

## PLANNING PERMISSION REFUSED

Application no: 09/02263/FUL

To: Mr Gordon Lewis  
PDD Architects  
Chancery House  
199 Silbury Boulevard  
Milton Keynes  
MK9 1JN

Applicant: Lantmannen Unibake UK Ltd  
Maidstone Road  
Kingston  
Milton Keynes  
Buckinghamshire  
MK10 0BD

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

**Erection of a single storey and part two storey manufacturing facility (use class B2) for the manufacture of pastry/bakery products with external car parking, HGV service yard and associated works**

**At: Site A Towergate, Groveway (H9) Milton Keynes**

in accordance with your application, valid on 17th December 2009 and the following drawings:

PL-01 received on 17th December 2009  
PL-02 received on 17th December 2009  
PL-03 received on 17th December 2009  
PL-04 received on 17th December 2009  
PL-05 received on 17th December 2009  
PL-06 received on 17th December 2009  
PL-07 received on 17th December 2009  
PL-08 received on 17th December 2009  
PL-09 received on 17th December 2009  
MK02052002A received on 17th December 2009  
90449E 001 received on 17th December 2009  
81500PH01 received on 17th December 2009  
LB98-01B received on 17th December 2009  
13154/1 received on 17th December 2009  
LB98-02 received on 17th December 2009  
LB98-03 received on 17th December 2009  
PL-010 received on 29th January 2010

**The reason(s) for refusing your application are:**

- ( 1) The proposed development would result in the introduction of a general industrial use (Use Class B2) on a site shown for light industrial, residential and non residential institutions (Use Classes B1, C2, D1) in Table E1 of the Milton Keynes Local Plan, thereby leading to an unacceptable loss of light industrial, residential institutions and non-residential institutions sites contrary to Policy E2 (iii) of the Milton Keynes Local Plan 2001-2011 and Policy CS3 of the Core Strategy.
- ( 2) The proposed development fails to include adequate provision for infrastructure in line with the Councils Supplementary Planning Guidance on planning obligations for social infrastructure and transport and is therefore contrary to Policy PO1 of the Milton Keynes Local Plan 2001-2011.
- ( 3) The proposed development fails to provide adequate allocated HGV parking spaces, contrary to Policy D2(ii) and T15 of the Milton Keynes Local Plan 2001-2011
- ( 4) The proposed development by virtue of its use, size and vehicular movements would have an unacceptable impact on the amenity of nearby residential properties in terms of noise, disturbance and loss of outlook and an unacceptable impact on the rural outlook and intrusion to outside events at the Stables. By virtue of its design, size and lack of detailing will appear visually intrusive and fail to relate to the character of the area. The proposal is therefore contrary to Policy E2(ii) of the Milton Keynes Local Plan 2001-2011.

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

Date: 26th February 2010



CHIEF DEVELOPMENT CONTROL PLANNER  
For and on behalf of the Council

## NOTES

### **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](http://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/pcs](http://www.planningportal.gov.uk/pcs). 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).