

CONDITION DETAILS - REFUSED

To:	Mal Parker The Leathermarket, Dunthorne Parker Weston Street London SE1 3ER	Application no: 21/00148/DISCON	Applicant: Mr and Mrs Peter Hewitson Belvedere Farm, Belvedere Lane Bow Brickhill MK17 9JH
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Milton Keynes Council, under their powers provided by the above legislation, **refuse** the

Details submitted pursuant to discharge condition 3 (Construction Management Plan) attached to planning application 17/03336/FUL

At: Belvedere Farm Belvedere Lane Bow Brickhill Milton Keynes MK17 9JH

in accordance with your application, valid on 19th January 2021

The reason(s) for refusing your application are:

(1) Condition 3 - Construction Management Plan

Dunthorne Parker Architects CONSTRUCTION MANAGEMENT PLAN - Electronically Registered 18.01.2021

The following information has not been addressed in the document:

There should be wheelwash facilities to mitigate against dust and dirt being trafficked from the site road onto the carriageway.

The document should demonstrate how delivery times are to be coordinated to prevent queueing along the adopted, and unadopted highway.

A banksman to coordinate delivery traffic access and egress from the site entrance to mitigate for possible reversing of vehicles and pedestrian use of the Public Right of Way in the immediate vicinity does not imply a safe means of control. An alternative solution needs to be

detailed in a traffic management plan/risk assessment and method statement. No mitigation of risk to pedestrians has been provided other than us of a banksman which is not acceptable.

The document should detail that highway verges should not be utilised as temporary passing zones.

The document should detail that existing entrances to the following residential and commercial properties to remain free from obstruction and not utilised for temporary parking or passing zones: Belvedere Farm, Dobbies Garden Centre car park entrance, Dobbies rear delivery compound access, Belvedere Cottage and Elite Lawn Solutions premises.

The document should detail that there is no offloading from the road.

Signage will need to be in compliance with Chapter 8 and Safety at Street and Road Works, Code of Practice should be used along the delivery route from Watling Street to the site entrance and included within the traffic management plan above.

The applicant is encouraged to consult with the Senior Engineering Control Officer in Highways on these matters as necessary - Tom Jones- 01908 254984

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



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

16th March 2021

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

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



**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**

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 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).