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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Mr K A Janjua
M C S Design
53 Westmead
Windsor
SL4 3NN

Application Ref: 62090/APP/2006/2177

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:

ERECTION OF SINGLE-STOREY FRONT AND REAR EXTENSIONS, CONVERSION OF GARAGE AND ROOFSPACE TO HABITABLE ACCOMMODATION WITH INSTALLATION OF REAR DORMER WINDOW AND ROOFLIGHTS

Location of development: 42 Kingsash Drive, Hayes

Date of application: 25 July 2006

Plan Numbers: SHEIK/01, 02, 03, 04, 05, 06 & 07 received 25/7/06

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

Signed:..... Ian Peck **.....**

DIRECTOR OF PLANNING & TRANSPORTATION

Date: 19 September 2006

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 proposed single storey front and rear extensions, by reason of their size and design, would appear over-dominant, would fail to make a positive contribution to the appearance of the existing house and would detract from its appearance within the overall street scene, contrary to policies BE13, BE15 and BE19 of the Borough's adopted Unitary Development Plan and the Hillingdon Design & Accessibility Statement Supplementary Planning Document: "Residential Extensions".

2 · The proposed single storey front extension, by reason of its size, design and juxtaposition with No. 41 Kingsash Drive, would appear visually obtrusive and overbearing to the detriment of the visual amenities of neighbouring occupiers, contrary to policy BE21 of the Borough's adopted Unitary Development Plan and Hillingdon Design & Accessibility Statement Supplementary Planning Document: "Residential Extensions".

3 · The proposed single storey front and rear extensions, by reason of their size, would fail to maintain adequate external amenity space for the dwelling, sufficient to provide for an acceptable level of amenity for future occupants, contrary to policy BE23 of the Borough's adopted Unitary Development Plan and Hillingdon Design & Accessibility Statement Supplementary Planning Document: "Residential Extensions".

4 · The proposed dormer window, by reason of its size, siting and design, would fail to relative sensitively to the character and appearance of the existing dwelling and would appear incongruous and obtrusive within the street scene, out of keeping with and detrimental to the overall character and appearance of the area, contrary to policies BE13, BE15 and BE19 of the Borough's adopted Unitary Development Plan and Hillingdon Design and Accessibility Statement Supplementary Planning Document: "Residential Extensions".

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 Unitary Development Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

BE13 Layout and appearance of new development
BE15 Alterations and extensions to existing buildings
BE19 New development within residential areas - complementing and improving amenity and character of the area
BE20 Daylight and sunlight considerations

SCHEDULE OF REASONS

BE21 Siting, bulk and proximity of new buildings/extensions
BE23 External amenity space and new residential development
BE24 Design of new buildings - protection of privacy
AM14 New development and car parking standards

SPD: "Residential Extensions"
Part 3.0 Rear Extensions and Conservatories: Single storey
Part 7.0 Loft Conversions and Roof Alterations
Part 8.0 Front Extensions, Porches and Bay Windows

END OF SCHEDULE

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.

- If you want to appeal, then you must do so within six months of the date of this notice, 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 (Tel. 0117 372 8428). Appeal forms can be downloaded from the Planning Inspectorate's website at http://www.planning-inspectorate.gov.uk.

- 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.