

CONDITION DETAILS - APPROVED

To:	Miss Helen Lowe	Application no: 22/01150/DISCON
	1st Floor	Applicant: Mr S Vatou
	1 Canon Harnett Court	C/O Agent
	Wolverton Mill	C/O Agent
	Milton Keynes	MK12 5NF
	MK12 5NF	
	UK	

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

Approval of details required by conditions 17 (Assessment of Ground Conditions) & 18 (Programme of Archaeological Field Evaluation) of permission ref. 19/02228/FUL

At: Land To The Rear of 20 To 22 Simpson Road Fenny Stratford

in accordance with your application, valid on 6th May 2022.

Details Approved:

(17 (Assessment of Ground Conditions) - Part Approval

IDOM GEO-21767-20-6 Rev. A - Phase 2 Geo-Environmental Assessment; Dated: 29/01/2020, Received: 06.05.2022

Condition 17 contains 3 parts to it of which only part 1 is considered to have been fulfilled so far - a report detailing the extent and nature of any contamination, together with a strategy for any remedial action deemed necessary, is hereby approved.

Part 2 and Part 3 of the condition have not yet been fulfilled. Part 2 requires remedial works be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report.

Part 3 requires that for any unforeseen contamination encountered, additional site investigation and remedial work will be required and carried out to the written satisfaction of the LPA.

(18 (Programme of Archaeological Field Evaluation) - Part Approval

KDK Archaeology Ltd, Written Scheme of Investigation for Archaeological Evaluation: Stage 1; Dated: March 2022, Received: 06/05/2022

Condition 18 contains 2 parts to it of which the first part is considered to have been fulfilled - the programme of archaeological field evaluation comprising trial trenching to be detailed in a Written Scheme of Investigation, is hereby approved.

Part 2 requires a further Written Scheme of Investigation for a programme of archaeological mitigation of identified areas of significant buried archaeological remains to be submitted to the LPA for approval.

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 read 'JP', with a horizontal line extending to the right.

20th June 2022

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 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