

COMMITTEE REPORT

Date: 10 October 2012 **Ward:** Heslington
Team: Major and **Parish:** Heslington Parish
Commercial Team Council

Reference: 12/02651/FUL
Application at: Physics Department Innovation Way Heslington York YO10
5DD
For: Construction of two-storey Wolfson Atmospheric Chemistry
Research Centre at Chemistry Car Park A. New and
replacement ramps to the rear of the Plasma and Harold
Fairhair buildings.
By: University Of York
Application Type: Full Application
Target Date: 3 October 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 The proposal is for the development of a two-storey building for the Wolfson Atmospheric Chemistry Research Centre. The proposed centre will be used as an atmospheric chemistry research facility. It will facilitate the integration of three research areas including laboratory studies, field observations and process modelling. The building will have the capacity to accommodate up to 40 research staff.

1.2 The development is being partially funded by a grant from the Wolfson Foundation, a charity which supports and promotes excellence in the fields of science and medicine, health and education. The applicant states that "the proposed building for atmospheric chemistry research forms a key part of the wider University of York strategy to provide unique solutions to environmental challenges, including the York Environmental Sustainability Institute. This will be the first dedicated experimental infrastructure in the UK for tackling current and emerging atmospheric chemistry issues in a scientifically integrated way, enabling world-leading contributions to the science of air quality and climate change. "

1.3 The application site is the Chemistry Car Park A which is located towards the eastern boundary of the Heslington West campus. It is bounded by the University Boiler House to the north, the Derwent / Langwith student residences to the south and Innovation Way to the west. To the north and east, the car park is enclosed by a belt of mature trees, which are subject to a group Tree Preservation Order. Heslington Church is located further to the east, beyond the tree belt. The Church and tree belt fall within the Heslington Conservation Area.

1.4 The application has been called in by Councillor Levene because of a number of concerns including encroachment on the Conservation Area, impact on a public right of way (the footpath from the Church), and lack of information on environmental impact (noise, etc) and a wish for residents to be able to publicly voice similar concerns.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Heslington CONF
City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYED6 University of York Heslington Campus
CYGP1 Design
CYGP4A Sustainability
CYHE2 Development in historic locations
CYNE7 Habitat protection and creation
CYNE1 Trees, woodlands, hedgerows

3.0 CONSULTATIONS

INTERNAL

Landscape Architect

3.1 The three Plane trees proposed for removal are not subject to a tree preservation order (TPO); nor are they in a Conservation area. One is most visible from the public realm of Innovation Way, views of the other two trees are largely obscured by the existing units. The woodland to the rear and north of the site, is subject to a TPO (No 15/1986 W3). These trees form an important backdrop to the development and are a component of the university's landscape infrastructure. Whilst the positioning of the unit entails the removal of the plane trees, it is set forward of the existing trees to allow 'breathing space'. Three new trees (Field Maple) are planted along the front of the Plasma buildings to compensate for the loss. Connecting into the district heating would result in the loss of one Ash. The loss of the Ash would not have a big visual impact and the proposals include gapping up planting throughout the woodland.

3.2 The loss of the most prominent Plane would be regrettable; nonetheless, although the proposal would result in the overall loss of four trees, the protection of the TPO'd trees and the proposed new planting (provided another tree can be achieved at the car park entrance, or thereabouts) render the proposed development acceptable in landscape terms.

Countryside Assistant

3.3 None of the trees to be removed have bat roosting potential, although the woodland area is very likely to provide good foraging habitat for bats, as well as nesting habitat for birds. Lighting can be an issue and species like the Myotis sp. can be much more sensitive to increased lighting levels. However, there looks to already be quite a bit of lighting in this area, including close to the trees. I would suggest that any lighting proposed as part of this scheme is directional and any light spillage is reduced as much as possible. The trees and wooded area should not be directly illuminated and sufficient dark space needs to be retained to allow continued foraging and commuting by bats and to reduce any impact on nesting birds. Additional planting is proposed within the woodland and on site and this will help to mitigate for any loss of habitat. This will also include new under-storey planting within the woodland which will help to enhance this area and are considered to be acceptable.

EXTERNAL

Heslington Parish Council

3.4 Any comments will be reported verbally.

Publicity

3.5 One letter has been received from local residents objecting to the proposal on the following grounds:

- Over-development - the building is shoe-horned into a small site which already contains two large unsightly buildings. Loss of 3 attractive plane trees which provide relief against the existing buildings. Lack of space on site for re-planting.
- Public Footpath - the amenity of the path to the church which passes through the site will be badly affected by the visual intrusion of the proposed building and associated noise, lighting and disturbance.
- Wildlife - the woodland is an important habitat and noise, vibration and lighting can adversely affect animal and birdlife, especially with regard to the nocturnal environment.

- The site is adjacent to the conservation area and the rural character of the woodland will be adversely affected by the building.
- The piecemeal expansion of the campus is eroding the character of Heslington village.
- Has consideration been given to locating the facilities at the new campus?

4.0 APPRAISAL

KEY ISSUES

- The location and requirement for the development
- Impact on the appearance of the area and the impact upon the setting of the adjacent conservation area
- Impact on trees, landscape and protected species

PLANNING POLICY

4.1 The National Planning Policy Framework (NPPF) states that there is a presumption in favour of sustainable development which, for decision-taking, means approving without delay development proposals that accord with the development plan. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless: (1) any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (2) specific policies in the Framework indicate development should be restricted.

4.2 The NPPF states that the Government is committed to ensuring that the planning system supports sustainable economic growth in order to create jobs and prosperity building on the country's inherent strengths and to meeting the twin challenges of global competition and of a low carbon future. Local planning authorities should support existing business sectors and promote clusters or networks of knowledge driven or high technology industries.

4.3 The NPPF requires good design, including individual buildings, public and private spaces, stating that it is a key aspect of sustainable development.

4.4 The Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) remains a material consideration, however weight needs to be given to the Government's stated intention to abolish it. Policies Y1B and Y1F encourage the growth of York's economy through the development of the University of York and the promotion of knowledge and science based industries.

4.5 The City of York Development Control Local Plan was approved for development control purposes in April 2005. Its policies are material considerations although it is considered that their weight is limited except where in accordance with the NPPF. The following local plan policies are considered to be relevant:

4.6 ED6 - The existing Heslington Campus is excluded from the Green Belt to permit further University development. The policy states that proposals for development will be permitted providing they involve either small scale extensions to existing buildings, redevelopment of existing buildings or development on specific sites identified in the development brief for the future expansion of the campus and:

- The development will not adversely affect the campus' landscape framework or the setting of Heslington Village
- The proposal is not sited on any of the campus' important open spaces
- Total developed footprint will at no time exceed 20% of the total site area
- The height of new buildings will be appropriate to the location in terms of surrounding buildings
- A high standard of design is proposed
- There will be no overall net increase in car parking spaces on the campus
- The proposal complies with all relevant requirements of the Development Brief

4.7 The Development Brief at paragraph 1.2 acknowledges that there is scope for minor infilling and redevelopment on the campus. However, such proposals will need to be assessed against the landscape strategy and the need to retain space around buildings to preserve the character of the campus. The plan accompanying the Brief shows the area of woodland to the rear of the application site to be reinforced.

4.8 Policy GP1 expects development proposals should be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and local character; respect or enhance the local environment; provide/protect amenity space; protect residential amenity; accord with sustainable design principles; include refuse facilities; and include, where appropriate, landscaping. Policy GP4A requires that proposals for all development should have regard to the principles of sustainable development.

4.9 Policy NE7 states that development proposals required to retain important natural habitats and, where possible, include measures to enhance or supplement them. New developments should include measures to encourage new habitats. Policy NE1 protects trees, woodlands and hedgerows which are of landscape, amenity, nature conservation or historical value.

4.10 Policy HE2 states that adjoining conservation areas development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion detail and materials.

The Requirement for the Development

4.11 The NPPF, the local plan and the Yorkshire and Humber Plan support the need to expand and support knowledge and science based industries. The applicant states that the development will significantly enhance the University of York's position as a centre of excellence for scientific research. The building will accommodate up to 40 research staff including six new posts created for DEFRA staff and eight existing Natural Environment Research Council staff who would otherwise be relocated out of York. The location for the building has been chosen because it is well related to the Department of Chemistry for collaboration and teaching and access to shared services. It will enable York's five atmospheric chemistry research teams to be brought together for the first time in one building, and provide experimental and modelling infrastructure that will also support other researchers from across the University.

The Impact of the Proposal on the Appearance of the Area and the Setting of the Conservation Area

4.12 The building would be sited on an area of car parking to the rear of the recently constructed Plasma Institute and the Harold Fairhair building which is a temporary modular teaching block with permission to be retained until 2015. The site of the proposed building was previously occupied by a two-storey temporary modular teaching block occupied by the Law School. To the rear of the building is a tree belt which forms the edge of the built up area of this part of the campus and forms a screen and a setting to the listed Heslington Church to the south east. The tree belt also forms the edge of the Heslington Conservation Area. The proposed building would be two storeys in height and flat roofed, building heights in this part of the campus are generally between 1 and 3 storeys. The building materials would be buff coloured brick and silver panel cladding, the functional design of the buildings reflects its research laboratory use. The full height curtain walling system with coloured glass panelling will create a feature entrance to the building, visible from Innovation Way. The building's siting would create quite a tight cluster of buildings although this is not dissimilar to other built relationships within the campus; the temporary nature of the Harold Fairhair building to the front should be noted and may provide the opportunity for additional planting and a revised relationship between buildings in the future. The policy requirement for the total developed footprint not to exceed 20% of the total site area of the campus would not be breached as the existing car park is defined as forming part of the 'developed footprint'. It is considered that the proposed building would be in character with nearby buildings and the general appearance of this part of the campus as required by policy ED6.

4.13 The tree belt is quite dense, although reinforcing planting is proposed in places as recommended in the development brief. There appear to be no shared views between the proposed building and the church and the tree belt would provide a backdrop to the proposed building. Whilst the building would abut the tree belt and conservation area boundary it is not considered that the setting of the conservation area or the church would be harmed. As such the proposal complies with the requirements of policy HE2.

Impact on Trees, the Landscaped Setting of the Campus and Protected Species

4.14 As noted in 4.12 above, the building would be located in close proximity to the tree belt which is an important boundary feature of the campus and is covered by a Tree Preservation Order. The building would be set forward of these trees to provide a breathing space, an Ash within the tree belt would be removed to allow for a connection to the District Heating Main. Three Plane trees within the car park are proposed to be removed, these trees are not protected. One of the trees is visible from Innovation Way; the others are largely obscured from view by the existing buildings. A revised landscape plan shows four new trees along Innovation Way including a new Field Maple at the entrance to the site. Overall, the protection of the TPO trees, the new planting including additional planting within the tree belt render the proposal acceptable in landscape terms and in compliance with policy ED6 and GP1.

4.15 The trees to be removed are not considered to have bat roosting potential, although the woodland area is very likely to provide good foraging habitat for bats, as well as nesting habitat for birds. Lighting can be an issue however, although the area is already lit, including close to the trees. The Countryside Assistant has recommended that any lighting proposed as part of this scheme is directional and any light spillage is reduced as much as possible, this can be achieved by condition. The additional planting within the woodland will help to mitigate for any loss of habitat and the new under-storey planting within the woodland will help to enhance this area. The proposal complies with policy NE7.

Other Planning Issues

4.16 There is a footpath which runs from the church, through the tree belt and car park to Innovation Way. The proposed building would develop an area to the north of the footpath as it passes through the car park. There would be a gap of between about 5 and 7 metres between the southern elevation of the proposed building and the student residences and cycle store to the south. Previously pedestrians could walk through the car park, the new route will be more constrained but it is not considered that the presence of the two storey building will unduly harm the functioning or enjoyment of the footpath in this location.

4.17 The application site is part of a car park although it has not been used as such since 2007 when the temporary Law School buildings were sited there. Policy ED6 requires that there is no net increase in car parking on the campus, twenty two parking spaces will be retained.

Staff cycle parking would be provided within the existing secure shed for Chemistry Department staff on the opposite side of Innovation Way and five additional stands (10 spaces) will be provided on site, these will be uncovered visitor spaces.

4.18 The applicant has submitted a sustainability statement in support of the application. The building will be connected to the University's district heating system, the energy requirements for the building will be partly met by using waste heat from the combined heat and power plant to the north, and initial estimates suggest that the waste heat can meet all of the buildings heating demand. The building layout allows for natural ventilation from two sides in the larger offices and laboratories reducing the requirement for cooling at peak times. Low energy lighting with automatic sensors will be used where possible and water saving fittings will be provided. A bin store at the south west corner of the car park provides provision for the storage of waste and recycling. It is considered that the proposals would broadly comply with policy GP4A in this respect.

4.19 In terms of noise, vibration and emissions from the building, the applicant has stated that the "primary use of the building will be as an office facility for academic and research staff" and that "research activities consist of instrumental research with no potential for vibration or emissions and low ambient noise levels." No details of external plant have been submitted, but it is considered that this can be controlled through a planning condition. The applicant states that there is likely to be a need for external condenser units to cool research instruments during exceptionally warm periods. There is a parapet around the roof of the building and it is considered that plant could be located at roof level without undue impact on the appearance of the building.

4.20 The application also proposes new access/escape ramps to the rear of the Plasma and Harold Fairhair buildings. The ramps would not have an adverse impact on the appearance of the respective buildings or the appearance of the area.

5.0 CONCLUSION

5.1 The applicant's justification for the location the research building close to the existing Department of Chemistry is reasonable and is supported by planning policy. The proposed building in terms of its use, scale and appearance is considered acceptable and appropriate to its location. It is considered that there will be limited impacts upon the landscaped setting of the campus, the setting of the adjoining conservation area and nearby listed buildings and the existing environmental qualities of the area. The application is considered to comply with national and regional policy and local plan policies ED6, GP1, GP4A, NE1, NE7 and HE2.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans:-

PL03 rev. C, PL05 rev. B, PL06 rev. A, PL07 rev. A, PL08 rev. A, PL10 rev. A, 259-026-SK209

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

3 VISQ8 Samples of exterior materials to be app -

4 The building shall not be occupied until the 5 'Sheffield' cycle parking stands have been provided in accordance drawing no. PL03 rev.C. The stands shall not be removed without the prior written permission of the local planning authority.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads.

5 The new tree and woodland understorey and margin planting shown on the Proposed Landscaping Plan PL05 revision B shall be implemented within a period of six months of the completion of the development. Details of the height of the proposed trees along Innovation Way shall be submitted to the local planning authority for written approval. Any trees or plants which within a period of five 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 similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of maintaining the landscaped setting of the campus in accordance with policy ED6 of the Local Plan and the Heslington Campus Development Brief (August 1999).

6 Details of any external lighting, including its direction, shall be submitted to and approved in writing by the local planning authority prior to its installation. The trees and wooded area should not be directly illuminated and sufficient dark space needs to be retained to allow continued foraging and commuting by bats and to reduce any impact on nesting birds.

Reason: In accordance with Local Plan policy NE7 as the wooded area to the east of the site provides good foraging habitat for bats, as well as nesting habitat for birds which may be adversely affected by increased lighting levels and light spillage.

7 Details of any plant or machinery located externally on the building shall be submitted top and approved by the local planning authority prior to its installation on the building. Any plant which is located on the roof of the building and does not project above the top of the parapet wall will not require the approval of the local planning authority.

Reason: In the interests of the visual amenity of the building as no details of plant have been submitted with the application.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the proposed use and required location for the development, the impact on the appearance of the area, the impact upon the setting of the adjacent conservation area and the impact on trees, the landscaped setting of the campus and protected species. As such the proposal complies with Policies ED6, GP1, GP4A, NE1, NE7 and HE2 of the City of York Development Control Local Plan; polices Y1B and Y1F of the Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) and the policies contained within the National Planning Policy Framework.

Contact details:

Author: Erik Matthews Development Management Officer

Tel No: 01904 551416