

## FULL PLANNING PERMISSION REFUSED

To: Mr Harry Dibden  
UNIT 2, WARREN COURT  
CHICKSANDS  
SHEFFORD  
BEDFORD  
SG17 5QB  
undefined

**Application no: 22/01073/FUL**  
Applicant: Mr Kendrick Alexander  
1 St Martins Street  
Milton Keynes  
Bletchley  
MK2 2TZ

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

**Erection of part single, part two storey side and rear extension  
At: 1 St Martins Street Bletchley Milton Keynes MK2 2TZ**

in accordance with your application, valid on 28th April 2022 and the following drawings:

Received 28.04.22:  
OAK-039 : Proposals

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

( 1) The proposed development, specifically the side yard extension, would constitute an unacceptable intrusion on the public realm by altering the front façade of the house in such a way that is out of character with the design and scale of the neighbourhood as whole. This is inconsistent with Policies D1 (A.1., A.2.), D2 (A.1., A.2.) and D3 (A.1.) of Plan:MK 2016-2031.

(2) Until the expiration of the existing planning permission (19/02037/FUL) for the construction of a 3-bedroom bungalow on the rear of the property on 28 November 2022, that permission must be taken into consideration during the review of this current application, even though construction has not commenced. The proposal for this bungalow included splitting the space between the two structures into two separate rear gardens. This significantly reduces the existing rear garden for the subject site. The proposed extension would reduce the garden even more leaving only a 5m distance between the rear of the house and the rear boundary line. The New Residential Development Guide adopted in April of 2012 sets a standard rear yard amenity to be a minimum of 10m, while noting that larger width lots can allow for a reduction of that standard, it also notes that gardens should be designed to receive afternoon sun which may require north-facing gardens to be longer to compensate for the shade from the house. The subject site garden is north facing and therefore should be even greater than 10m to compensate for the shadow of the house. This loss of rear garden space does not comply with the recommended outdoor space amenity and therefore does not comply with Policy D5 (specifically A.3.) of Plan:MK 2016-2031.

### **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.

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



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

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

30th December 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**

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).