

FULL PLANNING PERMISSION GRANTED

Application no: 21/01620/FUL

To: Miss Emma Walton
Newton House
2 Sark Drive
Newton Leys
Milton Keynes
MK3 5SD
United Kingdom

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

**Full planning application for the erection of 113 residential dwellings including a mix of two-bed apartments and two to four bed houses with associated works including access, parking and landscaping (Re-submission of 20/03215/FUL).
At: Phase 7B Land At Newton Leys Newton Leys Milton Keynes MK3 5SS**

In accordance with your application, valid on 27th May 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 27/05/21:

24th September 2020 - Ensafe - Noise Impact Assessment
18168(D)7B4062 - AA25 - Elevations: 3 Terrace
18168(D)7B4070 - AA33 M4 - 4 House Terrace Floor Plans
18168(D)7B4081 - AA43 - Elevations
18168(D)7B4080 - AA43 - Floor Plans
06/139 - Archaeological Evaluation August - September 2006

18168(D)7B3031 - Rev. A - Byford: Semi-Detached Elevations
18168(D)7B3032 - Rev. A - Byford: Semi-Detached Elevations
TWSM22228-66 - Ecological Enhancement Plan
TWSM22228 Rev. A - Ecological Impact Assessment
18168(D)7B4060 - AA25 - Floor Plans: 3 Terrace
18168(D)7B4031 Rev. A - Manford - Elevations (40 angle Roof Pitch)
18168(D)7B4030 Rev. A - Manford - Floor Plans
18168(D)7B4093 - NA20 - Elevations (Semi)
18168(D)7B4094 - NA20 - Elevations (Terrace)
18168(D)7B4091 - NA20 - Floor Plans (Terrace)
18168(D)7B5001 - NA30 - Elevations
18168(D)7B5025 - NA42 - Elevations (Detached)
18168(D)7B5024 - NA42 - Elevations (Semi)
18168(D)7B5021 - NA42 - Floor Plans (Semi)
18168(D)7B5030 - NT41 M4 - Floor Plans
18168(D)7B5031 - NT41 M4 - Floor Plans (Plot 950)
TWSM22228-Open - Overview Report on Existing Open Space and Play Facilities
R-RTP-11084R-03-0 Revision 0 May 2021 - Residential Travel Plan
113 Rev. C - S104 Adoptable Sewerage Layout
Sustainability Statement
R-TA-11084R-03-0 Revision 0 May 21 Issue 1-3 - Transport Assessment
18168(D)7B4002 Rev. A - Trusdale - Elevations (40 angle Roof Pitch)
18168(D)7B4003 Rev. A - Trusdale - Elevations (40 angle Roof Pitch)
18168(D)7B4000 Rev. A - Trusdale - Floor Plans

Received 27/08/2021:

18168(D)7B3054 Rev. B - AA33 2 House: Semi-Detached Elevations
18168(D)7B1004 Rev. A - Apartment Types: Elevations 2
18168(D)7B3021 Rev. B - Braxton: Semi-Detached Elevations
18168(D)7B3022 Rev. B - Braxton: Semi-Detached Elevations
18168(D)7B3023 Rev. B - Braxton: Semi-Detached Elevations
18168(D)7B3025 Rev. C - Braxton: Semi-Detached Elevations
18168(D)7B3020 Rev. B - Braxton: Semi-Detached Floor Plans
18168(D)7B5011 Rev. A - NT30: Elevations
18168(D)7B5010 Rev. A - NT30: Floor Plans
Revised Housing Accommodation Schedule
Version 2 - Revised Planning Statement

Received 23/09/21:

18168(D)7B4071 Rev. A - AA33 M4: 4 House Terrace Elevations
18168(D)7B3053 Rev. C - AA33: 3 House Terrace Elevations
18168(D)7B3051 Rev. B - AA33: 3 House Terrace Plans

18168(D)7B5020 Rev. A - NA42: Floor Plans (Detached)
18168(D)7B5032 Rev. A - NT41: M4(3) Elevations
18168(D)7B5033 Rev. A - NT41: M4(3) Elevations
18168(D)7B5034 Rev. A - NT41: M4(3) Elevations
18168(D)7B5022 Rev. A - NT42: Elevations (Detached)
18168(D)7B5023 Rev. A - NT42: Elevations (Detached)
18168(D)7B5026 - NT42: Elevations (Detached)

Received 01/10/21:

18168(D)7B4063 Rev. B - AA25: 4 Terrace Elevations
18168(D)7B4061 Rev. B - AA25: 4 Terrace Floor Plans
18168(D)7B3052 Rev. C - AA33: 2 House Semi-Detached Elevations
18168(D)7B3050 Rev. C - AA33: 2 House Semi-Detached Floor Plans
18168(D)7B3033 - Byford: Semi-Detached Elevations
18168(D)7B3030 Rev. B - Byford: Semi-Detached Floor Plans
18168(D)7B4092 Rev. A - NA20: Semi-Detached Elevations
18168(D)7B4090 Rev. A - NA20: Semi-Detached Floor Plans
18168(D)7B5000 Rev. A - NA30: Floor Plans
18168(D)7B060 Rev. C - Proposed Parking Strategy
Design, Access and Justification Statement - Revised 29 September 2021
TWSM22228-03 Rev. F - Tree Protection Plan (Phase 7A) and Tree Protection Plan
(Phase 7B)

Received 12/11/21:

300 Rev. F - Engineering Layout
WSM22228-MAN Rev. F - Landscape Management and Maintenance Plan
TWSM22228-30 Rev. D - Landscape Masterplan
TWSM22228-12 Rev. H - Landscape Proposals (Sheet 1 to 5 of 5)
18168(D)7B001 Rev. B - Location Plan - Parcel 7B
18168 (D) 7B 002 - Ownership Plan - Parcel 7B
18168(D)7B065 Rev. C - Proposed Affordable Housing Strategy
18168(D)7B062 Rev. D - Proposed Refuse Strategy
18168(D)7B064 Rev. C - Proposed Roof Materials Strategy
18168(D)7B063 Rev. C - Proposed Wall Materials Strategy
308 Rev. E - Surface Finishes Layout
323(1) Rev. H - Swept Path Analysis (Sheet 1 of 2)
323(2) Rev. G - Swept Path Analysis (Sheet 2 of 2)

Received 23/02/22:

18168 (D) 7B 1003C - Apartment Types - Elevations
18168 (D) 7B 1001D - Apartment Types - First Floor Plans
18168 (D) 7B 1000D - Apartment Types - Ground Floor Plans

18168 (D) 7B 1002D - Apartment Types - Second Floor Plans
18168 (D) 7B 061H - Proposed Boundary Treatment
18168 (D) 7B 011AS - Proposed site layout - Parcel 7B

Received 15/03/21:
Healthcare Impact Assessment

Received 23/03/22:
TWSM22228aia_ams - Arboricultural Impact Assessment and Method Statement
TWSM22228_60 - Ecological features plan
TWSM22228_64 - Great crested newt - Impact plan
2085-GP-MP-21 Rev B - Global Master Measurements Constraints Plan

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 details on the submitted plans, the development shall not be occupied until details of the vehicle accesses and pedestrian access have been submitted to and approved in writing by the Local Planning Authority. Development shall not be occupied until the accesses have been sited and constructed in accordance with the approved plans. The accesses so laid out shall be retained thereafter. For the avoidance of doubt, the accesses shall include the provision of appropriate visibility

splays.

Reason: For the safety and convenience of users of the highway and other accesses in accordance with Policies CT2 and CT4 of Plan:MK.

(5)Prior to the commencement of the development, details of the estate roads and footways shall be submitted to and be approved in writing by the Local Planning Authority. No dwelling shall be occupied until the estate roads and footways which provide access to it from the existing highway have been laid out and constructed in accordance with the approved details. The estate road and footways so laid out shall be retained thereafter.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the development.

(6)Prior to the occupation of any of the dwellings hereby permitted, the proposed bicycle parking for that dwelling, shown on the approved drawings, shall be provided and shall be retained thereafter.

Reason: To ensure that adequate cycle parking facilities are provided to serve the development.

(7)Prior to the first occupation of the development hereby permitted, proposals for EV Charging Points for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. Each approved EV Charging point shall be provided prior to the occupation of the dwelling it serves and shall be retained thereafter.

Reason: To ensure that EV Charging facilities are provided to serve the development.

(8)No development, including any works of demolition, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include site procedures to be adopted during the course of construction including:

- o routes for construction traffic
- o Method of prevention of mud being carried onto the highway
- o location of site compound
- o loading and unloading of plant and materials
- o the erection and maintenance of security fencing/hoardings and lighting
- o proposed temporary traffic restrictions
- o parking of vehicles of site operatives and visitors

The development shall be carried out in full accordance with the approved CEMP.

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).

(9) 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. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, supply sizes and proposed densities; and a tree planting details drawing. The planting plans shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels and contours; visibility splays; proximity between street-lights and tree planting; proposed and existing functional services above and below ground. All hard and soft landscape works shall be carried out in accordance with the approved details and prior to the first 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. 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. Thereafter the hard and soft landscape works shall be maintained and retained in situ.

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

(10) Notwithstanding the approved plans, 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, details of hedgehog passes and including a schedule specifying the type, height, composition, elevation appearance of boundary treatment throughout the site. The development shall be carried out in accordance with the approved details prior to the occupation of each dwelling to which the boundary treatment relates, 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 policy D1 of Plan:MK (2019).

(11) Notwithstanding the approved plan, no development shall take place above slab level until a landscape management and maintenance plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Landscape design and management plans to support a written document;
- A conveyance style plan showing the division of responsibility for the areas of public amenity space, areas to be privately managed as communal amenity or incidental space, areas proposed to be adopted by highways as street landscaping and those areas of private garden amenity space;
- The open space specification of maintenance and management operations appropriate over the short, medium and long-term in perpetuity;
- Specify who will be taking on management and maintenance responsibilities for all open space, public amenity and communal greenspace;
- The maintenance schedule and programme of works

The approved scheme shall be implemented thereafter in perpetuity.

Reason: To safeguard the appearance and biodiversity of the area in accordance with Policy D1 and Policy NE3 of Plan:MK (2019).

(12) 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).

(13) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR25-2020-1) and with the proposals detailed on plan 'Phase 7B, Newton leys: Impact Plan for great crested newt district licensing (version 1)' dated 2nd August 2021.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR25-2020-1).

(14) A lighting plan shall be submitted to the LPA prior to the commencement of works above slab level. If any lighting is required within the vicinity of current or built-in bat features, it shall be low level, with baffles to direct the light away from the features, thus preventing severance of bat commuting and foraging routes. The approved scheme shall be implemented prior to the occupation of each building or dwelling.

Reason: In order to comply with saved policy NE2 of Plan:MK (2019).

(15)The drainage strategy hereby approved, including the provision of sustainable urban drainage systems (SuDS), shall be carried out in accordance with the approved plans and specifications prior to the first occupation of the buildings hereby permitted unless a revised programme is agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory and sustainable surface water drainage to prevent the increased risk of flooding on or off site in accordance with policy FR2 of Plan: MK.

(16)No development shall take place until details of the proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property, has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access, the appearance of the development and the amenities of neighbouring properties in accordance with Policies D3 and D5 of Milton Keynes' adopted Plan:MK (2019).

(17)Each dwelling shall be constructed to achieve Secured by Design accreditation (as awarded by Thames Valley Police).

Reason: In the interests of reducing crime and disorder in accordance with Policy D1 of Plan:MK (2019)

(18)Prior to the commencement of the development above slab level details of how superfast broadband infrastructures will be delivered to every household, subject to network capacity being available, 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 within that phase or part of the development.

Reason: To ensure that residents have access to high quality telecommunications and ICT networks in accordance policies EH7 and CT9 of Plan:MK (2019)

(19)Prior to the occupation of the development a scheme for the installation of solar photovoltaic panels in accordance with the approved Energy and Climate Statement shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented for each relevant dwelling prior to the occupation of that dwelling and maintained on site thereafter.

Reason: To ensure that the scheme is energy efficient and aims towards carbon neutrality in accordance with Policy C1 of Plan:MK (2019o

(20)The development hereby permitted shall be carried out in accordance with the approved Archaeological Evaluation 2006 unless otherwise approved in writing by the Local Planning Authority in relation to individual phases. .

Reason: To ensure that archaeological matters are adequately considered and mitigated.

(21)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 Part 1, Class A 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).

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 revised information was required providing dedicated private amenity space - this was duly submitted and concluded as being acceptable.

Informative(s)

(1)A position statement by Milton Keynes Council that outlined the physical and natural environment core policy vision for how Milton Keynes can aspire to become the 'Greenest City in the World' was approved by Cabinet in November 2019. In this, it

underlined the following:
Create:

In order to address surface water flooding, urban growth and regeneration will adopt a comprehensive approach to designing sustainable drainage systems (SuDS) with surface water being attenuated and treated on site using methods that blend infrastructure nature, landscape and trees. Milton Keynes will create a more diverse portfolio of water landscapes that support greater biodiversity.

Engage:

...Sustainable drainage systems will be seen as a positive tool for providing local amenity benefit as well as managing flood risk. 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.

(2)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.

(3)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. There must be no disturbance of the surface of the Public Rights of Way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.

(4)Any planning consent given confers no consent or right to close or divert any Public Rights of Way at any time without the express permission of the Highway Authority.

(5)It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

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 long horizontal line extending to the right.

25th March 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

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