



FULL PLANNING PERMISSION REFUSED

Application no: 22/00280/FUL

To: Mrs Rosie Roome
Churchill House
Parkside
Ringwood
BH24 3SG

Applicant: Churchill Retirement Living
Churchill House
Parkside
Ringwood
BH24 3SG

In accordance with your application, valid on 7th February 2022 and the following drawings, Milton Keynes City Council, under their powers provided by the above legislation, **Refuse** permission for **Redevelopment of the site to form 45 retirement apartments, 3 retirement cottages including communal facilities, access, car parking and landscaping; and change of use of the former Police Station magistrates court and cell blocks for community use (class F2(b)) at Former Newport Pagnell Police Station, 124 High Street, Newport Pagnell, MK16 8EH**

Received on 07.02.2022

27577A-5-1 - ELEVATIONS
27577A-5-2 - ELEVATIONS
27577A-2 - GROUND FLOOR PLAN
27577A-3 - FIRST FLOOR PLAN
27577A-4 - SECTIONS
JBA 21-357 Rev. A - SK02 Landscape Strategy

Received 31.08.2022

536.0035.008 Rev. C INDICATIVE PEDESTRIAN FOOTWAY AND COMMUNITY PARKING AREA SCENARIO
536.0035.009 Rev. C INDICATIVE PEDESTRIAN FOOTWAY TRACKING SCENARIO
536.0035.010 Rev. A PRIVATE VEHICLE ACCESS AND PARKING
40041NP - PA02F PROPOSED SITE PLAN LAYOUT

Received 22.12.2022

40041NP-PA100 SITE LOCATION PLAN
40041NP - PA101 PROPOSED SITE PLAN LAYOUT
40041NP- PA102 GROUND FLOOR PLAN

Planning and Placemaking
Civic, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ
01908 691691

www.milton-keynes.gov.uk/planning-and-building

40041NP-PA103 FIRST FLOOR PLAN
40041NP-PA104 SECOND FLOOR PLAN
40041NP-PA105 ROOF PLAN
40041NP - PA106 Proposed Elevations Sheet 1
40041NP - PA107 Proposed Elevations Sheet 2
40041NP - PA108 Proposed Terraced Cottages
40041NP - PA110 Site Sections
40041NP - PA112 Distance Drawing

Received 31.01.2023

40041NP - PA109 Rev A Guest & Refuse

The reason(s) for refusing your application are:

- (1) The proposal includes the provision of a community facility within a building on land allocated for housing under Policy NP1 of the Newport Pagnell Neighbourhood Plan. In the absence of robust information about the need for the proposed community use, along with the building's value, condition, and what form a conversion would take, as well as a suitable mechanism to ensure its delivery, it is unclear when, or even if, the proposed community facility is likely to be delivered. The benefits of providing such a facility are therefore considered insufficiently clear to overcome the conflict with Policy NP1.
- (2) The proposed apartment building would largely be located within Flood Zone 2, and the site access and part of its internal roadway is within Flood Zone 3. The applicant's assessment concludes that there are no suitable alternative sites in areas at lower risk of flooding in Newport Pagnell. However, it is necessary to consider the availability of sites on a borough-wide basis, noting no strategic policies within the Development Plan apportioning specific housing needs and numbers in accordance with the settlement hierarchy, and the overarching aim to steer development to sites at lower risk of flooding. As such, the application fails to demonstrate that there are no sequentially preferable sites available to accommodate the proposal, and it is therefore contrary to Policy FR1 of Plan:MK.
- (3) Given the lack of information about the nature of the proposed community use and the associated conversion of a non-designated heritage asset, along with a lack of detail and certainty about the deliverability of this aspect of the scheme, the proposal fails to secure the future of the heritage asset in question, contrary to Policy HE1 of Plan:MK.
- (4) The submitted viability appraisal is not considered to be sufficiently robust to justify the significant shortfall in affordable housing and infrastructure contributions. The proposal is therefore contrary to Policies HN2, CC1(B), EH5(B) and INF1 of Plan:MK and considered to be unsustainable development in the round, notwithstanding viability considerations.

Your attention is drawn to the attached notes

A handwritten signature in blue ink, appearing to be 'JP', with a long horizontal line extending to the right.

11th August 2023

Jon Palmer MRTPI – Head of Planning
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.

The Inspectorate will publish details of your appeal on the internet at www.planning-inspectorate.gov.uk. 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 at www.planning-inspectorate.gov.uk.

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).