



Minutes of the SPECIAL meeting of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 21 FEBRUARY 2013 at 7.00 pm.

Present: Councillor White (Chair)
Councillors: Eastman, Exon, Ferrans, Hawthorn, Hopkins, Kennedy, Legg, McLean and Middleton.

Officers: N Fenwick (Assistant Director [Planning, Economy and Development]), A Horner (Head of Development Management), J Fox (Development Management Team Leader Strategic Applications), P Gosal (Corporate Head of Economic Development & Inward Investment), D Hill (Chief Executive), A Holloway (Senior Planning Officer), B Matthews (Head of Transportation Services) J Pryor (Assistant Directory Highways and Transport), E Rinomhota (Senior Economic Research Officer), N Sainsbury (Head of Urban Design and Landscape Architecture), A Swannell (Senior Engineer), M Kelly (Principal Solicitor), and D Imbimbo (Committee Manager).

Number of Public Present: 90

Also Present Councillors Bald, Bint, Geary A, and Miles.

DCC97 CHAIRMANS WELCOME

The Chair welcomed Members, Officers and public and explained the procedures to be adopted.

DCC98 SUSPENSION OF DEVELOPMENT CONTROL COMMITTEE PROCEDURE RULES AND ALTERNATIVE ARRANGEMENTS.

The Chair proposed an amendment to the published motion to take account of the withdrawal of applications that were to be considered by the Committee, the amended motion was seconded by Councillor McLean.

RESOLVED: -

That due, to the high level of public interest in the applications to be considered by the Committee, and to allow more Members of the Public to speak in respect of these applications, Annex A to the Access to Information Rules 'Procedure for the determination of Planning Applications – Public Participation' be suspended for the duration of the meeting and the following rules applied in its stead;

- A. There be a period of up to 30 minutes allocated to persons wishing to speak in objection to the application relating to Midsummer place, with speakers being allocated up to 3 minute 'slots' on a first come first served basis.
- B. There be a total period of up to 9 minutes allocated to Members of the Council other than Members of the Committee to speak either in objection or support of all applications relating to Midsummer place, with any one Member being allowed up to 3 minute to speak.
- C. There be a total period of up to 30 minutes allocated to the Applicants or their agents in which to respond to any speakers objecting to the applications relating to Midsummer Place, this to be equally divided between applicants.
- D. The Planning Officer to be allocated a period of up to 10 minutes to address any points raised by objectors or applicants (and agents).
- E. Debate on the applications relating to Midsummer Place to be a maximum of 30 minutes, with any one Member of the Committee being able to speak for up to a maximum of 3 minutes

DCC99

REPRESENTATIONS ON PLANNING APPLICATIONS

Mr A Thomas, Mr A Francis, Dr R Kurth, Mrs L Inoki, Mr A Morrow, Mr T Chalmers, Mr D Lock, Mr S Turner, Mr T Skelton and Councillor J Bint spoke in objection to applications:

12/02080/FUL Extension and alterations to Midsummer Place Shopping Centre to create 2 new retail units, new square, erection of advertising signage and associated works at Land At Midsummer Place Shopping Centre, Midsummer Place, Central Milton Keynes;

12/02081/ADV Advert consent to display 4 x fascia signs on new building fronting Saxon Gate at Land At Midsummer Place Shopping Centre, Midsummer Place, Central Milton Keynes, and;

12/02082/FUL Removal of 3 x temporary kiosks and erection of restaurant units; provision of external seating and associated works at Midsummer Place Shopping Centre

Ms. H Snooks (Applicant), Mr I Dix (Applicants Transport Consultant) and Mrs J Dennis-Jones_ (Applicants Agent) exercised the right of reply.

PLANNING APPLICATIONS

The Committee heard that applications 12/01724/FULEIS, 12/01725/LBC and 12/01731/FUL had been withdrawn by the applicants and therefore there would be no consideration of Applications 01, 02 and 03 on the Agenda.

The Committee heard that applications 12/02080/FUL, 12/02081/ADV and 12/02082/FUL were all in respect of one proposed development. Members of the Public, Members, Applicants and their agents were invited to address the Committee in generic terms in respect of all three applications. The Committee would then make decisions on the individual applications on conclusion of the debate.

The Committee heard objections on the following grounds;

The proposals included elements that were contrary to the National Planning Policy Framework, Local Plan, Core Strategy and Supplementary Planning Documents

In particular objectors quoted;

Local Plan

- Policy CC7a – Key Transport Principles;
- Policy CC7b (CC10) - Planning Obligations Policies in CMK;
- Policy T1 – The Transport User Hierarchy;
- Policy T2 – Access for those with Impaired Mobility;
- Policy T3 and T4 – Pedestrians and Cyclists;
- Policy S5 - Central Milton Keynes, and;

Core Strategy

- Policy CS11 – A Well Connected Milton Keynes.

In addition Members heard representations to the effect that;

- The design was poor and not innovative and that it failed to recognise the unique designs expected of developments within Milton Keynes town centre;
- The proposals failed to safeguard a 20 metre strip of land

protected in a section 106 agreement for the provision of a future Public Transport System (PTS). Developing this area would also interfere with direct routes for Pedestrians, cyclists and buses protected by a walkway agreement made under the Highways Act;

- The fact that Milton Keynes was dropping down league tables in terms of shopping centre economic viability should not be reason to approve a scheme solely based on economic drivers, and;
- A neighbourhood business plan was being developed for the town centre which would provide a guide for future development.

The applicants and agents responded to the objections made and told the Committee that there had been an extensive survey conducted to research access and transport issues, including the proposed PTS. The Committee heard that it was unsafe to accommodate a public transport route through a predominantly pedestrian area that attracted 193 thousand pedestrian movements per week.

The Committee also heard that the proposed development represented an investment of £140m in the Milton Keynes local economy and would offer employment opportunities of 220 positions in construction and retail.

The Developers expressed a view that to ensure the future sustainability of Central Milton Keynes there was a need for investment that these proposals offered.

The Committee heard that Milton Keynes presented an attractive location for investment at a time when research demonstrated that staff were transferring away to other shopping centres in the region.

The Officer responded to comments stating that matters raised had been addressed in the Committee reports and other subsequent documents published, and stated that her recommendation remained to grant all applications subject to the conditions as amended in the published documents.

Councillor White proposed that the Officer recommendations be agreed in respect of all applications, this was seconded by Councillor McLean.

Members recognised that there was strong public opposition to the proposals and that the overall theme of that related to the loss of public transport and pedestrian routes as well as design concerns. Members expressed a view that the scheme was not of an

exceptional nature and failed to enhance the status of the town centre to make it a 'destination' and 'experience' rather than simply a shopping centre.

It was accepted that there remained a need for employment opportunities and that whilst the scheme did not necessarily meet the aspirations of the Council and other groups in terms of design it had the potential to provide much needed employment in the unskilled market. In particular reference was made to policy S2 – Economic Growth.

Members expressed concern that the proposals failed to offer a solution to the needs to provide efficient public transport options and safe pedestrian routes.

The individual applications were then considered.

12/02080/FUL EXTENSION AND ALTERATIONS TO MIDSUMMER PLACE SHOPPING CENTRE TO CREATE 2 NEW RETAIL UNITS, NEW SQUARE, ERECTION OF ADVERTISING SIGNAGE AND ASSOCIATED WORKS AT LAND AT MIDSUMMER PLACE SHOPPING CENTRE, MIDSUMMER PLACE, CENTRAL MILTON KEYNES FOR LEGAL AND GENERAL ASSURANCE SOCIETY LIMITED.

The Officers recommendation having been moved by Councillor White and seconded by Councillor McLean was put to the vote and it was lost.

Councillor White proposed that;

The Application be refused as;

1. The proposed building was not exceptional in its design, lacked vision and is not of sufficient quality to meet the aspirations for CMK and was therefore contrary to saved policies D2a, D2, CC8 and CC9 of the Milton Keynes Local Plan 2001 - 2011 and the CMK Development Framework 2013 paragraph 3.4.52.
2. The proposed residual pedestrian route along Midsummer Lane would not mitigate the loss of the existing attractive and convenient 24 hour pedestrian route which runs east-west through Midsummer Place (along the axis of Midsummer Boulevard). The proposed development would therefore

have a detrimental impact on movement and connectivity across the shopping centre and was therefore contrary to the National Planning Policy Framework, saved policies T3, CC7a, CC7b and CC8 of Milton Keynes Local Plan 2001-2011, the CMK Development Framework Supplementary Planning Document 2013 and emerging policies CS7 and CS11 of Milton Keynes Core Strategy.

3. The proposed development would result in the loss of an important 20m strip reserved for a Public Transport System through Midsummer Place and along the axis of Midsummer Boulevard. The development would have a detrimental impact on safeguarding the potential for future public transport systems. The proposal was therefore contrary to the National Planning Policy Framework, saved policies CC7a and CC7b of Milton Keynes Local Plan 2001-2011 and emerging policies CS7 and CS11 of Milton Keynes Core Strategy

This was seconded by Councillor McLean before being put to the vote and it was;

RESOLVED;

That the application be refused for the reasons stated above.

12/02081/ADV

ADVERT CONSENT TO DISPLAY 4 X FASCIA SIGNS ON NEW BUILDING FRONTING SAXON GATE AT LAND AT MIDSUMMER PLACE SHOPPING CENTRE, MIDSUMMER PLACE, CENTRAL MILTON KEYNES FOR LEGAL AND GENERAL ASSURANCE SOCIETY LIMITED.

The Officers recommendation having been moved by Councillor White and seconded by Councillor McLean was put to the vote and it was lost.

Councillor White proposed that;

That Application be refused as;

The proposed advertisement by virtue of its size and scale would be detrimental to the visual

amenity of the area contrary to the National Planning Policy Framework and Milton Keynes Council's Outdoor Advertising Policy adopted February 2005.

This was seconded by Councillor McLean before being put to the vote and it was;

RESOLVED;

That the application be refused for the reasons stated above.

12/02082/FUL

REMOVAL OF 3 X TEMPORARY KIOSKS AND ERECTION OF RESTAURANT UNITS; PROVISION OF EXTERNAL SEATING AND ASSOCIATED WORKS AT MIDSUMMER PLACE SHOPPING CENTRE AT MIDSUMMER PLACE BOULEVARD, CENTRAL MILTON KEYNES, CENTRAL MILTON KEYNES FOR LEGAL AND GENERAL ASSURANCE SOCIETY LIMITED.

The Officers recommendation having been moved by Councillor White and seconded by Councillor McLean was put to the vote and it was lost.

Councillor White proposed that;

The Application be refused as;

1. The proposed residual pedestrian route along Midsummer Lane would not mitigate the loss of the existing attractive and convenient 24 hour pedestrian route which runs east-west through Midsummer Place (along the axis of Midsummer Boulevard). The proposed development would therefore have a detrimental impact on movement and connectivity across the shopping centre and was therefore contrary to the National Planning Policy Framework, saved policies T3, CC7a, CC7b and CC8 of Milton Keynes Local Plan 2001-2011, the CMK Development Framework Supplementary Planning Document 2013 and emerging policies CS7 and CS11 of Milton Keynes Core Strategy.

2. The proposed development would result in the loss of an important 20m strip reserved for a Public Transport System through Midsummer Place and along the axis of Midsummer Boulevard. The development would have a detrimental impact on safeguarding the potential for future public transport systems. The proposal was therefore contrary to the National Planning Policy Framework, saved policies CC7a and CC7b of Milton Keynes Local Plan 2001-2011 and emerging policies CS7 and CS11 of Milton Keynes Core Strategy.

This was seconded by Councillor McLean before being put to the vote and it was;

RESOLVED;

That the application be refused for the reasons stated above.

THE CHAIR CLOSED THE MEETING AT 9:48PM