



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 4th February 2010

Subject: APPLICATION 09/5038/FU – DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF SIX STOREY OFFICE BLOCK WITH BASEMENT PARKING AT 6 QUEEN STREET AND 28A YORK PLACE

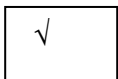
APPLICANT
West Quarter Ltd

DATE VALID
2nd December 2009

TARGET DATE
3rd March 2010

Electoral Wards Affected:

City and Hunslet



Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning officer subject to the acceptance of the viability appraisal, conditions specified (and any others which he might consider appropriate)and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations;

- Public transport contribution of £103,235 (or as agreed subject to viability appraisal).
- Travel Plan with monitoring fee of £4,215.
- Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service during and post construction regarding employment at the site and use local contractors, sub-contractors and material suppliers where appropriate (but noting that the applicant is a construction company based in Halifax and therefore already has a labour force available for construction).
- £600 monitoring fee for the public transport contribution (subject to viability appraisal).

Conditions

1. Time limit.

2. Reference to plans being approved.
3. Notification of date of commencement.
4. Requirement for a construction management plan.
5. Confirmation of site levels and building heights.
6. Sample panel of all external materials to be approved.
7. Provision of typical 1:20 detailed elevations for material joints, windows, entrances, eaves, reveals and soffits.
8. Details of any excrescences on the external walls and roof.
9. Full details of hard/soft landscaping to be submitted.
10. Implementation of hard/soft landscaping.
11. Details of storage and disposal of litter.
12. Delivery hours restricted to 0700-2300.
13. Details of any lighting.
14. Details of surface water drainage and raised area at the car park entrance.
15. Implementation of surface water drainage techniques.
16. Full details of vehicle, motor cycle and cycle parking facilities including secure locking facilities.
17. Appropriate construction of new vehicular crossings, kerbs etc.
18. Full details of design and location of drop down vehicular barriers.
19. Retention of the visibility splay of 2.4m x 33m.
20. Standard land contamination conditions relating to the recommended site investigation works.
21. Details of safety and security measures for the site including the basement car park and access to buildings to 'Secured by Design' standards.
22. Requirement to meet BREEAM 'Excellent' and consideration of RSS policy ENV5, provision of a green/brown roof, recycled material content, Site Waste Management Plan and Sustainable Drainage Systems (SUDS).
23. Requirement for a dedicated user system and window/door manifestations.
24. Parking allocation to accord with UDP standards.
25. Full details of the servicing of the building.
26. Full details of the on-street highway works to be agreed and implemented prior to occupation.

Conditions 4, 22, 23 and 26 are non standard conditions, a further explanatory note regarding these conditions can be found in the Appendix 1

Reasons for approval: The application is considered to comply with policies GP5, GP11, GP12, BD2, BD4, BD5, T2, T24, A4, SA9, SP8, CC5, CC27, BC7, N12, N13 and N19 of the UDP Review, as well as guidance contained within the City Centre Urban Design Strategy September 2000, Public Transport Improvements and Developer Contributions 2008, Sustainable Development Design Guide 1998, PPS1, 'General Policies and Guidance', PPS4 'Planning for Sustainable Economic Growth', PPG13 'Transport', PPG15 'Planning and the Historic Environment' and, having regard to all other material considerations.

1.0 INTRODUCTION:

Members will recall a pre-application presentation regarding this proposal from the 16th July 2009 Panel. At this meeting Members received a presentation from the architect and provided comment on the scheme. A summary of Members' comments is provided in section 5.0 below. Following this pre-application presentation, amendments have been made to the scheme to attempt to address Members' comments and a formal application has been submitted which is now brought to Members with a request they resolve to agree the scheme proposals and

conclusions regarding the viability appraisal (to be reported verbally) and defer and delegate the final decision to the Chief Planning Officer.

2.0 PROPOSAL:

It is proposed to demolish the existing office buildings and construct one six storey building to provide 9797m² (GIA) of B1 office accommodation with basement parking.

The building would be sited to the back of the footway on both Queen Street and York Place with the vehicular entrance at the eastern end of the building on York Place. Vehicles would turn left into the car park from the one-way York Place and into a basement that accommodates 47 car parking spaces inclusive of 2 disabled spaces, 3 'large' parking bays that can be converted into disabled bays at a later stage if the need arises, 38 cycle parking spaces and 8 motor cycle spaces. The basement also includes shower facilities (3 male, 3 female and one disabled), some plant machinery and bin stores. 5 basement car parking spaces are designated to car sharers. Access to the basement is controlled by a shutter located 5m from the back of the footway. An additional 'night time' shutter is located on the back of the footway that will be closed at night to restrict access and prevent anti-social behaviour, this shutter will be an open type that allows views through the shutter and therefore avoids introducing a totally solid frontage to this ground floor part of the building.

At ground floor there is the main pedestrian entrance on Queen Street adjacent to the fire escape door and bin store access point. A secondary pedestrian access is provided on York Place towards the vehicular entrance. The building is set in from much of the northern boundary where an external landscaped area is provided. At the corner of Queen Street and York Place the ground floor is cut back to ensure an appropriate footway width is provided. Four short stay cycle spaces are provided at the main entrance to the building on Queen Street. Servicing takes places from Queen Street adjacent to the main entrance. One of the three existing on-street parking bays outside the building on Queen St is to be converted to a car club bay.

Floors one to three provide a similar open plan office floor space to that of the ground floor until the building is set back 2m along York Place at the fourth floor where an external terrace is provided.

The fifth floor is set back a further 3.5m (5.5m in total) along York Place with a set back of 4.5m being introduced along Queen Street. Due to a covenant placed on the land regarding the height of the building in relation to the adjacent buildings, the fifth floor is significantly set in from the eastern boundary of the site therefore a large external terrace is provided. The fifth floor incorporates a plant room in addition to the open plan office space.

The building is faced with a red brick to reflect the predominant material in the area with aluminium framed windows and opaque glazing introduced to screen floor slabs and other structural features.

The York Place elevation is broken down into bays by recessing vertical strips within the brick façade to compliment the terraced approach that exists along this street. The windows are recessed into the building with some larger windows to the ground floor and greater variation to the upper floors. Again, the window rhythm seeks to reflect that found throughout York Place. The fourth floor that is set back incorporates larger areas of glazing with the fifth floor taking the form of a lightweight glass box.

The Queen Street elevation has larger window openings including a double height glazed entrance. There are smaller window openings to the set back fourth floor with the fifth and top floor being the same lightweight box found on the York Place elevation. Brise soleil are incorporated into the smaller openings on the fourth floor.

Hard and soft landscaping is provided in the ground floor courtyard area at the rear of the site.

The building will achieve BREEAM excellent and the applicant has also committed to exploring the potential for green/brown roofs and other sustainable and biodiversity approaches to enhance the sites ecological value.

The application is supported by the following documents:

- Design and Access Statement.
- Planning Statement.
- Heritage Statement.
- Utilities Assessment.
- BREEAM Assessment.
- Economic Statement.
- Drainage Statement.
- Travel Plan.
- Transport Statement.
- Noise Impact assessment.
- Land Contamination Report.

The applicant has confirmed they will enter into a S106 agreement regarding the Travel Plan and evaluation fee of £4,215. The applicant will also agree to the standard training and employment initiatives subject to consideration being given to the fact that they are a construction company based in Halifax and therefore can supply much of the labour force required for the construction. A viability appraisal has been submitted regarding the £103, 235 Public Transport Contribution and this is being examined by colleagues in Asset Management with their findings to be reported verbally to Panel.

3.0 SITE AND SURROUNDINGS:

The application relates to two buildings located adjacent to each other on York Place and Queen Street. Pannell House is a three storey office building on the corner of Queen Street and York Place. White Rose House is the adjacent 5 storey office building on York Place. The buildings are in red brick with vehicular and pedestrian accesses available from both Queen Street and York Place. Surface parking is located behind each of the existing office buildings. The buildings were constructed in the 1970s.

The site is within the Central Area Conservation Area and Prime Office Quarter. The area is characterised by primarily office accommodation but with some residential and leisure uses. The character includes a number of red brick buildings of varying ages including three storey Georgian houses on the southern side of York Place opposite the site, former Victorian warehouses and other 1970s office buildings. There are some new contemporary buildings and extensions within the Conservation Area (CA). The nearest residential properties are opposite the site on the south side of York Place.

York Place is a one way street running west to east from Queen Street to King Street. There are on-street parking bays on the southern side of York Place and on both sides of Queen Street.

4.0 RELEVANT PLANNING HISTORY:

None

5.0 HISTORY OF NEGOTIATIONS:

An initial pre-application enquiry was submitted in September 2008. Since this date regular discussions took place regarding the redevelopment of this site up to the pre-application presentation to Panel in July 2009. Prior to the Panel presentation the focus of the discussion related to the scale, form and design of the building.

At the 16th July 2009 Panel Members received a presentation from the architects and made the following comments. Where necessary a brief response to these comments is provided below with a further response provided in the appraisal section below.

- It is a shame that buildings only 20 years old are being demolished therefore the sustainability argument needs to be strong to justify this demolition. *Response: A BREEAM Assessment has been provided that states the new building will meet BREEAM Excellent. The existing buildings have a poor environmental performance therefore there are significant long term benefits. Further details are provided in paragraph 5 of the appraisal section.*
- The existing buildings fit better, the height of the proposals are OK but the rhythm is wrong. *Response: It is considered the existing buildings are of a bland design and do not sufficiently respect the streetscene and Conservation Area. A full appraisal of the design including improvements made to the rhythm is provided in paragraph 2 of the appraisal section.*
- The proposals are no more interesting than existing. *Response: See point above and design comments in the appraisal section.*
- The scheme follows the York Place design but is very big onto Queens St. The corner unglazed tower appears inappropriate and the larger windows on York Place. *Response: The Queen Street and corner design has been amended and is discussed in detail below.*
- It is a challenge to design in this area of mixed character. The sympathetic approach is acceptable but the detail has to be correct.
- One Member didn't like roof set back and requested this reflect the design of the rest of the building. *Response: Recessed upper floors are a common feature in the locality and city centre as a whole and are considered to be an appropriate way to reduce a buildings impact on the streetscene and ensure the upper levels do not appear dominant.*
- The building should be exciting. It may be preferable to have a contrasting material and not all brick. However it is accepted that all brick may be appropriate in the context of the Conservation Area. *Response: The predominant building material in the area is red brick and to ensure the proposal reflects the character of the Conservation Area it is considered that brick should be used as the facing material to all elevations.*
- In general the scale, massing and rhythm of the building to York Place was supported but not so much the corner onto Queen Street. *Response: The corner feature has been improved and is discussed in more detail below.*

6.0 PUBLIC/LOCAL RESPONSE:

Site notices were posted on 9/12/09 and an advert was placed in the Leeds Weekly News on 24/12/09. No comments received.

Within the Design and Access Statement submitted for the proposals reference was made to a public consultation exercise. The applicant sent 60 letters to local land owners, businesses, property representatives and residents informing them of a drop in session at the site when the proposed plans could be viewed. The Civic Trust were also invited to this session which took place on 28th October 2009. Nine people attended the event and six written comments were received. The comments supported the principle of the development and design of the proposals. There was one concern raised that related to the disruption to the street during demolition and construction.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Highways: No objections in principle subject to minor amendments to the site layout including the setting back of the vehicle barrier, provision of 8 motorcycle spaces, vehicle tracking, dropped kerbs and visibility splays. The area of the site required to provide the appropriate visibility splay should be adopted as highway. All external doors should not swing out to the adopted highway. Conditions are required to cover the above points and to require a construction management plan and cycle locking facilities. *Response:* Amended plans have been submitted that address the issues above and Highways now accept the proposals. The applicant has confirmed that the area within the visibility splay cannot be adopted as highway as the building above overhangs this point therefore a condition will be added to ensure the visibility splay is maintained. Further conditions will be added as requested.

Mains Drainage: There are no apparent flooding issues but as a basement car park is proposed it is suggested that the vehicular entrance be raised to ensure any flood water does not enter. Conditions are required to ensure the existing drainage can cope with current drainage standards. *Response:* The surface water run off from the site is to be reduced by 30% to a limit of 100 litres/ sec/ hectare by the use of a green roof or on site storage. This is to be investigated as agreed under the sustainability items. A raised strip is now noted on the ground floor plan. However it should be noted that York Place at the car park entrance falls towards Queen Street by 900mm and Queen Street then falls to Wellington Street. Conditions will be added that require full details of the surface water drainage and raised strip.

Yorkshire Water: No comment to make.

Non-statutory:

Neighbourhoods and Housing: Due to the proximity of residential properties standard conditions have been recommended to ensure the amenity of residents is not adversely affected. *Response:* The standard conditions will be added. The condition regarding the hours for deliveries will be amended from the suggested 0730-1630 Monday to Saturday (with no deliveries on Sunday or Bank Holidays) to 0700-2300 to accord with PPG24 'Planning and Noise' and Circular 11/95 (The Use of Conditions in Planning Permissions). 0700-2300 are considered the non-sensitive hours in a city centre location that includes a variety of uses including night time activity, without unduly impinging upon sleeping hours.

Contaminated Land: The desk study identifies the site as a former timber works therefore conditions are required to ensure the necessary site investigation works take place.

West Yorkshire Police Architectural Liaison Officer: Methods to control vehicles and pedestrians entering the building should be in place to ensure offenders cannot enter. Car park lighting should be to the appropriate British Standard. Response: *The agent has confirmed they have discussed these issues with the ALO and agreed that the shutter access to the basement car park covers the points raised and that no bollards are required. A height restrictor will be installed at the car park entrance. General access control will be introduced at the main entrance and basement core access point. All other doors are fire escape doors and will only open from the inside. Internal controls will depend on the number of tenants. The lighting requirement in the basement to BS5489 has been noted by the applicant. The BREEAM report also requires consultation with the ALO and the incorporation of their recommendations and a condition is added to ensure the building and car park accords with 'Secured by Design' standards.*

Transport Policy: The Travel Plan (TP) and TP evaluation fee of £4,215 will need to be secured through a S106 agreement. Details of the proposed car club space on Queen Street should be provided and new occupants of the offices should be offered a free trial. The car parking should only be allocated to the offices in accordance with UDP standards and motorcycle, visitor cycle and car share spaces should be identified in plan. Have the Highways Agency (HA) been consulted? Response: *The requested details have been provided and the car club space will be provided on Queen Street with a free trial offered to new occupants. Parking is in accordance with UDP standards. Due to the scale and location of the development the HA do not need to be consulted.*

Public Transport Contribution: The proposed development would generate a significant number of trips and a contribution of £103,235 is required in accordance with SPD5. Response: *The applicant has submitted a viability statement that is being considered and an update will be provided verbally at Panel.*

Access: The secondary door adjacent to the revolving door should be electronically operated with a dedicated user system (or other system) to ensure access for all. Permanent manifestations should be placed on all glazed walls and doors. Two disabled spaces should be provided with three bays marked up as large bays that have the potential to be converted to disabled bay if the need arises. Response: *The applicant has confirmed an electronically operated opening system with activation key fob system will be in place and manifestations will be provided, such measures will also be conditioned. Disabled and large bays have been provided as requested.*

City Service Streetscene Services: The number of bins appears acceptable but it is not clear whether the bin stores are large enough. Response: *The applicant has confirmed that the ground floor store is for general waste and will have 3no. 1100 litre bins. The basement store is for recycling paper and glass and will have 4 no. 1100 litre bins plus glass bin. The plans now show the bins located within the bin stores and this is acceptable. Full details of servicing and waste collection etc are required by condition.*

8.0 PLANNING POLICIES: Development Plan

Regional Spatial Strategy: The RSS for Yorkshire and Humber was adopted in May 2008. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region.

UDP:

UDP Designation: Prime Office Quarter, Conservation Area

GP5: Proposals should resolve detailed planning considerations.

GP11, GP12 (Sustainable Design).

BD2: New buildings should complement and enhance existing skylines, vistas and landmarks.

BD4: Seeks to minimise impact of plant and machinery.

BD5: Seeks to ensure a satisfactory level of amenity for occupants and surroundings.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

T24: Parking to reflect detailed UDP parking guidelines.

A4: Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.

SA9, SP8: Promote development of City Centre role and status.

CC5: All development in the CA must preserve or enhance the character of the area. New buildings in the CA should respect the surrounding buildings by normally being within one storey in height.

CC27: Proposal areas within the City Centre.

BC7: Use of local materials in Conservation Areas

N12: Fundamental priorities for urban form.

N13: requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N19: Development within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

Relevant Supplementary Planning Guidance

City Centre Urban Design Strategy September 2000: Seeks to reinforce the positive qualities of character areas, re-establish urban grain, provide enclosure to streets, create visual interest, encourage excellent design, improve pedestrian connections, develop a mixture of land uses, promote active frontages and promote sustainable development.

Public Transport Improvements and Developer Contributions 2008: Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.

Sustainable Development Design Guide 1998: This SPG provides useful information for developers and designers in how the principles of sustainability can be put into practice, it will eventually be replaced by the Sustainable Design and Construction SPD once adopted.

National Planning Guidance

PPS1 *General Policies and Principles*

PPS4 *Planning for Sustainable Economic Growth*

PPG13 *Transport*

PPG15 *Planning and the Historic Environment*

PPG24 *'Planning and Noise'*

9.0 MAIN ISSUES

1. Principle of development.
2. Scale, form, design and impact on the Conservation Area.
3. Amenity.

4. Highways issues.
5. Sustainability.
6. S106 issues.

10.0 APPRAISAL

1. Principle of development.

The proposed office building is located within the City Centre and Prime Office Quarter therefore the principle of such a development is acceptable as it accords with UDP policy CC27 and guidance contained within PPS4. New office space will support the UDPs strategic aims regarding the development of the City Centre and those of the RSS.

2. Scale, form, design and impact on the Conservation Area.

The proposals were subject to lengthy detailed pre-application discussions with officers and a pre-application presentation to Panel. The scheme presented to Panel reflects these discussions and attempts to address all issues raised.

The scale of the building has remained unchanged from that presented to Members at pre-app when the scale was accepted. The proposed building is within the Conservation Area (CA) that, within the immediate environment, includes buildings of a variety of heights ranging from three storey Georgian properties of a domestic scale and appearance to larger six and seven storey 1960-70s buildings such as Sheldon House to the rear of the site. Due to this variety of heights the application of UDP policy CC5 that requires new buildings to normally be within one storey of adjacent buildings within the CA is difficult to strictly apply. As such it was agreed that a four storey building onto York Place would be acceptable with two floors progressively set back from York Place. This allows for the relationship to the three and four storey building on the opposite side of York Place to be considered acceptable as agreed at the pre-application presentation to Panel.

The apparent scale of the building is reduced further due to the top floor being set in 21m from the eastern boundary. The fifth floor is also set in from the Queen Street elevation by 4.5m and is designed as a light weight primarily glazed box.

The scale of buildings along Queen Street, including those on the west side of Queen Street that are outside the CA, are greater than many of the properties along York Place and are consistently four and five storeys high and include an approval at Prince William House to the northern end of Queen Street at seven storeys.

Due to the varied nature of the immediate surroundings and wider setting, plus the design features mentioned above and discussed in more detail below, it is considered that the scale of the proposed building is acceptable.

There has been a detailed study of both the York Place and Queen Street elevations to ensure the design of the building suitably reflects these rather contrasting streetscenes and wider character of the CA. The York Place streetscene has a common rhythm of mainly slender buildings with two and three bays therefore the proposed building includes recessed elements in brick that will break the building up and introduce a shadow at regular intervals and therefore respect the existing rhythm. York Place includes both large and small windows with some of the historic buildings incorporating some larger bay windows at ground/first floor and the more contemporary buildings in the area having large openings to all floors floors. The proposed York Place elevation includes both these elements by

having some large and small openings separated with varied brick panels. The deep window reveals (approx 300mm) allow the brick to dominate whilst providing depth and interest to the building that is provided by the large stone window frames on the historic buildings elsewhere within the streetscene.

The upper floors are set back and have a simpler design so as not to dominate this elevation but still respect window alignments etc. The top floor is primarily glazed with a slim frame and appears subservient.

To ensure the building aligns with the Queen Street elevation the common material of red brick is continued through the corner of the building and onto Queen Street.

At the pre-application presentation an open brick corner feature was proposed with deep recessed balconies. This dominant feature has been removed and a lighter glass tower introduced to provide an interesting feature that is supported by both brick elevations and therefore helps to link these elevations around the corner.

The Queen Street elevation also includes deep window reveals (approx 400mm) and varied window sizes but these openings are generally larger than those to York Place to reflect the more contemporary streetscene. A large presence is provided by the double height entrance and lobby area.

The building is primarily faced in red brick as this is the predominant building material in the area. The brick work and pointing will be inspected at condition discharge stage to ensure the brick reflects its surroundings. Aluminium frames to the windows are in common use within the CA and allow for the windows to have a slim frame like many of the timber framed windows in the CA. The tinted glass will subtly screen floor slabs and suspended ceilings etc without breaking the rhythm to the windows.

It is considered that the proposed building has addressed the varied scale and character of both streetscenes and the character within the CA and that outside of it. The use of traditional materials is supported and with the removal of the bland and varied architecture to the existing buildings the proposal is considered to enhance the character of the CA.

3. Amenity

Full details of the construction management are required by condition to ensure the amenity of local residents and other occupants of commercial buildings are protected.

Whereas the new office building introduces more floor space it is considered that there will be no adverse impact on the amenity of adjacent occupiers following this intensification. The relocation of the existing surface parking at the rear of the site into a basement will be an improvement on the current situation. The external terrace areas will be ancillary to the main office use and it is not considered these areas could create any significant amenity problems.

The proposed building abuts other office buildings and respects their height so as not to cause any significant overshadowing or overdominance over and above the existing. The building is to the north of the lower three-storey Georgian properties on the opposite side of York Place therefore there is no overshadowing of these properties and due to the set back of the upper floors the buildings are not considered to over dominate, as highlighted in section 2 above.

The proposed building fills more of the site than the previous and therefore introduces more windows facing toward other properties and within closer proximity. However, these windows maintain distances of between 6m and 15m and these are considered sufficient office to office window distances.

4. Highways issues.

Following minor amendments to the layout the scheme is acceptable in highways terms. The new vehicular access shows appropriate visibility splays that will be conditioned to remain clear of all obstructions, sufficient vehicle passing can be provided at the entrance and the car park provides appropriate manoeuvrability. All parking standards accord with the UDP and a condition will be added to ensure any subdivision of the office space continues to accord with UDP standards.

A total of 38 long stay cycle parking spaces and seven showers are provided to support this sustainable mode of travel.

A Travel Plan (TP) has been agreed that includes the provision of 5 car sharing spaces in the basement and a car club space being introduced outside the building on Queen Street. New occupants are offered a free trial of the car club upon occupation. A variety of other measures to promote sustainable travel are also committed to in the TP. This document will be appended to the S106.

5. Sustainability.

A BREEAM assessment has been submitted with that states the building will achieve a score of excellent. This approach is supported and highlights how sustainability issues relating to this building have been considered at an early stage with commitment to a variety of measures and targets including further investigation into the introduction of green/brown roofs and other biodiversity enhancements. A condition will be added that requires BREEAM excellent is achieved and specifically making reference to further investigations into the use of SUDS, green/brown roofs, a Site Waste Management Plan and a recycled materials content as already committed to in the BREEAM assessment. In addition the building will also be required to attempt compliance with RSS policy ENV5 that requires all major developments to achieve a minimum 10% of energy use for the development through low or zero carbon technologies. The applicant has already investigated the potential for using low carbon technologies and therefore potentially improve the BREEAM score further.

The applicant has fully investigated the sustainability potential of the building and has committed to further investigations and assessment that could result in further enhancements to the buildings sustainability. The present building have a very poor environmental performance therefore it is considered that the long term benefits of introducing a highly sustainable building will outweigh any concerns regarding the demolition of relatively young buildings.

6. Section 106 issues.

The applicant has agreed to enter into a S106 agreement regarding the Travel Plan and evaluation fee of £4,215. The applicant will also agree to the standard training and employment initiatives subject to consideration being given to the fact that they are a construction company based in Halifax and therefore can supply much of the labour force required for the construction from an existing pool of labour (including some that live in Leeds). As such the standard employment and training initiatives will be amended to reflect this.

A viability statement has been submitted regarding the £103,235 Public Transport Contribution as required by Supplementary Planning Document (SPD) 5, 'Public Transport Improvements and Developer Contributions'. This SPD and circular 5/05 'Planning Obligations' recognises that the viability of schemes can be an issue and states that 'decisions on the level of contributions should be based on negotiation with developers on the level of contribution that can be demonstrated as reasonable to be made whilst still allowing the development to take place'. The applicant has submitted a detailed viability statement and this is being examined by colleagues in Asset Management and their findings will be reported verbally to Panel.

11.0 CONCLUSION

The proposed development removes uninspiring buildings with poor environmental performance and introduces a building that respects its conservation setting and with significantly improved and well thought out sustainability credentials. There are benefits achieved through the reduction of vehicular access points at this site and introduction of car club space and a significant number of cycle spaces serving the building. Subject to the consideration of the viability statement the proposal is considered to comply with the relevant UDP policies and other guidance and will provide further high quality office accommodation in the City Centre.

Background Papers:

Application file 09/05038/FU.

Certificate of Ownership signed on behalf of the applicant.

APPENDIX 1

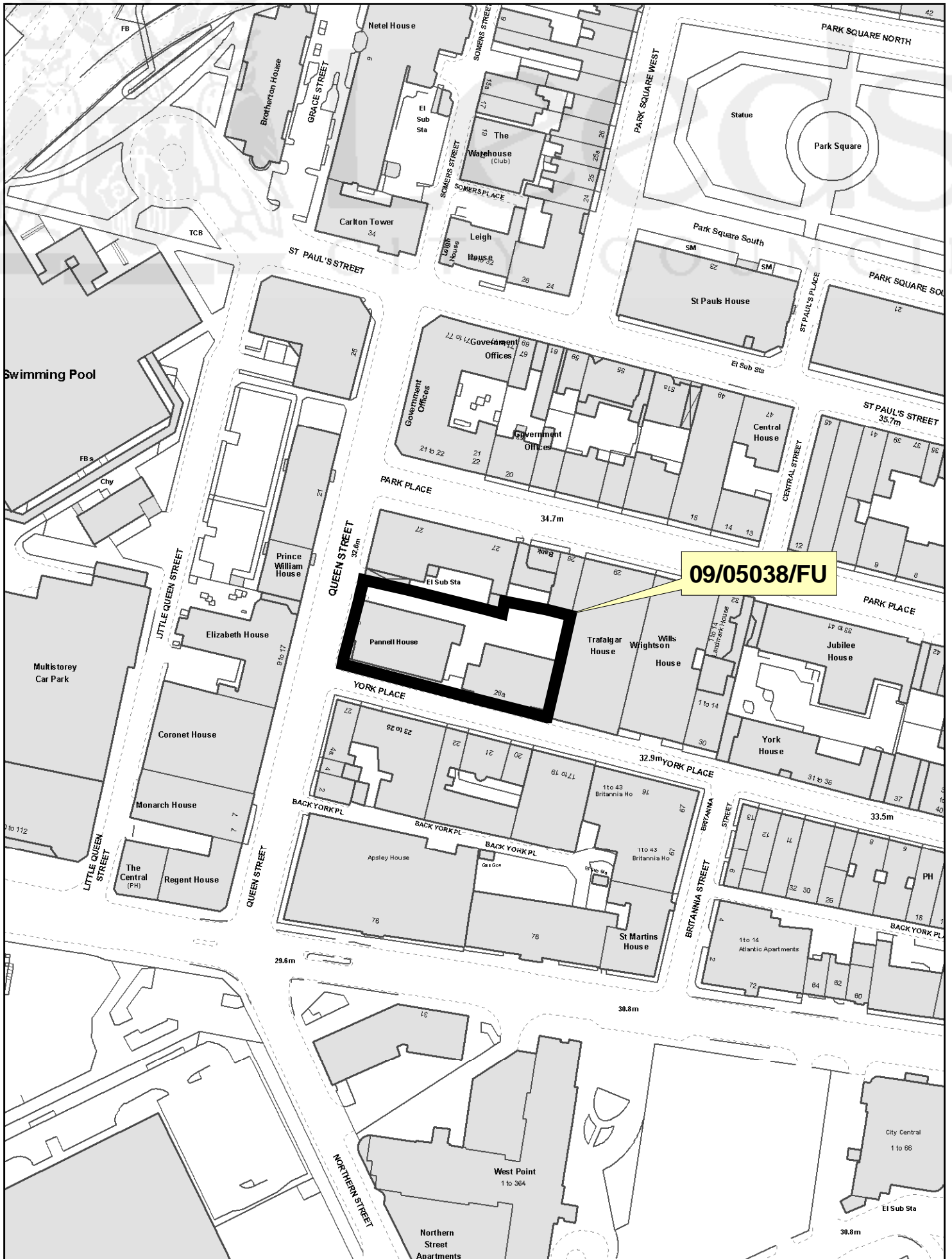
Planning Application 09/05038/FU Non Standard Conditions

4. The construction management plan will be required to include details of contractors' cabins and parking, location of site hoardings to protect passing pedestrians, contractors' vehicle routes to and from the site, location of construction access and provision of pedestrian access during construction, details of the prevention of mud/grit/dust nuisance during construction works, hours of construction and demolition and the minimising of noise during construction to protect the amenity of the area and in the interest of highway safety.

22. A special condition will require the building meets BREEAM 'Excellent' as highlighted in the submitted BREEAM Assessment but also considers those other biodiversity and sustainability measures including the RSS renewable energy policy ENV5, provision of a green/brown roof, recycled material content, Site Waste Management Plan and Sustainable Drainage Systems (SUDS).

23. As outlined by the applicant and requested by Access colleagues, this condition will ensure a suitable dedicated user system will be in place to ensure the disabled access is maintained and to ensure appropriate window/door manifestations are provided.

26. The on-street highway works include the removal of a parking space and introduction of a car club space. These works and any associated compensation for the loss of revenue from the existing parking space will need to be agreed and implemented prior to occupation.



09/05038/FU

CITY CENTRE PANEL

Scale 1/1500

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