

FULL PLANNING PERMISSION GRANTED

To:	Mrs Nicola Thompson 1st Floor 1 Canon Harnett Court Wolverton Mill Milton Keynes MK12 5NF	Application no: 23/00129/FULM	Applicant: Mr A Inchbald McCann Homes Limited The Coach House Lower End Road Wavendon Milton Keynes MK17 8AU
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Milton Keynes City Council, under their powers provided by the above legislation, **Permit** the

Variation of condition 1 (approved plans) seeking to increase the Finished Floor Levels (FFL) of the site to allow for the surface water drainage infrastructure to be installed, and to re-locate the footpath from the northern side of the access road to the southern side of the access road and other associated works (relating to permission ref 21/03527/FULMMA - Variation of condition 1 of permission ref. 19/02228/FUL relating to 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: 22 Simpson Road Bletchley Milton Keynes MK2 2DD

In accordance with your application, valid on 6th February 2023.

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
V16-115-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

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

AAS100094-RPS-XX-XX-DR-C-400 Rev. P04 - External Levels; Dated: 08/09/2022, Received: 08/09/2022

V21-155-GA35 - Boundary treatment (Sheet 1); Dated: September 2022, Received: 13/10/2022
V16-108-P10 Rev. D - Proposed Site Layout Plan; Dated: 03/02/2020, Received: 13/10/2022

IDOM, GEA-21767-20-6 Rev. A - Phase 2 Geo-Environmental Assessment; Dated: 29/01/2020, Received: 01/08/2022

KDK Archaeology Ltd, 681/FSS - Written Scheme of Investigation for Archaeological Evaluation: Stage 1; Dated: 31/03/2022, Received: 01/08/2022

V21-155-MS01-A - Fenny Stratford: Material Specification; No Date, Received: 21/09/2022

McCann Homes, Third Issue, Construction Environmental Management Plan (CEMP); Dated: 31/10/2022, Received: 31/10/2022

Received 18.01.2023

V21-155-GA02 - Proposed Site Plan
V16-108-P14 Rev: A - Proposed Elevations - Block B
V21-155-GA27 Rev: B - Proposed Elevations

Received 04.04.2023

External Levels AAS100094-RPS-XX-XX-DR-C-4100 P01

Eatec Dynamics, EDQ1206_1_v2 - Vibration Monitoring of a Live Canal at Simpson Road, Fenny Stratford; Dated: 09/02/2023, Received: 20/02/2023

RPS Consulting Services Ltd, AAS10094 - Visual Canal Survey of Simpson Road, Fenny Stratford;

Dated: 29th July 2022, Received: 3/02/2023

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 on or before 27.05.2023.

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 constructed in full accordance with the schedule of materials as approved under 22/02380/DISCON on 11.11.2022.

Reason: To ensure that the development does not detract from the character and appearance of the area.

(4)The development hereby permitted shall be carried out in accordance with the approved levels on drawing External Levels AAS100094-RPS-XX-XX-DR-C-4100 P01, received on 04.04.2023.

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.

(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.

(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.

(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.

(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.

(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.

(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.

(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.

(12)The development shall be carried out in full accordance with the CEMP approved under 22/02584/DISCON on 25.11.2022.

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.

(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.

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)The development hereby permitted shall be carried out in accordance with the protective fencing details as approved under 22/01917/DISCON on 09.11.2022

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)The development hereby approved shall be carried out in accordance with the details (Waterway Edge Survey) permitted under 23/00272/DISCON on 28.03.2023.

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)Further to approval of an assessment of ground conditions under 22/01917/DISCON on 26.09.2022, 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.

2) 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) On completion of the agreed archaeological field evaluation as permitted under 22/01150/DISCON on 20.06.2022, 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 as 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.

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

5th May 2023


Mr 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 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

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (AS AMENDED)



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

Planning and Placemaking
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