

## FULL PLANNING PERMISSION GRANTED

To: David Lock Associates  
Mr Robert Purton  
50  
North Thirteenth Street  
Central Milton Keynes  
Milton Keynes  
MK9 3BP

**Application no: 20/01432/FUL**  
Applicant: Log Lux Sarl  
6 Rue Eugene Ruppert  
L-2453 Lux Luxe  
Luxembourg

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

**Erection of two distribution warehouses with ancillary offices (Use Class B8) and ancillary servicing structures, vehicle parking and manoeuvring areas, formation of vehicular access, pedestrian and cyclist links, landscaping, ground remodelling works, sustainable drainage, utilities provision and associated works.**

**At: Land Off Bletcham Way Fenny Lock Bletcham Way V7 To A5 Milton Keynes**

In accordance with your application, valid on 18th June 2020.

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](http://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 20.08.2020:

00300 PL 3 Proposed Fencing Layout & Details - Unit 1

00301 PL 3 Proposed Fencing Layout & Details - Unit 2

Received 18.06.2020:

7022-ALP-XX-XX-M2-L-00007 - Land off Bletcham Way Green Roof Plan 1 of 2  
7022-ALP-XX-XX-M2-L-00008 - Land off Bletcham Way Green Roof Plan 2 of 2  
7022-ALP-XX-XX-M2-L-00009 - Land off Bletcham Way Tree Pit Details 1 of 2  
7022-ALP-XX-XX-M2-L-00010 - Land off Bletcham Way Tree Pit Details 2 of 2  
20002-BGL-XX-XX-DR-D-0100 Rev P5 - Section 278 Highway Works General Arrangement  
20002-BGL-XX-XX-DR-S-0200 Rev P5 - Preliminary Proposed Levels  
20002-BGL-XX-XX-DR-S-0202 Rev P3 - Retaining Wall Cross Sections  
20002-BGL-XX-XX-DR-D-0250 Rev P3 - Indicative Drainage Strategy  
20002-BGL-XX-XX-SK-S-0005 Rev P3 - Vehicle Tracking and Visibility Splays  
20002-BGL-XX-XX-SK-S-0009 Rev P5 - Foul Drainage Strategy  
20002-BGL-XX-XX-SK-S-0010 Rev P4 - HGV Vehicle Tracking and Visibility Splays  
10198-INF-100 Rev C - Proposed Infrastructure and Site Services  
10198-PL-100 Rev A - External Lighting Lux Levels Plot  
33961\_T Rev 0 - Topographical Survey  
7022-ALP-XX-XX-M2-L-00006 - Land off Bletcham Way General Arrangements Green Roof Plan Operational Noise Assessment Rev 2  
Phase I/II Environmental Assessment Issue 3  
Planning Design and Access Statement including SCI  
Planning Energy Report Issue 2 including BRUKL Output  
PEA and Bat Roost Potential Survey including Habitat Impact Assessment Calculator  
Remediation and Verification Strategy Version 2  
Road Safety Audit Designers Response (Issue 2)  
Specification for Landscape and Horticultural Works (7022.Land.Spec.001)  
Stage 1 Road Safety Audit Rev 1.0  
Sustainability Statement and BREEAM 2018 Report (Issue 2)  
Transport Assessment (Issue 2) including Caldecotte the Interchange Model Validation Report

Received 18.06.2020:

AXA005-005 Rev A - Site Plan  
3936-CA-00-00-DR-A-00050 Rev PL1 - Proposed Site Layout Plan  
3936-CA-00-00-DR-A-00051 Rev PL1 - Site Location Plan  
3936-CA-00-00-DR-A-00170 Rev PL2 - Proposed Site Sections  
3936-CA-00-00-DR-A-00060 Rev PL1 - Proposed Demise Plan  
3936-CA-00-ZZ-DR-A-00350 Rev PL1 - Proposed Cycle Shelter & Enclosure Details  
3936-CA-01-00-DR-A-00200 Rev PL1 - Proposed Elevations - Unit 1  
3936-CA-01-GF-DR-A-00100 Rev PL1 - Proposed Warehouse Plan - Unit 1  
3936-CA-01-ZZ-DR-A-00110 Rev PL1 - Proposed Main Office Plans - Unit 1  
936-CA-01-00-DR-A-00250 Rev PL1 - Proposed External Finishes - Unit 1  
3936-CA-01-RL-DR-A-00120 Rev PL1 - Proposed Roof Plan - Unit 1

3936-CA-01-ZZ-DR-A-00150 Rev PL1 - Proposed Warehouse Sections - Unit 1  
3936-CA-01-ZZ-DR-A-00160 Rev PL1 - Proposed Office Sections - Unit 1  
3936-CA-01-GF-DR-A-00300 Rev PL1 - Proposed Fencing Layout & Details - Unit 1  
3936-CA-02-00-DR-A-00201 Rev PL1 - Proposed Elevations - Unit 1  
3936-CA-02-GF-DR-A-00101 Rev PL1 - Proposed Warehouse Plan - Unit 2  
3936-CA-02-GF-DR-A-00251 Rev PL1 - Proposed External Finishes - Unit 2  
3936-CA-02-ZZ-DR-A-00111 Rev PL1 - Proposed Main Office Plans - Unit 2  
3936-CA-02-ZZ-DR-A-00121 Rev PL1 - Proposed Roof Plan - Unit 2  
3936-CA-02-ZZ-DR-A-00151 Rev PL1 - Proposed Warehouse Sections - Unit 2  
3936-CA-02-ZZ-DR-A-00161 Rev PL1 - Proposed Office Sections - Unit 2  
3936-CA-02-ZZ-DR-A-00301 Rev PL1 - Proposed Fencing Layout & Details - Unit 2  
Air Quality Assessment Issue 1  
Arboricultural Survey Issue 3  
Bat and Reptile Survey Report (Issue 4)  
Confidential Badger Survey Report (Issue 3)  
Employment Review v.2  
External Lighting Report v.2  
Flood Risk Assessment v.2  
Heritage Assessment v.2  
Interim Travel Plan Issue 2  
Landscape Management Plan 7022.LMP.001  
Landscape & Visual Impact Assessment 7022.LVIA.002.VF  
20002-BGL-XX-XX-SK-S-0009 Rev P5 - Foul Drainage

Received 16.07.2020:

20002-BGL-XX-XX-DR-S-0251 P1 Exceedence Flooding and Node Reference Plan  
20002-BGL-XX-XX-CA-D-0001 P2 Fenny Lock Surface Water Calcs  
Response to CPDA (TVP) Comments

Received 04.08.2020:

7022-ALP-XX-XX-M2-L-00001 Rev B - Land off Bletcham Way General Arrangements  
Planting Plan  
7022-ALP-XX-XX-M2-L-00002 Rev B - Land off Bletcham Way Planting Plan 1 of 4  
7022-ALP-XX-XX-M2-L-00003 Rev B - Land off Bletcham Way Planting Plan 2 of 4  
7022-ALP-XX-XX-M2-L-00004 Rev B - Land off Bletcham Way Planting Plan 3 of 4  
7022-ALP-XX-XX-M2-L-00005 Rev B - Land off Bletcham Way Planting Plan 4 of 4  
20002-BGL-XX-XX-DR-S-0201 P3 Indicative Earthworks Cut and Fill Volumes Plan  
Arboricultural Impact Assessment Issue 1  
Arboricultural Method Statement for Enabling and Construction Phase of Work Issue 1  
GCN Pre-Application Response Evidence  
20002-BGL-XX-XX-TN-D-00002 P1 Response

Received 06.10.2020:

Combined CEMP & Site Wide Plan Rev B  
DLA Combined Landscape Response V2

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)The development hereby permitted shall be carried out fully in accordance with the details within the materials listed on the approved elevations plans (3936-CA-01-00-DR-A-00200 rev PL1 & 3936-CA-02-00-DR-A-00201 rev PL1) and shall not be altered unless otherwise agreed in writing with the Local Planning Authority. The development shall 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 the details submitted in support of the application, no part of the development shall commence until such time as details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. No other part of the development shall be occupied until the access has been laid out and constructed to base course in accordance with the approved details.

Reason: To ensure a satisfactory standard of access to and from the site, to ensure that the alterations to the Fenny Lock Roundabout result in a safe and convenient highway layout and to ensure a satisfactory construction access for the site in accordance with Policy CT2 of Plan: MK (2019).

( 5)Notwithstanding the details submitted in support of the application, no part of the development shall commence until such time as details of the proposed off-site highway works have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the off-site highway works have been laid out and constructed in accordance with the approved details.

Reason: To ensure safe and convenient pedestrian and cycle access to the development in conjunction with Policy CT3 of Plan: MK (2019).

( 6)Prior to the occupation of each unit the hereby permitted ancillary car parking area shown on the approved drawings for that unit shall be 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 safe free flow of traffic on the neighbouring highway in compliance with Policy CT2 of Plan: MK (2019).

( 7)Prior to the initial occupation of each unit hereby permitted the scheme for ancillary parking and manoeuvring and the loading and unloading of vehicles shown on the approved drawings for that unit shall be provided and shall be used for no other purpose thereafter.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in compliance with Policy CT2 of Plan: MK (2019).

( 8)Prior to the first occupation of each unit the proposed ancillary bicycle parking shown in the approved drawings for that unit shall be provided and shall be retained thereafter.

Reason: To ensure that adequate cycle parking facilities are provided to serve the development in conjunction with Policy CT3 of Plan: MK (2019).

( 9)No development above slab level shall take place on each plot until details of the proposed finished floor levels of the building on that plot and the finished ground levels of that plot, in relation to existing site levels of the immediately adjacent land, has been submitted to and approved by the Local Planning Authority. The development for each plot 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 Plan:MK (2019).

(10)The development hereby permitted shall be carried out fully in accordance with the details within the Combined CEMP and Site Wide Plan Rev B and shall not be altered unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that construction of the site does not cause harm to highway safety, the natural and historical environment and the surrounding area in conjunction with Policy CT2, D5 and NE1 of Plan: MK (2019).

(11) 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. 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 purpose and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in conjunction with Policy NE6 of Plan: MK (2019).

(12) Prior to the occupation of each unit a lighting plan shall be 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 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 (2019).

(13) All hard and soft landscape works shall be carried out in accordance with the approved plans referenced; 7022-ALP-XX-XX-M2-L-00001 Rev B, 7022-ALP-XX-XX-M2-L-00002 Rev B, 7022-ALP-XX-XX-M2-L-00003 Rev B, 7022-ALP-XX-XX-M2-L-00004 Rev B, 7022-ALP-XX-XX-M2-L-00005 Rev B, 7022-ALP-XX-XX-M2-L-00006, 7022-ALP-XX-XX-M2-L-00007, 7022-ALP-XX-XX-M2-L-00008, 7022-ALP-XX-XX-M2-L-00009 and 7022-ALP-XX-XX-M2-L-00010, prior to the first occupation of each of the unit(s) to which the landscaping directly relates 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 ).

(14) No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in full for the unit in question in accordance with the approved details prior to occupation of that unit. The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by Burrows Graham Limited (ref: 20002-BGL-XX-XX-RP-D-00001) dated 28th May 2020 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus 20% climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d) Full details of the proposed attenuation and flow control measures;
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Measures taken to prevent pollution of the receiving surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policy FR1 and FR2 of Plan: MK (2019)

(15) Details for the long-term maintenance arrangements for the surface water drainage systems for each unit (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each unit. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan for each unit shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework and Policy FR1 and FR2 of Plan: MK (2019).

(16) Prior to the first occupation of the development hereby approved, the renewable

energy features shall be installed and implemented on site, and thereafter maintained in perpetuity.

Reason: To ensure implementation and maintenance of the renewable energy features in accordance with Policy SC1 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 additional/amended information was requested and duly submitted. The application was subsequently considered at Development Control Committee and was approved subject to conditions and the successful completion of a S106 Legal Agreement.

### **Informative(s)**

( 1)This development has the potential to impact Great Crested Newts as there are ponds/waterbodies and suitable habitat within 500m of the development. If Great Crested Newts are discovered during development, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.

( 2)Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

( 3)All green roofs should be designed, constructed and maintained in line with the



CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).

( 4)No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

( 5)Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

( 6)The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

( 7)Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

( 8)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.

### **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

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](http://www.milton-keynes.gov.uk)

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT  
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015



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

18th December 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](http://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  
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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](mailto:odpm@twoten.press.net)