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Delivered by Email

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Our ref: BTPL2010/SH
Your ref: 12/01724/FULEIS, 12/01725/LBC &
12/01731/FUL
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Dear Andrew

**THECENTRE:MK, SHOPPING BUILDING
PLANNING AND LISTED BUILDING CONSENT APPLICATIONS WITH REFERENCES:
12/01724/FULEIS, 12/01725/LBC & 12/01731/FUL**

We write in respect of the aforementioned planning and listed building applications that are to be reported to the Council's Special Meeting of the Development Control Committee on 21st February 2013 at 1900. We request that this letter is circulated to the Chair and Members of the Development Control Committee in advance of the meeting.

We have reviewed the relevant Committee Reports and the Officer recommendations, and given the issues highlighted regarding the acceptability of the replacement market, we hereby advise that the application pertaining the replacement of the market (Ref: 12/01731/FUL) has been withdrawn. The application has been withdrawn to reassess the proposals in light of the issues raised in the Committee Report.

Although we note the Officer recommendations relating to the two applications at Secklow Gate (Ref: 12/01724/FULEIS & 12/01725/LBC) we consider that they can be considered in the absence of the replacement market proposals. Legal advice received from Hogan Lovells confirms our previous request, that the Council can consider the Secklow Gate applications with a mechanism to safeguard the position of the replacement market. In this instance, a suitable mechanism could be secured through a Section 106 Agreement requiring a replacement market site, including a covenant requiring that the Secklow Gate proposals cannot be implemented until planning permission for a replacement market has been secured.

On the above basis, we would respectfully request that the merits of the proposals at Secklow Gate (Ref: 12/01724/FULEIS & 12/01725/LBC) are considered on a without prejudice basis and subject to a Section 106 obligation requiring a replacement market at the aforementioned Special Committee.

If you have any queries please do not hesitate to contact me at this office.

Yours sincerely



Sid Hadjioannou
Associate Director

CC: B White Esq,
D Imbimbo Esq.
N Fenwick Esq.

Chair of the Development Control Committee
Committee Manager
Assistant Director of Planning