

AYLESBURY VALE DISTRICT COUNCIL

Town and Country Planning Act 1990

The Town and Country Planning (General Development Orders)

07/01249/APP

RPS (Sally Miles)
1st Floor West
Cottons Centre
Cottons Lane
LONDON SE1 2QG

Ambit Trade Centres LLP

Subsequent to your application that was valid on the **4th May 2007** and in pursuance of their powers under the above mentioned Act and Orders, Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:**

The erection of builders merchants and associated external storage yard and No.2 units to be used for B2 and B8 with ancillary showroom use and for sui generis operations together with associated parking, landscaping and access arrangements

AT:

Land to the South of Buckingham Ring Road Buckingham

Approved Drawing Numbers:

D11199/JM/A
100C
JL10007/1
DR-1B
103A
104H
105B
106C
107

Ground Investigation Report, Planning report,
lighting details (x4), Design and Access
Statement, Energy Statement, Traffic and
Parking Statement, Refuse and Recycling
Statement

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.

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.

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- 2) The development shall not begin until details of the Industrial access road(s) that provide access to it have been approved in writing by the Local Planning Authority and no building shall be occupied until the access road(s) have been laid out and constructed in accordance with the approved details. For the avoidance of doubt such details shall include the provision of a footway on the north-western side of Osier Way from its existing termination point in the vicinity of the Focus store up to the proposed site access.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with policy GP21 of the Aylesbury Vale District Local Plan.

- 3) The scheme for parking and manoeuvring and the loading and unloading of vehicles shown 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.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with policy GP21 of the Aylesbury Vale District Local Plan.

- 4) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Planning Authority.

1. A desk study identifying:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

Reason: To prevent pollution of controlled waters and to comply with policies GP68 and GP102 of the Aylesbury Vale District Local Plan.

- 5) Within one month of completion of any required contamination remediation detailed in the Method Statement, a report shall be submitted to the Planning Authority that provides verification that the required have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

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Reason: To protect the environment by ensuring that the remediated site has been reclaimed to an appropriate standard and to comply with policy GP102 of the Aylesbury Vale District Local Plan.

- 6) If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure the protection of controlled waters and to comply with policy GP102 of the Aylesbury Vale District Local Plan.

- 7) Prior to the commencement of development approved by this permission, details of the surface water drainage works shall be submitted to and approved in writing by the Planning Authority.

Reason: To prevent the increased risk of flooding and to improve water quality and to comply with policies GP67 and GP68 of the Aylesbury Vale District Local Plan.

- 8) Drainage from vehicle loading or unloading bays, storage areas involving chemicals, refuse or other polluting matter shall not discharge to the surface water system.

Reason: To prevent pollution of controlled waters and to comply with policy GP102 of the Aylesbury Vale District Local Plan.

- 9) All sewage or trade effluent shall be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Reason: To prevent pollution of controlled waters and to comply with policy GP102 of the Aylesbury Vale District Local Plan.

- 10) Trade units 1 and 2 shall not be used otherwise than for B2 and/or B8 and/or B8 with ancillary showroom and/or the following sui generis uses:
 - a) storage, distribution and sale of tiles and floor covering, bathroom furniture and other building materials;
 - b) machinery, tool and plant hire;
 - c) autocentres involving fitting and associated sale of tyres and car parts;
 - d) plumbers and builders merchant

Reason: Having regard to the employment use of the site and to comply with policy BU3 of the Aylesbury Vale District Local Plan.

- 11) Insofar as either of the trade units will be used for class B8 with ancillary showroom, then no more than 30% of the total floorspace of that unit may be given over to showroom use. Any retail sales shall be ancillary to the primary use of the units and no part of the units shall be used for retail purposes within Class A1 of the Town and Country Planning (Use Classes) Order 2006.

Reason: Having regard to the employment use of the site and to ensure that the permission does not allow non-ancillary retail uses and to comply with policy BU3 of the Aylesbury Vale District Local Plan.

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12) No additional floorspace (including mezzanine floor) shall be inserted in the buildings the subject of this consent without the prior written consent of the Local Planning Authority.

Reason: Having regard to the available car parking and the impact on the highway network and to accord with policy GP21 of the Aylesbury Vale District Local Plan.

13) The lighting layout and type of lights used shall be as specified on drawing no. D11199/JM/A dated 13/06/07. The floodlights will be mounted at a height of 8m from ground level and will have the beam angle raised by 20 degrees resulting in the main beam angle from the vertical being at 50 degrees.

Reason: To ensure the satisfactory lighting of the development and having regard to policy GP41 of the Aylesbury Vale District Local Plan.

14) No development shall take place until a landscaping scheme, including means of enclosure for the site, has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the proposed planting, including species, size and density. The approved planting scheme shall be carried out not later than the first planting season after the first occupation of the development.

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

15) 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: In the interests of the visual amenities of the locality and to comply with policy GP38 of the Aylesbury Vale District Local Plan.

16) No development shall take place until samples/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 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.

17) No development shall take place until details of the materials proposed to be used on the surfaces of the parking and circulation areas 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 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.

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18) Prior to the commencement of development, details of bin stores for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason: To provide adequate bin storage and recycling facilities for future occupiers of the units and to comply with policies GP34 and GP35 of the Aylesbury Vale District Local Plan.

19) Prior to the commencement of development details of the cycle storage facility shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason: To provide suitable and safe storage for cycles and to comply with SPG1 and policies GP34, GP35 and GP46 of the Aylesbury Vale District Local Plan.

20) Prior to the commencement of development details of any areas and maximum heights of external storage facilities/materials shall be submitted to any approved in writing by the Local Planning Authority. Thereafter the development and use of the site shall proceed in accordance with the approved details.

Reason: Having regard to the character and appearance of the locality and to accord with policies GP34 and GP35 of the Aylesbury Vale District Local Plan.

The justification for making this decision:

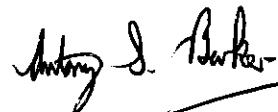
The proposal is in accordance with policies BU3, GP16, GP21, GP34, GP35, GP38, GP41, GP67, GP68 and GP102 of the Aylesbury Vale District Local Plan. There are no other material planning considerations of such weight to lead to a decision contrary to those policies.

INFORMATIVES

- 1) Your attention is drawn to the informative and advice given by the Environment Agency in their letter dated 19 July 2007, a copy of which is attached to this decision notice.
- 2) Your attention is drawn to the requirements of conditions on the Decision Notice. Conditions No. 2, 4, 7, 14, 16, 17, 18, 19 and 20 impose requirements which must be met **PRIOR TO COMMENCEMENT**.

Failure to observe these requirements could result in the Council taking Enforcement Action **OR MAY INVALIDATE THE PLANNING PERMISSION.**

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



For and on behalf of the District Council
3rd August 2007