

FULL PLANNING PERMISSION GRANTED

To: Ms Angie Fenton
8-14 Meard Street
London
W1F 0EQ

Application no: 21/02578/FUL
Applicant: BGO Code Propco Limited
C/O Agent

Milton Keynes Council, under their powers provided by the above legislation, **Permit** the

Erection of x2 commercial buildings (Classes B2 and B8) including access and servicing arrangements, car and cycle parking, landscaping and associated works

At: Former Maxwell House Site Third Avenue Bletchley Milton Keynes MK1 1TE

In accordance with your application, valid on 17th August 2021.

Approval is given subject to the condition(s) set out below. Some of the conditions may require further details to be provided **before the development commences**. The conditions need to be complied with for the permission to remain valid. If the conditions are not complied with, legal action can be taken against the developer and the land owner. The details required by the conditions, need to be submitted formally to the Council. Call the Planning Enquiries number at the bottom of the page or use the link www.milton-keynes.gov.uk/publicaccess for further details.

Conditions:

(1) The approved development shall be carried out in accordance with the following drawings/details:

Received plans on 17.8.21 -

1001 Rev. C - Proposed Unit 100 Building Plan
1005 Rev. B - Proposed Unit 100 Roof Layout
1002 Rev. C - Proposed Unit 100 Office Layouts
1100 Rev. A - Proposed Unit 100 Building Sections
2001 Rev. B - Proposed Unit 200 Building Plan
2005 Rev. B - Proposed Unit 200 Roof Layout
2003 Rev. B - Proposed Unit 200 Office Layouts
2100 Rev. B - Proposed Unit 200 Building Section

2301 Rev. B - Proposed Unit 200 Elevations
0601 Rev. B - Site Location Plan
0602 Rev. F - Proposed Site Layout
0702 Rev. C - Proposed Fencing Details
0705 Rev. C - Proposed Cycle Shelter Details
0706 Rev. C - Unit 100 Proposed Refuse/Plant Enclosure Details
0707 Rev. B - Unit 200 Proposed Refuse Enclosure
0701 Rev. C - Proposed External Surfacing Plan
21-129-EX-001 - Proposed External Lighting Layout
10036.EcoAs.vf Ecological Assessment August 2021

Plans received 10.02.2022:

1301 Rev. F Proposed Unit 100 Elevations

Received 14.12.2021

03 Rev E Proposed Landscaping Scheme 01.12.21
Construction & Environmental Method Statement dated 2nd December 2021
Tree Survey Report dated July 2021

Received 14.04.2022

143576/2010 B Drainage General Arrangement 12/04/2022
143576/2030 Overland Flows Pump Failure Scenario

Reason: For the avoidance of doubt and in accordance with the requirements of The Town and Country Planning (General Development Procedure) (England) Order 2015.

(2)The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

(3)The development hereby approved shall be carried out in accordance with the materials specified on the approved plans.

Reason: To ensure that the new work complements the existing building and to ensure the development does not detract from the character and appearance of the area in accordance with Polices D1, D2, D3, D5 and SD1 of Plan:MK

(4)No development shall take place until an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site has been carried out in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination'. The results of this survey detailing the nature and extent of any contamination, together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before construction works commence.

Any remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report prior to first occupation of the development.

Should any unforeseen contamination be encountered the Local Planning Authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in accordance with Part B of Policy NE6 of Plan:MK (2019).

(5)The development hereby permitted shall be carried out in accordance with the submitted Construction Environmental Management Plan dated 2nd December 2021 submitted on 14/12/2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure there are adequate mitigation measures in place, in the interests of highway and pedestrian safety and in order to protect the amenities of existing and future residents in accordance with Policies SD1, D1 and CT2 of Plan:MK (2019).

(6)Prior to first occupation of the development, details of the proposed vehicular accesses shall be submitted to and approved in writing by the Local Planning Authority and no part of the development shall be occupied until the accesses have been laid out and constructed in accordance with the approved details prior to first occupation / bringing into use of the relevant building.

Reason: To ensure adequate access is provided to the proposed development and to

minimise danger, obstruction and inconvenience to users of the highway in accordance with Policy CT1 and CT2 of Plan:MK.

(7)No development above slab level shall take place until details of the closure of the existing accesses and dropped kerbs shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include the reinstatement of the Third Avenue footway on the site's frontage. No part of the development hereby approved shall be occupied until the accesses have been closed and the footway reinstated in accordance with the approved details.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway users in accordance with Policies CT2 and CT3 of Plan:MK.

(8)No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with Policies SD1, D1 and CT10 of Plan:MK (2019).

(9)No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. Thereafter, the cycle parking provision shall be kept free of obstruction and shall be available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with Policy CT3 of Plan:MK (2019).

(10)The landscaping scheme hereby approved shall be carried out in accordance with the approved plans and specifications within or before the first planting season following the completion of development.

Reason: To ensure that the appearance of the development is satisfactory and accords with Policies D2, D5 and Policies NE3 and NE4 of Plan:MK (2019).

(11)A landscape management plan for a minimum period of 5 years, including long term design objectives, management responsibilities and a schedule of landscape maintenance with details of the arrangements for its implementation for all landscaped

open space and public amenity areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the initial occupation of the development or the completion of any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in full accordance with the approved details.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policies D1 and NE3 of Plan:MK (2019).

(12)The existing trees and/or hedgerows shown to be retained on the plans hereby approved shall be protected in accordance with BS 5837:2012 and shall not be damaged or destroyed, uprooted, felled, lopped, topped or poisoned during the construction period of the development without the prior written consent of the Local Planning Authority.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with policies D1, D2, D4 and NE5 of Plan:MK.

(13)No development above slab level shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved scheme prior to the first occupation of the building.

The scheme shall be based upon the principles within the agreed Drainage General Arrangement, prepared by Fairhurst, drawing number 143576/2010, revision B, dated 11 April 2022 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d) Full details of the proposed attenuation and flow control measures;
- e) Site investigation and test results to confirm infiltration rates;
- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) Details of overland flood flow routes in the event of system exceedance, with

demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

i) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policy FR1 of Plan:MK.

(14) Prior to the first occupation of the development hereby approved, details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall to be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The development shall then be carried out in full accordance with the approved details.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with Policy FR1 of Plan:MK.

(15) All mitigation and compensation recommendations set out in the 10036.EcoAs.vf Ecological Assessment dated August 2021 shall be implemented at the appropriate stage of the development and no later than one year after the final occupation of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with Policy NE3 of Plan:MK (2019).

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.

In this instance various amended plans were provided to address concerns raised. These plans addressed the concerns raised and the application was approved.

Informative(s)

(1)The development hereby approved should be carried out in accordance with the Network Rail Asset Protection guidance.

(2)Sustainable drainage systems (SuDS) mimic natural drainage processes by reducing the effect on the quality and quantity of runoff from developments whilst also providing amenity and biodiversity benefits. The variety of SuDS techniques available means that virtually any development should be able to include a scheme based around these principles. As such, SuDS such as permeable paving, swales, green roofs, attenuation basins and wetlands should be preferred on all development sites ahead of conventional piped drainage measures. We will seek evidence that permeable surfaces and surface-based conveyance and storage systems are to be used wherever practical.

(3)Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. A CEMP should identify how surface water run-off will be managed. In addition to run-off from exposed ground, pollutants from transport routes, washing areas and/or fuel storage areas have the potential to enter a surface water drainage system. It is essential that the risk of pollution is considered and mitigated appropriately. Appropriate interceptors should be included and not rely on retrospective measures.

Building Regulations

Please note that this is a planning permission only and you may also require approval under the Building Regulations. If you are in any doubt about this you can get further information via <https://www.milton-keynes.gov.uk/planning-and-building/building-control> or the Building Control Helpline Tel. (01908) 252721.

Your attention is drawn to the attached notes



22nd June 2022

Jon Palmer MRTPI – Head of Planning

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015



For and on behalf of the Council

**Development Management,
Civic, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ
Planning Enquiries Direct Line (01908) 252358
MK Council Tel: (01908) 691691
www.milton-keynes.gov.uk**

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.

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

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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).

The Party Wall etc. Act 1996

Anyone intending to carry out work described in the Act MUST give adjoining owners at least 2 months notice in writing of their intentions.

The Act covers:- (i) work to be carried out directly to an existing party wall or structure
(ii) new building at or astride the boundary line between properties
(iii) excavation within 3 or 6 metres of a neighbouring building or structure, depending on

the depth of the hole or foundations

If you are not sure whether the Act applies to work that you are planning, you should seek professional advice. A free explanatory booklet is available from ODPM Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7BN. Tel 0870 1226236 e-mail odpm@twoten.press.net