

Application Number 15/2142/NMA
Date Received 16th November 2015
Target Date 14th December 2015
Ward West Chesterton
Site 1 Milton Road Cambridge Cambridgeshire CB4 1UY
Proposal Non material amendment on application 14/1938/S73 to allow for a sliding door on the Milton Street (front) elevation of the approved convenience store which comprises part of "Block B"
Applicant c/o Agent

SUMMARY	The proposed replacement customer door at the retail unit from a swing door to a sliding door is considered to be a non-material amendment.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on Mitchams Corner, at the junction of Milton Road and Victoria Road, with frontages on Milton Road, Victoria Road and Corona Road. The surrounding area is mixed in character with the Staples site opposite to the south; residential properties adjacent to the site on Victoria Road to the west; commercial and residential properties adjacent to the site on Milton Road to the north; and residential properties adjacent to the site on Corona Road to the north. The Portland Arms Public House lies to the south.
- 1.2 Planning permission has been granted on the site for the erection of student accommodation comprising 211 student rooms (following demolition of existing buildings) and a commercial unit to be used for Class A1 food retail purposes, together with bicycle and car parking and associated

infrastructure (14/0543/FUL). The approved student accommodation and retail unit are currently under construction.

- 1.3 The site lies within the Castle and Victoria Conservation Area. The Portland Arms Public House adjacent to the site is a Building of Local Interest (BLI).

2.0 THE PROPOSAL

- 2.1 The proposed development seeks a non-material amendment to planning permission reference 14/1938/S73. This Section 73 is an amendment to the original planning permission reference 14/0543/FUL for the '*Erection of student accommodation comprising 211 student rooms (following demolition of existing buildings) and a commercial unit to be used for Class A1 food retail purposes, together with bicycle and car parking and associated infrastructure*'. The accommodation is intended to be used by Anglia Ruskin University students and the retail unit is to be occupied by Sainsbury's Supermarkets Ltd.

- 2.2 The purpose of the current Non-Material Amendment application is to allow for the installation of a sliding door to the retail unit to the eastern elevation. The approved scheme shows double entrance doors that open inwards, however the operational requirements of Sainsbury's Supermarkets Ltd are for an automatic sliding door.

2.3 Accompanying documents

- Approved drawings:*
365-B-02-Rev02 (Detailed Elevations- Block B South) of permission 14/1938/S73
- Existing drawings provided as part of this application: 200, 201, 202, 204, 205,
- Amended drawings provided as part of this application: 203, 206, 207

- 2.4 The application is brought before Planning Committee as it was called in by Councillor Robertson. See paragraph 7.2 for full reasons.

3.0 SITE HISTORY

Reference	Description	Outcome
14/0543/FUL	Erection of student accommodation comprising 211 student rooms (following demolition of existing buildings) and a commercial unit to be used for Class A1 food retail purposes, together with bicycle and car parking and associated infrastructure.	Approved subject to conditions.
14/1938/S73	Section 73 application to vary condition 2 of application 14/0543/FUL for substitution/addition of plans to permit amendments to be made to the scheme.	Approved subject to conditions.
15/1827/S73	S73 application to vary condition 2 of approval 14/1938/S73 for substitution/addition of plans to permit the erection of a single storey projection to the entrance to Block A.	Pending
15/2133/ADV	Installation of a fascia on elevation A (internally illuminated), a fascia on elevation B (side) (non illuminated) and a projecting sign on elevation A (front) of the building (internally illuminated).	Approved subject to conditions

4.0 PUBLICITY

4.1 This application is for a non-material amendment and there is no requirement to carry out any formal consultations for this type of application.

Advertisement: No
Adjoining Owners: No
Site Notice Displayed: No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/6 3/7 3/11 3/12 3/14 3/15 4/11 4/12 4/15 6/7 6/8 6/10 8/2 8/4 8/5 8/9 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Material Considerations	<u>City Wide Guidance</u> Cambridgeshire Design Guide For Streets and Public Realm (2007) The Cambridge Shopfront Design Guide (1997) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012) Mitcham’s Corner Area Strategic Planning

	and Development Brief (2003)
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5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Urban Design Team

- 6.1 It is considered that there are no material Urban Design issues with this proposal.

Conservation Team

- 6.2 It is considered that there are no material Conservation issues with this proposal.

The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 No third party representations have been received.
- 7.2 Councillor Robertson called in the application to committee. His comments are provided below:

At the August 2014 meeting which approved 14/0543 I pointed out the problem which will exist if the deliveries to the store are to a doorway on the right side of the store frontage. It is my belief that there should have been a dedicated delivery bay beside the store and that delivery in front of the store would be a problem. As that concept was however accepted, it is very important that as vans can only park facing north in the delivery bay, that goods transfer from the back of those vans immediately into the store and that means the delivery bay should be located on the left and not the right as shown on the plans attached to this new application. There is a risk that lorries will attempt to park at the far (north) end of the bay and block the pavement, because it will be so inconvenient to deliver from the back of the van to the far end of the front of the store.

7.3 *With regard to the bollards, we need to find a way to allow the shop to unlock them for deliveries and the wording of the meeting minutes does not appear to allow for that when they say “retained in perpetuity”. The wording should be very clear however that it will be a requirement that the bollards are re-erected and locked in place immediately after the delivery van has left.*

7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 The proposal is to replace two inward opening customer entrance doors at the ground floor retail unit, with an automatic sliding door. The double doors were approved as part of a planning permission reference 14/0543/FUL and the subsequent approved permission 14/1938/S73. The retail unit is part of a new student accommodation block at 1 Milton Road. The surrounding area is predominantly a mixed-use residential and commercial area with the Portland Arms public house adjacent to the site.

8.2 The proposed door would measure 1.5m wide and comprise of a single pane of glass. The Conservation and Urban Design Team considers there to be no Conservation and Urban Design material issues with the application.

- 8.3 Customers can access the convenience store via the main entrance off Milton Road. The store's service access is also off Milton Road, with a service drop off zone in front of the store.
- 8.4 Councillor Robertson has raised concerns with this application. He has requested that delivery vehicles only park facing north in the delivery bay and that goods transfer from the back of those vans immediately into the store. Councillor Robertson would prefer that the delivery bay be located on the left and not the right as shown on the plans. He has concerns that lorries will attempt to park at the far (north) end of the bay and block the pavement, because it will be inconvenient to deliver from the back of the van to the far end of the front of the store.
- 8.5 In response to Councillor Robertson's concerns, there are no conditions on the previous approvals (references 14/0543/FUL and 14/1938/S73) that specify the direction delivery vehicles should park in the delivery bay or that goods should be transferred immediately into the store. This application is a non-material amendment application and therefore its purpose is to consider whether the proposed amendment for the sliding doors is a material change or not. Whilst the concerns of Councillor Robertson are noted, the layout of the delivery bay has been agreed previously in permissions reference 14/0543/FUL and 14/1938/S73, and cannot be considered here.
- 8.6 The request that the bollards be re-erected and locked in place immediately after the delivery van has left is again noted. However, this suggested amendment would not fall within the scope of this non-material amendment application for the proposed sliding door.
- 8.7 I consider the proposal can be considered a non-material amendment as it is a minor alteration to the scheme approved under planning permission reference 14/0543/FUL and the subsequent approved permission 14/1938/S73, because it will not have a visual impact on the scheme and would not harm nearby residential amenities or highway safety.

9.0 CONCLUSION

- 9.1 It is considered that the proposed replacement of the inward opening customer entrance doors to an automatic sliding door is a non-material amendment because, it will not have a visual impact on the scheme and would not harm nearby residential amenities or highway safety.

10.0 RECOMMENDATION

APPROVE the proposed post-decision changes as non-material.