

FULL PLANNING PERMISSION REFUSED

Application no: 19/01604/FUL

To: Barwood Homes
Mr Jamie Gibbins
Grovelands Business Park
West Haddon Road
Northampton
NN6 8FB
UK

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

Construction of 24 houses
At: Land At High Street Sherington

in accordance with your application, valid on 20th June 2019 and the following drawings:

Received 20.06.2019

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The reason(s) for refusing your application are:

(1) Policy NP7 of the Sherington Neighbourhood Plan - Land adjacent to High Street, allocates this site for the development of 'up to 36 dwellings'. The Sherington Neighbourhood Plan is a made Neighbourhood Plan and as such forms part of the Development Plan. The proposal to develop the site for 48 dwellings conflicts with Policy NP7 of the Sherington Neighbourhood Plan AND Paragraph 12 of the NPPF.

(2) The application is not supported by an acceptable flood risk assessment or surface water drainage strategy. Therefore, the proposal poses a significant increase risk of flooding and fails to accord with Policy FR1 of Plan:MK.

(3) The application fails to provide the authority with sufficient information to determine the impact of the proposal on potential heritage assets associated with nearby sites of archaeological interest. Therefore, the proposal poses a threat to those heritage assets and is contrary to Policy HE1 of Plan:MK and paragraph 189 of the NPPF.

(4) The proposal would negatively impact upon the character of the local area as it does not satisfactorily integrate with existing development to the south resulting in an isolated form of development that is unsympathetic to the character of the locality. As such, the proposed development is considered to be contrary to Policy D1, D2 and D3 of Plan:MK and Section 12 of the National Planning Policy Framework 2019.

(5) The application fails to adequately evidenced that there would be no negative impact on protected species or their habitats. Therefore, the development fails to accord with Policy NE2 of Plan:MK.

(6) The application has failed to provide an assessment in support of the proposed Change of Use of Amenity Open Space and it is therefore considered that the proposal fails to provide adequate amenity open space to serve the wider development site and as such the proposal is contrary to Policy L3 of Plan:MK.

(7) The proposed schedule of accommodation is contrary to Policy HN1 of Plan:MK that requires proposals for 11 or more new dwellings to provide a mix of tenure, type and size of dwellings that reflects the Council's latest evidence of housing need and market demand.

(8) The proposed affordable housing provision is contrary to Policy HN2 of Plan:MK that requires proposals for 11 or more homes to provide 31% of those homes as affordable housing.

(9) In the absence of necessary planning obligations being secured by a s106 agreement, the applicant has failed to demonstrate that the proposed development would not lead to a burden on, or have an adverse impact on, existing local social and sustainable infrastructure, education and leisure facilities. The proposal is therefore contrary to Policy INF1 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.

The applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application or provide further justification in support of it.

Your attention is drawn to the attached notes



A handwritten signature in blue ink, consisting of a stylized 'M' and 'K' followed by a horizontal line.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015



19th September 2019

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

Development Management,
Civic Offices, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ
Planning Enquiries Direct Line (01908) 252358
MK Council Tel: (01908) 691691
www.milton-keynes.gov.uk

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 – <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

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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).