

AYLESBURY VALE DISTRICT COUNCIL

Town and Country Planning Act 1990**16/00877/APP**

Mr David Coles
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Mr Paul Fello
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Subsequent to your application that was valid on the **11th March 2016** and in pursuance of their powers under the above mentioned Act and Orders, Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:-**

Residential development of 14 dwellings with associated garaging and parking and formation of new access.

AT:- Land Off Nash Road Great Horwood Buckinghamshire

Approved Drawing Number(s):- 15053 (D) 100 REV A, 15053 (D)210
15053(0)215, 15053 (B) 020A
15053(0)216, 15053(0)220,
15053 (D) 221, 15053 (B) 022A,
15053(0)222, 15053(0)223,
15053(0)230, 15053 (B) 120A,
15053 (0) 231, 15053(0)235,
15053(0)236, 15053 (B) 121A,
15053(0)240, 15053(0)241,
15053(0)260, 15053 (D) 097,
15053 (D) 261, 15053(0)262,
15053(0)210, 12529 / 01B
02/18/01 landscape plan,
02/18/02 planting detail,
02/18/03 planting detail

Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The materials to be used in the development shall be as indicated on the approved plans. Please also see note no. 5 on the back of this notice.
- 2 Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 3 The building(s) hereby permitted shall only be constructed with slabs at levels indicated on the approved drawing No. 12529 / 01B.

- 3 Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with Policy 4 of the GHPNP and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 4 No development shall take place on the building(s) hereby permitted until details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented. Please also see note no. 6
- 4 Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to comply with Policy 4 of GHPNP and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 5 The landscaping scheme as shown on drawing number 02/18/01, 02/18/02 and 02/18/03 . shall be carried out not later than the first planting season following the first occupation of the last of the building(s) to be occupied or the completion of the development, whichever is the sooner.
- 5 Reason: In the interests of the visual amenities of the locality and to comply with Policy 4 of the GHPNP and policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 6 No development shall take place on the building(s) hereby permitted until full details proposed finished levels or contours for all landscaping areas have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.
- 6 Reason: In the interests of the visual amenities of the locality and to comply with Policy 4 of the GHPNP and policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 7 Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.
- 7 Reason: In the interests of the visual amenities of the locality and to comply with Policy 4 of the GHPNP and policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 8 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - o Discharge Rates
 - o Discharge Volumes
 - o Ground investigations including infiltration rate tests in accordance with BRE365.
 - o If infiltration is not feasible, surface water should discharge to the next most appropriate and practicable drainage option.
 - o Justification for the exclusion of sustainable drainage components should be included
 - o Detailed drainage layout with pipe numbers, gradients and pipe sizes complete with full construction details, together with storage volumes of all SuDS features

- o Phasing
 - o Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate
 - o Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
- 8 Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in order to ensure that there is a satisfactory solution to managing flood risk in accordance with NPPF guidance.
- 9 No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme. Please also see note no. 6 on the back of this notice.
- 9 Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with the National Planning Policy Framework.
- 10 Prior to the occupation of the development the new access shall be designed in accordance with the approved plans. The access shall be constructed in accordance with; 'Buckinghamshire County Council's Guidance note, "Commercial Vehicular Access Within Highway Limits" 2013.
- 10 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with the guidance contained within the NPPF.
- 11 Prior to the occupation of the development, minimum vehicular visibility splays of 79m from 2.4m back from the edge of the carriageway from both sides of the new access onto Nash Road shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.
- 11 Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and in accordance with the NPPF guidance.
- 12 Prior to occupation of the development, space shall be laid out within the site for parking and manoeuvring, in accordance with the approved plans. This area shall be permanently maintained for this purpose.
- 12 Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with the guidance contained within the NPPF
- 13 Prior to occupation of the development, the off-site highway works shall be laid out and constructed in accordance with details to be first approved in writing with the Local Planning Authority. The highway works shall be secured through a S278 Agreement of the Highways Act 1980. For the avoidance of doubt the S278 works shall comprise of a 1.8m wide footway along the northbound edge of Nash Road and including a suitable uncontrolled pedestrian crossing point to a new footway along the edge of the southbound edge of Nash Road fronting the public footpath.
- 13 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with the guidance contained within the NPPF.

Informative(s)

- 1 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
- 3 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
- 4 Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required if protected habitats or species are affected by development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0118 958 1222.
- 5 You are advised that Planning Obligations have been entered into in connection with this permission.

WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

AVDC works with applicants/agents in a positive and proactive manner by;

- o offering a pre-application advice service,
- o updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case discussions have taken place with the Agent who responded by submitting amended plans as part of this application which were found to be acceptable and approval is recommended.

Your attention is drawn to the notes on the back of this form.

Susan Kitchen

For and on behalf of the District Council
4th November 2019

1. APPEALS

If you are aggrieved by the decision of your Local Planning Authority to grant permission for the proposed development subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, you must do so within 6 months of the date of this Notice, using a form which you can get from the Planning Inspectorate, 3/15a Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. You can also lodge an appeal via the internet at www.planningportal.gov.uk/pcs

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. 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 without the conditions they imposed, having regard to 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.

If either the local planning authority or the Secretary of State grants permission to develop land subject to conditions, the owner may claim that he 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 the 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 in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

2. BUILDING REGULATIONS

This Approval under the Town and Country Planning Act DOES NOT operate as a consent under the provisions of the Building regulations. A further application may be required under this legislation. You are advised to seek advice from the Council's Building Control section on this matter, by emailing bcontrol@aylesburyvaledc.gov.uk

3. PROTECTED SPECIES

Certain wild plants and animals are protected under UK and European legislation. Approval under that legislation is required if protected habitats or species are affected by development. If you discover protected species proceeding with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England. Further details are contained in our leaflet 'Biodiversity and the Planning process'.

4. SUSTAINABILITY

We support the principles of sustainable design and construction, including: carbon management (energy efficiency and micro generation) as a central theme in design, build and use; the re-use of materials in construction projects; the sustainable management of water through water conservation (rainwater harvesting and water reuse) and the use of sustainable drainage systems (SUDS). We have published a Sustainable Construction Advisory Guide to help those involved in new build gain a better understanding and encourage the use of sustainable construction techniques in new developments. We will also provide basic guidance for interested parties on request. Further information can be found at CIRIA's SUDS website www.ciria.org/suds/icop.htm and the Building Research Establishment website www.bre.co.uk

5. MATERIALS

Please note that we cannot accept samples of materials at our offices. You should submit a Discharge of Conditions application (see note 6 below) with the materials fully specified, and then the case officer will make arrangements to view samples on site as required. Application forms are available on our web site (see link below).

6. DISCHARGE OF CONDITION(S)

A fee is payable for applications seeking confirmation that a) information submitted satisfies the requirements of a condition (including planning permission that has been granted on appeal) and b) a condition has been discharged.

For our current fees please visit our website <https://www.aylesburyvaledc.gov.uk/section/step-2-you-apply> Please note that any number of conditions can be included on a single request but, if separate applications are made for each condition, a fee is required for each: i.e. if 4 separate application are made to discharge 4 conditions, total fees payable will be 4 x application fee.

You should submit a formal application using the standard 1APP form accompanied by the appropriate information, details or drawings. Applications can be made online via www.planningportal.gov.uk or you can download from our website at <http://www.aylesburyvaledc.gov.uk/planning---building/planning-and-building-control-applications/step-3-apply-for-planning-permission/planning-application-forms/>

7. STANDING ADVICE FOR DEVELOPMENT SITES WHERE THERE IS NO KNOWN HISTORICAL CONTAMINATION

If during development works contamination is encountered which has not been previously identified please contact the Environmental Health department immediately at envhealth@aylesburyvaldc.gov.uk. Works must cease on site until an appropriate remediation scheme is submitted to and agreed in writing by the local planning authority.

Failure to remediate site contamination during development could result in serious long-term health impacts to future users of the development.