

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

**Address** 51 WIELAND ROAD NORTHWOOD

**Development:** Two storey, 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space involving demolition of existing detached dwelling

**LBH Ref Nos:** 17990/APP/2015/4176

**Drawing Nos:** Flood Risk Assessment  
Design and Access Statement  
Basement Construction Method Statement  
00614 Sheet 1  
00614 Sheet 2  
00614 Sheet 3  
5205/PL/LP  
5205/PL/02 Rev A  
5205/A101 Rev G  
5205/A103 Rev E  
5205/A102 Rev F

**Date Plans Received:** 12/11/2015

**Date(s) of Amendment(s):**

**Date Application Valid:** 12/11/2015

### 1. **SUMMARY**

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas complements or improves the amenity and the character of the area.

The proposed dwelling is not acceptable in design terms and would result in a bulky and incongruous addition to the street scene to the detriment of the Area of Special Local Character. The proposal would also have a dominant and overbearing impact on the adjacent properties to the detriment of their residential amenity.

It is therefore recommended for refusal.

### 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

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

The proposal, by reason of its size, scale, bulk and design, would represent a visually unsympathetic form of development that would detract from the character, appearance and architectural composition of the original dwelling and the visual amenity of the wider Area of Special Local Character. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE6, 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.

**2 NON2 Non Standard reason for refusal**

The proposal, by virtue of its size, scale, bulk, design and proximity, would project beyond the rear elevations of the flanking properties and therefore be detrimental to the amenities of the adjoining occupiers, by reason of over dominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies BE19 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.

**INFORMATIVES**

**1 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), the 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.

**2 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).

**3 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.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
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.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
OE1	Protection of the character and amenities of surrounding properties

	and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 3.5	(2015) Quality and design of housing developments
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

#### 4

If this development had been found acceptable, it would have been liable for a contribution under the Community Infrastructure Levy (CIL).

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site comprises a large detached property situated on the south eastern side of Wieland Road. The property benefits from a good sized front garden with parking for at least 3 cars and a large rear garden.

The street scene is residential in character and appearance comprising two storey detached properties.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and within the Gatehill Farm Estate Area of Special Local Character.

#### 3.2 Proposed Scheme

The proposal is for the demolition of the existing dwelling and replacement with a two storey 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space.

#### 3.3 Relevant Planning History

17990/73/1388                      51 Wieland Road Northwood  
Alterations and additions.

**Decision:** 14-08-1973    Approved

17990/APP/2001/1541            51 Wieland Road Northwood  
ERECTION OF REAR CONSERVATORY EXTENSIONS

**Decision:** 29-11-2001    Withdrawn

17990/APP/2001/578            51 Wieland Road Northwood

ERECTION OF A REAR CONSERVATORY

**Decision:** 17-05-2001 Refused

17990/APP/2002/685 51 Wieland Road Northwood

ERECTION OF A REAR CONSERVATORY

**Decision:** 04-10-2002 Refused

17990/APP/2014/1170 51 Wieland Road Northwood

Part two storey, part single storey rear extension with habitable roofspace, conversion of existing roofspace to habitable use involving installation of 2 x rooflights to front, construction of basement and alterations to front porch

**Decision:** 28-05-2014 Withdrawn

17990/APP/2014/3428 51 Wieland Road Northwood

Part two storey, part single storey rear extension, conversion of roof space to habitable use to include 2 front roof lights, construction of basement and alterations to porch to front

**Decision:** 21-11-2014 Refused

17990/APP/2015/2372 51 Wieland Road Northwood

Two storey, 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space involving demolition of existing detached dwelling

**Decision:** 15-09-2015 Refused

17990/APP/2015/645 51 Wieland Road Northwood

Part two storey, part first floor rear extension, construction of basement, conversion of garage to habitable use, conversion of roofspace to habitable use to include 2 rear rooflights, alterations to front elevation and demolition of existing rear element

**Decision:** 24-04-2015 Approved

17990/B/90/0785 51 Wieland Road Northwood

Erection of single-storey rear extension incorporating swimming pool

**Decision:** 22-03-1991 Refused **Appeal:** 22-03-1991 Dismissed

17990/C/97/0512 51 Wieland Road Northwood

Tree surgery to T26 (Oak), including pollarding at 7 metres (20 feet), and T27 (Oak), including reducing the height by 40% to secondary (lower/ mid) crown, on TPO 172

**Decision:** 18-07-1997    Approved

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

17990/APP/2015/2372 - Two storey, 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space involving demolition of existing detached dwelling (refused)

17990/APP/2015/645 - Part two storey, part first floor rear extension, construction of basement, conversion of garage to habitable use, conversion of roofspace to habitable use to include 2 rear rooflights, alterations to front elevation and demolition of existing rear element (approved)

17990/APP/2014/3428 - Part two storey, part single storey rear extension, conversion of roof space to habitable use to include 2 front roof lights, construction of basement and alterations to porch to front (refused)

The previous submission was refused on the scale and design of the proposed dwelling being out of keeping with the character of the wider area and the detrimental impact on the amenity of the adjacent properties.

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

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

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

Part 1 Policies:

PT1.BE1        (2012) Built Environment

Part 2 Policies:

AM14            New development and car parking standards.

AM7             Consideration of traffic generated by proposed developments.

BE13            New development must harmonise with the existing street scene.

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.

BE5             New development within areas of special local character

BE6             New development within Gate Hill Farm and Copsewood Estates areas of special local character

OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 3.5	(2015) Quality and design of housing developments
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

The following neighbours were consulted for a period of 21 days expiring on the 8 December 2015 as follows: -

- 49 Wieland Road
- 59 Elgood Avenue
- 59a Elgood Avenue
- 53 Wieland Road
- 8 Wieland Road
- 43 Wieland Road
- 2a Wieland Road

One response was received from an adjoining neighbour and a further objection was also received from a local resident who raise the following points:

- Overwhelming effect on the adjacent property from increased overshadowing, loss of sunlight, visual intrusion and over dominance
- The plans do not show the relationship of the proposals to no.49
- Whilst the proposal has been re-designed the area and footprint appear to be the same as previously refused
- Loss of light
- Breaches the 45 degree line of sight from my windows
- The dormer windows are an unsightly protrusion from the roof and are bulky and oppressive
- I note para 7.18 of 17790/APP/2015/2372, which considers there would be no unacceptable air quality issues. There are existing spicy cooking smells and emissions coming from 51 and windows have to be closed. I request a condition be imposed to provide adequate filtration equipment is installed
- I object to the situation of the plant room as I will be affected by emissions, noise of air conditioning, heating pumps etc.
- The Basement Construction Method Statement makes no mention of the installation of movement and vibration and noise sensors before work commences

- I am concerned that the basement is only 1.5m from 49 and the construction process will undermine and damage my property
- The increased bulk in addition to the existing conifers on the boundary between 51 and 53 will virtually provide a continuous barrier from the roofline to the end of the garden, blocking the benefit of the sun, particularly when it is low but also in high summer when the shadows already extend to my garden
- Over dominant and out of character
- Potential impact on watercourses as a result of the basement

A petition of 31 signatories was also submitted against the proposal.

Gatehill Residents Association - The GRA formally object on the following issues

- Too large for the plot and will dominate the neighbours. Still 4 x the size of the immediate neighbours
- Loss of light to neighbouring properties
- Less than 1.5m from the side boundary contrary to policy
- The eaves are still very deep and the 45 degree line shown is based on the corner of the wall not the gutter as required in the guidelines. It therefore breaches the 45 degree rule
- Roof design more bulky and not in keeping with the immediate neighbours
- The front elevation is unattractive and out of keeping with the surrounding properties
- The revised design still results in building over part of the existing front garden and is likely to reduce the number of car parking spaces available
- The red outline identifies land owned by the GRA who do not allow parking on this land as it is used as a pedestrian refuge from passing traffic
- The revised plans do not comply with the LBH requirement for 25% soft landscaping to the front
- The style is out of keeping with the estate
- Detrimental impact on surface water in the immediate area. The documents submitted appear to relate to a previous smaller extension
- Increased traffic due to removal of a significant amount of soil to accommodate the development

Officer Response: The issue of land ownership was raised with the applicant in the previous application, who then confirmed the land was in their ownership.

Northwood Residents Association: No response

Northwood Hills Residents Association: No response

### **Internal Consultees**

Access Officer:  
No response

Conservation and Urban Design:  
No comments

Trees/Landscaping:

- No tree survey has been submitted.
- A topographic survey indicates the location of trees on the site.
- The Design & Access Statement indicates most of the amenity space in the back garden will remain unaffected by the development and 'none of the trees on the site will be affected by the new proposal or during the construction process'. No evidence has been produced to support this statement.
- It is very likely that trees in the front driveway will be affected either by the footprint of the new building or the space required to demolish the old and construct the new building.
- Most of the space and trees in the large rear garden will be unaffected by the proposal.

- On balance, the anticipated minor tree loss is not significant given the amount of space remaining for new planting which should be secured as part of a comprehensive landscape scheme, which should be conditioned.
- Due to the extensive nature of the proposal, including the excavation of the basement, it is possible that there will be some collateral impact to nearby trees due to the excavation and construction process.
- Tree protection will be required to safeguard the retained trees.

If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

Drainage Officer:

The applicant taken on board advice that the width of the proposed building does not extend the full width of the the plot allowing an appropriately design drainage scheme to deal with any potential groundwater across the site and allow space for it to flow round the building and proposed basement. No objection subject to a condition to secure appropriate sustainable water management measures.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The proposed site currently comprises of a single residential dwelling within its own curtilage and therefore constitutes 'previously developed land' i.e. 'brownfield land'. There is a presumption in favour of residential development on brownfield land subject to other material planning considerations as detailed below.

The area is an established residential area and therefore the principle of residential development of the site is considered acceptable.

### **7.02 Density of the proposed development**

Policy 3.4 of the London Plan seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

With specific reference to the site location within an Area of Special Local Character, Policy BE5 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that new development should harmonise with the materials, design features, architectural style and building heights predominant in such areas.

The proposed dwelling is significantly larger than the existing dwelling and the majority of the other properties in the street scene. It measures 15.75m in width by 13.9m in depth with a height of 8.8m. The increased roof height is even higher than no. 61, (at 8.5m) which is the largest extended property nearby. The resultant crown roof detail, presents a large bulky box like appearance, which is out of keeping with the character of the ASLC.

### **7.04 Airport safeguarding**



Not applicable to this application

#### **7.05 Impact on the green belt**

Not applicable to this application

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 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 BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The proposed dwelling is significantly larger than the existing dwelling and the majority of the other properties in the street scene. At a height of 8.8m the roof line is even higher than no. 61, (at 8.5m) which is the largest extended property nearby. The resultant crown roof detail (39% of the overall height of the building) presents a large bulky box like appearance, which is out of keeping with the character of the ASLC. The mock Georgian facade is not in keeping with the 1930's style of properties and the 0.9m set back from the boundary of no. 63 fails to respect the requirements of HDAS and adds to the cramped over developed appearance of the site.

Therefore the proposal fails to reflect the architectural character and appearance of the Gate Hill Estate ASLC. As such it is considered that the proposal fails to comply with the requirements of Policies BE5, BE6, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

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

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination.

The proposed block plan as submitted within the application combines with the ground floor plan and only shows the relationship with the neighbouring properties attached garages and not the dwellings themselves. The proposed dwelling would extend 8.5m beyond the rear of the adjacent garage at no.49 and is set back from the boundary by 1.6m. It would extend 5.65m beyond the garage of no 53 and would be set back from the boundary by 0.9m. The first floor plan shows a recess of 1.75m at the rear corner of the north eastern elevation (adjacent to no. 49) and a diagonal line which would appear to demonstrate compliance with a 45 degree line of sight from no. 49. However the site plan submitted under application 17990/APP/2015/645 for the rear extensions did show the relationship to the adjacent properties. Measurements taken from that plan in relation to the neighbouring garages show that the maximum depth to ensure the preservation of a 45 degree line of sight would be 4.25m from the rear of no.49's garage and 6m from the rear of no.53's garage. Given that the depth clearly exceeds that requirement for no. 49 the proposed development would clearly encroach on a 45 degree line of sight.

Given the scale and bulk of the proposed dwelling; the level of projection beyond the rear of

the adjacent dwellings and the limited degree of separation from the side boundaries, it is considered that the proposal would have a dominant and overbearing impact resulting in an unacceptable degree of over dominance, visual intrusion and over shadowing.

In relation to any loss of privacy arising from the proposal, the proposed first floor windows on the side elevation are to serve en-suite bathrooms and dressing rooms. As such they could be conditioned to be obscure glazed and fixed shut. It is not considered that the front or rear windows would result in any increased overlooking to the current dwelling.

As such it is considered that the proposal is un-neighbourly form of development and fails to comply with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

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

London Plan Policy 3.5 seeks to ensure that all housing developments are of the highest quality, both internally and externally and in relation to their context and the wider environment.

The London Plan sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. . Due to the substantial nature of the proposal the internal floor space for the new dwelling would be in excess of the minimum requirements and therefore is considered acceptable.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

This is a deep plot and sufficient private amenity space would be retained for occupiers of the new house in accordance with the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 1.5 spaces per dwelling.

The front building line is as existing and the through driveway shows there is still sufficient provision to accommodate 2 parking spaces as required within the adopted parking space standards. It is therefore considered that the proposal complies with the requirements of policies AM7 and AM14 of the Hillingdon Local Plan (November 2012) and the adopted SPD HDAS: Residential Layouts.

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

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and specifies bin stores should be provided for, and wheelie bin stores should not be further than 9m from the edge of the highway. No details have been provided with regard to this issue, however it is considered this could be dealt with by a suitable condition.

A Secured by Design condition could be added to any approval to ensure the development complies with such principles should the application be acceptable in all other respects.

**7.12 Disabled access**

The Access Officer has not raised any concerns relating to Lifetime Home Standards and to achieving level access.

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

Not applicable to this application

**7.14 Trees, Landscaping and Ecology**

Due to the extensive nature of the proposal, including the excavation of the basement, it is possible that there will be some impact to nearby trees due to the excavation and construction process. Tree protection will be required to safeguard the retained trees. If all other aspects of the proposal were acceptable, landscape conditions could be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

**7.15 Sustainable waste management**

Not applicable to this application

**7.16 Renewable energy / Sustainability**

Not applicable to this application

**7.17 Flooding or Drainage Issues**

The application is accompanied by a flood risk attenuation strategy. This proposes the utilisation of SuDS in the form of rainwater harvesting and attenuation storage. Infiltration has been discounted due to poor draining soils.

The design of the proposed basement is such that an appropriate drainage scheme to deal with ground water and surface water matters could be secured by a condition were the application to be acceptable in other respect. Subject to such a condition the proposal would comply with relevant policies including policies 5.13 - 5.15 of the London Plan 2015 and Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

**7.18 Noise or Air Quality Issues**

Not applicable to this application

**7.19 Comments on Public Consultations**

The issues raised have been addressed as appropriately in the report.

**7.20 Planning Obligations**

The proposal would not necessitate the provision of planning obligations, however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

**7.21 Expediency of enforcement action**

Not applicable to this application

**7.22 Other Issues**

The basement proposed is large and close to neighbouring boundaries. A comprehensive basement construction and method statement has been provided that concludes that there is a safe and effective method of excavating and constructing the basement without significant impact on the public highway or neighbouring properties.

As the basement is satisfactory from a drainage and flood risk perspective there is no reason to refuse the planning application in this regard.

## **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**

N/A

**10. CONCLUSION**

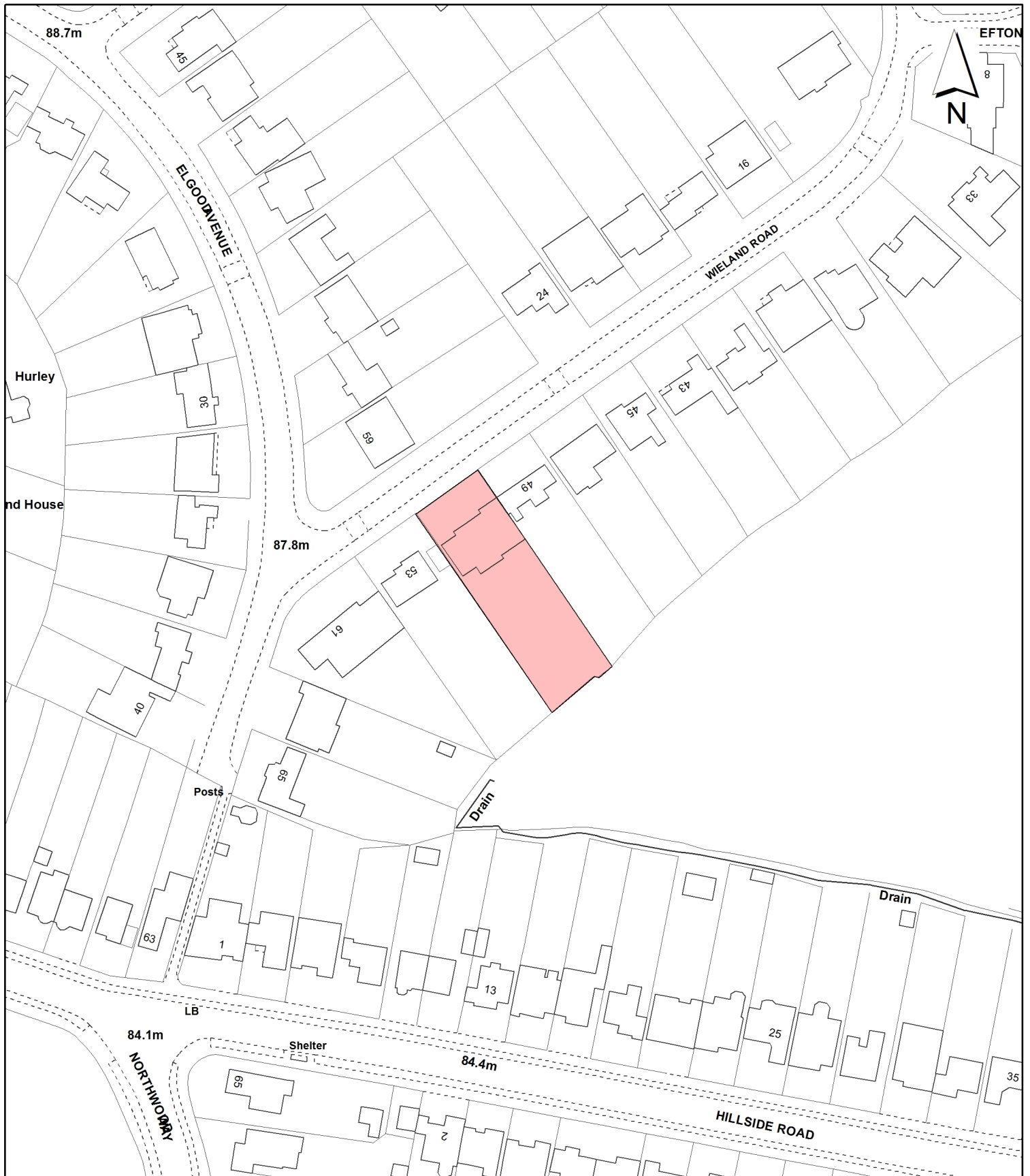
The proposal fails to comply with with policies BE5, BE6, BE13, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and is therefore recommended for refusal.

**11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan Part 2  
The London Plan  
Supplementary Planning Document 'Accessible Hillingdon'  
National Planning Policy Framework

**Contact Officer:** Liz Arnold

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**51 Wieland Road  
 Northwood**

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

Planning Application Ref:  
**17990/APP/2015/4176**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**January 2016**



**HILLINGDON**  
 LONDON