

## COMMITTEE REPORT

**Date:** 15 May 2014                      **Ward:** Heslington  
**Team:** Major                      and                      **Parish:** Heslington                      Parish  
                    Commercial Team                      Council

**Reference:** 14/00363/FULM  
**Application at:** Block D Vanbrugh College Wentworth Way Heslington York  
**For:** Erection of 4no. storey research, office and teaching building for Environment Department following demolition of existing residential building  
**By:** Mr Jon Meacock  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 20 May 2014  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Block D Vanbrugh College comprises a three storey brick built accommodation block dating from the early 1960s and in poor decorative condition lying to the west of the principal Heslington West Campus of York University. Planning permission is sought for the redevelopment of the site cleared site to provide a four storey Environment Teaching Facility associated with the Applied Biology Faculty to the north west. This forms part of the University's on-going programme to expand the range and quality of science teaching and research on offer and to replace the older and poorer quality accommodation within the Heslington West campus. It is envisaged that the proposal would result in the creation of an additional 66 full time jobs. Subsequent to submission of the proposal the scheme has been amended to relocate the proposed south west stair turret away from the lake side and to provide details of an individual bespoke surface water drainage solution for the site.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

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

2.2 Policies:

CGP15A -Development and Flood Risk

CYGP1 - Design

CYGP4A - Sustainability

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CYGP9 - Landscaping

CYNE8 - Green corridors

CYED6 - University of York Heslington Campus

### **3.0 CONSULTATIONS**

#### **INTERNAL:-**

3.1 Environmental Protection Unit raise no objection to the proposal but wish to see any approval conditioned to require the submission and prior approval of a CEMP( Construction Environmental Management Plan) in addition to conditions covering working hours, audible equipment and unexpected contamination.

3.2 Highway Network Management raise no objection to the proposal subject to details of additional cycle parking being conditioned for further approval as part of any planning permission.

3.3 Strategic Flood Risk Management raised no objection in principle to the proposal subject to an individual scheme of attenuation being provided to deal with the surface water generated by the development. An indicative bespoke scheme of surface water attenuation has subsequently been submitted in respect of the proposal.

3.4 Design, Conservation and Sustainable Development raise no objection in principle to the proposal but express concern with regard to the relationship of the proposal to the habitat provided by the adjacent lake. Significant concern is also expressed in terms of the impact of the proposal upon the landscape setting of the Central Lake and the fringing trees by taking the proposed new teaching block to such a close proximity to the lake edge.

#### **EXTERNAL:-**

3.5 The Ouse and Derwent Internal Drainage Board were consulted with regard to the proposal on 4th March 2014. Views will be reported orally if available.

3.6 Heslington Parish Council object to the proposal on the grounds that it would result in the loss of a 93 bed space accommodation block which should be replaced on a like-for-like basis within the Heslington West Campus.

3.7 One letter of support has been received in respect of the proposed development.

## 4.0 APPRAISAL

### KEY CONSIDERATIONS:-

#### 4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the visual amenity of the wider street scene;
- Impact upon the local pattern of surface water drainage;
- Impact upon local biodiversity;
- Loss of accommodation bed spaces;
- Sustainability of the proposal;
- Provision for Cyclists.

### STATUS OF THE YORK DEVELOPMENT CONTROL LOCAL PLAN:-

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

### PLANNING POLICY CONTEXT:-

4.3 The planning policy context for the proposal is set by paragraph 17 "Core Planning Principles" of the National Planning Policy Framework. This sets out a requirement for Local Planning Authorities to proactively support sustainable economic development including the provision of such necessary infrastructure to support the needs of their locality. At the same time paragraph 70 of the NPPF urges Local Planning Authorities to plan positively to secure local services to enhance the sustainability of local communities.

### IMPACT UPON THE VISUAL AMENITY OF THE WIDER ENVIRONMENT:-

4.4 Policy ED6 of the York Development Control Local Plan sets out a firm policy presumption in favour of new development involving specific sites highlighted in the development brief whilst ensuring that the developed footprint of the campus is not materially increased, the height of the new building would be appropriate to the location and the standard of design would be appropriate to the setting of the University. The proposal envisages the erection of a four storey building with a flat green roof incorporating a parapet with a mix of curtain wall and brick cladding with a green "living wall" adjacent to the principal entrance. The proposal forms part of a long term investment plan to expand and re-construct the applied science research and teaching facilities at the site and is closely related to the expanded Biology faculty which is presently under construction. It would incorporate teaching and research facilities for the Environmental Science, Environmental Geography,

Ecology and Conservation and Bio-archaeology departments which are presently widely dispersed throughout the campus without a clear and readily identifiable focus, which would provide a basis for growth and to develop new research links.

4.5 The new building would sit broadly within the footprint of the pre-existing accommodation block which is to be demolished, to allow the site to develop and would reflect the recently approved Biology block in terms of its scale, massing and palette of materials. The proposed building would be a storey higher than the existing however this would reflect the pattern of development to the north. The visual emphasis of the building would also be reversed from the existing with the principal elevation facing the Lake to the south east. Whilst there are outstanding concerns from the landscape architect regarding the impact of the development being closer to the lake and against previous landscape guidance, the development is on balance felt to be acceptable as it reflects the pattern of a number of buildings to the east whose principal elevations are aligned on the Lake.

4.6 The proposed external staircase at the south eastern elevation of the proposal adjacent to the Lake was felt to be too close and to create a visual "pinch point". The developer has amended the design to remove the perceived pinch point creating an even elevational treatment to the Lake.

4.7 Concern has also been expressed in respect of the visual relationship of the new building to the trees surrounding the Lake and its wider landscape setting. It is however felt that the visual relationship between the new building and the landscape setting of the Lake would be acceptable and that the principles of the original layout of the site would not be compromised. The proposal is therefore felt to be suitable in 'street scene' terms and to comply with Policy ED6 of the Development Control Local Plan.

#### IMPACT UPON THE LOCAL PATTERN OF SURFACE WATER DRAINAGE:-

4.8 Policy GP15a) of the York Development Control Local Plan sets out a firm policy requirement for developers to satisfy the Local Planning Authority that any flood risk will be successfully managed with the minimum environmental effect and ensure that the site can be developed, serviced and occupied safely. Central Government planning policy in respect of planning and flood control as outlined in paragraph 103 of the National Planning Policy Framework indicates that in dealing with development flood risk should not be increased elsewhere.

4.9 The application site lies within Flood Zone 1 and is therefore deemed to be at the lowest risk of flooding. The proposal envisages the incorporation of a rain water harvesting system although that would not be sufficient to mitigate any impact outside of the site. The proposed development would bring the built foot print at the Heslington West Campus up to the maximum level for the existing surface water drainage system, involving the usage of the lake and its ancillary water courses as

an outfall; to operate effectively. A report has been submitted which recommends alterations to the level of the lake by adjusting the height and position of associated weirs to the north and south of the application site. However, concerns have been expressed in relation to the impact of this upon the behaviour of the lake with implications for its ecology and biodiversity and also for flood risk elsewhere in the system. This impact would be exacerbated by the proposed usage of the lake as a means to cool the building which would result in small but significant changes to its water temperature. It is recommended that in order to resolve the situation satisfactorily, individual attenuation at 70% of the existing discharge rate is provided for the new building and made the subject of a condition on any planning permission.

#### IMPACT UPON LOCAL BIODIVERSITY:-

4.10 Policy NE8 of the York Development Control Local Plan sets out a firm policy presumption that planning permission will not be granted for new development which would destroy or impair the integrity of green corridors or stepping stones. Central Government planning policy in respect of biodiversity as outlined in paragraph 118 of the National Planning Policy Framework urges Local Planning Authorities to give significant weight to conserving and enhancing local biodiversity with developments which can not adequately mitigate against significant harm being refused. Concern had been expressed in relation to the usage of the lake as a "heat sink" to cool the building and the potential for the presence of water voles along the lake edges. In light of the amended details agreed relating to drainage, these concerns are not felt to be sufficient as to warrant refusal of the proposal in itself and in order in part to further offset them it is recommended that any permission be conditioned to require further prior approval of the proposed green roof and green walling adjacent to the building entrance in order to maximise the opportunities to enhance local habitat.

#### LOSS OF ACCOMMODATION BED SPACES:-

4.11 Serious concerns have been expressed in relation to the loss of the existing accommodation bed spaces from the site and their potential replacement with alternative spaces in off-site locations at a much higher cost for the student thereby putting pressure on private sector accommodation. The applicant has confirmed that a 620 bed residential college within the nearby Heslington East Campus will be made available from September 2014 which will provide a net increase of 500 spaces over and above the existing situation. The students displaced from the current site have been relocated to vacant spaces within existing on campus University accommodation primarily within Heslington West and none have moved out into the private sector. The displaced students have therefore be adequately catered for.

## SUSTAINABILITY OF THE PROPOSAL:-

4.12 Policy GP4a) of the York Development Control Local Plan sets out a clear policy presumption that all new development should clearly address the principles of sustainable development in terms of its design, construction and management. The current proposal has been designed to a standard of BREEAM Excellent. The proposal would involve the usage of "green walls" and a "green roof" and has been deliberately aligned so as to make the maximum possible use of solar gain with as mentioned the adjacent lake, in part being used as a "heat sink" to cool the building in periods of particularly hot weather. The proposed palette of materials would be sustainably sourced and the building has been designed to reduce the demand for potable water by 40%. In terms of energy demand the building has been designed to maximise natural ventilation whilst reducing heat loss. The design will furthermore incorporate mechanical heat recovery, with a mix of ground source heat pumps and roof mounted photovoltaic cells to achieve a proportion of the energy demand of the building by renewable means. The proposal therefore complies with the terms of Policy GP4a) of the Development Control Local Plan.

## PROVISION FOR CYCLISTS:-

4.13 Concern has been expressed in relation to the relation of the proposed building to a desire line for cyclists crossing the site from north east to south west. In response the University has indicated that they will improve signage for cyclists travelling though the area of the proposal and at the same time a revised Cycling Strategy for the wider Campus is to be prepared over the coming months. In the context of this standalone application this is considered to be acceptable.

## ENVIRONMENTAL IMPACT ASSESSMENT:-

4.14 The proposed development covers an area of some 0.43 hectares and as such falls below the minimum thresh hold within Schedule 2 to the 2011 Town and Country Planning (Environmental Impact Assessment) Regulations in terms of Screening as to whether or not a formal Environmental Impact Assessment is required.

## **5.0 CONCLUSION**

5.1 The proposed building would be designed to blend in with the recently constructed Biological Sciences building to the north west, which it would match in terms of its scale, massing and palette of materials. It has also been designed to achieve a high degree of sustainability with the aim of achieving a BREEAM standard of Excellent.

5.2 Concerns have been expressed in terms of the proposed surface water drainage arrangements and the proposed replacement bed spaces for the accommodation lost. In terms of surface water drainage, it would be possible to effectively drain the site by means of a bespoke attenuation scheme which can be secured by condition. Subject to inclusion of such a condition the development as amended is felt to be acceptable and approval is therefore recommended. The applicant has indicated that a replacement accommodation block would be brought on stream within the Heslington East Campus a short distance away in September 2014.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Ref:- YOR BBA ZO ZZ DR A 01003 D5 P2; YOR BBA ZO ZZ DR A 01001 D5 P2; YOR BBA ZO ZZ DR A 03001 D5 P2; YOR BBA ZO ZZ DR A 01002; YOR BBA ZO ZZ DR A 01101 D5 P3 ; YOR BBA ZO ZZ DR A 01055 D5 B2; XYZ BBA ZO 03 DR A 02004 D5 P2; XYZ BBA ZO 02 DR A 02003 D5 P2; XYZ BBA ZO 01 DR A 02002 D5 P2; XYZ BBA ZO 04 DR A 02005 D5 P2; YOR BBA ZO ZZ DR A 01052 D5 P2; YOR BBA ZO ZZ DR A 04001 D5 P2; XYZ BBA ZO 00 DR A 02001 D5 P2; YOR BBA ZO ZZ DR A 01702 D5 P2; YOR BBA ZO ZZ DR A 01701 D5 P2; YOR BBA ZO ZZ DR A 04100 D5 P2; YOR BBA ZO ZZ DR A 03002 D5 P2; YOR BBA ZO ZZ DR A 01004 D5 P2. YOR BBA 02101 D5 P1.

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

3 VISQ8 Samples of exterior materials to be app -

4 VISQ7 Sample panel ext materials to be approv -

5 NOISE7 Restricted hours of construction -

6 LC4 Land contamination - unexpected contam -

7 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 16.5 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level.

Any such physical works or marker shall be retained at all times during the construction period.

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

8 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees, shrubs and hard landscaping. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

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

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

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



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

10 Unless otherwise agreed in writing with the Local Planning Authority, prior to 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

11 HWAY18 Cycle parking details to be agreed -

12 Prior to the commencement of the development hereby authorised full details of the proposed surface water drainage arrangements for the development hereby authorised shall be submitted to and approved in writing by the Local Planning Authority. Such details shall allow for the site to be attenuated to a maximum of 70% of existing flows and include full details of the size and location of the proposed outfall. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the water environment and to comply with Policy GP15a) of the York Development Control Local Plan.

13 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration, dust and lighting during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

The CEMP shall agree that all demolition and construction works and ancillary operations which are audible beyond site boundary or at the nearest noise sensitive dwelling, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday 08:00 to 18:00

Saturday 09:00 to 13:00

Not at all on Sundays and Bank Holidays.

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities, shall be minimised in accordance with the guidance provided in British Standard 5228 (2009) Code of Practice; 'Noise Control on Construction and Open Sites'.

Reason: To protect the amenity of the area

NOTE: The CEMP should detail measures which will be implemented to control noise, vibration, dust and light from the development and should consider the following.

NOISE - details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situations, including the location of positions, recording of results and identification of mitigation measures required.

VIBRATION - details should be provided on any activities which may result in excessive vibration, e.g. demolition, piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration experienced. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

DUST - details should be provided on measures the developer will use to minimise dust blow off from site, i.e. wheel washes, road sweepers, storage of materials and stockpiles, use of barriers, use of water bowsers and spraying, location of stockpiles and position on site. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any).

COMPLAINTS - In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been

received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved.

Any information submitted must be site specific and should consider the impact of the development on the surrounding area, rather than being a submission of the health and safety assessments which primarily consider the health and safety of employees on the site itself.

14 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 the local planning authority for approval. These details shall include maximum sound levels (LA max(f)) and average sound levels (LA eq), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

NOTE: The rating level of building service noise associated with plant or equipment at the site should not exceed 5dB(A) below the background noise level at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 1997.

REASON: To safeguard the amenity of occupants of neighbouring premises

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

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

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

- i) Detail of the location of the replacement for the student bed spaces lost for the approved development;
- ii) An amended location for the south eastern, lake side external staircase.

## 2. CONTROL OF POLLUTION ACT 1974:-

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

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

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

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

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

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

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

(f) There shall be no bonfires on the site

### **Contact details:**

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