

OUTLINE PLANNING PERMISSION REFUSED

To: DLP Planning Ltd
Mrs Sinead Turnbull
18 Regent Place
Rugby
CV21 2PN
United Kingdom

Application no: 17/02153/OUT
Applicant: Mr Bernard Soul
Akeney House
Wood Farm
Newport Road
Emberton, Olney
MK46 5JH

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

Resubmission of application - Ref: 17/00206/OUT - for the demolition of existing buildings/structures and erection of up to 30 dwellings - outline application with details of access

At: Hazelmead Farm High Street To A509 Sherington Milton Keynes MK16 9QP

in accordance with your application, valid on 7th August 2017 and the following drawings:

The reason(s) for refusing your application are:

(1) Saved Policy S10 of the Milton Keynes Local Plan 2001-2011 (Adopted 2005) states that planning permission will only be granted for development in the open countryside where it is essential for agriculture, forestry, countryside recreation and other development which is wholly appropriate to a rural area and cannot be located within a settlement. In addition, Policies CS1 and CS9 of the Milton Keynes Core Strategy (Adopted 2013) seek to focus development in the rural area within the development boundaries of the main and most sustainable towns or key settlements. The application site lies outside the settlement boundary of Sherington and falls within land designated as 'Open Countryside'. Furthermore, given the location of the development it is considered that the proposal would have an urbanising effect on and detract from the rural character of the countryside. The proposal is therefore contrary to Saved Policy S10 of the Milton Keynes Local Plan 2001-2011 (Adopted 2005), Policies CS1 and CS9 of the Milton Keynes Core Strategy (Adopted 2013) and the core planning principles in Paragraph 17 of the National Planning Policy Framework (2012) which

recognise the intrinsic character and beauty of the countryside.

(2) The proposed access serving the site is unacceptable by reasons of lack of footway links between the site and village and road speeds. The development if permitted would likely lead to a danger to highway safety and convenience contrary to saved policies D1, T1 and T3 of the Milton Keynes Local Plan.

Working With the Applicant

In accordance with paragraphs 186 and 187 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.

In this instance the application was determined without delay.

(1)

Your attention is drawn to the attached notes

6th November 2017



Handwritten signature in blue ink.

Head of Development Management
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.

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 – www.planningportal.gov.uk/pes. 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).