



To: Leader: Cllr Sian Reid  
Report by: David Horspool – Director of Resources  
Relevant working party: Public Toilets (Lion Yard) Working Party 16/5/2012  
Wards affected: All Wards

## **LION YARD TOILETS – REVISED DEVELOPMENT PROPOSALS**

### **1. Executive Summary**

- 1.1 At the 9 January 2012 meeting of the Working Party it was unanimously recommended that “the design option (designated Option 2a – copy attached as Appendix A, for ease of reference), as submitted by Aberdeen Asset Management (AAM), be progressed by AAM through firstly a planning application process and secondly an application to the Highways Authority regarding closure of the walkway between Lion Yard and Fisher Square as illustrated on the design.”
- 1.2 This paper sets out details of revised design proposals which have subsequently been received from Aberdeen Asset Management (AAM), acting for the developer, relating to the next phase of works proposed for the Lion Yard shopping centre.
- 1.3 As a result of the proposals the Director of Resources has approved completion of the appropriate landlord’s consent required to facilitate commencement of initial (Phase 1) works; which are consistent with the existing approval by the Working Party and decision of the Leader.
- 1.4 This paper sets out the further works proposed (Phase 2), which affect the existing walkway from the shopping centre to Fisher Square, and which vary from the current Working Party and Leader approval. It includes recommendations for the Working Party to consider in making its recommendation to the Leader under its terms of reference.

## **2. Recommendations**

- 2.1 That the Working Party recommend to the Leader:
- a) That the revised design proposed by AAM be approved, and replace the current design (Option 2a).
  - b) That a report be brought back to a subsequent meeting of the Working Party outlining the requirements relating to consultation in light of the revised scheme.

## **3. Background**

- 3.1 The Working Party, at its meeting on 9 January 2012, unanimously recommended that “the design option (designated Option 2a), as submitted by Aberdeen Asset Management (AAM), be progressed by AAM through firstly a planning application process and secondly an application to the Highways Authority regarding closure of the walkway between Lion Yard and Fisher Square as illustrated on the design.”.
- 3.2 At the meeting members of the Working Party did note, in agreeing to the Option 2a design, that they were still unhappy with the proposal to close the walkway to Fisher Square and that their agreement reflected the fact that the search for a viable alternative walkway arrangement had not been successful.
- 3.3 Following this meeting, AAM have taken the opportunity to review the Option 2a design further, in light of the views and wishes expressed by the Working Party and the informal feedback received regarding the Walkways Agreement.
- 3.4 This work has enabled AAM to identify a means of providing a new stairwell access to the basement which would allow for the retention of walkway access from the shopping centre to Fisher Square, albeit with reconfigured routing.
- 3.5 This has resulted in the submission of the revised design and proposal for consideration by the Working party as an alternative to the existing approved design.

## 4. Update on Aberdeen Asset Management Proposals

### Overview

- 4.1 The revised design is based on splitting the proposed works into two distinct phases.
- 4.2 This is designed to allow the mall re-flooring and works to re-orientate and reconfigure the HMV and Currys Digital units to be progressed immediately, under the existing approvals, with revised proposals relating to the current walkway from the centre to Fisher Square being covered by a further phase of proposed works.
- 4.3 AAM sought both planning and landlord's approval to progress the Phase 1 works from 30 April, so that the units will be available for trading in time for Christmas – a key consideration in ensuring their ability to achieve early lettings.
- 4.4 AAM recognised that the revised proposals in Phase 2 would need to be considered by the Working Party at a future meeting, but asked for early consideration of this matter. As a result an additional meeting of the Working party was arranged for 16 May 2012.

### Details of the Revised Proposal

- 4.5 The revised plan submitted by AAM is attached as Appendix B, and identifies the two phases of works proposed – Phase 1 shown in blue and Phase 2 in pink.

#### ***Phase 1 works (blue shading)***

- 4.6 The Developer proposes work to the current HMV and former Curry's Digital units, together with re-flooring of the Lion Yard mall, as outlined to previous meetings.
- 4.7 These works are consistent with the principles outlined by the developer for the ongoing improvement of the centre, and are in line with the design previously submitted to, and approved by, the Working Party.
- 4.8 AAM have identified that works will need to be commenced by 30 April if the units are to be available for trading in time for Christmas 2012, which will be a key consideration in seeking to ensure early letting of

the units and avoiding lost rental income for both the developer and the Council.

- 4.9 This application requires the Council to give landlords consent through a variation of the Licence for Works granted in July 2009 in order for the Phase 1 works to proceed, as some minor variations are proposed (e.g. inclusion of the works to the Curry's Digital unit).
- 4.10 As the works are consistent with the design unanimously approved by the Working Party, and covered by the Leader's subsequent decision, and do not pre-empt or unduly constrain potential outcomes in respect of the remaining phase of works officers were able to implement the operational completion of the matters which are required to confirm landlord's consent for these works to allow their commencement.
- 4.11 Discussions are taking place between Council officers and AAM to agree appropriate information and signage to be displayed during the period of the Phase 1 works, clarifying the scope of those works.

### ***Phase 2 works (pink shading)***

- 4.12 AAM's proposal includes a second phase of works which seek to complete the reconfiguration of existing retail units whilst maintaining walkway access from the centre to Fisher Square.
- 4.13 Whilst walkway access is retained, it is re-routed, utilising part of the existing Unit 27b. This is similar to one of the options put forward by the Council and considered at the January 2012 meeting. The main difference is that AAM have now identified a means of providing new stairwell access to basement storage areas for the new units which does not compromise the existing plant and machinery areas in the basement.
- 4.14 Given the nature of the changes proposed this Phase is being brought back to the Working Party for consideration.
- 4.15 The main issues arising are :
  - a) The new proposal retains walkway access from the shopping centre to Fisher Square. The reconfigured routing means that the total distance to travel from a point in the existing Lion Yard atrium would be slightly longer (31.5m compared to 30.2m currently), though not materially so. This compares with a distance to travel of 99.7m under the currently approved design.

- b) The reconfigured walkway is designed to be 2.75m wide. Guidance regarding appropriate widths from the Council's Access Officer confirms that 2.75m means that 2 wheelchairs can easily pass each other, but that the flow of pedestrians would need to be calculated to give a definitive answer as to whether the walkway is sufficiently wide. It should be noted that this width is approximately equivalent to the narrowest point of the current walkway configuration.
- c) The plan at Appendix C shows that the proposed reconfigured walkway includes a dog-leg. Whilst this is not ideal, it is necessary in order to provide sufficient commercial space to make the proposal viable.
- d) The reconfigured walkway passes the lift shaft which currently provides access for the Central Library to the basement storage areas. There is not currently any access to these lifts at ground floor level, and it is not intended that this would be included. If the lifts were to be brought into use at this level then the queues resulting would cause significant problems for the usability of the walkway given the width and it's location at the dog-leg.
- e) The revised design would cover the existing external access to one of the disabled toilets located at the existing public toilets. Whilst this would indicate a reduction in the facilities currently available, the Working Party had already ascertained that this toilet is kept locked as a result of repeated instances of abuse of the facility and is therefore not available in practice. The Council could seek to undertake works to reinstate the access to this toilet from inside the public toilets (as it had been before the 2004 alterations), with a view to reconsidering the longer-term options as part of the wider refurbishment plans for the toilets as a whole.

### ***Equality Impact Assessment (EqIA)***

- 4.16 In light of the significant differences in the revised proposals, a new Equality Impact Assessment (EqIA) has been completed to support consideration. This is attached at Appendix D.

### ***Walkway Agreement and Consultation***

- 4.17 At its last meeting the Working Party considered the various consultations that would be required under the (then) approved design. With regard to the stated requirement that the developer

would be expected to consult on the closure of the walkway when applied for, the Chair proposed that the Council should undertake its own survey and consultation activity (with the Working party's input) and work with the developer during that time.

4.18 As a result, the Working party agreed that the Council itself should undertake consultation on the Walkway closure working with the developer, as appropriate.

4.19 The new Phase 2 design proposal does not close off the existing walkway, but it does vary it and an application would need to be submitted to the Highways Authority for approval of the variation. No informal view has yet been obtained from the Highways Authority.

### ***Planning Issues***

4.20 The developer has also now written to the Council, as the local planning authority, to set out a planning strategy. This includes:

- altering Curry's and HVM to turn the units around to face the Arcade under permitted development rights;
- formalising the approved plans under the appeal 06/01080/FUL via a S96a non-material minor amendment application to condition the approved plans;
- subsequently seeking to amend the approved plans via a S73 application to keep the toilets where they are presently; and
- formalising any proposed alterations to the walkway via a full planning application.

4.21 The planning department is not in possession of any detailed plans in this regard, at this time.

### ***Refurbishment of the Public Toilets***

4.22 As outlined at the last meeting of the Working Party, it is not intended that officers start detailed work on the proposed refurbishment of the existing public toilets until all other issues have been resolved.

4.23 However, the preliminary design work scheduled for the autumn could be brought forward if all other issues were resolved earlier than previously anticipated

## ***Summary and Conclusion***

- 4.24 The revised proposal from AAM enables the retention of the walkway between the shopping centre and Fisher Square, reflecting the wishes expressed by the Working party at its meeting in January 2012.
- 4.25 Whilst this has positive effects for all users of the shopping centre, it is of particular advantage to users of the public toilets in that the distance to travel from within the centre is considerably reduced from that implied by the currently approved design, and only slightly longer than current.

## **5. Implications**

### **(a) Financial Implications**

- 5.1 The Council would be liable to make contributions towards the capital cost of any additional development works representing 25% of the eligible cost. The Council would also benefit from a 25% share of any net income that resulted from the development proposals.

### **(b) Staffing Implications**

- 5.2 None, directly.

### **(c) Equal Opportunities Implications**

- 5.3 A draft Equalities Impact Assessment has been undertaken covering the revised proposals, and is attached at Appendix D.

### **(d) Environmental Implications**

- 5.4 There are not considered to be any significant environmental implications related to this report. Any refurbishment proposals for the toilets could include environmental improvements, but these will be reported separately.

### **(e) Community Safety**

- 5.5 There are not considered to be any significant community safety implications related to this report.

## **6. Background papers**

These background papers were used in the preparation of this report:

Revised Plans from Aberdeen Asset Management (AAM) received 9 November 2011

## **7. Appendices**

Appendix A – Ground Floor Plan (current approved design – Option 2a)

Appendix B – Ground Floor Plan (latest proposed design – Phases 1 (blue) and 2 (pink))

Appendix C – Ground Floor Plan (detail of current and proposed walkway)

Appendix D – Equality Impact Assessment

## **8. Inspection of papers**

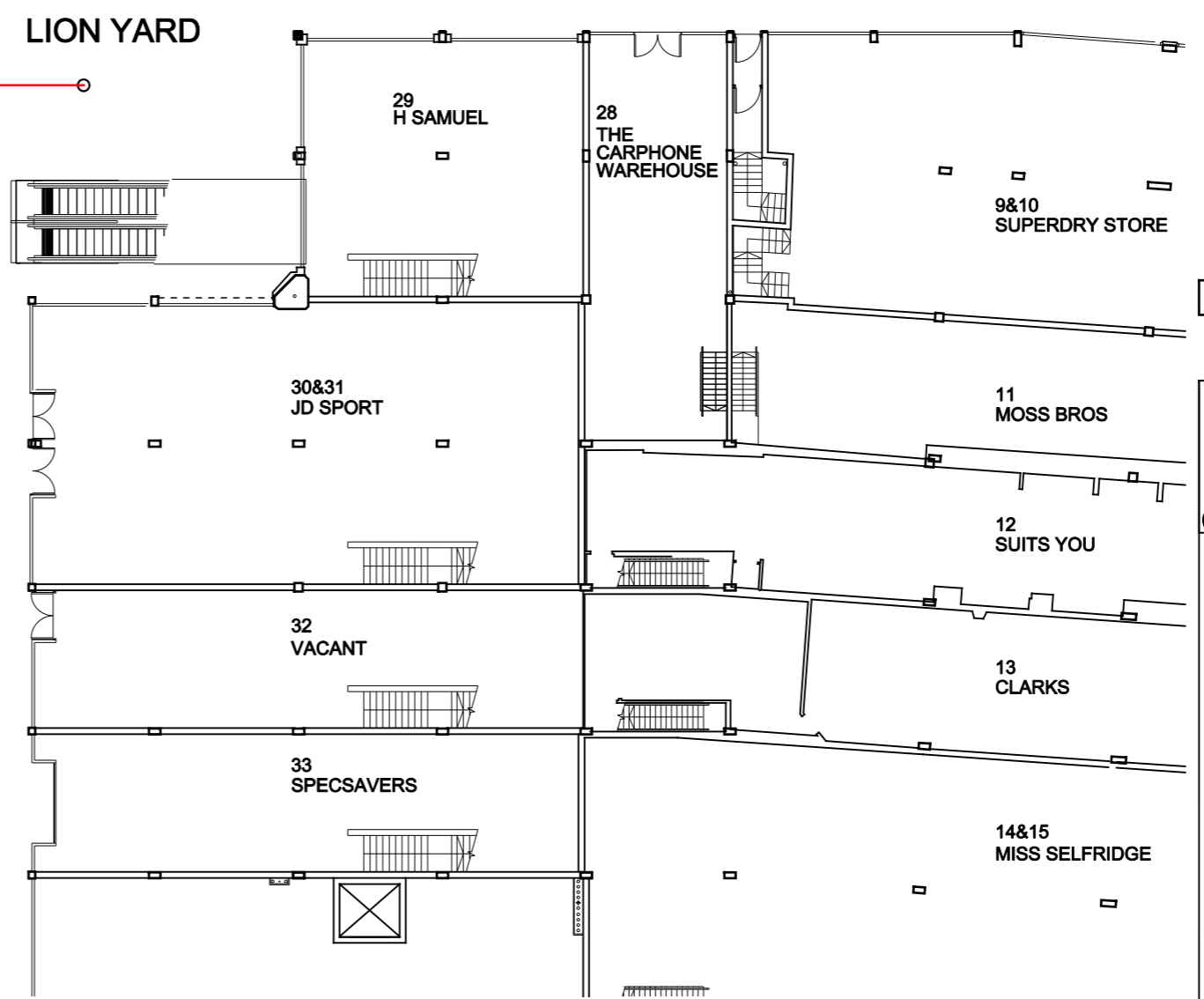
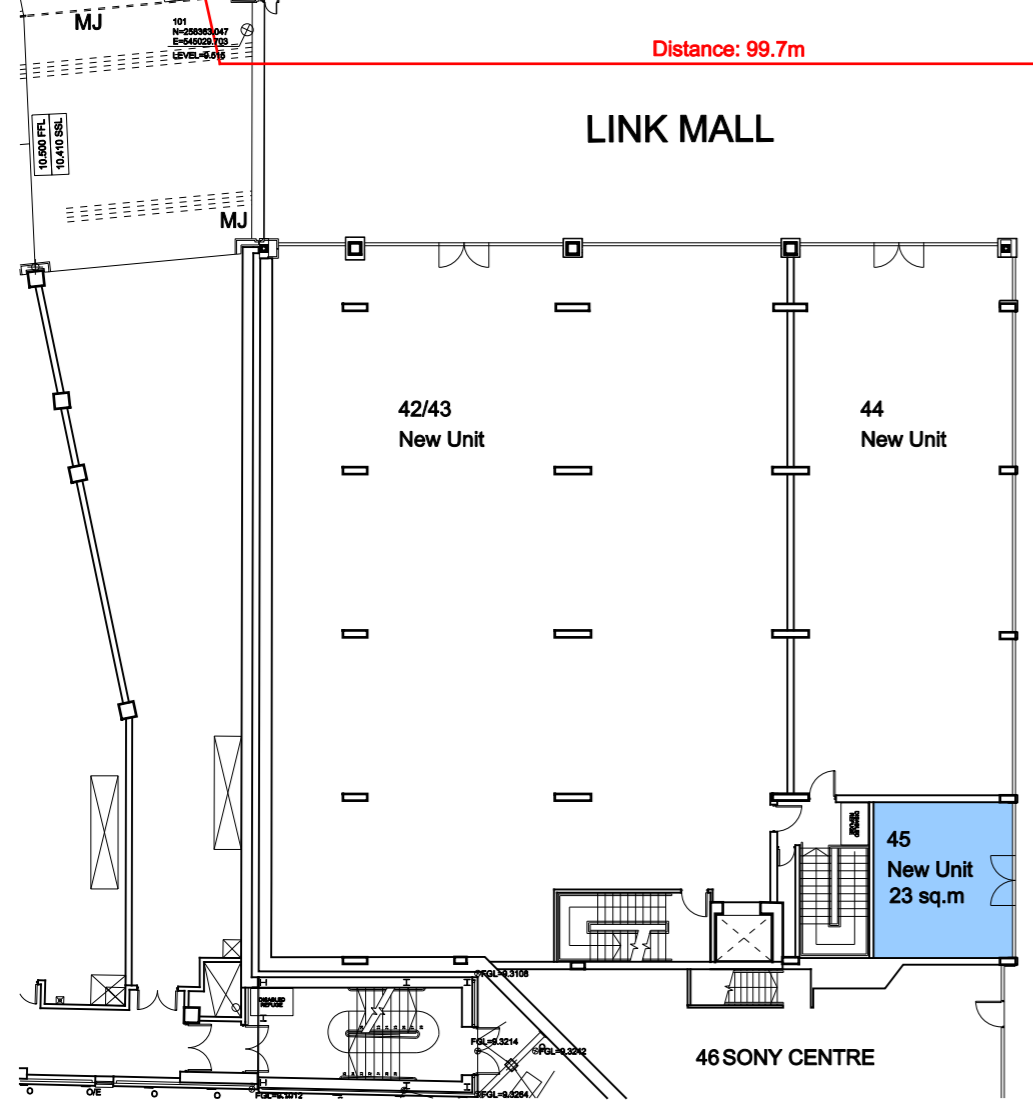
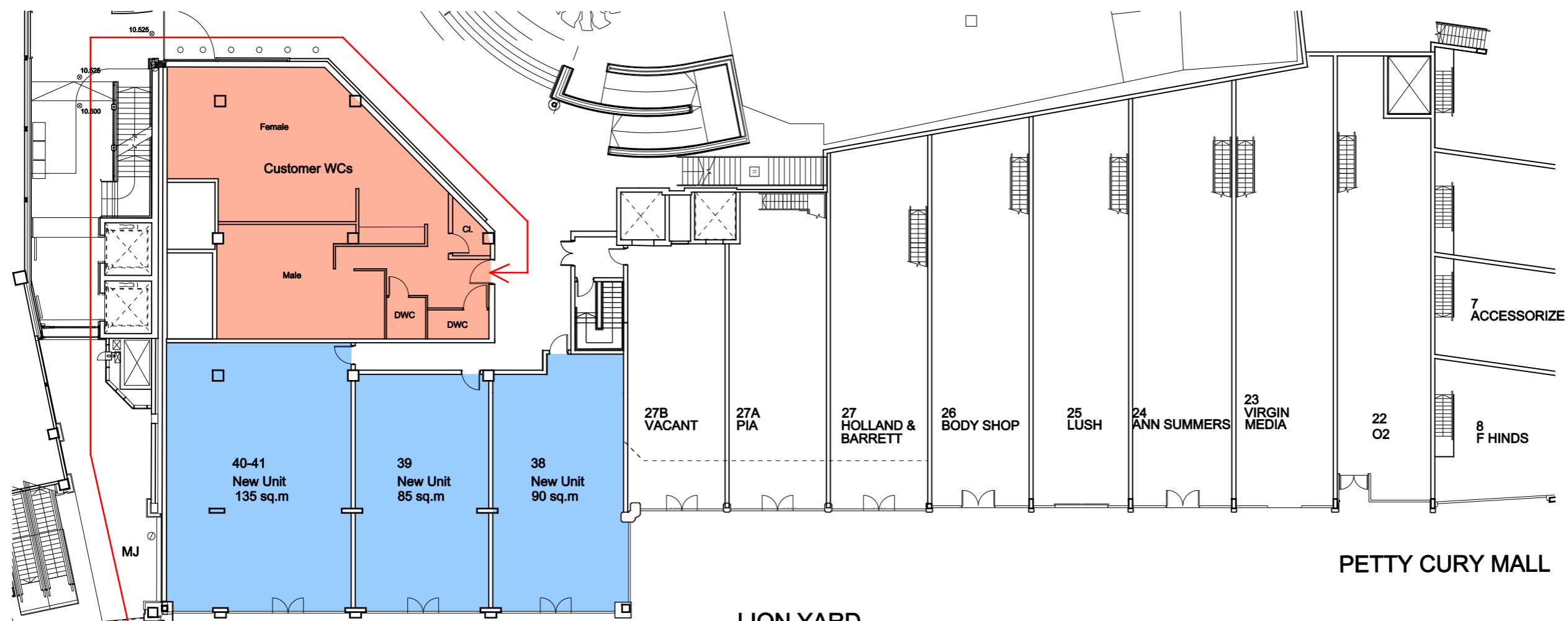
To inspect the background papers or if you have a query on the report please contact:

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Appendix A



Distance: 99.7m

INFORMATION ONLY

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Project: Lion Yard, Cambridge

Title: Customer Toilets Option 02a Ground Floor

Scale: 1:250 @ A3	Date: 12/08/2011
Drawn by: SRH	Checked by: Proj. Arch. / Checked By: Manager
Drawing No.: 1117/SK(-)120813	Revision: -

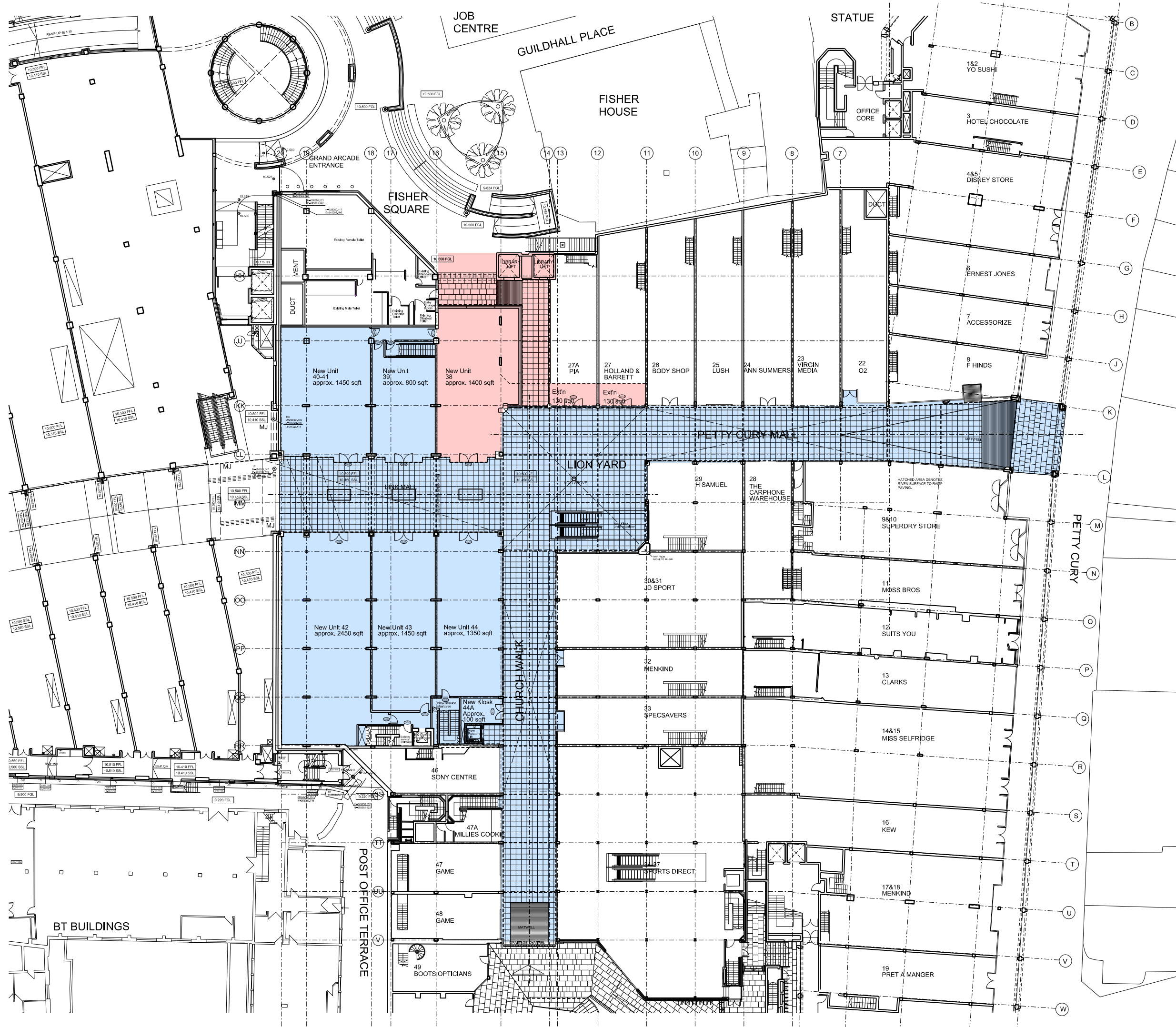
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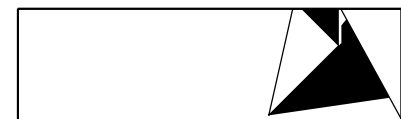
# Appendix B



- Phase 1
- Phase 2

Potential construction for option 1 tenant

## INFORMATION ONLY



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Project  
 Lion Yard,  
 Cambridge

Title  
 Proposed Ground Floor Plan  
 Option 2

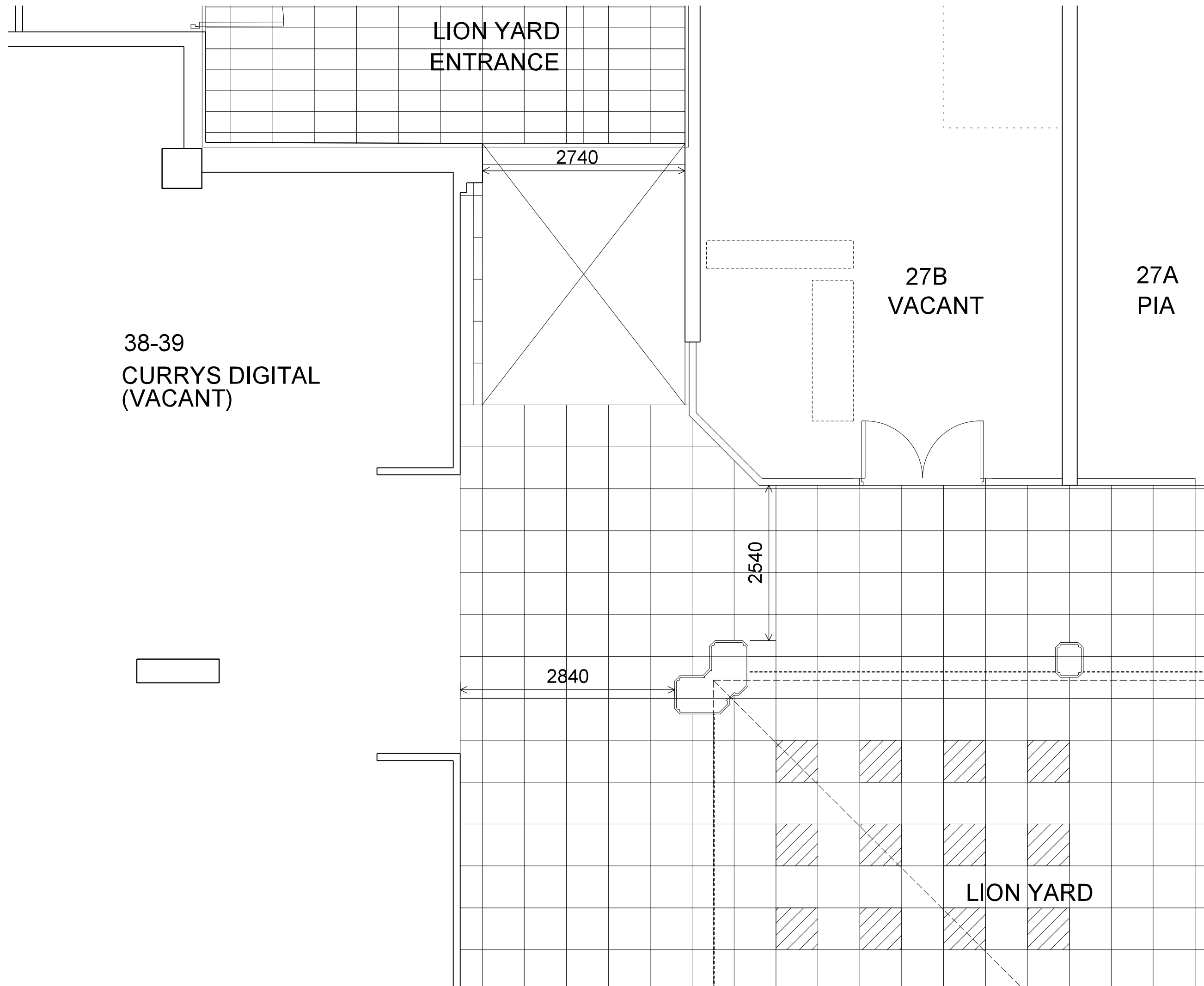
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Drawn by EH	Checked by Proj. Arch.	Checked By Manager
Drawing No. 1117/SK(-)110312	Revision -	

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Appendix C1



INFORMATION ONLY

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Project  
Lion Yard,  
Cambridge

Title  
Existing Ground Floor Plan

Scale 1:25 @ A1	1:50 @ A3	Date 03/05/2012
Drawn by GAB	Checked by Proj. Arch.	Checked By Manager
Drawing No. 1117/SK(-)200112	Revision -	

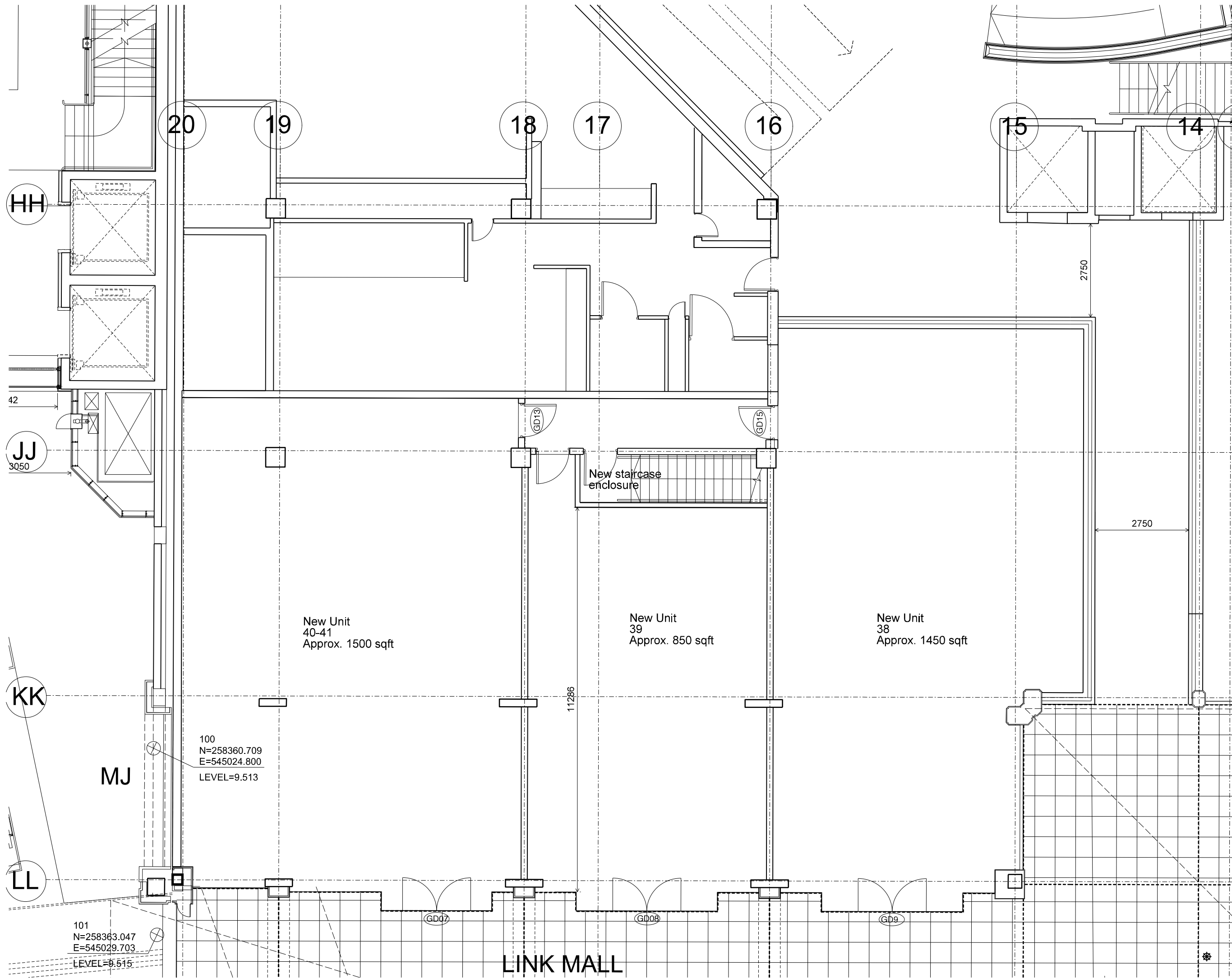
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Appendix C2



PRELIMINARY ISSUE



colman architects

Project  
Lion Yard - Cambridge

Title  
Proposed Ground Floor  
Unit 38-41

Scale 1:50 @ A1	1:100 @ A3	Date 18/01/2012
Drawn by GA	Checked by Proj. Arch.	Checked By Manager
Drawing No. 1117/SK(-)190112	Revision -	

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