



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 4 MARCH 2010

Subject: POSITION STATEMENT FOR APPLICATIONS 09/03230/FU - Change of use including refurbishment and extensions to 2 church buildings with 2 flats, to form offices and 20 flats and erect a part 4 part 5 storey block comprising office and 31 flats, with car parking, 09/03280/CA – Conservation Area application to demolish the Chantrell House office building, and 09/03397/LI – Listed Building Application for partial demolition and making good of boundary wall, at St Peters Church And Church Buildings, and Chantrell House, Leeds Parish Church, Kirkgate, Leeds, LS2 7DJ.

APPLICANT	DATE VALID	TARGET DATE
Yelcon Ltd - S Holman	6 January 2010	7 April 2010

Electoral Wards Affected:

City & Hunslet

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Members are requested to note the contents of this position statement and are invited to comment in relation to the questions raised in bold type in the Issues section (section 10) of the report.

1.0 INTRODUCTION:

The scheme is presented to Members at an early stage for their consideration and comment on the key issues raised by the proposal. It relates to the redevelopment of properties within the setting of a nationally important, grade I listed, Anglican Church (significant for the quality of its architecture and fine interior).

2.0 PROPOSAL:

The proposal is to change the use of the site to a mixed use of 51 residential flats (30 x 1-bed, 18 x 2-bed and 3 x 3-bed units) and 445 sqm. of gross office space. This would involve the partial demolition and subsequent refurbishment of and extensions to St Peters Hall and St Peters House to create extended 4 and 5 storey buildings. These would both house office space at ground floor level with residential above. A total of 20 flats are proposed within these two buildings. In addition, it is proposed to demolish the existing 3 storey Chantrell House office block. This would be replaced with a 5 storey block comprising office use to part of the ground floor (fronting The Calls) and 31 flats, with undercroft car parking. To create a flood risk emergency escape route it is also proposed to partially demolish and make good a Grade II listed boundary wall to St Peters (Leeds Parish Church).

Consideration has been given to the appearance and design of the buildings in respect of their context of Leeds Parish Church (St Peters) and The Calls and the relationships to nearby buildings.

A visual inspection has shown that the site currently provides potential for approximately 23 parking spaces in two parking courts on either side of Chantrell House. The proposal would result in a total of 32 car parking spaces on site.

A number of documents have been submitted in support of this proposal and these are:

- Planning Statement
- Design and Access Statement
- Heritage Assessment Statement
- Sustainability Statement
- Low Carbon and Renewable Technologies Report
- Code for Sustainable Homes Pre-Assessment
- Biodiversity Statement
- Bat Survey
- Green Travel Plan
- Transport Assessment
- Flood Risk Assessment
- PPS25 Sequential and Exceptions Test Assessment
- Affordable Housing Support Statement
- Utilities Assessment
- Drainage Statement
- Noise Survey and PPS24 Assessment
- Phase 1 Land Contamination Report

3.0 SITE AND SURROUNDINGS:

The site is a City Centre location set within the Riverside Area, as defined by Leeds Unitary Development Plan Review 2006. Three buildings exist on the site, St Peters Hall and St Peters House, which are red brick Victorian/Edwardian 4 storey buildings and Chantrell House a red brick 1980s 3-storey office block. St.Peters Hall and House provide limited residential accommodation (2 flats) but for the most part are vacant and in a state of disrepair. The site also includes part of the landscaped church grounds and the parking area accessed off Maude Street to the east of Chantrell House.

The site is within the boundary of the City Centre Conservation Area, adjacent to the Grade I listed St Peters (Leeds Parish Church) and its Grade II boundary wall (to the north). To the south the site fronts onto The Calls and to the east is Maude Street. Both streets are characterised by former warehousing buildings fronting the back edge of the footpath of heights varying around 3 to 5 storeys. Adjacent to the site to the east and also fronting The Calls is the 3 storey residential development, Chantrell Court.

4.0 RELEVANT PLANNING HISTORY:

None

5.0 HISTORY OF NEGOTIATIONS:

The proposal has been the subject of pre-application discussions between the Developers, their Architects and Local Authority Officers since May 2007. These discussions have focused on the proposed use of the site for a mix of office and residential uses, the level of affordable housing required, the numbers of car parking spaces, the position of the blocks in relation to other existing and proposed buildings, the height, form and scale of the blocks, details of the elevational design and materials, key views, pedestrian routes and connectivity through the site and links to the wider area, the sustainability credentials of the proposal, and the proposed hard and soft landscaping scheme.

6.0 PUBLIC/LOCAL RESPONSE:

The application was publicised via a Site Notice posted on 13 January 2010 expiring on 3 February 2010 for a Major Development Which Affects the Setting of a Listed Building and the Character of a Conservation Area, and in the Leeds Weekly news edition printed the week of 23 January 2010.

5 Letters were received from residents of Chantrell Court, and one letter from the Rt Hon Hilary Benn MP for Leeds Central, with the following comments:

1. That the plans do not make it easy to assess the impact of the proposals from the Chantrell Court viewpoint
2. That the Chantrell Court flats would be 'hemmed-in' by the new building block and this could affect them in a major flood, and there appears to be no escape route for existing residents.
3. That due to the proposal's height it would overshadow the Chantrell Court flats resulting in a lack of light and are too close to the church and churchyard
4. That the proposal looks out of place so close to the church and the Palace public house.
5. That there will be more noise pollution from cars and people.
6. That the existing landscaping and trees will be destroyed and not replaced adversely affecting diversity, the provision of green landscaping and flood risk
7. That the existing thriving bat and bird populations will be adversely affected.
8. That emergency services and refuse collectors will not be able to access the Chantrell Court flats.
9. That there has been no public consultation on this proposal
10. That the historic church wall should not have part of it demolished for this scheme.
11. That the proposal would block views of the church from Chantrell Court flats.
12. That access to the shared car parking area, the gated route to Maud Street will be destroyed and vehicle movements will be hampered.

13. That due to the proposal's height it would result in a loss of privacy for the occupants of Chantrell Court flats.
14. Consideration of the main full planning application (09/03230/FU) should be linked to consideration of the listed building application for part demolition of the boundary wall (09/03397/LI) as they are irrevocably linked
15. That it is important to distinguish between the wall between St Peters House and Chantrell House and the wall to the churchyard boundary, in respect of the age of wall, its historical importance, heritage and materials.
16. That there are already a number of empty apartments in the area so why build more
17. That the demolition of Chantrell House, which is structurally sound and a building in use would not be sustainable and would be a waste of resources
18. That the building of blocks A/B/C are on land previously not developed
19. That the proximity of the site to the City Centre and transport links should negate the need for car parking provision.
20. That the appearance of the building (its elevations) should be sympathetic to its context within the conservation area close to the listed St Peters Church.

Response: Points 2, 3, 4, 6, 8, 10, 12, 13, 14, 15, 17, 18, 19 and 20 will be addressed as part of the Issues section below.

With regard to Point 1 the submitted plans are of an acceptable scale, format and type to allow the planning application to be appraised. CGI visualisations of views of the proposed scheme have also been provided as part of the planning application submission.

With regard to Point 5 the end uses are residential and office neither of which are high noise producing uses. In addition the increase in car parking numbers (9 spaces) is relatively low and as such there should be no significant increase in traffic movements

With regard to Point 7 it has been identified in the Biodiversity Statement and the initial Bat Survey that there is a bat roost present on site. As such there will be a requirement for the applicant to agree appropriate mitigation measures to provide for its replacement and the full details can be controlled by planning conditions.

With regard to Point 9 the Applicants advise that as well as presenting the scheme to Leeds Civic Trust, the details of the scheme were also put on display in St Peters (Leeds Parish Church).

With regard to Point 11 whilst it is understandable that there would be concern regarding the loss of the view of St Peters, there is no legal right to a view, and as such this matter can not be considered as a material planning consideration.

In response to Point 16, the location is a previously developed Brownfield site. Whilst there are a number of other existing residential developments in the area there is no defined cap in the Leeds Unitary Development Plan Review 2006, on the numbers of apartments allowed in the area.

7.0 CONSULTATIONS RESPONSES:

Statutory:

British Waterways: State that they have no objections to the proposal.

Yorkshire Water: State that should the proposal be approved then conditions to cover the following matters should be applied: not building within 3 metres of a water main, separate systems for foul and surface water, the means for disposal of foul and surface water, no piped discharge of surface water.

Response: These matters will be addressed under appropriate conditions.

Highways: State that the decision should be conditioned to address details of cycle and motorcycle parking including the numbers allocated for office use, the hard standing area, as well Section 106 agreement requirements for a public transport infrastructure improvements contribution, city car club membership, and a green travel plan and its associated monitoring and evaluation fee.

Response: These matters will be addressed via the relevant conditions and Section 106 legal agreement

Mains Drainage: No response received to date.

English Heritage: State that they are satisfied that the proposals shown on the plans are an appropriate response to the context, and would achieve a quality design appropriate to the setting of the Grade I Listed church and the character and appearance of the conservation area. They also stated that they recommend that the application should be approved.

Environment Agency: State that they object to the proposal on the grounds that there is insufficient detail for an acceptable flood warning strategy and on how the closure of the proposed flood guards to the buildings would be triggered.

Response: The Applicant is currently addressing this matter .

Highways Agency: State that they have no objection to the application as it will not have a significant impact on the Strategic Road Network.

Demolition in Conservation Areas Amenity Groups: No response received to date.

National Amenities Societies for Listed Buildings: The Ancient Monuments Society state that on balance they are accepting of the scheme, that the scheme offers an improvement over the present situation and they raise no concerns. They do however advise that the interiors of the building and parts of buildings to be demolished should be inspected to ensure nothing of interest is lost.

Response: This matter will be addressed under an appropriate condition.

The Victorian Society state that they welcome the demolition of Chantrell House and consider the three infill blocks as they face The Calls to be acceptable in terms of height and location. However, they also state that they consider the elevational treatments and flat roof form of the proposed Chantrell House to be unacceptable. In addition they advise that they object to the breaking through of the churchyard wall for the flood risk emergency escape route and consider this should be re-directed such that it passes through the existing gate.

Response: With regard to the proposed opening in the listed wall the applicant has indicated that they are agreeable to using the existing gated opening within the boundary wall as an escape route as suggested. Revised plans are awaited to confirm this position. The other matters are considered as part of the Issues section below.

Non-statutory:

West Yorkshire Archaeological Advisory Service: State that there is the potential for early medieval, medieval and post-medieval remains to survive at the development site. Excavations on Church Row (50m to the north-west) in 2004 uncovered evidence of medieval ditches, pits and pottery. As such an evaluation, based on the excavation of archaeological trenches, of the full archaeological implications of the proposed development is required, and that this evaluation

should be done prior to determination of the planning application. The reason for this is that there may be remains on the site which are considered worthy of preservation in situ and which will as a result have implications for the proposed development or further archaeological work may be considered necessary to mitigate the impact of the development which should then be taken into account in terms of the costs and programme for the redevelopment works. However if the Local Planning Authority is minded to approve the application then they recommend that the application be conditioned to ensure that a programme of archaeological recording is secured and implemented.

Response: This request for further evaluation work has been raised with the applicant and needs to be resolved in consultation with WYAAS to ensure that any potential for below ground archaeology has been fully taken into account by the proposals.

Nature Conservation Officer: National planning guidance advises that proposals need to establish the presence or otherwise of protected species on site and the extent they are likely to be affected by the proposals before planning permission is granted. In this case there is evidence of a hibernating bat roost in St.Peters Hall and further clarification is needed of the proposed mitigation measures to replace this roost as part of the development proposals. Also the bat survey of the site does not refer to the existing cellars to St.Peters Hall and House which could also be potential roost sites. The applicant has been requested to prepare a precautionary mitigation statement for these areas so that appropriate mitigation measures can be incorporated into the redevelopment if necessary.

Response: This matter has been raised with the applicant to ensure that the development proposals fully mitigate for its potential impact on protected species.

Leeds Civic Trust: State that they last commented on the emerging proposals for the site in October 2007 but still wish to object to the proposals on the following grounds;

1. The relationship between the corner of the 'new' Chantrell House and the Church could be too tight and photo montages of this area are required.
2. There is concern that the new building element will shade parts of the churchyard and significantly alter its character, and again photo montages of this area are required.
3. There is a need to review the whole of the churchyard to allow a world class space to be created, and resolve car parking and access issues in the churchyard.
4. There is concern over the extent of demolition of the parts of the existing buildings that are to be retained.
5. The design currently appears 'crude' and should be more respectful of the existing buildings in the area
6. They note the need to create a flood escape route but are concerned about the proposed design of the gate and gap to be cut into the churchyard wall. It should not appear as a discordant feature.
7. They feel that the opportunity should be taken to restore railings which have been removed from parts of the boundary.
8. The design of the upper brick elevations appears unduly heavy and unsupported above the lightweight treatment to the ground floors.

Response: Points 1, 2, 3, 4, 5, and 8 will be considered as part of the Issues section below.

With regard to point 6 the applicant has indicated that they are agreeable to using the existing opening within the boundary wall as an escape route thereby negating

the need to create an additional gap in the listed wall. Revised plans are awaited to confirm this position.

With regard to Point 7 the red line boundary does not extend around the full boundary of the churchyard. As such the Applicants have no plans to reinstate railings on the boundary in the manner suggested.

Transport Policy: State that there is a requirement for a public transport infrastructure improvements contribution of £11,191.00.

Response: This would be addressed as part of the required Section 106 legal agreement.

8.0 PLANNING POLICIES:

Development Plan -

Leeds Unitary Development Plan Review 2006

Policy A4 (access for all)

Policy BD2 (design and siting of new buildings)

Policy BD3 (accessibility in new buildings)

Policy BD4 (All mechanical plant)

Policy BD5 (All new buildings)

Policy CC1 (Planning obligations)

Policy CC3 (Maintaining the identity and distinctive character of the city centre)

Policy CC5 (Development in the City Centre Conservation Area)

Policy CC8 (New buildings to respect the spatial character of existing buildings and streets outside the Prestige Development Areas)

Policy CC9 (Maintaining and improving access to existing public spaces)

Policy CC10 (provision of public space)

Policy CC11 (enhanced pedestrian corridors and upgraded streets)

Policy CC12 (New development and new public spaces relating and connecting to the existing street pattern)

Policy CC28 (Development within the Riverside Area)

Policy GP5 (all planning considerations)

Policy GP7 (planning obligations)

Policy H7 (new housing encouraged in City Centre)

Policy N12 (Urban building design)

Policy N13 (Design of all new buildings)

Policy N18A (Level of contribution of building to be demolished in a conservation area)

Policy N18B (Requirement for detailed plans for redevelopment of buildings to be demolished in conservation area)

Policy N19 (New buildings and extensions within or adjacent to a conservation area)

Policy N23 (Space around new buildings)

Policy N29 (sites of archaeological importance and requirements for investigation)

Policy N51 (design of new development should where possible enhance existing wildlife habitats and provide new areas for wildlife)

Policy T5 (Provision to cyclists)

Policy T24 (Parking provision)

Regional Spatial Strategy

ENV1 (Development and Flood Risk)

ENV9 (Historic Environment)

ENV5 (Energy – efficiency and renewable energies)

H4 (The Provision of Affordable Housing)

Government Planning Policy Guidance/Statements

Planning Policy Statement 1 (PPS1) – Delivering sustainable development

Planning Policy Statement 3 (PPS3) – Housing

Planning Policy Statement 4 (PPS4) - Planning for Sustainable Economic Growth.

Planning Policy Guidance 15 (PPG15) – Planning and the Historic Environment

Planning Policy Guidance 24 (PPG24) – Planning and Noise

Planning Policy Statement 25 (PPG25) – Development and Flood Risk

Relevant Supplementary Guidance

Leeds – City Centre Urban Design Strategy (CCUDS): Improving Our Streets, Spaces and Buildings (urban design principles based on the distinctive qualities of Leeds City Centre).

9.0 MAIN ISSUES

1. The principle of the proposed use
2. Demolition and the merit of existing building.
3. The impact of the building design on the character and visual amenity of the site, the street scene and wider area
4. Residential amenity
5. Vehicle parking provision
6. Landscaping and publicly access areas
7. Sustainability
8. Flood risk and the sequential and exceptions tests
9. Section 106 Legal Agreement – Heads of Terms

10.0 ISSUES

1. The principle of the proposed use

The proposed primary use of the buildings is as housing, with ground floor office space. The site is within the Riverside Area, as defined by Leeds Unitary Development Plan Review 2006 (UDP), where mixed complimentary uses are encouraged which will bring life and vitality to the area. The location is a previously developed Brownfield site and there are a number of other existing residential and office developments in the area. Therefore, residential and office uses are considered to be appropriate in this location.

2. Demolition and the merit of existing building.

Consideration has been given as to whether the proposed demolition of Chantrell House is acceptable, or whether the building has significant architectural or historical merit. Consideration has also been given as to whether the proposed partial demolition of St Peters House and St Peters Hall is acceptable, or whether these buildings have significant architectural or historical merit. Although close to the Grade I Listed St Peters Church, Chantrell House, St Peters House and St Peters Hall are not themselves listed.

Section 3.16 of Planning Policy Guidance 15 (PPG15) : Planning and the Historic Environment states that Government policy is to secure the preservation of historic buildings, but notes that there will be very occasionally cases where demolition is unavoidable. Section 4.26 states that special attention must be paid to the desirability of preserving or enhancing the character and appearance of the area in question, and the part that the building to be demolished plays in the architectural and historic value of the area.

It is considered that the 1980s built Chantrell House is of a utilitarian modern style but with a disproportionately large pitched roof and discordant heavy eaves detail. It can not be considered to be architecturally or historically outstanding or of particular importance in respect of recording an architectural style or era. It can be argued that Chantrell House fails to preserve or enhance the character of this part of the conservation area due to its heavy roof and eaves detailing in particular.

With regard to St Peters House and St Peters Hall it is evident that the buildings do have some level of architectural merit and contribute to the historic character of this area. However it is the case that the most important areas of the buildings in respect of architectural and historical features are to be retained. In addition, the parts of the buildings that are to be demolished are in a very poor state of deterioration.

The proposed creation of a gap in the listed boundary wall to provide an emergency escape route in the event of a flood incident has been reconsidered by the applicant following comments from the Victorian Society. Once it is confirmed that the existing opening in the wall can be used as an escape route the listed building application for the boundary wall works can be withdrawn.

Are Members supportive of the proposals to demolish Chantrell House and of the extent of demolition and alteration proposed to St.Peters Hall and House?

3. The impact of the building design on the character and visual amenity of the site, the street scene and wider area

In respect of built form St Peters Hall is to have 4 storeys, St Peters House is to have 5 storeys and the new Chantrell House would be interlocking L shaped blocks A/B/C and would have 5 storeys. All are to have office space at ground floor level fronting onto The Calls. The proposed Chantrell House blocks are to also have undercroft car parking at ground floor level. The heights of these blocks take their reference from the general heights and massing of former warehousing buildings which front The Calls, and which generally sit on the back edge of the footpath on a relatively narrow street, and range in height from 3 to 5 storeys

The overarching design principles would reflect the characteristics of the existing buildings on The Calls in respect of height, massing and appearance, whilst creating a 'cathedral close' precinct environment around the southern side of St Peters (Leeds Parish Church) by creating strong edges to better define the adjacent spaces. Key views of the St Peters (Leeds Parish Church) would be retained from The Calls through retention of the existing gaps between the St Peters Hall, St Peters House and Chantrell House blocks.

In respect of elevational treatment all 3 buildings would have Flemish Bond brickwork and vertical and horizontal glazed slots to provide visual interest. In addition the windows are proposed to have a vertical emphasis by being set in slots in the brickwork, with deep window reveals allowing the creation of shadow and relief on the elevations. Some windows would also have a glazed balcony screen. The resulting scheme would be a calm backdrop to St Peters, complimenting its architecture and character rather than competing with this important Grade I listed building.

It is considered that the overall design of the buildings would result in high quality, contemporary additions that would preserve the character and visual amenity of the

adjacent Grade I St Peters (Leeds Parish Church), and would sit comfortably within the context of the street scene and the wider City Centre Conservation Area.

Are Members supportive of the proposed massing, layout and elevation treatment of the new build elements in respect of their impact on the character of the conservation area and the setting of St.Peters Church?

4. Residential amenity

The proposed 5 storey Chantrell House blocks are sited in close proximity to the existing 3 storey residential development, Chantrell Court. At its closest point the existing elevation of Chantrell Court would be sited approximately 12 to 14m away from the proposed residential block to the north. The gap from east to west between the main western elevation of Chantrell Court and the proposed residential block would be 26m across the parking court. To overcome any potential issues of overlooking across the narrowest gap (north-south) the layout of the proposed flats to the north is such that only corridors and bathroom windows would face the existing flats. Such windows can be conditioned to ensure obscure glazing is used to maintain privacy.

With regard to the potential dominating effect of the proposed development on the existing flats it is considered that the narrowest gap of 12-14m is reflective of the tight urban grain of the streets around this site where buildings of a similar scale to that proposed face each other across similarly narrow street widths. In addition, to reduce its dominance the building façade to the north side of Chantrell Court is set back behind a line of glazed exterior access corridors, with the main façade set 13-15 m away from the opposite Chantrell Court elevation. This will help to break up the appearance of the proposed elevation and introduce some visual depth and interest.

Concerns have also been expressed that Chantrell Court may be overshadowed by the proposed Chantrell house linked blocks. The proposed development would be positioned to the north and west of Chantrell Court. As such it may be the case that there would be some overshadowing at the end of the day as the sun moves from east to west (in a southerly arch). However, the current situation is such that the existing 3 storey Chantrell House offices cause some overshadowing at the end of the day, and it is considered that the proposal would not significantly or detrimentally increase this impact.

Do Members agree that the proposed development would have an acceptable impact on existing residential amenity?

5. Vehicle parking provision

The proposal includes undercroft parking providing 32 car parking spaces (including 4 disabled spaces), 4 motorcycle parking spaces and 32 bicycle parking spaces. The site is close to the city centre and the bus and train stations are within walking distance. The overall level of parking would accord with the parking guidelines laid down for the proposed office and residential uses in the UDP. However, the application is unclear as to the detail and nature of the proposed secure cycle and motorcycle parking, or the numbers of each type of parking spaces ascribed for use by the offices and the residential elements. As such these matters will be controlled via appropriate conditions.

Access to the existing car parking spaces for Chantrell Court will remain from Maude Street and will be shared with access for the proposed undercroft parking area. The Applicant has advised that parking rights for residents of Chantrell Court will be retained and parking space within the new development will be offered to accommodate this need. In addition, access for emergency and servicing vehicles will also be via the Maude Street site entrance, and a vehicle manoeuvring area is to be retained within the entrance of the site.

6. Landscaping and public access areas

Minimal intervention is proposed in respect of landscaping to ensure that the existing well formed hard and soft landscaped character of the churchyard is retained. However, the proposal will require the removal of up to 5 trees on the site in the proximity of Chantrell House. To mitigate against this adverse impact the applicant is willing to provide 6 replacement trees within the site and a financial contribution for the provision of two semi- mature trees on a site to be agreed on The Calls. This matter can be controlled by planning condition and the Section 106 legal agreement respectively.

The existing key pedestrian routes across the site, which run from the churchyard through the site from north to south are to be maintained and enhanced. Yorkstone paving will be used in the existing courtyard between St Peters Hall and St Peters House.

Do Members support the proposed landscaping and car parking arrangements?

7. Sustainability

The submitted Sustainability Statement indicates that the proposal is intended to achieve Level 3 of the Code for Sustainable Homes for the residential elements of the scheme via economic, social and environmental objectives including;

- Maintaining or improving good quality employment opportunities
- Maintaining or improving conditions which enable business success
- Improving the overall quality of housing
- Reuse of Brownfield land
- Use of a Combined Heat and Power system (CHP)

The proposal also aims to incorporate at least 10% on site renewable energy and an overall reduction in carbon emissions of 25% (when compared to existing Building Regulations requirements).

8. Flood risk and the sequential and exceptions tests

The site is positioned within Flood Zone 3a and as such a Flood Risk Assessment has been submitted to, and is yet to be fully resolved with the Environment Agency in respect of the requirement for a flood warning strategy. The applicant has been requested to address this matter in consultation with the Environment Agency.

Sequential and Exceptions Tests have also been produced by the Applicant which have undertaken to examine possible alternative sites for this proposal. A search area for these sites was established based on the defined City Centre Riverside Area detailed in the UDP. This search area was agreed with the Local Planning Authority at the pre-application stage. A total of 10 sites within the Riverside Area were appraised and found to be unsuitable or unavailable for the proposed

development. As such it is concluded that there are no alternative less vulnerable sites currently available within the search area for this scheme.

On site measures to deal with any flooding incidents include the emergency escape route through the boundary wall, and a 1 metre high flood wall at ground floor level to the offices. The emergency escape route would be available for use by users of the proposed development as well as by occupants of other existing blocks in the immediate area such as Chantrell Court.

9. Section 106 Legal Agreement – Heads of Terms

The proposal would result in the following requirements to be addressed via a Section 106 Legal Agreement:

- A Green Travel Plan monitoring and evaluation contribution of a sum of 2500.00
- The agreement of publicly accessible areas within the landscaped scheme
- Provision of on site affordable housing units
- A required public transport infrastructure improvements contribution of £11,191.00
- Car club membership contribution of £4100.00
- The provision of £2500.00 for the placement of 2 trees on The Calls and 1 tree in the forecourt of the offices.
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A total of 51 residential units are proposed across the development with 20 of these units being housed in St Peters Hall and St Peters House, and the remaining 31 units being in the new build Chantrell House. This would mean an affordable housing contribution requirement of 7 units overall. However, the Applicants have put forward a financial appraisal for the development, requesting that the provision of affordable housing is limited to the Chantrell House part of the scheme only. This would mean an affordable housing provision of 4 units. The submitted Affordable Housing Supporting Statement states that the residential units in St Peters Hall and St Peters House would be owned by the Diocese only. The Diocese hopes that the income that can be gained from these 20 residential units can be put towards the operational and capital maintenance funds for St Peters (Leeds Parish Church). The case puts forward a detailed list of short, medium and long term repairs and maintenance costs (likely to be in excess of £123,175.00 in total) that the church needs to address to allow it to continue to function, not only as a day to day church and as a source of help and advice for the homeless, but also for many events of city wide importance (such as Remembrance Sunday) that require a building of this stature and status.

The financial appraisal has provided details of Church expenditure, capital and operations costs, the social benefits of the Church and additional funding to be provided to the Church by the Developer Yelcon Ltd. This information has been appraised and it is the case that further details are required to allow the matter to be fully assessed. This information is being prepared by the Applicants.

Would Members be supportive of a relaxation of the normal affordable housing requirements provided the extra money generated by the development was to be spent on the upkeep and operation of the Grade I listed building?

11.0 CONCLUSION

This report is being brought at an early stage so that issues can be identified and addressed as the application is progressed. Member's views on the identified issues would be helpful at this stage on this important project for the city.

Background Papers:

Planning application 09/03280/CA

Planning application 09/03397/LI

Planning application 09/03230/FU.

