

FULL PLANNING PERMISSION REFUSED

To:	Mrs Donna-Christine Ball Millhouse Business Centre Station Road Castle Donnington Derbyshire DE74 2NJ United Kingdom	Application no: 22/00755/FUL	Applicant: Mr Ali Hussain 142 Western Road Milton Keynes Bletchley MK2 2PU
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Milton Keynes Council, under their powers provided by the above legislation, **Refuse Permission** for

**Erection of a two-storey side and rear extension and a single storey front and rear extensions
At: 142 Western Road Bletchley Milton Keynes MK2 2PU**

in accordance with your application, valid on 31st March 2022 and the following drawings:

Received on 25.03.22 -
052-002a - Ground floor plans
052-002c - Roof Plans
052-003a - Elevations
052-003b - Elevations
052-004 - 3D Views

Received on 31.03.2022 -
HH/22/052/001 - Site Plan
052-002b - First Floor Plans

The reason(s) for refusing your application are:

(1) The proposed development, by virtue of its scale, mass, height, depth, and proximity to No. 144 Western Road, would lead to a significant detrimental impact on the amount of daylight received to the habitable ground floor, and fully overshadowed and first floor window

**Development Management,
Civic, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ
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to the rear elevation of that neighbouring property. These windows are the only windows which service these habitable rooms, and the loss of daylight and overshadowing would be considered to have a detrimental impact on the residential amenity afforded to these neighbours, particularly for the ground floor window where the extension would create an undesirable 'tunnelling' effect between existing built features. The proposal therefore does not comply with Policy D5 of Plan:MK 2019.

(2) By virtue of the proposed development's overall mass, scale, height and overall contrived design approach, the proposal would not relate well to the character of the existing dwelling nor of those in the local area (including the semi-detached pair), and as such, the cumulative impact and design of the proposed development would be detrimental to the character of the area. The proposal does not comply with Policies D1, D2 and D3 of Plan:MK 2019 in this regard.

(3) The proposed development, by reason of its size, height, mass and scale, and proximity to No. 144 Western Road (including immediate rear garden), the proposal would be a dominating and highly visible feature from the rear elevation windows of that neighbouring property and its rear garden. This would lead to an overbearing and detrimental impact on the outlook and visual amenity afforded from within the habitable rooms of 144 Western Road and create a 'hemmed' in feel to the rear elevation when taking into account its own rear projections. The proposal does not therefore comply with Policy D5 of Plan:MK 2019.

Working With the Applicant

In accordance with paragraph 38 of the National Planning Policy Framework Milton Keynes Council takes a positive and proactive approach to development proposals focused on solutions. Milton Keynes Council works with applicants/agents in a positive and proactive manner by: offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application; where possible suggesting solutions to secure a successful outcome; informing applicants/agents of any likely recommendation of refusal prior to a decision; and by adhering to the requirements of the Milton Keynes Council Corporate Plan and the Planning and Transport Service Plan.

Your attention is drawn to the attached notes

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015



A handwritten signature in blue ink, appearing to be 'JP', with a long horizontal line extending to the right.

26th May 2022

Jon Palmer MRTPI – Head of Planning
For and on behalf of the Council

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 Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal, then you must do so within 12 weeks of the date of this notice. 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.

You can appeal using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Customer Support Unit, Tel: 0117 372 6372. Appeal forms and guidance can also be downloaded from the Planning Inspectorate's website www.planning-inspectorate.gov.uk.

Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – <https://www.planningportal.co.uk/info/200207/appeals>. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

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

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If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 their interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State appeal or reference of the application to him.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990 (as amended).