the London Plan (2021) sets out that proposals should achieve the highest standards of accessible and inclusive design.
- 7.15 The council's Access Officer has considered the detail of this Change of Use application and no accessibility issues are raised with regards to the building. It should be noted that general access routes to the site for pedestrians and vehicles is covered separately within the relevant section of this report.

Amenity

- 7.16 Policy D3 of the London Plan (2021) states Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.
- 7.17 Policy D13 of the London Plan (2021) places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 7.18 Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:
- 1) avoiding significant adverse noise impacts on health and quality of life
 - 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
 - 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses

- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials - in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

7.19 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

7.20 The proposed operating hours for the various proposed uses are as follows: -

- Place of worship on Wednesday evening (7pm-8pm) and Sunday 10am-11:30am
- Foodbank open 10am-1pm Monday – Friday
- Office 8am-6pm Monday - Friday

7.21 The surrounding uses are primarily commercial and whilst there are residential uses on the opposite side of the canal, it is unlikely that these properties would be significantly affected by the development. Furthermore, as the building is currently partly within a Class E use, it could be used for a variety of uses, some of which would have a greater impact on the amenity of surrounding uses than the proposed use. The development is not considered to have a greater impact on amenity than the previous Class B8/E use.

Air Quality

7.22 Policy SI1 of the London Plan (2021) states - B) To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed: 2) In order to meet the requirements in Part 1, as a minimum: a) development proposals must be at least Air Quality Neutral.

7.23 Policy DMEI 14 of the Hillingdon Local Plan: Part Two (2020) states:
 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:

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- 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 improvement of air quality, especially within the Air Quality Management Area.

- 7.24 The site lies within an Air Quality Management Area and partly within an Air Quality Focus Area. Development proposals should ensure that where emissions need to be reduced to meet the requirements of Air Quality Neutral or to make the impact of development on local air quality acceptable, this is done on-site. Where it can be demonstrated that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development.
- 7.25 The council's Air Quality Officer has been consulted and whilst the development is air quality neutral, as a result of the vehicle trip generation and associated emissions, the development is not air quality positive which is a policy requirement for development in Air Quality Focus Areas. An air quality mitigation contribution of £8,259 (which includes a 10% discount for the travel plan) is required to offset the air quality damage. As the application has not been recommended for approval, the applicant's agreement to the s106 contribution was not sought.

Biodiversity Net Gain

- 7.26 Biodiversity Net Gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The landowner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.
- 7.27 It is considered that the proposed change of use would be a development subject to the de-minimis exemption and therefore a BNG plan is not required.

Character and Appearance

- 7.28 Policy D3 of the London Plan (2021) states that: Development proposals should: D1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

- 7.29 Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.
- 7.30 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design.
- 7.31 Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.
- 7.32 There are proposed fenestration changes to building proposed including new windows with roller shutters and doors to the side and rear elevations. The front elevation is unchanged. The alterations would be read in the context of the existing commercial site. The property is of limited visibility from High Street. The development would not harm the character and appearance of the area.

Drainage

- 7.33 Policy SI 13 Part B of the London Plan (2021) states - Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy: 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation) 2) rainwater infiltration to ground at or close to source 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
- 7.34 Policy DMEI 10 Part F) of the Hillingdon Local Plan: Part Two (2020) states - Developments should be drained by a SuDs system and must include appropriate methods to avoid pollution of the water environment. Preference should be given to utilising the drainage options in the SuDS hierarchy which remove the key pollutants that hinder improving water quality in Hillingdon. Major development should adopt a 'treatment train' approach where water flows through different SuDS to ensure resilience in the system.
- 7.35 As external works are limited to changes to fenestration, drainage on and around the site would not be affected and as such a Sustainable Water Management scheme is not considered to be required.

Flood Risk

- 7.36 Paragraph 181 of the NPPF states:
When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁶³.

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Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

- 7.37 Policy SI 12 Part C of the London Plan (2021) states - Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 7.38 Policy DMEI 9 of the Hillingdon Local Plan: Part Two (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.
- 7.39 The site is located within Flood Zone 2 and there is a moderate risk of flooding. The use of the building would be changing and a Flood Risk Assessment (FRA) would therefore be required in support of any planning application to assess the potential impact on the new uses introduced to the site.
- 7.40 The submitted FRA suggests the new place of worship use would be a 'less vulnerable' use (assembly and leisure). There is no mention within the FRA of the proposed community learning and nursery uses that would be located on the ground floor, which under the NPPG would be categorised as 'more vulnerable' under 'Non-residential uses for health services, nurseries and educational establishments'. A more vulnerable use is therefore proposed to replace a less vulnerable use within a Flood Zone 2.
- 7.41 The submitted FRA is insufficiently detailed in assessment and does not demonstrate that flood risk and drainage risks associated with the development can be managed and that occupiers would be safe. The FRA does not follow the Environment Agency's standing advice nor provide sufficient detail in accordance with Paragraph 181 of the NPPF. The FRA lacks detail regarding estimated flood levels (including an allowance for climate change) and whether the floor levels and flood resilience of the building are sufficient to address flood risk. The FRA fails to provide details of emergency access and escape plans which would be required if any part of the development is below the estimated flood level. The FRA fails to demonstrate how flood risk will be managed now

and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users.

- 7.42 The proposals are therefore contrary to Paragraph 181 of the NPPF, Policy SI 12 of the London Plan (2021) and Policy DMEI 9 of the Hillingdon Local Plan: Part Two (January 2020) and this forms the first reason why the application is recommended for refusal.

Highway Safety and Parking

- 7.43 Paragraph 116 of the NPPF states - 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

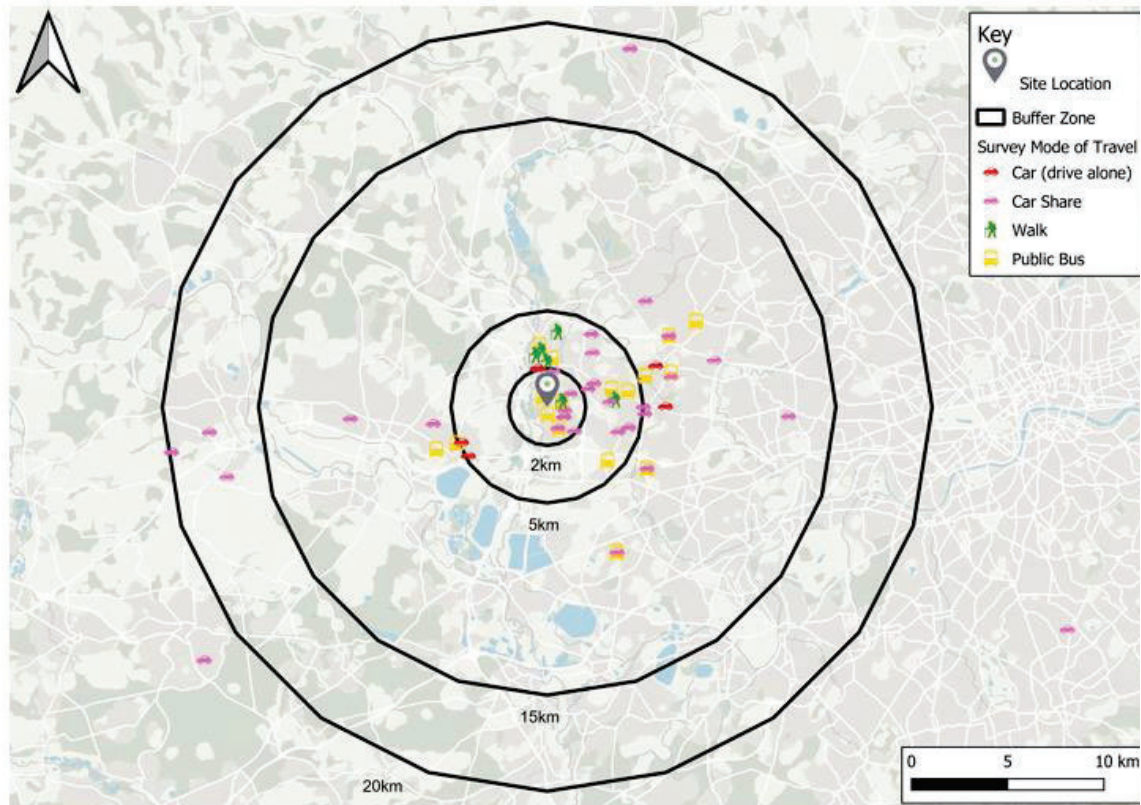
- 7.44 Paragraph 117 of the NPPF states - Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

- 7.45 Based on peak attendance of 150 visitors during Sunday service, peak parking demand is indicated in the Transport Statement to be 42no cars or 35no cars and 1no shuttle bus (post travel plan measures including a reduction of car sharing and car driver trips through the offering of a shuttle bus which can transport up to 17 visitors). The submitted Planning Statement states the church catchment area is local, mainly Yiewsley and West Drayton. However, the catchment map in Figure 5-1 of the submitted Transport Statement (see Figure 4 below), which has been derived using postcode data of the congregation supplied by the applicant, indicates a significant proportion of travel to the site from beyond Yiewsley and West Drayton, which points to higher dependency on car travel.

Figure 5: Place of Worship Catchment

Figure 5-1: Postcode and Mode Share Data Mapped



7.46 The proposal would result in a reduction of on-site car parking provision from 22no. existing spaces to 20no. spaces. Table 5-2 in the submitted Transport Statement details assumptions made using TRICS data and estimates that the previous office use generated 11 car trips per day (5 in the morning and 6 in the afternoon). In Table 5-4 the data suggests the warehouse use generated 9 car trips per day (4 trips in the morning and 5 trips in the afternoon). This suggests an average of 9 cars entering the site in the morning and 11 cars leaving the site in the afternoon. On this basis, the previous use would have been operating with the car park at 50% capacity. The submitted Transport Statement at Paragraph 5.2.2 however states that with the previous office use, 21 cars used the car park on a daily basis, which indicates that the car park was at near full capacity when operating as a B8/office use. The contradictory figures within the Transport Statement regarding the trip generation of the previous use leads to ambiguity and uncertainty regarding the baseline trip generation.

7.47 Table 5-7 in the submitted Transport Statement states that the proposed office use would generate 8 trips per day (4 in the morning and 4 in the afternoon). The trip rate used to estimate the previous B8 use is applied to the proposed foodbank and it is stated in Table 5-2 in the submitted Transport Statement that 5 car trips per day would be generated (2 in the morning and 3 in the afternoon). If the data used in the Transport Statement is accepted, trips associated with the employment uses (Class B8 and E uses) would be lower than that of the pre-

existing Class B8 and E use, which would be due to the change of use of part of the building to community uses and the resulting loss of employment floorspace. Assumptions of transport modes used by the church congregation during peak demand times (Sunday service) are listed in Table 4-4 of the submitted Transport Statement (see Figure 5 below) which indicates a high proportion of trips being made by car share.

Figure 6: Place of Worship Peak Demand Modes of Transport

Table 4-4: Proposed Place of Worship Peak Travel Demand (Sunday Service)

MODE	MODE SHARE (%)	TRIPS (BASED ON PEAK ATTENDANCE OF 150)
Car / Van Driver	5%	8
Car Sharing	67%	100
Public Transport (Bus)	22%	33
On Foot	6%	9
Total	100%	150

- 7.48 The Transport Statement states that the operation of the foodbank use would be primarily storage and distribution purposes, however there is mention of client collection days on Monday and Wednesday. It is unclear whether members of the public would be able to visit the foodbank, which does not appear to be accounted for in the submission. The Transport Statement also does not provide any details regarding the trips associated with the community activities mentioned in the Planning Statement, which include bible study, community meetings, group instruction and use of the community floor space by local groups.
- 7.49 The proposal includes 5no. long stay cycle store to the side of the building and a Sheffield stand providing parking for 7no. short stay cycles in front of the building. The quantum of cycle parking is considered to be acceptable.
- 7.50 The proposal would retain 20 spaces (including 3no. disabled bays). 1no. electric vehicle charging point is proposed to serve the 20 on-site car parking spaces. The quantum of on-site parking provision would appear insufficient to serve the development, especially during times of peak parking demand. There is a low number of on-site parking provision relative to the size of the church congregation that would attend as envisaged by the applicant (up to 150 visitors during Sunday service).
- 7.51 Off-site parking provision of 30 spaces leased from Tesco is also proposed. The off-site parking provision would be located adjacent to the site, however no details have been provided regarding any agreement. Further, this arrangement is considered to be unacceptable as parking provision on third party land can't be relied upon in perpetuity as agreements might not be renewed, land may be

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redeveloped etc. In the event that the agreement is rescinded, the development would not be served by an acceptable quantum of car parking provision. Furthermore, the Applicant has not submitted a parking survey for the car park in question therefore no evidence has been submitted to officers to demonstrate that there is sufficient capacity within the car park which serves not only one of the largest retail stores in this location but also the residential properties which front the Canal to the rear of the car park.

- 7.52 The submitted details illustrating the proposed access routes to the development site are minimal and form part of the Travel Plan only. There is no individual drawing illustrating the access routes drawing to scale or swept path details. The drawing below is taken from the Travel Plan and illustrates in broad form the pedestrian and cyclist main route across the petrol garage forecourt.

Figure 7: Proposed shared Pedestrian Footpath



- 7.53 Pedestrians would need to use the existing vehicle access off the High Street in Cowley which is a busy road. As shown in the above image (Figure 6) and below image (Figure 7) there is no dedicated pedestrian footpath meaning that pedestrians accessing the site would need to walk across the petrol forecourt in between the petrol pumps and the car wash and jet washing areas. This area is subject to a number of conflicting vehicle movements. Firstly you have vehicles potentially entering the site directly behind pedestrians, to the left there could be vehicles exiting the car wash and jet wash areas as well as vehicles travelling towards them from the access road leading to Technology House and looking to exit onto the High Street as well as facing vehicles parked within the petrol pumps themselves.
- 7.54 As demonstrated the immediate access into the site for pedestrians is poor and presents a clear risk to pedestrians and cyclists which appears to be difficult to

mitigate and manage owing to the constrained site access being accessed over third-party land. As it crosses over third party land, the proposed shared pedestrian footpath is suggested to be secured by a legal agreement, however this mechanism would not guarantee the retention of the pedestrian facility in perpetuity as the other party may decide to withdraw their agreement at any time in the future.

- 7.55 The proposed shared pedestrian footpath would also conflict with the use of the parallel parking spaces within the site along the southern boundary and would further reduce the available space within the site for manoeuvring and turning.

Figure 8: Proposed shared Pedestrian Footpath



- 7.56 The proposed shared pedestrian footpath (marked with the blue arrow in Figure 7 above) is not considered to represent a safe or satisfactory solution to encourage non-car modes to the site. Rather, it contributes to increased road danger, as it places pedestrians, cyclists and vehicle traffic associated with the site and that of the petrol station into a constrained area. There is no signage proposed to assist with directing vehicle and pedestrian movements. Traffic marshalling is proposed as a way to manage pedestrian movements through the petrol station forecourt and into the site, however no details are provided to outline how this might work. Moreover, the marshalling of both people and traffic is unlawful and therefore it cannot be considered as adequate mitigation. This may also likely disrupt the business continuity of the petrol station, which represents a risk to any future agreement by the third-party landowners to retain the proposed shared pedestrian footpath.

- 7.57 Similar to the main access route discussed above there is a distinct lack of detail submitted relating to the proposed secondary pedestrian access which is proposed from the rear of the site via Canal Walk (marked with the green arrow in Figure 8 above and see Figure 9 below). The use of Canal Walk, which is not well-lit, is not considered to represent a safe means for children and vulnerable people to be able to access the site, especially during the autumn and winter months. It is also noted that the two closest bus stops in proximity to the site are located approximately 200m on High Street. Further, the rear access is inconveniently located and visitors to the site would be more likely to choose to access the site from High Street, which would increase footfall in a location that is unable to safely accommodate numbers of pedestrian and cyclist movements. The proposal fails to provide a safe environment for pedestrians and cyclists and increases the probability of collisions and accidents.

Figure 9: Proposed Secondary Access Point from the Towpath



- 7.58 Due to the road layout of the petrol station and the proximity of the car wash to the site access, there is limited space within the application site and the petrol station site to accommodate vehicle turning and manoeuvring. As there would be limited availability of on-site car parking spaces and constrained manoeuvrability and restricted visibility, visitors to the site that are not fortunate enough to secure one of the few on-site parking spaces would thereafter experience difficulties turning and manoeuvring within the site and are likely to resort to reversing back into the petrol station forecourt. This raises highway safety concerns, due to the number of vehicle movements that could be occurring within the site and the resultant congestion that would be generated by the proposal and in conflict with cars and tankers associated with the petrol station and visitors to both sites that are travelling by foot or bicycle.
- 7.59 The vehicular access serving the site is narrow in width and is accessed to the rear of the adjacent petrol station. Visitors and staff would therefore need to make their way through the petrol station to enter the site. The petrol station operates with a one-way system via High Street. When exiting the site, vehicles would need to drive through the petrol station forecourt (past the pumps) and turn out onto High Street. There will likely be occurrences of vehicle queuing and congestion on High Street as a result of compounding vehicle movements generated by the proposal and vehicle movements associated with the petrol station.
- 7.60 Overall, the proposal would not be served by adequate car parking provision or by safe vehicle and pedestrian access. There is ambiguity and uncertainty around the pre-existing trip generation detailed in the submitted Transport Statement. The car trips associated with the previous use would likely have followed office hours. Whilst the car trips for the proposed foodbank and office use may be comparable, the use of the site as a place of worship and community facility results in additional considerations that do not appear to be readily resolvable. During times of peak demand, when the site is operating as a place of worship, the development would generate a significant influx of pedestrians and a very high number of vehicle movements within a concentrated timeframe. Whilst the place of worship would be in use outside of peak traffic hours, the submission fails to demonstrate that the site can safely accommodate the significant number of pedestrian and car trips. The proposal would increase road danger and fails to create a healthy environment in which people choose to cycle and walk. The application site is not considered to be suitable for the various proposed uses.

The proposal is therefore contrary to Policies DMT 1, DMT 2, DMT 4, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two (2020), Policies T2, T4, T5 and T6 of the London Plan (2021) and Paragraphs 116 and 117 of the National Planning Policy Framework (2024). This forms the second reason why the application has been recommended for refusal.

Planning Obligations

- 7.61 Policy DMCI 7 of the Hillingdon Local Plan: Part Two (2020) states:
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A) 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).

B) Planning obligations will be sought on a scheme-by-scheme basis:

- i) to secure the provision of affordable housing in relation to residential development schemes;
- ii) where a development has infrastructure needs that are not addressed through CIL; and
- iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

7.62 The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

7.63 The effect of the Regulations is that the council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the council would have acted unlawfully and could be subject to a High Court challenge.

7.64 On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following in the event of a recommendation to approve:

- i) Air Quality Contribution: A financial contribution shall be paid to the Council for the implementation of measures to mitigate the production of unacceptable pollutant emissions in the Hillingdon Air Quality Management Area and in the West Drayton/Yiewsley Focus Areas.
- ii) Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions for the administration and monitoring of planning obligations processes.

- 7.65 In the absence of a signed s106 agreement, the development fails to accord with the aims of Policy DMCI 7 of the Hillingdon Local Plan: Part Two (2020), the NPPF (2024) and the Community Infrastructure Levy Regulations (2010). This forms the third reason for recommending refusal of the application.

Secured by Design

- 7.66 Policy DMHB 15 of the Hillingdon Local Plan: Part Two (2020) states that the Council will require 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. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

- 7.67 Any grant of planning permission would be subject to a Secured by Design condition to achieve appropriate accreditation. Subject to this condition the proposals would be deemed in accordance with the requirements of Policy DMHB 15 of the Hillingdon Local Plan: Part Two (2020).

8 Other Matters

Human Rights

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

Equality

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

Local Finance Considerations and CIL

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- 8.3 The proposed change of use would not be liable to pay CIL.

9 Conclusion / Planning Balance

- 9.1 The proposed development would not be served by adequate pedestrian or vehicular access, nor by sufficient on-site car parking, and would therefore result in unacceptable impacts on highway and pedestrian safety. Furthermore, it has not been satisfactorily demonstrated that flood risk issues have been appropriately addressed. In addition, the planning obligation relating to air quality mitigation has not been secured through the completion of a Section 106 legal agreement. For these reasons, the application is recommended for refusal.

10 Background Papers

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

APPENDICES

Planning Application

76417/APP/2025/1879

Appendix 1: Recommended Reason(s) for Refusal and Informatives

Reasons for Refusal

1. NON2 Highway Safety and Parking

The development, by virtue of the inadequate quantum of off-street parking spaces and lack of functional and safe independent access, would create a more hazardous environment for pedestrians, cyclists and road users, whilst also causing traffic build-up and congestion to the detriment of pedestrian and highway safety, as well as the free movement of vehicles on the local highway network. The development would therefore be contrary to Policies DMT 1, DMT 2, DMT 4, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two (2020), Policies T2, T4, T5 and T6 of the London Plan (2021) and Paragraphs 116 and 117 of the National Planning Policy Framework (2024).

2. NON2 Flood Risk Assessment

The development, by virtue of the insufficiently detailed Flood Risk Assessment, does not demonstrate that the development is appropriately flood resilient and resistant, safe for its users for the development's lifetime, and will not increase flood risk overall. The development would therefore be contrary to Policy DMEI 9 of the Hillingdon Local Plan Part Two (2020), Policy SI 12 of the London Plan (2021), the Flood Risk and Coastal Change section of the National Planning Policy Guidance and Paragraph 181 of the National Planning Policy Framework (2024).

3. NON2 s106 Legal Agreement

The applicant has failed to secure Section 106 planning obligations required to mitigate the harm and demands created by the proposed development (in respect of air quality). As such, the development is contrary to Policy DMCI 7 of the Hillingdon Local Plan: Part Two (2020), the adopted Planning Obligations Supplementary Planning Document (2014), Policy DF1 of the London Plan (2021) and paragraphs 56-59 of the National Planning Policy Framework (2024).

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. I71 LBH worked applicant in a positive & proactive (Refusing)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Appendix 2: Relevant Planning History

76417/PRC/2024/146 Technology House, 215 High Street Yiewsley

Change of use from Class E/B8 to Class F1 (place of worship and religious institution).

Decision: 07-10-2024 Objection

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.CI1	(2012) Community Infrastructure Provision
PT1.EM6	(2012) Flood Risk Management

Part 2 Policies:

DMCI 2	New Community Infrastructure
DME 2	Employment Uses Outside of Designated Sites
DMEI 10	Water Management, Efficiency and Quality
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 4	Public Transport
DMT 6	Vehicle Parking
LPP D13	(2021) Agent of change
LPP SI1	(2021) Improving air quality
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T6.2	(2021) Office parking

LPP T6.5	(2021) Non-residential disabled persons parking
LPP D14	(2021) Noise
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP S1	(2021) Developing London's social infrastructure
LPP S3	(2021) Education and childcare facilities
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T7	(2021) Deliveries, servicing and construction
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF14 -24	NPPF14 2024 - Meeting the challenge of climate change, flood and coastal change
NPPF15 -24	NPPF15 2024 - Conserving and enhancing the natural environment
NPPF2 -24	NPPF2 2024 - Achieving sustainable development
NPPF6 -24	NPPF6 2024 - Building a strong, competitive economy
NPPF7 -24	NPPF7 2024 - Ensuring the vitality of town centres
NPPF8 -24	NPPF8 2024 - Promoting healthy and safe communities
NPPF9 -24	NPPF9 2024 - Promoting sustainable transport