



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Mr S Bhogal
13 Harewood Terrace
Southall
Middlesex
UB2 4JN

Application Ref: 47508/APP/2009/629

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Amendment to planning permission ref.47508/APP/ 2008/2975 (condition 6) dated 08/12/2008 to allow for conversion of garage to gym (Single storey detached garage and laundry room at end of rear garden involving the demolition of existing garage and outbuilding).(RETROSPECTIVE)

Location of development: 22 Brookside Road, Hayes

Date of application: 03 April 2009

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Corporate Director of Planning & Community Services

Date: 29 May 2009

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

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SCHEDULE OF REASONS

- 1 · The outbuilding, by reason of its internal layout and inclusion of a bathroom, is capable of being adapted to form a self-contained bedsit. The floorspace of the outbuilding is below the minimum recommended standard of 33sq.m for a bedsit. As such, the internal size is inadequate and would fail to provide an acceptable standard of amenity for future occupiers contrary to policies BE19 and H7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 4.6 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layout.

- 2 · The outbuilding, due to its height, which exceeds the height of the approved garage, and its siting, results in an unduly dominant building within the street scene, to the detriment of the visual amenities of the area. As such it fails to comply with policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and advice contained in HDAS Supplementary Planning Document: Residential Extensions.

SCHEDULE OF REASONS

Standard Informatives

- 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 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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

BE19	New development must improve or complement the character of the area.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H7	Conversion of residential properties into a number of units
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Layout (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 4.6 Unit Size 4.9 Sunlight/Daylight 4.12 Privacy 4.17 Garden Space for Flats 4.33 Car Parking

END OF SCHEDULE

Address:

Planning & Community Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250400 / 250401
www.hillingdon.gov.uk

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SCHEDULE OF PLANS

Location Plan - received 27 Mar 2009

Block Plan - received 27 Mar 2009

SB/22/BS - received 27 Mar 2009

Photos - received 27 Mar 2009

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

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Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.