

**Item No. Report of the Head of Planning, Building Control, Sport & Green Spaces****Address** LAND ADJACENT TO 14 AND 15 EAST WALK HAYES**Development:** Construction of two, three-bedroom houses, one two-bedroom house and related facilities.**LBH Ref Nos:** 63226/APP/2016/2383**Drawing Nos:** Living roofs  
DAT/9.1  
DAT/9.0  
16-1218-01A  
Location Plan (1:1250)  
16-1217-02  
16-1218-03  
16-1218-04  
Design and Access Statement  
Parking Assessment**Date Plans Recieved:** 20/06/2016**Date(s) of Amendment(s):****Date Application Valid:** 24/06/2016**1. SUMMARY**

Planning permission is sought for the erection of two x three bedroom houses, one two bedroom house and related facilities. The revised proposal is similar to that recently dismissed at appeal in terms of its layout. The proposed dwellings have however been sunk into the ground in an attempt to overcome the Inspectors previous concerns which related to the development failing to harmonise with the existing street scene and other features of the ASLC.

It is considered however, that the revised proposal, by reason of its form, scale, size, siting and design, which would still extend across the entire site, would be out of keeping with the character and appearance of the streetscene and the distinctive character of the designated East Walk/West Walk Area of Special Local Character (ASLC).

The application is therefore recommended for refusal.

**2. RECOMMENDATION****REFUSAL for the following reasons:****1 NON2 Non Standard reason for refusal**

The proposed development, by reason of its form, scale, size, siting and design represents an overdevelopment of the site and fails to harmonise with the prevailing distinctive pattern of development in the immediate locality. The proposal would therefore result in a loss of visual amenity and materially harm the character and appearance of the East Walk/West Walk Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the Council's 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.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE5	New development within areas of special local character
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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.12	(2011) Flood risk management
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character

## **3 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). 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.

#### 4

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. The Council's supports pre-application discussions.

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.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The area is characterised by groups of 1920s/1930s terraced and semi-detached two-storey houses. The site is located within The East and West Walk Area of Special Local Character (ASLC). Therefore proposals within this area would need to appropriately harmonise and complement the local character and appearance of this area.

The area was designed as social housing for local rail workers, which are typical of the period. The properties are arranged in a cruciform shaped layout, creating small cul-de-sac spaces, with a single narrow access route for vehicles. The ASLC forms part of an original planned estate between the roads Birchway and Hunters Grove and was once known as the Hayes Garden Village.

In general the area has a spacious character with the regular rhythm of the two storey houses and the gaps and views between buildings playing an important role in its appearance. Whilst overgrown, the existing site and other undeveloped corner plots, were initially designed as open green spaces/allotments, and are integral with the layout of the area, making them an important element of the area's character.

The houses are of similar design and materials, with pantiled hipped roofs, small catslide roofs over the flank walls, side entrances and central stacks. Most of the frontages have retained mature hedges as their front boundary treatment.

#### 3.2 Proposed Scheme

The application seeks planning permission for the erection of two x three bedroom houses and one two bedroom house and related facilities. All the houses are proposed to be located around a central courtyard. The design principles and form the houses from the previous applications has been maintained. The revised application seeks to sink the houses deeper into the site so that the roof levels are at the same level as the entrance footpath. The roof is proposed to be planted.

The application has been called to committee by the Ward Councillor for consideration.

#### 3.3 Relevant Planning History

63226/APP/2007/1832 Land Adjacent To 14 And 15 East Walk Hayes  
ERECTION OF A TWO STOREY BLOCK OF 3 THREE-BEDROOM TERRACE HOUSES  
WITH GARAGES.

**Decision:** 25-09-2007 Refused **Appeal:** 12-05-2008 Dismissed

63226/APP/2008/2556 Land At 14 & Adjacent To 15 & Land At 19 & Adjacent To 18 East W  
ERECTION OF TWO DETACHED TWO BEDROOM BUNGALOWS WITH TWO DOUBLE  
AND ONE SINGLE DETACHED GARAGES

**Decision:** 18-11-2008 Refused **Appeal:** 27-03-2009 Dismissed

63226/APP/2014/3023 Land Adjacent To 14 And 15 East Walk Hayes  
2 x Single storey 3-bed attached dwellings and 1 x 2-bed detached dwelling with amenity space

**Decision:** 29-01-2015 Refused **Appeal:** 06-08-2015 Dismissed

63226/APP/2015/3525 Land Adjacent To 14 And 15 East Walk Hayes  
2 x Single storey 3-bed attached dwellings with amenity space

**Decision:** 25-11-2015 Refused **Appeal:** 25-05-2016 Dismissed

63226/PRC/2014/22 Land Adjacent To 14 And 15 East Walk Hayes  
Construction of 3 no 3 bedroom dwellings

**Decision:** 19-08-2014 OBJ

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

63226/APP/2007/1832 - erection of two storey block of 3 bed terrace houses with associated garages was refused and dismissed on appeal in 2007.

63226/APP/2008/2556 - erection of two detached two bed bungalows with associated detached garages was refused and dismissed on appeal in 2008.

63226/APP/2014/3023- erection of 3 residential units of a modern design was refused and dismissed on appeal.

Most recently application reference 63226/APP/2015/3525 for the erection of 2 x Single storey 3-bed attached dwellings with amenity space was refused for the following reason:

The proposed development, by reason of its form, scale, size, siting and design represents an overdevelopment of the site and fails to preserve or enhance the character of the area. The proposal would result in a loss of visual amenity and would materially harm the character and appearance of the East and West Walk Area of Special Local Character and its surroundings, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.4 of the London Plan (2015) and the adopted Supplementary Planning Documents HDAS: Residential Layouts.

An appeal was subsequently dismissed. The Inspector commented:

"The properties are arranged in a cruciform shaped layout of narrow cul-de-sacs with dwellings arranged behind front gardens. At the head of the cul-de-sac is a terrace of 4 dwellings and to either side of this terrace are matching green spaces which are visible

from the street. This arrangement at the end of the cul-de-sac provides an attractive symmetry and a pleasant openness within an otherwise dense pattern of development. Therefore the spaces contribute positively to the character and appearance of the area.

I appreciate that the scheme has been reduced from that of the previously dismissed appeal and that the houses would be single storey; to the rear of the site; and would retain a gap between the adjacent dwellings so that views of houses beyond would remain. Nevertheless, in spite of its green roof, the development would take up a large proportion of the site, extending across its full width right up against its boundaries. It would still be visible from the street and would spoil the existing symmetry and open nature of the end of the cul-de-sac.

I therefore conclude that the proposed dwellings would have a harmful effect on the character and appearance of the area. Consequently, it would conflict with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (UDP) which indicates that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. It would also conflict with UDP Policies BE5 and BE19; Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Layouts; and Policy 7.4 of the London Plan which, in combination, require that new development harmonises, complements or improves the character of an area and should have regard to the form of an area."

#### **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

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE5 New development within areas of special local character

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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2011) Increasing housing supply
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LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.12	(2011) Flood risk management
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character

## **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 Hayes Garden Village Residents Association and 12 neighbouring properties were consulted by letter dated 27.6.16 and a site notice was displayed to the front of the site which expired on 27.7.16.

Hayes Conservation Area Advisory Panel:

We do not think this latest proposal to build on this open land (effectively back-land development) is any more acceptable than the previous proposals and therefore hope it will be refused. In dismissing the appeal on the previous application (63226/APP/2015/3525) the Planning Inspector said: "I appreciate - that the houses would be single storey; to the rear of the site; and would retain a gap between the adjacent dwellings so that views of houses beyond would remain. Nevertheless, in spite of its green roof, the development would take up a large proportion of the site, extending across its full width right up against its boundaries. It would still be visible from the street and would spoil the existing symmetry and open nature of the end of the cul-de-sac." The present proposal has three single-story houses (occupying a larger proportion of the site) with a similar layout to application 63226/APP/2014/3023 (also refused and dismissed on appeal). The applicant has now attempted to reduce the visibility of the proposed houses by sinking them below ground level, but they would still be visible from near the entrance to the site between Nos 14 and 15 East Walk. As an aside, we wonder how the necessary earth-moving machinery would get onto the site as there is no vehicular access, and how the soil would be removed from it. We agree with the Planning Inspector's comment that "[The proposal] would also conflict with UDP Policies BE5 and BE19 and Policy 7.4 of the London Plan which, in combination, require that new development harmonises, complements or improves the character of an area and should have regard to the form of an area." We believe this applies as much to the present scheme as the previous one. Our comments on the previous application (63226/APP/2015/3525) were mainly concerned with its lack of off-street parking. Despite the comments of the Inspector in his judgement on the appeal on this previous

application, we still believe car parking is an issue as our experience of parking in this area during the day is not that portrayed in the survey undertaken by the developer. It may well be possible to park here overnight without trouble, but if the inhabitants of the proposed dwellings return home during the day they would be most unlikely to find places to park their cars.

2 letters of objection have been received from occupants of neighbouring properties raising concerns about the impact of the development on the ASLC and the increased demand for car parking in the locality.

### **Internal Consultees**

Conservation Officer:

This site is located in the East and West Walk Area of Special Local Character. This site has an extensive planning history. There are some design concerns in regards to this application, please see the team direct.

Please take note of previous comments in regards to the site as well as the Inspector notes from the last appealed application (Ref: APP/R5510/W/15/3006538) dated 6th August 2015, in paragraph 10 that 'in disrupting the sense of rhythm as a result of the pattern and layout of the houses, and the gap between them, this scheme is unacceptable, and I conclude that it would significantly harm the character and appearance of the area.'

Highways Officer:

The appeal decision on Application 63226/APP/2015/3525 accepts a car free development. Subject to the cycle spaces for residents being in a covered and secure cycle store no objections are raised on highway grounds.

Tree and Landscape Officer:

No objection, subject to conditions RES6 and RES9 (parts 1, 2, 4, 5 and 6).

## **7. MAIN PLANNING ISSUES**

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

The site has been subject to previous applications for residential development, while these applications have been unsuccessful, no objection has previously been raised to the principle of a residential development of the site subject to it according with the development plan.

The site is located in the developed area and accordingly, the principle of a residential redevelopment would be acceptable.

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

The London Plan (2016) in Table 3.2 suggests that an appropriate residential density for this site which has a PTAL score of 2 to 3 and a suburban setting would range from 45-120 units per hectare (u/ha) for units with a typical size of 3.1-3.7 habitable rooms per unit (hr/u).

The scheme equates to a density of 42 u/ha and is in line with the Mayor's guidance. However, density guidelines are of limited use on small infill sites as it will be more important to ensure that the scheme successfully harmonises with its neighbours whilst still affording appropriate living conditions for its future occupants. This is dealt with in an other relevant sections of this report.

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

Policy BE5 relates to development within Areas of Special Local Character and requires all new development to harmonise with the materials, design features, architectural style

and building heights predominant in the Areas. Policies BE13 and BE19 require new development to harmonise with the street scene and/or other features of the area that the Local Planning Authority consider it desirable to retain or enhance and to ensure that new development complements or improves the amenity and character of the area.

In dismissing the previous appeal the planning inspector considered the development at full width right up against its boundaries, would still be visible from the street and would spoil the existing symmetry and open nature of the end of the cul-de-sac.

He concluded that the proposed dwellings would have a harmful effect on the character and appearance of the area. Consequently, it would conflict with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (UDP) which indicates that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. It would also conflict with UDP Policies BE5 and BE19; Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Layouts; and Policy 7.4 of the London Plan which, in combination, require that new development harmonises, complements or improves the character of an area and should have regard to the form of an area.

The revised scheme continues with the contemporary design approach with a single storey flat roof building with a green (Sedum) roof and rooflights. This approach was originally to address a previous appeal in 2008 in which the Inspector voiced concerns over the overdominance of the buildings.

However, in dismissing the previous appeal the planning inspector considered that in many respects the buildings' modern form, design and materials, although representing an imaginative solution to the constraints of the site, and complying with paragraph 60 of the National Planning Policy Framework ('NPPF') which states that policies and decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative, he also considered paragraph 58 which states that development should respond to local character and reflect the identity of local surroundings.

In the case of the previous scheme, the inspector felt that the scheme did conflict with the approach set out in paragraph 58. As the design approach within this latest scheme is a similar design form, albeit sunk into the ground to reduce its prominence, the proposal would still be at odds with the established character of this part of the cul-de-sac and it is not considered that neither the Inspectors or the LPA's previous concerns has been satisfactorily addressed and the scheme does not relate to the distinctiveness of the Area of Special local Character and is therefore contrary to policies BE5, BE13 and BE19.

#### **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**

The issues are addressed in the section above.

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

The Council's policies BE20 and BE21 seek to protect the residential amenity of adjacent neighbouring properties through spaces between them to allow for adequate sunlight and daylight. Furthermore Policy BE24 seeks to ensure that occupants of neighbouring properties do not suffer any loss of privacy.



New development needs to protect the amenities of surrounding residential occupiers and in the case of residential development, needs to provide accommodation of a suitable standard. The Council's Supplementary Planning Document HDAS: Residential Layouts provides further clarification in that it advises that buildings of two or more storeys should maintain at least a 15m separation distance from adjoining properties to avoid appearing over-dominant and a minimum 21m distance between windows and private amenity space.

The proposed dwellings, being single storey and sunk below natural ground level these houses will have no effect on neighbouring amenity. Furthermore there would be no overlooking of neighbours, no impact on privacy and no loss of sun or daylight.

The proposal would not therefore have a significantly visually intrusive and overdominant impact nor would it lead to a significant increase in overshadowing onto any neighbouring occupiers, in accordance with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and paragraph 4.9 of the Hillingdon Design & Accessibility Statement(HDAS):Residential Layouts.

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

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

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A single storey three bedroom (5 person) house is required to provide an internal floor area of 86 square metres, a 3 bed (4 person) house is required to provide 74 square metres and a two bedroom 4 person 70 square metres. At an internal floor area of 82, 98 and 107 square metres the proposed houses would meet the minimum internal floor area standards in accordance with the London Plan (2016).

#### **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 proposed developments 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 maximum provision of three off-street parking spaces for each dwelling.

The appeal decision on application 63226/APP/2015/3525 accepts a car free development and the Council's Highways Officer has confirmed no objection to the revised scheme subject to a condition requiring cycle spaces for residents being in a covered and secure cycle store.

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

The issues are addressed in the sections above.

#### **7.12 Disabled access**

No accessibility issues have been raised in respect of this application.

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

Not applicable to this application.

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

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

No trees or other landscape features of merit will be affected by the proposal. The Council's Landscape Officer has raised no objection to the proposal subject to the imposition of landscape conditions to secure additional landscaping at the site. The proposal is therefore considered acceptable in accordance with Policy BE38 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### **7.15 Sustainable waste management**

Provision for the siting of suitable refuse storage facilities could be made the subject of conditions if the application was considered acceptable in all other respects.

#### **7.16 Renewable energy / Sustainability**

Not applicable to this application.

#### **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**

The comments received are addressed in the sections above.

#### **7.20 Planning obligations**

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development of 180sq metres of additional floorspace are as follows:

Hillingdon CIL = £28530.46

Mayoral CIL = £11171.12

Total = £39701.58

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

NO other issues raised.

### **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**

The proposed scheme is similar to that recently dismissed at appeal in terms of its layout. The proposed dwellings have however been sunk into the ground in an attempt to overcome the Inspectors previous concerns which related to the development failing to harmonise with the existing street scene and other features of the ASLC.

It is considered however, that the revised proposal, by reason of its form, scale, size, siting and design, which would still extend across the entire site, would be out of keeping with the character and appearance of the streetscene and the distinctive character of the designated East Walk/West Walk Area of Special Local Character (ASLC).

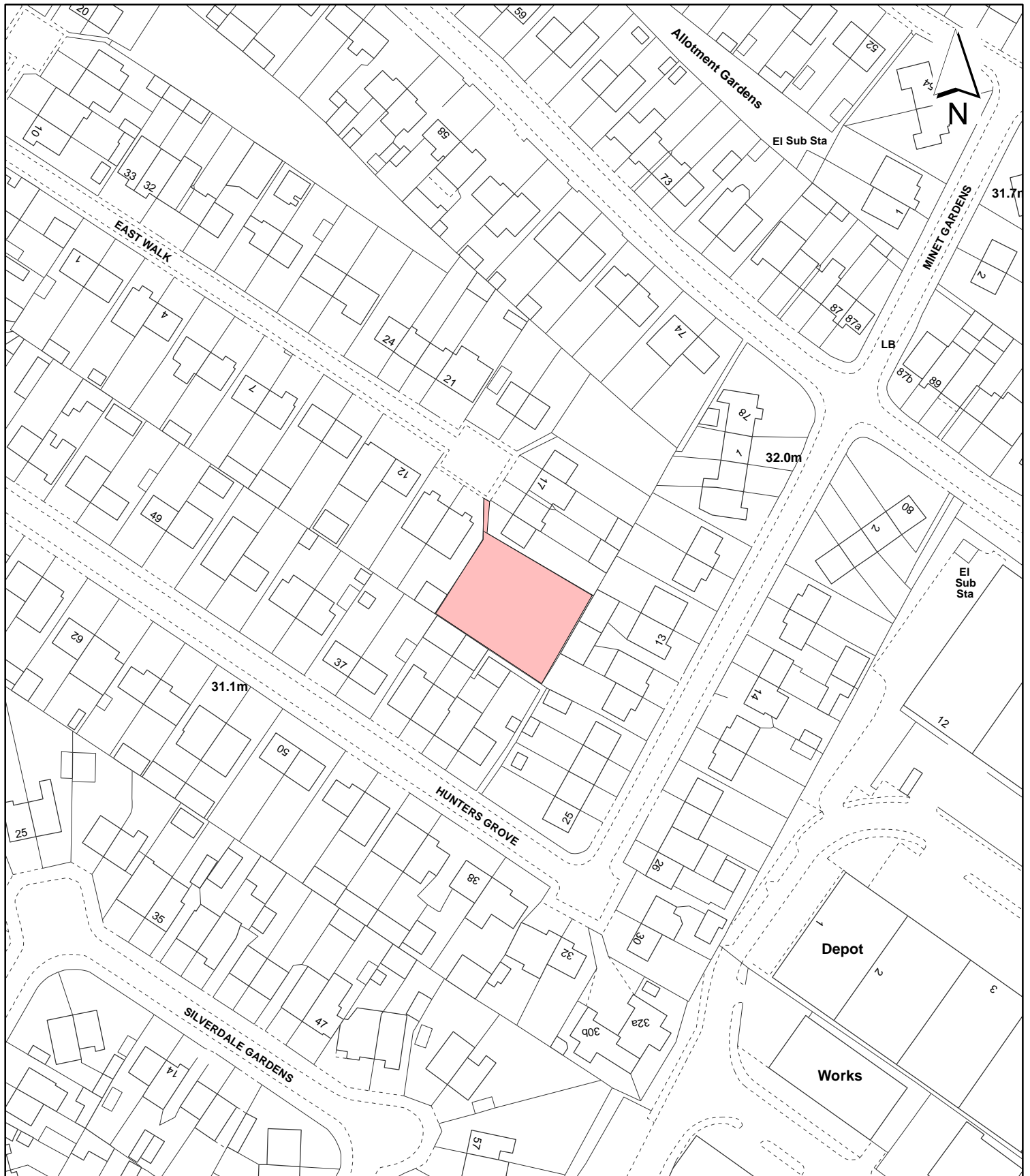
The application is therefore recommended for refusal.

## **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 (2016)  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Residential Extensions  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address:

**Land adjacent to 14 and 15 East Walk  
 Hayes**

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

Planning Application Ref:  
**63226/APP/2016/2383**

Scale:  
**1:1,250**

Planning Committee:  
**Central and South**

Date:  
**September 2016**

