

## AYLESBURY VALE DISTRICT COUNCIL

**Town and Country Planning Act 1990****The Town and Country Planning (General Development Orders)****16/03538/AOP**

Mr James Yeoman  
Savills  
Wytham Court  
11 West Way  
Oxford

Land & Partners  
C/O Agent

Subsequent to your outline application that was valid on the **29th September 2016** and in pursuance of their powers under the above mentioned Act and Orders, the Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:-**

Outline planning application with access to be considered and all other matters reserved for a residential development of up to 30 dwellings with associated amenity green space and sustainable drainage

**AT:-**

Land South Of Little Horwood Road Great Horwood Buckinghamshire

Approved Drawing Numbers:- X/PLGREATHORWOOD.1/01 rev B  
X/PLGREATHORWOOD.1/02

In accordance with your outline application and the plans and particulars accompanying it subject to the following conditions and reasons:-

- 1 Details of the appearance, landscaping, layout and scale, (herein after called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development should be carried out as approved.

Reason: The application is for outline planning permission.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority no later than two years from the date of this permission.

Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 Unless otherwise first agreed in writing by the Local Planning Authority, prior to the commencement of development hereby permitted, other than agreed demolition works, below ground works and foundations, no development shall take place until details of the

materials proposed to be used on the surfaces of the roads, footpaths and driveways have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials unless otherwise first agreed in writing by the Local Planning Authority.

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.

- 5 Unless otherwise first agreed in writing by the Local Planning Authority, prior to the commencement of development hereby permitted, other than agreed demolition works, below ground works and foundations, no development shall take place until details of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials unless otherwise first agreed in writing by the Local Planning Authority.

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.

- 6 The details to be submitted for approval in accordance with Condition (1) shall include full details of soft landscape works which shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include new trees and trees to be retained showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the dwelling to which it relates or the completion of the development whichever is the sooner.

Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP38 of 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.

Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP38 of Aylesbury Vale District Local Plan and the National Planning Policy Framework

- 8 No site clearance works or development hereby permitted shall take place until there has been submitted to the Local Planning Authority for their approval a tree protection plan showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a barrier complying with Figure 2 of BRITISH STANDARD 5837:2012 positioned at the edge, or outside the Root Protection Area shown on the tree protection plan.

No site clearance works or the development itself shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed unless these are element's of the agreed tree protection plan;
4. No materials or waste shall be burnt nor within 20 metres of any retained tree; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

Reason: In order to minimise damage to the trees during building operations and to comply with policy GP38 of the Aylesbury Vale District Local Plan and to accord with the National Planning Policy Framework. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

- 9 The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of all screen and boundary walls, fences and any other means of enclosure. 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.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to comply with policies GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 10 The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include a foul water drainage scheme for the site. The development shall proceed in accordance with the approved details and no dwelling shall be occupied until the approved foul drainage serving that dwelling has been implemented as approved.

Reason: To ensure that adequate foul drainage is provided and to accord with the NPPF.

- 11 Unless otherwise first agreed in writing by the Local Planning Authority, no development hereby permitted shall take place until details of the internal finished floor levels of the dwellings hereby permitted in relation to the existing and finished ground levels have been submitted to and approved in writing by the Local Planning Authority, with reference to a fixed datum point. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to comply with policies GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework

- 12 Unless otherwise agreed in writing by the Local Planning Authority, no development hereby permitted shall take place until the applicant or their agents or successors in title, have undertaken archaeological evaluation in the form of trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. Where significant archaeological remains are confirmed these will be preserved in situ.

Where significant archaeological remains are confirmed, no development shall take place until the applicant or their agents or successors in title, have provided appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the Local Planning Authority.

Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place until the applicant or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written

scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with policy GP59 of the Aylesbury Vale District Local Plan and with National Planning Policy Framework.

- 13 The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include an Ecological Mitigation and Enhancement Plan. The development shall be carried out in accordance with the approved details.

Reason: Having regard to the biodiversity of the site and to comply with the NPPF, ODPM 05/2006, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

- 14 The details to be submitted for the approval of the Local Planning Authority in accordance with Condition (1) shall include a scheme for parking, garaging and manoeuvring in accordance with the Local Planning Authority's "Car Parking Standards". The approved scheme shall be implemented and made available for use before the dwelling to which the parking relates to is occupied and that area shall not be used for any other purpose.

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 and to comply with Policy GP24 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

- 15 Prior to the commencement of development hereby permitted, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Construction Traffic Management Plan unless otherwise first agreed in writing by the Local Planning Authority. Details to be included:

- Proposed access route to the site for construction and related vehicles;
- Provision made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period;
- Provision made for site compound;
- Provision made for storage of materials;
- Adequate precautions to be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways;
- Provision for addressing any abnormal wear and tear to the highway as a result of the development; and
- Hours of working.

Reason: To minimise danger and inconvenience to highway users and to accord with the NPPF.

- 16 The development hereby permitted shall be served by means of adoptable estate roads which shall be laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the estate roads which provide access to it from the existing highway have been laid out in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to accord with the NPPF.

- 17 No development hereby permitted, other than works to the approved access, shall begin until visibility splays have been provided on both sides of the approved access between a point of 2.4 metres along the centre line of the access measured from the edge of the

carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the approved access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and approved access and to accord with the NPPF.

- 18 Prior to the occupation of the development hereby permitted the proposed footway on Little Horwood Road shall be designed/constructed in general accordance with the approved plans.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

Informative(s)

- 1 Working with the applicant

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;

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

- 2 In this case, additional information was received and AVDC has considered the details as submitted which were considered acceptable  
The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

Development Management  
6th Floor, County Hall  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
Telephone 0845 2302882

For and on behalf of the District Council  
29th August 2017

**Your attention is drawn to the attached notes.**

## NOTES FOR FPP1; ADC1; AOP1, DOP1 & ATNP

### 1. APPEALS

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. 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](http://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 for the proposed development or could not have granted it 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 for the Environment refuses permission to develop land or grants it 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](mailto: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](http://www.ciria.org/suds/icop.htm) and the Building Research Establishment website [www.bre.co.uk](http://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.

The fee is £97, or £28 for householder applications. 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 applications are made to discharge 4 conditions, total fees payable will be £388 (4 x £97) or £112 (4 x £28).

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](http://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@aylesburyvaledc.gov.uk](mailto:envhealth@aylesburyvaledc.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.