

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



FULL PLANNING PERMISSION REFUSED

To: Mr Rahul Singh
1 Studio Court
Milton Keynes
MK2 2DG

Application no: 24/01282/HOU

Applicant: Edison Seraj
3 Taylor Close
Eaton Leys
Milton Keynes
Milton Keynes
MK17 9GN

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

The erection of a garage (part-retrospective)
At: 3 Taylor Close Eaton Leys Milton Keynes MK17 9GN

in accordance with your application, valid on 3rd July 2024 and the following drawings:

Received 10.06.2024:
23.051.PL.001 - SITE LAYOUT
23.051.PL.002 - PROPOSED PLANS
23.051.PL.003 - PROPOSED ELEVATIONS

Received 03.07.2024:
23.051.PL.008 - BLOCK PLAN (and Location Plan)

reason(s) for refusing your application are:

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

(1) The proposed retrospective garage, by fact of its materials and would be incongruous with the design of dwellings on the street and would harm the open, designed character of Taylor Close. The proposal is considered to fail to comply with policies D1, D2 and D3 of Plan:MK.

(2) By removing two allocated parking spaces the proposed garage would result in a shortfall against the parking requirements for the site which would result in an increase in on-street parking, to the detriment of highway safety and visibility. Given that this is an area with an under-provision of visitor lay-by parking spaces, the development would increase pressure on the available parking provision leading to ad hoc and unsafe parking which would cause unacceptable harm to the movement, access and visual amenity along Taylor Close. Both the proposed garage and 'as built' retrospective garage on site are unacceptable for the above reasons. The proposal therefore fails to comply with Policies CT2 and CT10 of Plan:MK and the Parking Standards SPD.

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



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20th August 2024

Jon Palmer MRTPI – Head of Planning
For and on behalf of the Council

Planning and Placemaking
Civic, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ
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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 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

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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) at least 10 days before submitting the appeal. Further details can be found online at 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).