

CONDITION DETAILS - REFUSED

To: Mr M Virdee
6 Fosters Lane
Bradwell
Milton Keynes
MK13 9HD

Application no: 20/00803/DISCON
Applicant: Mr N Manawar
21 Duneviden Place
Hodge Lea
Milton Keynes
MK12 6JJ

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

Details submitted pursuant to discharge of condition 3 (External Surfaces Materials), 4 (Proposed Finished Floor Levels) and 5 (Proposed Boundary Treatment) attached to planning permission 16/02306/FUL

At: 68 Water Eaton Road Bletchley Milton Keynes MK2 3BX

in accordance with your application, valid on 6th May 2020

The reason(s) for refusing your application are:

(1) Condition 3 (External Materials)

The information submitted in respect of this condition does not include samples of the proposed external materials and therefore fails to provide sufficient information in respect of the requirements of the condition to recommend discharge.

(2) Condition 4 (Finished Floor Levels)

The information submitted in respect of this condition includes a drainage plan, which is not the details sought for under Condition 4. In addition, the information submitted in respect of the condition includes the finished floor levels for the proposed dwelling only, and not the details of the surrounding dwellings and therefore fails to provide sufficient information in respect of the requirements of the condition to recommend discharge.

(3) Condition 5 (Boundary Treatments)

The details submitted in respect of this condition are not considered to be acceptable in relation to the surrounding local area. The proposals fail to take into account the existing boundary treatments within the area, and the loss of trees as a result of the development. It is therefore considered that the proposed boundary treatments are unacceptable and the condition is not recommended to be discharged.

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



12th 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.

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

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).