

## FULL PLANNING PERMISSION REFUSED

To: Mr Rahul Singh  
21-27 Albion Road  
Luton  
LU2 0DS  
United Kingdom

**Application no: 23/01285/FUL**  
Applicant: Xcelentra Properties Ltd  
Mr. P. Somani  
381 Midsummer Boulevard  
Acorn House  
MK9 3HP  
Milton Keynes

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

**Proposal for development of a new self contained, one bed, single storey, bungalow dwelling house in the rear amenity space of 45 Tavistock Street**  
**At: 45 Tavistock Street Bletchley Milton Keynes MK2 2PE**

in accordance with your application, valid on 21st July 2023 and the following drawings:

Received 12.07.2023  
22.304.PL.001 REV 02 - Site Layout  
22.304.PL.002 REV 01 - PROPOSED LAYOUT

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

( 1) The design of the site and the building do not integrate well into the existing character of the area or the subject site itself. Complicated site access, lack of boundary treatments, and

the isolation of the dwelling from the street scene and public spaces, are all contrary to the high standard of design expected of all new development. The proposal therefore fails to accord with Policies D1, D2, and D3 of Plan:MK (2019)

( 2) The proposal would reduce a currently acceptable amount of private amenity space for the existing dwelling to a size that is significantly below the recommended guidelines. The outlook from the proposed dwelling would be limited to fences and garage walls with only two windows provided on the front elevation and the proposed cycle store location would partially block one of the windows. The bin store location would negatively impact the street scene and the outlook from the existing dwelling. The proposal would therefore have a negative impact with regard to residential amenity on both existing and future occupiers and is contrary to Policies D5 of Plan:MK (2019) and the New Residential Design Guide SPD (2012).

( 3) The site does not provide adequate allocated parking for the proposed dwelling. There is limited on-street parking, so additional vehicles from both occupants and potential visitors would lead to inappropriate parking in restricted areas, causing highway safety concerns. There is a designated cycle store area, however, the proposed location would likely lead to an enclosed and lockable cycle store blocking the window of the dwelling. Moving the cycle store would either decrease the private garden amenity size, or create further obstruction along the access route to the dwelling. As no car parking is provided, no EV charging point is provided, for either dwelling. For these reasons the proposal fails to comply with Policies CT2, CT3, CT6, and CT10 of Plan:MK (2019).

( 4) The construction of the dwelling would require the removal of the hedge along the rear of the property and behind the garage. Additionally, it is possible that the foundations of the new dwelling could cause root damage to vegetation on adjacent properties. Given the site constraints, new vegetation is not possible, leading to a loss of biodiversity on the site. For this reason, the proposal fails to comply with Policy NE3 of Plan:MK (2019).

### **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**



14th September 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).