

FULL PLANNING PERMISSION GRANTED

To: Mr Sam Dix
5 Warren Yard
Warren Park
Old Wolverton
Milton Keynes
MK12 5NW

Application no: 19/02228/FUL
Applicant: McCann Homes
c/o agent

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

Demolition of 18 Simpson Road and erection of x2 residential buildings comprising a total of 40 x2 bed apartments, associated parking, landscaping, creation of new access and ancillary works.

At: Land To The Rear of 20 To 22 Simpson Road Bletchley

In accordance with your application, valid on 3rd September 2019.

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 03.09.2019:

V16-115-SLP01 B Site Location Plan
V16-108-P14 A Proposed Elevations Block B
V16-115-P12 A Proposed Floor Plans Block B
Phase 1 Assessment (Desk Study) DS-21767-18-381
Drainage Strategy JKK9988 V1.2

Transport Statement 23747/08-18/6149

Received 24.10.2019:

Noise Assessment MDR/J4087a

Received 07.11.2019:

Highway Addendum Note A115584-01

Received 29.11.2019:

V16-108-P11_C Proposed Floor Plans Block A
V16-108-P13_C Proposed Elevations Block A

Received 18.12.2019:

Preliminary Ecological Appraisal EEL.7411.R03.001
Preliminary Ecological Appraisal EEL.7411.R03.002
Biodiversity Report EEL.7411.R03.003

Received 16.01.2020:

Energy Report v.16-115-ENE01

Received 03.02.2020:

V16-115-P10_D Proposed Site Layout

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) 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).

(5) 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).

(6) 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 Plan: MK Policies D5, CT3, D1 and CT10.

(7) Prior to the occupation of each dwelling, certification confirming the achievement of Secured by Design accreditation (as awarded by Thames Valley Police) for that dwelling shall be obtained and retained thereafter. The development shall be carried out in accordance with the approved measures prior to the occupation of the respective dwelling.

Reason: In the interests of reducing crime and disorder in accordance with Policies D1, D2, D3, D5 and SD1 of Plan:MK (2019).

(8) No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials in accordance with Plan: MK Policies SC1 and D5.

(9) No building or use hereby permitted shall be occupied or the use commenced until a Flood Warning and Evacuation Plan (FEP) has been submitted to and approved in

writing by the Local Planning Authority This Plan shall include the following information:

During Demolition/Construction Process:

- o command & control (decision making process and communications to ensure activation of FEP);
- o training and exercising of personnel on site (H&S records of to whom and when);
- o flood warning procedures (in terms of receipt and transmission of information and to whom);
- o site evacuation procedures and routes; and,
- o provision for identified safe refuges (who goes there and resources to sustain them).

During Occupation of Development:

- o occupant awareness of the likely frequency and duration of flood events;
- o safe access to and from the development;
- o subscription details to Environment Agency flood warning system, 'Flood Warning Direct'.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site in accordance with policy FR1 of Plan:MK.

(10) No building or use hereby permitted shall be occupied or the use commenced until a lighting plan has been submitted to and approved in writing by the Local Planning Authority. If any lighting is required within the vicinity of existing or newly created 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 development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the development or the commencement of the use and shall be subsequently retained in that form thereafter.

Reason: To ensure the Protected Species is adequately protected and in accordance with policies D1 and NE2 of Plan:MK.

(11) No building or use hereby permitted shall be occupied or the use commenced until the vehicular access has been provided and thereafter retained at the position shown on the approved plans. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interests of highway safety in accordance with Policy D1 of Plan:MK

(2019).

(12) 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 Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policies D1 and T10 of the Milton Keynes Local Plan 2001-2011.

(13) No development shall take place until a revised Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development and should address all additional requirements as set out by the Lead Local Flood Authority advice (dated 22.10.2019).

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal in accordance with policies D1 and FR2 of Plan: MK.

(14) Prior to the commencement of development, details of the proposed protective fencing to be erected to safeguard the waterway infrastructure during construction of the development shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To comply with Paragraph 109 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run-off, waste etc. entering the canal.

(15) Prior to commencement of the development hereby approved, a survey of the condition of the waterway edge and a method statement and schedule of works identified as necessary to protect it shall be submitted to and approved in writing by the Local Planning Authority. Any works identified as necessary shall be carried out in accordance with the agreed method statement and schedule by a date to be confirmed in the works schedule.

Reason: To ensure that the structured integrity of the Grand Union Canal is retained. This condition seeks to prevent harm to the canal during the construction phases and is therefore required prior to commencement in accordance with Policy D7 of Plan: MK (2019).

(16) 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, including the canalside boundary, 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).

(17) 1) 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.

2) 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.

3) 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.

(18) Prior to the commencement of the development a programme of archaeological field evaluation comprising trial trenching shall be completed. The programme of archaeological evaluation shall be detailed in a Written Scheme of Investigation submitted to and approved by the local planning authority in writing. On completion of the agreed archaeological field evaluation a further Written Scheme of Investigation for a programme of archaeological mitigation in respect of any identified areas of significant buried archaeological remains shall be submitted to and approved by the local planning authority in writing. The scheme for archaeological mitigation shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation so approved. The development hereby permitted shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the appropriate recording and/or conservation of any archaeological remains affected by the development in accordance with: Paragraph 199 of the National Planning Policy Framework and Policy HE1 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.

Informative(s)

(1) The Canal and River Trust offers no right of support to the adjacent property. The land owner should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure at this location. The applicant developer is advised to contact Mansoor Omar, Waterways Engineer in order to ensure that any necessary consents are obtained and that works comply with the Trusts' Code of Practice for works affecting the Canal and River Trust.

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



27th May 2020

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