

FULL PLANNING PERMISSION REFUSED

To: Mr Mathew Collins
18 Royce Close
Dunstable
Dunstable
LU6 2NT
United Kingdom

Application no: 23/01567/HOU
Applicant: Mr Trevor Jones
51 Cranwell Crescent
Eaton Leys
Milton Keynes
MK17 9GS

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

Demolition of existing garage and construction of new enlarged garage
At: 51 Cranwell Crescent Eaton Leys Milton Keynes MK17 9GS

in accordance with your application, valid on 19th July 2023 and the following drawings:

Received on 17/07/2023:
22025-SLP001 Rev. A - Site Location & Block Plan
22025-PL001 Rev. B - Proposed Plans

reason(s) for refusing your application are:

(1) By virtue of the proposed scale and appearance of the garage compared to the surroundings, the proposal would appear as a visual obstruction that would not relate well to the prevailing landscape character and street scene that is not appropriate for ancillary development within the open countryside. The principle of the development cannot be

established, failing to comply with Policy DS5 of Plan:MK.

(2) By virtue of the increase size and scale of the garage, it would no longer appear subservient to the existing dwelling, instead having a more dominating presence upon the street scene that would be visually obtrusive and does not relate well to the existing dwelling house. Visually the proposal would not respect the existing character of the local area where low scale outbuildings are prevalent, failing to comply with Policies D1, D2, D3 and NE5 of Plan:MK.

(3) By virtue of the proximity of the garage to the garden boundary shared with Plot 423 immediately to the east and the increased height of just under 5m, it would result in a visual obtrusion that would be overbearing for the current and future occupiers and users of the garden space, which is not acceptable and fails to comply with Policy D5 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

13th September 2023



TPI – Head of Planning

TOWN AND COUNTRY PLANNING ACT
1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL
PERMITTED DEVELOPMENT) (ENGLAND)
ORDER 2015 (AS AMENDED)



For and on behalf of the Council

Planning and Placemaking
Civic, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ
01908 691691
www.milton-keynes.gov.uk/planning-and-building

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.

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

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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).