

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



FULL PLANNING PERMISSION REFUSED

Application no: 24/00950/HOU

To: Lee Scott
179 Water Eaton Road
Bletchley
Milton Keynes
MK2 3AG

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

**The replacement of 5 front and 1 rear sash windows with wood grain effect UPVC windows
At: 179 Water Eaton Road Bletchley Milton Keynes MK2 3AG**

in accordance with your application, valid on 16th May 2024 and the following drawings:

Received 16.05.2024:
Location Plan
Photos of proposed windows
Heritage Statement

reason(s) for refusing your application are:

(1) The building retains a traditional appearance with its architectural symmetry, stucco render, and timber framed windows which are significant features denoting the history of the building. The replacement of six wooden sash windows (five to the front elevation and one to the rear elevation) with uPVC, wood grained, doubled glazed, windows, with trickle vents,

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Civic, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ
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would represent the replacement of historic fabric with modern materials which would detract from the historic significance of the building. This would cause less than substantial harm to the Grade II listed building, with minimal offsetting public benefits, contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, (Sections 16 and 66), The National Planning Policy Framework (NPPF), (Section 16) and Policy HE1 of Plan:MK. Similarly, the proposed new uPVC windows would not relate well to the host dwelling, with the modern replacements detracting from the historical character of the property. As such, the proposals also do not comply with Policies D1, D2 and D3 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

9th July 2024



TPI – 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 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).