



Notice of meeting of

Planning Committee

- To:** Councillors R Watson (Chair), D'Agorne, Firth, Funnell, Horton, Hudson, Hyman, Jamieson-Ball, Moore, Morley, Pierce, Potter (Vice-Chair), Reid, Simpson-Laing, B Watson and Wiseman
- Date:** Thursday, 25 June 2009
- Time:** 4.30 pm
- Venue:** The Guildhall, York

There are no site visits scheduled for this meeting

Please note that at 3.30pm the meeting will be preceded by a Presentation on the new Masterplan for the Terry's Factory Site.

AGENDA

1. **Declarations of Interest**

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Minutes** (Pages 3 - 10)

To approve and sign the minutes of the last meeting of the Planning Committee held on 23 April 2009.

3. **Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by **5pm** the day before the meeting, that is **Wednesday 24 June 2009**. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the Committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

4. Plans List

This item invites Members to determine the following planning application:

a) Proposed University Campus Lying Between Field Lane/Common Lane/A64 Trunk Road and Hull Road, York (08/02543/REMM) (Pages 11 - 20)

Construction of central lake and raising of Kimberlow Hill [*Heslington Ward*].

5. Any other business, which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jill Pickering

Contact Details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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City of York Council

Committee Minutes

MEETING	PLANNING COMMITTEE
DATE	23 APRIL 2009
PRESENT	COUNCILLORS R WATSON (CHAIR), CRISP, D'AGORNE, FUNNELL, HORTON, HUDSON, JAMIESON-BALL, MOORE, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, WISEMAN, MORLEY (SUB FOR CLLR FIRTH) AND GILLIES (SUB FOR CLLR GALVIN)
APOLOGIES	COUNCILLORS FIRTH, GALVIN AND VASSIE

57. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor D'Agorne declared a personal non-prejudicial interest in Agenda item 4 (Revisions to the 2006 Development Brief for Terry's Factory Site – Report Back on Public Consultation) as a regular user of National Cycle Route 65.

58. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 26 March 2009 be approved and signed by the Chair as a correct record.

59. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general issues within the remit of the Committee.

60. REVISIONS TO THE 2006 DEVELOPMENT BRIEF FOR THE TERRY' S FACTORY SITE - REPORT BACK ON PUBLIC CONSULTATION

Consideration was given to a report which summarised the main representations received from organisations and individuals in relation to the revisions to the 2006 Terry's Development Brief approved by Members in December 2008. A full and detailed table of representations received and City of York Council Officer responses and recommendations were set out in Appendix 1 to the report.

Officers reported receipt of further representations from Turley Associates, Grantside the applicant's agents, in relation to the Development Brief, copies of which were circulated at the meeting. Details of these, together with Officer comments are set out below:

Para-graph	Representation	Officer comment
1.1	The final sentence referring to the history of Terry's, as Appendix 1 should remain.	Agree. Reinstate sentence.
1.12 (5)	The protection of long distance views is welcomed, but enhancing these is too subjective.	Agree. Replace "protecting and enhancing" with "protecting or enhancing".
2.3	Delete the sentence "They appear to be in a parkland setting within the City of York Green Belt". Apart from being a subjective assessment of the setting of the buildings, the site is not within the Green Belt as the sentence implies.	Agree. Delete sentence.
4.10	It is sufficient to apply the existing development control policies to safeguard the nature of the hotel developments on the site. The Officer response (71) in Appendix 1 will suffice.	Delete "There will, however, need to be robust justification for anything over and above this within any proposed master plan for the site" and replace with "There may be a case for an additional hotel. The developer will need to demonstrate the need for any additional provision and present a justification."
4.23	States that 50% of homes are required as affordable. It should state that <i>up to</i> 50% of the total will be required.	Agree (re. target set out in paragraph 4.24).
6.36	Delete any references to distances that built development can be in relation to trees. Compliance with the relevant BS, which is already noted, should suffice.	Agree. Delete last three sentences of 6.36 (from "For example.." to "..of the garden.")
7.4 (14)	The requirement for a physical link to racecourse is dependent on negotiation with a landowner outside the site boundary. (re. Officer response (143) in Appendix 1.	Agree. In line 1 of (14) replace "should" with "could".
8.3	The Community Forum is well established now and the Committee should be made aware that 3 very productive meetings have been held.	Agree. Delete last sentence of paragraph 8.3 and replace with "A Community Forum is now established, which has been very successful in representing the views of the local community as the masterplan progresses. This group can take an effective role in determining the nature and extent of any community needs generated by the development of part of the site for residential use."
9.6	This should reflect the current status of the link road proposals.	Agree. Replace with paragraph 12 from Planning Committee report.
9.10	The upgrade of an off-site cycle route cannot be included as a condition of development. It is already accepted that	Agree. In paragraph 9.10 delete "..requires to be upgraded.." and replace with

	<p>the route is in poor quality, regardless of any development. The inclusion reference to this pre-supposes the Masterplan and any mitigation measures and should therefore be removed.</p> <p>Such a requirement cannot be demanded at this stage as it is unclear whether such upgrading would be directly related in scale and impact which the proposed development will make in accordance with guidance in circular 05/2005.</p>	<p>“..upgrading of this route should be explored..”</p>
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Cllr Merrett, made representations on behalf of the three Micklegate Ward Members. He welcomed the work undertaken by Officers and for the support of the Community Forum and the changes proposed to the Brief, which took account of residents concerns.

He went on to refer to four significant issues, the first related to Section 8 – Local Community and Knavesmire Primary Schools use of the Little Knavesmire as a playing field for the school. He pointed out that this area was often waterlogged and that the new MUGA (Multi Use Games Area) within the school grounds was unavailable at weekends and after 6pm on weekdays. He stated that there would be no other large-scale development site in the area where it may be possible to obtain a year round dedicated sports area as close to the school. The second issue related to Section 9 - Accessibility, Traffic and Transport, in particular to paragraph 9.2 which he requested should be strengthened to give stronger encouragement to cyclists and public transport users. In relation to Paragraph 9.3 he felt that alternative commercial accesses should be explored from the racecourse road and that the brief should be amended to reflect the alternatives with a preferred option given to protect Bishopthorpe village. He stated that paragraph 9.6 was now out of date and needed to refer to the outcome of the Traffic Study. In relation to paragraph 9.17 the scoping study for the Transport Assessment should include all the junctions in the area. He also requested inclusion in paragraph 9.20 of reference to the elimination of the Air Quality hotspot at the Price Lane/Nunnery Lane junction. This paragraph he felt should also refer to the protection of adjacent residential streets from displacement of car parking and consideration should be given to a possible off site contribution for Residents Parking.

In reply Officers confirmed they shared Members views in relation to the importance of acquiring a dedicated exclusive play space in the area but they referred to possible legal problems in including this in the Brief. They also confirmed that the Brief did contain strong references to low car use and make reference to a possible relief road. They stated that six junctions would be monitored for the impact of the development on air quality. Officers stated that the racecourse access was situated outside the development site but that an update would be included in the report with a statement explaining that an access was to be explored at this point.

Members then requested the following changes to the brief in conjunction with the circulated Officers comments:

Chapter 4 - Potential Uses

Nun Ings - Paragraph 4.2 – Refer to the potential of the part of the site to the east of Bishopthorpe Road to address surface water run off from the site.

Housing - Paragraph 4.24 – addition of sentence at the end to state, “That if housing does not achieve market prices revert to social rented homes in order to retain their afford status”.

Chapter 5 – Sustainable Development

Sustainable Development in York - Paragraph 5.8 – Rewording of this paragraph “Development should meet the Regional Spatial Strategy Policy ENV5 – Energy. This contains requirements for energy efficiency and a requirement that new developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.

Paragraph 5.9 – the addition of a sentence to state that the minimum standard required for new homes is Code for Sustainable Homes Level 3.

Chapter 6 – Landscape and Natural Environment

Green Belt - Paragraph 6.13 – An early design consideration should be should be the landscaping of the car park and the potential of the part of the site to the east of Bishopthorpe Road to address surface water run off from the site.

Paragraph 6.36 - This paragraph to be rewritten to combine the importance of the trees amenity value and their relationship to residential buildings and the existing factory.

Internal Landscape Features - Paragraph 6.43 – Clarification required in relation to this reference to a new avenue and the planting.

Paragraph 6.53 – add to the Brief a requirement that ‘Soakaways’ should not be used.

Chapter 7 – Built Environment

Design Principles – Paragraph 7.4 (17) – Reinstate the following deleted wording “All public spaces and buildings should be fully accessible to those with disabilities”.

Paragraph 7.17 – Include reference to Terry’s of York Clock Tower and the requirement to preserve the clock as a fully functioning clock.

Chapter 8 – Local Community

Education – The wording in Paragraph 8.8 should be strengthened to state that the provision of open space on the site for the use of the school is a key aim of the Council.

Open Space - Paragraphs 8.10 – For clarity the name of the study should be added to this paragraph.

Paragraph 8.13 – Amend paragraph to state that the developers ‘must’ consider the outcomes of the open space study.

Paragraphs 8.10 to 8.16 – Section should include details of PMP’s study.

Chapter 9 – Accessibility, Traffic and Transport

Hierarchy of Transport Users - Paragraph 9.2 – inclusion in this paragraph that a 'highly innovative transport solution is required'.

Access – Paragraph 9.3 – Add comment that we are exploring options to utilise Race Course Road as an access to the site.

Cycling/Walking - Paragraph 9.8 – the addition of the words “well designed and appropriate” prior to the word “lighting” in the last sentence.

Paragraph 9.10 – The rewording of this paragraph to state “The existing Route 65 cycle/pedestrian link which connects the section running alongside the River Ouse to Bishopthorpe Road up a steep narrow section does not meet the needs of all users and needs to be supplemented by a more direct, evenly graded route connecting through the Eastern section of the site to link to the existing crossing point on Bishopthorpe Rd at the southern boundary of the main site. The development will provide the opportunity to address this issue, enhancing the attractiveness of cycling in the vicinity of the site and beyond”.

Paragraph 9.11 – This paragraph needs to be strengthened rather than stating “should be investigated”.

Bus Services - Paragraph 9.15 – Officers to update the details relating to bus services to the site following changes to the FirstYork services and timetables.

Transport Assessment – Paragraph 9.17 – Areas of existing on-road parking in South Bank should be protected through residents parking schemes funded through the S106.

Paragraph 9.20 Low Car Ownership Development – Section heading to be amended to read “Low Car Ownership Development”.

Chapter 10 – Environmental Issues

Air Quality – Paragraph 10.8 – The Brief should note the existing Air Quality Hot Spot on the Nunnery Lane/Prices Lane gyratory and the development should not exacerbate the problem.

Appendix 4: Economic/Science City York Aims

Appendix title to be changed to reflect recent changes.

Plans 3, 4 and 5 – Consideration to be given to using alternative colours on the plans and legends to make them easier to read. Conservation Area boundary in Plan 4 in wrong colour on the key.

Officers confirmed that following agreement on the final wording of the Brief a copy of the document would be emailed to Members. ¹.

RESOLVED: That, subject to the Assistant Director (Planning and Sustainable Development), in consultation with the Chair and Vice-Chair being delegated authority to agree the final wording of the amendments to the Brief, approval be given to the April 2009 revisions to the 2006 Terry's Development Brief as a basis for negotiating an appropriate scheme to redevelop the site and for consideration of future planning and listed building/conservation area applications. ².

- REASONS: (i) The redevelopment of the site is an important opportunity to provide quality accommodation for a range of uses that will support the York economy. An up-to-date Development Brief is considered the most appropriate approach for the Council to set out a vision, objectives and clear guidance for a new sustainable employment led mixed-use development to create a community of complementary uses.
- (ii) The conservation importance and prominent setting of the site require detailed consideration and an up-to-date Development Brief is considered the most appropriate approach for the Council to set out the key considerations for the site and requirements of potential developers.

Action Required

- | | |
|--|----|
| 1. Email Members details of the finally agreed wording. | SS |
| 2. Officers consult Chair and Vice Chair regarding the wording of the amendments for final approval. | SS |

61. HESLINGTON VILLAGE CONSERVATION AREA APPRAISAL: RESULTS OF CONSULTATION AND FINAL DRAFT FOR APPROVAL

Members considered a report, which presented the results of a public consultation exercise on the draft Heslington Conservation Area appraisal, and boundary review. The report recommended that, following minor revisions to the report, the document be adopted.

Members were reminded that there had been a six week consultation exercise following which 20 replies had been received, details of which were set out in Annex C of the report.

Officers referred to additional comments which had been received requesting the inclusion of The Crescent and the Holmefield Lane development, together with a buffer strip of land between the School and The Crescent within the Conservation Area boundary. It was pointed out that the boundary review previously undertaken in 2004 had discounted the inclusion of these additional areas. It was felt that the Green Belt status of these areas should be sufficient to protect them.

Some Members expressed concerns in relation to the non-inclusion of the buffer zone as a key part of the village settlement. They also pointed out that it would be helpful if the first paragraph detailed the status of the report and how it fitted in with the hierarchy of Council policies.

Following further discussion consideration was then given to the following options:

- Option 1- Approve Heslington Conservation Area Appraisal with the changes suggested in Annex C of this report.

Option 2 - Approve Heslington Conservation Area Appraisal with further changes or fewer changes than proposed above.

Option 3 - Do not approve Heslington Conservation Area Appraisal and boundary review proposals.

Members thanked Officers for a detailed, high quality report, which would assist them in the future development of the village and its surroundings.

RESOLVED: That approval be given, for planning purposes, to the Heslington Conservation Area Appraisal as proposed in Annex D and as amended by Annex C of the report and the additional under mentioned changes: ¹.

- Update Paragraph 10.06 to state that every effort will be made to reduce the impact of the link road development on Heslington Hall, Field Lane and Deans Acre;
- Officers to examine possible modifications to Paragraphs 10.7 and 10.8 to ensure that the link road meets the needs of the Conservation Area.
- Map 8 – Existing Uses (page 109) – Amend reference to ‘Building Site’ in the key for the site at the rear of Main Street to “Residential”;
- Map 11 – Negative and Neutral (page 112) – Mark the older school building on School Lane as making a ‘neutral’ rather than a ‘negative’ contribution to the Conservation Area

REASON: The document is a thorough analysis of the character and appearance of the conservation area and it has been prepared in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users. The consultation method and range accords with previous practice. Information and views of consultees have been carefully considered in the amendments proposed. The adoption of the document will assist with the formulation and determination of development proposals within the conservation area and adjacent to it.

Action Required

1. Appraisal to be used to assist with development proposals in the area.

SS

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 6.35 pm].

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COMMITTEE REPORT

Committee: Planning
Date: 25 June 2009
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 PROPOSAL

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. In essence the works comprise a redistribution of ground material within the site. 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) from 31m AOD at its highest point to 36m AOD. Some of the remaining excavated soil would be used to create a bund along the boundary with the A64 (to the south-east).

1.2 The application does not include soft landscaping and tree planting proposals. These will comprise a separate reserved matters application at a later date.

1.3 The lake as currently proposed is in three main sections. The western section is under construction and is nearing completion. The central section is the subject of this application. Details of the eastern section of the lake have not yet been submitted.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area : Heslington 0029

Contaminated Land :

City Boundary : York City Boundary 0001

DC Area Teams : East Area (1) 0003

Listed Buildings : Grade 2; Font 2.5m N Heslington Church Field Lane

Listed Buildings : Grade 2; Heslington Anglican And Methodist Church Field Lane

Schools : Lord Deramore's Primary 0208

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYGP9
Landscaping

CGP15A
Development and Flood Risk

CYNE7
Habitat protection and creation

CYT4
Cycle parking standards

CYED9
University of York New Campus

3.0 CONSULTATIONS

3.1 Internal

Environment, Conservation, Sustainable Development (Landscape) - The proposals are acceptable. They comply with the EIA submitted with the outline application and the landscape design guidelines approved pursuant to the outline consent.

Environment, Conservation, Sustainable Development (Countryside) - No concerns.

Environment Protection Unit - No objections subject to the submitted construction environmental management plan being adhered to at all times and other relevant conditions of the outline consent being complied with.

Structures and Drainage - No objections to the latest approved scheme, subject to conditions, particularly to ensure that the proposals are carried out promptly.

Highway Network Management - No highway objections subject to a condition restricting the use of the Low Lane access to the purposes indicated by the applicant (ie very limited access for maintenance).

3.2 External

Heslington Community Forum - The university gave presentations to the forum on 10 December 2007 and 4 February 2008, prior to submission. Since then the forum has been kept updated on progress.

Heslington Parish Council - No response.

Dunnington Parish Council - The proposal is ill-conceived and extravagant both financially and environmentally. Using a borehole for an ornamental rather than an agricultural use is a waste of water.

Osbaldwick Parish Council - The parish council considers that it has not been given enough time to make informative comment. [Officers' response - The parish council has been told that any representations received up to the date of the committee will be reported verbally by officers at the meeting]

DEFRA - The public right of way between Grimston Bar Park & Ride and Low Lane (across Kimberlow Hill) should be maintained. Could the access from Badger Hill to the right of way be improved, either from Hull Road or from Field Lane?

Highways Agency - No objection.

Yorkshire Water - No objections.

Ouse and Derwent IDB - No objection to the latest proposals subject to conditions and formal ratification by the main board.

Environment Agency - No objections if the council's drainage officers and the IDB are satisfied with the proposals.

York Natural Environment Panel - (1) The lake lacks the detailed elements required to create optimum habitat for wildlife, including for example an irregular shoreline. (2) The scheme will result in reduced discharges to Germany Beck, including at times of reduced flow, which could be detrimental to the existing habitat. (3) The alterations to Kimberlow Hill will destroy geological heritage. (4) Given the number of different planning applications there should be a consistent approach with all relevant information being provided at the outset.

Public Consultation - Consultation measures include letters to all occupiers fronting onto the site, advertisements in the local press and site notices along the perimeter. Copies of the application were available for inspection at St Leonard's Place and the university. The consultation period expired on 31 December 2008. One objection has been received from a local resident. It refers only to matters unconnected to the current application.

4.0 APPRAISAL

4.1 Key Issues

Principle of the use;

Drainage;

Landscape and topography;

Ecology and bio-diversity;

Movement and access.

The Application Site

4.2 The site of the outline consent comprises 116ha of farmland between Field Lane/Hull Road and Low Lane. The site is being developed as a university campus.

The site of the current application occupies approximately 50ha. Kimberlow Hill rises from approximately 22m AOD to 31m AOD. The area of the lake is generally level at approximately 11m AOD.

4.3 The site of the current application comprises approximately 50ha forming a wide C-shaped swathe of land around most of the perimeter of the new campus. The application site wraps around (but excludes) the allocated area in which most of the campus buildings, car parks and roads would be located. The site is partly agricultural and partly construction site.

4.4 Policy Context

Planning Policy Statement 1 (PPS1) sets out the government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted.

PPS25 aims to: ensure that flood risk is taken into account in the planning process; avoid inappropriate development in areas at risk of flooding; and direct development away from areas at highest risk.

Local plan policy GP1 - Development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation.

Policy GP4a - Proposals for all development should have regard to the principles of sustainable development.

NE1 - Trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation, or historic value will be protected by refusing proposals which would result in their loss or damage. When trees are to be removed, appropriate replacement planting should be proposed to mitigate any loss.

GP15a - Developers should ensure that the site can be developed, serviced and occupied safely and that discharges from new development should not exceed the capacity of existing/proposed sewers and watercourses.

NE7 - Development proposals should retain and, where possible, enhance important natural habitats.

ED9 - The scale, layout and design of the new campus at Heslington East should have regard to, inter alia, a comprehensive landscape scheme including publicly accessible public open space and a comprehensive network of pedestrian/cycle routes between campuses.

Principle of the Use

4.5 The principle of the use of the site as part of a new campus was accepted when the Secretary of State granted outline consent in 2007. The proposal accords with: local plan policy ED9 for the development of the campus; the adopted development brief for site; the land use plan C(i) approved as part of the outline

consent; the design brief masterplan; and the landscape masterplan. The principle of the proposed use is therefore acceptable.

Drainage

4.6 The central lake will receive surface water from the whole of the new campus (whilst some surface water will pass through the western lake it will provide a mainly ornamental function). Surface water will be stored in the lake and released at agricultural rates into local watercourses, ie Germany Beck and Tilmire Drain. These principles were accepted by the inspector at the public inquiry and are fundamental to the sustainable drainage strategy for the campus. Runoff collection will be maximised in order to provide a sustainable supply of water to the lake. The lake will be filled initially by abstracting local ground water.

4.7 Because of the importance of the lake for surface water runoff the IDB and the council's drainage officers have wanted to be satisfied that the capacity of the lake and the other drainage proposals are fit for purpose. Negotiations with the university have been protracted but council officers are now satisfied that the lake and ancillary drainage measures are adequate, subject to conditions. The IDB has appointed a consultant to advise it on the adequacy of the proposals for protecting local watercourses. The consultant (JBA) has examined the university's latest drawings and is satisfied that the proposals are acceptable. JBA's report and conclusions were accepted by a special sub-committee of the IDB on 9 June. Formal ratification by the main board of the IDB is expected at the next scheduled meeting of the main board on 23 June. Members of the planning committee will be updated at the committee meeting on 25 June.

4.8 Suitable conditions are in the process of being drafted. Officers will update members at the meeting.

4.9 Dunnington Parish Council considers that using a borehole to top up the lake would be a waste of water. Once the lake is full the borehole is unlikely to be needed except during periods of drought or due to possible future effects of climate change.

Landscape and Topography

4.10 In addition to having a drainage function the lake will be a major feature of the new campus. The other alterations to ground levels - notably the increase in the height of Kimberlow Hill and the new earthworks along the A64 - will add further visual interest. In particular the works to Kimberlow Hill will enhance the appearance of and from the hill, including views of York Minster. The final appearance and value of the works will be dependant on the landscaping/planting proposals which have yet to be submitted. Their scale and form will be guided by the landscape masterplan.

4.11 The proposals comply with the EIA submitted with the outline application and the landscape design guidelines approved pursuant to the outline consent. The latest revisions show Kimberlow Hill as having a 'peak'. Nevertheless, given the broad scale of the earthworks and tree planting the proposals are acceptable. The bund alongside the A64 is relatively steep and high (4m from the base). But it is a relatively short stretch of the site boundary adjacent to the A64 which is itself slightly raised. Once wooded the slopes will be less conspicuous and will serve as a sound

buffer between the site and traffic on the A64. The lake modelling appears to be suitably profiled.

4.12 Whilst the planting will be the subject of a separate reserved matters application the illustrative woodland blocks on the southern slopes appear unnaturally segmental. Moreover, the woodland planting has been drastically reduced from the scheme in the EIA and the initial version of the landscape masterplan. The reserved matters application needs to reconsider the shape and size of the woodland blocks/edges and properly relate to any open areas in between. Also, views to the Wolds may need to be re-assessed.

Ecology and Bio-Diversity

4.13 The works will result in some loss of species on the site. The inquiry inspector identified this loss but accepted that there would be substantial habitat gains in the long term, implying that they would be satisfactory compensation (which is acceptable in terms of PPS9). Conditions of the outline consent require the university to submit an environmental site management plan (ESMP) and a landscape management plan (LMP) They have been approved and the applicant will be bound by their contents.

4.14 YNEP has a number of ecological concerns about the proposals: (1) Variation to the lake shore was raised when the western lake was being considered. It was resolved by varying the shoreline during construction. The same approach could be adopted for the central lake and made a condition of the landscaping application, once it has been submitted. (2) Whilst drainage attenuation measures will, from time to time, result in reduced flows to local watercourses, a minimum flow of 1.1l/s will be maintained. This will help to even out the flows and protect the ecology of the receiving watercourses. Furthermore the maximum flow from the lake will be restricted to agricultural rates which will further even out surface water discharge from the site. At present there is no such attenuation. (3) The geological implications of altering Kimberlow Hill were addressed at the public inquiry into the outline planning application. The inspector noted that there would be no geological exposures on the site and that the development would have no adverse impact on the local geology (paras. 701 - 705 of the Inspector's report).

Movement and Access

4.15 This application includes no highway works, whether permanent or for construction. Nevertheless, a pumping station for the abstraction borehole will be accessed from Low Lane. It will be used for occasional maintenance only. All construction access to the site will be via the existing central access. This is a condition of the outline consent.

4.16 An existing footpath runs north-south across the eastern end of the site from Grimston Bar Park & Ride to Low Lane, via the crest of Kimberlow Hill. DEFRA wants this footpath to be retained and that, if possible, access to it from Badger Hill will be improved. The north-south footpath will be retained along its present (horizontal) alignment. Moreover, the landscape proposals for the site (to be submitted shortly) include the provision of a recreational footpath link between the new Field Lane access and Grimston Bar Park & Ride. The link will provide a more

convenient off-road link between Badger Hill and the start of the footpath than the suggestion put forward by DEFRA.

Other Matters

4.17 The site of the central lake is currently bisected by overhead power lines. One of the pylons is within the area that will be covered by water. The university has applied to NEDL, the statutory undertaker that owns the pylon, to have it removed. Consent has not been granted within the requisite period so the university has appealed. A decision is expected shortly. Assuming the university is successful a temporary peninsula will need to be retained for a short time to support the pylon in the lake. The University would remove the peninsula once the pylon is dismantled. The lake would then be completed in accordance with the currently-proposed design. If the university's appeal were to be unsuccessful - and the pylon has to remain - the university would discuss with the council proposals for the permanent retention of the peninsula, together with any consequent design amendments that might be required.

4.18 The outline approval for the campus shows the lake extending eastwards well beyond the central lake. Whilst the eastern lake would not serve a drainage function it would contribute to the visual setting, character and amenity of the campus. It is for this reason that the lake was conceived and shown on the approved design brief masterplan and landscape masterplan. Whilst the current proposal will not preclude provision of the eastern lake the university has not yet drawn up detailed proposals for its design or provision. On the contrary, the university is non-committal about the eastern lake, stating that the eastern part of the campus may not be completed for another 10-15 years and that circumstances may change between now and then. The university is not required to include the eastern lake with its proposals for the central lake. Nevertheless, any material changes to the two masterplans would need the agreement of the council.

5.0 CONCLUSION

The application comprises the second and major section of the lake, which will be an integral component of the storm water and drainage management scheme for the development. It is also a major element of the setting of the new campus. The proposal conforms with policies of the draft local plan particularly ED9 (New campus at Heslington East). The proposal also conforms with the outline consent for the campus, the design brief masterplan and the landscape masterplan.

6.0 RECOMMENDATION: Approve
(Proposed conditions to be tabled at the meeting)

7.0 INFORMATIVES:

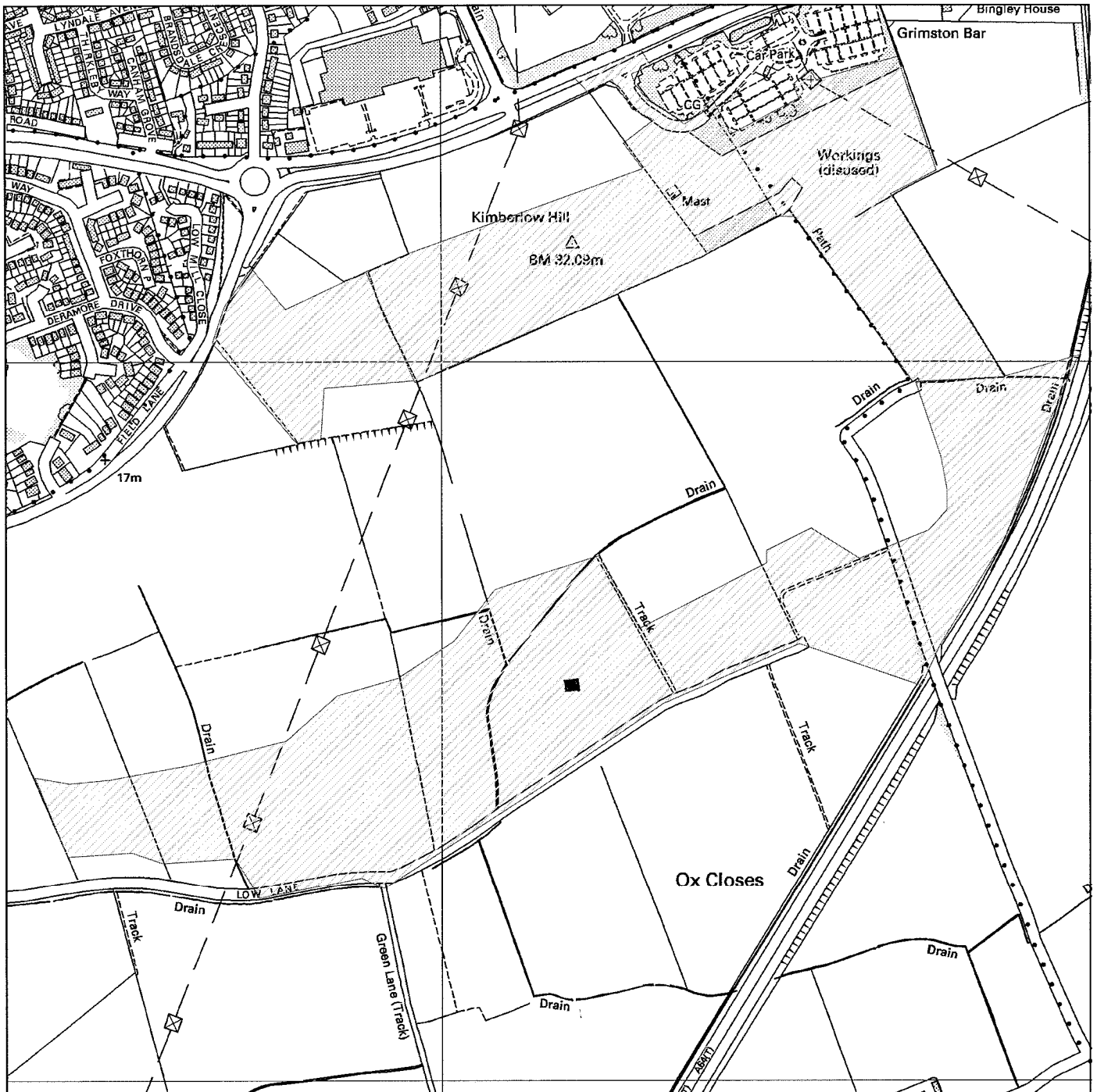
Contact details:

Author: Kevin O'Connell Development Control Officer
Tel No: 01904 552830

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Proposed University Campus

Ref 08/02543/REMM



Scale : 1:8000

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Organisation	City of York Council
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Comments	Application Site
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