

COMMITTEE REPORT

Date: 20th September 2012 **Ward:** Heslington
Team: Major and **Parish:** Heslington Parish
 Commercial Team Council

Reference: 12/02306/FULM
Application at: Proposed University Campus Lying Between Field Lane And Low Lane A64 Trunk Road And Hull Road York
For: Athletics track and closed road racing cycle circuit with ancillary parking, lighting and fencing, and including re-routing of public right of way
By: Mr Jon Greenwood
Application Type: Major Full Application (13 weeks)
Target Date: 3 October 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 This is a full application for the construction of (a) a public, 8-lane, open-air, county standard athletics tracks (b) a public, 1km-long, open-air, cycle racing track (c) coach drop-off point and parking for 139 cars (d) lighting, fencing and landscaping (e) diversion of a public right of way through the site. Vehicular access would be from Hull Road via the recently-completed eastern access into Heslington East campus.

1.2 The facilities would be delivered as a joint venture between the University of York, City of York Council and British Cycling, with funding provided by all parties. Community access to the facilities would be secured through the legal agreement associated with the Council's funding contribution.

1.3 A combined grandstand and pavilion building would be provided but is not included in the current application. The scale and design of the building are being discussed between the council and the university. Planning permission will be sought when the design and specification have been agreed.

1.4 The application is for full planning permission. It cannot be a reserved matter pursuant to the outline consent for the campus because the high degree of public access prevents the proposals being considered ancillary to university use.

1.5 The proposal comprises the second phase of the sports village at Heslington East. The first phase, which mainly comprises a swimming pool and outdoor sports pitches, is now in operation. The athletics track would replace the existing council-

operated track at Huntington, which would be demolished as part of the Stadium/John Lewis development at Monks Cross South approved earlier this year.

1.6 The masterplan drawing submitted with the application shows a location for a sports pavilion and small grandstand. Whilst the design and specification have yet to be agreed the pavilion is expected to be single-storey and provide a reception, changing rooms, toilets, showers and a multi-function room. The pavilion would also provide facilities for the closed road racing circuit, including a cycle store, workshop and use of the showers, toilets and multi-function room. The grandstand would be provided alongside the pavilion, facing the athletics track. Whilst the design and specification are not yet settled the University is satisfied that the proposed facilities will be able to be accommodated within the illustrative footprint shown on the masterplan.

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

CYGP9 - Landscaping

CGP15A - Development and Flood Risk

CYED9 - University of York New Campus

CYNE1 - Trees, woodlands, hedgerows

CYL1A - Sites for Leisure development

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management - No objections to the application subject to conditions regarding submission of details, provision of car/cycle parking and submission of a car park management plan.

3.2 Sport and Active Leisure - The proposed athletics track and closed circuit cycle loop will be a welcome addition to the community sports facilities in the city. The athletics facilities will replace the poor quality facilities currently at Huntington Stadium, which have failed various elements of the 2012 competition certification assessment. The new track will have 8 lanes rather than the current 6 and will have long jump pits outside the track, which will allow throwing events to take place at the same time as jumps. The cycling track will allow off road cycling for beginners, disabled participants and competition. It has the backing of local cycling clubs and accessible bike providers. A track in this region has been identified as a priority in British Cycling's facilities development plan. To operate fully as a venue for county level competition and as a replacement for the facilities at Huntington Stadium spectator, changing, first aid, toilet and official's facilities will also be required.

3.3 Environment, Conservation, Sustainable Development (Landscape) - The diverted public right of way should be located part-way up the woodland mounding along the eastern edge of the site. The three mature Oak trees along the existing public right of way should be retained. There are several elevated views over the sport village, therefore the landscape treatment will be important not only for the experience of those using the sports village but also for views of it from higher ground such as the approach from the park and ride in the north and from the public right of way over the A64. There should be a considerable content of Oak planting in the proposals to reinstate the local plant community. The proposed car park encroaches into the already depleted landscape scheme for this part of the campus.

3.4 Environment, Conservation, Sustainable Development (Archaeology) - The site lies in an area that has produced significant archaeological features and deposits dating from the third millennium BC to the medieval period. A scheme of further archaeological work has been discussed with the applicant and this scheme of work must be implemented before any construction works commence. This scheme of work can be covered by a planning condition.

3.5 Environmental Protection Unit - No objections. Conditions should be attached regarding submission of a construction environmental management plan, construction noise, operational noise, possible contamination and hours of operation of the floodlighting. An informative should be attached seeking the installation of electric vehicle recharging points within the development.

3.6 Flood Risk Management - No objections. The site is in flood zone 1 and should not suffer from river flooding. Add a condition requiring details of foul and surface water drainage.

EXTERNAL

3.7 Heslington Parish Council - No objections.

3.8 Heslington Forum - The University regularly engages with stakeholder groups at the Heslington East Community Forum. At the last forum meeting before submission of the application the details of the proposal were not known. The council's community planning officers notified forum members of the application on 4 July 2012 and invited comments on the proposals. One query was received, which was answered to the member's satisfaction.

3.9 York Natural Environment Panel - The erosion of existing mounding and tree planting agreed as part of the planning consent for the campus is deprecated by the Panel. The PRoW should be aligned to go around the outer east side of the proposals [officer response - this is now proposed]. The wildlife value of the surrounding habitat should be enhanced and have links to other areas. The centre of the track should have provision for improving if there is no conflict with the use of the track. The lighting should be directional and at a specified light level to minimise spillage. It should only be switched on when the track is in use.

3.10 Public Consultation - The consultation period expired on 8 August 2012. No objections have been received. One letter of support has been received jointly on behalf of York Cycle Campaign and the British Human Power Club.

4.0 APPRAISAL

4.1 KEY ISSUES

- Principle of the Use
- Visual Appearance
- Transport
- Landscape
- Environmental Protection
- Drainage
- Cumulative Development

RELEVANT LOCAL PLAN POLICIES

4.2 The National Planning Policy Framework (General) - There is a presumption in favour of sustainable development which, for decision-taking, means approving without delay development proposals that accord with the development plan (paragraph 14). Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless: (1) any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed

against the policies in the Framework taken as a whole; or (2) specific policies in the Framework indicate development should be restricted.

4.3 National Planning Policy Framework (Social, Recreational and Cultural Facilities) - Planning policies and decisions should: plan positively for the provision of community facilities; guard against their unnecessary loss; ensure that established facilities are able to develop and modernise in a way that is sustainable and for the benefit of the community; and ensure that their location is considered in an integrated way. Planning policies for access to open spaces and opportunities for sport and recreation should be based on robust and up-to-date assessments of need.

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

4.5 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.

4.6 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.

4.7 GP9 - Where appropriate, development proposals should incorporate a suitable landscaping scheme that is an integral part of the proposals; includes an appropriate range of species, reflects the character of the area; enhances the attractiveness of key transport corridors; and includes a planting specification where appropriate.

4.8 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.

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

4.10 L1a - The need for leisure development on sites specified in the local plan and others will be considered against a needs assessment which should be undertaken before any planning permission is granted. Out of centre locations will only be considered when it can be demonstrated that specified or alternative city centre or

edge of centre sites are suitable, or if the proposal is primarily to serve local need and is of a suitable scale.

APPLICATION SITE

4.11 Undeveloped land between Heslington East Sport Village at the eastern end of Heslington East campus and the A64. It is bisected by a public right of way linking Hull Road to the north with Low Lane to the south. Part of the land slopes down from the north. The site is largely devoid of significant vegetation other than three mature Oak trees alongside the public right of way.

PRINCIPLE OF THE USE

4.12 The facilities would replace the athletics track at Huntington and increase the range of sports facilities available to the people of York and the surrounding area. Most of the site lies within the area of the campus designated as open space devoted substantially to organised sport. The remainder is designated as open space composed substantially of open water. Whilst the athletics/cycle tracks are only partly for university use they supplement the university's existing sports facilities. The principle of using the site as part of the sports village has been accepted by the council.

VISUAL APPEARANCE

4.13 The proposals would be partially visible from some nearby sections of the A64 but their visual impact would not be out of keeping with the character of the campus, subject to appropriate landscaping.

CONSTRUCTION PROGRAMME

4.14 The funding arrangements for the road racing cycle circuit require the completion of the cycle circuit by the end of March 2012. This requirement relates only to the provision of the track and associated lighting and fencing; there is no requirement from British Cycling to provide a pavilion or other facilities.

4.15 Pending the approval and construction of the pavilion and grandstand, the University's intention is that users of the cycle circuit would use the swimming pool changing facilities if required (users may arrive at the circuit already changed). In the interim, if facilities are required to store equipment or cycles, the University intends to seek consent for the siting of a container or temporary building, as necessary, pending the completion of the pavilion and grandstand. The council's obligation to provide suitable replacement facilities for the York City Athletic Club would ensure that any temporary storage building would be required only for a limited period. This should be made a condition of any approval for such a temporary building.

TRANSPORT

4.16 Access to the proposals is from the built section of the Movement Spine, which takes its access from Hull Road. The access into the proposed site would take the form of a new priority junction just south of the existing swimming pool access. General traffic (with the exception of buses and servicing traffic) is not permitted beyond the barrier adjacent to the proposed access, all traffic associated with the development would therefore approach via Hull Road.

4.17 The application has been supported by a Transport Statement which demonstrates that the site would generate in the region of 12 and 30 two-way vehicular movements during the AM and PM peak periods respectively. This is considered to represent the worst case scenario and does not take into account the potential for linked trips. This increase in traffic would not have a material impact on the adjacent highway network and in reality would be unperceivable when considered against current traffic flows on the adjacent highway network.

4.18 Use of the car park would be monitored and controlled to ensure it is not used by non-patrons of the facility such as university staff/adjacent and employees/students, which would undermine the aims of the parking strategy and Travel Plan secured under the Heslington East consent. Such control measures may include a barrier and token system where the token must be validated within the sports facility. This level of control/management should be secured through a suitably worded condition.

4.19 Work is under way on the last section of the movement spine (i.e, south of the application site) and the anticipated completion date is November 1012. The Transport Statement sets out the arrangements for the re-routing of buses along the movement spine following its completion.

PUBLIC RIGHT OF WAY

4.20 The proposals include the realignment of an existing Public Right of Way (PROW) which crosses the site (north/south). The realignment of this section is necessary in order to carry out the development. PROW Officers have been consulted and raise no objection in principle to the realignment. The University has been in discussion with the council about realigning a longer section of this PROW. The current planning application seeks planning permission to construct the short and long sections of new footpath. Formal consent under separate legislation to divert the PROW would still be required.

LANDSCAPE

4.21 Landscaping for the scheme has not yet been designed. Nevertheless the University's intention is to retain, as far as possible, and develop the parkland setting of the campus. The design work will be guided by the Design Guidelines Landscape Masterplan of July 2008, approved under the Heslington East outline consent. They would be primarily grassland with woodland zones, clusters of trees and country paths. Some sections of mounding along the eastern side of the site would have to be modified to accommodate the cycle track. Any maturing trees (planted as part of the parkland setting of the campus) should be replaced.

4.22 In practice, the proposals will seek to enhance the mounding and planting that has already been undertaken to the east and south of the site, and to replace and strengthen any planting that will be affected by the construction of the cycle circuit track. Given the nature of the two track proposals, there are limits to the options for additional woodland planting within the site, and therefore the predominant landscaping will be grassland. However (in response to the YNEP comments about providing links across the site for wildlife) the University proposes to concentrate additional planting to the site boundaries to encourage the formation of wildlife corridors from the open land to the south and east to the lake. Screen landscaping will be undertaken around the accessible car parking spaces and the entrance to the site from the movement spine (as annotated on the Masterplan), and planting will be used to enhance the appearance and character of the footpath links (subject to addressing any concerns in relation to security of users). Opportunities will be taken to provide clusters of trees where appropriate. Opportunities should also be taken to soften, by planting, the appearance of the proposed car park at the northern end of the site. Landscaping, including tree replacement, should be made a condition of approval.

4.23 The site is largely devoid of significant, mature planting (i.e. from before the creation of the campus) apart from three Oak trees along the existing right of way. These trees contribute to the character of the area and should be retained if possible. The University expects that the detailed design work will enable two of these trees to be retained. Any losses should be replaced.

4.24 Fencing would be required for safety and security. The cycle circuit would be enclosed by a low (perhaps 1.2 metres high) fence to protect cyclists from pedestrians or animals that might inadvertently cross the track. The fence is shown as a blue dotted line on the submitted Masterplan. The fence is likely to be supplemented by dense planting along the circuit's outside edge to add further protection against access. This would need to run adjacent to the diverted footpath and along the southern and western sides of the track.

4.25 The fence around the athletics track would need to be more substantial to prevent access to the track due to the potential for injury from field event equipment such as javelins and hammers. Again, it is shown as a blue dotted line on the Masterplan. The fence would be approximately 2 metres in height and similar in appearance to that around the existing athletics track at Heslington West. The details of the fences and their exact location can be controlled through a planning condition.

4.26 The submitted plans show no proposals for the area of land between the swimming pool building and the athletics track. The University intends to keep this area of land as open as possible. In view of this, the University is considering the option of using it for playing pitches.

4.27 The triangular area of land contained within the western "loop" of the cycle circuit is to be grassed initially. However, the University is considering how it could be used in the future, most likely in a cycling-related way for training purposes or for a BMX-type use. This would develop as the track is used.

ENVIRONMENTAL PROTECTION

4.28 The proposal is likely to have a negligible impact on the nearest existing residential dwellings which are at least 700m to the north and 800m to the west. Nevertheless, Condition 21 of the outline consent restricts the permitted levels of construction noise and should be tailored to suit to the current proposal, particularly to protect future residents of the campus. Conditions should also be attached regarding contamination, construction noise/vibration/dust, operational noise, hours of operation and lighting levels.

4.29 In line with the council's emerging Low Emission Strategy, environmental protection officers encourage the use of low emission vehicles on new developments and seek provision of refuelling/recharging infrastructure wherever possible. They have requested that an informative be attached seeking the installation of at least eight electric vehicle recharging points within the development to promote the use of electric vehicles using the sports centre.

DRAINAGE

4.30 Surface water from part of the site would drain via a swale into the main lake to the south of the site. The remainder would run into Hunt's Drain, which connects to Tilmire Drain. Foul water would drain via a main sewer to a new pumping station within Cluster 2. Details should be made a condition of approval.

CUMULATIVE DEVELOPMENT

4.31 Condition 4 of the outline consent for the campus restricts the developed footprint (including buildings car parks and access roads) to 23% of the allocated area. The cumulative total to date is 10% of the allocated area.

5.0 CONCLUSION

5.1 Whilst the application is not pursuant to the outline consent for the campus, it complies with the approved land use plan agreed by the Secretary of State in 2007. Submission of details (particularly landscaping and drainage) should be made conditions of approval. The application does not include the proposed pavilion and grandstand, which would need separate consent.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out only in accordance with the following plans: 2860 AL(0)100 rev A, Uheath1207e.cc and un-numbered lighting details received 3 July 2012.

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

3 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details. They shall include construction details of the athletics track, sports field, permeable car park, cycle track and road/parking paving together with details of the connection to existing swale(s).

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

4 VISQ8 Samples of exterior materials to be app -

5 Within three months of the date of this permission details of measures to improve pedestrian movement between the public plaza in front of the swimming

pool building and the athletics track and cycle track shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the free flow and movement of pedestrians between the application site and the existing sports village.

6 Within three months of the date of this permission detailed landscaping/screening proposals, including replacement trees, shall be submitted to the local planning authority and approved in writing. The scheme, which shall show the number, species, height and position of trees and shrubs 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: To minimize the visual impact of the proposals on the surrounding area.

7 Within three months of the date of this permission details of the proposed realigned public right of way across the site, including its horizontal and vertical alignment, construction and surfacing, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the submitted details.

Reason: In the interests of public safety, amenity and access.

8 Prior to the development hereby approved a car park management plan shall have been submitted to and approved in writing by the Local Planning Authority. Said plan shall set out the measures and initiatives that will be implemented to control and manage the car park in order to prevent its use for long stay parking and by non patrons of the facilities it serves. Measures should include a barrier control system and charging regime. The car park management plan shall be implemented prior to the development hereby approved being brought into use and shall be implemented hereafter unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of highway safety, and to promote sustainable transport trips by staff and users of the Sports Complex

9 HWAY18 Cycle parking details to be agreed -

10 HWAY19 Car and cycle parking laid out -

11 During construction of the development hereby approved the Construction Environmental Management Plan for the Heslington East campus, approved by the local planning authority, shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of residential occupants on the site and in the surrounding area and in the interests of highway safety.

12 All noise generated during the site preparation, groundwork and construction phases and associated ancillary operations of the use hereby permitted shall meet the following criteria :

LOCATION: The gardens of dwellings at (a) eastern boundary of the site on Hull Road and (b) northern boundary of the site on Field Lane.

MAXIMUM LIMIT: 70 dBA (1 hour)

TIME PERIOD: A continuous period of up to eight weeks in any calendar year, without the prior written notice of the Local Planning Authority

LOCATION: The gardens of dwellings at (a) eastern boundary of the site on Hull Road and (b) northern boundary of the site on Field Lane.

MAXIMUM LIMIT: Not exceeding background noise levels.

TIME PERIOD: Before 0800 and after 1800 hours Monday to Friday. Before 0900 and after 1300 hours on Saturdays. At all times on Sundays and Bank Holidays.

LOCATION: Within occupied residential buildings on the site.

MAXIMUM LIMIT: Not exceeding background noise levels.

TIME PERIOD: Before 0800 and after 1800 hours Monday to Friday. Before 0900 and after 1300 hours on Saturdays. At all times on Sundays and Bank Holidays.

Reason: To protect the amenities of residential occupants of the site and in the surrounding area.

13 Before the commencement of development the developer will carry out an acoustic survey of the site boundaries at locations agreed with the Local Planning Authority to establish background noise levels. Before the commencement of development the developer will submit a scheme to the Local Planning Authority setting out the means of regular monitoring of the noise levels at the agreed locations and this shall be approved in writing by the Local Planning Authority and implemented before the commencement of development.

Reason: To protect the amenities of residential occupants of the site and in the surrounding area.

14 In the event that contamination is found at any time when carrying out the approved development, the findings shall be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment shall be undertaken, and where remediation (clean-up) is necessary a remediation scheme shall be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect human health and the wider environment.

15 Details of all machinery plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include maximum sound levels ($L_{Amax}(f)$) and average sound levels (L_{Aeq}), octave band noise levels and any proposed mitigation measures. All such approved machinery, plant and equipment shall subsequently be used on the site in accordance with the agreed details. Any approved noise mitigation measures shall be fully implemented and operational before the associated machinery, plant or equipment to which it relates is first used and shall be appropriately maintained thereafter.

Reason: To safeguard the amenity of occupants of neighbouring premises.

16 Use of the athletics track and cycle track shall not be open to customers outside the hours of 08:00 to 22:00 on any day.

Reason: To safeguard the amenity of occupants of neighbouring premises.

17 The external floodlighting for the outdoor sports pitches shall not be in operation outside the hours of 08:00 to 22:00 on any day.

Reason: To safeguard the amenity of occupants of neighbouring premises.

18 Before the start of development, including demolition, building operations, excavations or the importing of materials a method statement of protection measures for the tree(s) shown to be retained shall be submitted to and approved in writing by the local planning authority. The statement shall include details and locations (shown on a plan) of protective fencing, method of preparation/excavation/construction, type of machinery/vehicles to be used, extent of working areas, locations of storage of materials and location of site cabin(s).

Reason: To protect existing trees that are considered to make a significant contribution to the amenity of the area.

19 ARCH1 Archaeological programme required -

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, visual amenity, landscaping, environmental protection, transport, drainage, and provision of leisure facilities. As such the proposal complies with the National Planning Policy Framework and policies ED9, GP1, GP9, GP15A, NE1 and L1a of the City of York Local Plan.

2. ELECTRIC VEHICLE RECHARGE POINTS

In line with City of York Council's emerging Low Emission Strategy, electric recharge points are currently being sought on new developments wherever appropriate. A Supplementary Planning Document is currently being jointly developed by EPU and City Development, which will set out standards for electric vehicle recharge points on all new developments. Within the last year, EPU have successfully negotiated electric recharge points as part of the new Waitrose supermarket on Foss Islands Road and in relation to the new Nestle development. Should City of York Council's new Park and Ride sites be taken forward, they will also include provision for electric vehicle recharging.

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