

ITEM 5(a)

Application Number: 19/02402/FUL

Description Full planning application for the erection of two storage and distribution units (use class B8), with associated access, car parking, servicing, landscaping, earthworks, on and off-site drainage and off-site highway works.

At Land at Caldecote Farm, East of The M1 Motorway, Adjacent To Willen Road

For SEGRO (Newport Pagnell) Limited

Statutory Target: 12th December 2019

Extension of Time: Yes – 30th June 2020

Ward: Olney

Parish: Moulsoe Parish Council

Report Author/Case Officer: Elizabeth Verdegem
Team Leader – West Team

Contact Details:

[REDACTED]
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Team Manager: Sarah Hine
Development Management Manager
[REDACTED]

1.0 RECOMMENDATION

1.1 It is recommended that permission is refused for the reasons set out in this report.

2.0 INTRODUCTION

The Site

2.1 The application site is 19.3 hectares, triangular parcel of land, bordered to the north by the A422 (Monks Way), to the east by Willen Road, and the south west by the M1 motorway. As well as the main triangle of the site, a small area of the adjacent field to the north-east is included within the site area, as well as part of Willen Road to the south of the A422/Willen Road roundabout (known as Marsh End roundabout). At the western corner of the site the A422 crosses the M1 via a road bridge, at the southern corner Willen Road crosses the M1, and the A422 and Willen Road link via the Marsh End roundabout at the north-eastern corner of the site.

2.2 The site is allocated in Plan:MK (Policy SD12) as part of the Milton Keynes East Strategic Urban Expansion (MKE SUE) and forms the western corner of this wider allocation, which itself is approximately 461 hectares. The Development Framework

Supplementary Planning Document (SPD) for the MKE SUE shows the land in employment use in the indicative concept plan. The application site was previously worked for sand and gravel extraction but has since been restored. It is currently designated as Open Countryside (Policy DS5).

- 2.3 Beyond the M1, to the south-west, are the warehouses and industrial units of Tongwell, to the east is agricultural land, which also forms part of the MKE SUE, and includes the farm buildings of Caldecote Farm (off Glen Fields) and land worked for sand and gravel extraction. To the north beyond the A422 and landscape buffers, are fields and open space, forming an approximately 140 metre buffer between the site and the closest residents in Newport Pagnell, off Tabard Gardens and Dulwich Close, with the A422.
- 2.4 A site access already exists off Willen Road, which was used for access to the field for sand and gravel extraction, and is opposite the access used for mineral extraction on the other side of the road, approximately 75 metres to the south of the access to Glen Fields/Caldecote Farm, on the east side of Willen Road. This is not the access as proposed as part of this development.
- 2.5 In addition to being designated as Open Countryside and part of the MKE SUE, the site is completely within Flood Zone 1, and the northern two thirds are in the groundwater vulnerability zone. Part of the site remains designated within Plan:MK within the minerals primary focus area, (the whole site, and land to the east is within a mineral search area, despite already having been worked) and there are two archaeological notification sites within the site. The site slopes gently upwards from north to south by approximately 2.5 metres across the 700 metre length of the site.
- 2.6 A 50 metres wide strip, parallel to the boundary of the site with the M1, is within the M1 Wildlife Corridor. The site is within the green and amber Great Crested Newt Risk areas, and there are various protected species records on site. The M1 wildlife corridor continues to the north-west and south-east, as well as the Tongwell Lake Biological Notification Site being to the west of the site beyond the M1/A422 bridge.

The Proposal

- 2.7 This proposal consists of 81,293 sqm of storage and distribution warehouse space (B8 use class with ancillary office space), across two buildings. Unit 1 on the northern half of the site being the larger of the buildings, consisting of 47,041 sqm of floorspace and standing approximately 21 metres in height. Unit 2 is orientated perpendicularly to Unit 1 on the southern half of the site, standing at 18 metres in height and totalling 34,252 sqm of floor space. The application proposes a total of 836 car parking spaces, 43 disabled spaces, 160 cycle spaces and 217 HGV spaces, in addition to five drainage ponds and landscaping, across the site.
- 2.8 Access is proposed from Willen Road, further north than the existing access to the field, approximately 180 metres south of the Marsh End roundabout. Changes to the road layout will involve the construction of a new junction at the access to the site, which will split the lanes of traffic on the existing single carriage way of Willen Road, with traffic lights and toucan crossing, and new access to Glen Fields. A new toucan crossing is also proposed to the east of the Marsh End roundabout on the A422, as

well as an area of land for highway surface water attenuation. Further highway works are proposed as part of this application, including new redway along Willen Road and a new bus stop on Willen Road. Some of these works are within the application site (red line area), and some are within the adopted highway.

2.9 The following table sets out the floorspace for the application:

	B8 – storage and distribution	B1 - ancillary office	Unit Totals
Unit 1	44,594 sqm	2,447 sqm	47,041 sqm
Unit 2	32,116 sqm	2,136 sqm	34,252 sqm
Total Floorspace	76,710 sqm	4,583 sqm	81,293 sqm

Reason for referral to committee

2.10 The application has been referred to committee, due to its scale and the level of public interest.

Scope of debate/decision

2.11 This application proposal is a full planning application and so all matters are to be considered.

3.0 RELEVANT POLICIES

National Policy

3.1 National Planning Policy Framework (February 2019) (NPPF)

- Section 2 - Achieving sustainable development
- Section 6 - Building a strong, competitive economy
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

In addition, the Planning Practice Guidance is also a material consideration

The Development Plan

3.2 Neighbourhood Plan

There is no neighbourhood plan covering this site. However, the A422 (Monks Way) which forms the northern boundary of the site is within the Newport Pagnell Neighbourhood Plan (2016) area (NPNP). No policies from the plan are relevant to the current application.

3.3 Plan: MK (March 2019)

Plan:MK was adopted at Council on 20 March 2019 and now forms part of the statutory development plan for Milton Keynes, and includes the Policies Map that indicates land use in the Borough.

Policy DS1 - Settlement Hierarchy
Policy DS3 - Employment Development Strategy
Policy DS4 - Retail and Leisure Development Strategy
Policy DS5 - Open Countryside
Policy SD1 - Place-making Principles for Development
Policy SD9 - General Principles for Strategic Urban Extensions
Policy SD10 - Delivery of Strategic Urban Extensions
Policy SD12 - Milton Keynes East Strategic Urban Extension
Policy ER1 - Employment Sites Within the Borough Of Milton Keynes
Policy CT1 - Sustainable Transport Network
Policy CT2 - Movement and Access
Policy CT3 - Walking and Cycling
Policy CT5 - Public Transport
Policy CT6 - Low Emission Vehicles
Policy CT10 - Parking Provision
Policy INF1 - Delivering Infrastructure
Policy FR1 - Managing Flood Risk
Policy FR2 - Sustainable Drainage Systems (SUDS) and Integrated Flood Risk Assessment
Policy NE1 - Protection of Sites
Policy NE2 - Protected Species and Priority Species and Habitats
Policy NE3 - Biodiversity and Geological Enhancement
Policy NE4 - Green Infrastructure
Policy NE5 - Conserving and Enhancing Landscape Character
Policy D1 - Designing a High Quality Place
Policy D2 - Creating a Positive Character
Policy D3 - Design of Buildings
Policy D5 - Amenity and Street Scene
Policy CC1 - Public Art
Policy SC1 - Sustainable Construction
Policy INF1- Delivering Infrastructure

3.4 Supplementary Planning Documents/Guidance

Milton Keynes East Development Framework SPD (March 2020) (MKE SPD)
Parking Standards SPD (January 2016)
Sustainable Construction Guide SPD (April 2007)
Milton Keynes Drainage Strategy - Development and Flood Risk SPG (May 2004)

3.5 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply

covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

3.6 Equality Act 2010

Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equality Act 2010.

4.0 **RELEVANT PLANNING HISTORY**

4.1 Application Site

03/00422/MIN

CONSTRUCTION OF SITE ACCESS, EXTRACTION OF SAND AND GRAVEL, RESTORATION TO AGRICULTURE USING IMPORTED INERT FILL AND IN SITU OVERBURDEN AND SOILS
PER 09.07.2003

06/00106/MIN

MODIFICATION OF CONDITION 5 OF PLANNING PERMISSION 03/00422/MIN TO CHANGE THE EXTRACTION OF SAND AND GRAVEL AND IN FILLING PHASES
PER 22.05.2006

06/01096/MIN

RECYCLING OF AGGREGATES
PER 22.12.2006

18/01719/FUL

Hybrid application comprising: a) Full application for one storage and distribution unit (Class B8) with associated car parking, servicing, landscaping, earth bunding and on & off-site drainage; b) Outline application for the creation of an enterprise park providing units within Class B1b, B1c and B2 (all matters reserved other than site access).

WDN 27.09.2018

5.0 **CONSULTATIONS AND REPRESENTATIONS**

5.1 Moulsoe Parish Council

Objection. Raises concerns regarding the impacts of noise and light pollution, and the new access/exit on the residents of Glen Fields. Concern regarding impact on highway capacity, including load on M1 bridge and Tongwell roundabout, and impact on local travel around Newport Pagnell. Does not agree with signalisation of Marsh End roundabout, and that the application is premature as infrastructure funding has not yet been granted, and should be delivered prior to the development commencing.

5.2 Newport Pagnell Parish Council (adjacent parish)

Objection. Considers application premature to the HIF bid, outcomes of the MKE SPD, and contrary to Plan:MK Policies SD9, SD10, SD12 & INF1. Does not agree with the toucan crossing on the A422, considering it should be an underpass or bridge. Concern regarding 24 hour noise and artificial light spill and the impact on residential amenity. Concern regarding lack of detailed landscape plan.

5.3 Cllr Peter Geary – Olney

No comments received.

5.4 Cllr David Hosking – Olney

“If officers are minded to approve this planning application, under delegated authority, then I would like it to be determined by committee.

My reasons are as follows:

1. The infrastructure necessary for such development does not exist.
2. The land is only allocated for development after 2031.

The application is outside of policy and is premature.

For clarity, if officers are planning to refuse the application then I would not wish it to be heard at committee.”

5.5 Cllr Keith McLean – Olney (member of DCC)

No comments received.

5.6 MKC Development Plans

Objection, recommends refusal. Policy SD12 clearly indicates that the allocation is to be treated comprehensively and to come forward in a comprehensive fashion. There are also two key criteria governing the delivery of all development within the allocation. These are the funding of strategic infrastructure, and the delivery of strategic infrastructure.

While funding has been offered for the MKE allocation via the Housing Infrastructure Fund (HIF) for the highways infrastructure as of March 2020, the Council and Government are in the process of agreeing funding conditions, and the funding cannot be formally accepted until this has been agreed. Only once this funding has been accepted would this criterion be met.

Officers consider that the infrastructure can only be “being delivered” once the strategic road infrastructure has planning permission and has commenced works. This is anticipated for early 2021. As no planning permission is in place, this criterion has not been met.

Additionally raises concerns with the development coming forward in isolation, as this is contrary to the requirement in the MKE SPD requiring development to be brought forward in a comprehensive manner, including a Framework Agreement agreed between all landowners and developers of the site, and would form part of the legal agreements attached to the planning permission.

If the proposal were acceptable in all other regards and a Framework Agreement were in place, it is considered that a Grampian condition could be used to restrict the commencement of this proposal until both the funding for the strategic infrastructure has been secured and the works associated with the strategic road infrastructure required to make the site deliverable have commenced.

5.7 MKC Highways

Initial comments

Objection, revisions required.

Transport Assessment

Considers comments taken onboard from the previous application have been addressed, but that further consideration of the public transport contribution, and plan for bus services to serve the development is required, particularly given shift patterns. Transport Assessment acceptable in other aspects.

Highway Works

Accepted in principle as mitigation for the development, subject to conditions/s106 agreement. Highway works will require speed reduction on Willen Road. Full redway link required between Tongwell and Marsh End roundabouts. Considers that there is no real prospect of a grade separated cycle/pedestrian route at this location and the proposal will be a significant improvement on the current layout

Site Layout

Requests amendments to internal layout and car park layout to avoid spaces close to the access for the Unit 1 car park, in turn too close to the entrance access, which could cause queuing back onto the road, given the potentially high volume of employees.

Parking

Considers parking amount acceptable, and that HGV parking is acceptable, as it is unlikely that occupiers will operate a fleet of vehicles parked overnight all at once. Cycle provision also acceptable, given amount of provision required for the large size of units.

Comments following re-consultation

No objection, subject to s106 agreement to secure off-site highway works and public transport contribution, including details of the redway.

Conditions for: details of the off-site highway works; details of the access roads; details of the cycle parking; implementation of the parking; scheme for loading and unloading of vehicles; and details of the redway.

5.8 MKC Transport Policy

“From a Transport perspective we would definitely concur that the whole site needs to be considered as a whole, with traffic impacts modelled and assessed in their entirety and proportioned against each individual development.

A piecemeal approach in this area is likely to create challenges in mitigating the impact of traffic growth arising from the development, which we have been carefully planning with stakeholders over the last couple of years. Whilst the Transport Service is not a Statutory consultee, from a strategic transport planning perspective we would object to the Segro development (19/02420/FUL) being considered in isolation.”

5.9 MKC Urban Design

“The site is located within the MKE Strategic Urban Extension. Permission should only be granted once the SPD has been approved.

The form of the buildings is dictated by their use as logistics warehouses. Landscaping will be required to mitigate the impact of service yards and long blank elevations.

Offices have been located along the Willen Road frontage to provide some visual interest to the most public elevations.”

5.10 MKC Flood and Water Management Officer (Lead Local Flood Authority)

Initial comments

Objection to the use of surface water drainage method (surface water pump) as unsustainable, and at risk from lack of maintenance of storm event. Require that the applicant attempts to discharge as much surface water runoff via gravity as possible. Required further information regarding current site conditions and the greenfield runoff rates, and calculations regarding storage volume. Notes requirement for Internal Drainage Board (IDB) consent, and pollution control on surface water bodies.

Comments following re-consultation

Objection remains. Requires further information on modelling for 1 in 100 year events and exceedance flow plans to show how water would be contained on site during storm events.

Further comments following re-consultation

Objection removed. Accepts the use of surface water pump to discharge into IDB drain because of the topography of the site, alongside storage crates and attenuation ponds, and that these methods can accommodate the flows from storm events. Requests conditions for final detailed surface water drainage scheme, and long-term

management and maintenance plan, as well as informatives for ordinary watercourse consent, IDB consent and pollution control.

5.11 MKC Environmental Health

No comments received at the time of writing this report.

5.12 MKC Landscape Services (Tree Officer)

No comments received.

5.13 MKC Landscape Architect

No comments received at the time of writing this report.

5.14 MKC Countryside Officer

Objection.

The ecological information submitted in support of the application is out-of-date. Updated surveys are required that can be secured by pre-commencement conditions, alongside a Biodiversity Enhancement Scheme and updated Biodiversity Impact Assessment Metric to reflect the new surveys and final detailed designed.

5.15 MKC Countryside Officer (Great Crested Newts)

Comments and advice regarding GCN district licence scheme.

5.16 MKC Archaeology

“This site has been previously subject to archaeological evaluation and mitigation. As such it is no longer of archaeological interest.”

5.17 MKC Conservation Officer

No comments received.

5.18 MKC Transport – Smarter Choices (Travel Planning)

No objection. Requests a full travel plan be delivered and secured through planning obligations.

5.19 Highways England

Considers development will not have a significant impact on junction 14 of the M1. Requests condition for a Framework Travel Plan to be approved in conjunction with Highways England.

5.20 Anglian Water

Requests informative regarding Anglian Water assets and connection to the used water network. No comments regarding surface water as Anglian Water assets not affected.

5.21 Internal Drainage Board

Requests pre-commencements conditions for details of surface water disposal, as balancing ponds on site will discharge into IDB watercourse requiring separate connect from the IDB.

5.22 Neighbour/ Third Party Representations

Comments have been received from 9 addresses. The material planning considerations are summarised below:

- considers application is premature, and a coordinated infrastructure plan should be in place;
- infrastructure funding (HIF bid) not secured, and will prejudice outcomes of the MKE SPD and Policy SD12;
- conflict with the requirements of Plan:MK policies and the MKE SPD;
- concern that traffic increases will have a detrimental effect on surrounding area and highway network;
- concern that proposal will increase risk of flooding;
- consider an at grade pedestrian/toucan crossing to be inappropriate for dual carriageway (A422);
- concern that signal controlling Marsh End roundabout will exacerbate traffic issues;
- concern that residents of Glen Fields (and others beyond) will only be able to turn left out onto Willen Road;
- no consideration of the vehicles using the quarry only being able to turn left onto Willen Road;
- concern that pedestrian access is being proposed on what is to become a grid road, and there should be pedestrian/cyclist segregation from vehicular traffic;
- concern that the proposed redway does not link with further pedestrian/cycle links;
- considers there to be a missed opportunity to provide a redway bridge over the M1 in this location to link Milton Keynes and Newport Pagnell;
- considers that Willen Road should be a dual carriageway extended over the M1;
- concern that the drainage pond on east of Willen Road will prejudice the delivery of a bridge or underpass crossing;
- concern that insufficient detail of the landscaping has been provided to assess the visual impact;
- concern that the landscaping is insufficient along Willen Road;
- concern that the landownership of the site has not been declared, the landowner of the application site, also owning the land east of Willen Road;
- concern that the sustainability of the site is insufficient, being only very good under the 2014 regulations;
- concern that no public consultation has been carried out by the applicant;
- concern regarding noise impacts from 24 hour operation of site;

- concern regarding traffic noise and noise at new junctions;
- concern regarding the height of the building and visual intrusion on the landscape; and
- concern regarding impacts of construction of site and highway works, including traffic and noise.

5.23 A query has been raised by a member of the public regarding the ownership of the land, and why a blue line is not shown on the site location plan, indicating land within the applicant's control on the east of Willen Road. It is understood that the land in question was previously in the same ownership, but is now owned by two parties (Bloor Homes having control of the land east of the M1), and that the applicant does not have any control over the land to the east of Willen Road.

5.24 Concern has been raised that the applicant has not engaged in any public consultation ahead of submitting this application. The Council's Statement of Community Involvement encourages developers to engage with the community, councillors and town and parish council. However, it is not currently a requirement that they do so.

5.25 All the remaining material planning considerations are covered within the report.

6.0 MAIN ISSUES

Principle of development
 Highway matters and parking
 Impact on character of the area
 Impact on Heritage Assets
 Design and Layout
 Residential amenity
 Landscape
 Ecology
 Drainage and flood risk
 Sustainable construction
 S106 matters

7.0 CONSIDERATIONS

Principle of development

Milton Keynes East allocation

7.1 Policy SD12, in conjunction with the MKE SPD, sets out the aspirations and requirements for development within the whole MKE allocation, of which this development only forms a small part. The relevant criteria in the policy are listed below (emphasis added):

Policy SD12

MILTON KEYNES EAST STRATEGIC URBAN EXTENSION

A. Land is allocated at Milton Keynes East – as shown on the Key Diagram and Policies Map – for a comprehensive new residential and employment development to meet the long-term needs of Milton Keynes. Development can commence once

the necessary strategic infrastructure required to make the site deliverable is funded and is being delivered. In that circumstance, the development of the site will be allowed to proceed within the plan period as an additional source of housing and employment land supply.

B. Development will be brought forward in line with all relevant policies in Plan:MK, particularly Policies SD1, SD9, SD10 and INF1. A comprehensive development framework for the site will be prepared in accordance with the Policies SD1, SD9, SD10 and INF1 and approved by the Council prior to planning permissions being granted.

C. The development framework and subsequent applications for planning permission will establish the quantum and form of development in more detail, but proposals for development will be expected to meeting the following criteria:

...

2. Around 105 hectares of land for a mix of employment uses, complementing the role and function of CMK.

...

4. The phased introduction of a comprehensive network of transport infrastructure in line with the Local Investment Plan, to include grid road connections to H4/V11 to the west and improved highway connections to Newport Pagnell and Central Milton Keynes (CMK), including new and/or enhanced vehicular crossings of the M1, involving highway works on and off-site.

...

6. A network of segregated, and where appropriate grade-separated, new and enhanced footpaths, cycleways and bridleways (including redways) to connect to existing routes beyond the site, including provision of appropriate pedestrian and cyclist crossings of the A422 and suitable safe and attractive crossings of the M1 as appropriate.

...

9. Be informed by appropriate surveys of archaeology, built heritage and ecology with appropriate mitigation of impact as consistent with other policies of the Plan and the NPPF. An archaeological field study, including a Geophysical Survey, where appropriate following desk-based assessment, will required to identify potential below ground archaeology. Where feasible, the Council will expect below ground archaeology to be kept in situ in preference to its removal.

7.2 Policy SD12 clearly indicates that the whole allocation is to be treated comprehensively and that it needs to come forward in a comprehensive fashion. There are various criteria within the policy that are required to be met prior to permission being granted for any development within the allocation. While some of these criteria have been met (for example Part B with the adoption of the SPD in March 2020), there remains key criteria governing the delivery of all development within the allocation. Part A requires the development can only commence once the funding of the strategic infrastructure, and the delivery of the strategic infrastructure, are secured.

7.3 Funding has been offered for the MKE allocation via the government's Housing Infrastructure Fund (HIF). In relation to this development the crucial funding is for the highway's infrastructure. The Council and the Government are currently in the

process of agreeing funding conditions, and the funding cannot be formally accepted until these conditions have been agreed. Only once this funding has been accepted would this criterion be met, and as this has not yet happened it is considered that the proposal is contrary to policy SD12, Part A in this regard.

- 7.4 Additionally, it is considered that the potential use of Grampian style conditions to allow the LPA to grant permission but delay the applicant from implementing the permission ahead of these criteria being met, would not be appropriate in this case. Grampian conditions are negatively worded to prevent the development from being carried out until other development aspects outside the applicant's control have been carried out. As the criteria that have not been met includes securing the funding and the delivery of strategic infrastructure, which has not been fully designed or submitted yet, it is considered that the tests required to apply a Grampian condition have not been met. As with all conditions, any such condition would need to meet the 6 tests, and it is considered that any such condition would not meet the tests of reasonableness, precision or enforceability.
- 7.5 Officers also consider that the infrastructure can only be considered as "being delivered" once the strategic road infrastructure has planning permission and works are able to commence. The Council is currently engaged in pre-application discussions with the other major landowners/developers at the site to coordinate the submission of the planning applications, and this is currently anticipated for early 2021. As no planning permission is in place for the strategic highway works, and the works have therefore clearly not commenced or are being delivered, it is considered that this criterion has also not been met and the proposal is contrary to policy SD12, Part A, in this regard also.
- 7.6 For clarity, while the developers have proposed new improvement to the highway, it is considered that the works proposed as part of this application are not considered part of the "strategic infrastructure" related to the HIF. As above, the strategic infrastructure still needs to be "being delivered" to comply with Policy SD12, and the highway improvement proposed as part of this application still need to be consistent with and complementary to the wider strategic highway infrastructure and improvements, in order for the allocation to be brought forward comprehensively.
- 7.7 Given the requirements of Policy SD12, it is therefore considered that this application is contrary to that policy unacceptable in principle, given the site's allocation within Plan:MK and the SPD. The application should not be granted permission until such time as the fundamental criteria within the policy basis have been met.

Open Countryside

- 7.8 It should be noted that the site is currently designated as Open Countryside on the Policies Map. However, given its allocation for future development, Policy DS5 would be outweighed by Policy SD12 providing the principle criteria of SD12 had been met.

Highway matters and parking

Transport Modelling and Assessment

- 7.9 A Transport Assessment (TA) has been submitted to provide details of the impacts of the development on the local highway and transport networks. In reviewing the

TA, Highways officers consider the traffic impacts of the development to be acceptable, subject to mitigation, that being highway improvements and contributions via s106 obligation to public transport improvements.

- 7.10 In addition, Highways England, noted no concerns regarding impacts on junction 14 of the M1, requesting only that a Framework Travel Plan be agreed, in consultation with them, due to the limited sustainable transport options in the area.
- 7.11 However, given the sites location within the MKE SUE, the Council's Transport Policy officers have also been consulted, and have advised that they have concerns that this part of the SUE should not be considered separately to the remainder of the allocation. There is a need to model and assess the traffic impacts for the whole allocation, and concern is raised that a "piecemeal approach" would create challenges in mitigating the impacts of the whole allocation going forward.
- 7.12 In addition, it is considered that assessing the site in isolation could raise problems regarding contributions to off-site highway works, and public transport improvements. Planning obligations and contributions need to be coordinated as part of the Traffic Framework Agreement (see S106 section later in this report).
- 7.13 Given the above, it is considered that there are sufficient concerns raised that warrant an assessment of the cumulative impacts of the development within the remainder of the MKE allocation, and that this work should have been provided as part of this application.

Access and Highway Works

- 7.14 The applicants have proposed various highway works, both on and offsite, including toucan crossings on both the A422 and Willen Road, as well widening of Marsh End roundabout/junction, and a new junction at the access to the site.
- 7.15 Part C6 of Plan:MK Policy SD12 requires the "provision of appropriate pedestrian and cyclist crossings of the A422" and the following paragraphs of the MKE SPD note the requirements for Willen Road:

4.3.7 MK East will be policy compliant in relation to grid roads. At grade crossings are not appropriate on the grid road H3 Monks Way (A422) or on Willen Road (not a grid road) within a distance that would have an adverse impact on traffic flow or on the H3 or Tongwell Roundabout.

4.3.8 The existing Willen Road will be retained and improved. Land will be safeguarded alongside the existing highway to allow it to be upgraded to grid road standard. It will link to the new western grid road extension by means of a local distributor road.

- 7.16 Concern has been raised by the Parish Council and members of the public regarding the changes to the junctions, provision of traffic lights, and the at grade toucan crossings of the A422 and Willen Road; there are existing concerns about commuter traffic at peak times along the A422 travelling between Newport Pagnell and Milton Keynes. Additionally, there is concern that permitting the highways and other works

as they are proposed as part of this application, would prejudice the aspiration for a bridge or underpass under the A422.

- 7.17 The Council's Highway's Officers have found the applications proposal acceptable as presented, citing that it is likely to be unrealistic to achieve a bridge or underpass in this location, and that a toucan crossing would be a significant improvement on the situation as it is currently.
- 7.18 However, it is stated clearly in the MKE SPD that the A422 is not an appropriate location for an at grade crossing, and that an at grade crossing on Willen Road would not be appropriate within a distance that impacted traffic flow. The applicant's proposals are therefore directly contrary to the MKE SPD. This raises concerns regarding all of proposed highway works, and how they have been considered in isolation as part of this application, separately from the aspirations in the MKE SPD, and without a comprehensive approach as part of the infrastructure for the SPD as a whole.
- 7.19 As a result of this concern, it is considered that there is insufficient evidence that the proposed highway works comply with the requirements of the Policy SD12 and the MKE SPD in providing appropriate highway mitigation, that has been fully considered in conjunction with the remainder of the allocation. The proposal is therefore considered contrary to Policy SD12, CT2 and the MKE SPD in this regard, and this forms a reason for refusal.

Car Parking

- 7.20 The area is currently designated as Zone 4 of the Parking Standards (rural areas) although it should be noted that given the wider allocation it would be likely to be considered as part of the urban area (zone 3) in future iterations of the Parking Standards. In any case, the standards for B8 units are the same in Zone 3 and Zone 4, at 1 per 100 sqm of B8 floorspace, plus 1 per 30 sqm of B1 office floorspace + 1 HGV per 300 sqm. A summary of the car parking on the site is included below, as well as the proportion of electric vehicle charging points, accessible spaces, and provision of HGV, powered two wheelers and cycle parking. Information regarding numbers of employees at the site has not been provided, therefore cycle spaces are calculated using the floorspace option:

	Parking Standards Requirement - Zone 4	Provided
Unit 1 - Cars		
B8 floorspace (44,594 sqm)	1 per 100 sqm (446 spaces)	528 spaces
B1 floorspace (2,447 sqm)	1 per 30 sqm (82 spaces)	
Accessible spaces	5% of provision (27 spaces)	26 spaces

	Electric vehicle (EV) charging points	2 charging points per 100 spaces + 1 charging point per additional 100 spaces (7 EV points)	7 EV points
Total		528 spaces required, including 27 accessible spaces and 7 EV points	528 space provided, including 26 accessible and 7 EV points
Unit 1 - Other			
HGVs		1 per 300 sqm (157 space)	127 spaces
Powered two-wheeler (PTW)		1 space per 70 car parking spaces (8 spaces total)	8 spaces
Cycle Parking - employee		1 per 700 sqm or 1 per 10 FTE staff (68 spaces)	90 spaces
Cycle parking - visitor		Min 2 + 1 per 1000sqm thereafter (49 spaces)	
Total		157 HGV + 8 PTW spaces + 117 cycle spaces	127 HGV + 8 PTW spaces + 90 cycle spaces

		Parking Standards Requirement - Zone 4	Provided
Unit 2 - Cars			
B8 floorspace (32,116 sqm)		1 per 100 sqm (322 spaces)	393 spaces
B1 floorspace (2,136 sqm)		1 per 30 sqm (72 spaces)	
	Accessible spaces	5% of provision (20 spaces)	20 spaces
	Electric vehicle (EV) charging points	2 charging points per 100 spaces + 1 charging point per additional 100 (5 EV points)	5 EV points
Total		394 spaces required, including 20 accessible spaces and 5 EV points	393 spaces provided, including 20 accessible spaces and 5 EV points
Unit 2 - Other			
HGVs		1 per 300 sqm (115 spaces)	90 spaces
Powered two-wheeler (PTW)		1 space per 70 car parking spaces (6 spaces)	6 spaces
Cycle Parking - employee		1 per 700 sqm or 1 per 10 FTE staff (49 space)	70 spaces
Cycle parking - visitor		Min 2 + 1 per 1000sqm thereafter (37 spaces)	
Total		115 HGV + 6 PTW spaces + 86 cycle spaces	90 HGV + 6 PTW spaces + 70 cycle spaces

7.21 As can be seen from the tables above, while sufficient car parking has been provided across the site, there is a combined shortage of 55 HGV spaces, and 43 cycle spaces. The provision of HGV spaces represents 79.8% of the maximum standard, and 78.8% of the cycle space standard, across the site. Highways Officers have noted the shortfall in HGV spaces and have concluded that the level of parking is

acceptable, citing the likelihood of the future occupier not owning their own fleet of HGVs, and not requiring the need to park them at full capacity overnight. In addition, given the size of the site, the number of cycle spaces was also considered acceptable.

- 7.22 A Framework Travel Plan was submitted in support of the application to set out the principles for reducing the dependence of staff and visitors on travel by private car. The Council's Transport Officer has requested that a full Travel Plan be secured through planning obligation, and it is noted that the level of cycle parking can be monitored through the Travel Plan, and additional spaces provided if found to be necessary.
- 7.23 Overall, it is therefore considered the level of parking to be acceptable, and in accordance with Policy CT10 of Plan:MK and the Parking Standards SPD.

Construction

- 7.24 Additionally, given the size and scale of the development it would be considered appropriate to require a Construction Environmental Management Plan (CEMP) by condition, to be provided prior to the commencement of the development, to ensure that the environmental impacts of the construction phase, such as noise, dust, and debris from the site on the surrounding network can be adequately addressed. This would ensure the proposal would comply with Policies CT2 and NE6 of Plan:MK.

Impact on character of the area

- 7.25 It is clear that the introduction of two large warehouses into this area which is currently open field will introduce a large new feature on the local landscape. The surrounding area mainly consists of low level residential and agricultural buildings, and the new warehouses will be significantly taller and wider than the other features in the local landscape in regard to visual impact. However, it should also be noted that the sand and gravel extraction east of Willen Road, and the M1 and A422 both contribute to a reduction in rural character of the area, that might otherwise exist with a large open field.
- 7.26 In support of the proposal the applicant has provided a supporting Landscape Visual Impact Assessment (LVIA) and states that the proposals will be seen primarily in the context of the existing urban edge of Milton Keynes and Newport Pagnell. The Council's Landscape Architect has not yet provided comments on the LVIA, and these will be provided in an update to committee. Viewpoints have been provided that show that the proposal will be visible above the tree line from various distances around the site, including the playing fields at the edge of Newport Pagnell north of the site, and from the Tongwell Lane crossing of the M1 (150m further north than A422). However, while the warehouses can be seen, the development is not considered to have a significant adverse impact on the character of the area from these viewpoints, given the surrounding context and future development of the area as part of the MKE SUE, subject to approval of final details of materials and landscaping to mitigate the impacts as much as possible.
- 7.27 However, it is considered that little information has been provided by the applicant in support of their development in consideration of the impacts closer to the site. For

example, no street scene or context elevations have been provided, and no views from Willen Road which would provide more information on the impact on the character of these areas. This is especially important at this stage, as, were this development to be permitted, it would likely be constructed ahead of the rest of the MKE SUE, and would therefore stand in isolation, possibly for some time, before the rest of the MKS SUE was built around it.

- 7.28 It should also be noted that as the MKE SPD has only recently been adopted, and none of the outline applications have yet been submitted, there are no Design Codes in place for the SUE. Design Codes would set guidelines for various aspects of the development such as height, required set-backs and landscaping buffering, and the purposed of the Design Code would be to ensure consistency across the site. Given the nature of the site ownership and its location, it seems unlikely that a Design Code will be in place ahead of this application being in a position to be approved, which means these aspects would only be considered, in isolation, as part of the application.
- 7.29 Doubts are therefore raised on the impact on the character of the area, and whether the proposal is considered acceptable in terms of Policy D1 and NE5. As above, an update on this issue will be provided following receipt of the Landscape Architects comments.

Impact on Heritage Assets

- 7.30 The Council's Archaeological Officer has noted that the site has previously been the subject of archaeological evaluation and mitigation and therefore no further works are necessary for the site.
- 7.31 In addition, there are no designated heritage assets in close proximity that would be affected by the proposal, and the proposal is therefore considered acceptable and in accordance with Policy HE1 of Plan:MK, raising no heritage concerns and with no mitigation required.

Design and Layout

- 7.32 The two warehouse on the site are to be located perpendicularly on the triangular site, surrounding by their own allocated parking, landscaping and balancing ponds. When compared to the existing state of the site as open field, and the broadly open fields to the east, the layout represents a high-density development of the site, which looked at in isolation, could be considered cramped and out of place with the site's surroundings. The Council's Landscape Architect has informally raised concerns regarding the layout of the site, in terms of set-backs and the amount of land set aside for landscaping, being too thin around the edges, with the unplatable drainage attenuation ponds taking up too much space for effective landscape buffering.
- 7.33 The warehouses are positioned in such a way that the north-west and south-west elevation of Unit 1 and south-west elevation of Unit 2 are the closest to the boundaries, and these are adjacent to the A422 and M1 respectively. Thereby positioning most of the visual impact coming from the size, height and position of the

buildings against the view from the motorway and A422, rather than against Willen Road and the existing (and future housing of the allocation) to the east.

- 7.34 With regard to the height of the buildings, Unit 1 at approximately 21 metres to the parapet, and Unit 2 at 18 metres to the parapet will be large additions to the landscape, but are not unusual in terms of warehouse building heights being proposed and permitted for current logistical needs. The height leaves a clear internal height of 15 metres for potential occupier requirements. The upward slope of the site, of about 2.5 metres north to south, will likely mean the warehouses appear very similar in height when seen together. The applicant has proposed a graduating colour palette in green, beige and grey, providing lighter colours at the top of the elevations to blend in with the landscape and sky and minimise the visual impacts of the development. The final detail of the materials and colours could be secured by condition, to ensure the mitigation of the impact as much as possible.
- 7.35 Given the type of development, there is little other architectural detail that could be provided to enhance the site or provide further interest. The Council's Urban Design Officer notes that the offices have been located facing Willen Road to provide some variation, and the more interesting landscaped areas around the parking and balancing ponds, are also located more on the eastern side of the site to break up the streetscene along Willen Road.
- 7.36 Concerns are therefore raised in relation to the layout of the site, given the size of the warehouses and the amount of land required for appropriate landscaping. That being said, there is a need to balance the needs of the amount land required for visual mitigation and other aspects, such as surface water draining and car parking, while maintaining an efficient use of land, as required by the NPPF. This balance should also be considered in light of the surrounding land allocations and knowledge of the development that will come forward to the east. ,
- 7.37 Therefore while there is little concern regarding the design detail of the site, doubts are raised regarding the appropriateness of the amount of development and site layout, and whether the proposal complies with Plan:MK policies D1, D2, D3 and D5 in this regard. As this concern relates to landscaping provision, the comments of the Council's Landscape Architect are relevant, and therefore an update will be provided ahead of committee.

Residential amenity

Visual Intrusion

- 7.38 As described in the introduction to this report, the closest houses to this development are the houses off Glen Fields to the east, the travellers site to the south-east, and the dwellings within Newport Pagnell, off Tabard Gardens and Dulwich Close, to the north. Concern has been expressed by surrounding neighbours regarding the proposal's impact on residential amenity, and the visual intrusion from the warehouses.
- 7.39 The two warehouses are positioned perpendicularly, so that the entrance to the site and some of the car parking is situated in the central section along the eastern border of the site. This means that the houses off Glen Fields, to the east of the site are not

faced with a flat elevation directly opposite the entrance to their road (off Willen Road) but will be opposite a landscaped area with parking. The nearest part of the two warehouse buildings will be the eastern corner of Unit 1, approximately 190 metres north-west of no. 1 Glen Fields and the eastern corner of Unit 2, approximately 170 metres south-west of Caldecote Farm. Therefore, while it is likely that the warehouses will be visible from the dwellings off Glen Fields, particularly those closest to Willen Road, in terms of visual impact it is considered that the orientation of the site somewhat minimises the visually intrusion from the two buildings. However, as above, concerns have been raised informally by the Council's Landscape Architect that the amount of landscaping is not significant enough to provide sufficient visual mitigation around the outside of the site. The corner edges of the Unit 1 and Unit 2 are only 30 and 35 metres from Willen Road, giving the impression that the applicant will be relying on the future development on the eastern side of Willen Road to provide appropriate setbacks from the road to minimise the visual impact of this development. This approach is not considered appropriate when there are already existing dwellings east of Willen Road, and the application site is only being considered as it forms part of the wider allocation.

- 7.40 In addition, the applicant has not provided any streetscene elevations, visualisations or any other visual supporting evidence specifically in relation to the impact of the warehouses on these dwellings to the east, the travellers site, or dwellings to the north. Without this visual supporting information, it is difficult to state with any certainty that the proposal would not have a negative impact on the residents of Glen Fields, or the travellers site. While it is acknowledged that the residents of Glen Fields will be aware that employment use is proposed opposite them, and housing around them, as part of the allocation, there remains a requirement to ensure that the impact of this development does not cause a significant detrimental impact. Without supporting evidence, a positive conclusion regarding the impact on residential amenity cannot be reached at this stage.
- 7.41 To the south-east the nearest buildings at the travellers' site are approximately 110 metres to the south-east elevations of Unit 2. Again, no supporting street scenes or context elevations have been provided to demonstrate that there will not be a visually intrusion or significant impact on residential amenity as a result of this proposal.
- 7.42 With regard to Tabard Gardens and Dulwich Close, it is considered that there is a sufficient distance between these dwellings and the proposed warehouses to limit the impacts of the development on these properties. There is an approximately 190 metre distance between the back garden fences of these dwellings and the north-west elevation of Unit 1, with wide vegetation buffers, open space, the A422, and site landscaping between. There is also a change in topography at the site, with the ground level sitting up to 2 metres lower on the warehouse side of the A422, which would also reduce the impact from this direction. This distance and visual separation through the landscaping is considered sufficient so that there will be a limited view of Unit 1 from these dwellings, and if the warehouse can be seen it would not be likely to have a significant visual impact, or be considered visually imposing.
- 7.43 Overall, it is considered that the applicant has not provided sufficient information to demonstrate that the visual impact of this development would not be significantly detrimental to the residential amenity of the resident of Glen Fields, or the travellers

site to the south-east. It is therefore considered contrary to Policy D5 of Plan:MK. Further supporting information in terms of the visual impact, in particular regarding the dwellings to the east of Willen Road would have provided more certainty regarding the impact on residential amenity.

Operation Noise and Light

- 7.44 Concerns has been raised by members of the public regarding the impact from operational noise and lighting, as a result of 24 hour operation at the site. Policies D5 and NE6 of Plan:MK require that proposals do not have an unacceptable impact on human health and amenity.
- 7.45 The applicants have provided a noise assessment that concludes that residual noise levels, and maximum noise event levels will not be exceeded at the nearest residences, and therefore there will not be a significantly adverse impact on the residential amenity of occupiers. At this stage it is considered that even if further mitigation is required to reduce the impacts of noise (such as acoustic fencing, etc), then these could be controlled by condition were the application to be granted.
- 7.46 In terms of lighting, an assessment and strategy for the design of the lighting has been provided, and states that the impacts are unlikely to be significant, given baseline conditions and surrounding context. A detailed lighting scheme would be required by condition prior to the installation of any lighting, and it would be incumbent upon the applicant to provide a scheme that would not have a significantly adverse impact on surrounding residents (or wildlife).
- 7.47 Comments on the impact of lighting and noise from the Council's Environmental Health Officers have not been received at the time of writing this report, and an update will be provided for committee.
- 7.48 Ultimately it is considered that the operational impact on residential amenity could be successfully minimised and mitigated by conditions for detailed lighting design and noise mitigation measures if necessary, secured to a grant of planning permission, and with these secured the proposal would comply with Plan:MK Policy NE6.

Landscape

- 7.49 As existing, trees and other vegetation are located around the whole boundary of the site, but no trees are located within the open field itself. Trees and hedgerow along the eastern boundary of the site (western side of Willen Road) as well as trees around the Marsh End roundabout are proposed to be removed to facilitate the new road junctions, crossings and increased number of lanes along Willen Road.
- 7.50 No comments on the number of trees to be removed have been received from the Council's Tree Officer, nor the Council's Landscape Architect at the time of writing this report. However, it is noted, and communicated in informal comments, that while trees and vegetation are proposed across the site as part of the indicative landscaping scheme, including additional buffer trees along the each of the road boundaries, the landscape depth is thin, and will likely not provide significant amounts of visual mitigation to the site.

- 7.51 While the indicative landscaping scheme is stated to achieve a net gain in biodiversity, there remains a concern that sufficient planting has not been provided in mitigation to ensure landscape character is retained. This is as a result of the layout, and required ancillary features of the development, such as the drainage ponds which can't be planted, and amount of parking required.
- 7.52 Given the above, it is considered that the landscaping for the scheme is unacceptable and fails to comply with Policy D1 and NE5 in creating a new positive landscape character and enhancing the landscaping on site. As above, the formal comments from the Landscape Architect will be included in an update paper.

Ecology

- 7.53 The applicants have provided an Ecology Report, including Extended Phase 1 Habitat Survey as well as protected species surveys for bats, birds, Great Crested Newts and reptiles. The Council's Countryside Officer notes that these surveys are out of date. However, given the lack of protected species found at the site under previous surveys, she is content to require an updated Phase 1 Habitat Survey and the required protected species surveys by pre-commencement planning condition. In combination with mitigation conditions for details of the lighting condition, and precautionary methods of working for mammals and birds, protected species would therefore be adequately considered at the site. The applicant has also been advised to seek a District Licence for Great Crested Newts, and although this is a voluntary scheme, has not indicated an intention to do so. The Countryside Officer however notes that there are no longer any waterbodies on site and no GCN were recorded previously, therefore no further surveys are required. With the relevant surveys secured it is considered that the proposal would comply with Policy NE2 of Plan:MK.
- 7.54 The applicants have provided a Biodiversity Impact Assessment Metric (BIAM) which shows a net gain of 0.39 on-site biodiversity units, based on the concept landscaping scheme. However, the Countryside Officer notes that this is based on out of date surveys, and that no Biodiversity Enhancement Scheme has been submitted to show that a net gain has been achieved following the mitigation hierarchy. In combination with the updated species surveys, and detailed landscape design, a Biodiversity Enhancement Scheme and recalculated BIAM would be required by condition to show that a biodiversity net gain has been achieved on site and would put the obligation on the applicant to show that the necessary enhancements can be provided. With these conditions secured it is therefore considered that the proposal would comply with Policy NE3 of Plan:MK.
- 7.55 It should be noted that comments on ecology can very quickly become out of date and given the date of the surveys submitted with this application, any future application for this site would likely require up to date surveys to be completed as part of the submission.

Drainage and flood risk

- 7.56 Plan:MK Policies FR1 and FR2 require that all new development incorporate a surface water drainage system which will ensure flood risk is not increased on or off

site. The site is in Flood Zone 1, and in an area where watercourses are controlled by the Internal Drainage Board.

- 7.57 The applicants provided a Flood Risk Assessment and Surface Water Drainage Strategy as part of the submission to deal with surface water. Five balancing ponds have been proposed on the site to deal with surface water run-off, plus one on the eastern side of Willen Road to accommodate run-off from the highway. Objections were initially received from the Council's Flood and Water Management Officers, and following the provision of further information, officers considered the indicative scheme acceptable, subject to further conditions for the final detailed design and details of the long-term management and maintenance of the drainage scheme.
- 7.58 In addition, the Internal Drainage Board noted that water from the balancing ponds is proposed to discharge into IDB watercourses, requiring separate consent from the IDB. They have requested that the detail of the balancing ponds and their implementation be secured prior to the commencement on site, to ensure that water disposal into the IDB watercourse is controlled.
- 7.59 The applicants provided a Preliminary Foul Water Drainage Strategy, proposing connection to the Anglian Water network, off site at the nearest connection point, given that the site is currently undeveloped. These connections will be subject to separate consent from Anglian Water, and in the absence of a request for a condition for further details from Anglian Water, the plan is considered acceptable, with Anglian Waters requested informatives attached.
- 7.60 It is therefore considered that the applicants have shown that the risk of flooding will not be increased on or off site and that an adequate drainage system and method of surface water disposal can be secured through conditions. With pre-comments conditions secured for a detailed drainage scheme, and details of the long term management and maintenance of that scheme, it is considered that the proposal complies would comply with Policies FR1 and FR2 of Plan:MK.

Sustainable construction

- 7.61 A Sustainability Statement has been submitted with this proposal which indicates that the new buildings will comply with energy efficiency standards required by Plan:MK Policy SC1, by reducing the energy demand of the buildings, and through installing air source heat pumps, solar thermal and solar photovoltaic panels.
- 7.62 A remaining figure for carbon output has been provided in the Sustainability Statement and could be used to calculate the required carbon offsetting payment to comply fully with Policy SC1. This could be secured by S106 agreement, and in addition to the final details and implementation of the renewable energy methods above being secured by condition, would ensure full compliance with Policy SC1. The application would therefore be considered acceptable in regard to sustainability.

S106 matters

- 7.63 Sections 5.2 and 5.3 of the MKE SPD deal with the establishment of a Tariff Framework Agreement, to deal with the required planning obligations on the site in

an equitable way between landowners. While individual S106 agreements will need to be entered into for the individual landowners, they will need to comply with the overarching Tariff Framework Agreement. Paragraph 5.2.4 states that “It is envisaged that infrastructure for the [MKE] will be delivered through each of the landowners and lead developers signing up to these Tariff arrangements.”

- 7.64 As the Tariff has not yet been established it will not be possible to ensure equitability in the sums sought from the developer for this development. In any case, were the proposal to progress in the absence of the Tariff, the proposed contributions for this site have not yet been drafted to be agreed by the applicant, and therefore appropriate sums have not yet been agreed. While the lack of S106 agreement forms a refusal, it is considered that this refusal reason could be overcome, were the application to be submitted in an appropriate timeframe and with co-operation from the applicant, to submit once the Tariff Framework Agreement has been agreed.
- 7.65 In the absence of an agreed S106, it is therefore considered that the proposal does not provide sufficient mitigation for the impacts of the development and is therefore contrary to Plan:MK Policy INF1 and the MKE SPD in this regard.

8.0 CONCLUSIONS

- 8.1 This application was submitted ahead of the adoption of the MKE Development Framework SPD and ahead of the requirements of Policy SD12 being met. Without having secured the infrastructure funding and delivery of the highway infrastructure, and with a lack of consideration of the remainder of the allocation in terms of highway impacts, and other mitigation, it is considered that this application is contrary to policy and should not be recommended for approval at this time.
- 8.2 Further supporting information is required on various aspects of the development, as outlined above, to overcome the reasons for refusal and objections that this application has generated. The application is advised and welcomed to work with the Local Planning Authority and other developers of the site, to bring forward the development of the SUE in a comprehensive manner.

9.0 REASONS FOR REFUSAL

Principle

1. The application site forms part of the Milton Keynes East Strategic Urban Extension, which is allocated for the long-term needs of Milton Keynes. Plan:MK Policy SD12 requires that the allocation can only come forward once the funding for strategic infrastructure required to make the site deliverable has been secured and once this infrastructure is being delivered. The funding for this strategic infrastructure has not yet been secured and there is no planning application or permission in place for the delivery of the strategic infrastructure. The requirements of Policy SD12 have therefore not been met, and the site effectively remains in Open Countryside under Policy DS5, until the allocation is able to be brought forward. The proposal is therefore contrary to policies SD12 and DS5 of Plan:MK (2019) and the Milton Keynes East Development Framework SPD (2020).

Highways

2. Highway improvement works have been proposed as part of this application which do not meet the requirements of the Milton Keynes East Development Framework SPD (paragraph 4.3.7) and could prejudice forthcoming highway infrastructure and improvements proposed strategically as part of the wider allocation, as required by Policy SD12 of Plan:MK and the Milton Keynes East Development Framework SPD, such as a bridge or underpass crossing of H3 Monks Way (A422) and the improvements required to Willen Road to upgrade it to a 'grid road'. In addition, it is considered that the applicants have not fully considered the cumulative impact of this development with the rest of the Milton Keynes East Strategic Urban Expansion, on the existing highway network. This means that the highway improvements proposed have not been fully considered in light of the future amount of traffic that will use these junctions, the result of which is likely to be excess stress on the highway network with impacts on accessibility, movement and highway safety. The proposal is therefore contrary to Policies SD12 and CT2 of Plan:MK (2019) and the Milton Keynes East Development Framework SPD (2020).

Residential Amenity

3. There are existing dwellings to the east of the application site at risk of a significant detrimental impact on residential amenity as a result of visual impact and overbearing nature of the development. The height and position of the proposed buildings, the lack of landscaping and the lack of set-back between the buildings and Willen Road will contribute to an unacceptable impact on the residential amenity of the existing residents. In the absence of supporting information to show otherwise, it is considered that the proposal is therefore contrary to Policy D5 (A.5.) and Policy D3, in Plan:MK (2019).

Planning Obligations

4. In the absence of the necessary planning obligations being secured by a s106 agreement, the applicant has failed to demonstrate that the proposed development would not lead to a burden on or have an adverse impact on existing local infrastructure. The location of the site as part of the Milton Keynes East Strategic Urban Expansion requires the establishment of a Tariff Framework Agreement to ensure equitable contributions by developers across the site, and in the absence of this Framework the necessary contributions cannot be agreed. The proposal is therefore contrary to Policies SD12 and INF1 of Plan:MK (2019), and the aims of the National Planning Policy Framework (NPPF).






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SITE LOCATION

County	Northants	
Local Authority	Wellingborough	
Grid	SK	
Scale	1:2500	
Scale	1:500	
Project No.	SK022	Rev.
4179-02		005



UNIT 1
Gross Internal Area

Warehouse	482,000 sq ft	44,754 sq m
Office (3 levels)	24,540 sq ft	2,261 sq m
Multi-Office (2 levels)	2,000 sq ft	186 sq m
TOTAL	508,540 sq ft	47,001 sq m
Carfootprint	588 ft	54 m
TOTAL	588,711 sq ft	54,296 sq m

10.24 ha (25.42 acres)

UNIT 2
Gross Internal Area

Warehouse	545,000 sq ft	50,416 sq m
Office (3 levels)	25,000 sq ft	2,311 sq m
Multi-Office (2 levels)	2,000 sq ft	186 sq m
SUB TOTAL	572,000 sq ft	52,913 sq m
Carfootprint	588 ft	54 m
TOTAL	588,588 sq ft	54,389 sq m

8.58 ha (21.41 acres)



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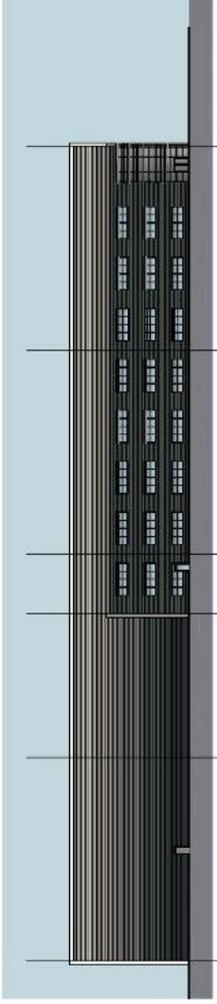
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PROPOSED MASTERPLAN

Planning Status	PPG/PPM/PPS
Local Authority	GLT - WOOD
Local Plan	1999-2012
Date of Issue	12/2011
Project No.	41179-01
Design No.	00011
Rev.	001

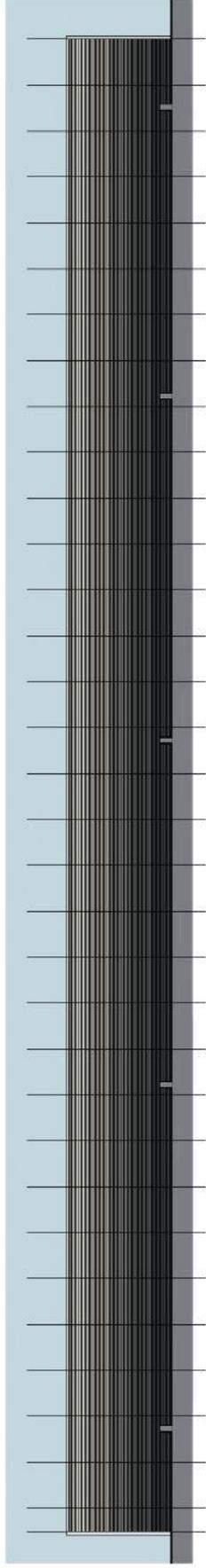




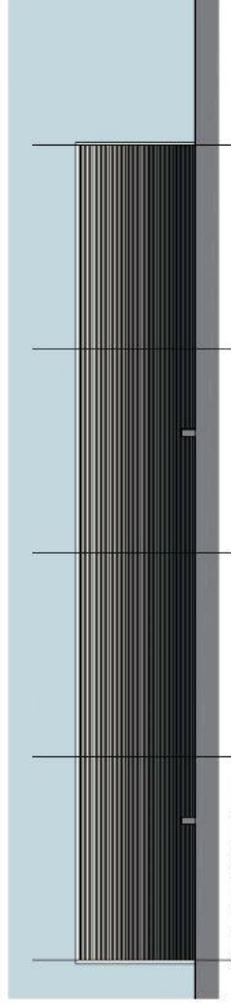
South East Elevation



North East Elevation



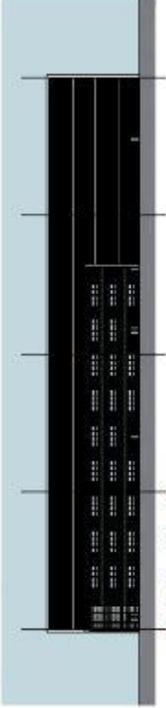
South West Elevation



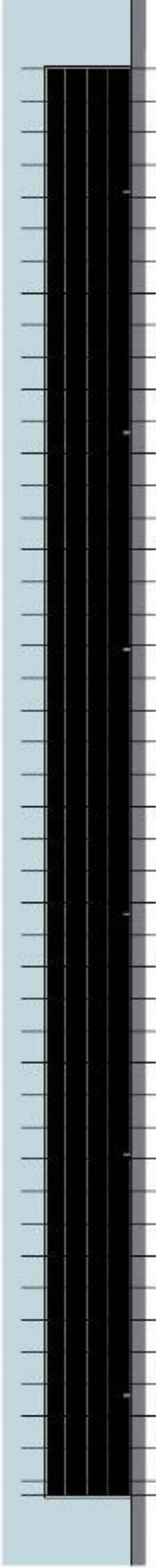
North South Elevation



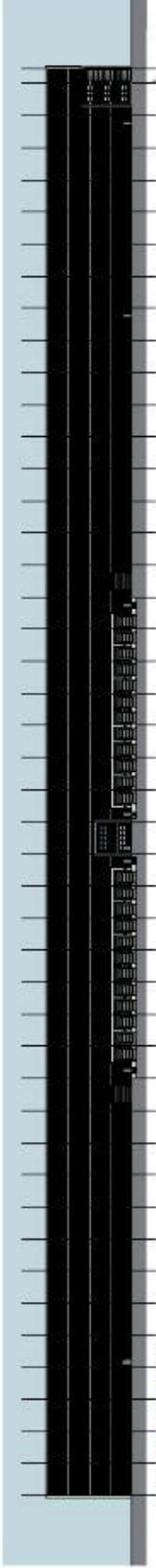
LAND AT CALDECOTE FARM NEWPORT PAGNELL		 www.php-architects.com	PROJECT NO: 4179 - SK017 DATE: JUL 2018 SCALE: 1:360	REV: DRAWING NO: SK017
SEGRO NEWPORT PAGNELL LTD				
UNIT 2 ELEVATIONS DRAWING NO: 4179 - SK017 DATE: JUL 2018 SCALE: 1:360		REV: DRAWING NO: SK017		



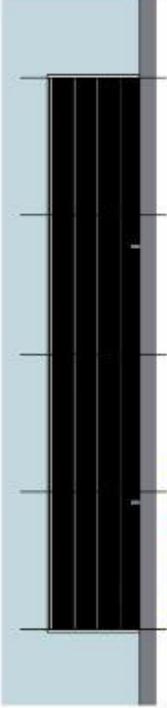
North East Elevation



North West Elevation



South East Elevation



South West Elevation



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UNIT 1
ELEVATIONS

Project No: 1479-20017
Site: Caldecote Farm
Scale: 1:500
Date: 12/03/17
Drawing No: 50041
Rev: 002

A1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 Moulsoe Parish Council

Objection

- It is noted that the site entrance has been moved away from the residential development Glen Fields, although the noise and light pollution will still have a significant impact on the residents
- The proposed new access/exit route to Glen Fields will also impact on the residents
- The surrounding roads are already at capacity
- The suggested movement of an additional 526 HGV movements daily will have a detrimental effect on local travel from Newport Pagnell and surrounding area
- The proposed HGV movements on a single carriage way will increase the load over the M1 bridge.
- Tongwell roundabout will also experience significant impact and this will have an effect on the other businesses and traffic flows in the area.
- Suggested implementation of traffic signalization of the Marsh end roundabout will do little to alleviate the movement of traffic at peak hours
- All infrastructures should be completed prior to development commencing in order to ensure that it happens
- The proposed area for development is within the land allocated to provide a SUE after 2031. Any development prior to that date is reliant on infrastructure funding. This funding is still outstanding and any application for development before the funding is granted and the necessary infrastructure is built is premature

A1.2 Newport Pagnell Parish Council (adjacent parish)

Objection

The Town Planning & Environmental Management Committee received details of this planning application, relating to a proposed development in the neighbouring parish of Moulsoe, and agreed to object on the following grounds:

- Premature to the securing of a government HIF bid
- Premature and prejudicial to the outcome and adoption of MK East Strategic Urban Extension Development Framework SPD
- Contrary to Plan MK Policies SD9, SD10, SD12 & INF1
- There is a proposed redway along Willen Road but with an at-grade traffic light controlled (toucan) crossing of the A422 which would be less safe and would interrupt the flow of traffic on the busy A422. A bridge or underpass must be provided here as part of a comprehensive development
- 24-hour operation so noise and artificial lighting 'spill' will be a potential nuisance to residents - Beeping from reversing lorries and fork lift trucks, particularly at night will be a potential nuisance to residents
- Lack of a detailed landscape plan

Resolved to object to this application on the basis of the above

A1.3 Cllr Peter Geary – Olney

No comments received

A1.4 Cllr David Hosking – Olney

If officers are minded to approve this planning application, under delegated authority, then I would like it to be determined by committee.

My reasons are as follows:

1. The infrastructure necessary for such development does not exist. 2. The land is only allocated for development after 2031.

The application is outside of policy and is premature.

For clarity, if officers are planning to refuse the application then I would not wish it to be heard at committee.

A1.5 Cllr Keith McLean – Olney (member of DCC)

No comments received

A1.6 MKC Development Plans

Plan:MK policies governing the principle and delivery of this proposal are:

Policy DS1
Policy DS2
Policy SD1
Policy SD10
Policy SD12
Policy INF1

A range of other policies with Plan:MK govern other matters, such as design and parking.

The Milton Keynes East Development Framework Supplementary Planning Document was adopted on 10 March 2020, and is an important material consideration in determining this application.

- Whether the proposal is acceptable in principle in the context of Policies DS1, DS2, SD10 and SD12 of the adopted Plan:MK
- Whether the proposal is consistent with the adopted Milton Keynes East Development Framework Supplementary Planning Document.

Principle

The principle and delivery of development within the Milton Keynes East Strategic Urban Extension allocation is governed by Policies DS1, DS2, SD10 and SD12 of Plan:MK 2016-2031.

Policies DS1 and DS2 together direct new housing and employment to locations within and adjacent to the Milton Keynes urban area. One of these locations is the Milton Keynes East Strategic Urban Extension which is allocated as a mixed residential and employment allocation, within which this proposal falls.

Policy DS2 states that “mixed residential and employment strategic site to the east of the M1, south of Newport Pagnell, is allocated as a strategic urban extension to meet the long term needs of Milton Keynes. Development of this site can commence once the necessary strategic infrastructure required to make the site deliverable, including required connections to the existing urban area of Milton Keynes, is funded and is being delivered”.

Policy SD12.A states that “land is allocated at Milton Keynes East – as shown on the Key Diagram and Policies Map – for a comprehensive new residential and employment development to meet the long-term needs of Milton Keynes.”

Policy SD12.A also states that “Development can commence once the necessary strategic infrastructure required to make the site deliverable is funded and is being delivered. In that circumstance, the development of the site will be allowed to proceed within the plan period as an additional source of housing and employment land supply.”

Policy SD12 clearly indicates that the allocation is to be treated comprehensively and to come forward in a comprehensive fashion. There are also two key criteria governing the delivery of all development within the allocation. These are the funding of strategic infrastructure, and the delivery of strategic infrastructure.

These policies were considered necessary and sound by the Plan:MK inspector who stated that:

“114. Fundamentally, the identified constraints at MKE are not insuperable and the issues are funding and timing, primarily in relation to the capacity of Junction 14 of the M1 and alternative means to alleviate traffic movements around and through the junction. Highways England has not objected to the principle of MKE or additionally crossing the M1 to mitigate additional movements associated with MKE...

116. Accordingly, I find it would be necessary to amend Policy SD14 to state that development can take place at MKE prior to 2031 provided the necessary strategic infrastructure is funded and delivered.”

Funding of strategic infrastructure

The Council submitted a bid for £95m to the Housing Infrastructure Fund (HIF) in March 2019. It sought funding for major road infrastructure to create new connections with the urban area of Milton Keynes and improve existing connections to make the site deliverable. The bid also sought funding for social infrastructure (a primary school and health hub within the allocation) to make the site deliverable. These infrastructures are deemed strategic in the context of Milton Keynes East as their funding and delivery (either up front or early in the development phasing) are necessary to enable the housing and employment development within the allocation to proceed. Without this funding, the comprehensive development of the allocation (in line with Policies SD10 and SD12) would not be possible. It is considered that the funding and delivery of the strategic road infrastructure covered by the HIF bid is of particular relevance to this proposal, which will create HGV movements seeking to access the M1 via Junction 14. It is considered that, whilst necessary for the residential development of Milton Keynes East, the strategic social infrastructure is not as relevant to the delivery of this proposal.

On 11 March 2020, the Government announced that £95m of HIF funding had been offered to Milton Keynes Council to support the delivery of the Milton Keynes East Strategic Urban Extension. The Council and Government are in the process of discussing and agreeing funding conditions. Once these have been agreed, the Council will then be in a position to formally accept the funding. As these necessary steps have not yet been completed it cannot be said, with the certainty required by Policies DS2 and SD12, that the strategic infrastructure required to make the site deliverable is now funded. Only once the funding has been formally accepted by the Council would this criterion be met.

Delivery of strategic infrastructure

Policies DS2 and SD12 both restrict development of the site until the strategic infrastructure, and principally connections into Milton Keynes in the context of this proposal, is “being delivered”. It is considered that the commencement of works associated with the strategic road infrastructure would constitute ‘being delivered’ in the context of the proposal (noting that the school and health hub are not as relevant to this proposal). Planning permissions for the strategic road infrastructure would be required ahead of this, and it is anticipated that (subject to formally accepting the HIF funding) planning application(s) for the new strategic road infrastructure would be forthcoming in early 2021. A Planning Performance Agreement will be put in place to ensure the progress of such applications are not delayed and can be determined in a timely manner.

At this time, no planning permissions are in place for the strategic road infrastructure and therefore no works have commenced. As such, this criterion of Policies DS2 and SD12 has not been met. If in all other regards the proposal is deemed acceptable, it is suggested that a Grampian condition could be placed on any planning permission to restrict the commencement of the development until works associated with the strategic road infrastructure required to make the site deliverable have commenced and are therefore being delivered. It is considered that this would constitute compliance with Policies DS2 and SD12. Any conditions

placing a time limit on the planning permission would need to be consistent with any Grampian condition. The use of Grampian conditions would be appropriate as there is a reasonable prospect of both criteria of Policies DS2 and SD12 being met within a reasonable timescale. Those timescales, whilst not yet defined, would be defined through the combination of Planning Performance Agreements, funding conditions attached to accepted HIF funding, and conditions placed on the planning permission for the strategic road infrastructure.

Comprehensive development framework

Policy SD12.B states that “development will be brought forward in line with all relevant policies in Plan:MK, particularly Policies SD1, SD9, SD10 and INF1. A comprehensive development framework for the site will be prepared in accordance with the Policies SD1, SD9, SD10 and INF1 and approved by the Council prior to planning permissions being granted.”

Policy SD10 states that “To ensure that Strategic Urban Extensions are brought forward in a strategic and comprehensive manner, planning permission will only be granted for land within Strategic Urban Extensions, following the approval by the Council of a comprehensive development framework, incorporating any necessary design codes, or phasing of development and infrastructure delivery, including green infrastructure delivery, for the Strategic Urban Extension as a whole.”

On the 10 March 2020, the Council adopted the Milton Keynes East Strategic Urban Extension Development Framework Supplementary Planning Document (Development Framework SPD). Therefore, it is considered that criteria B of Policy SD12 and Policy SD10 have been satisfied in this regard. The proposal relates to land identified in the adopted Development Framework SPD as suitable for employment uses, and is therefore consistent with the SPD in this regard.

The Development Framework SPD contains a range of other guidance that will be material to this proposal, most notably guidance on movement and how the provision of Redways, other routes for pedestrians and cyclist, public transport and improvements to the road network should best be provided. It will be necessary to assess whether the proposal is consistent with the Development Framework SPD on these more specific matters.

Framework Agreement

In support of Policies SD10, SD12 and INF1, the Development Framework SPD sets out the clear expectation that development should be brought forward in a comprehensive manner. This is particularly important in terms of the planning and delivery of site-wide and shared infrastructure. The preparation and agreement of a Framework Agreement (complete with a site-specific Infrastructure Delivery Plan or Schedule) is the mechanism put forward in the Development Framework SPD to achieve this across a site made up of multiple landowners and developers. At this time, a Framework Agreement has not been agreed with the promoters behind this proposal or the other land owning and developer interests within the Milton Keynes East allocation. The proposal should therefore be refused or deferred until a

Framework Agreement can be signed and form part of legal agreements attached to the planning permission.

The application should be refused as:

- The proposal is contrary to Plan:MK Policies DS2 and SD12 as the funding of strategic infrastructure required to make the site deliverable (including connections to the existing urban area of Milton Keynes) is not yet in place and the strategic infrastructure in question is not being delivered.
- A Framework Agreement (complete with site-specific Infrastructure Delivery Plan or Schedule), as a requirement of the Development Framework SPD, is not in place to ensure the comprehensive planning and delivery of site-wide and shared infrastructure in accordance with Policies SD10, SD12 and INF1.

If the proposal were acceptable in all other regards and a Framework Agreement were in place, it is considered that a Grampian condition could be used to restrict the commencement of this proposal until both the funding for the strategic infrastructure has been secured and the works associated with the strategic road infrastructure required to make the site deliverable have commenced.”

A1.7 MKC Highways

Initial comments

Objection

This proposal is a detailed planning application pursuant to the withdrawal of the hybrid application 18/01719/FUL. A revised Transport Assessment has been provided along with the updated development proposals.

Transport Assessment (TA)

Extensive comments were provided for the previous TA and it appears that these have been taken on board in the update. The changes to floor areas, trip generation and traffic assessments all appear to be acceptable as well.

It is noted that although the previous proposals (18/01719/FUL) included a significant contribution to Public Transport (£650,000), the current proposals do not include one. It is difficult to see why this situation has changed and it is assumed that the Council's Passenger Transport team will, quite rightly, seek to ensure a contribution is made.

The TA asserts that the number of bus passengers arising from the development is low; however, this fails to recognise that units such as the ones proposed will operate on shift patterns across a 7-day week. Existing services, limited to more or less normal office hours, will not be adequate.

It is suggested in Paragraph 3.30 of the TA, that a requirement to provide shiftchange bus services is included in the Framework Travel Plan. This is not acceptable as it would not be directly related to the planning approval (for enforcement) and would need additional monitoring / resource from the Council. Instead, a contribution to something tangible should be sought as part of the planning consent.

In other respects, the TA appears to be acceptable and therefore, subject to the input of the Passenger Transport team, the TA is accepted.

Highway Works

The proposed highway works are accepted, in principle, as adequate mitigation for the likely impacts of the development. Full details of the highway works and the associated TROs will need to be thoroughly audited and approved through the Section 278 Technical Approval process. However, the works indicated in the TA and the submitted drawings are sufficient for the granting of planning permission subject to conditions / s.106.

A full Redway link is required between the Tongwell Roundabout and the Redways at the Willen Road / Marsh End Road junction. Although it is referred to in Paragraph 3.21 of the TA, full details of this route are not clearly shown on any of the submitted drawings. However, this can be covered by condition.

It should be noted that the highway works as proposed will require, amongst other things, a reduction of speed limits on Willen Road and at its junction with the A422. Partly this is to accommodate the proposed traffic signals and partly to accommodate the movement of pedestrians and cyclists on the proposed Redways.

There is no real prospect of grade-separated cycle / pedestrian routes in this location and the at-grade proposals represent a significant improvement on the current situation. The TA has identified that there have been 3 accidents at the Marsh End Roundabout (Willen Road / A422) involving cyclists. The proposals to provide a Redway and associated crossing are welcomed.

Site Layout

The TA also considers the manoeuvring of vehicles within the site as well as accessing the site. Tracking drawings in the TA show that the proposed layout does allow vehicles to enter, manoeuvre within and exit the site satisfactorily.

However, it is noted that a change in the location of the access to the car park serving unit 1 has taken place since the 18/01719/FUL proposals. The car park access is now located close to the main junction with Willen Road which could lead to vehicles waiting to turn right into the car park queuing back into the junction.

This car park contains 528 spaces and the number of vehicles entering at shift changes could be very high. The likelihood of these vehicles arriving in a short period of time is high and this could lead to issues with vehicles not being able to enter the car park quickly enough to keep the junction clear.

This is exacerbated by the car park layout, largely retained from the previous proposal, which has access to spaces directly opposite the only entrance. As submitted, this element of the scheme is not acceptable.

Parking

The TA details the site's parking requirements and provision in Paragraphs 3.3 – 3.10. The table provided in Paragraph 3.8, reproduced below, sets out the required number of parking spaces ("Allowance") and the number of spaces proposed.

The table shows that the scheme overall has a car parking provision that is fully compliant with the Council's standards. There is, however, a shortfall in HGV and cycle parking provision.

In terms of HGV parking, it is unlikely that the occupiers of the units will operate and park a fleet of vehicles on site, particularly all at once. The TA states that occupiers will not be attracted to the unit if the number of HGV docks is insufficient for their needs.

With regard to cycle parking, whilst the provision is only around 80% of the requirement in the Council's standards, it is not an unreasonable provision given the very large size of the units involved. The cycle parking provision is accepted in terms of numbers of spaces and location; details of shelters and security can be covered by condition.

Summary

The TA shows that the traffic impact from the development is acceptable with mitigation. The site has limited accessibility by sustainable modes and there is currently no proposal to make a contribution towards improved bus services. A Redway is to be provided, connecting Tongwell Roundabout to Marsh End Road.

The proposed parking provision is acceptable; however, the access to the car park to unit 1 is located where queuing into the main site junction could occur and it is therefore unacceptable as submitted.

Consequently, although the issue could be addressed by revised proposals, as submitted the planning application should be refused for the following reason:

The proposed access to the car park for Unit 1 is located such that queuing on the main site access and into the junction with Willen Road could occur. This would seriously prejudice the operation and therefore the safety of that junction. As a result the proposals are contrary to Policy CT2 of Plan:MK.

Comments following re-consultation

No objection

Further to the Highway Observations dated 14th October 2019, the applicant has submitted a revised access plan for Unit 1 which overcomes the previous highway objection.

As a result, the proposals are now acceptable in highway terms and there is no objection to planning consent being issued. The matter of the contribution to public transport remains outstanding, unless this has been agreed with the Passenger Transport team since the 14th of October.

As stated previously, the proposed highway works are accepted, in principle, as adequate mitigation for the likely impacts of the development. Full details of the highway works and the associated TROs will need to be thoroughly audited and approved through the Section 278 Technical Approval process. However, the works indicated in the TA and the submitted drawings are sufficient for the granting of planning permission subject to conditions / s.106.

A full Redway link is required between the Tongwell Roundabout and the Redways at the Willen Road / Marsh End Road junction. Although it is referred to in Paragraph 3.21 of the TA, full details of this route are not clearly shown on any of the submitted drawings. However, this can also be covered by condition.

It should be noted that the highway works as proposed will require, amongst other things, a reduction of speed limits on Willen Road and at its junction with the A422. Partly this is to accommodate the proposed traffic signals and partly to accommodate the movement of pedestrians and cyclists on the proposed Redways.

There is no real prospect of grade-separated cycle / pedestrian routes in this location and the at-grade proposals represent a significant improvement on the current situation. The TA has identified that there have been 3 accidents at the Marsh End Roundabout (Willen Road / A422) involving cyclists. The proposals to provide a Redway and associated crossing are welcomed.

With regard to cycle parking, whilst the proposal is only around 80% of the requirement in the Council's standards, it is not an unreasonable provision given the very large size of the units involved. The cycle parking provision is accepted in terms of numbers of spaces and location; details of shelters and security can be covered by condition.

Consequently, there is no objection to the issuing of planning permission subject to a S.106 agreement to secure the off-site highway works and a contribution to Public Transport. The following conditions should be imposed on any consent issued:

1. No part of the development shall commence until such time as details of the proposed off-site highway works and the proposed site access junction have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the highway works and site access junction have been provided in accordance with the approved details.

Reason: To minimise danger and inconvenience to new and existing users of the surrounding highway network by securing the provision of off-site Redways, road crossings, highway improvements and a safe and convenient means of accessing the site.

2. Prior to the commencement of the development details of the Industrial Access Road(s) shall be submitted to and approved in writing by the Local Planning Authority and no part of the development shall be occupied until the access road(s) have been laid out and constructed in accordance with the approved details. The access road(s) so laid out shall be retained thereafter.

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

3. Details of the proposed bicycle parking shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be provided prior to the first occupation of the development hereby permitted.

Reason: To ensure that adequate cycle parking facilities are provided to serve the development.

4. Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the safe free flow of traffic on the neighbouring highway.

5. Prior to the initial occupation of the development hereby permitted the scheme for parking and manoeuvring and the loading and unloading of vehicles shown on the approved drawings shall be provided and shall be used for no other purpose thereafter.

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.

A1.8 MKC Transport Policy

From a Transport perspective we would definitely concur that the whole site needs to be considered as a whole, with traffic impacts modelled and assessed in their entirety and proportioned against each individual development.

A piecemeal approach in this area is likely to create challenges in mitigating the impact of traffic growth arising from the development, which we have been carefully planning with stakeholders over the last couple of years. Whilst the Transport Service is not a Statutory consultee, from a strategic transport planning perspective we would object to the Segro development (19/02420/FUL) being considered in isolation.

A1.9 MKC Urban Design

Comments only

Planning permission should only be granted for development following the approval of the MKE SUE Development Framework.

The site is located within the MKE Strategic Urban Extension. Permission should only be granted once the SPD has been approved.

Plan:MK -Policy D3, DESIGN OF BUILDINGS

The form of the buildings is dictated by their use as logistics warehouses. Landscaping will be required to mitigate the impact of service yards and long blank elevations.

Offices have been located along the Willen Road frontage to provide some visual interest to the most public elevations.

A1.10 MKC Flood and Water Management Officer (Lead Local Flood Authority)

Initial comments

We have reviewed the following documents:

□ Surface Water Drainage, BWB Consulting Ltd, NPG-BWB-EWE-XX-RP-YE-0001_FRA. Dated: 27/03/2019.

At present we object to the grant of planning permission for the following reasons:

1. Surface water pumping

According to the submitted drainage strategy, surface water will be restricted to 4 l/s/ha by using a surface water pump. Pumping of surface water is an unsustainable drainage method. Pumps present a significant residual risk if they are not maintained or fail during a storm event. Our preference is for gravity discharge to the surface water drainage system, mimicking the natural drainage of the site and reducing energy consumption as stated in paragraph 6.3.5 and 6.3.28 of the Flood and Water Supplementary Planning Document (SPD).

We require that the applicant attempts to discharge as much surface water runoff via gravity as possible. This can be achieved through the use of larger areas of shallow attenuation or alternative SuDS approaches.

If it can be demonstrated that a partial or completely pumped drainage system is the only viable option we would require that the residual risk of flooding due to the failure of the pumps be investigated. We would require that the flood level be determined under the following conditions:

- The pumps were to fail; and
- The attenuation storage was 50% full; and
- A design storm occurred

The floor levels of the affected properties must be raised above this level and all flooding must be safely stored onsite.

2. Surface water discharge rates

It has been proposed to discharge surface water at a controlled rate of 4 l/s/ha for all events up to and including a 1 in 100 year event with a 40% allowance for climate change before discharging into 18a drain, which is under the ownership of Bedford Group of Drainage Boards. However, the greenfield runoff rate for the undeveloped site has not been provided.

All new developments on greenfield land are required to discharge the runoff from impermeable areas at the same greenfield runoff rate, or less than, if locally agreed with an appropriate authority. The applicant has not demonstrated that the peak discharge rate for all events up to and including the 1% Annual Exceedance Probability (AEP) critical storm event, including an appropriate allowance for climate change, will not exceed that of the existing site. This may increase the flood risk on site and in surrounding areas.

Although a principle agreement has been provided from the IDB, this agreement is dated from October 2017 and the capacity of the drain may have since changed. A new agreement from the IDB should therefore be sought.

3. Hydraulic calculations required

The surface water strategy must demonstrate that the storage volume required to attenuate surface water run-off from the critical 1% Annual Exceedance Probability (AEP) critical storm event, including an appropriate allowance for climate change, can be provided on site. This should be demonstrated by supporting hydraulic calculations. At present, this information has not been provided.

Informatives

IDB Consent

This site falls within the Bedford Group of Drainage Boards. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Comments following re-consultation

Many thanks for your email and provision of this additional information. I am happy that this response addresses points 2 and 3 of our letter (discharge rates and hydraulic calculations), however, further information is required for the pump failure modelling.

I note that the document states that “The scenario where the pumps fail, the attenuation is 50% full and the 1 in 100 year design storm occurs together has not been modelled as a single scenario. This is not considered proportional or reasonable to test”. However, as discussed previously, we need to see the pump failure modelling for such an event. In addition, whilst the document states that an exceedance plan which demonstrates how water will be contained on the site during a pump failure event will be provided at the discharge of condition stage, we need to see this submitted now as part of the pump failure modelling.

In summary, we will not be able to remove our objection to the proposed development until the following is provided:

- Modelling of the scenario where the pumps fail, the attenuation is 50% full and the 1 in 100 year design storm occurs as a single event;
- An exceedance flow plan demonstrating how water will be contained on the site during the above event (inclusive of flood water volumes and depths).

If the above information demonstrates that surface water can be contained safely on site during such an event, without posing a risk of flooding to adjacent areas or

proposed buildings, then we should be able to remove our objection. Please do not hesitate to contact me if you have any questions on any of the above.

Further comments following re-consultation

We have reviewed the following documents:

- Technical Note, Stantec, TN2028/001 Rev A. Dated: 12th February 2020.
- Surface Water Drainage, BWB Consulting Ltd, NPG-BWB-EWE-XX-RP-YE0001_FRA. Dated: 27/03/2019.
- Geotechnical and Geo-Environmental Ground Investigation, RSK Environment Limited, 313114-02 (01). Dated: July 2018.

Based on these, as Lead Local Flood Authority (LLFA) we can now remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of a series of attenuation ponds and underground storage crates, restricting surface water discharge to 4 l/s per impermeable hectare before out-falling into the IDB drain to the north of the site. A surface water pump will be used as gravity outfall into the IDB drain is not possible as it is located on topographically higher land than the site.

The LLFA is supportive of the use of attenuation ponds as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment which is of particular importance when discharging into a watercourse.

Surface water pump modelling has been performed and demonstrates that surface water exceedance flows in the event of pump failure when the on-site attenuation is 50% full and an occurrence of the design storm can be contained within the car park areas, whilst maintaining access and egress to the buildings, before it is routed back towards the attenuation features.

The site is located entirely within Flood Zone 1 and has a low risk of surface water flooding, with isolated areas of higher risk which will be managed by the implementation of a surface water drainage strategy. Whilst the site has been designated as an area at high risk to groundwater flooding, the geotechnical report concludes that any groundwater is likely to accumulate in the vicinity of the watercourse to the north of the site.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following conditions are imposed:

Condition 1

No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, 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 development is completed.

The scheme shall be based upon the principles within the agreed Surface Water Drainage prepared by BWB Consulting Ltd (ref: NPG-BWB-EWE-XX-RP-YE0001_FRA) dated 27th March 2019 and Technical Note prepared by Stantec (ref: TN2028/001 Rev A) dated: 12th February 2020 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;*
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;*
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;*
- d) Full details of the proposed attenuation and flow control measures;*
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;*
- f) Full details of the maintenance/adoption of the surface water drainage system;*
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water*

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason

To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development

Condition 2

Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason

To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

Informatives

Ordinary Watercourse Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency).

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

IDB Consent

This site falls within the Buckingham & River Ouzel Internal Drainage Board (IDB). Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

A1.11 MKC Environmental Health

No comments received at the time of writing this report.

A1.12 MKC Landscape Services (Trees)

No comments received.

A1.13 MKC Landscape Architect

No comments received at the time of writing this report.

A1.14 MKC Countryside Officer

Objection

- The ecological information submitted in support of the application is out-of-date;
- The proposals may affect protected species and priority species & habitats;
- The proposals affect the M1 Motorway Wildlife Corridor and have the potential to affect the River Ouzel Wildlife Corridor;
- Insufficient information has been submitted to demonstrate a net gain in biodiversity on site as a result of the proposals

Ecology Report

The Extended Phase 1 Habitat survey was initially carried out in April 2016, and updated in May 2018. However, following CIEEM advice on the lifespan of ecological surveys, an update to this survey is required. Given the current the habitats on site and the absence of any evidence of protected during previous surveys, these surveys can be secured by planning condition. They should be carried out and submitted for approval prior to any works being carried out on site, including enabling works. This update should also be used to update the BIA calculation, if necessary.

Reptile Report

The reptile surveys were carried out between August and September 2016 and are therefore out-of-date. Only two reptile records were returned from a BMERC data search and habitats suitable for reptiles were limited in extent. The site is isolated from surrounding habitats by the main road network and therefore recruitment of reptiles to the site is unlikely. No reptiles were recorded during the surveys. Therefore, further reptile surveys are not required, because of the low likelihood of reptiles being present.

Great Crested Newt Report

The HSI assessment of relevant waterbodies was carried out in April 2016 (although the Ecology Report states that the assessment was carried out between March and May 2014). This initial survey identified 11 water bodies on site, these have since been removed as part of ongoing management of the site. Aquatic surveys were carried out in 2016 of the on-site waterbodies, no GCN were recorded. The surveys are no out-of-date, but given the removal of the waterbodies on site and the availability of the GCN district licence as an option for the applicant, no further surveys are required at this stage.

Bat Report

The habitat assessment was carried out in April 2016 and as such is out-of-date. The assessment was repeated in May 2018, which is still potentially beyond too old. The ground assessments of the trees were not carried out in accordance with Collins, 2016, instead relying on BS 8596:2015 Surveying for Bats in Trees & Woodlands. The habitats on site are largely unsuitable for roosting bats, and opportunities for foraging and commuting bats are also limited.

There are no trees on site with the potential roost features (although no detailed information on the trees has been included in the report) and activity across the site, as recorded during activity transects and static detector surveys, is relatively low.

A sensitive lighting scheme should be secured by condition to protect foraging and commuting bats and other wildlife that may be using the habitats surrounding the site. The applicant should submit a lighting plan, including the types of lighting that will be used, their location and a lux contour map, showing light spill.

Breeding Bird Report

The breeding bird survey was carried out between May and June 2016, and is such is out-of-date. However, breeding birds can be protected by the implementation of a suitably worded planning condition and no further surveys are required.

Biodiversity Net Gain

The Biodiversity Impact Assessment calculation is based upon out-of-date surveys; therefore the calculation should be updated to reflect updated Phase 1 surveys.

The applicant has not submitted a Biodiversity Enhancement Scheme; this is required to demonstrate that a net gain in biodiversity will be achieved, following the mitigation hierarchy. The Biodiversity Net Gain Assessment submitted is not based on finalised proposals for the creation and management of enhancements on site. The assessment references a "Concept Landscape Masterplan (ref: 7938-L-01)", but this has not been submitted. I advise that a detailed strategy including the measures that will be implemented on site and where and how they will be maintained for the lifetime of the proposals. This should be informed by the updated phase 1 survey and be secured by planning condition. The BES should be submitted prior to the commencement of any works on site, including enabling works.

A1.15 MKC Countryside Officer (Great Crested Newts)

This correspondence is not an objection to your planning application or a pre-determination stipulation for ecological information/action. It is intended to provide information for consideration of your options regarding Great Crested Newts (GCN) and your development, as well as schemes that are available that may be beneficial to the development.

The proposals involve works that cause damage/loss of terrestrial habitats where GCN may be present and potential harm to individual GCN. There is a potential of GCN being present and therefore affected by the proposed development. GCN and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017. Please see the present information below regarding GCN in relation to the development proposals:

- The proposed development site is classified as an Amber impact area for GCN under district licence mapping tools. This indicates that the development has suitable habitat for newts on site;
- There are 3 ponds within 500m of the site boundary;
- The submitted ecological report (FPCR, 2018) indicates that the site has terrestrial limited terrestrial opportunity for GCN, but does not have in date surveys of nearby waterbodies.
- Connectivity of suitable habitat between off site ponds may provide dispersal of GCN from the surrounding area and the development site.

You may wish to consider the following:

1. Either the presence or likely absence of GCN could be established by way of a survey (and potential population assessments) undertaken by a suitably qualified ecologist and in accordance with the Great Crested Newt Conservation Handbook (Froglife, 2001). If GCN are identified on or around the development site an EPS site-based mitigation licence may be required; or
2. The District Licence scheme (administered by the Nature Space Partnership) could be applied for. Under Milton Keynes Council's district licence, development works that may cause impacts upon GCN can be authorised as part of the planning process.

A1.16 MKC Archaeology

This site has been previously subject to archaeological evaluation and mitigation. As such it is no longer of archaeological interest.

A1.17 MKC Conservation Officer

No comments received.

A1.18 MKC Transport – Smarter Choices (Travel Planning)

No objection

- A framework travel plan has been received as part of the application, as the proposed is a large scale development for two units, the received framework travel plan contains site-wide overarching objectives and targets.
 - Once occupied a full travel plan should be delivered and secured through planning obligation.
 - The FTP outlines details of appointing a Travel Plan Coordinator and Travel Plan Managers
 - The framework travel plan outlines achieving a target of a reduction in 10% single occupancy vehicle use, through delivering a package of measures and initiatives to support uptake of active and sustainable modes of transport, also a target of 100% awareness of the travel plan amongst all staff.
 - The FTP commits to submitting an annual monitoring report through STARS for Business, with a plan of remedial actions should the travel plan not be on course to meet its targets.

A full travel plan should be secured through planning obligation to ensure its delivery.

A1.19 Highways England

Referring to the planning application referenced above, dated 20 March 2020, application for the erection of two storage and distribution units (use class B8), with associated access, car parking, servicing, landscaping, earthworks, on and off-site drainage and off-site highway works; at land Caldecote Farm, east of the M1 Motorway adjacent to Willen Road; notice is hereby given that Highways England's formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Annex A Highways England recommended Planning Conditions

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to 19/02402/FUL and has been prepared by Shamsul Hoque.

This proposed development site is strategically located approximately 2.5km northwest of the M1 Junction 14. This application site falls within land of the MK East allocation area (Policy SD12). It is noted that this is a new planning application which is similar to an earlier planning application (ref. no. 18/01719/FUL) where we (Highways England) have previously consulted in September 2018. The major change between these two proposed development applications as we noticed is that the change in the Use Class.

With this current application, following our previous recommendation (dated 31 March 2020), the submitted transport evidences suggest, there would be more number of trips routed via M1 junction 14; however, total development trips generated from this current development proposal would be less except a small increase in HGV trips.

That means those total forecasted trips which would be routed via M1 junction 14, may be generated from other wider committed developments in Milton Keynes East.

On our behalf, AECOM have completed the technical review of the Transport Assessment and Travel Plan has submitted the Technical Note (TN) 03, dated 7 May 2020. Highways England agrees on the content of this Technical Note 03 and from the proposed development does not appear to have a significant traffic impact on the M1 junction 14.

Assessment of the proposed Travel Plan showed that there are limited sustainable transport modes in the location currently. Highways England are therefore requesting that the Council imposes the following planning condition on any grant of planning permission.

Now, we are confirming that there would not have any severe transport impact on M1 Junction 14 from this proposed development, which is also supported by the Technical Report 03 (dated 7 May 2020) prepared by AECOM, on our behalf.

Planning Condition The following Framework Travel Plan condition should be included in any grant of planning permission.

A Framework Travel Plan shall be approved in writing by the Local Planning Authority in conjunction with the Highways England. The Travel Plan shall include the following: The identification of targets for trip reduction and modal shift; The

methods to be employed to meet these targets; The mechanisms for monitoring and review; The mechanisms for reporting; The penalties to be applied in the event that targets are not met; The mechanisms for mitigation; Implementation of the travel plan to be agreed timescale or timescale and its operation thereafter; Mechanisms to secure variations to the travel plan following monitoring and reviews.

The completed development shall be occupied in accordance with the approved travel plan which shall be retained in place thereafter unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highways England. Before the development is brought into use the Framework Travel Plan is to be reviewed by the planning authority in consultation with the Highways England to take on board conditions prevailing at the time and adjustments made to accommodate them.

REASON: To ensure the M1 motorway continues to serve its purpose as part of a national system of routes for through traffic, to satisfy the reasonable requirements of road safety on the M1 motorway and connecting roads in accordance with section 10 of the Highways Act 1980.

A1.20 Anglian Water

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Cotton Valley Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Foul drainage plan, ref Drawing 38748/100/010 The sewerage system at present has

available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (3) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (4) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

A1.21 Internal Drainage Board

The Board notes that the intended method of storm water discharge is via a balancing facility and then to a watercourse within the Board's district. This discharge will require the Board's consent.

Consent for the Board is separate from and additional to any planning permission that may be granted.

Also as the means of storm water disposal is to be via a balancing facility it is essential that this be completed prior to the construction of any impervious areas within the site.

Any planning consent given should be conditional on the means of surface water disposal being agreed prior to the commencement of the main works.

A1.22 Neighbour/ Third Party Representations

Comments have been received from 9 addresses. The material planning considerations are summarised below:

- considers application is premature, and a coordinated infrastructure plan should be in place;
- infrastructure funding (HIF bid) not secured, and will prejudice outcomes of the MKE SPD and Policy SD12;
- conflict with the requirements of Plan:MK policies and the MKE SPD
- concern that traffic increases will have a detrimental effect on surrounding area and highway network;
- concern that proposal will increase risk of flooding;
- consider an at grade pedestrian/toucan crossing to be inappropriate for dual carriageway (A422);
- concern that signal controlling Marsh End roundabout will exacerbate traffic issues;
- concern that residents of Glen Fields (and others beyond) will only be able to turn left out onto Willen Road;
- no consideration of the vehicles using the quarry only being able to turn left onto Willen Road;
- concern that pedestrian access is being proposed on what is to become a grid road, and there should be pedestrian/cyclist segregation from vehicular traffic;
- concern that the proposed redway does not link with further pedestrian/cycle links;
- considers there to be a missed opportunity to provide a redway bridge over the M1 in this location to link Milton Keynes and Newport Pagnell;
- considers that Willen Road should be a dual carriageway extended over the M1
- concern that the drainage pond on east of Willen Road will prejudice the delivery of a bridge or underpass crossing;
- concern that insufficient detail of the landscaping has been provided to assess the visual impact;
- concern that the landscaping is insufficient along Willen Road;
- concern that the landownership of the site has not been declared, the landowner of the application site, also owning the land east of Willen Road;
- concern that the sustainability of the site is insufficient, being only very good under the 2014 regulations;
- concern that no public consultation has been carried out by the applicant;
- concern regarding noise impacts from 24 hour operation of site;

- concern regarding traffic noise and noise at new junctions;
- concern regarding the height of the building and visual intrusion on the landscape;
and
- concern regarding impacts of construction of site and highway works, including traffic and noise.