

AYLESBURY VALE DISTRICT COUNCIL

Town and Country Planning Act 1990**15/02123/APP**

Mr Steven Doel
Suite A
3 Weybridge Business Park
Addlestone Road
Weybridge
Surrey KT15 2BW

Cala Management Ltd
C/O Nexus Planning

Subsequent to your application that was valid on the **6th July 2015** and in pursuance of their powers under the above mentioned Act and Orders, Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:-**

Erection of 25 residential dwellings including new vehicular access onto Dollicott, associated landscaping and provision of public open space

AT:- Part Os 263 Dollicott Haddenham Buckinghamshire

Approved Drawing Number(s):- TREE CONSTRAINTS PLAN
14061/C201C, 14061/C202A,
EXTERNAL MATERIALS SCHEDULE
S201, S202, P201L, P202L, P211A,
H769-402, 14061/SK201A,
P212A, P213A, P214B, P215B,
P216A, P217A, P218B, P220A,
P221A, P223A, P224A, P225B,
P226B, P228A, P230B, P232, P202L
14061/SK202A,
H769-401B

Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall be begun before the expiration of eighteen months from the date of this permission.
- 1 Reason: Having regard to the supply of housing in the District and to comply with the requirements of Section 91(1)(b) of the Town and Country Planning Act 1990.
- 2 Unless otherwise first agreed in writing by the Local Planning Authority, prior to the commencement of development, other than 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.
- 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 Unless otherwise first agreed in writing by the Local Planning Authority, prior to the commencement of development, other than 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.

- 3 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.
- 4 Prior to the commencement of development, other than below ground works and foundations, no development shall take place on the building(s) hereby permitted until full details of soft landscape works 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. The approved landscaping scheme shall be implemented, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner.
- 4 Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP38 of Aylesbury Vale District Local Plan, policy SLR3 of the Haddenham Neighbourhood Plan and the National Planning Policy Framework.
- 5 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.
- 5 Reason: To ensure a satisfactory appearance to the development and to comply with policies GP35 and GP38 of Aylesbury Vale District Local Plan, policy SLR3 of the Haddenham Neighbourhood Plan and the National Planning Policy Framework.
- 6 No site clearance works or development 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 elements of the agree 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.
- 6 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.
- 7 Prior to the commencement of development, other than below ground works and foundations, no development shall take place 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 on the back of this notice.

- 7 Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to comply with policy GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 8 Unless otherwise first agreed in writing by the Local Planning Authority, the building(s) hereby permitted shall only be constructed with slabs at levels indicated on the approved drawing No. H769-401B.
- 8 Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with policy GP8 and GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of any dwelling the subject of this permission, no windows, dormer windows, no buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission other than those expressly authorised by this permission.
- 9 Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for enlargement of the dwelling or erection of a garage, windows, buildings, structures or means of enclosure having regard for the particular layout and design of the development, in accordance with policy GP8 and GP35 of Aylesbury Vale District Local Plan.
- 10 Development shall not begin until a surface water drainage scheme for the site, including details of the disposal of surface water from the highway, 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. Thereafter the scheme shall be implemented in accordance the approved details prior to the occupation of the development. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall include:
 - Details on ground suitability, in particular infiltration.
 - Infiltration rate tests in accordance with BRE365.
 - Detailed drainage layout.
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any on site flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
 - Source control methods such as those mentioned in the FRA and their suitability for inclusion in the design and detailed proposed drainage plan indication the location of all SuDS feature.
 - Full details of maintenance activities and management responsibilities of SUDS feather and other drainage infrastructure.
 - Details of any phasing of the construction.
- 10 Reason: To ensure the implementation of an acceptable and sustainable surface water drainage strategy and to accord with the NPPF.
- 11 Unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in accordance with the ecological assessment by Aspect Ecology, June 2015.
- 11 Reason: Having regard to the biodiversity of the site and to comply with policy SLR3 of the Haddenham Neighbourhood Plan, the NPPF, ODPM 05/2006, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

- 12 Unless otherwise agreed in writing by the Local Planning Authority, no development, other than below ground works and foundations, shall take place until details to provide nesting opportunities for swifts have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.
- 12 Reason: Having regard to the biodiversity of the site and to comply with policy SLR3 of the Haddenham Neighbourhood Plan, the NPPF, ODPM 05/2006, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).
- 13 No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details. Please also see note no. 6 on the back of this notice.
- 13 Reason: In the interests of the visual amenity and/or highway safety, and to accord with Policies GP35 and GP53 of the Aylesbury Vale District Plan and the National Planning Policy Framework..
- 14 The development shall not begin until details of the adoptable estate road have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the estate road which provides access to it from the existing highway has been laid out and constructed in accordance with the approved details. Please also see note no. 6 on the back of this notice.
- 14 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.
- 15 Unless otherwise first agreed in writing by the Local Planning Authority no part of the development shall be occupied until the off site highway works to widen the existing footway to a width of 2.0m as shown in principle on drawing 1403-59 Fig 3.3 Rev A and the build out at Rudds Lane junction shown in principle on drawing 1403-59 Fig 4.3 have been laid out and constructed in accordance with details to be first approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 15 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.
- 16 No other part of the development shall begin until the visibility splays shown on the approved drawings have been provided on both sides of the access and 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.
- 16 Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and to comply with the National Planning Policy Framework.
- 17 The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
- 17 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 Policy TGA1 of the Haddenham Neighbourhood Plan and the National Planning Policy Framework.

- 18 Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be occupied until a scheme for traffic calming on Dollicott has been submitted to and approved in writing by the Local Planning Authority in consultation with Buckinghamshire County Council as the Highway Authority. Thereafter the development shall proceed in accordance with the approved details and the approved traffic calming constructed prior to the occupation of the development.
- 18 Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with the National Planning Policy Framework.
- 19 Prior to the occupation of the affordable dwellings, details of the provision of cycle storage for the occupiers of these dwellings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the details shall be implemented as approved and the storage facilities made available prior to the occupation of the affordable dwellings.
- 19 Reason: To provide adequate cycle storage and to accord with policy TGA2 of the Haddenham Neighbourhood Plan and with the aims of the NPPF.
- 20 Development shall not commence until a contaminated land assessment and associated remedial strategy, together with a timetable of works, has been submitted to and approved in writing by the LPA. The agreed remediation works shall be fully completed before any other construction work commences. The assessment / strategy shall include the following:
- a) The contaminated land assessment shall include a desk study which shall detail the history of the site uses. Where the desk study of previous site uses indicates that a site investigation is required then a site investigation strategy based on the relevant information discovered by the desk study must be produced.
 - b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. The LPA shall approve in writing such remedial works as required prior to any remediation works commencing on site.
- 20 Reason: To ensure that the potential contamination of the site is properly investigated, the risks to the planned end user group(s) quantified, and its implication for the development approved fully taken into account in accordance with the National Planning Policy Framework. This is required prior to the commencement of development to avoid any unnecessary risk of introducing new contamination pathways or enabling contamination to be disturbed and further distributed as a result of any works being undertaken on the site that may cause potential harm to human health, property and the wider environment.
- 21 Prior to the first occupation or use of any part of the development, the agreed approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

If during the works contamination is encountered which has not previously been identified then this additional contamination shall be fully assessed in accordance with the requirements of CON1 (c) above and an appropriate remediation scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Prior to the first occupation or use of any part of the development, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include details of the completed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to demonstrate

that the site has reached the required clean-up criteria shall be included in the validation report together with documentation detailing the type and quantity of waste materials that have been removed from the site.

- 21 Reason: To ensure that the potential contamination of the site is properly dealt with and the risks to the planned end user group(s) minimised in accordance with the National Planning Policy Framework.
- 22 Unless otherwise agreed in writing, the means of disposal of foul drainage shall be carried out in accordance with drawing no. H769-402 and with the approved details submitted with the application.
- 22 Reason: In order to ensure that the development is adequately drained and to comply with the National Planning Policy Framework
- 23 Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Construction Management Plan shall be implemented as approved unless otherwise first agreed in writing by the Local Planning Authority. Details to be included:
- Proposed route to the site for construction vehicles
 - The employment of a Banksman to manage deliveries and hours of deliveries
 - 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.
- 23 Reason: To minimise danger and inconvenience to highway users and to accord with the NPPF.
- 24 Unless otherwise first agreed in writing by the Local Planning Authority, the applicant must submit a detailed acoustic report in accordance with BS4142:2014 for the proposed residential site which is to be approved in writing by the Local Planning Authority. The report must consider the likely impact of noise from all relevant potential noise sources, including the nearby development to the north west (planning application ref 16/01434/ADP); specific regard must be had to the noise data predictions in the acoustic report by Hoare Lea Acoustics dated 07/04/2016 reference REP-1006223-AM- 150316-R4 contained within planning application 16/01434/ADP. The acoustic report must provide predicted noise levels at both the façade of noise sensitive dwellings and within living rooms and bedrooms during the daytime (7am - 11pm) and night time (11pm to 7am) respectively. The report must detail any mitigation measures deemed necessary in order to ensure that noise levels inside noise sensitive dwellings are in accordance with those detailed in Table 4 of BS 8233:2014. Any noise mitigation must be retained and fully implemented for the duration of the approved use of the site prior to the occupation of the dwellings to which the mitigation relates.
- 24 Reason: Having regard to the adjacent industrial uses approved and to adequately protect residential amenities in accordance with policy GP8 of the Aylesbury Vale District Local Plan and with the NPPF.

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;

- 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, amended and additional information was received and AVDC has considered the details as submitted which were considered acceptable

2 S278 agreement

The applicant is advised that the off site works will need to be constructed under a Section 278 of the Highways Act legal agreement. This 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 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form. Please contact the Transport Development Control Section at the following address for information:-

Development Management, 6th Floor, County Hall, Walton Street, Aylesbury, Bucks, HP20 1UY Tel: 0845 2302882

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

Mrs Claire Bayley

For and on behalf of the District Council
28th October 2016

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, whose telephone number is 01296 585460.

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.

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 or you can download from our website at <http://www.aylesburyvaldc.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. 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.