

York Local Plan Examination
Statement of Common Ground between
The City of York Council and
St Peter's School York (ref 883)

July 2022



1. Introduction

1.1 The purpose of this Statement of Common Ground is to inform the Inspectors and other interested parties about the areas of agreement and outstanding areas of disagreement between the Council and St Peter's School, York in respect of proposals in the Emerging York Local Plan.

2. Background to St Peter's School

2.1 St Peter's School is an independent school which caters for pupils aged 2 to 18, founded in 627AD. Its 17.4ha campus is located in the centre of the city on A19, Clifton. Its senior school and pre-preparatory school are both located at the north-eastern edge of the campus and the preparatory school is located towards the south-west. The school has urban development beyond its boundaries to the west, north and east also the south across the River Ouse. Immediately beyond the south-western boundary is a 4m high flood bank, public open space and the river.



Map 1 St Peter's School Upper and Lower Campus including playing fields

2.2 The School's built facilities range from historic listed buildings within a conservation area, more recent inefficient stock, to modern efficient buildings of high design quality. The school has a strong ethos of sport; its campus includes a range of sports pitches and facilities.

2.3 St Peter's is a large school with a pupil role of over 1200. It was recently awarded TES Independent School of the Year 2021 and was The Sunday Times Northern Independent School of the Year 2019.

2.4 The school's campus is constrained by factors such as heritage constraints, serious flood risk, (zone 3), level changes on the site and the restricted extent of the campus which is closely bounded by neighbouring development on all sides. The lower campus is not within the conservation area and has a single listed building.

3. Key policy and evidence base context

3.1 The most relevant Plan Policies:

- ED6: Preschool, Primary and Secondary Education
- DP1: York Sub Area
- DP2: Sustainable Development
- SS2: The role of York's Green Belt
- GB1: Development in the Green Belt

3.2 The most relevant NPPF (2012) paragraphs are:

- §72 provides great importance attached to ensure choice of school places
- §85 provides criteria for defining green belt boundaries

Topic Paper 1: Approach to Defining Green Belt Addendum (2021)

3.3 The Green Belt boundaries around St Peter's School are described in TP1 Annex 3 of the Green Belt Addendum EX/CYC/59c at pA3:204 to A3:211. The Council's detailed assessment for Inner Boundary Section 3, Boundary 9 considers that the boundary should follow the built footprint of the school buildings and the church. The assessment concludes that the land beyond this boundary is considered to have an important Green Belt function and purposes in relation to each of the three purposes identified as relevant to the York Green Belt.

- Purpose 4 – Preserving the historic setting of York
- Purpose 1 – Preventing unrestricted sprawl
- Purpose 3 – Safeguarding the countryside from encroachment

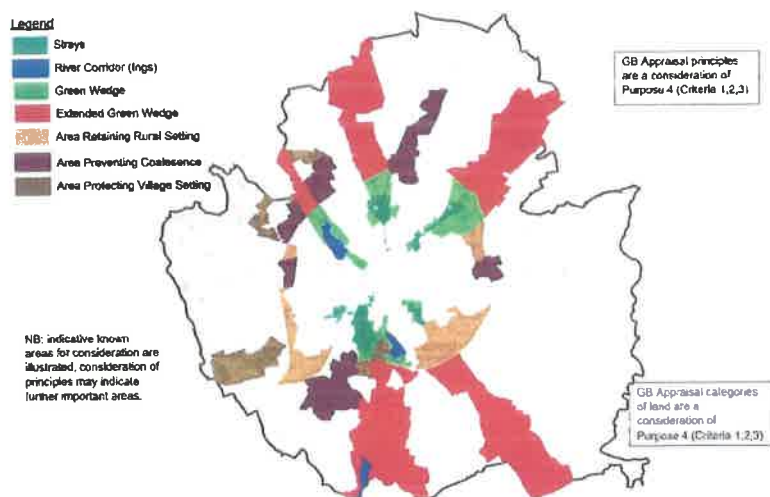
3.4 The proposed boundary in TP1 Annex 3 represents a modification to the boundary previously submitted in the City of York Local Plan (2018) as detailed in Annex 6 of the Green Belt Addendum EX/CYC/59h at pA6:16 (PM 75). The amended boundary is shown

below in red with the yellow to the south representing the original, larger area of the school which was not within the green belt.



*Extract from TP1 Annex 6 (EX/CYC/59h) Proposed Detailed Inner Green Belt Boundary
Modification: PM75 St Peters School*

3.5 The lower campus is located within the Green Wedge C6 (Extension to Rawcliffe Meadows and Clifton Ings) as shown in Annex 1 of the Green Belt Addendum (EX/CYC/59a, Evidence 11b). TP1 Green Belt Addendum EX/CYC/59 sets out the importance of the Strays, Ings, Green wedges and extensions to Green wedges to Strategic Principle 7 (p38) and the assessment of Purpose 4. They form a relevant consideration in assessment criteria 1, 2 and 3 for Purpose 4 (p72-75).



Extract from TP1 Annex 1 (EX/CYC/59a) Evidence 11b – The Approach to the Green Belt Appraisal (2003) and Updated (2011 & 2013) Categories of Land

4. Areas of Agreement

4.1 Both parties agree that St Peter's School is an important education establishment in the city bringing significant economic and social benefits. The continued growth of the school is supported by both parties and it is agreed that the Local Plan policy context reflects and supports this, particularly Policy ED6 related to enhanced school facilities. Both parties agree with TP1 Addendum §4.46 to provide the quality and choice of learning and training opportunities thereby contributing to making York a world class centre for education.

5. Areas of Disagreement

5.1 The crux of the Areas of Disagreement for the School relates to whether the proposed Green Belt boundaries in relation to the School are compliant in relation to policy contained in the 2012 NPPF including:

- §17 regarding the need to objectively identify and meet the housing, business and other development needs of an area
- §84 on the need to promote sustainable patterns of development when drawing up green belt boundaries
- §85 providing the criteria that LPAs must consider when defining Green Belt boundaries, in particular on whether:
 - the boundaries are consistent with the Plan strategy for meeting identified requirements for sustainable development in relation to the University;
 - the boundaries include land which it is unnecessary to keep permanently open;

5.2 That is, whether the proposed Green Belt boundaries around the school are policy compliant (NPPF§85) including:

- i. does the Plan make provision for sustainable development based on the needs of the school?
- ii. the extent to which the permanence of the proposed Green Belt Boundary is threatened? and
- iii. whether the proposed Green Belt boundary is readily recognisable?

5.3 Whether the Plan is based on up-to-date evidence in relation to the school's needs (NPPF §158 and §162)

- o Evidence was submitted on behalf of the school in July 2019 (EX/CYC/21d) and July 2021 (EX/CYC/66i);

5.4 The extent of the constraints faced by the School in meeting its development needs on campus within areas outside of the Green Belt

- o Evidence submitted in July 2021 (EX/CYC/66i) includes:
 - 15 year Development Masterplan prepared by MBO Architects which identifies need, constraints, and opportunities.
 - 'The Development of the School Estate to Meeting Educational Objectives' prepared by St Peter's School which provides the School's Strategic Vision and details the challenges and constraints of the physical estate;

5.5 The areas of disagreement are set out in Table 1 below:

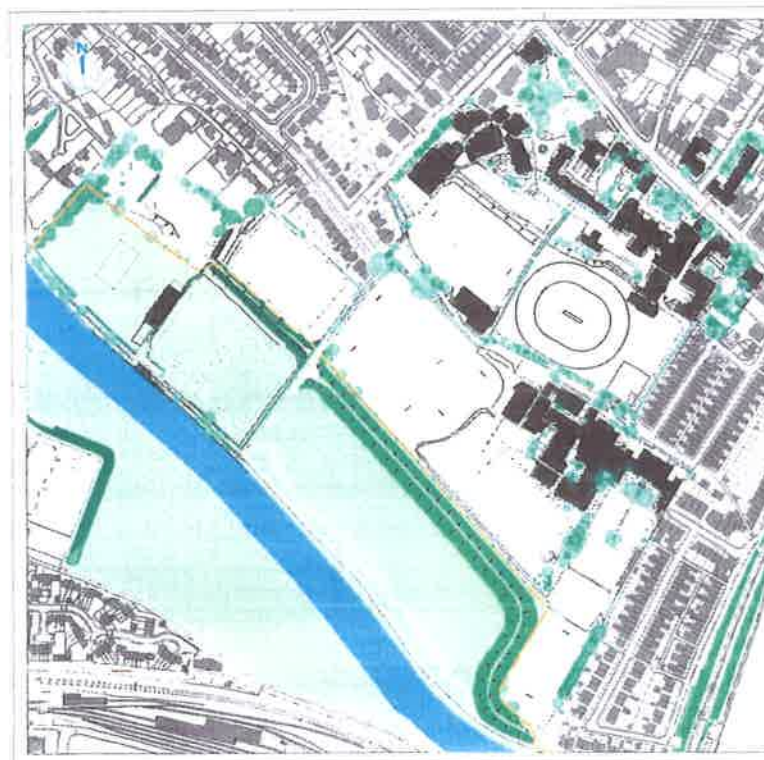
Table 1. Areas of Disagreement

Topic	St Peter's School Comment	City of York Council Response
Green Belt boundary and growth requirements	Despite the strong policy support for education development in the NPPF and in the emerging Local Plan, the lower campus is proposed to be within the Green Belt, thus extinguishing its potential for replacement or augmented building projects. Reliance on establishing very special circumstances for planning applications is not a firm foundation on which the future estates strategy of the school could be based. It will be very difficult, if not impossible, for the school to plan with confidence for a multi-phase campus masterplan, spread over several years, with the uncertainty of having to apply for special permission on each occasion.	The inclusion of the lower campus within the Green Belt does not extinguish any potential for redevelopment. As noted in the Areas of Agreement above, the Council is supportive of the growth of the School. Although the School has prepared a masterplan for the redevelopment of the site, there have been no pre-application discussions on this. The appropriate mechanism for any proposed redevelopment or replacement projects will be for the School to submit a planning application and demonstrate very special circumstances if required

		At this point in time, the School has not submitted a planning application or undertaken any pre-application discussions and therefore a consistent and proportionate approach has been taken in defining the Green Belt boundary.
Green Belt boundary and policy compliance	The Green Belt boundary proposed is not compliant with NPPF 2012 §85 as it is not consistent with the Local Plan Strategy, i.e. it is contrary to its policies supporting provision for education quoted above.	The proposed boundary is consistent with the Local Plan Strategy and the Green Belt methodology. It is therefore NPPF compliant and sound.
Green Belt permanence and growth	The Green Belt boundary proposed is not compliant with NPPF 2012 §85 as it will not ensure permanence of the Green Belt boundary because the boundary inhibits the school from catering for its legitimate growth and enhancement objectives, thus pressure to revise the Green Belt boundary to allow such growth will become immediate.	There is no evidence that the School cannot sufficiently rationalise and reorganise the school buildings using land within the urban area. The submitted masterplan only considers the option of utilising land beyond the proposed Green Belt boundary. Although the School has prepared a masterplan for the redevelopment of the site, there have been no pre-application discussions on this and there are no pending planning applications beyond the proposed Green Belt boundary. The boundary therefore provides permanence.
Green Belt boundary and permanence	The Green Belt boundary proposed is not compliant with NPPF 2012 §85 as the proposed Green Belt boundary tightly hugs the lower school buildings in a 'doily effect' removing any development potential on the lower school site. The boundary is not clearly using physical features that are likely to be permanent since non listed buildings have a finite life, especially the inefficient ones. Several of the buildings are proposed in the school's masterplan to be demolished within the next ten years.	<p>The proposed boundary wraps tightly around the built footprint of the school. The justification for this is provided in Annex 3 EX/CYC/59c at pA3:204 to A3:211. The assessment at Annex 3 notes that there is significant development pressure on the land to the south of the proposed boundary due to the flood defence embankments and development pressure from St Peter's School. This risks harm to Purpose 4 and Purpose 1 (see pA3:206-208). This land forms part of the Green wedge (C6) which is important to contain the compact urban form of the historic city, providing an open setting to the city, and maintaining the scale and identity of distinct areas.</p> <p>The Council does not agree that the proposed boundary is not recognisable and permanent. The School has provided a masterplan for the redevelopment of the site however no pre-application discussions have been held on this and therefore a consistent and proportionate approach has been taken in defining the Green Belt boundary.</p>



		There are no pending planning applications for the demolition of any of the school buildings. In the event that a building which formed the Green Belt boundary was demolished, it is assumed this would be replaced (given the School's need for growth) and the replacement building would represent the new Green Belt boundary.
Green Belt boundary – land unnecessary to keep permanently open	The Green Belt boundary proposed is not compliant with NPPF 2012 §85 as the proposed boundary would include land that is unnecessary to keep permanently open. The site accommodates a well established, active school which is surrounded by existing development on three sides and is part of the urban area	The proposed Green Belt boundary does not include land that is unnecessary to keep permanently open. The proposed boundary includes the school's sports pitches within the Green Belt. Outdoor sports and recreational uses are acceptable uses in the Green Belt provided they preserve openness (according to NPPF) and the school's pitches are unlit artificial pitches which preserve openness therefore representing acceptable Green Belt uses.
Green Belt purposes	The site serves none of the three purposes of Green Belt relevant to the city. Its further development would: - <ul style="list-style-type: none"> • NOT cause unrestricted sprawl because it is contained by existing development • NOT encroach into countryside due to its strong boundaries • NOT affect the setting and special character of the historic city since the site already exists as a large school. Any proposed development would be constrained to be appropriate via the normal Development Management process. 	The land to the south and west of the proposed boundary meets all of the Green Belt purposes, as set out in the assessment in Annex 3 EX/CYC/59c at pA3:204 to A3:211. Alternative boundaries have been fully explored and explained in the assessment. The proposed boundary is necessary to ensure that the function and integrity of the Green Belt is maintained.
Alternative Green Belt boundary	The appropriate permanent Green Belt boundary is shown in orange on the plan appended to this document. This is the 4m high flood bank to the south-west of the lower school boundary. This will free up the lower school campus to facilitate building replacement or augmentation. It complies with NPPF §85 in that it would: <ul style="list-style-type: none"> • Be consistent with the Local Plan strategy • Not include land which it is unnecessary to keep permanently open • Utilise a boundary that will not need to be altered at the end of the plan period 	The Council does not agree that the flood bank would represent an alternative policy compliant boundary. Alternative boundaries are explored in the assessment in Annex 3 EX/CYC/59c at pA3:206-210. This includes extending the boundary around the sports pitches thereby excluding the sports pitches from the Green Belt and also using the flood defences further south as the boundary. As outdoor sports and recreational uses are acceptable uses in the Green Belt provided they preserve openness (according to NPPF), it is considered an acceptable approach to include these within the Green Belt as the

	<ul style="list-style-type: none"> Define a boundary clearly using physical features that are readily recognisable and likely to be permanent 	<p>pitches are unlit artificial pitches which preserve openness. The assessment concludes that the alternative boundaries could cause potential harm to Purpose 1 as they could risk unrestricted sprawl occurring (see pA3:209) and could also harm Purpose 4 due to potential impacts on the openness of this part of the Green Wedge (C6) (see pA3:206). The proposed boundary is therefore sound.</p>
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Appendix A: Green Belt boundary proposed by St Peter's School shown orange

Endorsement

City of York Council		
<i>Name and Position</i>	<i>Signature</i>	<i>Date</i>
Neil Ferris Corporate Director of Place		July 2022
St Peters School		
<i>Name and Position</i>	<i>Signature</i>	<i>Date</i>
William Woolley Chair of Governors		13 th July 2022

