

## Report of the Head of Planning, Sport and Green Spaces

**Address** 159 CHARVILLE LANE HAYES

**Development:** Single storey, 4-bed, detached dwelling with habitable roofspace including associated parking and amenity space involving demolition of existing detached bungalow (Part Retrospective)

**LBH Ref Nos:** 4734/APP/2015/2645

**Drawing Nos:** Charville/02 Revision A  
Charville/03 Revision A  
Charville/Block 01 Revision A  
Charville/01 Revision A  
Location Plan (1:1250)  
Charville/04  
Charville/CIL

**Date Plans Received:** 14/07/2015                      **Date(s) of Amendment(s):** 14/07/2015  
**Date Application Valid:** 29/08/2015                      24/07/2015

### 1. SUMMARY

Retrospective planning permission is sought for a single storey, 4-bed, detached dwelling with habitable roof space, associated landscaping and parking, following the demolition of the dwelling previously occupying the site.

The previous dwelling was demolished in its entirety and the current dwelling represents an increase in scale and bulk compared to the previous dwelling. The new dwelling includes a habitable roof space where previously only a single storey ground floor was habitable, and the choice of material used in the reconstruction has changed considerably the appearance of the building. Furthermore, the current scheme has repositioned the new dwelling further into the site compared to the location of the original dwelling.

The current dwelling is at an advance stage in its construction save only the internal fit-out and external works, for completion.

Taken together, the above amounts to a new dwelling which constitutes inappropriate development within the Green Belt contrary to Paragraph 89 of the National Planning Policy Framework (2012) (NPPF). Paragraph 87 of the NPPF states that "inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances." This application does not establish "very special circumstances" nor can it be seen as an exception, as described in Paragraph 89.

The new development would contravene Policy OL4 of London Borough of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 7.16 of The London Plan.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

- 1            NON2            **Non Standard reason for refusal**

The development, by reason of its overall size, scale, and bulk would be materially larger than the originally existing bungalow and therefore would significantly increase the built up appearance of the site. The proposal would therefore constitute inappropriate development in the Green Belt, contrary to Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan (2015) and the National Planning Policy Framework.

**2 NON2 Non Standard reason for refusal**

The development by reason of its overall size, height, bulk, siting, length in relation to the adjoining properties and proximity, would be detrimental to the amenities of the adjoining occupiers by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

**3 NON2 Non Standard reason for refusal**

The development, by reason of its overall size, scale, height, bulk, design use of materials represents an incongruous and visually intrusive form of development that is detrimental to the character and appearance of the Green Belt and the visual amenity of the street scene. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

**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 I53 Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to

	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2015) Quality and design of housing developments
LPP 7.16	(2015) Green Belt
NPPF1	NPPF - Delivering sustainable development
NPPF7	NPPF - Requiring good design
NPPF9	NPPF - Protecting Green Belt land
NPPF11	NPPF - Conserving & enhancing the natural environment

### **3 159 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site is located on the north side of Charville Lane, Hayes, directly opposite to its junction with Langdale Drive. The wider area is a mix of residential and open land and countryside. Other significant uses include Charville Primary School situated to the south-west of the application site and The Abbeyfields Equestrian Centre located to the west of the site. The immediate rear of the site looking to the north, is open land and countryside, whilst to the south are residential neighbourhoods not within the Green Belt.

The application site is located within a row of 12 bungalows. They are mostly identical in appearance due to their modest scale and construction materials, generally white render finish with terracotta coloured roof tile. Some have been extended, however, in accordance with the policy of the Council these are modest extensions generally to the rear of the properties. The appearance to the street scene is one of uniformity.

The application site is the penultimate dwelling towards the north-eastern edge of the row. Beyond the neighbouring property, No.161 Charville Lane, is open land within the Green Belt. The entire row of dwellings lie within the Green Belt as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The previous dwelling prior to its demolition comprised a modest detached bungalow with a hipped roof. It was extended to the rear by way of an L-shaped flat roofed single storey rear extension. No evidence of the previous dwelling exists and the scale of the works observed on-site suggests wholesale clearance of the site has taken place.

The present dwelling is near completion and has reach an advance stage in its construction. Windows and doors have been installed and the building is water tight. The new dwelling is all but completed save the internal fit-out.

### 3.2 Proposed Scheme

The application is seeking planning permission (retrospectively) for a 4-bed, detached dwelling with habitable roof space including associated parking and amenity space involving the demolition of the existing detached bungalow.

The new dwelling is constructed using a facing brick (yellow/brown) and slate roof. It is 17.60 metres in length along the west elevation, plus a further 1 metre to include the projection of the bay window. The full width of the dwelling, viewed from the front elevation is 9.55 metres. The east elevation is staggered so there is a 2 metre 'set-in' approximately 4.8 metres from the edge of the rear elevation forming an 'L-shape' in the north-east corner of the property.

The house measures 2.72 metres to the height of the eaves.

The roof design is unusual. It is a hipped-roof but of varying heights and directions. The highest point of the main roof structure measures 5.975 metres to its ridge, its lowest point, at the rear of the house is 4.5 metres to the ridge. The main roof structure is off-centre with a bias towards the west side of the house. The roof covering on the east side of the house comprises two individual hipped roofs, one at the front and one at the rear end of the elevation.

There are 6 roof lights, 3 inserted into either side of the main roof structure.

The front elevation comprises two bay windows either side of a porch entrance, each has dual-pitch roof covering which measure 3.7 metres to the height of the ridge.

Details of the landscape treatment are not provided as part of this application. However, there are 3 parking spaces indicated at the front of the a site. Private amenity space is provided at the rear of the site.

### 3.3 Relevant Planning History

4734/APP/2014/3453      159 Charville Lane Hayes

Single storey side/rear extension, raising of roof ridge height, conversion of roof space to habitable use to include 2 front, 2 rear rear dormers, 1 front and 1 rear rooflights and conversion of roof from hip to gable end

**Decision:** 23-12-2014      Refused

4734/APP/2015/183      159 Charville Lane Hayes

Single storey side extension (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 10-02-2015      Approved

4734/APP/2015/184      159 Charville Lane Hayes

Single storey rear extension involving demolition of existing rear extension and re-positioning of side wall

**Decision:** 10-03-2015      Approved

4734/APP/2015/1979 159 Charville Lane Hayes  
Installation of new front boundary wall and entrance gates

**Decision:** 11-08-2015 Refused

4734/APP/2015/544 159 Charville Lane Hayes

Single storey side/rear extension and porch involving installation of new roof and relocation of front bay window and alterations to front elevation

**Decision:** 14-04-2015 Refused

#### **Comment on Relevant Planning History**

Previous approvals on the site granted under application reference 4734/APP/2015/183 and 4734/APP/2015/183 for a single storey side extension and single storey rear extension can not now be implemented as they relate to the previous dwelling, now demolished.

More contentious schemes under application reference 4734/APP/2015/544 and 4734/APP/2015/3453, involving raising the height of the roof as well as extending the rear of the property and installing bay windows, were refused. In each case, the primary grounds for refusal were that they constituted disproportionate additions to the original house and as such were inappropriate development within the green belt contrary to Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

Part 2 Policies:

The following UDP Policies are considered relevant to the application:-

- |          |   |
|----------|---|
| AM14     | New development and car parking standards.  |
| BE13     | New development must harmonise with the existing street scene.  |
| BE15     | Alterations and extensions to existing buildings  |
| BE19     | (2012) Built Environment  |
| BE19     | New development must improve or complement the character of the area.   |
| BE20     | Daylight and sunlight considerations  |
| EM2      | (2012) Green Belt Metropolitan Open Land and Green Chains   |
| BE21     | Siting, bulk and proximity of new buildings/extensions.   |
| BE22     | Residential extensions/buildings of two or more storeys.  |
| BE23     | Requires the provision of adequate amenity space.   |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.  |
| BE38     | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006             |
| LPP 3.5  | (2015) Quality and design of housing developments   |
| LPP 7.16 | (2015) Green Belt   |
| NPPF1    | NPPF - Delivering sustainable development   |

NPPF7	NPPF - Requiring good design
NPPF9	NPPF - Protecting Green Belt land
NPPF11	NPPF - Conserving & enhancing the natural environment

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Five neighbours were notified by letter on 28/7/15 and a site notice was also displayed at the site on the 28/7/15. On expiration of the consultation on 18/8/15, no objections have been received

### Internal Consultees

None

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The property sits in a row of similar detached bungalows and lies within the Developed Area and Metropolitan Green Belt as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The previous dwelling was demolished and the current dwelling erected contrary to policy.

Paragraph 87 of the National Planning Policy Framework states that "inappropriate development is, by definition harmful to the Green Belt should not be approved except in very special circumstances." Whilst Local Planning Authorities are directed by paragraph 89 to consider a new building within the Green Belt as inappropriate development, it also provides 6 exceptions to this principle. Of relevance to this application is Paragraph 89, which states:

"A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces."

UDP Policy OL4 states that - The local planning authority will only permit the replacement or extension of buildings within the green belt if:

- (i) the development would not result in any disproportionate change in the bulk and character of the original building;
- (ii) the development would not significantly increase the built up appearance of the site;
- (iii) having regard to the character of the surrounding area the development would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated

Section B (Planning Decisions) of Policy 7.16 UDP of The London Plan states "The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances".

The application proposal is seeking permission retrospectively for a new dwelling erected following the demolition of the previous dwelling. The main policy consideration relates to the potential harm to the Green Belt resulting from inappropriate development. However, new development is not considered inappropriate if the new building is not materially larger than the one it replaces.

The replacement dwelling is considered to be materially larger than the original and as such is not acceptable within the Green Belt.

Detailed aspects of the development are assessed elsewhere in the report however, in summary the development as a whole including the impact on the Green Belt resulting from the development is considered to be unacceptable in principle.

**7.02 Density of the proposed development**

Not applicable to this application

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

Not applicable to this application

**7.04 Airport safeguarding**

Not applicable to this application

**7.05 Impact on the green belt**

The application proposal is seeking permission retrospectively for a new dwelling erected following the demolition of the previous dwelling. The main policy consideration relates to the potential harm to Green Belt resulting from inappropriate development. However, new development is not considered inappropriate if the new building is not materially larger than the one it replaces.

The previous dwelling had been extended by way of a single storey rear extension.

The floor area of the original dwelling as shown in the submitted drawings is 98.15 square metres. The extension to original property contributed a further 10.32 square metres, which in percentage terms is an increased floor area of 9.51%.

The floor area of the new dwelling is divided over two floors. According to the amended plans submitted the ground floor of the new dwelling has a floor area of 159.47 square metres, and the habitable roof would contribute a further 45.73 square metres to the dwelling. The combined total floor area of the new dwelling is 205.20 square metres.

(i) The additional floor area compared to original dwelling:  $205.20 - 98.15 = 107.05$

(ii) The additional floor area compared to original dwelling + extension:  $205.20 - 108.47 = 96.73$

The percentage increase in floor area on the site is: 109.39% in scenario (i) and 89.18% in scenario (ii).

The Local Planning Authority needs to ensure that there is no undue intensification or enlargement of buildings within or adjacent to the Green Belt that collectively may injure the visual amenities of the Green Belt. It is considered that the percentage increase demonstrates that the new dwelling is materially and substantially larger and than the house it replaced and has disproportionately changed the character of the original dwelling by virtue of the additional bulk and especially the height of the new dwelling. New build is by definition inappropriate development and harmful to the Green Belt, having a detrimental impact on the openness of the Green Belt and injuring the visual amenity and character of

area. The new dwelling is considered to significantly increase the built up appearance of the site and therefore constitutes inappropriate development in the Green Belt, contrary to Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan (2015) and the National Planning Policy Framework.

#### **7.07 Impact on the character & appearance of the area**

UDP Policy BE13 resists any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of the existing and adjoining sites. UDP Policy BE19 states that the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area. In terms of design and appearance. Policy 3.5 of the London Plan seeks to ensure high quality design.

The new dwelling is constructed using a facing brick (yellow/brown) and slate roof. The roof of the new dwelling is 5.975m which is almost 1 metre higher than the original roof (5.5m), and it is varied in terms its form, design and profile. There are 6 roof lights, 3 inserted into either side of the main roof structure. The front elevation comprises two deep bay windows either side of a porch entrance, each has dual-pitch roof covering which measure 3.7 metres to the height of the ridge.

The new dwelling bears no resemblance to the previous dwelling or the neighbouring dwellings within the street scene. Its additional bulk and height is inconsistent with the prevailing form and house design and the materials used are inappropriate and unsympathetic to the this setting. The proposed dwelling is prominently located at the junction of Charville Lane and Langsdale Drive, therefore views of the new dwelling are taken from a wide area. The new dwelling is prominent and through choice of materials and the frontage design it appears incongruous and strident within the street scene and fails to harmonise with surrounding properties, this further harms the visual amenity of the Green Belt. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **7.08 Impact on neighbours**

UDP Policies BE20-BE24 collectively seek to preserve the residential amenity of both the occupants of the new dwelling and neighbouring dwellings. This is achieved by ensuring adequate daylight and sunlight is allowed to penetrate into and between, and that by virtue of the siting, bulk and proximity development would not result in a significant loss of residential amenity (BE21) and that the designs of new buildings protect the privacy of the occupiers and their neighbours (BE24).

The neighbouring property to the east (No. 161 Charville Lane) has two kitchen windows toward the rear. It is considered that the increase in the height, width and depth of the dwelling results in an unacceptable impact to the outlook from these windows and that the new dwelling is overbearing such that it constitutes an un-neighbourly form of development. The new ridge height will also result in loss of light to the neighbouring property and is therefore, considered contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

No.157 located to the west is a detached bungalow with a hipped roof and has a habitable room window in its flank elevation. The proposed increase in the overall size, scale, height



and bulk of the new dwelling results in overdominance, overshadowing, visual intrusion, loss of light and loss of outlook.

It is considered that the new dwelling, given its size height and bulk against the modest scale of neighbouring properties has resulted in a loss of residential amenity to the neighbouring properties in terms of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **7.09 Living conditions for future occupiers**

The London Plan (2015) sets a minimum floor area requirement for proposed residential units in order to ensure they provide an adequate standard of living for future occupants. Its state that a four-bedroom, two-storey dwelling two bedroom for five people should contain internal floor space of at least 100 sq metres.

It is considered that the new dwelling would meet this standard.

Policy BE23 states that new development should provide or maintain external amenity space which is sufficient to protect the amenity of existing and future occupiers which is usable in terms of its shape and setting. The supporting text relating to this policy emphasises the importance of protecting private amenity space and considers it a key feature of protecting residential amenity.

In excess of 100 square metres of the garden space is retained for the occupiers of the new dwelling. Therefore, sufficient private amenity space is provided in compliance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Annex 1 of the UDP states that the maximum number of off-street parking spaces for a house set within its own curtilage is two spaces. This is superseded by Table 6.2 of The London Plan (2015) which sets a maximum number of car parking spaces for 4-bed dwelling of 1.5-2 spaces per unit. Written Ministerial Statement, in relations to local parking standards, provided an adjunct to paragraph 39 of the NPPF which directs local authorities to only impose local car parking standards to residential and non residential development where there is "clear and compelling justification that it is necessary to manage local road networks".

Thus the provision of three spaces for the new dwelling, whilst exceeding the maximum standards, would be acceptable as there is no there is "clear and compelling justification that it is necessary to manage local road networks" to require a reduced number in this case.

#### **7.11 Urban design, access and security**

As above

#### **7.12 Disabled access**

The Councils Access Officer has raised no objection to the scheme.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application

#### **7.14 Trees, landscaping and Ecology**

The site was completely cleared. There are no trees or features of ecological value within the site and no landscaping scheme was submitted as part of this development. An approval could be on condition requiring a landscaping proposal be submitted to and approved by the Local Planning Authority.

**7.15 Sustainable waste management**

Waste storage facilities would be appropriately located within the garden of the new dwelling.

**7.16 Renewable energy / Sustainability**

The new dwelling is near complete. However, a condition requiring compliance with Sustainable Urban Drainage and water management could be imposed if the application was acceptable in all other respects.

**7.17 Flooding or Drainage Issues**

Not applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

There were no objections to this scheme

**7.20 Planning obligations**

Policy R17 of the UDP states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreational open space, facilities to support arts, culture and entertainment activities, and other community, social and education facilities through planning obligation in conjunction with other development proposal.

The proposed development would exceed 100 sq.m. Therefore is required to make a CiL contribution.

**7.21 Expediency of enforcement action**

As the dwelling is almost complete, should the recommendation for refusal be accepted by members, then a separate enforcement report would be presented to committee at a later date.

**7.22 Other Issues**

The original forms were returned to the applicant due to a discrepancy between the size of the submitted proposal and on-site measurements. Consequently, a CiL payment when calculated in accordance with the completed forms is low.

CiL payment should be adjusted to reflect the actual size of the new dwelling, should Members be Minded to Approve.

**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 to this application.

#### **10. CONCLUSION**

Overall it is considered that the new dwelling constitutes inappropriate development within the Green Belt because it is disproportionately larger than the dwelling which previously occupied the site.

Given its prominence, by virtue of its design and appearance the new dwelling fails to harmonise with the street scene and appears as an incongruous feature due to its general

design, height, scale and choice of materials. The visual impact on the Green Belt and street is considerable and unacceptable.

The new dwelling adversely impacts neighbouring properties resulting in a loss of residential amenity as a consequence the new dwelling is contrary to Policies EM2 and BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies OL1, OL4, BE13, BE15, BE19, BE20, BE21, BE22 and BE24, Policies 3.5 and 7.6 of The London Plan (2015) and the National Planning Policy Framework.

#### **11. Reference Documents**

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

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (March 2015)

Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012).

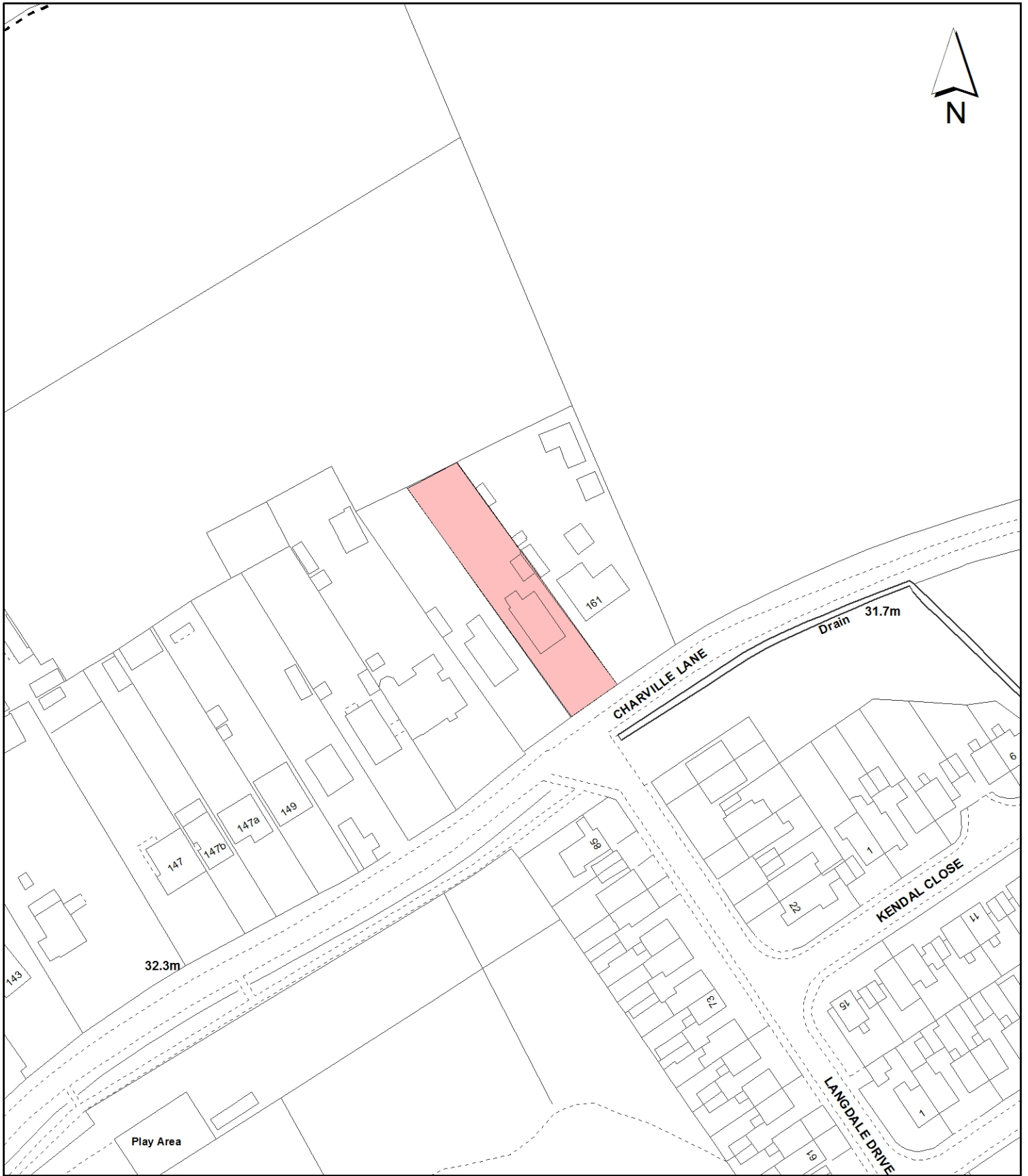
Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

**Contact Officer:** Peter Morgan

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**159 Charville Lane  
Hayes**

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

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

Planning Application Ref:

**4734/app/2015/2645**

Scale:

**1:1,250**

Planning Committee:

**Central and South**

Date:

**October 2015**



**HILLINGDON**  
LONDON