

Application Number: 12/02082/FUL

Major

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, Milton Keynes

FOR Legal And General Assurance Society Limited And Legal

Target: 4th January 2013

Ward: Campbell Park

Parish: Central Milton Keynes Town Council

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The main section of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together, planning history, additional matters and summaries of consultees responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public Access system www.milton-keynes.gov.uk/publicaccess. All matters have been taken into account in writing this report and recommendation.

1.2 The Site

The application site lies within Central Milton Keynes and, in terms of Local Plan proposals map designations, forms part of the established shopping area of the centre within the City Core Quarter. The area known as Midsummer Place Boulevard also forms part of the designated City Spine Quarter. The application site is a developed area of the Midsummer Place Shopping Building which incorporates three kiosk units (one vacant, the others occupied by Millie's Cookies and Starbucks) and walkway areas part of which is known as Midsummer Place Boulevard. The site abuts the Barclays Unit which starts the parade of shops on West Walk. The site also has two columns which support the roof structure for the building. There are currently three restaurant units opposite (north) of the site and the retail offering for this building is directly south. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.3 The Proposal

The geometry of the existing kiosks leaves difficult spaces between them. The proposal is to provide better variety and quality in the food and drink offer at Midsummer Place. The proposal is to create an identifiable restaurant quarter for Midsummer Place. The proposed gross internal area for the three two-storey units combined would be 891 sq m. The units would be A3 (restaurant) use. The proposal would require a Deed of Variation to the s106 agreement for the 1996 planning consent for Midsummer Place to remove the 20 metre strip reserved for a Public Transport System (PTS) through Midsummer Place. Details of the proposal as described above can be seen in the plans appended to this report. **There is an associated application for new retail units (12/02080/FUL) with an advertisement consent application (12/02081/ADV).**

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework, March 2012

Paragraphs 14, 19, 20, 21, 23, 24, 32, 34, 35, 36, 41, 56, 58, 60, 61, 64, 65, 69, 70, 109, 132, 133

2.2 Regional Policy

South East Plan (2009)

TC2: New Development and Redevelopment in Town Centres

2.3 Local Policy

Core Strategy 2010 (emerging policies)

CS4: Retail and Leisure Development

CS7: Central Milton Keynes

CS11: A Well Connected Milton Keynes

CS13: Ensuring High Quality, Well Designed Places

CS16: Delivering Economic Prosperity

CS20: The Historic and Natural Environment

Adopted Milton Keynes Local Plan 2001-2011 (saved policies)

S5: Central Milton Keynes

D1: Impact of Development Proposals on Locality

D2A: Urban Design Aspects of New Development

D2: Design of Buildings

D4: Sustainable Construction

HE4: Extension or Alteration of a Listed Building

HE5: Development Affecting the Setting of a Listed Building

NE3: Biodiversity and Geological Enhancement

T1: The Transport Users Hierarchy

T2: Access for those with Impaired Mobility

T3 and T4: Pedestrians and Cyclists
T5: Public Transport
T6: Transport Interchanges
T10: Traffic
T11: Transport Assessments and Travel Plans
T15: Parking Provision
TC1: Character and Function of the Shopping Hierarchy
CC1 and CC2: Shopping
CC3: CMK Development Framework
CC6: Non-Retail Uses in the CMK Shopping Building and Midsummer Place
CC7A: Key Transport Principles
CC7C: Key Principles for Parking
CC8: Design and Layout
CC9: Design of New Buildings
CC7B: City Spine
CC13: City Core Quarter
PO4: Percent for Art

Supplementary Planning Guidance / Documents

CMK Development Framework SPD (2013)
Central – CMK Framework SPD (2006)
Parking Standards for Milton Keynes SPG (2005)
Sustainable Construction SPD (2007)

Formal adoption of the CMK Development Framework SPD (2013) is currently underway; the 2013 Framework has now replaced the CMK Development Framework SPG (2001).

Other relevant matters

Milton Keynes Retail Capacity and Leisure Study (February 2010) and the Retail Capacity Update (August 2011)

2.4 **CMK Neighbourhood Plan**

CMK Alliance Plan (emerging policies)

CMKAP G1: Public Realm Infrastructure
CMKAP G2: Heritage Buildings and Public Art
CMKAP G3: Landscaping and Open Space
CMKAP G6: Mixed Use
CMKAP G7: Active Frontages
CMKAP G8: Principle Pedestrian Routes
CMKAP G10: Design of Buildings
CMKAP G12: Exceptional Developments
CMKAP SS2: Primary Shopping Area
CMKAP T1: Access and Design
CMKAP T2: Public Transportation
CMKAP T3: Cycling
CMKAP T4: Parking

An emerging neighbourhood plan may be considered as a material consideration; this can depend on the stage the plan has reached and the level of consultation undertaken. In the case of the CMK Business Neighbourhood Plan the planning weight currently given to this draft document is limited. Significant weight must be given to the saved local plan policies, the NPPF and the emerging policies of the Core Strategy.

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

3.1 The main issues are:

- a) the principle of the development;
- b) the potential economic benefits;
- c) the impact on the PTS; and
- d) the suitability of the design.

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

4.1 It is recommended that:

- a) planning permission be granted subject to the conditions set out at the end of this report and the completion of the s106 agreement; and
- b) approval be given to allow a Deed of Variation to the s106 agreement for the 1996 planning consent for Midsummer Place to remove the 20 metre strip reserved for a Public Transport System through Midsummer Place.

5.0 CONSIDERATIONS

(An explanation of the main issues that have lead to the officer Recommendation)

5.1 Principle of Development and Economic Benefits

The proposal would replace the existing kiosks with more permanent restaurant units and, in association with the already granted schemes for the units opposite, would result in the creation of a new restaurant/café quarter in Midsummer Place Shopping Centre and an improved food offer. The use is considered acceptable for this town centre location and would complement the retail offer. The proposed units are considered to be a more efficient use of the space than the existing kiosks and the proposal would likely extend activity within the centre into the evening.

5.2 The proposals for the new restaurant and retail units (12/02080/FUL) involve a £15m investment to the shopping centre. It is anticipated that the proposals would create a minimum of 150 full time equivalent jobs as well as 70 FTE temporary construction jobs would be created over the construction period of around two years. The proposals will assist in maintaining the vitality and viability of CMK.

5.3 Public Transport System (PTS)

The CMK Development Framework SPD (2013) which provides principles for the growth and development of CMK identifies a Primary Public Transport Route that follows the existing routing along Midsummer Blvd, around Debenhams and up Lower Ninth Street. To reinforce this routing the Development Framework states that “The network in CMK, particularly at Midsummer / Saxon intersection, Saxon / Avebury and Avebury / Lower Ninth (but not exclusively) needs to support and maintain appropriate access for pedestrians and cyclists and support reliable journey times for public transport. This may require junction improvements.” The CMK Development Framework does not include proposals for public transport to run through the existing Midsummer Place reservation. A number of bus stops are provided on Lower Ninth Street and Midsummer Blvd to the east of Midsummer Place.

- 5.4 The transport hierarchy places pedestrians and those with impaired mobility at the top of the hierarchy moving to cyclists, users of public transport, taxis and motorcyclists down to others (i.e. private cars). As the primary shopping area of Central Milton Keynes public transport connectivity is a key requirement; however, this needs to be balanced against the needs of pedestrian movement. Whilst public transport remains a key requirement for this area of CMK it needs to be balanced against the requirements of pedestrians and cyclists. Saved local plan policy CC7B supports making Midsummer Blvd the main focus for pedestrian, cycling and public transport activity in CMK.
- 5.5 When planning permission was originally granted for Midsummer Place in the 1990s the public highway of Midsummer Blvd beneath the footprint of the link building was stopped up. However, the s106 agreement reserved a 20m strip through the centre of the boulevard area of Midsummer Place for a period of 80 years for a public transport system which excludes vehicles driven by internal combustion vehicles. In addition a Walkway Agreement under s35 of the Highways Act 1980 allows 24 hour public access to the boulevard area of Midsummer Place. The proposed development would prevent the implementation of the PTS route through Midsummer Place and require the modification of the Walkway Agreement. The applicant commissioned a Feasibility Study into the PTS route (the report by Vectos). Several public transport modes have been considered (electric buses, bus rapid transit, personal rapid transit, trams/light rail transit) and also both at grade and high level routes. A tram/light rail system or guided rapid transit system is considered unfeasible. The study concluded that PTS route through Midsummer Place is not viable. The study has been assessed by the Council’s Highways and Transportation officers; the findings of the study are considered sound and the officers consider that it would be difficult to resist the proposal on the loss of the protection of the 20m strip.
- 5.6 Over the last year the average weekly footfall entering the shopping centre has been 382,000 people. For a weekday the average footfall is 45,840 and on a Saturday the average footfall is 95,500. The pedestrian routes between Midsummer Place and thecentre:mk as well as those to Midsummer Blvd east and west account for 51% of those entering the shopping building, which

equates to 193,000 people per week. The Boulevard area in Midsummer Place forms part of the primary circuit in retail terms and is an important link between thecentre:mk and Midsummer Place. Therefore, a significant footfall crosses the proposed PTS route on a daily basis. The introduction of the PTS route through the existing pedestrianised area would create potential pedestrian and vehicle conflicts and would affect the freedom of movements for pedestrians and the mobility impaired. The existing pedestrianised environment would be significantly compromised and the PTS would sever the existing strong pedestrianised link to thecentre:mk. The existing weather protected environment within Midsummer Place would also be detrimentally affected.

- 5.7 Running electric buses through Midsummer Place would result in slight journey time savings for some routes; however, the operational cost savings for the bus routes would not fund the purchase of electric buses or the construction cost of delivering the PTS route. In addition, the PTS route would have a negative impact on the operation of bus services on Lower Ninth Street. The future scenario of introducing vehicles into Midsummer Place seems difficult at best and the future potential benefit needs to be considered. Even with a wholesale shift in vehicle technology, the benefits of reintroducing the Midsummer link are minimal at best when you consider the impact on the pedestrian and how difficult it would prove to provide sufficient stopping areas if Lower Ninth Street was no longer used. Improvements to the existing route around Midsummer Place could provide similar time benefits with less disruption.

5.8 Design

The scale of the new units is acceptable when assessed against the scale of the surrounding structures and the permitted restaurant scheme opposite. The design of the units is more contemporary and would result in a more efficient and higher quality environment than the existing kiosk units.

5.9 Conclusion

The proposal would result in an improved food offer at Midsummer Place Shopping Centre and would help to support the vitality and viability of the centre. Whilst the Public Transport System easement was for a period of 80 years, the very real practical difficulties and limited benefit of providing a PTS through Midsummer Place Boulevard area mean that the PTS requirement would be outweighed by the benefits of the proposed development. It is therefore recommended that permission be granted subject to the conditions detailed below and the completion of a s106 agreement (as detailed as paragraph A2.4 of the Appendix).

6.0 CONDITIONS

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. The external materials to be used in the development shall be in accordance with samples to be submitted to and approved in writing by the Local Planning Authority before any work is commenced.(M03)

Reason: To ensure that the development does not detract from the appearance of the locality.

3. The approved scheme shall be constructed in accordance with the submitted Sustainability Statement ref 3506 A34.01 04 dated October 2012.

Reason: To comply with policy D4 of the Local Plan and the Council's Sustainable Construction SPD.

4. Prior to the commencement of development, full details of how a 10sqm array of solar thermal panels and VRF air source heat pumps contribute to the reduction of CO2 emissions from the development as indicated in the Sustainability Statement ref 3506 A34.01 04 shall be submitted to and approved in writing by the Local Planning Authority. The approved solar thermal panels and VRF system shall be installed prior to the initial occupation of the buildings for the use hereby permitted and shall thereafter be retained.

Reason: To ensure that the development complies with the Council's objective for Sustainable Development in accordance with Policy D4 of the Adopted Local Plan: 2001-2011.

5. Prior to the commencement of development, details of means of enclosure to control access to the two recessed service areas shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the occupation of the units.

Reason: To reduce the risk of anti-social gathering and criminal behaviour.

6. Prior to the commencement of development hereby permitted, details of all external doors, windows and glazing shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the development meets the Secured by Design standard. The Secured by Design standard for such a development is: doors and

windows to at least LPS 1175 Security Rating 2 standard. The glazing should be of a minimum thickness of 7.5mm laminated glass for single glazing or the inner pane of double glazed units with a minimum thickness of 6mm toughened glass being used for the outer pane of double glazed units. The glass should be held in suitable gaskets in 35mm rebates or be in at least 30mm rebates if held in well bedded clamped gaskets or, preferably, bonded with silicon or polysulphide sealant. The approved details shall be installed prior to first occupation.

Reason: To ensure that there is adequate security measures in terms of physical security and to minimise the risks of crime.

7. There shall be no external storage of refuse, rubbish or other waste materials generated by the occupation and use of the building or external storage of any containers used to store such material adjacent to the application site.

Reason: In the interest of visual amenity.

8. Waste management at the development hereby approved shall be undertaken in accordance with the process detailed in the design and access statement.

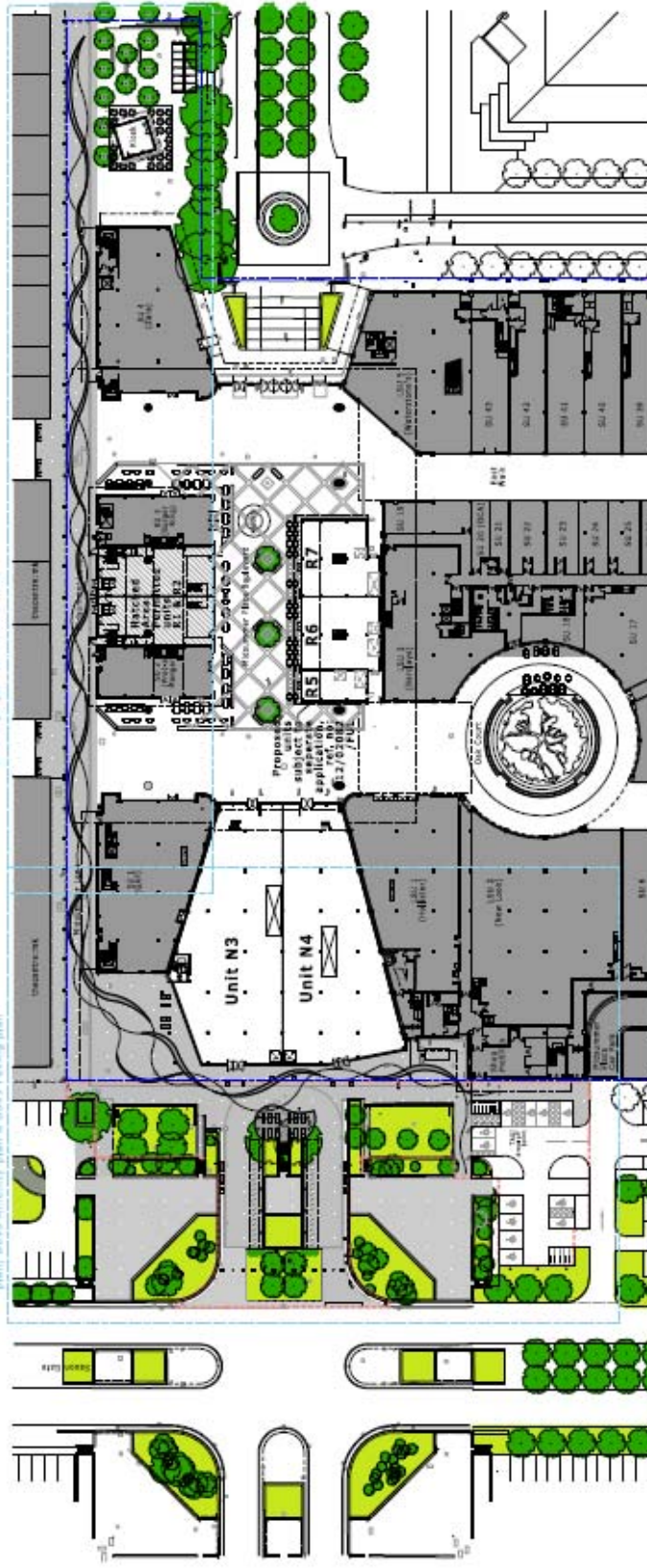
Reason: To ensure the effective and efficient removal of waste from the units without compromising public space in accordance with policies D1 and D2 of the Milton Keynes Local Plan.

9. Any ancillary plant and equipment proposed shall be integrated into the roofscape of the development in accordance with the areas shown on the approved plans.

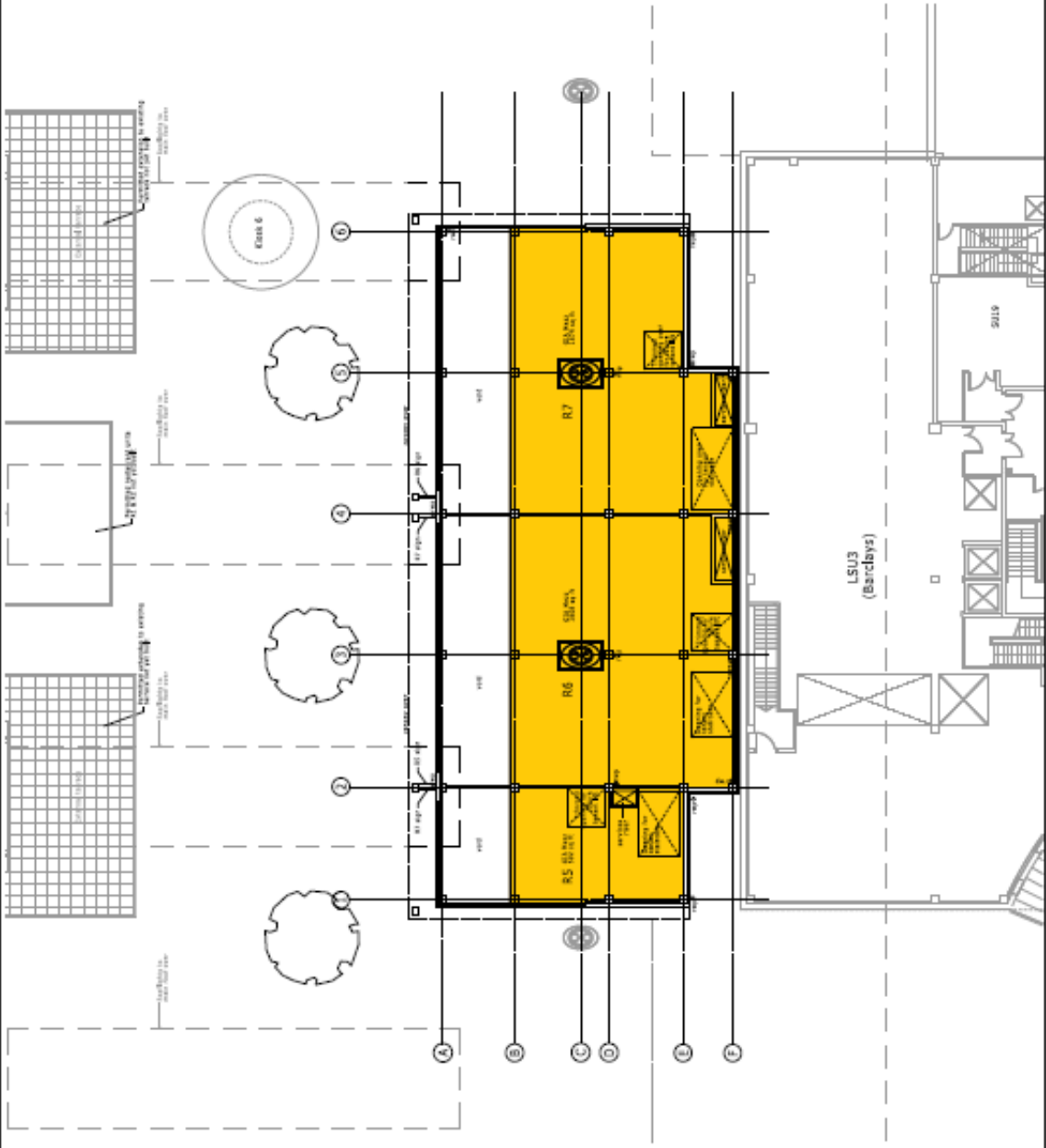
Reason: To avoid a proliferation of uncoordinated roof plant.

Refer to existing drawing: 0652 Existing plan
w/summer lawn
Proposed drawing: extract 2; 0653 Proposed
landscape plan w/summer lawn

Refer to existing drawing: 0650 Existing plan
Proposed drawing: extract 1; 0657 Vehicle
plan; 0658 Area; plan & 0659 Parking plan



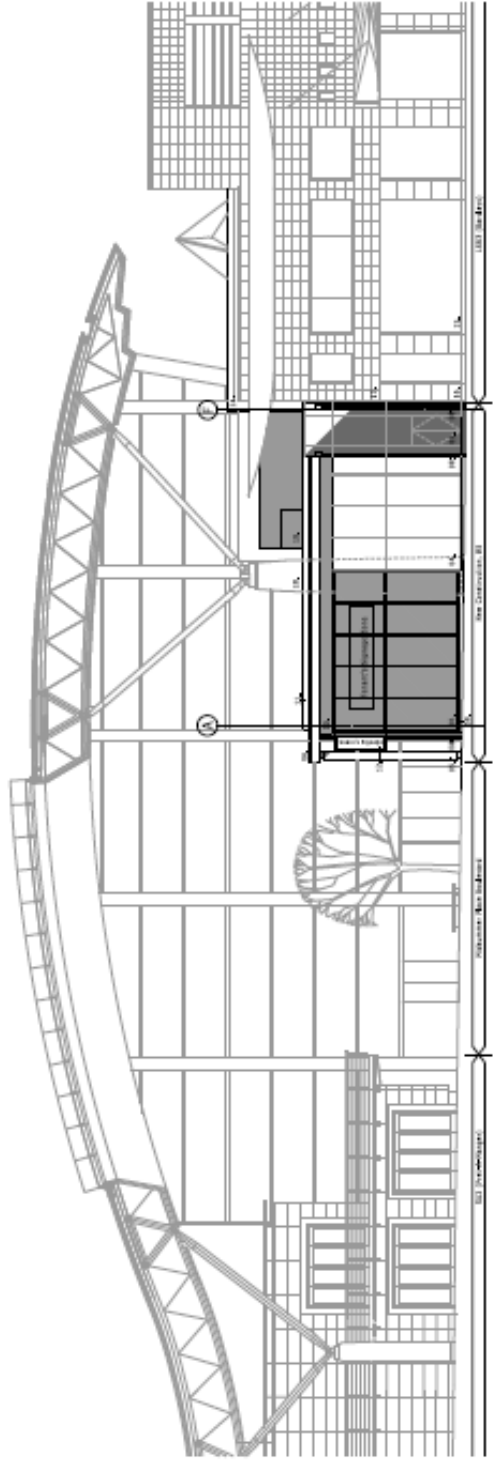
1. The building is to be constructed on a concrete slab on ground. The slab is to be 150mm thick and is to be supported by a concrete beam and column structure. The slab is to be finished with a 20mm thick screed and a 50mm thick carpet. The building is to be constructed on a concrete slab on ground. The slab is to be 150mm thick and is to be supported by a concrete beam and column structure. The slab is to be finished with a 20mm thick screed and a 50mm thick carpet.



Project Name	LSU3 (Barclays)
Client	Barclays
Architect	DLG architects
Structural Engineer	DLG architects
Scale	1:1000
Date	10/10/10
Drawn by	DLG architects
Checked by	DLG architects
Approved by	DLG architects

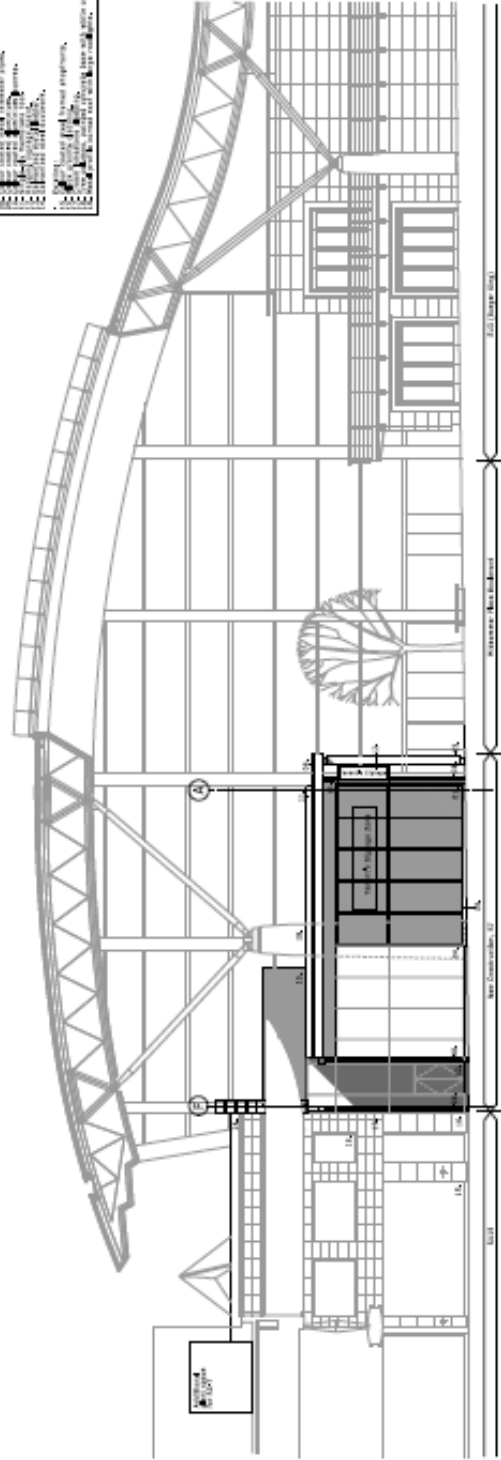


1. Project Name: [Project Name]
 2. Project Address: [Project Address]
 3. Project Location: [Project Location]
 4. Project Date: [Project Date]



ELEVATION 24 (West Elevation)

Contract Materials:
 All materials to be used in the construction of this building shall be of the highest quality and shall conform to the specifications and standards set forth in the contract documents. The contractor shall be responsible for obtaining all necessary permits and approvals for the materials used in the construction of this building. The contractor shall also be responsible for ensuring that all materials are properly stored and protected from damage during the construction process.



ELEVATION 25 (East Elevation)

Project Information:
 Project Name: [Project Name]
 Project Address: [Project Address]
 Project Location: [Project Location]
 Project Date: [Project Date]



A1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

A1.1 MK/00055/96

Retail and associated development including roof structure spanning Midsummer Boulevard and associated access works in conjunction with shopping development on land south of Midsummer Boulevard (outline); permitted 30.09.1996

98/00263/MK

Erection of parts of retail development including wide-span roofed structure containing retail catering and public space (the Boulevard) (approval of details); approval of reserved matters granted 22.05.1998

05/01251/FUL

Alterations to and extension of existing shopping centre, demolition of existing shop units and reconstruction of units for shops (use class A1), cafes and restaurants (use class A3) and hot food takeaways (use class A5), extension of existing shop units and change of use of shop from A1 to A3/A5, including associated landscaping, street furniture and public art works; permitted 20.12.2006

09/00223/FUL

Alterations And Two Storey Extensions To Existing Units For A1 And A3 Use; permitted 03.06.2009

11/00671/FUL

Two storey extension and alterations to existing units to create two new A3 (restaurant/café) units; permitted 26.05.2011

12/00313/FUL

Alterations and extensions to existing units SU2 and SU3 Midsummer Place; permitted 04.04.2012.

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; pending consideration.

12/02081/ADV

Advert consent to display 4 x fascia signs on new building fronting Saxon Gate; pending consideration.

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 Walkway Agreements

There is an existing Walkway Agreement under section 35 of the Highways Act 1980 which covers an area within the Boulevard section of Midsummer Place. This walkway agreement allows 24 hour public access. The proposed development would result in the need to vary the existing Walkway Agreement including the stopping up of the existing area of walkway and the creation of a new area of walkway along Midsummer Lane. The variation to the walkway would go to the highway authority (a separate decision will be needed by cabinet as this is not formally a matter for a DCC decision); however, the development would not be implementable without the walkway agreement being varied.

A2.2 Parking

Midsummer place has a 750 space multi storey car park; no additional parking is proposed. The proposed development would likely increase dwell time rather than increased numbers of trips. The site is located within a highly sustainable location for public transport. It is considered that the scale and nature of the development would not result in a significant impact on parking.

A2.3 Events space

The proposals would not affect the existing areas used for event space within Midsummer Place (the management team at Midsummer Place, in conjunction with MKCCM, arrange events for these areas including fashion shows, displays and exhibitions and commercial promotions).

A2.4 S106 requirements

The proposal would result in 891 sq m GIA and is therefore below the threshold for the carbon offset fund contribution. Whilst the development is below the threshold where the Council would seek contributions for most planning obligations, a public art contribution of £5,750 (0.25% of capital cost) has been agreed (in accordance with SPG on Planning Obligations for CMK).

A3.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments

Officer Response

A3.1 Development Plans

No objection. The development should either comply with the sustainable construction checklist or achieve BREEAM excellent. The proposal would be able to achieve BREEAM very good rating and demonstrates that the proposal would comply with nearly all requirements in the checklist (it would not fully meet the building materials requirements but explains why). Therefore, on the whole the proposal complies with policy D4.

Please see conditions 3 and 4.

A3.2 Highways Development Control

I have no 'in principle' objection to the replacement of the existing A3 class use units.

Noted.

A3.3 Urban Design

No objection.

Noted.

A3.4 Senior Landscape Architect

No objection.

Noted.

A3.5 **Crime Prevention Design Advisor**

- A3.5.1 Recessed Service Area: Concerns that the service areas are recessed and open to public intrusion. These areas lack surveillance from the units themselves. This significantly increases the risk of anti-social gathering and criminal behaviour. It is requested that these areas are redesigned bring the access doors forward. Please see condition 5.
- A3.5.2 Physical Security: Having consulted with TVP's Counter Terrorist Security Advisor he has expressed concerns over the amount of glass being proposed. It is requested that a condition is imposed to ensure the Secured by Design standards of doors, windows and glazing is installed. Please see condition 6.

A3.6 **Central Milton Keynes Town Council**

Objection to applications 12/02080/FUL and 12/02082/FUL. Noted

- A3.6.1 The proposals further internalise the public realm along Midsummer Blvd axis; an area which is subject to a walkway agreement to safeguard pedestrian access 24 hours a day. The area would become even more reliant on artificial light. The commodious east-west pedestrian movement would be stopped up and reduced to Midsummer Lane (a long, narrow, windy, cold, dark and featureless back passage that can be particularly threatening at night). The proposed creation of a new restaurant quarter would likely increase activity into the evening and therefore would have a positive impact. A circulation space would be retained between the proposed restaurant units and the existing and permitted units opposite.

- A3.6.2 The city spine is the principle route for pedestrians, cyclists and public transport activity. This route is safeguarded for a high quality futuristic public transport system. The local plan reserves the right of the Council (by an 80 year legal covenant) to run emission free public transport services through the existing covered Blvd. Midsummer Blvd should be the main focus for pedestrian, cycling and public transport activity in CMK (local plan policy CC7B) and the design and layout of new development should give increased priority to pedestrians and cyclists. The feasibility study should be independent rather than being carried out by the applicants' transportation consultants; also concerned that MKC officers have been party to the scoping of the study. Please see paragraphs 5.3 – 5.7.
- A3.6.3 The application should be considered against the emerging CMK Business Neighbourhood Development Plan. Please see paragraph 2.4.
- A3.6.4 It is believed that MKC retains the freehold interest under the land that formed Midsummer Blvd. The applicant owns the freehold of the land included within the red line of the location plan submitted with the application.
- A3.7 **Milton Keynes Forum**
- A3.7.1 The applications are premature as they are in advance of the revised CMK Framework being adopted and the CMK Business Neighbourhood Plan. There should be a wider strategy for expanding the retail offer rather than ill-considered short term developments. Please see paragraphs 2.3 – 2.4.
- A3.7.2 MK Forum objected to the original application for Midsummer Place at it cut across the boulevard and damaged movement pattern of pedestrians and vehicles. Noted.

It resulted in the diversion of buses into Lower Ninth Street, which was not designed for this purpose. The link that spans the two shopping centres is unsatisfactory.

A3.7.3 It would be short sighted to close one of the key corridors for public transport when the number of public transport trips is set to increase. The application should be refused on the grounds that an essential public transport corridor would be closed.

Please see paragraphs 5.3 – 5.7.

A3.7.4 Pedestrian routes east-west through Midsummer Place would be restricted to an unsatisfactory link. The application should be refused on the grounds of an unacceptable impact on pedestrian movement patterns.

The proposed creation of a new restaurant quarter would likely increase activity into the evening and therefore would have a positive impact. A circulation space would be retained between the proposed restaurant units and the existing and permitted units opposite.

A3.8 **Public Representations**

24 objections have been received and 1 representation in support.

Noted.

A3.8.1 Comments in objection:

- a) Object to loss of the PTS and the changes to the walkways agreement. Loss of convenient pedestrian routes and diversion along the narrow Midsummer Lane. The applicant is exploiting the footprint to obtain maximum retail space with scant regard for future proofing. Electric buses are now capable of being realised. Midsummer Blvd is perfect for new 'Boris Bikes', small electric vehicles. Future proofing.
- b) Pre-emptive strike against the new CMK local plan.
- c) Concerned that the proposals will conflict with the

a) Please see paragraphs 5.3 – 5.7.

b) Please see paragraph 2.4.

c) Please see paragraph 5.1. There are already existing

offering currently provided at the Theatre District and Xscape. Restaurant provision should be limited to ancillary to the main retail function. Hours of operation should be limited to eliminate potential for evening/night time noise and disturbance and anti-social behaviour and safety concerns.

- d) Concern about impact on pedestrian movement. External seating would clutter shopper circulation space.
- e) Over-development
- f) Details of plant and machinery should be controlled by conditions to ensure plant does not have unacceptable impacts in terms of noise.
- g) Unclear how large deliveries of fresh food would reach the units.
- h) Rumours that MKC may have been engaged in negotiations to give up their freehold interest and controls over the public space for financial reasons.

and permitted restaurant/café units opposite. Taking into account the character of the area an increase in evening activity would not have a significant impact in terms of noise and disturbance.

- d) Circulation space would be retained between the proposed restaurant units and the existing and permitted units opposite.
- e) Please see paragraph 5.1.
- f) Taking into account the location within Midsummer Place it is not considered necessary.
- g) The Boulevard area of Midsummer Place already contains a number of units which are servicing; the proposals would not have a significant impact on servicing arrangements.
- h) This is not a material planning consideration.

A3.8.2 Comments in support:

- a) The boulevard area in Midsummer Place is regularly used for arts, displays and other public exhibitions; running vehicles through the shopping centre would be dangerous and would mean the loss of value area of safe public space.

- a) Please see paragraphs 5.3 – 5.7.