

## **FULL PLANNING PERMISSION REFUSED**

To: Mr Keith Atkinson  
Ashurst Cottage  
Birchwood  
Storrige  
Malvern  
WR13 5HA  
United Kingdom

**Application no: 23/02845/HOU**

Applicant: Ms F Choudhury  
129 Pinewood Drive  
Milton Keynes  
Bletchley  
MK2 2HY

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

**The erection of a single storey side extension with wooden balcony feature (retrospective)**  
**At: 129 Pinewood Drive Bletchley Milton Keynes MK2 2HY**

in accordance with your application, valid on 8th January 2024 and the following drawings:

Received 08/01/2024:

ATK/22/IC/TPIA - Proposed and Existing Floor Plans

Received on 19/02/2024:

ATK/22/129PD/TP2 Rev. B - Proposed Elevations

ATK/22/129PD/TP3 - Proposed and Existing Roof Plans

reason(s) for refusing your application are:

( 1) By virtue of the presence of the wooden fencing structure to the roof edges of the side extension, it results in a structure that is at odds with the character and appearance of the existing dwelling and local area and does not result in a positive addition to the character. It appears as a disjointed addition and looks so from the street scene and public realm when viewed from here, not complying with Policies D1, D2 and D3 of Plan:MK.

( 2) By virtue of the presence of the rooftop terrace and first-floor side door that has been installed to use it as a terrace, results in a level of overlooking and loss of privacy to the immediate neighbours and particularly No's 131 Pinewood Drive, 14 and 16 Hawthorn Avenue that would result in a change in how the private amenity space and property are used by the occupiers of those neighbouring dwellings, which does not leave an acceptable level of privacy, and non-compliance 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**

20th February 2024



**TPI – Head of Planning**  
For and on behalf of the Council

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



Planning and Placemaking  
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## **Right of appeal to the Secretary of State**

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or consent for your proposal or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990, subject to the following:

- if this is a decision on an application for householder or minor commercial development (the latter as defined by Part 1 Article 2 of the Town and Country Planning (Development Management Procedure) Order 2015), any appeal must be made within 12 weeks of the date of this notice;
- if this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, any appeal must be made within 28 days of the date of this notice;
- if an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your planning application, any appeal must be made within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal, the latter as defined by Part 1 Article 2 of the Town and Country Planning (Development Management Procedure) Order 2015) of the date of this notice, whichever period expires earlier;
- in all other cases, any appeal must be made within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made using a form which you can get online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate) or from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State need not consider an appeal if it seems to them that the Local Planning Authority could not have granted planning permission or consent for the proposal 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 the Secretary of State.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details can be found online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate).

### **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).