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Ref: GR/CB/BU496.5P
LPA Ref: 19/01818/OUT
Date: 17th April 2020

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
BS1 6PN

Dear Sir/Madam,

Re: Planning Appeal by HB (South Caldecotte) Ltd – Outline Planning Application for the development of the site for employment uses, comprising of warehousing and distribution (Class B8) floorspace (Including mezzanine floors) with ancillary B1a office space, general industrial (Class B2) floorspace (Including mezzanine floors) with ancillary B1a office space, a small standalone office (Class B1) and small café (Class A3) to serve the development; car and HGV parking areas, with earthworks, drainage and attenuation features and other associated infrastructure, a new primary access off Brickhill Street, alterations to Brickhill Street and provision of Grid Road reserve to Brickhill Street.

Further to our submission of a planning appeal, via the portal, on behalf of HB (South Caldecotte) Ltd (the Appellant), please find enclosed a list of all the plans and documents that were submitted to Milton Keynes Council (the LPA) for the original application and which have also been submitted via the Planning Portal.

The appeal is lodged against the LPA's refusal of an outline planning permission for development at South Caldecotte, Milton Keynes (LPA ref reference 19/01818/OUT). The application was submitted on 17th July 2019 and was validated on the same date. The site is allocated within Policy SD14 of Plan: MK which identifies the site as the principal employment allocation within the Plan.

The Appellant requests that the appeal is heard by way of Public Inquiry and the attached statement explains why this mechanism is the most appropriate having regard to the reasons for refusal.

The Appellant has provided a Statement of Case which outlines the nature of evidence that will be provided as part of the inquiry. A draft Statement of Common Ground has been produced for discussion with the LPA as well as a number of topic based draft Statements of Common Ground relating to matters of Archaeology, Ecology and Transport; with a Statement of Common Ground on the matter of the value of the development to the economy to follow. The Statement of Case will be supplemented by detailed Proofs of Evidence to be provided at a later and appropriate stage. A Core Documents List will be circulated shortly once agreement has been reached with the LPA.

The Appellant will provide a draft legal agreement for discussion with the Local Planning Authority and will use its best endeavours to agree satisfactory Planning Obligations to address matters identified by the LPA. In the event that no agreement can be reached it will submit a Unilateral Undertaking to the Inquiry.

Grounds of Appeal

The application was refused on 26th February 2020 and the Council issued three reasons for refusal.

- 1. The proposal, by reason of the total loss of non-designated heritage assets of archaeological interest, failure to ensure that consideration is given to the historic environment in informing the site layout and the quantum of development and failure to demonstrate that the benefits of the development clearly outweigh the harm, taking into account the assets significance and importance, would be unacceptable contrary to NPPF policy 197 and Plan:MK policies HE1 (F), SD1 (A19) and SD14 (C9).*
- 2. The proposal, by reason of the loss of a significant extent of Priority Habitats and other ecological assets, and a failure to demonstrate an acceptable mitigation of biodiversity impacts on site, would result in an unacceptable impact on biodiversity assets within the application site, contrary to NPPF policies 170 (d), 174 (b) and 175 and Plan: MK policies, NE2 and NE3 and Planning Practice Guidance/ Natural Environment Guidance Paragraph: 024.*
- 3. The proposal, by reason of failure to demonstrate provision of necessary infrastructure to mitigate the impact of the development, in particular in relation to transport, would have a harmful impact on the transport network, in terms of road, cycle and public transport provision, and would therefore fail to mitigate the impact of development, contrary to Plan: MK policies INF1, CT1 CT2, CT3, CT5 and SD14 (C.3) of Plan: MK.*

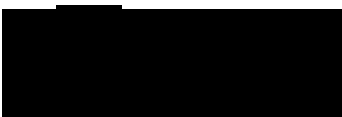
Environmental Statement

The planning application subject to this appeal was subject to a screening direction by the Secretary of State, which determined that the impacts of the scheme in respect of Archaeology and the Cumulative Impacts of the scheme. We would invite the Planning Inspectorate to consider the scope and content of the Environmental Statement and confirm that it complies with the Environmental Impact Assessment Regulations 2017. In the event that the Secretary of State determines that further information is required to be contained within the Environmental Statement , the Appellant requests that the Secretary of State exercises its powers pursuant to regulation 25 of the EIA Regs and notifies the Appellant that such further information is required as soon as is possible

Summary

The Appellant looks forward to receiving notification that the appeal has been received, validated and will be processed by way of a Public Inquiry. However, if for any reason there are any questions or delay, please do not hesitate to contact me.

Yours faithfully,



Neil Osborn BA(Hons) MRTPI
Senior Professional Director



Encl:

Appendix A - List of documents submitted with the application

Appendix A - List of Planning Application Documents

A	Planning Application Documents
Reference	Document
A.1	Application Forms and Certificates
A.2	Covering Letter
A.3	Site Location Plan
A.4	Concept Plan
A.5	Constraints Plan
A.6	Development Framework Plan
A.7	Indicative Masterplan
A.8	Parameters Plan
A.9	Land Use Areas Plan
A.10	Topographic Survey
A.11	Cut and Fill Isopachytes
A.12	Constraints Overlay Plan
A.13	Planning Statement
A.14	Design and Access Statement
A.15	Landscape and Visual Impact Assessment
A.16	Arboricultural Impact Assessment
A.17	Tree Constraints Plan
A.18	Tree Survey
A.19	Tree Protection Plan
A.20	Flood Risk Assessment
A.21	Sustainable Drainage Statement
A.22	Noise Assessment
A.23	Air Quality Assessment
A.24	Lighting Assessment
A.25	Transport Assessment
A.26	Framework Travel Plan
A.27	Proposed Access Roundabout
A.28	Proposed Visibility Improvements to Brickhill Street
A.29	Phase 1 Geo-Environmental Assessment
A.30	Energy and Sustainability Statement
A.31	Statement of Community Involvement
A.32	Archaeological Desk Based Assessment
A.33	Archaeological Geophysical Survey
A.34	Written scheme of Investigation for Archaeological Trial Trench Evaluation
A.35	Archaeological Trial Trench Evaluation Issue 3
A.36	Written Scheme of Investigation for Earthwork Recording and Archaeological Evaluation
A.37	Ecological Appraisal
	Post Submission
A.38	Supplementary Heritage Assessment Submitted 24/09/19
A.39	Biodiversity Impact Assessment Submitted 03/02/20
A.40	Archaeological Trial Trench Evaluation Issue 5