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**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**REFUSAL OF PLANNING PERMISSION**

Mr K. Janjua
M C S Design
53 West Mead
Windsor
SL4 3NN

Application Ref: 62090/APP/2007/547

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 A TWO-STOREY PART FRONT, TWO-STOREY SIDE AND SINGLE-STOREY REAR EXTENSIONS (INVOLVING DEMOLITION OF EXISTING GARAGE)

**Location of development:** 42 Kingsash Drive, Hayes

**Date of application:** 23 February 2007

**Plan Numbers:** SHEIKH01, 02, 03, 04, 05, 06 and 07

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

**Signed:**..... .....

**CORPORATE DIRECTOR OF PLANNING & COMMUNITY SERVICE**

**Date: 20 April 2007**

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.

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

## REFUSAL OF PLANNING PERMISSION

Application Ref: 62090/APP/2007/547

## SCHEDULE OF REASONS

1 · The proposed two storey front extension by virtue of its scale and design would create an incongruous feature that would materially altar the character and appearance of the dwelling to its detriment. It would fail to relate sensitively to the character and appearance of the existing dwelling and would also appear obtrusive within the street scene. As such the proposal would be contrary to Policies BE13, BE15, BE19 and BE22 of the unitary Development Plan and to the Council's Supplementary Planning Document HDAS 'Residential Extensions', Section 8.

2 · The proposed single storey rear extension, by reason of its scale and proximity to the side boundary, would appear overdomiant and as such, detract from the character and appearance of the street scene. The proposal is therefore contrary to Policies BE13, BE15 and BE19 of the Borough's adopted Unitary Development Plan 1998 and the Hillingdon Design and Accessibility Statement: '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:

Policies BE13, BE15, BE19, BE20, BE21 BE22, BE23, BE24 and AM14
Residential Extensions Supplementary Planning Document Sections 3,5 and 8.

## END OF SCHEDULE

## RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

### 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.