

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/F2415/W/22/3300227

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr Billahl Mehter
Company/Group Name	Ministry of Justice
Address	C/O Cushman and Wakefield Saint Pauls House, 23, Park Square South Leeds Yorkshire LS1 2ND
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Miss Katharine Morgan
Company/Group Name	Cushman and Wakefield
Address	Cushman & Wakefield Debenham Tie Leung Ltd, St. Pauls House 23 Park Square South LEEDS LS1 2ND
Phone number	01132337469
Email	katharine.morgan@cushwake.com
Preferred contact method	Email <input type="checkbox"/> Post <input checked="" type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Harborough District Council
LPA reference number	21/01600/OUT

Date of the application	20/09/2021
Did the LPA validate and register your application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Did the LPA issue a decision?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of LPA's decision	07/04/2022

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address	Land to the South of HMP Gartree, Welland Avenue Market Harborough Grid Ref Easting: 470602 Grid Ref Northing: 289143
Is the appeal site within a Green Belt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please enter details of the proposed development. This should normally be taken from the planning application form.	
Outline planning application (All Matters Reserved except for means of access and scale) for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence, together with access, parking, landscaping and associated engineering works, Land Adj HM Prison, Welland Avenue, Gartree.	
Area (in hectares) of the whole appeal site [e.g. 1234.56]	28.90 hectare(s)
Area of floor space of proposed development (in square metres)	82555 sq metre(s)
Does the proposal include demolition of non-listed buildings within a conservation area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.	<input checked="" type="checkbox"/>
2. Refused permission to vary or remove a condition(s).	<input type="checkbox"/>
3. Refused prior approval of permitted development rights.	<input type="checkbox"/>
4. Granted planning permission for the development subject to conditions to which you object.	<input type="checkbox"/>
5. Refused approval of the matters reserved under an outline planning permission.	<input type="checkbox"/>
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.	<input type="checkbox"/>

7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above). ☐
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐
2. Hearing ☐
3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ [see 'Appeal Documents' section](#)

(a) How many witnesses do you intend to call?

3

(b) How long do they need to give their evidence?

1.5 days

(c) How long do you estimate the inquiry will last?

4.5 day(s)

H. FULL STATEMENT OF CASE

☒ [see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case?

Yes

☐ No

☒

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available)

Yes

☒ No

☐

☒ [see 'Appeal Documents' section](#)

(b) Have you made a costs application with this appeal?

Yes

☐ No

☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

☒

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

☐

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

- (a) None of the land to which the appeal relates is, or is part of, an agricultural holding. ☒
- (b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant. ☐
- (b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below. ☐

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☒
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form). ☐
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☒
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☒
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☒
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision. ☒
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☒
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☒
07. A copy of the design and access statement sent to the LPA (if required). ☒
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☒
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☐
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application; ☐
- (b) all plans sent at outline application stage; ☐

(c) the original outline planning permission. ☐

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☒

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature Miss Katharine Morgan

Date 31/05/2022 16:35:40

Name Miss Katharine Morgan

On behalf of Mr Billah Mehter

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why an inquiry is necessary.
File name:	Gartree 2 - Inquiry reasoning.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Gartree2 SoC v3 31.5.22 Final.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A planning obligation (a section 106 agreement or a unilateral undertaking).
File name:	Draft S106 Gartree2 30.5.22.docx
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	Application Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	Gartree2 Decision Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	1. Site Location Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	1. Gartree 2 Planning Statement 10.9.21.pdf
File name:	2. Air Quality Assessment.pdf
File name:	3. Arboricultural Impact Assessment.pdf
File name:	4. Archaeology Desk Based Assessment.pdf
File name:	5. Archaeological Watching Brief.pdf
File name:	7. Geoenviromental Appraisal part 1 of 12.pdf
File name:	7. Geoenviromental Appraisal part 3 of 12.pdf
File name:	7. Geoenviromental Appraisal part 6 of 12.pdf
File name:	7. Geoenviromental Appraisal part 5 of 12.pdf
File name:	7. Geoenviromental Appraisal part 7 of 12.pdf
File name:	7. Geoenviromental Appraisal part 2 of 12.pdf
File name:	7. Geoenviromental Appraisal part 4 of 12.pdf

File name:	7. Geoenviromental Appraisal part 9 of 12.pdf
File name:	7. Geoenviromental Appraisal part 8 of 12.pdf
File name:	7. Geoenviromental Appraisal part 11 of 12.pdf
File name:	7. Geoenviromental Appraisal part 12 of 12.pdf
File name:	7. Geoenviromental Appraisal part 10 of 12.pdf
File name:	8. Landscape Visual Impact Assessment Part 1 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 2 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 3 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 4 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 5 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 6 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 7 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 8 of 9.pdf
File name:	8. Landscape Visual Impact Assessment Part 9 of 9.pdf
File name:	9. Transport Assessment part 4 of 4.pdf
File name:	9. Transport Assessment part 3 of 4.pdf
File name:	9. Transport Assessment part 1 of 4.pdf
File name:	9. Transport Assessment part 2 of 4.pdf
File name:	10. Travel Plan.pdf
File name:	11. Socio Economic Statement.pdf
File name:	12. BREEAM Pre-Assessment Report - August 2021.pdf
File name:	13. Energy and Sustainability Statement.pdf
File name:	14. Ecological Impact Assessment.pdf
File name:	15. Phase 1 Habitat Survey.pdf
File name:	16. Badger Survey-compressed.pdf
File name:	17. Non Invasive Species Survey.pdf
File name:	18. Reptile survey.pdf
File name:	19. Badger Bait Marking Survey.pdf
File name:	20. Bat roost surveys.pdf
File name:	21. barn owl survey.pdf
File name:	22. Biodiversity Net Gain Calculation.pdf
File name:	23. Habitat Classification Planting Palate.pdf
File name:	24. Flood Risk Assessment.pdf
File name:	25. Foul Water Drainage Strategy.pdf
File name:	26. Proposed SUDS Strategy Report.pdf
File name:	27. Proposed Surface Water Drainage Strategy Report.pdf
File name:	28. Heritage Statement.pdf
File name:	29. Geophysical Survey.docx
File name:	30. Noise Assessment.pdf
File name:	31. Gartree 2 Statement of Community Involvement 10.9.21.pdf
File name:	32. Draft Construction Traffic Management Plan.pdf
File name:	33. Waste Management Strategy - August 2021.pdf
File name:	34. Utility Report.pdf
File name:	35. Lighting Report.pdf
File name:	Gartree Covering Letter 10.9.21.pdf
File name:	Existing Block Plan.pdf
File name:	Proposed Block Plan.pdf
File name:	Block Plan Demolition.pdf
File name:	Landscape Masterplan.pdf
File name:	Existing Section.pdf
File name:	Proposed Section.pdf
File name:	3D Gartree Village Visual.pdf
File name:	3D Aerial View.pdf
File name:	3D Aerial View of Entrance.pdf
File name:	3D ERH Pedestrian Approach.pdf
File name:	Surface Water Drainage Strategy Plan.pdf
File name:	Proposed Foul Water Drainage Strategy Plan.pdf
File name:	Swept Path Analysis Small Skip Lorry.pdf

File name:	Swept Path Analysis Refuse Vehicle.pdf
File name:	Swept Path Analysis Fire Tender.pdf
File name:	Swept Path Analysis Bus.pdf
File name:	Swept Path Analysis Light Goods Vehicle.pdf
File name:	Swept Path Analysis Standard Vehicle.pdf
File name:	Swept Path Analysis Articulated Heavy Goods Vehicle.pdf
File name:	Swept Path Analysis Electric Tug.pdf
File name:	Badger Relocation Strategy Plan.pdf
File name:	External Lighting Plan Sheet 1.pdf
File name:	External Lighting Plan Sheet 2.pdf
File name:	External Lighting Plan Sheet 3.pdf
File name:	Biodiversity Net Gain Area Calculation Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	Gartree 2 - 05b List of submitted plans and documents.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	Gartree 2 - 05c List of plans and documents for decision.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	1. Unexploded Ordnance Report.pdf
File name:	3. Gartree2 Biodiversity Net Gain Report.pdf
File name:	4. Gartree2 Great Crested Newt Report.pdf
File name:	2. Gartree2 Bat Activity Report.pdf
File name:	9. Parish Councils letter response 29.3.22.pdf
File name:	12. Lubenham Parish Council Response 21.12.21.pdf
File name:	13. Foxton Parish Council Response 21.12.2021.pdf
File name:	15. Market Harborough Civic Society 7.3.22.pdf
File name:	10. Atkins Response to E&E Response 29.3.22.pdf
File name:	14. East Farndon Parish Council response 7.3.22.pdf
File name:	11. Lead Local Flood Risk Authority Response 25.1.22.pdf
File name:	5. Agricultural Land Classification Report.pdf
File name:	6. Archaeology Summary Report.pdf
File name:	8. Atkins Response to Systra Report.pdf
File name:	7. Archaeology Report Jan 2022.pdf
File name:	16. Councillor Bremner response 21.12.21.pdf
File name:	18. Gumley Parish Council Response 21.12.21.pdf
File name:	17. Response to Anglian Water 29.10.21.pdf
File name:	19. Neighbourhood and Green Space 29.10.21.pdf
File name:	Great Crested Newt District Level Licence part 1 of 3.pdf
File name:	Great Crested Newt District Level Licence part 3 of 3.pdf
File name:	Great Crested Newt District Level Licence part 2 of 3.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	Gartree 2 - 06b List of Plans and Documents which did not form part of the planning application.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	6. Design and Access Statement.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 08. A copy of a draft statement of common ground.
File name: Gartree2 draft SofCG v3 26.5.22.docx

Completed by MISS KATHARINE MORGAN

Date 31/05/2022 16:35:40