

## COMMITTEE REPORT

**Committee:** Planning  
**Date:** 21 January 2009  
**Ward:** Heslington  
**Parish:** Heslington Parish Council

**Reference:** 08/02573/REMM  
**Application at:** Proposed University Campus Lying Between Field Lane Common Lane A64 Trunk Road And Hull Road York  
**For:** Reserved matters application for academic building with associated access, cycle parking and landscaping (Law and Management Building) following previous approval of outline application 04/01700/OUT  
**By:** University Of York  
**Application Type:** Major Reserved Matters Application (13w)  
**Target Date:** 11 February 2009

### 1.0 PROPOSAL

1.1 This is a reserved matters application for the erection of a Law and Management building within the first phase (i.e. Cluster 1) of the new campus at Heslington East. The application is pursuant to outline planning permission 04/1700/OUT, granted by the Secretary of State in June 2007 for the development of a university campus.

1.2 The Law and Management Building would provide 6,287sqm of accommodation and hold up to 1,638 people. The Law School was founded in 2007 and is currently based in Heslington West. The long-term strategy of the Law School is to have up to 390 undergraduate students, 50 post graduate taught students and 10 postgraduate research students before 2015. The Management School has in excess of 500 undergraduate and 100 postgraduate students. The School's are experiencing rapid growth and with two new degree programmes starting in 2009/10, their accommodation requirements cannot be met at Heslington West.

1.3 The building would be located centrally within Cluster 1, sitting to the south and west of Goodricke College and to the north east of the Theatre, Film and Television Building (TFTV). The Computer Science building lies to the south. The accommodation would mainly comprise lecture theatres, teaching space, study rooms, laboratories and lecturer office accommodation. The design of the building reflects the joining of two schools in one building, linked by a common atrium. The two schools each occupy a wing of the 'gull wing' design, each of which is 3 storeys high. The two wings are connected by a canopy structure on the southern elevation that faces an area of hard standing known as Academic Square. The main entrance to the building is located on the southern elevation, with a second entrance on the northern elevation facing Goodricke College.

1.4 This application is one of the most recent reserved matters applications for the new campus. Other major works approved to date include:

1.5 08/00032/REMM for the erection of a 600-bed college including access, disabled parking, cycle parking and landscaping approved by the Planning Committee on 14 May 2008.

1.6 08/01136/REMM for the re-profiling and landscaping of the western part of the campus site including the creation of a lake. Approved by the Planning Committee and formally granted consent on 24 June 2008.

1.7 08/01751/REMM for the erection of a TFTV building. Approved by the Planning Committee and formally granted consent on 20 November 2008.

1.8 08/02446/REMM for the erection of a computer science building. Approved by the Planning Committee and formally granted consent on 23 December 2008.

1.9 Other major applications for development on Cluster 1 have been submitted and are under consideration. These include:

08/02043/REMM for the construction of a car park and bus interchange with associated footpaths, cycleways and landscaping

08/02543/REMM for the construction of a central lake and raising of Kimberlow Hill

08/02572/REMM - Erection of the hub building appears elsewhere on this agenda.

08/02689/FUL has been submitted by Yorkshire Water, but relates to this site as it proposes a pumping station compound.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGP1  
Design

CYGP4A  
Sustainability

CYGP9  
Landscaping

CYGP15  
Protection from flooding

CYNE7  
Habitat protection and creation

CYT4  
Cycle parking standards

### **3.0 CONSULTATIONS**

#### **Internal**

3.1. Environmental Protection Unit - The various conditions of the outline consent relating to construction should be adhered to at all times during construction.

3.2. Environment, Conservation, Sustainable Development (Sustainability) - No objections. The sustainability aspects of the building are welcome.

3.3 Network Management - Advises no objection subject to conditions requiring surfacing of vehicular areas, cycle parking areas to be agreed and laid out, internal turning areas to be provided and that prior to occupation of the building transport links comprising (i) the pedestrian/cycle ribbon with the western end of the movement spine, (ii) pedestrian/cycle link to Field Lane (via new central access roundabout) and UTS are in place. Also that details of shower/locker and changing facilities be agreed.

3.4 Environment, Conservation, Sustainable Development (Landscape) - Has no objection but make comments on the planting, which can be addressed by condition.

3.5 Environment, Conservation, Sustainable Development (Urban Design) - The detail supplied follow on logically from the Design Brief and Law and Management Building, while of an individual design, sits within a family of buildings which make up this Cluster. The cladding treatment follows the approach of earlier components submitted altogether colours are different. There is a consistency of approach, but a good deal of variation in the cluster as a whole. Plant is located on the roof but is screened by a parapet. This is appropriate, but there should be confirmation the M&E plant will not exceed the height of the parapet. The design of this interesting building could be harmed if this were not controlled. The colours have been discussed previously and are appropriate in this very substantial group of buildings. This will be innovative in appearance and will relate well to the landscape - there are no buildings for this cluster to reflect, as this is a green field site.)

3.6 Structures and Drainage - The site is in flood zone 1 and should not suffer from river flooding. Insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems. Details to be provided include calculations and invert levels of the existing surface water system, calculations and invert levels of the proposals for the new development, existing/proposed ground levels, existing/proposed surfacing, a topographical survey and proposed floor/ground levels. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties. Additional surface water shall not be connected to any foul/combined sewer if a suitable surface water sewer is available. The surface water drainage system should be designed to accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm.

This development forms a part of the new campus and overall drainage strategy. At present the permanent drainage system is not in place, or a temporary solution during construction. The Environment Agency and the Internal Drainage Board are considering a temporary solution including; the impact of the proposals on the downstream watercourse. No development should take place or any drainage conditions discharged relating to this development until the temporary drainage solution is approved by the EA & IDB and implemented.

### **External**

3.7 Parish Council - No reply received. Any reply received will be verbally reported by officers at the Committee Meeting.

3.8 Environment Agency - No objections. Informative comments only relating to discharge consents.

3.9 Yorkshire Water - The submitted drainage statement is satisfactory. No objection in principle to the separate systems of drainage on and off site. However the drawings show no details of off-site foul/surface water transmission, point of connection and waste water treatment.

3.10 Ouse and Derwent Internal Drainage Board - No objection to means by which surface water is directed to the main lake. But the board has concerns about the design of the main lake. Approval of this application prior to the design of the temporary and main lake being agreed would be premature. If the council is minded to approve the application it should be conditional upon the design of the lakes being approved by the council in conjunction with the drainage board.

Public Consultation - The consultation period expired on 29 December 2008. No letters of support or objection have been received from local residents.

## **4.0 APPRAISAL**

### **4.1. Key Issues**

- Principle of the use
- Scale and Appearance
- Transport Issues
- Sustainability
- Drainage
- Landscape
- Phasing of Development

### **Relevant Local Plan Policies**

4.2. 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.

4.3. The Draft Local Plan including the 4th set of changes was approved in April 2005. Policy GP 1 relates to Design and sets out 12 criteria which should be considered when examining proposals for new build. It expects development policies to, amongst other things, be of a scale and mass appropriate to the surroundings, retain or enhance public views, ensure residents living near by will not be unduly affected and also that proposals accord with Policy GP4a and accord with sustainable design principles.

4.4 Policy GP4a concerns itself with the issue of sustainability and states that all proposals should have regard to 9 criteria summarised in the policy. This has been supplemented by an Interim Planning Statement on Sustainability which was approved for Development Control purposes in November 2007.

4.5. Policy GP9 advises development proposals will be required to incorporate a suitable landscaping scheme and that these should be planned as an integral part of the proposals, include an appropriate range of indigenous species, reflect the character of the locality, form a long term edge to developments which adjoin open countryside.

4.6 Policy GP15A relates to Development and Flood Risk. Criteria are included within this policy which advise that the use of sustainable drainage systems are to be encouraged in order to reduce surface water run off and that discharges should not exceed the capacity of existing and proposed receiving sewers and water courses and long term run off should always be less than the level of pre development rainfall run off.

4.7 Policy NE7 confirms that within new developments, measures to encourage the establishment of new habitats should be encouraged as part of the overall scheme.

4.8 Policy ED9 specifically relates to the University of York New Campus. It confirms the range of uses acceptable on the site and seeks a scale of development which is high quality to provide a mixed education and research environment. Further criteria relate to buildings being an appropriate height and need for a comprehensive landscaping scheme.

4.9 Cycle parking standards are covered in Policy T4. Here the Local Plan policy seeks an appropriate provision of cycle parking in accordance with standards set out in Appendix E.

### **Principle of the Use**

4.10 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. Moreover, the proposal accords with the adopted development brief, the land use plan C(i) approved as part of the outline consent and the draft masterplan for the campus.

### **Scale and Appearance**

4.11 The Law and Management building will occupy a large footprint but one which is not going to appear inconsistent or out of character given the theme of development proposed by the Master plan for Cluster 1, where the height of the buildings is governed by a limit defined by the Inspector in approved plan c(ii). Its

position in Cluster 1 in the context of other buildings, means it will not appear out of scale or context when viewed collectively.

4.12 The applicant has agreed to a condition requiring details of all external materials (which would include colours) being submitted for approval. Officers consider that any approval should also include a condition requiring details of external features such as vents and louvers to be examined in further detail.

4.13 Therefore in the context of the Masterplan, the scale and design would be appropriate to the future buildings to which this proposal will be seen. The design is contemporary and interesting and the use of materials appropriate. In essence, the design element of the proposal accords with the aims of policy GP1.

### **Landscape**

4.14 Landscaping proposals included within the application relate to both hard and soft elements. To the south of the proposed building, as indicated above, is a hard landscaped area to be known as Academic Square. This not only assists in providing a sense of arrival at the Law and Management building, but will also provide a context for the southern elevation. The Square is to be planted with native species, but importantly provides pedestrian routes given its proximity to TFTV, Computer Science and the Hub buildings. Landscaping is proposed around the service area and cycle stores, together with planting on the eastern side, which will also assist in the integration of the building into its surroundings.

### **Transport Issues**

4.15 Pedestrian and cycle links are to be provided to the pedestrian ribbon, located to the north of the building and to the movement spine to the south. Cycle parking consisting of 183 spaces, is to be provided within three covered stores located to the north-east and north-west of the building. 40 covered secure spaces for staff will be provided in a separate building to the north-west of the main building. Clarification is still sought as to where showers, changing areas and lockers are to be located for use by cyclists working in the building and this aspect of the scheme needs to be covered by a condition attached to any approval.

4.16 Public transport facilities are to be found at the bus interchange point where the First York no. 4 service is expected to terminate, and to the south where a pick-up point for the University Transit System is to be formed adjoining the TFTV building.

4.17 Service vehicles can access the building via a route connected to the northern service road. A service yard is to be provided adjacent to the building where vehicles can turn and exit in forward gear. Refuse vehicles will use the same route and collect from a store located next to the staff cycle store. Only one disabled parking space is to be provided for the use of occupants of the Law and Management building. The nearest parking space for visitors will be the 132 space car park adjoining the bus interchange area.

4.18 The application is supported by a transport statement prepared by the University's transport consultants and their calculations demonstrate that the predicted increase in traffic associated with the development will not exceed the traffic thresholds where mitigation measures would be required.

## Sustainability

4.19 The sustainability statement submitted with the application is acceptable. The application is accompanied by the university's Renewable Energy Strategy for Cluster 1, which is the same as was considered as part of the application for the TFTV building.

4.20 The sustainability aspects of the building are welcome. They include (a) effective carbon management principles and measures to reduce carbon emissions; (b) commitment to achieve at least a BREEAM rating of 'very good'; (c) efficient use of resources via energy and water conservation measures, the use of environmentally friendly materials and a commitment to achieve 10% renewable energy generation; and (d) integrated waste and recycling facilities.

4.21 Conditions should be attached requiring a BREEAM assessment of 'very good', 10% of energy needs to be from renewable sources and Building Regulations Part L to be achieved as a minimum.

## Drainage

4.22 Surface water from the Law and Management building will be drained by gravity to a lake along the southern side of the site. The water will be stored in the lake and released at agricultural rates into local watercourses. These principles were accepted by the inspector at the public inquiry. Condition 19 of the outline consent for the campus requires a sustainable drainage assessment for surface water to be carried out and for surface water drainage details to be submitted for approval. A sustainable drainage strategy (SUDS) has been submitted and approved as required by the outline condition. It is a high-level document, which has been accepted by the Environment Agency, Ouse & Derwent IDB. As referred to above, an application has been received by Yorkshire Water for a foul pumping station to serve Cluster 1.

## Phasing of Development

4.23 Members have asked to be kept informed of the extent to which the reserved matters applications contribute to the quantum of development approved by the outline consent. Condition 4 of the outline permission states that: "The development shall be in accordance with ..... the allocated areas as shown on plan C(i) shall not exceed 23% of that area. ...." The following table, prepared by the applicant, shows the individual and cumulative contribution that the recent/current applications make towards the 23% maximum. The table shows that the applications together account for less than 23% of the permissible development footprint of the new campus.

**Table 1 – Cumulative Developed Footprint, Heslington East Campus, University of York.**

Application	Application Reference	Developed Footprint (m2)	Cumulative Percentage	Approved?
Goodricke College	08/00032/REM	5500	0.85%	Yes

Lake and landscaping (north and west)	08/01136/REMM	0	0.85%	Yes
Interchange car park and access road	08/02043/REMM	7278	1.97%	No
TFTV	08/01751/REMM	3012	2.43%	Yes
Field Lane Roundabout	08/02167/FULM	0	2.43%	Yes
Northern Service Road and Pedestrian Ribbon	08/02323/REMM	3165	2.92	Yes
Computer Science	08/02446/REMM	2856	3.36	Yes
Law and Management	08/02753/REMM	2692	3.77	No
Hub Building	08/02572/REMM	2600	4.17	No
<b>TOTAL</b>			<b>4.17%</b>	

## 5.0 CONCLUSION

5.1. The principle of the use of the land for this purpose has been agreed and planning permission granted. This application is one of a number of reserved matters seeking approval for academic buildings in Cluster 1. The design of the building is acceptable and subject to conditions regarding materials, will form a distinctive and attractive building. The means of access to the site and movement of people to and from it is proposed via the pedestrian/cycle links and the UTS. This also can be secured by condition.

## 6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out only in accordance with the following plans:- 022, 025, (9-)L301. LM(PL)A001, LM(PL)A002, LM(PL)A003, LM(PL)A004, LM(PL)A008, LM(PL)A009, LM(PL)A010, LM(PL)A014, LM(PL)A005, LM(PL)A006, LM(PL)A007, LM(PL)A011, LM(PL)A012, LM(PL)A0013.

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

2 Within 3 months of the commencement of development, a detailed landscaping scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include the species, density (spacing), and position of trees, shrubs and other plants; seeding mix, sowing rate, ground levels and swales and mowing regimes where applicable. Where appropriate reference



shall be made to the relevant sections of the Environmental Site Management Plan and/or the Landscape Management Plan. Where required it will also include details of ground preparation. 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 the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the amenity of the development.

3 Within 6 months of the commencement of development, details of the design, external appearance and materials to be used in the construction of the cycle store shall be submitted to the Local Planning Authority for approval. The erection of these building shall be carried out in accordance with these approved details.

Reason: No details have been included within the application.

4 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

5 Within 6 months of the commencement of development, details of external plant and equipment including soil and vent stacks, heating and air conditioning plant etc, including fume extraction and odour control equipment, with details of any external ducting, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the details approved under this condition.

Reason: In the interests of the design and external appearance of the building

6 Unless otherwise agreed in writing with the Local Planning Authority, within 3 months of commencement of development, the developer shall submit in writing and be approved by the local planning authority a formal pre design BREEAM assessment for the design and procurement stages of the development. The developer shall submit a further BREEAM assessment after construction, at a time to be agreed in writing by the local planning authority. The developer shall submit a completion assessment when issued by the BRE. All assessments shall confirm the minimum 'Very Good' rating anticipated in the preliminary BREEAM assessment submitted with the application

Reason: To ensure the development complies with the principles of sustainable development

7 Within 3 months of the commencement of development full details of the

following shall be submitted to and approved by the local planning authority i) measures to reduce energy demand for the Law and Management buildings, (ii) measures to reduce CO2 emissions to a level lower than required under Building Regulations Part L.

Reason: To ensure the development complies with the principles of sustainable development

8 No building work shall take place until details have been submitted to and approved in writing by the local planning authority, to demonstrate how the applicant will provide from renewable sources, 10% of the building's total energy demand on land within the control of the applicant. The development shall not be occupied until these works have been carried out in accordance with the submitted details unless otherwise agreed in writing by the local planning authority (as part of an energy strategy for the Heslington East campus). Not later than 12 months after the building has first been brought into use, the applicant shall submit an Energy Statement to the Local Planning Authority, which details the percentage of the buildings energy consumption that has been derived from renewable sources. Thereafter the Energy Statement shall be submitted on an annual basis unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development

9 Within 12 months of the commencement of development, details of

- (i) the cycle parking areas,
- (ii) showers, changing areas and lockers for staff arriving to work by cycle

shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

10 Prior to occupation of the building, the following transport links shall be operational for the benefit of students, staff and visitors seeking access to the premises:

- (i) That length of the pedestrian / cycle ribbon which links Cluster One with the western end of the Movement Spine.
- (ii) Pedestrian / cycle links to Field Lane via the new Central Access Roundabout.
- (iii) The University Transit System shall operate to an agreed frequency and specification and providing a link between the Heslington West Campus ( including it's peripheral car parks) and Cluster One. The arrival point ( Orchard Terminus) shall incorporate a shelter, seating and lighting for the benefit of passengers.

Reason - In the interests of providing sustainable transport options for visitors to the site.

11 Within 1 month of commencement of development, details of foul and surface water drainage works (including transitional arrangements) have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

a. A topographical survey and proposed finished floor and ground levels to ordnance datum.

b. Proposed drainage layout showing (i) foul and surface water connection to public sewer and surface watercourses (ii) existing and proposed ground levels to ordnance datum and (iii) existing and proposed surfacing materials.

c. Calculations and invert levels of (i) the existing surface water system and (ii) the new development.

The development shall be carried out in accordance with these approved details.

The surface water drainage system shall be able to accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. The outflow shall be restricted to 1.4l/s/ha. Additional surface water shall not be connected to any foul/combined sewer, if a suitable surface water sewer is available.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site and that provision has been made to maintain the existing drainage in accordance with policy GP15a of the Development Control Local Plan and PPS25 (Development and Flood Risk).

12 Unless otherwise agreed in writing with the Local Planning Authority, the only method of piling to be used will be Continuous Flight Auger piling.

Reason - To protect the Sherwood Sandstone aquifer

13 No part of the site shall come into use until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

14 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

15 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details

which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway.

## **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 principle of the use, scale and appearance of the building, landscaping, transport, sustainability, drainage and constructional impact. As such the proposal complies with Policies GP4a, GP9, GP15A, NE7, ED9 and T4 of the City of York Local Plan Deposit Draft.

2. The applicant is advised that no approval is to be assumed or implied as to the nature of any particular solution for 10% provision of renewable energy required by condition 8.

#### **Contact details:**

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