

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Town and Country Planning Act 1990 ('the Act')

ENFORCEMENT NOTICE ('the Notice')

Unauthorised Change of use and Unauthorised Operational Development

ISSUED BY Milton Keynes City Council, 1 Saxon Gate East, Milton Keynes, MK9 3EJ ('the Council')

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A (1) of the Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of the Notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES:

Land west of High Street opposite the junction with Gun Lane, Sherington, Milton Keynes, MK16 9PE as shown edged red on the attached plan at Appendix 1 ('the Land').

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL:

- I. Without planning permission, the unauthorised change of use of the Land for the stationing of caravans for human habitation (The Unauthorised Change of Use) (See Appendix 2, as outlined in Orange); and
- II. Without planning permission, the unauthorised operational development in the form of the laying of tarmac and hard surfaces within part of the Land (The Unauthorised Operational Development) (See Appendix 2, as outlined in Orange and Blue).

4. REASONS FOR ISSUING THIS NOTICE:

It appears to the Council that the Unauthorised Change of Use and the Unauthorised Operational Development has occurred within the last 10 years.

- 4.1 The Unauthorised Change of Use and the Unauthorised Operational Development do not benefit from planning permission. No application has been submitted to the Council for consideration.
- 4.2 There is no evidence that the Land benefits from adequate surface water drainage, nor is there evidence of foul water drainage. Without such provisions, rainfall runoff

from the Land is likely to result in overland flows onto surrounding land with the potential to create or exacerbate flooding events. In addition, without adequate foul water drainage, effluent from the Land could cause harm to water quality. This conflicts with policies FR1 (Managing flood risk) and FR2 (Sustainable Drainage Systems (SuDS) and integrated flood risk management) of Plan:MK (2019).

- 4.3 As the Unauthorised Operational Development and Unauthorised Change of Use has already taken place, biodiversity net gain cannot be assessed; nor can any loss or compromise of natural habitats and species therein. This is in direct conflict with policies NE2 (Protected species and priority species and habitats) and NE3 (Biodiversity and geological enhancement) of Plan:MK, and policy NP3 (Biodiversity Enhancement) of the Sherington Neighbourhood Plan (2017) (the SNP).
- 4.4 The Unauthorised Operational Development and Unauthorised Change of Use has taken place in the open countryside having an impact on its character and views across it, without any form of mitigation, and conflicts with policies DS5 (Open countryside) and NE5 (Conserving and enhancing landscape character) of Plan:MK, and NP1 (Sherington Settlement Boundary and Development Principles) of the SNP.
- 4.5 The Unauthorised Operational Development also uses materials from or of an unverified source/nature which may have introduced contamination to the Land, conflicting with policy NE6 (Environmental pollution) of Plan:MK.
- 4.6 The Unauthorised Operational Development and Unauthorised Change of Use are in land which may be best and most versatile agricultural land. It has not been demonstrated that the loss of agricultural land is necessary and sequentially preferable, conflicting with policy NE7 (Protection of the best and most versatile agricultural land) of Plan:MK.
- 4.7 The design of the Unauthorised Operational Development is not of high-quality, and the absence of essential utilities raises concerns about its long-term sustainability. Additionally, both the Unauthorised Operational Development and Unauthorised Change of Use present urban form and features which do not align with the isolated rural location of the Land and provide no design features which might otherwise mitigate this effect, contrary to policies D1 (Designing a high-quality place) and D5 (Amenity and street scene) of Plan:MK, and policy NP6 (Design and Energy-Efficiency) of the SNP.
- 4.8 That it is expedient and in the public interest to issue an enforcement notice requiring the permanent cessation of the following Unauthorised Change of Use:
 - i. The use of part of the Land for the stationing of caravans for human habitation.
- 4.9 That it is expedient and in the public interest to issue an enforcement notice requiring that the following be permanently removed from the Land:
 - i. The tarmac and all other hard surfaces, including those laid on the access track (see Appendix 2 plan to indicate the areas of the Land that have had hard surfaces and/or tarmac laid);
 - ii. All caravans; and
 - iii. All materials and debris that arise from carrying out the steps (i) and (ii) above.

Relevant policies

Sherington Neighbourhood Plan (made 2017)

- NP1: Sherington Settlement Boundary and Development Principles
- NP3: Biodiversity Enhancement
- NP6: Design and Energy-Efficiency

Plan:MK (adopted 2019)

- DS5: Open countryside
- HN11: Gypsies and travellers
- CT2: Movement and access
- FR1: Managing flood risk
- FR2: Sustainable Drainage Systems (SuDS) and integrated flood risk management
- NE2: Protected species and priority species and habitats
- NE3: Biodiversity and geological enhancement
- NE5: Conserving and enhancing landscape character
- NE6: Environmental pollution
- NE7: Protection of the best and most versatile agricultural land
- D1: Designing a high-quality place
- D5: Amenity and street scene

Emerging Policy – Milton Keynes City Plan (MKCP)

The [Milton Keynes City Plan](#) is a material consideration. The first round of consultation closed on 9th October 2024. In accordance with paragraph 49 of the NPPF, weight can be given to emerging policies depending on the stage of preparation of the plan, the extent to which there are unresolved objections and their consistency with the NPPF.

National planning policy and guidance

The [National Planning Policy Framework](#) (NPPF), [Planning Policy for Traveller Sites](#) (PPTS), and [Planning Practice Guidance](#) (PPG) are material considerations.

Relevant legislation

The Town and Country Planning Act 1990 [as amended].

The Town and Country (General Permitted Development) Order 2015 ('the GPDO') [as amended], specifically:

Part 9: Development for roads; Class E – repairs to unadopted streets and private ways:

Permitted development

E. The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or improvement of the street or way.

Interpretation of Class E

E.1 For the purposes of Class E, “unadopted street” means a street not being a highway maintainable at the public expense within the meaning of the Highways Act 1980.

5. WHAT YOU ARE REQUIRED TO DO:

- i. Permanently remove from the Land the tarmac and all other hard surfaces laid on part of the Land, including the access track (see Appendix 2 to indicate the areas of the Land that have had hard surfaces and tarmac laid);
- ii. Permanently cease the use of the Land for residential purposes and permanently remove from the Land all caravans stationed upon it; and
- iii. Permanently remove from the Land all materials and debris that arise from carrying out the steps (i) and (ii) above.

6. TIME FOR COMPLIANCE:

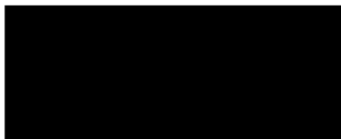
The period for compliance with the steps set out in paragraph 6 is Three (3) months after the date this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 3rd October 2025 unless an appeal is made against it beforehand.

Dated: 3rd September 2025

Signed:



Sharon Bridglalsingh

Director Law and Governance

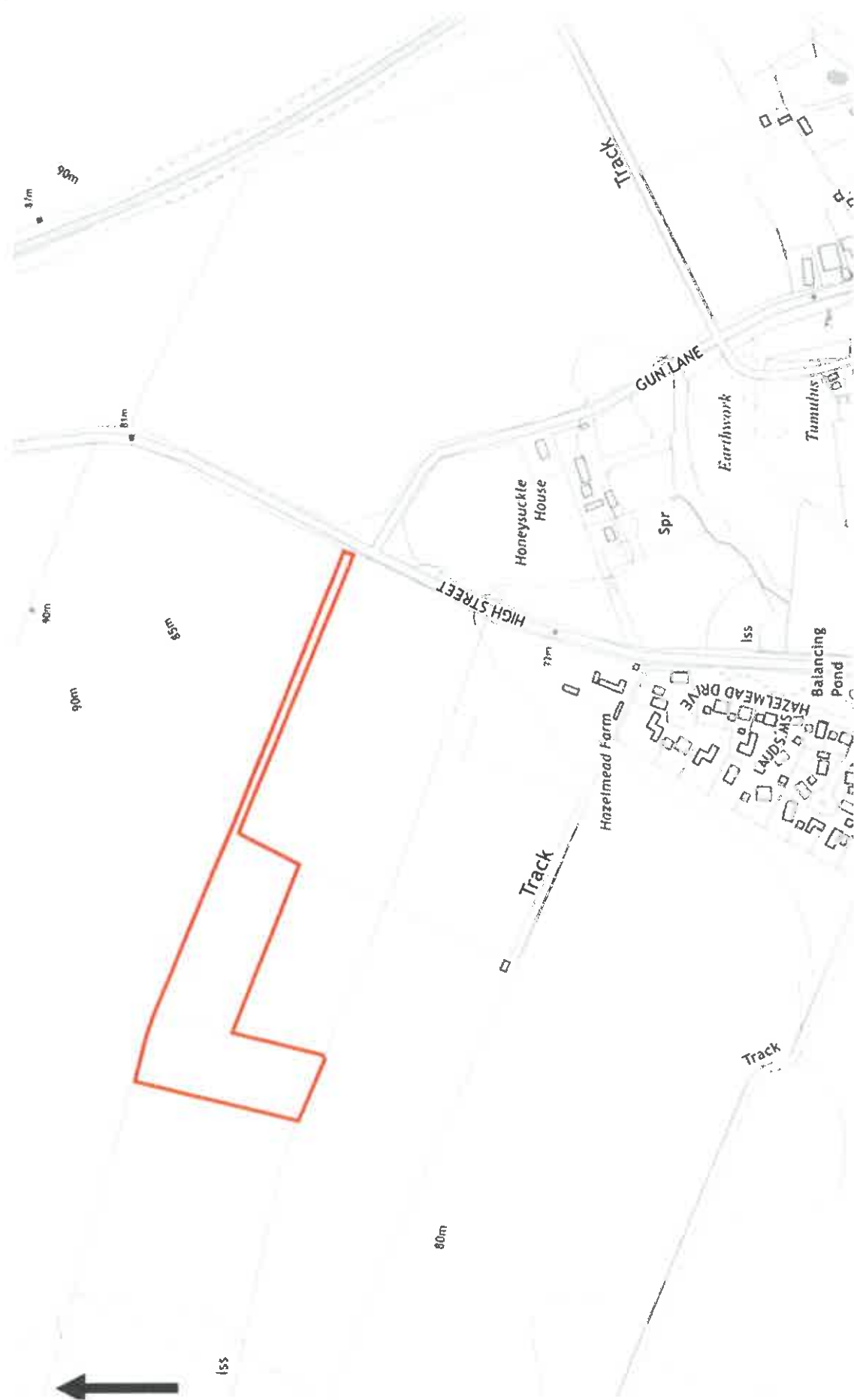
On behalf of the Council

Nominated Officer: Zehn Sajid

Contact: planning.enforcement@milton-keynes.gov.uk

Please quote reference: ENF/2025/0074

Appendix 1: The Site Plan ('the Land')



Appendix 2: Site Layout showing approximate area of the Land covered in hard surfaces and tarmac and the location of the touring caravans.



ANNEX

The Council has issued an enforcement notice relating to the Land and you are served with a copy of that Notice as you have an interest in the Land. Copies of the Notice have been served on the parties listed below.

WHO THIS ENFORCEMENT NOTICE IS SERVED ON:

- i. [REDACTED]
[REDACTED] occupying the Land.
- ii. Owner(s) and Occupier(s) Persons unknown occupying the Land.

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be received by the Planning Inspectorate) before the date specified in paragraph 7 of the Notice.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

IF YOU APPEAL

Statement of grounds of appeal

If you lodge an appeal then you must submit to The Planning Inspectorate a statement in writing specifying the grounds on which you are appealing against the Notice, and the facts that you propose to rely on, in support of each of these grounds, either:

- When giving notice of appeal; or
- Within 14 days from the date that The Planning Inspectorate sends you a notice that requires you to send a statement

Planning application fee

If you wish to have your appeal also considered as a deemed application for planning permission, or you intend to make an appeal under Ground (a), you may be required to pay a fee.

A fee may be payable for the deemed application for planning permission for the development alleged to be in breach of planning control in the Notice. This is pursuant to regulation 10 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012.

The fee for this case is £5,136 (twice the relevant planning fee). This amount is payable to the Council.

Once your appeal has been submitted to the Planning Inspectorate, payment can be made by phone on 01908 252358 or www.milton-keynes.gov.uk/payplanningonline. Please quote the Enforcement Case Reference Number (ENF/2025/0074) and the Appeal Reference Number (see the top of your electronically completed appeal form). The Planning Service no longer take payment by cheque. Payment may be made by Credit Card or by BACS.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Notice, it will take effect on the effective date specified in paragraph 7 of the Notice and you must ensure that the required steps detailed in paragraph 5 of the Notice are complied with, within the period specified in paragraph 6 the Notice.

Failure to comply with an enforcement notice, that has taken effect, can result in prosecution and/or remedial action by the Council.

APPEAL INFORMATION

If you want to appeal against this Notice you can do it:

- On-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- By sending a completed enforcement appeal form, which can be obtained by contacting The Planning Inspectorate on the details below:

Address: Customer Support Team, CST Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5000

[Appeal an enforcement notice: When you can appeal - GOV.UK](#)

Please read the appeal guidance documents at: www.gov.uk/appeal-enforcement-notice/how-to-appeal.

You MUST make sure that the Planning Inspectorate RECEIVES your appeal BEFORE the effective date on the Notice (paragraph 7).

In exceptional circumstances you may give notice of appeal by fax or letter. You should include the name and contact details of the appellant(s) and either attach a copy of the Notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

The Planning Inspectorate MUST receive this BEFORE the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

STATUTORY PROVISIONS

Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 can be found by visiting: <https://www.legislation.gov.uk/ukpga/1990/8/contents>.