

City of York Council
Examination of the City of York Local Plan
2017 – 2033

Schedule of
Matters, Issues and Questions for the Examination
(EX/INS/37)

Phase 3 Hearings

Matter 2 – Universities and Colleges
Askham Bryan College Ref 613

Representations on Behalf of
Askham Bryan Agricultural College
Askham Bryan
York
YO23 3FR

5th July 202



Chartered Town Planning Consultants

York Emerging Local Plan Examination in Public Phase 3 Hearings: Matter 2 Universities and Colleges. Response on behalf of Askham Bryan Agricultural College York

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York Emerging Local Plan Examination in Public Phase 3 Hearings: Matter 2 Universities and Colleges. Response on behalf of Askham Bryan Agricultural College York

1. INTRODUCTION

1.1 This statement has been prepared on behalf of Askham Bryan Agricultural College York who have submitted representations to the Examination into the York Emerging Local Plan. The College is a Further Education (FE) and Higher Education (HE) provider with 3,400 enrolled students in the academic year 2020/21 from entry level provision to Masters degrees and by academic year 2025/26 student numbers are forecast to grown to more than 4,500. The College is one of only 11 independent specialist land-based Colleges in England and Wales and the premier land-based College in the region. It plays a strategically important role in providing skills, alongside technical and professional education thereby supporting the local, regional and national economies. The College is rated good (main inspection) and outstanding (residential inspection) by Ofsted, and has recently been awarded degree awarding powers, one of only nine colleges (from 200) to have achieved this.

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, to demonstrate that the campus should be excluded from the Green Belt and not washed over by it:

- Askham Bryan College York ref 613:

July 2021 (EX/CYC/66g) Reps in respect of whole College campus washed over by Green Belt, including a proposed Green Belt inset boundary (see Map 4 in the reps).

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 National Planning Policy Framework 2012 (the Framework) 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). Local Planning Authorities (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 LPAs 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 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 development that will widen choice in education (§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). Where villages or settlements make an important contribution to the openness of the Green Belt, they should be included within it (§86).
- 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

2.1 What are the needs of the various Universities and Colleges?

- 3.1 Representations (EX/CYC/66g) set out the development needs of the College which includes the Estate Development Plan (appendix 1 of the 2021 reps). The College has an adopted Vision to 2030 which, over the next 5-10 years, will see the College strengthen its status as a higher and further education provider, student residence provider, business incubator, and global and national centre of excellence for both the bio-economy and nature conservation respectively.
- 3.2 The College's York campus (its primary campus) requires additional built form to facilitate its expansion and continuity, in order to:
- a) **Deliver its Vision 2030 and Masterplan** (See Map 2 below) is provided in appendix 1 and Map 3 in the submitted reps EX/CYC/66g respectively. The College needs flexibility and space to consolidate its existing position and to realise its vision for the York site. This is particularly important due the unique way the College is funded and the associated bidding processes. Its aim over the next five years is to deliver a sustainable campus for the future, retaining elements of the existing estate, and developing a re-envisaged campus in accordance with the College's strategic plan, principally to provide appropriate technical and professional teaching space.
 - b) **To access funding and bids for resources** requires certainty that the College can deliver the necessary built infrastructure.

- c) **Provide for an increase in student numbers.** By academic year 2025/26 student numbers are forecast to grow by c25% to more than 4,500.
- d) **Deliver the Bio-Yorkshire initiative which is anticipated to fund a significant expansion of the College.** This major initiative is a partnership between the College, University of York and FERA Science, Sand Hutton, and strongly supported by the City Council.

Bio-Yorkshire is part of the York and North Yorkshire Devolution¹ proposal to form a Combined Authority, which has been agreed by City of York Council along with North Yorkshire County Council, Craven District Council, Hambleton District Council, Harrogate Borough Council Scarborough Borough Council, Selby District Council, Richmondshire District Council and Ryedale District Council. The City of York Full Council approved the devolution proposal on 29 October 2020 before it was sent to the Government for consideration. The devolution proposal includes:

- A £175 million bid made to develop an innovation ecosystem connecting academia, industry and policy makers, known as Bio-Yorkshire, with a further £3 million for bio-tech incubators
- A £15 million bid for a bio-tech innovation accelerator to bring visibility to Bio-Yorkshire as a global centre of excellence

The College would provide a vital contribution to York and North Yorkshire's ambition to become the nation's first carbon-negative region through innovations such as low carbon farming, sustainable high welfare/productivity food production and ensuring environmental protection. Given the dominance of agriculture in the region – the importance of supporting this initiative cannot be overstated.

¹ English devolution is the transfer of power and funding associated with specific policy areas from the UK Government to sub-regional and local governments in England. The devolution process means the transfer of certain powers, funding and decisions which would usually be taken by central government to a more local or regional level. The Government has pledged that English devolution can be a means of 'levelling up' all parts of the country and reducing regional inequalities.

- e) **Up-scale and improve productivity in the Bio-economy.** The College provides skills training and applied research as part of a global centre of excellence for the Bio-economy in the region.

In order to deliver this, the College needs the ability to develop significant physical resources on a continual basis renewing as new technologies as knowledge develops. New technology in the sector often has a significant land and physical built form requirement.

Knowing how to produce food sustainably is fundamental to human health and the fulfilment of a sustainable planet. Food security and production, alongside sustainable environments require knowledge and skills to meet current and future challenges. For UK land-based studies, under-investment in skills is identified as a factor in relatively poor productivity.

- f) **The expansion of 'business incubator' space on campus** as an offshoot of its current research and education activities, as well as Bio-Yorkshire.

- g) **Additional and replacement student housing.** There are currently 339 single occupancy residential rooms of varying quality, spread across twelve buildings. Those needing replacement or upgrading include:

- 32 rooms, currently within Portakabins which have temporary planning permission until 31st March 2026;
- 60 rooms in the main college building which date back to 1937; and
- 50 other rooms in 5 separate buildings which date back to 1960s.

New provision on campus is needed. Student numbers are planned to increase by c25%, and existing student residences are oversubscribed, currently over 800 students are reliant on daily transport with some commutes more than 2 hours. Because of the wide catchment area, buses are often run significantly under capacity which is becoming increasingly unsustainable.

Overall, at least 218 additional student bedspaces are needed comprising 142 replacement rooms and an additional 76 rooms based on short term growth but more in the later plan period.

- h) Consolidate its status as a centre of excellence for Nature Conservation, and Wildlife and Animal Conservation Management Centre as a visitor attraction with 25,000 visitors per annum, teaching facility, and community resource.
- i) **Facilitate innovation.** Business start-ups need flexible space to innovate and grow, and students are taught using the latest technologies which need to be provided within the campus. This provides a valuable supply of highly skilled, flexible members of the future workforce, contributing positively to the wider economy, environment, and broader sustainable development objectives.

2.2 *Does the Plan properly provide for the needs of the various establishments?*

- 3.3 No, the Plan does not provide for the development needs of the College. The Plan would treat the legitimate development needs of the College as inappropriate development in Green Belt, providing uncertainty for forward planning and **severely impacting upon the College's ability to bid for funds** for upgrading and modernising the built facilities which is essential to maintain the high-quality education, and meet clearly identified local, regional and national, strategically important economies. This would be seriously counter-productive to its aims and objectives, and to its contribution to the success of the Local Plan strategy.
- 3.4 Delivering the College's Masterplan (Map 3 in the 2021 reps) requires significant replacement and additional built form in the short to medium term, so that the footprint and volume would undoubtedly impact on openness of the Green Belt, despite being concentrated within the built part of the campus.
- 3.5 Policy ED7 is supportive of its growth, which is welcomed, recognising the College as THE provider of high-quality education on the rural economy and the environment serving the city and region, in terms of its major contribution to education, skills, economic growth and the contribution it will make to realising the Local Plan objective of making "York a world class centre for education". Conversely, the supporting text of ED7, which is not supported, is inconsistently based on the premise that the College should be able to expand without impacting on openness of the Green Belt which is inherently inconsistent.
- 3.6 Policies GB1, GB2 and GB3 would be applicable to development of the College site and each of these policies adds an additional layer of development constraint that goes beyond the openness test specified in the supporting text of policy ED7. The

logic of the Plan is that it professes express support for necessary development at the College, whilst also treating such development as 'inappropriate development' in the green belt, and requiring, by inference, the proving of very special circumstances.

- 3.7 There are serious conflicts between these policies and its supporting text such that the Plan is confused and contradictory.
- 3.9 The Council has reached its own conclusions, without any direct dialogue with the College, in non-evidence based, superficial overviews of the College's 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). There is a patent lack of substance and evidence underpinning key statements within EX/CYC/59 and EX/CYC/59f specifically, para 7.25 claims that:

"The capacity of existing higher education sites have been assessed for their potential to meet future needs... Askham Bryan College... is anticipated to have capacity to meet its needs without the need to reduce openness".

It is simply not understood on what basis the Council could have arrived at this conclusion. The submitted reps (EX/CYC/66g) provide strong and up-to-date counter evidence as required by §158 of the Framework.

- 3.10 The remedy:
- o Inset the built-up section of the Campus within the Green Belt (see Map 1 in appendix 1 below)
 - o revise the education boundary for College in accordance with the proposed Green Belt inset (as per Map 1 in appendix 1 below)
 - o revise the supporting text of ED7 to remove references to the Green Belt (as set out in appendix 1 below)

2.3 *Is the approach of the Plan to Universities and Colleges justified in Green Belt terms (whether in terms of Green Belt boundaries, or 'washing over')?*

- 3.11 The Plan washes over the College campus in Green Belt which is not justified. Representations (EX/CYC/66g) set out detailed objections (see section 1, 4 and 5) to the Plan in terms of the approach to the Green Belt. For the reasons set out in Paragraph 5.15 of the 2021 reps the built area of the College campus fulfils none of

the criteria set out in §85 of the Framework. There is no case to keep it permanently open and the main built area of the College campus should be inset within the Green Belt.

3.12 In assessing the College Campus as development within the Green Belt, Page 334 of EX/CYC/59f provides a short character assessment of the College with reference to EX/CYC/59 para 6.26. Not only has the Council not followed its own methodology as set out in paras 6.26-6.31 in EX/CYC/59 it fails to provide any justification or detail about the supposedly 'important contribution' the College Campus makes to the openness of the Green Belt as required by §86 of the Framework. The Council has considered no alternative Green Belt boundaries and is not the most appropriate strategy since the development needs of the College have been overlooked and there has been no assessment against Green Belt purposes.

3.13 **As a matter of principle, the proposed Green Belt boundaries include land which it is unnecessary to keep permanently open.** Policy ED7 supports the continued success of the College including any expansion of teaching administration, research and student housing. The land cannot be open in these circumstances. In relation to the College, the Plan contains irreconcilable objectives.

3.14 The 2021 Reps explain in detail 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.

3.23 The evidence base used by the Council for identifying requirements for sustainable development in relation to the development needs of the College, is either out of date or non-existent. It is contrary to the College's 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 Framework and the Local Plan's own strategy.

- 3.24 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.
- 3.26 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.
- 3.27 The Council has not published any evidence nor directly engaged with the College to justify their conclusion in §7.25 of EX/CYC/59 which states that the capacity of existing higher education sites "has been assessed" for their potential to meet future needs. This is underpinning the Council's understanding as to how the College's needs have been considered. It concludes that:

"Askham Bryan College is a rural college, which is not considered to be within the urban area and is anticipated to have the capacity to meet its needs without the need to reduce openness."

- 3.28 In fact, this conclusion is contradicted by the Council's consideration of a recent planning application submitted by the College on its campus. In granting permission (reference 20/01923/FULM dated 30 July 2021) for the erection of 2 cattle buildings, 1 hay/straw storage building, 1 enclosure, 2 tanks, and hardstanding for use as a beef rearing unit. The proposed 3 buildings are sizeable and would create floor space (1,116sq.m), the Council held that 'very special circumstances' clearly outweigh the definitional harm to the Green Belt, the harm to the openness and permanence of the Green Belt and the harm to the visual character and amenity arising from the proposed development.
- 3.29 The Council's evidence base shows the College site was considered for inseting and the justification for 'washing over' the College Campus within the Green Belt is solely contained within topic paper TP1: Approach to defining York's Green Belt, Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt EX/CYC/59f at page 334. The justification text provides nothing more than a very brief description of the area and conclusion. Given the submission date of the Plan it is evident that extant planning permission 20/01923/FULM dated 30 July 2021

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related to construction of a range of buildings and plant has not been considered which will change the character and openness of the area. The Plan must be based on up-to-date and relevant evidence (Framework §158).

3.30 It is bizarrely inconsistent that such sites have been chosen to be inset within the Green Belt, but the College has not, despite having similar characteristics, most notably: -

- Elvington Airfield Industrial Estate
- Elvington Industrial Estate
- Murton Industrial Estate/ York Auction Centre
- Northminster Business Park
- Towthorpe Lines
- York Designer Outlet (McArthur Glen).

3.31 The permanence of the Green Belt boundary and the Strategic Performance (EX/CYC/59f at page 334) in relation to the College site (i.e. *“The long term strategic permanence of the Green Belt is determined by its ability to endure over the lifetime of the Plan and beyond”*) is seriously threatened. pressure to revise the Green Belt boundaries to allow the legitimate growth of the College will become immediate. This is already apparent given recent planning permissions which add to the built footprint of the College. In its determination of planning application 20/01923/FULM the Council has unequivocally accepted that the economic and educational benefits, together with the location constraints of the College, when considered cumulatively, amount to ‘very special circumstances’ that clearly outweigh the definitional harm to the green belt, the harm to the openness and permanence of the green belt. Furthermore, the amendments to Part 7 class M of the GPDO (2015) which came into force on 21 April 2021 allows for extensions etc to colleges by up to 25% of their April 2021 footprint without planning permission.

3.32 As set out in the 2021 reps including photographs, the main area of the campus which is proposed to be inset is urbanised, suburban in character, and does not exhibit a high degree of openness.

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

3.34 The remedy is set out in paragraph 3.10 above.

2.4 Are Policies ED1-ED5 and ED7 effective?

- 3.35 Policy ED7 is ineffective and inherently undermined by the entire campus being washed over by green belt. The Council's approach to locating the College in washed over Green Belt is unduly restrictive and hugely constraining on the implementation of Policy ED7.
- 3.36 The expansion that is required to meet the development needs of the College, and Local Plan Strategy, is not possible without having a greater impact on the openness of the Green Belt than the existing development. Thus, to require the demonstration of very special circumstances for new development within the campus area is a serious impediment to the future success of the College, because funding bids require evidence of a positive planning status of any scheme. The Green Belt status denies this.
- 3.37 Furthermore, the College boundary on the Proposals Map is incorrect, illogical and unjustified. CD013N -annex 13 Pre-Publication Draft Local Plan Regulation 18 consultation statement (2018) p187-188) summarises representations made on behalf of the College as follows:

"...the area shown on the Proposals Map between the yellow shading and the A64 now has planning permission for a Wildlife and Animal Conservation Management [area]. This area has a number of animal houses that are buildings of a permanent nature. There are proposals to extend the number of animal houses in the future. The area is an important teaching resource for students, because it provides them with the opportunity to learn, and care, for a wide variety of species. It also provides an opportunity for schools to access the teaching resource. This area is, therefore, an important element of the existing teaching facilities of the College, and so it should be included within the extent of the campus designation shown on the Proposals Map."

- 3.38 Despite the representations above, and the implementation of the planning permission (reference: 16/01095/FUL dated 18 July 2016) for the Wildlife and Animal Conservation Management Centre, and CD013D page 255 (annex-3-council-executive-report-25th-january-2018-including-annex-a-and-the-associated-minutes) stating that there would be "Clarification of the extent of the boundary on the proposals map proposed in line with consultation comments", the area shaded yellow showing Askham Bryan College on the proposal map remained unchanged in

the pre-publication draft (regulation 18 consultation document September 2017, reference SD022B, and the publication draft policies map reference CD004B which is the latest iteration. In this regard the Proposals Map is contrary to the College's own detailed evidence and the LPA has not collaborated or engaged meaningfully with the College contrary to the requirements of the Framework (§158 §162)

3.39 The remedy is set out in paragraph 3.10 above.

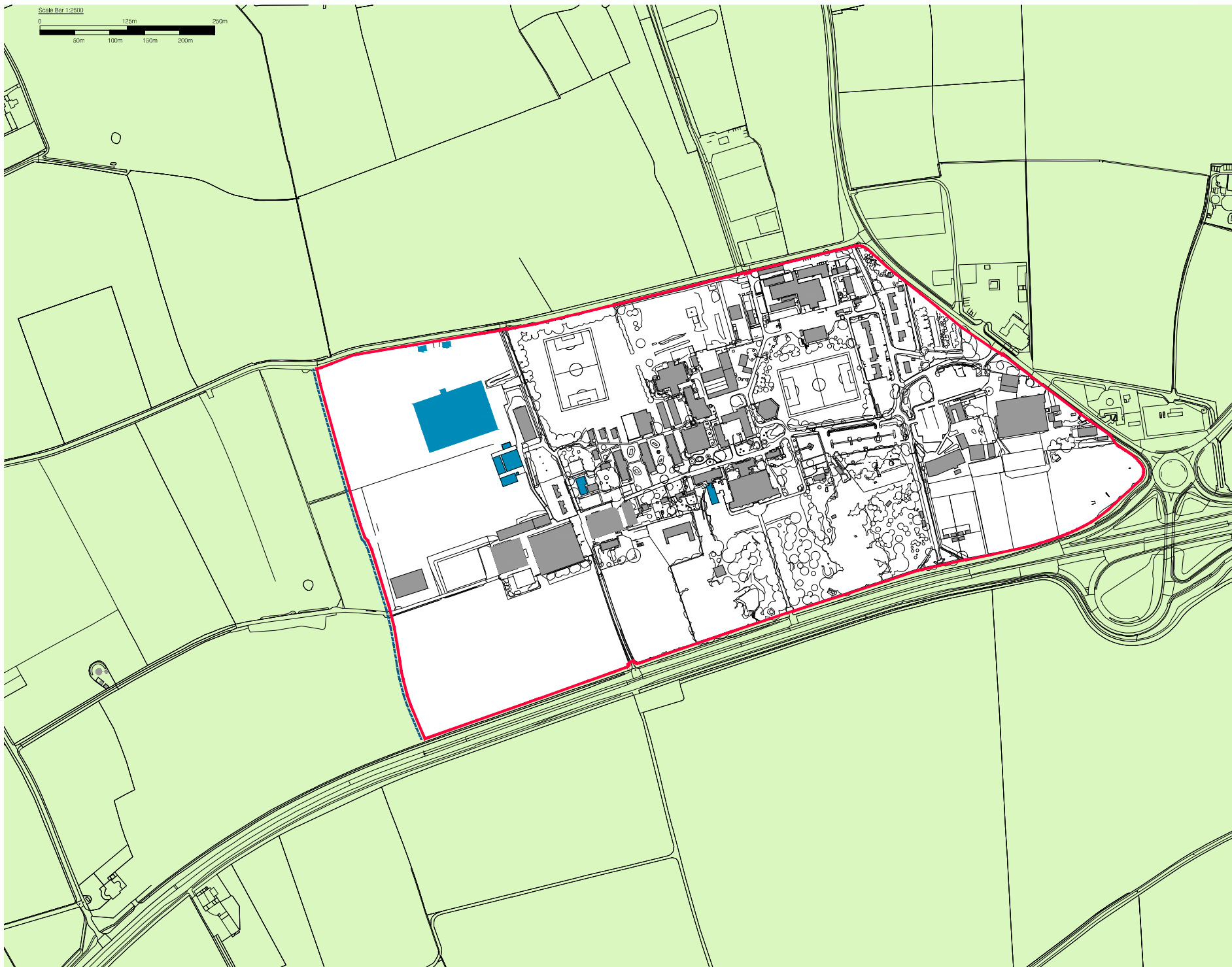
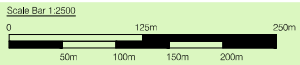
APPENDIX A

Proposed revised wording for the supporting text (paragraph 7.24 of the Plan) of Policy ED7 to remove references to Green Belt as follows:

~~“7.24 Askham Bryan College specialises in a wide range of subject areas, across a variety of sectors; offering entry level courses, apprenticeships, diplomas at a range of levels through to BSc degrees with Honours. It lies within the Green Belt. Policy ED7 supports the College in developing its operations, which however, at the same time it is important to maintain the land's Green Belt status. In doing so any future development must not have a greater impact on the openness of the Green Belt than the existing development. For more information on the plan's approach to the Green Belt please see Section 10: Managing Development in the Green Belt. Policy ED7 supports the College in developing its operations, and future development is expected to be accommodated within the built-up area of the College Campus that is inset in the Green Belt and shown as education provision on the Proposals Map.”~~

APPENDIX B

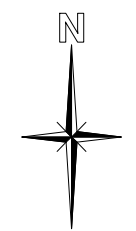
Map 1 – Proposed Green Belt Inset and Education/ Campus boundary on the Proposals Map limited to the existing built-up area of the College Campus



Note: Do not scale. Only use figured dimensions. All discrepancies to be notified to this office.

Rev	Description	Dr	Date
01	Boundary and public right of way position updated	CS	07.04.21

- Site Boundary
- Existing Buildings
- Buildings with Planning Permission or Resolution to Grant
- Green Belt
- Pedestrian Right of Way



STATUS MASTERPLAN		
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CLIENT ASKHAM BRYAN COLLEGE		
PROJECT Campus Masterplan		
TITLE Proposed Green Belt Inset Boundary		
DRAWN BY SW	CHECKED BY EMA	DATE July 2021
SCALE 1:2500 @ A1	PROJECT NUMBER 2125	
DRAWING NUMBER MP05	REV 01	

APPENDIX C

Map 2 – Proposed Campus Masterplan to 2030

Note: Do not scale. Only use figured dimensions.
All discrepancies to be notified to this office.

Rev	Description	Dr	Date
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- | | |
|----------------------------|------------------------------------|
| 1. Statement Entrance | 10. Horticulture Units |
| 2. Animal Science II | 11. Business Start Up Centre |
| 3. Wildlife Park | 12. Sports Centre |
| 4. Expanded Wildlife Park | 13. New Car Park |
| 5. Statement Landscape | 14. Agritech II |
| 6. Reception / Conference | 15. Farm Gateway / Business Centre |
| 7. Core Teaching Space | 16. Farm Platform |
| 8. Higher Education Centre | 17. Open Space |
| 9. Student Village | |

- Existing Buildings
- Building With Planning Permission
- Proposed Buildings
- Existing Trees
- Proposed Trees
- Green Space
- Sports Pitch

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PROJECT			
Campus Masterplan			
TITLE			
Proposed Development			
DRAWN BY SW	CHECKED BY EMA	DATE June 2021	
SCALE NTS @ A1		PROJECT NUMBER 2125	
DRAWING NUMBER MP01			REV 00