

CAMBRIDGE CITY COUNCIL

REPORT OF: Director of Environment and Planning

TO: Planning Committee

30/04/2014

WARDS: Trumpington

**CB1 STATION AREA REDEVELOPMENT – BLOCKS A1/A2 – NON-MATERIAL
AMENDMENT (APPLICATION REFERENCE 14/1060/NMA)**

1 INTRODUCTION

1.1 In July 2013 full planning permission was granted for an office/retail development on Blocks A1/A2 of the CB1 Station Area Redevelopment. An application for a non-material amendment (NMA) has been submitted which seeks the following changes to the approved plans:

- 1 Split of the approved single core into two parts to improve the escape strategy and servicing of the building
- 2 Slight increase in the building envelope to rationalise the dimensions of the building
- 3 Maximisation of the active frontage on the northern façade
- 4 Amendments to the basement layout
- 5 Introduction of two doors on the western elevation of the ground floor
- 6 Reduction of double height space at the first floor level on the southern side (subsequently clarified as Reduction of the size of the reception area)
- 7 Reduction in size of basement

2. RECOMMENDATIONS

2.1 That the changes to the approved plans as set out below be approved as Non-material amendments to the application granted under reference 14/1051/S73 for Minor Material Amendments to full planning permission reference 12/1608/FUL.

3. BACKGROUND

Planning History/Current Applications

- 3.1 This application relates to Non-Material Amendments to application ref. 12/1608/FUL. A related application (ref. 14/1051/S73) has been submitted for Minor Material Amendments as follows:

"Minor material amendments to full planning permission 12/1608/FUL comprising an alteration to condition 50 (approved drawing numbers) to enable the reorganisation of the approved roof plant layout including provision of plant at roof level and the introduction of a 2m high roof plant screen."

- 3.2 A report relating to application reference 14/1051/S73 appears elsewhere on this agenda. The submission of parallel applications for Minor Material Amendments (MMA) (under section 73 of the Act) and Non-Material Amendments (NMA) (under section 96A) makes the determination of both applications quite complicated. This is because the approval of the MMA application would effectively mean that a fresh planning permission is granted. The developer's intention is to develop under the MMA approval, therefore the NMA needs to be linked to that approval. This is possible but only if the Committee approves the MMA application first. The Agenda has been organised to make this possible.

Response to Consultations

- 3.4 The Urban Design and Conservation Team have been consulted on the application. The officer comments are as follows:

- i) Split of the approved single core into two parts to improve the escape strategy and servicing of the building*
- ii) Slight increase in the building envelope to rationalise the dimensions of the building*
- iii) Maximisation of the active frontage on the northern façade*
- iv) Amendments to the basement layout/introduction of two doors on the western elevation of the ground floor*
- v) Reduction of double height space at the first floor level on the southern side*
- vi) Reduction in basement (not referred to in the proposed NMA)*

Conclusions

Many of the proposed changes relate to the internal design of the building and as such there is limited scope in planning terms for resisting these aspects. However, it is important to note that the changes required to introduce the second core significantly impact upon the potential for the building to create an active edge along the western elevation at ground floor. Conclusions on each of the NMA changes are as follows.

i) Creates a significant change due to the associated internal reconfiguration of the building. Whilst the internal changes are largely beyond planning control the UDC team has significant concerns about what the changes do to the ability to create an active frontage on to the northern park.

ii), iii), iv) vi) Are acceptable.

v) The extent of the change is unclear, but from the review of the information provided it appears to be acceptable.

3.5 The Highway Authority has been consulted on the application. The officer comments are as follows:

No significant adverse effect upon the Public Highway

3.6 The Walking and Cycling Officer has been consulted on the application. The officer comments are as follows:

Concerned about the distance between the double decker racks and the Sheffield stands - there needs to be a minimum of 2.2m, preferably 2.5m between the two. The gradient of the ramped stairs needs to be confirmed.

Assessment of proposed Non-Material Amendments

1 Split of the approved single core into two parts to improve the escape strategy and servicing of the building

3.7 The NMA seeks to introduce a second service core into the building. The original core will be moved to the south and the new core will be introduced within the northern half of the building. The original core will be the principle means by which users of building will move between the floors and includes lifts. The new second core will comprise stairs only with toilet facilities on floors one to four.

3.8 In order to accommodate the second core changes are needed to the internal arrangement. The changes which affect the basement and reception area are discussed below. The changes which affect the fifth floor and roof are addressed under the parallel application for a Minor Material Amendment (app. ref. 14/1051/S73)

3.9 The introduction of the second core changes the way in which the building addresses the open space to the west of the development. As approved, the ground floor on this side was more reception and amenity focussed and extended for six bays with the potential to open the building up onto the park at ground floor through sliding glazing panels.

3.10 The UDC team refer to the fact that the second access point has significantly changed the internal layout and organisation at ground floor within the

building and changes the space to office use and reduces the extent of activity to five bays. They note that the introduction of the second access core does little to improve the activity onto the public realm as it is related to fire escape and that full height glazing at ground floor and the 'office' use can create problems in terms of privacy and usability of the space.

3.11 I understand the concerns expressed by the UDC team and agree that in comparison with the approved scheme the revisions have the potential to create less interaction between the office users and the public open space. However given that this is an office building I do not consider there are grounds to argue that the potential for office users to spill out into the open area must be secured through the design of building. In terms of loss of active frontage on the west side of the building this is compensated to some degree by the new shopfront at the northern end. The establishment of a shared space on this side of the building is unaffected by the proposed amendment.

3.12 In my view the split of the approved single core into two parts to improve the escape strategy and servicing of the building is a Non-material Amendment and should be supported.

2 Slight increase in the building envelope to rationalise the dimensions of the building

3.13 The increase in footprint to the south side of the building is approximately 1.5m at ground floor level at the entrance to the building and 0.7m to the right of the entrance. The splay of wall to the left of the entrance has reduced. These changes are continued at first floor level. The increase to the footprint to the east side of the building beneath the colonnade is approximately 0.3m.

3.14 The changes to the building envelope are not significant in comparison with the size of the building as a whole and do not affect the public realm or tree planting proposals. The UDC team raises no objection to these amendments.

3.15 In my view the slight increase in the building envelope to rationalise the dimensions of the building is a Non-material Amendment and should be supported.

3 Maximisation of the active frontage on the northern façade

3.16 The internal arrangement is altered to create a single retail unit which spans the full width of the building at the northern end. This introduces a new area of curtain walling on the west side of the building and access to the retail unit from the access road/open space.

3.17 This change is beneficial and the UDC team raises no objection to these amendments. In my view the maximisation of the active frontage on the northern façade is a Non-material Amendment and should be supported.

4 Amendments to the basement layout

- 3.18 As approved the basement was laid out with the car and cycle parking spaces accessed via a ramp off the western side of the building. The car parking spaces were predominately on the east side of the building and cycle parking spaces on the west. Two areas for plant were included along with the single service core, lifts, lockers and changing rooms.
- 3.19 The revised arrangement maintains access from the west albeit that the car park ramp is moved slightly to the south. The cycle access still takes the form of stairs with a side ramp but there is a turn on the stairs. Car parking spaces are moved to the south of the ramp with cycle parking spaces and plant rooms to the north. The new service core is positioned between the cycle spaces and the plant rooms.
- 3.20 The Highways officer has not made any comments but the Walking and Cycling officer is concerned about the revised spacing of cycle stands. I have raised this concern with the applicants and will provide an update on the Amendment Sheet or orally at the Committee meeting. I am satisfied that the amendment to the basement layout constitutes a Non-material Amendment provided that it can be demonstrated that the cycle parking layout is still useable.

5 *Introduction of two doors on the western elevation of the ground floor*

- 3.21 The internal changes result in the access arrangements serving the substation, the cycle park ramp/stairs, the car park ramp and the refuse store moving to the south along the west elevation. Access a gas meter room is also introduced. The doors serving these facilities are still located within the overall structure of the building but they will affect a different part of this façade. A number of additional doors are introduced.
- 3.22 The UDC team has not raised any objections to this change but concern is voiced about the mechanism for ensuring that doors and other openings are properly integrated into the façade. There are a number of conditions on the planning permission (which will be repeated on the s73 consent) which control the detailed design of the building. I am confident that these will allow sufficient control of the details for these opening when they are designed.
- 3.23 In my view the introduction of additional doors on the western elevation of the ground floor is a Non-material Amendment and should be supported.

6 Reduction of the size of the reception area

- 3.24 As submitted the application for the NMA requested consideration of changes to the double height entrance space at the south end of the building, however this has now been clarified as a reduction in the size of the reception area. The double height space is retained in one bay of the building as previously approved but the reception area is reduced to within this space with the lift and stairs core occupying the next bay of the building.

- 3.25 This change is purely internal and has no external impact. The UDC team has no objection and in my view the reduction in size of the reception area is a Non-material Amendment and should be supported.

7 Reduction in the size of the basement

- 3.26 The basement is reduced by approximately 2.5 metres in depth along the eastern edge (Station Square). This has any impact on the basement layout which is assessed above but has no impact on the external appearance of the building. The UDC team has no objection and in my view the reduction in size of the basement is a Non-material Amendment and should be supported.

4 CONSULTATIONS

- 4.1 The Urban Design and Conservation team, Highways Officer and Walking and Cycling Officer have been consulted. Their comments are set out above.

5 OPTIONS

Option 1

- 5.1 To allow the non-material amendment would enable Block A1/A2 to be constructed in accordance with the revised plans.

Option 2

- 5.2 To refuse to allow the non-material amendment would mean that Block A1/A2 would need to be constructed in accordance with the approved plans or a planning application would need to be submitted for the revised plans.

6 CONCLUSIONS

- 6.1 There is no statutory definition of 'non-material'. The guidance states that this is because it is so dependent on the context of the overall scheme – what may be material in one context may not be material in another. The local planning authority must be satisfied that the amendment sought is 'non-material' in order to grant an application under S96A.
- 6.2 The Council has adopted an Amendments Protocol which is used by officers in determining whether an amendment constitutes a 'minor amendment'. This states that 'A useful guide is that if the nature of the amendment is such that it is felt that further consultation/publicity would have been warranted then it is unlikely that the amendment can be treated as 'non-material'.' The Protocol does however recommend consultations be carried out with the Design and Conservation Panel and the Urban Design and Conservation team if matters of design are under consideration. I have consulted the UDC team only because I do not consider that consultation with the Panel is necessary.

6.3 In this case it is my view that the submissions constitute a non-material amendment. I do not consider the proposed amendments as being of significance when viewed in relation to the development as a whole.

6.4 I would recommend that the non-material amendments be approved.

*. **IMPLICATIONS**

(a) **Financial Implications - None**

(b) **Staffing Implications - None**

(c) **Equalities and Poverty Implications - None**

(d) **Environmental Implications – None**

(e) **Community Safety - None**

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Planning Committee Agenda July 2013.

To inspect these documents contact Sarah Dyer on extension 7153

The author and contact officer for queries on the report is Sarah Dyer on extension 7153.

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