



OPENED/SCANNED  
12/06/20

3 June 2020

The Planning Inspectorate  
3/15 Eagle Wing, Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Sirs

**APPEAL BY HB (South Caldecotte) Limited**  
**AT Land At Brickhill Street, South Caldecotte, Milton Keynes, MK17 9FE,**  
**APP/Y0435/W/20/3251121**

I write to comment on the above appeal and give some of the background to the history of the allocation of the site and reasons why the whole proposal is so problematic.

**Allocation of South Caldecotte for employment**

The allocation of this site for employment is clouded in mystery and is itself questionable because the designation of the site for development presents potentially insurmountable problems.

Plan:MK Policy SD14 requires upgrading of Brickhill Street to grid road standard and an open green space link to Caldecotte. Neither of these are possible without a large amount of engineering works carried out by third parties. A bridge will be required to carry Brickhill Street over the railway line if it is to meet the grid road standard and another bridge to carry the railway over the new "green open space link" which currently this does not exist. In order to upgrade Brickhill Street along its entire length, it will be necessary for Anglian Water to re-route its pipeline connections which are on both sides of Brickhill Street.

Meetings at Milton Keynes Council which made the allocation rather late in the day, were held behind closed doors with an unspecified group of people without any record being kept.

Concurrent with this, Bow Brickhill Parish Council was drawing up its Neighbourhood Plan with assistance from Milton Keynes Council planners. The community consultation stage has been concluded and the Parish Council was about to appoint an inspector to examine the plan.

Despite this, the Milton Keynes Council did not inform the Bow Brickhill Neighbourhood Plan Working Group about the allocation of South Caldecotte though the site fell within that plan area. When the Working Group discovered the truth, work on Bow Brickhill's Neighbourhood Plan was suspended indefinitely.

### **The Draft Development Framework**

The first draft development framework for South Caldecotte was so poor that the Council member responsible agreed to a two-stage process. When the second draft appeared, inexplicably it had gained what would be – were it ever to be constructed - a potential humpback bridge over the railway (fig. 1.3). Local residents regarded this proposal with incredulity.

A Freedom of Information Request was made for the calculations proving feasibility of the bridge. They could not be supplied because contrary to the words within the draft development framework document, no feasibility exercise had in fact taken place.

The planners then changed the wording of the document to remove the untrue statement but not the incredible bridge. The change affected the entire document, because if the humpback bridge cannot be built, then an alternative solution must be provided.

In June 2015 Milton Keynes Council had asked Network Rail about the amount of land on the South Caldecotte site that would be required for a bridge over Brickhill Street. Relevant drawings were received, which showed a future bridge over the railway occupying a significant part of the South Caldecotte site. These bridge proposals were presented to the residents of Bow Brickhill at a public meeting. However, the bridge location as provide by Network Rail in 2015, was omitted from both Plan:MK and the South Caldecotte draft development framework.

The Bow Brickhill Parish Council's independent planning consultant, in his comments on the draft development framework, examined the proposed humpback bridge and confirmed it is not a feasible proposition.

At the Development Control Committee meeting of Milton Keynes Council which refused Hampton Brook's planning application, the chairman of the meeting referred to the draft development framework as a "discredited" document. Hence there is no credible development framework upon which to reply in considering the application.

### **Plan:MK**

The draft development framework for South Caldecotte is unapproved. It requires substantial amendment following its second consultation. Policy SD14 of Plan:MK, is precise in its wording with regard to the South Caldecotte site. It is the only approved planning document upon which reliance can be made in considering South Caldecotte. However, as outlined above, this itself poses several problems.

While the inspector of Plan:MK accepted the land use allocation, it is possible that this was influenced by evidence to the inspector when Hampton Brook's agent wrote: *"5.2 A Planning Performance Agreement has been signed between Hampton Brook and Milton Keynes Council. The current intention is to submit the planning application in September 2018 with a view to breaking ground in Spring 2019 if permission is granted."*

A Freedom of Information request has revealed that while both parties had "signed" the paperwork, the Planning Performance Agreement it was incomplete. It did not possess the required programme, and was never dated and "delivered".

Paragraph 2 of SD14 requires an upgrade of Brickhill Street to grid road standard. Without a bridge over the railway, that portion cannot be rendered to the specification of a grid road. Anglian Water infrastructure on both sides of Brickhill Street would make it very difficult to satisfy this clause. However the clause is an unequivocal condition of SD14 which the current planning application fails to address.

The application fails to meet the requirements of paragraph 3 of SD14. An up-to-date Transport Assessment will be required to ascertain just how "effective public connections to and from the site" can be provided. The application contains no indication of how an "effective public connection" will be made with the Redway system. It does not include any crossing to enable the Redway on the site to connect with the network on the opposite and east side of Brickhill Street, which is on the other side of the rail crossing and therefore fails to meet the requirements of paragraph 3 of SD14.

The single road access to serve all 57 hectares is totally inadequate but the appellant has fudged the issue in an attempt to avoid upgrading the total length of Brickhill Street alongside the development.

Paragraph 4 of SD14 requires a "green open space link, linking into Caldecotte Lake". The existing link is a pedestrian/cattle pass, 3 metres wide. It is not "green", it is certainly not "open space". The open space link should include access and connectivity to Caldecotte Lake. This clause of the policy is not satisfied by the application.

Paragraph 5 of SD14 regarding building heights demands that they should "avoid unacceptable impact on the wider landscape and heritage assets." The application proposes buildings whose height will block all views of the historic Greensand Ridge from the western footpath on the site and impair views from the A5 and the railway. It will be a blot on the landscape of the City of Trees from wide areas of the Greensand Ridge escarpment. It will cause "unacceptable impact".

Paragraph 6 of SD14 requires that the buildings should be sensitive to all views. "The susceptibility of the landscape resource to change of the type proposed is considered to be low." as claimed in the application is clearly untrue and a nonsense. The "leisure route" to the north and west of the site will afford no views whatsoever and no views of the Greensand Ridge will be possible from the north-west and south-west boundaries of the site.

I support the refusal for the reasons above and also for reason of loss of the non-designated heritage assets and the ecological assets as set out by Milton Keynes Council.

However I return to my initial point with regard to Plan:MK and SD14. Given a site of such unsuitability for the purpose designated, one must question whether mitigation would ever be possible such that it would lessen the impact of the development in regard to all the above issues. Where mitigation is impossible, then no planning conditions can rectify the situation.

## **The Expressway, East West Rail, South East Milton Keynes Urban Extension**

Highways England has paused work on the Oxford to Cambridge Expressway. Milton Keynes Council – which has signed a non-disclosure agreement with Highways England – has paused its work on planning South East Milton Keynes area in general, until such time as the route of the Expressway is known.

Calculations of traffic and transport issues are dependent upon both the Expressway and East West Rail (frequency of service and level crossing closures), as well as the South East Milton Keynes Urban Extension. This was clearly the case pre-Covid. In a post-Covid world, transport assessments will be problematic for many years. The application was premature when it was submitted; it is even more premature given the changing nature of the way we interact and travel.

I urge the inspector to refuse the appeal. Furthermore may I suggest to that Milton Keynes Council be advised to examine the land allocation as part of the Plan:MK review, with a recommendation that it explores alternatives uses for the site.

Yours faithfully

Sue Malleon