Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

Name and Address of Applicant
Mr Paul Witham
35 Springfield Road
Hinckley
Leics.
LE10 1AN

Name and Address of Agent (if any)
D J Wilkinson
18 Webbs Way
Stoney Stanton
Leics
LE9 4BW

Part I - Particulars of Application

Date of Application	**Application No.**
16 April 2009	09/00285/FUL

Particulars and location of development:

EXTENSION AND ALTERATIONS TO DWELLING

35 Springfield Road Hinckley Leicestershire LE10 1AN

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s) :-

1. In the opinion of the Local Planning Authority, the mass, size, location and design of the proposed extension in association with existing extensions at the property, would have an overbearing and adverse impact on the amenities that residents of the adjoining property could reasonably expect. It would therefore conflict with Policy BE1 of the adopted Hinckley and Bosworth Local Plan and the Borough Council's Supplementary Planning Guidance on house extensions.

NOTES TO APPLICANT :-

1. List of plans used in the determination of this application:- Detailed plan of Nov 2008 1:1250 location plan and 1:500 block plan.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date :22 May 2009

IMPORTANT – PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

NOTES

1. It will be most helpful if the application number shown overleaf is quoted on all correspondence.

2. 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 on a form which is obtainable from the Planning Inspectorate, Room 305(K), Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by telephoning 0117 372 6372). 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.

3. If permission to develop land is refused whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

4. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

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