

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 R RAWAL  
67 Guildford Road  
Seven Kings  
Ilford  
IG3 9YD  
United Kingdom

**Application no: 24/00253/HOU**  
Applicant: MRS ANITA OPOKU  
38 Rydal Way  
Bletchley  
Milton Keynes  
MK2 3DL

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

**Proposed erection of a ground floor rear extension, front garage roof to be replaced with new flat roof and also replace the existing garage door with a window**  
**At: 38 Rydal Way Bletchley Milton Keynes MK2 3DL**

in accordance with your application, valid on 13th February 2024 and the following drawings:

Received on 06.02.2024:

A05 - Rev A - ELEVATIONS (Ground Floor Rear Extension)  
A06 - Rev A - SECTION AT AA (Ground Floor Rear Extension)

Received on 04.04.2024:

A00 - Rev A - PLANS (Ground Floor Rear Extension)  
A01 - Rev A - BLOCK PLANS (Ground Floor Rear Extension)  
A02 - Rev A - PLANS (Ground Floor Rear Extension)  
A03 - Rev A - ELEVATIONS (Ground Floor Rear Extension)  
A04 - Rev A - ELEVATIONS (Ground Floor Rear Extension)

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

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reason(s) for refusing your application are:

( 1) Given the proposal's siting, scale and design, it is considered that it would result in unacceptable harm to the amenities of neighbours, in terms of their outlook and access to natural light; particularly on number 40 (where it is considered a tunnelling effect would be created). Similarly, the reduction in size of the private garden space is considered unacceptable, with its extent not meeting the reasonable needs of its user(s). It is therefore considered that the proposal does not comply with the requirements of Policy D5 of Plan:MK.

**Your attention is drawn to the attached notes**

14th May 2024

A handwritten signature in blue ink, appearing to be 'JH' followed by a horizontal line.

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

## **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

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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](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).