

## FULL PLANNING PERMISSION REFUSED

To:	Mr William Tiley 10 Bernay Gardens Bolbeck Park Milton keynes MK15 8QD	Application no: 21/03813/FUL	Applicant: Zeb Clay 25 Jura Way Newton Leys Milton Keynes MK3 5FT
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Milton Keynes Council, under their powers provided by the above legislation, **Refuse Permission** for

**The erection of two 3-bedroom semi-detached houses (resubmission of 21/02639/FUL)  
At: 77 Victoria Road Bletchley Milton Keynes MK2 2NZ**

in accordance with your application, valid on 22nd December 2021 and the following drawings:

Recieved 22.12.21

21/234/03 - Site Location and block plan  
21/234/01 - Proposed plans and elevations  
21/234/02 - Site layout

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

(1) The dimensions of the parking spaces do not satisfy the standards as required under the Parking Standards SPD, these requiring sufficient circulation space around parked vehicles and between boundary features. Furthermore, the two parking spaces immediately to the front of the new dwellings would be difficult to manoeuvre in and out of raising the prospect of vehicles not leaving the site in a forward gear, and in turn result in adverse safety issues. Therefore, the proposed parking arrangement is unacceptable, it being laid out in an already cramped environment, and would give rise to adverse highway safety issues contrary to policies CT2 and CT10 of Plan:MK and the Parking Standards SPD (2016).

(2) The proposed development would result in an approx. 8m high two-storey building enclosing the rear garden of No. 73 Victoria Road and partially enclosing the rear gardens to Nos. 71 and 75 Victoria Road. This would give rise to significant adverse overbearing impacts on these properties, including significant shading to the gardens and some windows of Nos. 71 to 75, with the rear to flank distance set out in the New Residential Design Guide SPD (2012) not achieved. Furthermore, proposed first floor habitable windows to the front and rear of the dwellings are likely to cause unacceptable overlooking of external amenity spaces at 1 Tavistock Street and 69 Victoria Road, as well as acute aspects of habitable windows at these properties. The proposed development would therefore be contrary to policy D5 of Plan:MK.

(3) The proposed development would fail to provide sufficient internal space in accordance with the minimum requirements stated in the Nationally Described Space Standard. It would also fail to provide sufficient private outdoor amenity space required in the New Residential Design Guide SPD (2012), with little space for soft landscaping to complement the urban form too. Therefore, it is considered that the development would not provide satisfactory living conditions for the future occupiers and fail to comply with policies HN4 and D5 of Plan:MK.

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



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

22nd March 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](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**

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)

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).