

## CONDITION DETAILS - REFUSED

To: Mr Justin Wearing  
Station House, Part First Floor  
Station Road  
Newport Pagnell  
MK16 0AG

**Application no: 20/00908/DISCON**  
Applicant: Justin Wearing  
Stastoin House  
Station Road  
Newport Pagnell  
MK16 0AG

Milton Keynes Council, under their powers provided by the above legislation, **refuse** the

**Details submitted pursuant to discharge conditions 3 (Hard and Soft Landscaping Proposals), 4 (Biodiversity Enhancement Scheme) and 6 (Drainage layout) attached to planning application 18/00656/FUL**

**At: 5 North Gate Bletchley Milton Keynes MK2 2TJ**

in accordance with your application, valid on 13th April 2020

**The reason(s) for refusing your application are:**

( 1) The submitted documents:

4410\_100\_E\_Soft Landscape Proposals and drawing 0850\_201F Levels and External Works

Are considered unacceptable due to insufficient materials details on the external works layout (see Landscape consultation response for further details)

For this reason, condition 3 (Hard and Soft Landscaping Proposals), should be refused

( 2) The submitted documents:

4410\_100\_E\_Soft Landscape Proposals and drawing 0850\_201F Levels and External Works

Are considered unacceptable due to insufficient number of replacement trees (see Landscape consultation response for further details)

For this reason, condition 4 (Biodiversity Enhancement Scheme) should be refused

(3) The submitted documents:

Drainage Layout, drawn by Broughton Beatty Wearing Ltd, reference 0850/202, revision E, dated March 2020;  
- Surface Water Drainage Calculations, prepared by Broughton Beatty Wearing Ltd, reference 0850, dated March 2020;  
- Soakaway Testing, letter prepared by Geo-Integrity Ltd, reference SB/20-02-02, dated 24 February 2020.

are considered unacceptable due to insufficient surface water strategy (see Lead Local Flood Authority consultation response for further details)  
For this reason, condition 6 (Drainage layout) should be refused

### **Building Regulations**

Please note that this is a planning permission only and you may also require approval under the Building Regulations. If you are in any doubt about this you can get further information via <https://www.milton-keynes.gov.uk/planning-and-building/building-control> or the Building Control Helpline Tel. (01908) 252721.

**Your attention is drawn to the attached notes**



5th June 2020

**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 six months 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](http://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**

If either the local planning authority or the Secretary of State for the Environment

Development Management,  
Civic, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ  
Planning Enquiries Direct Line (01908) 252358  
MK Council Tel: (01908) 691691  
[www.milton-keynes.gov.uk](http://www.milton-keynes.gov.uk)

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).