

FULL PLANNING PERMISSION GRANTED

To: Mr Matt Whatley
11
Warren Yard
Wolverton Mill
Milton Keynes
MK12 5NW
England

Application no: 21/00211/FUL
Applicant: Mark Halsall
1 Saxon Gate East
Milton Keynes
United Kingdom

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

**Redevelopment of graze site for 5 residential dwellings (2x 2 beds & 3x 3 beds)
including associated parking, landscaping and open space
At: Land Rear of Walnut Drive Bletchley Milton Keynes**

In accordance with your application, valid on 29th January 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 on 25/01/2021:

- A19-011-SLP100 Site Location Plan.
- A19-011-PL003 Proposed floor plans Plot 2.
- A19-011-PL005 Proposed floor plans Plot 3 & 4.
- A19-011-PL007 Proposed floor plans Plot 5.

Received on 27/01/2021:

- Construction Management Plan.

- Site waste management plan.

Received on 05/03/2021:

- Housing accommodation schedule.

Received on 19/03/2021:

- A19-011-PL100 rev B Proposed Site Plan.
- 1118/P/02 rev A Fire appliance tracking.
- A19-011-PL002 rev A Proposed elevations Plot 1.
- A19/011/PL006 rev A Proposed elevations Plots 3 & 4.
- A19/011-PL008 rev A Proposed elevations Plot 5.
- A19-011-PL101 rev A Propose boundary treatment plan.
- A19-011-PL102 rev A Proposed refuse Strategy.
- A19-011-PL103 rev A Proposed Parking Plan.
- 1118/P/01 rev B Indicative drainage strategy.

Received on 08/04/2021:

- CSA/5083/100 rev A Landscape Proposals.

Received on 12/05/2021:

- A19-011-PL004 rev B Proposed elevations Plot 2.
- A19-011-PL001 rev A Proposed floor plan Plot 1.

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)No development shall take place above slab level until a Schedule of the external materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority. The Schedule shall include detailed specification, photo examples, RAL numbers and/or samples, as appropriate. The development shall thereafter be carried out in full accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the development does not detract from the character and appearance of the area in accordance with Policies D2 and D3 of Plan:MK (2019).

(4)Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian access and circulation areas; civic space / public park furniture, play equipment, bins etc.; proposed and existing functional services above and below ground such as cables, pipelines, substations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme.

Development shall be carried out in accordance with the approved details. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with 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 NE4 and NE5 and Policy D1 of Plan:MK (2019).

(5)Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site. The development shall be carried out in accordance with the approved details prior to the occupation of any part of the development and shall thereafter be retained in that form.

Reason: To provide adequate privacy, to protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with Policies D1 and D2 of Plan:MK (2019).

(6)All existing trees, woodlands and hedgerows to be retained as shown on the approved plans shall be fully protected in accordance with the latest British Standards (currently BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations') by the time construction begins. All protective measures must be in place prior to the commencement of any building operations (including any structural alterations, construction, rebuilding, demolition and site clearance, removal of any trees or hedgerows, engineering operations, groundworks, vehicle movements or any other operations normally undertaken by a person carrying on a business as a builder). The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations. All protective measures shall be maintained in place and in good order until all work is complete and all equipment, machinery and surplus materials have been removed from the site.

Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

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 D2, D5 and NE1 of Plan:MK (2019).

(7)Prior to commencement of development an arboricultural method statement and a tree protection plan as recommended in the Arboricultural Impact Assessment dated August 2020 shall be submitted for approval. Before any soft landscaping operations within root protection areas are carried out, the local authority tree officer shall be notified so a site meeting can be arranged with the landscape contractor to confirm the agreed landscape working methods that will avoid root damage; this involve the use of hand tools only - machines and motorised tools will not be permitted.

Reason: To protect existing trees and to safeguard existing character of the area, in accordance with Policies D1, D2 and NE5 of Plan:MK.

(8)No development shall take place until a Biodiversity Enhancement Scheme and Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development.

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

(9)Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be 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 CT2 and CT10 of Plan:MK

(10)Prior to the first occupation of the development hereby permitted details of bicycle parking shall be submitted to and approved in writing by the Local Planning Authority and the scheme approved shall be provided and be retained thereafter.

Reason: To ensure that adequate parking facilities are provided to serve the development in accordance with Policy CT10 of Plan:MK.

(11)Prior to the first occupation of the development hereby permitted details of the electric vehicle charging points at a rate of 1 per dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved provision shall be provided and be retained thereafter.

Reason: To ensure that adequate parking facilities are provided to serve the development in accordance with Policy CT6 of Plan:MK.

(12)Prior to any development taking place, the developer shall carry out an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site.

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

Reason: To ensure that the site is fit for its proposed purpose and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised.

(13)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.

(14) No development shall commence on site until a detailed surface water drainage scheme for the site, based on the agreed Drainage Statement prepared by Broughton Beatty Wearing Limited (ref: 1118/A) dated March 2021 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy FR2 of Plan:MK.

(15) Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. 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 maintenance plan shall be carried out in full and remain thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of Policy FR2 of Plan:MK and paragraphs 163 and 165 of the National Planning Policy Framework.

(16) No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with Policy FR2 of Plan:MK.

(17)Prior to the occupation of the development hereby permitted a scheme for superfast broadband infrastructure and/or a future-proofing scheme for ultrafast broadband infrastructure for every household, shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed superfast broadband infrastructures shall be installed prior to the first occupation of each associated dwelling.

Reason: To ensure that residents have access to high quality telecommunications and ICT networks in accordance with Policy CT9 of Plan:MK (2019).

(18)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development covered by Class A-E of Part 1 of Schedule 2 to that Order shall be carried out without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent harm being caused to the amenity of the area and in the interests of residential amenity in accordance with Policy D5 of Plan:MK (2019).

(19)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), all windows in the rear elevations of Plot 1, 2, 3, 4 and 5 shall be obscurely glazed to a minimum level 3 within the Pilkington range of Textured Glass or equivalent and be non-opening. The window shall thereafter be maintained in this condition at all times and shall not be altered to clear glazing or opening without the specific grant of planning permission from the Local Planning Authority.

Reason: To preserve the amenity and privacy of the adjoining residential occupiers in accordance with Policy D5 of Plan:MK (2019).

(20)No development shall commence until details of the public footpath have been submitted to and be approved in writing by the Local Planning Authority. The width of the surfaced public footpath provided shall to be no less than 1.8 metres in width. No dwelling shall be occupied until the public footpath which provide access to and from the existing highway have been laid out and constructed in accordance with the approved

details. The public footpath so laid out shall be retained thereafter.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and in the interest of public amenity in accordance with Policies CT2 of Plan:MK (2019).

(21)The development hereby permitted shall be carried out in accordance with the construction hours indicated within the Construction Management Plan and the site waste management plan document.

Reason: In the interest of residential amenities in accordance with Policy D5 of Plan:MK.

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.

Amendments were sought during the course of the application.

Informative(s)

(1)The applicant is reminded that the granting of this permission does not give right to close or divert any Public Rights of Way. Consent is required from the Highway Authority and the Right of Way Team prior to any alterations and diversion. No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.

(2)Drainage Maintenance Plan

The submitted maintenance plan details that Milton Keynes Council will be the maintaining body for this development. There should be greater detail submitted regarding the maintenance at the detailed design stage, regarding the full maintenance requirements in line with the CIRIA SuDS Manual (C753).

Pollution Control

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. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

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



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

19th May 2021

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.

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

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

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