

## FULL PLANNING PERMISSION REFUSED

To:	AECOM Limited	<b>Application no: 20/00849/FUL</b>
	Mrs Imogen Scotney	Applicant: FCC Environment
	Royal Court	Ground Floor West900 Pavillion
	Basil Close	Drive
	Chesterfield	Northampton Business
	S41 7SL	ParkNorthampton
		NN4 7RG

Milton Keynes Council, under their powers provided by the above legislation, **Refuse Permission** for

### **Construction and operation of a surface water attenuation lagoon**

**At: Bletchley Landfill Site Guernsey Road Newton Leys Milton Keynes MK3 5FR**

in accordance with your application, valid on 2nd April 2020 and the following drawings:

60602321.SWL.02 Planning Application and Land Ownership Boundaries received 1st April 2020

60602321.SWL.03 Site Area received 1st April 2020

WR7439/SW/01 Rev 0 Design Report received 1st April 2020

Surface Water Drainage Scheme Report prepared by Sirius as submitted (ref: WR7439/JD/01) dated 15 June 2020 received 3rd July 2020

Preliminary Ecological Appraisal (PEA) (AECOM, Nov 2020) received 20th November 2020

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

( 1) By virtue of the development proposed the application would cause an unacceptable level of harm to habitats which provide protection for priority species in contravention of Policy NE2 of Plan: MK (2019). Furthermore, insufficient detail has been provided to evidence how any mitigation measures would be implemented therefore failing to comply with Policy NE1 of Plan: MK (2019). In addition, the submitted Preliminary Ecological Appraisal fails to comply with the mitigation hierarchy principles of avoidance, reduction, restoration, and lastly offsetting contrary to Policy NE3 of Plan:MK.

## **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**

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

21st December 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**

**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).