

FULL PLANNING PERMISSION REFUSED

To:	Mr Christopher Phillips 5 Arncliffe Drive Heelands Milton Keynes MK13 7PQ United Kingdom	Application no: 22/03022/FUL	Applicant: Mr Mazar Ashraf 118 Wolverton Rd Milton Keynes Newport Pagnell MK16 8JQ
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Milton Keynes City Council, under their powers provided by the above legislation, **Refuse Permission** for

Proposed extension to the second floor of the existing flat building for the provision of 2 flats and replacement roof

At: Flat A 128 Western Road Bletchley Milton Keynes MK2 2PU

in accordance with your application, valid on 5th January 2023 and the following drawings:

Received 09.12.2022:
2202-CP-A-1005 - Location Plan

Received 02.02.2023:
2202-CP-A-1000 - Plans
2202-CP-A-1001 - Sections
2202-CP-A-1002 - Elevations
2202-CP-A-1003 - Site Plan

The reason(s) for refusing your application are:

(1) The site plan outlines the provision of 2 small areas of external amenity space to serve the flatted development. Whilst the space provided would meet the standards in respect of size, the useability of these areas of amenity space located amongst the parking provision that would not offer privacy when using the space are not considered to provide sufficient useable amenity space for the needs of the future occupiers. Therefore the proposal would not comply with Policy D5 of Plan:MK, Sections 12 and 15 of the National Planning Policy Framework and the New Residential Development Design Guide SPD (2012).

(2) The site layout is restricted, with the manoeuvring into and out of the spaces located to the front of the building conflicting with pedestrians on Western Road footway and the highway. In addition, these spaces are unusable by virtue of the proposed trees located within the parking spaces. As such, the layout as presented is inadequate and would result in a harmful impact on the operation of the highway and the safety of users. The development does not comply with the Milton Keynes Parking Standards (2023) and Policy CT2 and CT10 of Plan:MK.

Your attention is drawn to the attached notes



23rd May 2023

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 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).