

## AYLESBURY VALE DISTRICT COUNCIL

**Town and Country Planning Act 1990****19/02394/APP**

Mr David Green  
 1 Chester Court  
 1677A High Street  
 Knowle  
 Solihull  
 B93 0LL

n/a  
 c/o agent

Subsequent to your application that was valid on the **28th June 2019** and in pursuance of their powers under the above mentioned Act and Orders, Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:-**

Removal of condition 4 (restriction to operational hours) relating to application 18/02598/ADP

**AT:-** Land At Buckingham Road Winslow Buckinghamshire  
 Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall only be carried out in accordance with drawing Nos.
  - Drawing Ref: 8924 PL 100 - Site Location Plan;
  - Drawing Ref: 8924 PL 109 - Existing Site Survey;
  - Drawing Ref: 8924 PL 101A - Plot A Site Layout plan;
  - Drawing Ref: 8924 PL 102 - Plot A Floor and Roof Plan;
  - Drawing Ref: 8924 PL 103 - Plot A Elevations;
  - Drawing Ref: 8924 PL 104C - Plot B Site Layout Plan;
  - Drawing Ref: 8924 PL 105 A - Plot B Units 1-5 Floor and Roof Plan;
  - Drawing Ref: 8924 PL 106A - Plot B Units 6-11 Floor and Roof Plan;
  - Drawing Ref: 8924 PL 107A - Plot B Units 1-5 Elevations;
  - Drawing Ref: 8924 PL 108A - Plot B Units 6-11 Elevations;
  - Drawing Ref: 6582-101 - Plot A Landscape Plan;
  - Drawing Ref: 6582-103A - Plot B Landscape Plan.

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and to comply with the National Planning Policy Framework.

- 2 Notwithstanding the submitted details no development shall take place on the building(s) hereby permitted until samples/amended 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. Please also see note no. 5.

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

- 3 Notwithstanding the submitted details no development shall take place on the building(s) hereby permitted until an amended landscaping scheme showing details of the landscaping to the south western edge of plot B and eastern edge of plot A with additional planting to adequately mitigate the proposed development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved amended details. Please also see note no. 5.

Reason: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

Informative(s)

- 1 You are advised that, unless expressly indicated, nothing within this approval effects or varies the conditions imposed on outline planning permission no. 13/02112/AOP dated 29 November 2013 which must be complied with.
- 2 In accordance with paragraphs 38 and 39 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;

- offering a pre-application advice service,
- 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, AVDC has considered the details as submitted which were considered acceptable.

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

*Susan Kitchen*

For and on behalf of the District Council  
24th December 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](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 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](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.

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](http://www.planningportal.gov.uk) or you can download from our website at <http://www.aylesburyvaledc.gov.uk/planning---building/planning-and-building->

## **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](mailto: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.