

## FULL PLANNING PERMISSION REFUSED

To:	Mr Jon Sidey 10 Market Square Higham Ferrers NN10 8BT United Kingdom	<b>Application no: 22/03173/FUL</b>
Applicant:	Alliance Group Mr R Scandian 9 Diamond Court Opal Drive Fox Milne Milton Keynes MK15 0DU	

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

**Sub-division of permitted dwelling into 2No studio units (as per previous approvals 18/01611/FUL and 18/01612/LBC)**

**At: 49 - 51 Aylesbury Street Bletchley Milton Keynes MK2 2BQ**

in accordance with your application, valid on 3rd January 2023 and the following drawings:

Received 03.01.2023:

22-055-06 Rev A - As Approved Ground & First Floor Plans. As Approved & Proposed Elevations.  
Location Plan

22-055-07 Rev A - As Proposed Ground Floor Plan. As Proposed First Floor Plan. Site Plan

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

( 1) The proposed flat would provide an inadequate level of amenity for the future occupiers through poor outlook onto a car park for the proposed ground floor flat, and potential loss of privacy associated with this relationship. The proposed flats also fail to meet the minimum space standards for a 1 bedroom, 1 person dwelling and therefore is in conflict with Plan:MK Policy D5, Policy HN4 and the New Residential Design Guide (2012).

( 2) The proposal fails to provide any adequate outdoor private amenity space for the future occupiers of the proposed flats. The ground floor flat benefits from just a small juliet balcony, which does not constitute amenity space, and the proposed first floor flat has a balcony with just a 0.7 metre depth, which is not considered adequate to provide a good level of amenity for future occupants. Therefore the proposal is in conflict with Policy D5 of Plan:MK and the New Residential Design Guide (2012).

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



28th April 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](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).