

## COMMITTEE REPORT

**Committee:** Planning  
**Date:** 29 April 2010

**Ward:** Heslington  
**Parish:** Heslington Parish Council

**Reference:** 08/02543/REMM  
**Application at:** Proposed University Campus Lying Between Field Lane  
Common Lane A64 Trunk Road And Hull Road York  
**For:** Construction of central lake and raising of Kimberlow Hill  
**By:** University Of York  
**Application Type:** Major Reserved Matters Application (13w)  
**Target Date:** 16 February 2009

### 1.0 INTRODUCTION

1.1 This is a reserved matters application for the creation of the central section of a lake at the University of York's new campus at Heslington East. The application was put before members for determination on 25 June 2009 (see officers' previous report appended). The committee resolved that, subject to officers being given delegated authority to approve the final details of certain submitted plans, the application be approved subject to conditions. However, some of the revised plans and the phasing of the construction work conflict with the committee's agreed conditions. Therefore the application has been brought before the committee for its attention. There are no other outstanding issues that require members' consideration.

### 2.0 PROPOSAL

2.1 The works to create the central lake mainly comprise a redistribution of ground material within the campus. Soil excavated to create the lake (in the southern part of the site) would be used to increase the height of Kimberlow Hill (in the north). Some of the remaining excavated soil would be used to create a bund along the boundary with the A64 (to the south-east). The application does not include soft landscaping and tree planting proposals, which have been approved under a separate application.

2.2 The central lake will receive surface water from the whole of the new campus. The water will be stored in the lake and released at agricultural rates into local watercourses, i.e. Germany Beck and Tilmire Drain. In addition to having a drainage function the lake will be a major landscape feature of the new campus.

### 3.0 BACKGROUND

3.1 At the committee meeting on 25 June 2009 members resolved that, subject to officers being given delegated authority to approve the final details of certain submitted plans, the application be approved with two conditions (all other matters were covered by conditions of the outline consent). The two conditions are [paraphrased]:

1. The development shall be carried out only in accordance with the approved plans or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment.
  2. The outlet control centre and that section of the lake labelled 2A shall be constructed and be operational prior to 1 October 2009. The sections of the lake labelled 2B and 2C shall be constructed and be operational prior to 1 October 2010.
- 3.2 The decision notice was never issued. By the time the application was put before members in June 2009 the council had not received adequate drainage details of the lake nor of the temporary measures for the duration of the construction period. Officers' expectation was that, following the committee's resolution to approve, the university would quickly address the deficiencies in the submitted plans thereby enabling the council to issue the decision notice. However, the subsequent negotiations with the university were protracted. By December 2009 the permanent drainage works (i.e. the construction of the central lake) were largely acceptable but the phasing plans were out of date. Also, the proposed temporary works were based on erroneous runoff calculations. Only within the last month have these deficiencies been addressed. Nevertheless construction of the central lake began in July 2009, soon after the committee's resolution to approve. The whole of the central lake (i.e. sections 2A, 2B and 2C) is expected to be complete by July 2010. The temporary drainage proposals were agreed on 19 March 2010 but officers have yet to see evidence that the works have been connected to the occupied buildings, functional highway infrastructure, and construction areas and therefore fully implemented.

#### **4.0 APPRAISAL**

- 4.1 Whilst officers are now content to recommend approval of most of the revised proposals some recently received plans include fundamental contradictions. These plans relate to the general arrangement, outlet control centre, weir levels/sizes, inlet/outlet pipes and overflow details. Officers are discussing these particular plans with the university with a view to resolving all remaining anomalies prior to committee. Members will be updated at the meeting. Some of the current plans are completely new and are not among those for which officers were given delegated authority to approve. Therefore all the current plans will be put before members for approval. They are listed in condition 1. The anomalous plans are in italics.
- 4.2 Condition 2 raises more substantive issues. Members' required the outlet control centre and section 2A of the lake to be in operation by 1 October 2009 in order to ensure that the risk of flooding would be attenuated as soon as possible. The other sections of the lake (2B and 2C) were required to be ready by 1 October 2010. This was in order to ensure the lake's early establishment as an important landscape feature of the campus and to provide permanent protection to downstream watercourses. However, the university did not complete the outlet control centre or section 2A by the due date, which has, in any event, now passed. In practice the excavation for section 2A had already been largely carried out as part of the works to the western lake by way of a borrow pit to extract clay to line the lake. Instead of seeking early completion of the outlet control centre and section 2A the

university has prolonged the use of the temporary drainage measures. In the meantime work on section 2A has progressed but only as part of the construction of the whole of the central lake (i.e. sections 2A, 2B and 2C). This larger project requires a longer construction period than for section 2A only. A consequence is that section 2A is not expected to be complete until July 2010. Bearing in mind that issuing the decision with the condition agreed by members would be meaningless, officers propose an alternative condition. It requires the whole of the central lake (i.e. sections 2A, 2B and 2C) together with the outlet control centre and the other drainage apparatus to be operational by 1 October 2010 and for the temporary drainage works to be retained until then.

## **5.0 CONCLUSION**

5.1 The drainage details as shown on the submitted plans are now acceptable, subject to resolution of anomalies in the approved plans shown in italics at Condition 1 below.

**6.0 RECOMMENDATION:** That the committee resolution of 25 June 2009 be superseded and that the application be approved subject to the following amended conditions.

1. The development hereby permitted shall be carried out only in accordance with the approved plans numbered: DD110317.L.401/F(A), 70072/SK67, 770072/SK68, 70072/SK69, 70072/SK73, 700072/SK74, 70072/SK75, 70072/SK76, 70072/SK77, 70072/SK70, 70072/SK71, 70072/SK72, 70072/107/D, 70072/180/F, 70072/183/E, 70072/LO1C, 70072/132/D, 70072/230/C, *H128-YU-005/A*, *MMD-264263-S-DR-H128-YU-010/E*, *CP000318-A/B*, *H128-002/P1*, *MMD-264263-C-DR-H128-YU-240/D*, *MMD-264263-S-DR-H128-YU-274/C*, 70072/232/D, 70072/229, 70072/238, H128-YU-100/C, MMD-264263-C-DR-H128-YU-100/A, 70072/241/B and H128-YU-SK101/AB

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2. The works hereby approved shall be constructed and be fully operational in their entirety prior to 1 October 2010. The temporary drainage works, as described in the agent's letter dated 15 December 2009 and the accompanying ARUP report dated 1 December 2009 and in the drawing no. H128-YU-SK101/AB received on 17 March 2010, shall be retained in place and operational until the central lake and the discharge controls contained within the outlet control centre are completed and fully operational.

Reason: To enable the early establishment of the lake and to ensure that satisfactory surface water drainage arrangements are in place for the college and academic buildings within Cluster One of the Heslington East campus.

## **7.0 INFORMATIVES:**

### **Contact details:**

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