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| MEETING   | PLANNING COMMITTEE   |
| DATE      | 25 JUNE 2009   |
| PRESENT   | COUNCILLORS R WATSON (CHAIR), D'AGORNE, FUNNELL, HORTON, HUDSON, HYMAN, MOORE, MORLEY, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, B WATSON, WISEMAN AND ORRELL (SUB FOR CLLR FIRTH) |
| APOLOGIES | COUNCILLORS FIRTH AND JAMIESON-BALL  |

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## 1. 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 Pierce declared a personal non-prejudicial interest in Plans item 4a (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as a member of the Heslington East Community Forum and the Royal Society for the Protection of Birds (RSPB).

Councillor Morley declared a personal non-prejudicial interest in Plans item 4a (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as a member of the Heslington East Community Forum.

Councillor Moore declared a personal non-prejudicial interest in Plans item 4a (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as a member of the Royal Society for the Protection of Birds (RSPB).

## 2. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 23 April 2009 be approved and signed by the Chair as a correct record.

## 3. 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.

#### 4. PLANS LIST

Members considered a report of the Assistant Director (Planning and Sustainable Development), relating to the following planning application, outlining the proposals and relevant planning consideration and setting out the views and advice of consultees and officers.

##### 4a **Proposed University Campus Lying Between Field Lane/Common Lane/A64 Trunk Road and Hull Road, York (08/02543/REMM)**

Consideration was given to a major reserved matters application, submitted by the University of York, for the construction of a central lake and the raising of Kimberlow Hill.

Officers circulated the following documents at the meeting:

- A drawing outlining the proposed landscaping and Sections 2A, 2B and 2C of the lake.
- Two draft conditions:

1. The development hereby permitted shall be carried out only in accordance with the approved plans numbered:

|                           |   |
|---------------------------|---|
| DD110317.L.401/F(A)       | 70072/132/D   |
| 70072/SK67                | <b>70072/230/B</b>  |
| 70072/SK68                | <b>70072/232/C</b>  |
| 70072/SK69                | <b>70072/228</b>  |
| 70072/SK73(Bund sections) | <b>70072/171/01/Sheet1/F</b>                                  |
| 70072/SK74                | <b>70072/171/01/Sheet2/F</b>                                  |
| 70072/SK75                | <b>70072/171/02/Sheet1/E</b>                                  |
| 70072/SK76                | <b>70072/171/02/Sheet2/E</b>                                  |
| 70072/SK77                | <b>70072/133</b>  |
| 70072/SK70                | <b>70072/134</b>  |
| 70072/SK71                | 70072/238   |
| 70072/SK72                | 70072/239   |
| 70072/107/D               | <b>70072/240</b>  |
| 70072/180/F               | <b>70072/241/B</b>  |
| 70072/183/E               | <b>70072/SK73 (Detention basin and outlet control detail)</b> |
| <b>70072/LO1B</b>         |   |

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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. The outlet control centre and that section of the lake labelled 2A on drawing 70072/LO1/B - "Landscape and lake areas (construction sequence)" - or such other area as may subsequently be agreed in writing with the Local Planning Authority shall be constructed and be operational prior to 1 October 2009. The sections of the lake labelled 2B and 2C on drawing 70072/LO1/B - or such other area as may subsequently be agreed in writing with the Local Planning Authority shall be constructed and be operational prior to 1 October 2010.

Reason: To ensure satisfactory surface water drainage arrangements are in place for the college and academic buildings within Cluster One on the Heslington East campus site.

The applicant's agent circulated the following documents:

- Photographs showing progress with the construction of the lakes on site.
- Proposed revisions to the second draft condition circulated at the meeting, the highlighted sections represented proposed amendments to the officers' recommended condition:

2. That section of the lake labelled 2A on drawing 70072/LOI Rev B – "Landscape and lake areas (construction sequence)" – (or such other area as may subsequently be agreed with the Local Planning Authority in writing) shall be constructed and be operational prior to **31 December 2009. No discharge of surface water drainage shall take place from this part of the lake until the outlet control centre shown on drawing 70072/00230 Rev A has been constructed and is operational.** The sections of the lake labelled 2B and 2C on drawing 70072/LOI Rev B – "Landscape and lake areas (construction sequence)" – (or such other areas as may subsequently be agreed with the Local Planning Authority in writing) shall be constructed and be operational prior to 1 October 2010.

**Before development commences, full details of a scheme for dealing with the temporary arrangements for surface water drainage from Cluster One between 1 September 2009 and 31 December 2009 shall be submitted to and approved by the Local Planning Authority.**

Officers updated that the University's application to the statutory undertaker NEDL, to remove a pylon within the area to be covered by this lake, had now been successful. It was reported that a temporary peninsula would be required until the pylon had been dismantled. Officers also pointed out that they were still not completely happy with some of the submitted plans for this scheme (those plans highlighted in bold) and they requested Members to agree delegation to Officers of the final details of these plans. With regard to the second condition Officers referred to the developers challenge to this. They pointed out that they recommended the imposition of the second condition to ensure that this work was completed as soon as possible.

Representations were then received from the applicant's agent who confirmed that this was the second phase of the structural landscaping of this site. They pointed out that this was an integral part of the storm water and drainage management scheme for the development. They confirmed that it would be impossible to achieve completion of the works referred to in Condition 2 by the first date 1 October 2009 as there had been slippage in the programme for this scheme. They went on to explain that they were confident that they could demonstrate that a temporary drainage system could be achieved on site pending completion of the final works.

Officers referred to the extent of construction work on the new campus due for completion in September/October and expressed concern that the temporary drainage arrangement was insufficient to cope with the present development. It was stated that work was required to establish the lakes and to ensure that they could receive surface water as soon as possible as the area was unprotected from flooding at the present time.

Officers reported that no comments had been received from Osbaldwick Parish Council and that the Internal Drainage Board were now satisfied that the proposals were acceptable.

Members then questioned and received advice on the following points:

- Effect of the proposals on Germany Beck and the surrounding area;
- Lake volume and affect of a 1:100 year storm on the area with the temporary scheme;
- Kimberlow Hill and timescales for the excavation works;
- Concerns of the York Natural Environment Panel (YNET);
- Legal advice in relation to the granting of permission and the developer being unable to complete the works in the required timescales;

RESOLVED: That, subject to Officers being given delegated authority to approve the final details of the emboldened plans listed below, the application be approved subject to the imposition of the following conditions:

1. The development hereby permitted shall be carried out only in accordance with the approved plans numbered:

|                           |   |
|---------------------------|---|
| DD110317.L.401/F(A)       | 70072/132/D   |
| 70072/SK67                | <b>70072/230/B</b>  |
| 70072/SK68                | <b>70072/232/C</b>  |
| 70072/SK69                | <b>70072/228</b>  |
| 70072/SK73(Bund sections) | <b>70072/171/01/Sheet1/F</b>                                  |
| 70072/SK74                | <b>70072/171/01/Sheet2/F</b>                                  |
| 70072/SK75                | <b>70072/171/02/Sheet1/E</b>                                  |
| 70072/SK76                | <b>70072/171/02/Sheet2/E</b>                                  |
| 70072/SK77                | <b>70072/133</b>  |
| 70072/SK70                | <b>70072/134</b>  |
| 70072/SK71                | 70072/238   |
| 70072/SK72                | 70072/239   |
| 70072/107/D               | <b>70072/240</b>  |
| 70072/180/F               | <b>70072/241/B</b>  |
| 70072/183/E               | <b>70072/SK73 (Detention basin and outlet control detail)</b> |
| <b>70072/LO1B</b>         |   |

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

2. The outlet control centre and that section of the lake labelled 2A on drawing 70072/LO1/B - "Landscape and lake areas (construction sequence)" - or such other area as may subsequently be agreed in writing with the Local Planning Authority shall be constructed and be operational prior to 1 October 2009. The sections of the lake labelled 2B and 2C on drawing 70072/LO1/B - or such other area as may subsequently be agreed in writing with the Local Planning Authority shall be constructed and be operational prior to 1 October 2010. <sup>1</sup>.

REASON: 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, sustainability, drainage, landscape and topography, ecology and biodiversity, and movement and access. As such the proposal complies with Policies GP1, GP4a, GP9, GP15A, NE7 and ED9 of the City of York Local Plan Deposit Draft.

Action Required

1. Following agreement of the final plan details, issue the decision notice and include on the weekly planning decision list within the agreed timescales.

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R WATSON, Chair

[The meeting started at 4.30 pm and finished at 5.25 pm].

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