

City of York Council

Examination of the City of York Local Plan

2017 – 2033

Schedule of

Matters, Issues and Questions for the Examination

(Revised 11 February 2022)

Phase 2 Hearings

Matter 7 Approach to Setting Green Belt Boundaries

Response on Behalf of:

The University of York, York St John
University, St Peter's School, Askham Bryan
College York

25 March 2022



Chartered Town Planning Consultants

1. INTRODUCTION

1.1 This statement has been prepared on behalf of 4 important educational institutions in the city of York, all of whom have submitted representations to the Examination into the Emerging Local Plan. The institutions are: -

- The University of York;
- York St John University;
- St Peter's School York;
- Askham Bryan Agricultural College York.

1.2 These representations relate to Consultations on the Submission Version Local Plan and Proposed Modifications. They should be read together with the previously submitted objections to the emerging Plan: -

- UNIVERSITY OF YORK ref. 849;

Reps in relation to proposed Green Belt boundaries:

- a) Around existing Campus East
- b) Around ST27 land proposed as campus extension

April 2018 Reps on Submission of Local Plan (CD014U): including past sequence of draft plan revisions: -

Appendix 3(c) September 2014 CYC Local Plan Publication Draft Proposals Map South: University Extension site ST27 at 25ha plus landscape buffer to A64T 30ha

Appendix 3(e) 10 July 2017 CYC Site 852 Revised University Extension reduced to 21.5ha including wide landscape buffer

July 2019 Reps on proposed Modifications to Green Belt boundaries (EX/CYC/21d): No CYC evidence base related to University's expansion requirements for size of ST27

June 2021 Reps related to CYC TP1 ADDENDUM and associated documents dated January 2021 (EX/CYC/66h)

No CYC evidence base for size of extension site and Green Belt boundaries; on existing campus Green Belt boundaries proposed intrude into outline planning permission area, rather than using campus boundaries.

- YORK ST JOHN UNIVERSITY ref 901:

Reps on Northfield, at the University Sport Park, Haxby Road York YO31 8TA, in respect of including this part of the Sport Park, within Green Belt
July 2019 (EX/CYC/21d)

June 2021 (EX/CYC/66i) Appendices include relevant extracts of Council proposals in EX/CYC/59d also alternative Green Belt boundary proposed by the University.

- St Peter's School York ref 883:

Reps in respect of Green Belt boundary proposed inside School campus: -
July 2019 PM30. (EX/CYC/21d)

Alternative boundary proposed by School in Appendix 1;

July 2021 2nd PM75. (EX/CYC/66i)

Alternative boundary proposed by School Attachment E

- Askham Bryan College York ref 613:

July 2021 (EX/CYC/66g) Reps in respect of whole College campus washed over by Green Belt.

Alternative boundary proposed as an inset boundary Map 4.

1.3 Their cases in objecting to the Council's approach to setting Green Belt boundaries are very similar, namely the Emerging Local Plan has:

- Not ensured consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- Included land which it is unnecessary to keep permanently open;
- proposed Green Belt boundaries that will need to be altered before the end of the plan period;
- Not defined boundaries clearly using physical features that are readily recognisable and likely to be permanent

2. NATIONAL POLICY CONTEXT

2.1 These objections need to be considered in the light of the following national policy. The Plan (as written) fails to be consistent with the NPPF and is not sound.

2.2 The Framework 2012 outlines the process for the preparation of local plans and in particular the establishment of Green Belt boundaries. At its heart is the presumption in favour of sustainable development (§14). LPAs are tasked to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth (§17). The Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth requires that planning should operate to encourage, and not act as an impediment to, sustainable growth (§18,19).

2.3 Local Planning Authorities should set criteria or identify strategic sites for local and inward investment to match the strategy and to meet anticipated needs over the plan period. They should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high-tech industries (§21).

2.4 Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. LPAs should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools and work with schools' promoters to identify and resolve key planning issues before applications are submitted (§72).

2.5 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (§79). Their permanence is stressed in §83.

2.6 Defining the boundaries for the first time should take account of the need to promote sustainable patterns of development (§84). Consistency with the Local Plan strategy should be ensured and land which it is not necessary to keep permanently open should not be included (§85).

2.7 Any institution washed over by Green Belt would therefore have a permanent requirement to establish very special circumstances to justify its expansion (§88).

2.8 Local plans should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development (§151). They should be aspirational but realistic and they should address the spatial implications of economic, social and environmental change, §154.

2.9 Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. LPAs should set out strategic priorities for the area including strategic policies to deliver, *inter alia*, the provision of health, security, community and cultural infrastructure and other local facilities (§155, 156).

2.10 Each LPA should ensure that the Local Plan is based on adequate, up to date and relevant evidence about the economic, social and environmental characteristics and prospects of the area (§158). They should work with other authorities and providers to assess the quality and capacity of infrastructure for ...education... and take account of the need for strategic infrastructure (§162).

2.11 The Local Plan submitted for examination should be 'sound', that is. positively prepared; justified; effective and consistent with national policy (§182).

3. RESPONSES TO QUESTIONS FROM THE INSPECTORS

7.1 a) How, in simple summary, have the proposed boundaries been arrived at?

3.1 The inner boundaries of the Green Belt for York have been proposed within the context of the broad designation of Green Belt within the RSS. However, the Plan is inconsistent with the NPPF in establishing the detailed boundaries and the settlement policy.

3.2 This relates to the need to promote sustainable patterns of development, channelling development towards urban areas inside the Green Belt boundaries. The vast majority of land within the City of York administrative area is either (i) developed; (ii) protected land such as the Strays and river corridors; or (iii) within the general

extent of the Green Belt. Very little brownfield land remains available for development. Sustainable patterns of development need to be proposed within this context. All of these education facilities lie in accessible locations, where there is substantial existing education infrastructure. Their further development would contribute to sustainable patterns of development. Making them part of the Green Belt would not contribute to sustainable patterns of development, as their future development would be *prima facie* contrary to policy.

3.3 The Local Plan strategy includes policies to support the growth of educational institutions. Section 7 opens by stating its commitment to contributing to making York a world class centre for education, providing the quality and choice of learning and training opportunities to meet the needs of children, young people, adults, families, communities and employers. Policies in the section confirm this support at each level of education (see Policies ED1, ED2, ED3, ED4, ED5, ED6 and ED7.)

3.4 Implementation of the Plan's strategy involves meeting identified requirements for sustainable development when defining Green Belt boundaries. Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential (§155, 156, 158). However, this has not been carried out to any meaningful extent. The four educational institutions that we represent have submitted evidence on their estates and future growth requirements (see section 1 above). Despite this, the Council has reached its own conclusions in non-evidence based, superficial overviews of educational growth needs which bear no relationship to evidence submitted as part of the consultation (see TP1 Addendum Sections 4, 7 and 10, EX/CYC/59). The Plan fails to engage, collaborate or deliver the needs of these educational establishments, when the Plan actually seeks to support their growth (consistent with national policy). The Plan is internally inconsistent and unsound.

3.5 The Council has constrained each institution by either including their expansion space in Green Belt, washing over the whole estate in the Green Belt or including an inadequate allocation for expansion. This has resulted in clear conflict between the local plan strategy and the resultant boundaries of green belt proposed (contrary to the NPPF §84 and 85).

3.6 The exercise carried out by the Council in TP1 ADDENDUM January 2021 (EX/CYC/50) has focused on defining the purposes met by any area in the broad extent of green belt as an overriding criterion and setting aside consistency with the Local Plan strategy in meeting requirements for sustainable development.

3.7 In simple summary, the boundaries have been arrived at by ignoring the needs of these establishments and failing to apply national policy and/or the Plan's own strategy (adequately or at all).

b) What influence have heritage assets and other environmental designations, such as conservation areas and SSSIs had on the setting of Green Belt boundaries?

3.8 The Council maintains that preserving the setting and special character of the historic city is the major purpose of the York Green Belt, which is not disputed. The RSS policy YH9 refers to the need to protect the significant historic character of York, referencing the historic setting. The first spatial principle of Local Plan policy SS1 is to conserve and enhance York's historic environment.

3.9 However, as the Green Belt boundaries are yet to be defined, there is no guidance in RSS policy YH9C that all land within the doughnut ring around the urban edge should be considered as the historic setting. The need for the Local Plan to identify requirements for sustainable development and apply the broad extent of the strategic Green Belt on the urban edge means that a balance is to be struck if sustainable development needs are to be met.

3.10 To this end, the Framework requires that, when Green Belt boundaries are defined, the boundaries are consistent with the Local Plan strategy. It is this aspect that has not been adequately complied with as proposed boundaries have maximised Green Belt designation to the detriment of provision for sustainable growth and development. A tightly drawn Green Belt obviously inhibits development potential, and this is the experience of the four educational institutions that are represented in this document.

7.2 As a matter of principle, do the proposed Green Belt boundaries include land which it is unnecessary to keep permanently open?

3.11 Yes: -

ST PETER'S SCHOOL:

Policy ED6 supports the expansion of Schools yet the southern campus is proposed in Green Belt except for existing buildings, (EX/CYC/59h) PM75, page 16. Its whole

campus is in the urban area with development on three sides. It is all actively utilised and required for the success and expansion of the School. The campus is not open land.

The school campus does not meet any of the three Green Belt purposes: -

- Its development could not lead to urban sprawl as the fourth, southern, boundary is bordered by a 4m high flood bank that is recognisable and permanent.
- By the same measure, its development could not result in intrusion into the countryside.
- Its development or redevelopment would not impact on the historic setting of the city because of the campus' strong urban boundaries.

Therefore, in terms of the policy context and the absence of any Green Belt purposes being met, the school campus cannot logically be placed in Green Belt. Thus, the plan is unsound. It can be made sound in this case by utilising the flood bank as the boundary to the Green Belt, which is a readily defensible boundary, consistent with the NPPF.

References:

In the School's July 2021 reps: -

- the proposed Local Plan's boundary is shown at ATTACHMENT B.
- Alternative boundary proposed by School is the adjacent flood bank, ATTACHMENT E.
- Evaluation of why the Green Belt boundary is erroneous is found in the ASSESSMENT page 12.

3.12 YORK ST JOHN UNIVERSITY:

The University's Haxby Road Sport Park straddles the road; the east side is in the urban area and the west side, Northfield, is proposed to be in Green Belt.

The 2021 reps: Plan in Appendix 1 in (EX/CYC/66i) identifies the site. Section 4.17 et seq and section 5 indicate why Northfield does not need to be kept permanently open:

- The University specialises in courses for various aspects of indoor and outdoor sport: teaching, coaching, sport injury, general fitness. Policy ED5 allocates Northfield 'for sports use to reflect the University's ambitions and supports its major investment

in the Sport Park.' The wording allows indoor and outdoor sports facilities and other outdoor recreational activity, including floodlighting.

- Northfield adjoins the huge Nestlé factory and built development is allowed on the sports site.

- The site serves none of the three relevant purposes of Green Belt: Its sports development cannot cause urban sprawl because it has a factory to the south, a road to the east and Bootham Stray to the west. The northern boundary is a well defined hedge and tree line.

- Since built development is allowed in policy ED5, the proposal to include the site in Green Belt constitutes a major contradiction in planning policy and hence the plan is currently unsound. It can be made sound by excluding the site from Green Belt and using the boundary proposed, Appendix 6 of the 2021 Reps, (EX/CYC/66i).

3.13 ASKHAM BRYAN COLLEGE:

The College has a large campus south of Askham Bryan village, south-east of the city. Its eastern section contains buildings for teaching, research and student accommodation. The campus is proposed to be washed over with Green Belt. The 2021 reps (EX/CYC/66i) Appendix D Plan illustrates the built campus of the College.

2021 Reps Section 1 explain why the site does not need to be kept open to prevent urban sprawl: -

- It is not open land, it is developed and forms part of an urban area.
- Despite the College including open farmland within its operation, it has easily recognised boundaries to its built nucleus to define an inset area.
- Its built area is beyond the main urban area and the city's historic setting so would not impact upon it.
- The boundaries of its nucleus confine further built development and hence control urban sprawl and prevent intrusion into the countryside.

Thus, the site does not fulfil any of the purposes of Green Belt.

Policy ED7 supports the continued success of the College including further expansion of teaching administration, research and student housing. The land cannot be open in these circumstances.

- The plan is not sound on this basis as keeping the land permanently open will frustrate the growth potential of the College, which the Plan supports.

- The inset Green Belt boundary on Appendix C would be appropriate to reflect the situation at the College. It would be a logical defensible boundary consistent with the NPPF.

3.14 THE UNIVERSITY OF YORK:

It has a strategic allocation, ST27 in Policy EC1. The University has provided unchallenged evidence which demonstrates that the developable area would be inadequate to meet its needs. A larger allocation south of Campus East is promoted for ST27 from a detailed evidence base.

3.15 Additionally, the proposed Green Belt boundaries intrude into Campus East on the east, south and west. Plan 7 of the Planning Statement (CD014U) illustrates the land which is not necessary to keep open.

- The 2021 Reps Executive Summary (EX/CYC/66h) outlines the policy context and the need for adequate expansion land to be excluded from Green Belt to cater for University growth.
- The University, in a sequence of reps since 2014, have included detailed data on growth rates, wider economic benefits to the city and region, and master planning illustrating the capacity of ST27 to accommodate development, July 2019 reps, (EX/CYC/66h).

With no alternative evidence base, an inadequate allocation has been included in the Local Plan. Adjacency to the existing campuses is crucial for the operation of the University.

- In terms of Campus East, this area has an implemented outline planning permission for university use. None of the area needs to be kept permanently open.

3.16 The land proposed to cater for the expansion of the University's Campus East ST27 does not serve any of the Green Belt purposes.

- It does not impact upon the character and historic setting of the city
- Its proposed boundaries, whether those proposed or the extended area proposed by the University will be recognisable and permanent and not lead to intrusion into the countryside.
- Two boundaries will be highways and the third is land in the control of the University. On this basis, urban sprawl would be inhibited.

On this basis the plan is not sound.

3.17 An allocation shown on plan 7, illustrated on the appended master plan, excluding this area from Green Belt could make this aspect sound.

For campus east, its permanent and recognisable boundaries should serve to define the edge of the Green Belt.

7.3 Overall, is the approach to setting Green Belt boundaries clear, justified and effective and is it consistent with national policy?

3.18 No. The evidence base utilised by the Council for identifying requirements for sustainable development, particularly for educational provision, is either out of date or non-existent in some cases. It is contrary to the objectors' own detailed evidence, with which the LPA must engage, collaborate and seek to meet. Therefore, requirements for sustainable development have not been identified and/or met adequately, even though this is the requirement of the NPPF and the Local Plan's own strategy.

3.19 Boundaries have been defined with the overriding objective of maximising the area of the Green Belt, with inadequate reference to the Local Plan strategy to justify the designation where it is in direct opposition to Local Plan policies.

3.20 Boundaries are proposed intersecting sites, such as schools and colleges, inhibiting their development opportunities.

3.21 Convoluting boundaries are proposed in some circumstances, when alternatives using physical features that are readily recognisable and likely to be permanent are close by.

3.22 Boundaries are proposed for very small areas that are not able to serve a Green Belt purpose.

3.23 Inadequate allocations are proposed to meet local plan policy objectives, resulting in the need to amend the Green Belt boundary within the plan period.

Therefore, the Plan is inconsistent with the NPPF and unsound. It is contrary to the NPPF policies set out in section 2.

York Emerging Local Plan Examination in Public Phase 2 Hearings: Matter 7 Approach to Setting Green Belt Boundaries. Response on behalf of the University of York, York St John University, Askham Bryan Agricultural College York and St Peter's School York

However, the Plan can be made sound by Main Modifications to the detailed Green Belt boundaries, as set out in previous Reps.

Janet O'Neill MRTPI,
Director

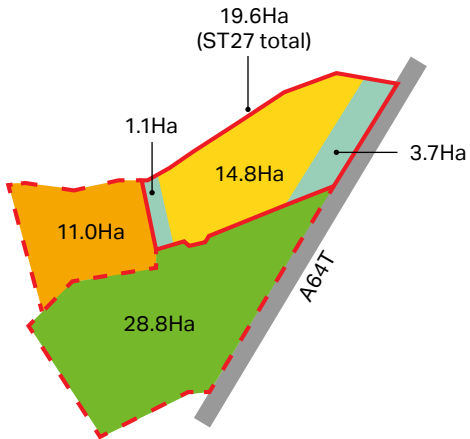
(EiP session on green belt.24.3.22.v5)

Campus East









Extension proposal

23.02.2022 / Rev 05

Campus East extension: Zoning and areas



Key: extension proposal (right)

-  Existing building
-  Social / hub building
-  Residences
-  Academic building
-  Business / collaboration building
-  Research building
-  Multi-storey car park
-  Campus East
-  Campus East extension ST27
-  Additional allocation proposed by the University



Campus East Extension proposal

23.02.2022 / Rev 05

Campus East (existing - north of lake)				
Building	Use	Floorplate area GIA (sqm)	Floors	Total building GIA (sqm)
1	Residential	438	4	1752
2	Residential	438	4	1752
3	Residential	1044	4	4050
4	Residential	673	4	2659
5	Residential	685	3	2055
6	Residential	1688	3	4208
7	Residential	673	4	2658
8	Residential	435	3	1905
9	Residential	438	4	1752
10	Academic	1092	3	3275
11	Residential	750	3	2250
12	Residential	900	3	2700
13	Residential	900	3	2700
14	Residential	500	4	2000
15	Residential	1300	4	5200
16	Residential	900	3	2700
17	Residential	1350	4	5400
18	Residential	500	3	1500
19	Business / collaboration	1100	3	3300
20	Business / collaboration	1300	3	3900
21	Business / collaboration	1350	3	4050
22	Business / collaboration	1200	3	3600
23	Academic	1200	2	2400
24	Academic	1000	3	3000
25	Academic	900	3	2700
26	Academic	1000	2	2000
27	Academic	900	2	1800
28	Social / hub	1200	1	1200
TOTAL				78466

Campus East (existing - north of lake)			
Use	Total building GIA (sqm)	% total	
Residential	47241	60%	
Academic	15175	19%	
Social / hub	1200	2%	
Business / collaboration	14850	19%	
TOTAL	78466		

Campus East (extension - south of lake)			
Use	Total building GIA (sqm)	% total	
Residential	49380	28%	
Academic	51650	29%	
Social / hub	16000	9%	
Business / collaboration	39900	23%	
Research	15200	9%	
Multi-storey car park	4900	3%	
TOTAL	177030		

Campus East (extension - south of lake)				
Building	Use	Floorplate area GIA (sqm)	Floors	Total building GIA (sqm)
29	Residential	960	3	2880
30	Residential	450	4	1800
31	Residential	400	4	1600
32	Residential	400	3	1200
33	Residential	1000	4	4000
34	Business / collaboration	1200	3	3600
35	Business / collaboration	1200	3	3600
36	Business / collaboration	800	3	2400
37	Business / collaboration	800	3	2400
38	Business / collaboration	1200	3	3600
39	Business / collaboration	1200	3	3600
40	Residential	900	3	2700
41	Residential	600	3	1800
42	Residential	600	4	2400
43	Residential	650	4	2600
44	Academic	950	3	2850
45	Academic	800	4	3200
46	Academic	2450	3	7350
47	Social / hub	2200	4	8800
48	Academic	1000	3	3000
49	Academic	1000	4	4000
50	Academic	2400	3	7200
79	Social / hub	1000	1	1000
UoY Proposed Additional Area Total				77580
51	Social / hub	1200	4	4800
52	Academic	950	4	3800
53	Academic	1650	3	4950
54	Business / collaboration	1050	4	4200
55	Business / collaboration	800	3	2400
56	Residential	750	3	2250
57	Residential	400	4	1600
58	Residential	400	4	1600
59	Academic	1000	4	4000
60	Academic	1000	4	4000
61	Academic	1000	4	4000
62	Residential	650	3	1950
63	Residential	1050	3	3150
64	Residential	300	3	900
65	Residential	600	3	1800
66	Residential	900	4	3600
67	Academic	1100	3	3300
68	Business / collaboration	2100	3	6300
69	Residential	850	3	2550
70	Residential	450	4	1800
71	Residential	450	4	1800
72	Business / collaboration	2600	3	7800
73	Residential	900	3	2700
74	Residential	900	3	2700
75	Research	2000	2	4000
76	Research	2000	2	4000
77	Research	3600	2	7200
78	Multi-storey car park	2450	2	4900
ST27 Total				98050
80	Social / hub	600	1	600
81	Social / hub	300	1	300
82	Social / hub	500	1	500
Landscape Buffer Total				1400
TOTAL				177030



Campus East extension proposal