

FULL PLANNING PERMISSION GRANTED

To: Mr Alastair Thornton
Suite 204
Cheltenham House
Temple Street
Birmingham
B2 5BG
United Kingdom

Application no: 21/00679/FULMMA
Applicant: Winvic Construction Ltd
C/o Agent

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

Variation to condition 1 (approved plans) of planning permission related to 16/02451/FUL (Demolition of all existing buildings and replacement with the erection of 184 residential dwellings comprising 172 one and two bedroomed apartments and 12 townhouses, community use (D1) and flexible use across A1, B1a or D2, provision of private open space and landscaping, provision of an internal vehicular network and associated highway works and car parking) for amendments to overall floor plans, apartment types, communal spaces and other associated alterations. Minor amendments to heights to suit structural grid, parapet support, floor to ceiling heights and the addition of lift overruns.

At: Land To The South of Princes Way And West of Albert Street Bletchley

In accordance with your application, valid on 11th March 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:

Plans received 28/09/2016:

Location Plan As Existing, Drawing No. EX-001 D05

Plans received 08/03/2021:

P 001 Rev A Site Plan North
P 002 Roof Plan North
P 003 Site Plan South
P 004 Roof Plan South
P 005 Street Scene
P 011 Block A Ground and First Floor Plan
P 012 Block A Second and Third Floor Plan
P 013 Block A Fourth and Fifth Floor Plan
P 014 Block A Sixth and Seventh Floor Plan
P 015 Block A Eighth and Ninth Floor Plan
P 016 Block A Elevation 1
P 017 Block A Elevation 3
P 018 Block A Elevations 2 and 4
P 021 Block B Ground and First Floor Plan
P 022 Block B Second and Third Floor Plan
P 023 Block B Fourth and Fifth Floor Plan
P 024 Block B Sixth and Seventh Floor Plan
P 025 Block A Elevations 1 and 2
P 026 Block A Elevations 3 and 4
P 031 Block C Plans
P 032 Block C Elevations
P 041 Block D Ground and First Floor Plan
P 042 Block D Second and Third Floor Plan
P 043 Block D Fourth and Fifth Floor Plan
P 044 Block D Sixth and Seventh Floor Plan
P 045 Block D Roof Plan
P 046 Block D Elevations 1 and 2
P 047 Block D Elevations 3 and 4
P 051 Block E Ground and First Floor Plan
P 052 Block E Second and Third Floor Plan
P 053 Block E Fourth and Fifth Floor Plan
P 054 Block E Roof Plan
P 055 Block E Elevations 1 and 2
P 056 Block E Elevations 3 and 4
P 061 Block F Floor Plans

A1 P 062 Block F Elevations
NA S73 Design Statement

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 12.10.2018 (date of original 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(s) 73 and 91 of the Town and Country Planning Act 1990 / section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

(3)The development shall be carried out in accordance with the Construction Management Plan submitted and approved with ref. 20/01487/DISCON.

Reason: For the safety and convenience of users of the highway and to protect the amenity of neighbours during the construction process in accordance with the provisions of policies CT1, CT2 and NE6 of Plan:MK.

(4)Prior to the commencement of the construction of the development hereby permitted, a detailed design including attenuation storage, interceptor and hydrobrake drawings and written confirmation of the discharge rate as agreed by the receiving drainage body, for a surface water drainage scheme shall be submitted to and be approved in writing by the local planning authority. The management and maintenance plan shall include a detailed timetable for the implementation of the surface water drainage scheme. The approved drainage scheme shall subsequently be implemented and retained thereafter in accordance with the approved details.

Reason: To ensure satisfactory and sustainable surface water drainage to prevent the increased risk of flooding on or off site in accordance with policies FR1 and FR2 of Plan:MK.

(5)Prior to the commencement of any works other than the laying of foundations, the details of the proposed finished floor levels of all buildings and the finished ground levels in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance

with the approved levels.

Reason: To ensure that development is carried out at suitable levels in accordance with policies D1 and D5 of Plan:MK.

(6)Remedial works shall be carried out in accordance with the details submitted and approved under ref. 20/01487/DISCON prior to first occupation of any part of the development. Should any unforeseen contamination be encountered in that phase or part of the development the local planning authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination shall be carried out to the written satisfaction of the local planning authority.

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 in accordance with policy NE6 of Plan:MK.

(7)Prior to the commencement of the development hereby permitted, a wastewater strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent environmental and amenity problems in accordance with policy NE6 of Plan:MK.

(8)Prior to the commencement of any works within the root protection areas of all retained trees and hedgerows, a method statement for soft and hard landscaping works within the root protection areas shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect existing trees and hedgerows during the construction process in accordance with policies SD1, D1 and D5 of Plan:MK.

(9)All existing trees and hedgerows to be retained shall be protected during the construction phase in accordance with the provisions of BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations'.

Reason: To ensure that there is adequate tree protection measures in accordance with policies SD1, D1 and D5 of Plan:MK.

(10)Prior to the commencement of the construction of the development hereby permitted above ground floor slab level, details of all external materials including details

of the car parking cladding, balconies, windows and brick detailing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in accordance with policies D1, D2 and D3 of Plan:MK.

(11) Prior to the commencement of the construction of the development hereby permitted above ground floor level, a noise assessment and mitigation scheme shall be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved mitigation details.

Reason: To safeguard the amenities of future occupiers in accordance with policy NE6 of Plan:MK.

(12) Prior to commencement of the construction of the development hereby permitted above ground floor slab level, an energy assessment demonstrating how the renewable sources can contribute to a minimum 10% reduction of the scheme's total CO2 emissions shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development achieves a reduction in carbon emissions in accordance with policy SC1 of Plan:MK.

(13) Prior to the commencement of the construction of the development hereby permitted above ground floor slab level, a soft and hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the numbers, types and sizes of new trees and shrubs to be planted and their location in relation to proposed roads, footpaths and drains together with planting details. The landscaping scheme shall be carried out in accordance with the approved details within twelve months following commencement of development or in accordance with a timetable that shall have previously been submitted to and approved in writing by the local planning authority. Any trees or shrubs removed, dying, severely damaged or diseased within five years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be approved in writing by the Local Planning Authority.

Reason: To safeguarding the character of the area and in the interests of biodiversity in accordance with policy NE3 of Plan:MK.

(14) Prior to the construction of the development hereby permitted above ground floor

slab level, a Biodiversity Enhancement Scheme including the use of native plant species and a minimum of 40 swift bricks to be integrated into the building together with a delivery

shall be submitted to approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure development includes biodiversity enhancement measures in accordance with policy NE3 of Plan:MK.

(15) Prior to the commencement of the construction of any of the dwellings hereby approved above ground floor slab level, details of external lighting including security lighting shall be submitted to and approved in writing by the local planning authority. The plans shall show lighting proposed in accordance with BS5489 standards and detail how the presence of bats in the area has been taken into account. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from residential amenity and the appearance of the locality and in the interests of ecology and crime prevention in accordance with Policy NE6 of Plan:MK.

(16) Prior to the occupation of the development hereby permitted, full details of all of means enclosures to be erected within the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the appearance of the locality, safeguard residential amenity and in the interest of crime prevention in accordance with policies D1, D3 and D5 of Plan:MK.

(17) The dwellings shall not be occupied until the parking spaces for the development have been provided in accordance with the approved plans and a management plan for the allocation of parking spaces that has previously been submitted to and approved in writing by the local planning authority. The car parking shall be permanently retained and operated in accordance with the approved details 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 the provisions of policy CT10 of Plan:MK.

(18) The development shall not be occupied until the refuse stores and bicycle parking have been provided in accordance with the approved plans. The refuse stores and bicycle parking shall be permanently retained thereafter.

Reason: To ensure that adequate parking and refuse facilities are provided to serve the development in accordance with policies CT3, CT10 and 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.

The application was acceptable upon the clarification of the total impermeable area associated with the development. Once clarification of this matter was provided, the application was approved in a timely manner.

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.

31st August 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