



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

**REFUSAL OF PLANNING PERMISSION**

Hillingdon Homes  
1390 Uxbridge Road  
Hillingdon  
Middlesex  
UB10 0NE

Application Ref: 63150/APP/2007/2470

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 SINGLE STOREY REAR EXTENSION.

**Location of development:** 30 Merton Avenue, Hillingdon

**Date of application:** 07 August 2007

**Plan Numbers:** MA/PLAL/07/01, 03, 04, and 06 received 7th August 2007 MA/PLAL/07/02 Rev A and 05 Rev A received 11th September 2007.

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

Corporate Director of Planning & Community Services

**Date: 2 October 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.

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#### **SCHEDULE OF REASONS**

- 1 · The proposed rear extension, by reason of its siting and excessive depth, would not appear as a subordinate addition to the original property and would fail to harmonise with the proportions and architectural composition of the original house and the row of terrace properties, detrimental to their appearance. The extension would therefore detract from the visual amenities of the area, contrary to Policies BE13, BE15 and BE19 of the Borough's adopted Unitary Development Plan and Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): "Residential Extensions".
- 2 · The proposal, by reason of the siting of the new bedroom window in the ground floor side elevation wall of the original house, adjoining a shared access and close to the side elevation of No. 28 Merton Avenue, would fail to provide adequate privacy and outlook to that habitable room and fail to ensure that sufficient sunlight would be able to penetrate it. The proposal would therefore fail to afford an acceptable standard of amenity for the occupiers of the existing house and secure the objectives of energy conservation. As such, the proposal is contrary to policies BE20, BE24 and OE12 of the Borough's adopted Unitary Development Plan and Section 3.0 of the Council's adopted UDP.

#### **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  
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  
OE12 Energy conservation and new development

Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions:

3.0 - Rear Extensions and Conservatories: Single Storey

Council's interim Car Parking Standards

#### **END OF SCHEDULE**

**SCHEDULE OF REASONS**

**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](http://www.hillingdon.gov.uk)**

## **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.