

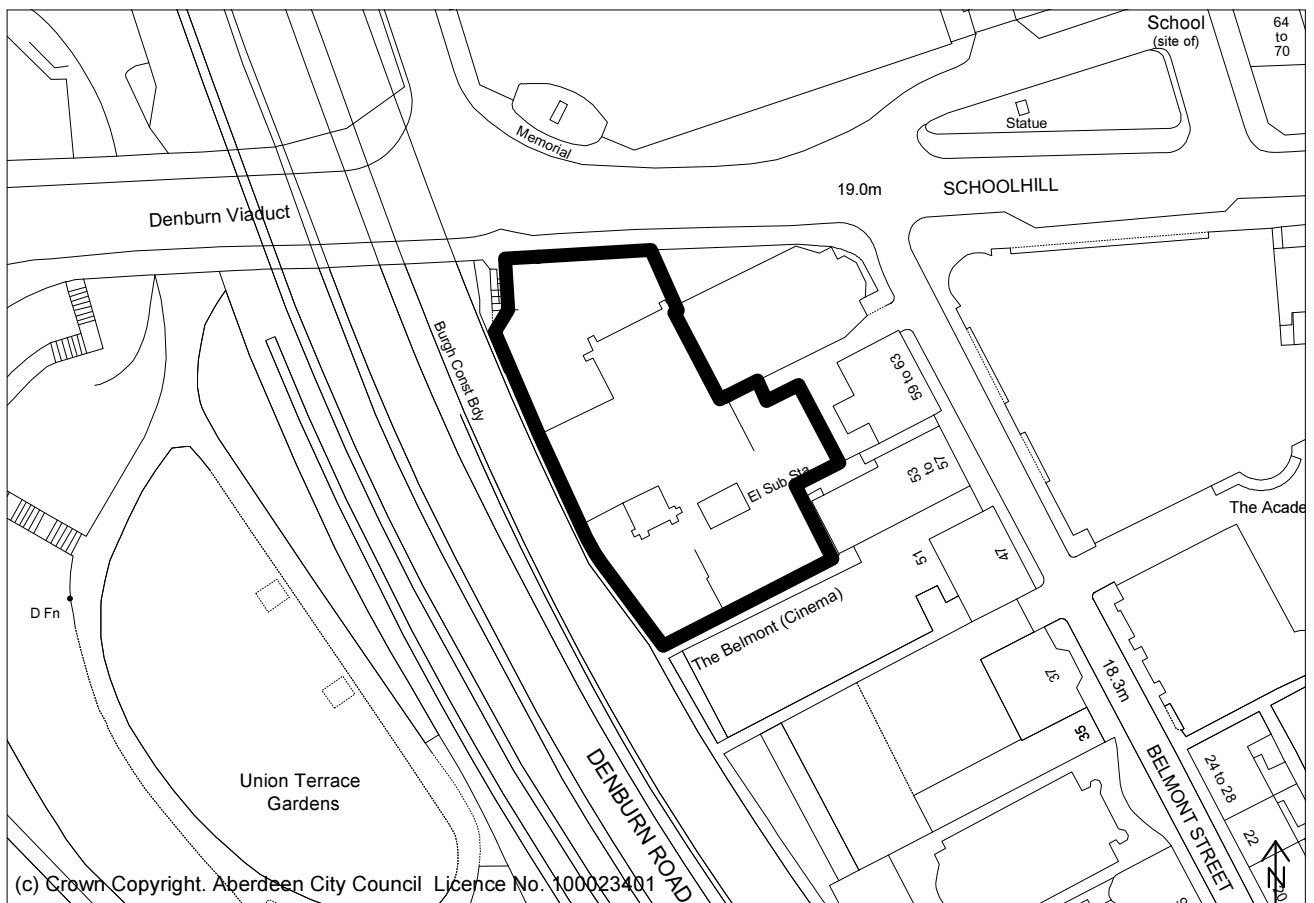
TRIPLEKIRKS (INCL.SPIRE), FORMER
NORTH & EAST KIRK, 67-71 SCHOOLHILL

ERECT OFFICE DEVELOPMENT AND
ASSOCIATED CAR PARKING, REMOVE
REMNANT WALLS OF EXISTING NORTH
KIRK, RETAIN AND RESTORE EXISTING
BRICK SPIRE

For: Stewart Milne Developments

Application Ref. : P110303
Application Date : 08/03/2011
Officer : Harry Campbell
Ward: George Street/Harbour (J Hunter/A
May/J Stewart)

Advert : Section 60/65 - Dev
aff LB/CA
Advertised on : 16/03/2011
Committee Date : 18 August 2011
Community Council : No Community
Council



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The site measures approximately 0.14 hectares and comprises the area of land to the west of the former East and Belmont Church which is now occupied by a public house/place of entertainment ("The Triple Kirks"/ "Exodus") and a dance studio. The application site was formerly occupied by the Albion and St. Paul's Churches which are now demolished apart from the brick spire and part of the north wall. The site slopes steeply down from east to west, there being a difference in level of approximately 10.5 metres between Belmont Street and Denburn Road.

The site to the immediate south is occupied by the Belmont Cinema, that building being separated from the application site by a lengthy, but narrow, flight of steps that serves as an emergency exit from the cinema.

To the west is the Denburn Road dual carriageway, beyond which is the railway line and Union Terrace Gardens. The site bounds Schoolhill to the north. On the opposite side of Schoolhill stands the Cowdray Hall and adjacent Art Gallery. Schoolhill continues westwards onto Denburn Viaduct, which traverses the dual carriageway below. His Majesty's Theatre, the vacant St Mark's Church and the City Library all abut the northern side of this street, on the west side of the Denburn Valley.

PRE-APPLICATION CONSULTATION

As this is a major planning application, the developer was required to undertake pre-application consultation (PAC) with the public. All the statutory requirements of the PAC, including the advertisement of the public event, were met by the applicants. A Proposal of Application Notice was submitted to the Council on 16th September 2010 and a two day public event was held in the Foyer Restaurant, then located in HM Theatre, on 3rd and 4th December 2010. The format was that of a drop-in exhibition with plans, aerial images, site analysis and indicative proposals all being available for inspection. Three members of staff from Halliday Fraser Munro (the agents/architects) were available to explain the proposals and record any public comments. 21 people actually registered for the event although because the event was relatively informal, the agents estimate that over 50 people actually attended over the two days. 10 completed comments forms were returned to the applicant. A website, dedicated to publicising the proposals and enabling additional consultation/comment, was also established and this generated 104 responses. The responses represented the views of some 111 people. 6 of the responses expressed no clear view on the development. Of the remaining 105, 82 expressed concern at certain aspects of the design and 23 were fully supportive.

The positive comments related to:- rejuvenation of the area; welcome addition to City Centre; site is currently an eyesore and redevelopment is long overdue; design is well considered; general welcoming of redevelopment of the site.

The negative comments related to:- proposal is out of place for this site; does not integrate with spire and surroundings; scale is out of proportion; no complementary granite within the structure; new building would dominate the spire.

Following the PAC, the architect's design team and client reviewed the proposal. The height of Block 4 was reduced by 1 storey and replaced by a glass

“penthouse” level, set back from the floor below. To compensate, Block1 adjacent to Schoolhill was increased in height by 1 storey and more granite introduced into that façade.

HISTORY

The site has a very lengthy planning history, a summary of which may be of benefit.

28 August 1981 (Ref.79/5/328) - Appeal against the refusal of planning permission and listed building consent for the demolition of Albion and St.Paul's Church, retention of the spire and erection of a 6 storey office block was sustained by the then Secretary of State's reporter. The application involved the erection of a flat roofed box-like building clad in reflective glass. The maximum height of that development was 29.4 metres at its southmost point measured from the ground level of the Denburn Valley and 19 metres on the Schoolhill elevation. The reporter found that the scheme followed in broad terms the precedent established in 1976 when planning permission had been granted for a 6 storey scheme. He felt that the surrounding buildings would not be diminished in architectural quality by the erection of a 6 storey flat roofed office block. He also placed weight on the applicant's assessment that every reduction in height from 6 storeys would affect the financial and commercial viability of the scheme. No progress was made in implementing the scheme and planning permission expired in 1986.

1 June 1989 (Ref. 89/0426) - Outline planning permission was granted to the Architectural Heritage Society of Scotland for the erection of a 5 storey office block with basement area measuring some 6100 square metres gross floor area. That scheme was of a height to match the former church now occupied by the public house. The external cladding was to be of materials similar to those which were used on the demolished buildings. The maximum height to the southmost point of the ridge in that proposal would have been 27 metres.

28 September 1989 (Ref. 88/1081) - Outline planning permission was granted for the erection of a 5 and 6 storey (plus 3 basement levels) office block. The drawings attached to that permission were indicative only and showed a 6 storey southern block and 5 storey northern wing with traditional pitched slated roofs, ashlar granite cladding and brick window surrounds and string courses. Gross floor area was approximately 6100 square metres. Access was to be taken from Schoolhill.

25 October 1990 (Ref. 90/0156) - Conditional planning permission and listed building consent was granted for Albion and St. Paul's Church and the East and Belmont Church Hall and to underpin the spire. The spire was underpinned at considerable expense to the then applicants, this work being completed in November 1991. Demolition of the buildings was completed in June 1991.

7 November 1990 (Ref. 89/1139) - Conditional planning permission and listed building consent was granted for the restoration and refurbishment of the spire. That permission was never implemented and it expired in 1995.

24 June 1993 (Ref. 92/2040) - Outline planning permission was granted for the erection of a 5 and 6 storey office block. The drawings attached to that permission were indicative only and showed a 6 storey southern block and 5

storey northern wing with traditional pitched slated roofs, ashlar granite cladding and brick window surrounds and string courses. Gross floor area was approximately 6100 square metres. Access was shown to be taken from Schoolhill.

4 December 1996 (Ref. 96/1286) - Approval of reserved matters and conditional listed building consent was granted in respect of ref. 92/ 2040 above. The application showed a 6 storey building with a gross floor area of 6400 square metres. The design featured a mansard roof but with a vertical emphasis achieved through the introduction of buttressing, clad in brick to match the spire, terminating in sets of triple gablets projecting above eaves level. The main cladding would have been anti-sun grey glass but with synthetic sandstone panels and balustrades. The whole building would have stood on a massive granite plinth. 121 car parking spaces would have been provided. The application expired in 1998.

1 April 1999 (Ref. 98/0376) - Conditional planning permission and listed building consent was granted for the erection of a smaller 5 storey office block with a gross floor area of 2175 square metres. No progress was made in implementing this proposal and it expired in 2004.

10 May 2000 – Conditional planning permission and Listed Building Consent granted for the erection of an office block with a gross floor area of 5527 square metres. It would have had 8 storeys on the Union Terrace Gardens elevation and 5 storeys on the Schoolhill elevation.

PROPOSAL

This is an application for planning permission for the erection of a 9 storey office development with a gross floor area of some 8,422 square metres (6,750 square metres net floor space) and associated car parking. The existing remnant walls of the North Kirk would be demolished, but the spire would be retained and refurbished. The spire however would not contain any office floorspace and would not be brought into active use or be accessible to the public.

The lowest two levels (Levels -2 and -3) would accommodate 44 car parking spaces accessed from Denburn Road. Cycle storage racks, showering and changing facilities, as well as a refuse storage area would be provided on Level -3.

The remaining levels (Levels -1 to 5) would contain the office accommodation.

Level 0 would contain the reception areas as well as office space, with the main pedestrian entrance being taken from Schoolhill. Visitor cycle stands would be located outside the main entrance door.

The development would comprise of four distinct, but integrated blocks.

Block 1 would face on to both Schoolhill and Denburn Road. It would be generally 7 storeys in height when viewed from Union Terrace Gardens and 5 storeys when viewed from Schoolhill. In addition there would be a glazed upper storey, set back from the main facades. The main bulk of this block would be some 25.8 metres high measured from Denburn Road, and 16 metres high measured from Schoolhill. The glazed upper storey would add a further 2.75

metres to the height, giving a total height of around 28.55 metres from Denburn Road and 18.75 metres from Schoolhill. The Schoolhill façade would be clad predominantly in dark grey glazed curtain walling with granite surrounds. The block would project towards Schoolhill, beyond the existing Triple Kirks public house, and present a façade which would be viewed looking westwards along Schoolhill. This façade would also be clad with glazed curtain walling with granite surrounds. The north elevation would have a glazed projecting bay at levels 1 and 2. A vertical feature consisting of honeycomb rainscreen cladding panels with “Corten” steel finish would be introduced at levels 0, 1 and 2. The Union Terrace Gardens elevation would be clad mainly in granite at levels -1, 0, 1, 2 and 3, with an array of narrow, vertically proportioned windows on each floor but the set back storey at level 5 would be wholly glazed. The lowest two levels (levels -2 and -3) would be clad in the same honeycomb rainscreen cladding as the feature panel on Schoolhill, giving the effect of the whole building sitting on a rust coloured plinth.

Block 2 would face onto Union Terrace Gardens and be located immediately north of the spire. It would be 9 storeys high with the top floor again being of a lower height and set back to reduce its visual impact. External cladding would be glazed curtain walling framed by granite, and traversed by two horizontal granite clad bands. The block would project some 5 metres further towards Denburn Road than the spire.

Block 3 would be located behind the spire on the east elevation, facing the rear of the existing buildings on Belmont Street. At rooftop level, directly behind the spire (i.e to the east of it) there would be a screened open plant area. This block would form a prominent feature in westward view along Schoolhill. It would be predominantly clad with the “Corten” steel finish mentioned above, thus giving the impression of a rust coloured “fin” behind which would sit the spire.

Block 4 would present a similar elevation as Block 2 but be located to the south of the spire, except that the vehicular entrance to the car park would be taken from Denburn Road at Level -3. It would also project further towards Denburn Road than the spire, by approximately 3 metres.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has generated 32 letters of representation, thus taking the proposal out of the Council’s approved scheme of delegation. The proposal is also a project of public concern, being for a building greater than 20 metres in height.

CONSULTATIONS

ROADS SECTION – No objection. A Green Travel Plan should be submitted and approved prior to occupation of the building.

ENVIRONMENTAL HEALTH – No objections. Conditions should be attached requiring a noise assessment and restrictions on hours of construction.

COMMUNITY COUNCIL – The site does not fall within the area of any active Community Council but representations have been received from both Rosemount and Mile End and Queen’s Cross/Harlaw Community Councils.

HISTORIC SCOTLAND – Welcomes the fresh opportunity for development and does not object to the application. However, the prominence of the spire as one of Aberdeen’s most visible landmarks would be diminished by the proposal to wrap the new build around three sides and projection beyond its Denburn

elevation on both its north and south sides. This would be most apparent in oblique views of the steeple from Rosemount Viaduct, the southern end of Union Terrace Gardens and Union Street Viaduct. However it is acknowledged that the upper part of the steeple including its tall octagonal tower would maintain its prominence above the ridgeline of the new buildings. While preference would be to maintain the steeple's primacy by lowering the height of the new build and to reduce projection towards Denburn Road, HS appreciate that the scope for reduction in the amount of new build must be carefully considered in the light of securing a commercially viable solution for the site.

EDUCATION, CULTURE AND SPORT – Programme of Archaeological work required.

REPRESENTATIONS

32 letters of representation have been received. 26 of these are from individual members of the public whilst the remaining 6 have been submitted by the Royal Society for the Protection of Birds; the Architectural Heritage Society of Scotland; Queen's Cross/Harlaw Community Council; Aberdeen Civic Society, Defence Estates (Ministry of Defence) and Rosemount & Mile End Community Council.

PLANNING POLICY

The site falls within an area allocated for M41 (Mixed Use) purposes in the adopted Local Plan. It is also identified as an Opportunity Site (OP83)

The proposed Local Development Plan allocates the site for C2 (City Centre Business Zone) purposes and also identifies it as an Opportunity Site (OP123). Policy C1 (City Centre Development) is also relevant.

The high level objectives contained in the approved Aberdeen City and Shire Structure Plan are also material considerations.

The Triple Kirks spire and remnants of the church walls on the site are listed Category A.

The site also falls within the Union Street Conservation Area.

The Aberdeen City Centre Development Framework places the site within the Cultural Quarter of the City Centre

EVALUATION

The application falls to be determined in accordance with the development plan unless other material considerations indicate otherwise.

The development plan consists of the approved Aberdeen City and Shire Structure Plan and the adopted Aberdeen Local Plan. The proposed Aberdeen Local Development Plan will also be a material consideration.

The Structure Plan identifies high level objectives for Aberdeen and the surrounding Shire. The encouragement of economic growth and increased prosperity is seen as key to maintaining and improving the area's position within the European economy. As such, the Structure Plan contains a stated objective of providing opportunities which will encourage economic development and create new employment in a range of areas. The Structure Plan also identifies

three strategic growth areas, one of which is Aberdeen City, and states a preference for development on brownfield sites where possible. Local Development Plans are encouraged to make land available for business use. The proposal certainly meets the Structure Plan's high level objective of encouraging economic growth by providing a basis for increased employment, and, being located within the City and on a brownfield site, it also meets the aims of the spatial strategy.

The adopted Local Plan allocates the site for Policy 41 (Mixed Use) purposes and also identifies it as an opportunity site for development. Policy 41 states that applications for development must take account of the existing uses and character of the surrounding area and avoid undue conflict with adjacent land uses and amenity. Where new business uses are permitted, development should not adversely affect the amenity of people living and working in the area. OP83 in the Local Plan states that office, retail, residential or hotel use would be acceptable on the site. The principle of office use on the site therefore accords with Policy 41, subject to the amenity criteria being satisfied.

The site falls within the City Centre and Policy C1 contained in the proposed Local Development Plan, which states that development must contribute towards the delivery of the vision for the City Centre as a major regional centre as expressed in the City Centre Development Framework. The City Centre is the preferred location for retail, commercial and leisure development serving a city-wide or regional market. Again the principle of office use on the site accords with the aims of Policy C1.

Policy C2 (City Centre Business Zone) mainly addresses the need to protect existing retail uses where possible and is silent on the issue of new office developments within these areas. Opportunity Site OP123 is similar to the existing adopted Plan by stating that office, retail, residential or hotel use would be acceptable on the site. There are therefore no issues of principle raised by the proposal.

There being no policy tensions relating to the principle of office development on the site, it is considered that the main determining issues relate to the specific design details, how the proposal would integrate with the surrounding townscape and the relationship of the new building with the retained church spire. It is considered appropriate to break down these issues into separate components.

Aberdeen City Centre Development Framework presents the Council's vision for the future of the City Centre. It places the application site in the "Cultural Quarter"

The framework states that the historic setting, quality and drama of many of the buildings to the rear of Belmont Street are diluted by the continued dereliction of the Triple Kirks site.

Triple Kirks is also identified in the Framework as an essential component of any future proposals for the area. Failure to imaginatively develop this site will detract from the ambition to develop quality urban space in the area. Triple Kirks, and Archibald Simpson's spire particularly, is an important landmark in the City Centre and must be incorporated into any new development. The redevelopment of the Triple Kirks site is specifically identified as a development opportunity. The

proposal therefore is considered to comply with the general principles of the Framework.

Before evaluating the proposal in more detail however, it must be recognised that there are abnormal development costs associated with this site, which have influenced the form, massing, materials and the amount of floorspace necessary to make the development economically viable. Examples of additional costs include £2m for under-building and site excavation; £1m for remedial work to the spire; substation relocation and demolition costs; and additional construction costs caused by the confined and steeply sloping nature of the site (restricted storage space for materials, more frequent deliveries etc).

Height – It is acknowledged that the height of the proposed building would to a certain extent compromise the prominence of the spire within the City Centre townscape. The applicants have tried to come up with a solution which would strike a balance between economic viability and the need to maintain an appropriate setting for the spire. The upper floors have been stepped back from the main elevations and the topmost “penthouse” floor would be wholly glazed to minimise its visual impact. The general height of blocks 2 and 4 would be some three metres or so higher than the roof ridge of the adjacent Belmont Cinema, although the screening around the rooftop plant area on Block 3 directly behind the spire would be some 8 metres higher still.

Massing – As mentioned in the description of the proposal above, the massing has been broken down into four distinct blocks that correspond to the feu widths on the west side of Belmont Street. The proportions of the blocks relate to the heights

External Materials – Modern material are proposed to articulate the design principles set out for the building. The base of the development, feature tower to the rear and feature panel on the Schoolhill elevation are proposed to be clad in Cor-ten steel, which is a pre-weathered material giving a “rusted” effect and selected to reflect the weathered appearance and brick colour of the spire. This will be a prominent element within the scheme and is considered acceptable, giving a visual transition between modern metal and the traditional brick. The grey glazed curtain walling would help to give blocks 2 and 4 a visual lightness, while the light grey granite framing to the large areas of curtain walling and on the west elevation of Block 1 would provide a reference to Aberdeen’s traditional construction material. It is also proposed to use reclaimed bricks as flooring to the internal reception area.

Relationship with Adjacent Buildings, including the Spire – One of the most important relationships between the new and old elements of the scheme is how the new block relates to the spire. It has already been acknowledged above that this relationship would be somewhat awkward because of the way blocks 2 and 4 would project forward of the spire towards Denburn Road, almost wrapping round it and somewhat enclosing it. However, clear public views of the full height of the spire would still be obtained along most of the length of Union Terrace and the Gardens but in more oblique views from the Denburn Viaduct and Union Bridge, the spire would be seen to be projecting from the roof of the new building. The inner walls of Blocks 2 and 4, where they would surround the spire, would however be glazed and would therefore allow views through the building from more oblique angles to allow the spire to be better appreciated. Block 4 would

also, by virtue of being higher, tend to dominate the adjacent Belmont Cinema although this would be mitigated somewhat by the setting back, reduction in height and the glazing of the top floor. Similarly the very high proportion of glazing on the west elevation of Block 4 would help to reduce its impact on the Cinema building. The overall height of the main blocks has also deliberately been kept below that of the dome on the Cowdray Hall and Art Gallery.

Integration with the Wider Local Townscape, including Union Terrace Gardens -

The views across Union Terrace Gardens and from Union Bridge towards the rear of the properties on Belmont Street are an important part of the character of the City Centre. Most of the buildings forming the various elements of the scene are set on narrow plots and are vertically proportioned. The spires of the former St Nicholas Congregational Church (now the Priory), the turrets on the Belmont Cinema and the Triple Kirks spire all help to form the characteristic roofscape running the whole length of the east side of Union Terrace Gardens. By breaking up the new office block into three distinct elements facing the Gardens, the designers have sought to echo the feu pattern and vertical emphasis of the other buildings to the rear of Belmont Street. It is considered that the proposal would successfully integrate with that part of the local townscape.

Turning to the letters of representation, some 32 have been submitted. Most of the concerns expressed relate to the design of the proposed office block. The main concerns raised relate to –

New building out of proportion and unsympathetic to surrounding historic environment;

Excessive scale and too high;

General design comments;

Overdevelopment;

Inappropriate external materials;

Blocking of view of the spire;

Added traffic pollution and congestion;

Not enough of original Triple Kirks would be preserved;

Office use not appropriate;

Adverse effect on peregrine falcon nesting site;

No public access to spire;

Blocking of natural light;

Not enough car parking spaces;

The matters relating to design, materials etc have already been addressed above.

Other material issues raised by objectors are addressed as follows:-

Pollution and Traffic Congestion – Neither issue has been raised by relevant officials through the consultation process.

Public Access to Spire – There is no obligation on the developer to make the spire available for public access. It would be retained, refurbished and repaired, and this would have to be subject of a separate application for Listed Building Consent. There would be no office floorspace incorporated in the spire.

Car Parking Spaces – 44 car parking spaces would be provided on the lowest two levels of the development. Normally a development of this size in the City Centre would be required to provide 105 spaces to meet the Council's adopted standards. However, the site is located in an extremely convenient location in close proximity to all major bus routes in the City and is some 10 minutes on foot from the railway station. It would not be realistic to provide the full car parking requirement giving the physical constraints of the site. Some car parking on the site is necessary however to make it attractive to a potential occupier. Suitable secure cycle parking would also be provided for both staff and visitors.

Principle of Office Use – The site falls within the City Centre and in an area allocated for mixed use. It is also an opportunity site where office use is specifically identified as being suitable. The proposed accords with the uses allowed in the adopted Local Plan and is therefore acceptable.

Preservation of Greater Proportion of Triple Kirks – It is considered that there is little if any prospect of any further parts of the original building, other than the spire, being retained. Retention of the remnant walls of the North Kirk would greatly limit the scope of new development that could be achieved on the site and would thereby jeopardise its economic viability. Demolition of these walls will however have to be the subject of a separate application for Listed Building Consent.

Blocking of Natural Light – The rear elevation would at its closest point come within some 6 metres, but more generally 9 metres, of the rear of properties with commercial uses and flats above on Belmont Street. No habitable rooms would be affected. It must also be remembered that the demolished church was in itself a substantial building that would have had an impact on the Belmont Street properties. The proposal is considered acceptable in this respect.

Peregrines - The fact that the spire is regularly used as a nesting site by peregrine falcons is a material planning consideration, however the site does not have any particular wildlife designation. The RSPB has responded to the application by raising certain issues in this regard. Peregrines have nested on the site since before 2006. The species is listed in Annex 1 of the EU Birds Directive 1979 and also enjoys special protection under Schedule 1 of the Wildlife & Countryside Act. The nesting area on the spire would be clearly affected by restoration work on the spire, and indirectly by the new-build construction. The RSPB state that it should be possible for provision to be made to include a suitable environment for the nesting peregrines within the development, as this

has been done successfully in other cities. To maximise the chances of birds remaining it would be necessary to retain or build suitable nest ledges or platforms within the development. The spire appears to be the preferred location for the peregrines as they have not nested elsewhere in the vicinity in recent years, and rendering the spire unsuitable would probably lead to the desertion of the site. The RSPB recommend that appropriate design features be included to allow the birds to remain and that specialist advice be sought. This could be covered by a suspensive condition requiring submission of a detailed scheme designed to encourage the birds to continue nesting on the site. Other issues such as potential disturbance from construction work during the breeding season would need to be addressed by the developers themselves, since the responsibility for complying with any wildlife and countryside legislation rests firmly with themselves and not the planning authority. Matters covered by other legislation should not be replicated through the use of planning conditions.

CONCLUSION

This is a very prominent site and a major development opportunity in the City Centre. The proposal generally complies with adopted Local Plan policy and the broader objectives and visions contained in the City Centre Framework. Achieving a successful development on the site has proved difficult in the past due mainly to the need to preserve and upgrade the spire and the steeply sloping nature of the site. The site is in a sensitive location where new development has to pay heed to its setting opposite Union Terrace Gardens and to its relationship with other prominent buildings, such as the Cowdray Hall and Art Gallery, the Belmont Cinema and His Majesty's Theatre. The successful integration of the new building into those townscape elements forming the important views across Union Terrace Gardens towards the rear of the Belmont Street properties is also important.

These issues however have to be tempered against the need to achieve economic viability, which becomes more difficult because of the exceptional development costs associated with the site. It is accepted that the height and massing of the new building would to a degree compromise the prominence of the spire in the City Centre townscape. However the proposed retention and refurbishment of the spire itself is considered to be a positive feature and the full height of the spire would still be appreciated from most public viewpoints.

Implementation of the proposal would regenerate a part of the City Centre that has lain derelict for at least 30 years and provide attractive new office floor space in a sustainable location with good public transport connections to the rest of the City and beyond. Employees in the building would help to sustain local business during the day and introduce new activity and a sense of vibrancy into the area.

On balance therefore it is considered that the proposal is acceptable and it is recommended that the application be approved subject to the conditions detailed below.

RECOMMENDATION

it is recommended that approval is granted with the following condition(s):

(1) that no development shall take place unless further drainage details, based on the Drainage Assessment dated May 2011 prepared by Fairhurst and Conceptual Drainage Layout shown on Fairhurst drawing number 75857//200, stamped copies of which are appended to this planning permission, have been submitted to, and approved in writing by, the planning authority. The building shall not be occupied unless the approved drainage details have been implemented and are fully operational - in the interests of sustainability and to ensure that the site is properly drained.

(2) that the building(s) hereby approved shall not be brought into use unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details - to ensure this development complies with requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the the City Council's relevant published Supplementary Planning Guidance, 'Reducing Carbon Emissions In New Development'.

(3) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery].

No piling operations shall be carried out unless the times of such operations have been agreed in writing by the planning authority in consultation with the Head of Service - Environment.

- in the interests of residential amenity.

(4) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. the programme of archaeological work shall include all necessary post-excavation and publication work - in the interests of protecting items of historical importance as may exist within the application site.

(5) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips - in order to encourage more sustainable forms of travel to the development.

(6) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(7) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(8) that no development shall take place unless a detailed scheme carried out by a suitably qualified person, designed to encourage the continued use by peregrine falcons of the spire as a nesting site has been submitted to, and approved in writing by, the planning authority. The office block shall not be occupied unless the approved details have been implemented and remain on the site - in order to encourage the continued use of the site as a breeding place for peregrine falcons and in the interests of biodiversity.

REASONS FOR RECOMMENDATION

The office block would create new floorspace in the City Centre which would meet modern day requirements and be located in a sustainable and accessible location. The proposal would result in refurbishment and retention of the spire, while integrating new development with the historic environment.

Dr Margaret Bochel

Head of Planning and Sustainable Development.