

## COMMITTEE REPORT

**Date:** 19 February 2015      **Ward:** Heslington  
**Team:** Major and      **Parish:** Heslington      Parish  
Commercial Team      Council

**Reference:** 14/02881/FULM

**Application at:** Biology Department University Of York University Road Heslington York

**For:** Erection of three-storey building for the Biology Department (Class D1)

**By:** University Of York

**Application Type:** Major Full Application (13 weeks)

**Target Date:** 16 March 2015

**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The Biological Sciences Faculty lies in a series of substantial three storey curtain wall clad buildings together with some older prefabricated concrete "CLASP" buildings at the western edge of the principal Heslington West Campus overlooking Walmgate Stray. The Faculty's teaching and research accommodation is presently in the process of being modernised with earlier buildings being replaced with facilities more suitable for the latest requirements. Planning permission has previously been given for erection of a Biomedical and Natural Sciences teaching and research building ref: - 13/00571/FULM which has recently been constructed and is in the process of being brought into use.

1.2 Planning permission is now sought for phase II of the Biomedical and Natural Sciences scheme comprising a three storey teaching and research building with some 4,670 sq metres of floor space incorporating laboratories, preparation and storage rooms, workshop space, computer rooms and departmental office accommodation. It would create 40 new full time jobs and is designed to accommodate recent and projected increases in student number and the range of courses on offer. The scheme is within the University's Ten Year Development Plan and lies within the area identified for re-development within the University Development Brief. It would be directly connected via a bridge link to phase I of the development directly to the south.

1.3 The site is not taken as being within the general extent of the York Green Belt following on from the decision of the Secretary of State for Communities and Local Government in respect of the permission to develop the additional University campus at Heslington East in 2007.

### 2.0 POLICY CONTEXT

Application Reference Number: 14/02881/FULM

Item No: 4e

## 2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

## 2.2 Draft Local Plan Policies (2005 4<sup>th</sup> Set of Changes):

CGP15A - Development and Flood Risk

CYED6 - University of York Heslington Campus

CYNE8 - Green corridors

CYGP4A - Sustainability

CYGP1 - Design

## 3.0 CONSULTATIONS

### INTERNAL:-

3.1 Planning and Environmental Management (Landscape) raise the following concerns: Do not support the car park being extended into the treed mound as originally shown, as it represents further erosion of the base line landscape framework of the campus that continues along Wentworth Way, and potentially puts at risk a number of good, young-mature specimens with long term potential. The mounding, grass and trees act as an integrated whole; so to level this area out, apply new surfacing, and reduce the growing conditions in which trees could otherwise thrive, is inappropriate. The car park as shown pushes the visual presence of the cars into the landscape belt, thereby further highlighting the loss of green space. For much of this length, it is not possible to create any level parking space without entering into the root protection areas of the trees due to the sloping nature of the ground in which they stand.

3.2 The landscape plan provides new tree planting within a relatively narrow margin between the western front of the new building and Wentworth Way. This presents an attractive mix of trees and will add to the amenity of the building and the western leg of Wentworth Way. Nonetheless it would not compensate for the loss of the mounding and trees to the north (N.B. issues raised being addressed – see 4.14 below, and revised comments will be reported at Committee).

3.3 Highway Network Management was consulted with regard to the proposal on 12th January 2015. No response has been received at the time of writing.

3.4 Environmental Protection Unit was consulted with regard to the proposal on 12th January 2015. No response has been received at the time of writing.

3.5 Strategic Flood Risk Management was consulted with regard to the proposal on 12th January 2015. No response has been received at the time of writing.

## EXTERNAL

3.5 Heslington Parish Council was consulted with regard to the proposal on 12th January 2015. No response has been received at the time of writing.

3.6 Yorkshire Water Services Limited raises no objection to the proposal.

3.7 The Ouse and Derwent (2008) Internal Drainage Board raises no objection in principle to the proposal but wish to see surface water flows attenuated to mimic surface water flows from the site prior to the development. At the same time they point out the need to have Board consent for doing any works within 9 metres of a Board maintained water course.

## 4.0 APPRAISAL

### KEY CONSIDERATIONS:-

#### 4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the Visual Amenity of the Wider Street Scene;
- Impact upon the Setting of Walmgate Stray;
- Economic Benefits of the Proposal;
- Sustainability of the Proposal;
- Impact upon the Local Pattern of Surface Water Drainage;
- Impact upon Trees of Townscape Importance.

### STATUS OF THE DEVELOPMENT CONTROL LOCAL PLAN

4.2 The York Development Control Local Plan was approved for Development Control purposes in April 2005; its policies remain material considerations in arriving at Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

### PLANNING POLICY CONTEXT

### ECONOMIC DEVELOPMENT

4.3 Central Government Planning Policy as outlined in paragraph 21 of the National Planning Policy Framework urges Local Planning Authorities to give specific weight

to the need to plan positively for the location, promotion and expansion of clusters of knowledge based industries.

## IMPACT UPON THE VISUAL AMENITY OF THE STREET SCENE

4.4 Central Government Planning Policy as outlined in paragraph 61 of the National Planning Policy Framework urges Local Planning Authorities to give specific weight to the need to address the connections between people and places and integration of new development into the natural, historic and built environment.

## SUSTAINABILITY OF THE PROPOSAL

4.5 Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles" urges Local Planning Authorities to support positively the transition to a low carbon future, encouraging the reuse of existing resources and the further use of renewable resources including renewable energy.

## IMPACT UPON THE LOCAL PATTERN OF SURFACE WATER DRAINAGE

4.6 Central Government Planning Policy as outlined in paragraph 103 of the National Planning Policy Framework urges Local Planning Authorities to ensure that in determining planning applications flood risk is not increased elsewhere.

## THE EMERGING CITY OF YORK LOCAL PLAN

4.7 Paragraph 216 of the National Planning Policy Framework urges Local Planning Authorities to give appropriate weight to emerging Local Plan Policies. Policy ED2 of the (emerging) Draft City of York Local Plan carries forward the requirements of the earlier Draft Policy ED6 and is compliant with the National Planning Policy Framework. As such the policy should be afforded some weight in the consideration of the current proposal.

## IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE

4.8 Policy ED6 of the York Development Control Local Plan (April 2005 incorporating 4th Set of Changes) sets out criteria for acceptable new development within the Heslington West Campus of York University. These criteria are also found within the emerging policy at ED2 of the Draft Publication Local Plan (2014), indicating the direction of travel in policy terms. The proposal involves small scale extension to the existing building, and as such, the development would not adversely affect the campus' landscape framework, the height of new buildings would be appropriate to the location in terms of distance to the height of surrounding buildings and a high standard of design appropriate to the setting of the University is proposed. Central Government planning policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles" urges Local

Planning Authorities to proactively drive and support sustainable economic development to deliver infrastructure to provide for the needs of the community. The current proposal envisages the erection of three storey research and teaching building clad in a mix of structural glazing; colours coated metal curtain walling and render panels. The proposed building would match phase 1 in terms of its pattern of scale and massing and overall height. The proposed palette of materials would also be complementary. The approved University Heslington West Development Brief, which has been the subject of public consultation and can therefore be afforded some material weight, establishes a maximum built foot print of 20% of the Campus area for new development. This is reflected in both existing and emerging Draft Local Plan Policy and the proposal sits within the indicated figure.

4.9 The application area comprises an existing car park which is not used to full capacity. Some limited staff and disabled parking would be retained to the north although limited crown lifting of trees and associated clearance works will be required in order to allow for adequate visibility into the retained site access. Details of additional tree and shrub planting for the western boundary of the site have been submitted with the proposal. The proposed building would not be readily visible from the surrounding road network and would not be readily visible in long and short distance views from outside of the site to the north west. Any impact upon the visual amenity of the wider street scene is therefore felt to be acceptable and the proposal demonstrates compliance with the NPPF, the emerging Local Plan policy ED2, the terms of Policy ED6 of the 2005 Plan and the 2006 Campus Development Brief.

## IMPACT UPON THE SETTING OF WALMGATE STRAY

4.10 The application site lies directly to the north east of Walmgate Stray beyond Wentworth Way with a principal pedestrian access directly to the south west of phase I of the development. The Stray is protected by Private Act of Parliament to protect the landscape approach to the City Centre as well as provide opportunities for informal recreation and a major wildlife habitat in addition. The application site lies some 30 metres distant to the north east at its closest point. A degree of screening would be provided by the existing belt of mature trees along Wentworth Way to the west and further significant planting is envisaged for the area around the site entrance. Any impact upon the setting of the Stray is therefore felt to be acceptable.

## ECONOMIC BENEFITS OF THE PROPOSAL

4.11 The substantial rise in undergraduate numbers between 2000 and 2014 has been paralleled with a significant expansion in the range of available degrees in Biological Sciences. The current proposal would enable the replacement of the existing outdated accommodation in Biology Blocks A, B and D which were constructed in prefabricated concrete panels in the 1960s and are no longer fit for purpose to serve the on-going needs of the Department. The University's Ten Year Development Plan envisages the further development of a "centre of excellence" in

teaching and research in the biological and natural sciences with a further expansion in student numbers of 39% over the period of the Plan. The proposal forms part of a wider scheme to expand Science teaching and research within the wider Heslington West Campus which has already brought in wider economic and employment benefits to the area and therefore support is recommended in line with Central Government Policy outlined in the National Planning Policy Framework.

## SUSTAINABILITY OF THE PROPOSAL

4.12 The applicant confirms that the building has been designed to achieve a standard of BREEAM "Very Good". It has been designed to a high level of thermal performance through improved insulation values and minimisation of solar gain aiming for a 25% improvement on the requirements of the Building Regulations. The design is also intended to minimise energy and water consumption and materials will be sought sustainably wherever feasible. A new covered and secure cycle store would be provided to the north west of the new building with 20 spaces for staff. A further 56 cycle spaces for use by students and visitors including 28 covered would be provided adjacent to the eastern elevation of the building.

## IMPACT UPON THE LOCAL SURFACE WATER DRAINAGE PATTERN

4.13 Policy GP15a) of the York Development Control Local Plan (April 2005 4th Set Changes) sets out criteria to satisfy the Local Planning Authority that any flood risk will be successfully managed with the minimum environmental effect whilst ensuring that the site can be developed, serviced and occupied safely. The site lies within Flood Zone 1 and is therefore deemed to be at the lowest risk of flooding. An outline surface water drainage scheme has been submitted with the proposal which indicates the provision of a system of attenuation connected to the main lake system to the east. At the same time planning permission has recently been given for works to the lake system and associated water courses (ref:- 14/02386/FUL) to create a localised system of surface water control for the purposes of flood risk management. In the event that this is implemented in advance of the current proposal then a full system of attenuation would prove unnecessary. Providing the detail of all surface water drainage works are conditioned for further approval, as an attenuated system or via connection with the approved lake works, then the proposed development is felt to be acceptable.

## IMPACT UPON TREES OF TOWNSCAPE IMPORTANCE

4.14 Concern has been expressed in relation to the impact of the proposed new staff car parking layout on the health of the landscaping belt to the north of the site. A significant amount of pruning and crown lifting would be required in order to secure adequate visibility into the new car park/service access and the proposed staff parking area would reduce the area of mounding around the northern edge of the site as well as having clear implications for the root protection area of the adjacent trees. The landscaping to the north of the site is intrinsic to the character of

the site. The applicant has agreed to amend the layout in consultation with the Authority's Landscape Architect in order to devise a lesser scheme that would deal effectively with these concerns and minimise any such impact. As the impact would be largely internal there would be no requirement for further consultation in respect of the revised layout.

## **5.0 CONCLUSION**

5.1 The current Biology Department comprises a mix of single storey CLASP concrete panel buildings with more recently constructed curtain wall clad buildings including Biological Sciences Phase 1 directly to the south. Planning permission is sought for the erection of phase II of the expansion of Biomedical and Natural Sciences to the north west of the main complex. It would be linked to phase 1 by a high level bridge and it would reflect the same pattern of scale, massing and palette of materials. It is felt that the proposal would not have an adverse impact upon the visual amenity of the wider street scene and that it would not have an adverse impact upon the setting of Walmgate Stray. The proposed building would furthermore form an additional component of the wider programme to improve the quality and range of Science teaching and research at the University in order to develop it further as a centre of excellence.

5.2 Subject to receipt of revisions to address the issues raised by the Landscape Architect, the proposal is therefore felt to be acceptable in planning terms and approval is recommended.

## **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:-

Drawing Refs:- 10796 (9)010 A; 10796 (9)006 B; 10796 (9)007 B; 10796 (9)008; 10796 (9) 001; 10796 (2)007 B; 10796 (9)009 A; 10796 (9)011 A; 10796 (2)008 B; 10796 (2)006 B; 10796 AL(2)005 B; 10796 AL(2) 004 B; 10796 AL(2)003 B; 10796 (2)002.

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 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 19 metres, as measured from

existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees , shrubs and hard landscaping. This scheme shall be implemented within a period of six months of the completion of the development. 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: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

6 NOISE7 Restricted hours of construction -

7 HWAY31 No mud on highway during construction -

8 HWAY18 Cycle parking details to be agreed -

9 HWAY19 Car and cycle parking laid out -

10 Prior to the commencement of the development hereby authorised full details of the proposed means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include existing and proposed drainage calculations, and location of an outfall and shall be fully implemented before the building is first brought into use.

Reason:- To ensure that the site is effectively drained and to secure compliance with Policy GP15a) of the York Development Control Local Plan and Policy ENV4 of the (Emerging) City of York Local Plan (Publication Draft).

11 Trees shown as being retained on the approved plans shall be protected in accordance with BS: 5837 Trees in relation to construction.



Before the commencement of development hereby permitted, including any demolition, building operations or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing; phasing of works; site access for demolition/construction and methodology; type of construction machinery/vehicles to be used (including delivery and collection Lorries and arrangements for loading/off-loading); parking arrangements for site vehicles; locations for storage of materials; locations of utilities. Details of existing and proposed levels and surfaces shall also be included.

The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, mechanical cultivation or deep-digging, parking or manoeuvring of vehicles; there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, or pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscape works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

## **7.0 INFORMATIVES: Notes to Applicant**

### **1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Planning Conditions covering tree protection, surface water drainage and building height.

### **2. CONTROL OF POLLUTION ACT 1974:-**

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal

action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturer's instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

### **3. INTERNAL DRAINAGE BOARD:-**

**The applicant's attention is drawn to the need to obtain the consent of the Ouse and Derwent Internal Drainage Board to undertake works within 9 metres of the banks of a Board maintained watercourse.**

#### **Contact details:**

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