

FULL PLANNING PERMISSION GRANTED

To: Miss Caroline Wilberforce
60 High Street
Wimbledon
London
SW19 5EE
UK

Application no: 21/03203/FUL
Applicant: All About Children
c/o Agent
c/o Agent
c/o Agent

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

Erection of a building for children's day nursery with associated parking, servicing, play area and landscaping
At: Land At Junction of Jersey Drive And Hebrides Gate Newton Leys Milton Keynes

In accordance with your application, valid on 20th October 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 20.10.2021:

Drainage Statement

Nursery Acoustics

Transport Statement

Sustainability & Energy Statement

Site Location Plan - SLP01

NewtL-2021-01-Elev - Proposed Nursery Building Elevations

NewtL-2021-01-GA - Proposed Nursery Building Plan

NewtL-2021-01-Store - Proposed Nursery Buggy Store & Bin Store

Received on 13.04.2022:

NewtL-2021-01-Sec-#B - Proposed Nursery Section

NewtL-2021-01-Site-#B - Proposed Nursery Site 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)Details of the proposed bicycle parking shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be provided prior to the first occupation of the development hereby permitted.

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

(4)No works above slab level shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall contain detail of locations, specifications, and ongoing management of habitats and features retained, created, or enhanced to benefit biodiversity and achieve net-gains, and also include the provisions recommended in the Ecological Technical Note (Bioscan, Jan 2022).The development shall be implemented and managed in accordance with the approved LEMP.

Reason: To ensure no significant harm to the protected species and priority habitats and a measurable biodiversity net gain is achieved.

(5)The development hereby approved shall be implemented in accordance with the recommendations for biodiversity mitigation and enhancement detailed within the Ecological Technical Note (Bioscan, Jan 2022).

Reason: To ensure no significant harm to the protected species and priority habitats

and a measurable biodiversity net gain is achieved.

(6)Notwithstanding the approved drawings, no development shall take place 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; 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 completion of the development. If within a period of five 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 place.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

(7)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).

(8)The development hereby approved shall be implemented in accordance with the submitted Drainage Statement by bsp Consulting dated 12/10/2021.

Reason: to avoid adverse flood risk to the development and the adjacent area.

(9)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).

(10)The development hereby approved shall be implemented in accordance with the submitted Sustainability & Energy Statement by Scotch Partners dated 07/10/2021.

Reason: to ensure the development to deliver energy efficiency in construction and operations.

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.

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 'Jon Palmer', with a long horizontal line extending to the right.

18th May 2022

Jon Palmer MRTPI – Head of Planning

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

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

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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