

Mr Jon Palmer, MRTPI
Head of Planning
Milton Keynes Council
Civic Offices
1 Saxon Gate East
Milton Keynes
MK9 3EJ

16th December 2019

Dear Mr Palmer,

Application 19/01818/OUT

Land at South Caldecotte

Adopted Plan:MK (Milton Keynes Local Plan) Site Allocation SD14

Further to our meeting with Planning Officers and the Strategic Transport Team on 10th December, I write to you to follow up from the meeting and set out the actions that were agreed.

Officers set out that MKC Highways would be commissioning a 'Strategic Highway Review' study, which among other issues would investigate the feasibility of a bridge over the Bow Brickhill Level Crossing.

In light of this, we really must ask why MKC is proceeding with the sale of the Red Bull land in light of the 'Strategic Highway Review'. MKC clearly needs to take a strategic and holistic view on this matter and we would question the wisdom of proceeding with the sale in this context where part of this land could be used to provide part of a bridge. I trust that you will be sharing our concerns with relevant colleagues who are dealing with the sale.

We strongly disagree with the Council's suggestion that the Strategic Highway Review needs to be completed before the South Caldecotte planning application can be determined which we believe to be unreasonable.

In the meeting we discussed the context of the study in terms of planning policy. You sought to rely on policy SD9 '*General Principles for Strategic Urban Extensions*' to support the requirement for the study. However, you acknowledge that the study in planning terms is not a material consideration and cannot be taken into account at this stage. It therefore does not support a potential requirement for South Caldecotte to provide a bridge over the level crossing and we strongly disagree with your assertion that policy SD9 provides support for a new bridge over the level crossing as part of the development. Such a requirement would clearly need to be specified within the policy that allocates that site, i.e. SD14. Evidently, it is not.

The Council has adopted its own development plan which sets out how strategic developments should be delivered. This allocated the South Caldecotte site within policy SD14, without the need for any bridge as part of the development.

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The Inspector examining the allocation stated that *'Taking account of the impact of queue lengths approaching the level crossing and mini-roundabout junction with Station Road, Bow Brickhill would be likely to increase but are unlikely to have a severe impact on highway safety.'* Conversely, the requirement for graded crossings of the railway is mentioned in policy SD11, and this scheme is unquestionably capable of delivering such a crossing.

Furthermore, as it was at the time of the examination and adoption of Plan: MK; it is unclear when details of changes to the east-west rail route will be available. At the meeting it transpired that officers had not consulted the East-West Rail Consortium, and that no response has been received from Network Rail. Given that the application was validated on 17 July 2019 this is both surprising and disappointing. We have subsequently asked your officers to provide a full schedule of consultation letters sent and responses, so that we can have some confidence that your officers are able to process our application in a competent and professional manner.

Noting the lack of support for the South Caldecotte to provide a bridge in planning policy terms, you appeared to acknowledge that the reasons the Council is seeking a study before determining the planning application are wholly political and have no planning policy basis. However, it is for officers to guide their Members on what requirements are reasonable. You suggested that you would expect to have the findings of the Bridge Study in the first quarter of 2020. We share the Strategic Transport Team's scepticism that the necessary information will be available by this time given that East-West rail has already been subject to considerable delay. Transport Officers confirmed that it should not be viewed as a requirement for a decision to be made on the planning application. I agree and to do so, I suggest, would be unreasonable.

We therefore maintain that a bridge over the level crossing is not necessary to deliver the allocation at South Caldecotte. However in our continued willingness to work with you and to progress matters as a stakeholder, we have subsequently presented you with a potential 'on-line' solution that can be accommodated within the existing highway and Grid Road Reserve independent of the South Caldecotte development itself. In addition, we have agreed to meet with your officers on 14 January 2019 to share survey information with you to advance such a solution.

In respect of the other actions discussed at the meeting:

- Our Transport Consultants, BWB, are working on our behalf to resolve Highways England's holding objection to the scheme and we anticipate that this will be resolved shortly.
- With regard to planning application timescales, we have sought legal advice on the matter and are advised that the 16 week timescales begin from the date of the Secretary of State's Screening Opinion.
- As we raised in the meeting once again we are yet to receive Ecology, Landscape, and further Archaeology comments following the submission of the Environmental Statement so that we have the opportunity to respond substantively - in the meeting you agreed to provide these as a matter of urgency.

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- A written response is required from Strategic Transport colleagues, as well as comments on the issue of public transport.

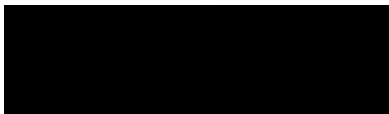
Finally, we would re-iterate that it is within the Council's "control" to support a planning application on a site it has allocated as the principle employment site in its own development plan and that has been acknowledged as deliverable within the early stages of the plan. The economic benefits that would be associated with the development would be considerable as acknowledged within the development plan and demonstrated within the Planning Statement accompanying the planning application.

There is no good reason to delay this planning application and we remain extremely frustrated regarding the Council's insistence that we meet its arbitrary timescales that have no reasonable basis. If as officers you are unwilling to be more proactive and flexible in your approach to this planning application then we will realistically have no option but to seek determination by way of an appeal to the Secretary of State. We still hope that this will not be necessary and trust that you will give the matter further consideration ahead of our meeting on 9th January 2020; so that we can be confident that officers are committed to supporting this major investment project for Milton Keynes.

I look forward to hearing from you.

Kind regards.

Yours sincerely



Ian W. Jackson BSc MRICS
Director