

Hinckley & Bosworth Borough Council

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

PRIOR APPROVAL IS REFUSED

Name and Address of Applicant

Mr And Mrs Kerr
60 Sketchley Road
Burbage
Leicestershire
LE10 2DZ

Name and Address of Agent (if any)

Mr Sam Spencer
Hayward Architects Ltd
19 Station Road
Hinckley
LE10 1AW

Part I - Particulars of Application

Date of Notification

6 February 2025

Reference No.

25/00096/HHGDO

Particulars and location of development :

Notification to determine if Prior Approval is required for a single storey rear extension measuring 4.95 metres in depth, 3.15 metres at ridge height and 3.15 metres at eaves height

60 Sketchley Road Burbage Hinckley Leicestershire LE10 2DZ

Part II – Particulars of decision

This document confirms that **prior approval required under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 is refused** for the proposed development at the address shown above, as described by the description shown above, and in accordance with the information that the developer provided to the local authority.

Information that the developer provided to the local planning authority:

- Notification of a Proposed Larger Home Extension application form
- Proposed Elevations and Floor Plans Dwg no 01A
- Existing Elevations and Floor Plans Dwg no 00
- Site & Block Plan Dwg no 04

Reason for refusal:

The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres. The proposed enlargement therefore fails to comply with Schedule 2, Part 1, Class A, paragraph A.1 (i), of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Date : 24 March 2025



Christopher Brown MRTPI
Head of Planning

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. The full limitations and conditions of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 can be found at <http://www.legislation.gov.uk/ukxi/2015/596/schedule/2/made>
4. As this is notification that prior approval for a larger home extension is refused, 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 on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Householder Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

PANOTES (02/07/2014)

