

## FULL PLANNING PERMISSION REFUSED

To: Jennifer Smith  
7 Canon Harnett Court  
Wolverton Mill  
Milton Keynes  
MK12 5NF

Application no: **23/01634/FUL**  
Applicant: Galliford Try Investments (GTI)  
C/O Agent

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

**Demolition of vacant 2-storey building (Class E) and the erection of a 33-storey building comprising commercial floorspace (Class E) on the ground floor and mezzanine level with residential units on upper floors comprising up to 302 dwellings and associated works. EIA development.**

**At: Jaipur And Orchard Lounge 599 Grafton Gate Central Milton Keynes Milton Keynes MK9 1AT**

in accordance with your application, valid on 24th July 2023 and the following drawings:

Received 24.07.2023:

JAIPUR-GSS-ZZ-XX-DR-A-0070 Rev P02 - Existing Site Location Plan

JAIPUR-GSS-ZZ-00-DR-A-00090 Rev P04 - Proposed Site Block Plan

JAIPUR-GSS-ZZ-00-DR-A-00000 Rev P06 - Proposed Ground Floor

JAIPUR-GSS-ZZ-M0-DR-A-00001 Rev P05 - Proposed Mezzanine Floor Plan

JAIPUR-GSS-ZZ-ZZ-DR-A-00002 Rev P04 - Proposed 1st -9th Floor

JAIPUR-GSS-ZZ-10-DR-A-00010 Rev P05 - Proposed 10th Floor

JAIPUR-GSS-ZZ-ZZ-DR-A-00011 Rev P05 - Proposed 11th -28th Floor

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)

JAIPUR-GSS-ZZ-29-DR-A-00029 Rev P06 - Proposed 29th Floor  
JAIPUR-GSS-ZZ-ZZ-DR-A-00030 Rev P05 - Proposed 30th - 32nd Floors  
JAIPUR-GSS-ZZ-RF-DR-A-00033 Rev P04 - Proposed Roof Access Level Plan  
JAIPUR-GSS-ZZ-RF-DR-A-00034 Rev P04 - Proposed Roof Plan  
JAIPUR-GSS-ZZ-ZZ-DR-A-00040 Rev P03 - Proposed Sections  
JAIPUR-GSS-ZZ-ZZ-DR-A-00041 Rev P01 - Avebury Boulevard Proposed Street Section  
JAIPUR-GSS-ZZ-ZZ-DR-A-00042 Rev P01 - Grafton Gate Proposed Street Section  
JAIPUR-GSS-ZZ-ZZ-DR-A-00050 Rev P09 - Proposed Elevations  
JAIPUR-GSS-ZZ-ZZ-DR-A-00051 Rev P03 - Proposed Spot Elevations  
JAIPUR-GSS-ZZ-10-DR-A-00052 Rev P03 - Proposed Level 10 Terrace Elevation  
JAIPUR-GSS-ZZ-ZZ-DR-A-00053 Rev P02 - Proposed Level 29 Terrace Elevation  
JAIPUR-GSS-ZZ-00-DR-A-00054 Rev P03 - Proposed Elevations (Ground Floor Level)  
JAIPUR-GSS-ZZ-00-DR-A-00055 Rev P02 - Proposed Elevations (Ground Floor Level)  
JAIPUR-GSS-ZZ-ZZ-DR-A-00060 Rev P04 - Proposed Perspective Views  
JAIPUR-GSS-ZZ-XX-DR-A-00091 Rev P02 - Existing and Proposed Site Sections  
JAIPUR-GSS-ZZ-00-DR-A-00092 Rev P04 - Proposed Site & Ground Floor Levels  
JAIPUR-GSS-ZZ-ZZ-DR-A-00095 Rev P03 - Access and Maintenance Plans  
JAIPUR-GSS-ZZ-ZZ-DR-A-00096 Rev P03 - Access and Maintenance Elevations  
JAIPUR-GSS-ZZ-ZZ-DR-A-7401 Rev P02 - Bathroom types  
JAIPUR-GSS-ZZ-ZZ-DR-A-3101 Rev P03 - Window Types

Received 06.09.2023:

Jaipur-GSS-ZZ-ZZ-SK-A-0001 - Proposed North East Elevation Ground Floor Level Elevation Options

Received 13.10.2023:

JAIPUR-GSS-ZZ-00-DR-A-00100 P03 - Potential Expanded Site Plan

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

( 1) REASON FOR REFUSAL: 1

The proposal, which is for primarily residential development, does not seek to deliver an office-led development within the Central Business District (CBD). This is contrary to Policy DS3, which seeks to promote this area as a location for major mixed-use office-led development, the absence of office led development would not comply with the aims and objectives of Plan:MK therefore resulting in a reduction in office development available within Central Milton Keynes. Therefore, by virtue of not providing an office-led development within the CBD, the proposal does not comply with Policy DS3 of Plan:MK (2019).

( 2) REASON FOR REFUSAL: 2

The development provides no parking spaces, including a shortfall of disabled parking spaces, and results in an under provision of 333 allocated cycle spaces, contrary to the Parking Standards SPD (2023). It would intensify the existing shortfall of cycle spaces and exacerbate the lack of cycle spaces within the locality. Furthermore, the proposals are reliant of the public highway to provide accessible spaces, electric vehicle (EV) spaces and a servicing bay which would result in an adverse impact on the safety and function of the wider highway network. This is contrary to the Parking Standards SPD (2023) and Policy CT1, CT2, CT3, CT6 and CT10 of Plan:MK (2019).

( 3) REASON FOR REFUSAL: 3

The proposal seeks the development of a building extending to 33-storeys. Outstanding social and economic benefits associated with this proposal have not been demonstrated, particularly in relation to the development not compensating for its impact on infrastructure or the provision of policy compliant affordable housing. In addition, it is considered that the proposal does not result in an outstanding design which would provide a focal point with a key location of the city and thus it is contrary Policy HN1 and HN2 of Plan: MK (2019) along with Policy G9 and G10 of the Central Milton Keynes Alliance Plan (2016).

( 4) REASON FOR REFUSAL: 4

The proposals are considered to result in an over-intensive development of the site by virtue of a density of 3000 dwellings per hectare, furthermore the design is not considered to be outstanding in nature by virtue of the blank facades to the ground level would result in an

incongruous feature within the street scene which would be harmful to the character and visual amenity of the street scene. Which would be contrary to Policy D1, D2, D3, D4, D5 and CC1 of Plan:MK (2019) along with the New Residential Development Design Guide SPD (2012).

( 5) REASON FOR REFUSAL: 5

The proposed development results in an insufficient levels of external amenity space which would result in an adverse impact on the future occupants of the development. Which would be contrary to Policy D1 and D5 of Plan:MK (2019) along with the New Residential Development Design Guide SPD (2012).

( 6) REASON FOR REFUSAL: 6

A secure mechanism to ensure that the development would mitigate its impact upon infrastructure and provide affordable housing has not been provided and is contrary to Policy INF1 and HN2 of Plan: MK (2019) along with Paragraph 57 of the NPPF (2023) and Regulation 122 of the CIL Regulations.

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



7th December 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](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 – <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 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).