

From: Eamonn Keogh [REDACTED]
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To: localplan@york.gov.uk
Cc: [REDACTED]
Subject: Local plan Modifications
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Dear Sirs,

We have today submitted several representations on behalf of various clients using the Councils online consultation portal. However, for the avoidance of any doubt, and in the event of any technical issues, we attach copies of the representations submitted via the consultation portal.

Should you have any queries please get back to me.

Kind regards

Eamonn

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City of York Local Plan Modifications Consultation 27 March 2023

Response on behalf of Askham Bryan College

Consolidated Main Modifications January 2023: Modification Refs. PMM31

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1.0 Representations on PMM31: Askham Bryan (Policies Map South)

1.1 PMM31 amends both the education designation and green belt boundaries in relation to Askham Bryan College, which are considered separately below:

Green Belt boundaries

1.2 The College welcome the proposal to inset part of the campus within the Green Belt but the proposed boundaries are unjustified and contested for the following reasons:

1.3 The Council has failed to apply the Inspectors advice (EX/INS/43) that very strong boundaries of a facility should be followed rather than drawing boundaries tightly around buildings. Instead, the very strong boundaries which are defined by the A64 to the south and local roads to the north and east should be followed. As well as developed land referred to above, there are access roads, car parking, the Wildlife Park which contains animal enclosures, facilities, other infrastructure and is heavily screened to the south. This land makes little or no contribution to openness but are not included within PMM31 green belt inset. Boundaries to the College campus curtilage are significant in themselves, and more easily defensible, as shown in Appendix A and Appendix C. PMM31 is therefore inconsistent with other education designations shown in the Policies Map.

1.4 The Council's approach to justifying its Green Belt boundaries, in relation to the College, is fundamentally flawed. PMM31 green belt inset excludes land within the College campus that does not serve any of the 3 Green Belt purposes relevant to York, and there is no evidence to support the Council's case that it should be kept permanently open. The Council's justification within Table 1 of EX/SoCG/25 and Appendix 2 of the CYC Matter 2 Statement is confused and irrational. Table 1 of EX/SoCG/25 sets out the College's concerns with the Council's evidence.

1.5 PMM31 green belt inset excludes land within the College Campus containing buildings approved and recently built out for education uses (e.g. 20/02400/FUL, 20/01923/FULM and 13/02946/FULM – details of planning permissions are provided in the EX/SoCG/25. This land is directly adjacent PMM31 as shown outlined in purple in map below (Appendix B). Patently, this

developed land makes no contribution to openness, and is unnecessary to keep open.

- 1.6 PMM31 is drawn too tightly around existing buildings. This approach fails to properly consider the identified development needs and opportunities (e.g. bio-Yorkshire) of the College and city which are set out in the previous representations listed below. The tight boundary would seriously constrain the College's ability to expand and enhance its facilities which would be supported by policy ED7 but would not accord with Green Belt policy. PMM31's restrictive approach conflicts with draft policy ED7 and the wider Local Plan strategy objectives, the draft economic strategy (EX/CYC/104) and draft climate change strategy (EX/CYC/105). PMM31 requires the College to demonstrate 'very special circumstances' to develop on land that is within the education designation but outside the green belt inset. Uncertainty, regarding the ability of the College to expand, will seriously stifle funding opportunities available to the College, as set out in previous representations. The local plan should be evidence based and facilitate 'plan led' decision making.
- 1.7 The Council's justification within Table 1 of EX/SoCG/25 dismisses the Colleges local plan evidence regarding its growth requirements, including masterplan on the basis that "*there has been no pre-application discussion*" on this, and that the College can submit a planning application for its expansion. This is wholly unacceptable given a key purpose of the local plan is to make provisions for sustainable development needs of the city and the requirement to apply NPPF paragraphs 85 and 86, and contribution to the city's draft economic strategy (EX/CYC/104).
- 1.8 The revised CYC Matter 2 Statement, Appendix 2 suggests that the use of the cow/ farm sheds as 'agricultural' is a determining factor as to whether this land should be included within the green belt. Furthermore, CYC Matter 2 Statement, Appendix erroneously refers to the agricultural use of buildings which are education uses and received planning permission based on 'very special circumstances' in the green belt. The Council's justification within Table 1 of EX/SoCG/25 acknowledges these errors yet the Council's approach remains unchanged despite consideration of 'agricultural uses' not being part of the criteria contained within NPPF paras 85 and 86. Land containing large

buildings within a defined operational college campus does not make an important contribution to openness.

- 1.9 PMM31 green belt inset reverts to an earlier iteration (which does not does not include the recently completed learning resource extension, planning permission reference 20/02400/FUL) of the inset boundary and is inconsistent with the proposed boundary within EX/SoCG/25.

Education designation

- 1.10 The college has been in existence since 1948. PMM31 education designation has excluded an important access road from the A64 to the college campus. The Council has not provided a justification for its education designation boundary within PMM31 nor CYC Matter 2 Statement, Appendix 2 (as revised within EX/SoCG/25).
- 1.11 PMM31's education designation includes land which are private residences as shown as land edged in green in Appendix C. This land should be excluded from the education designation.

Remedy

- 1.12 PMM31 green belt inset and education designation should be extended as per the boundary shown in Appendix A, or alternative boundary shown in Appendix C.

Previous representations

- 1.1 These representations relate to Consultations on the Proposed Main Modifications February 2023. They should be read together with the previously submitted objections to the emerging Plan:

- [Askham Bryan College York ref 613:](#)

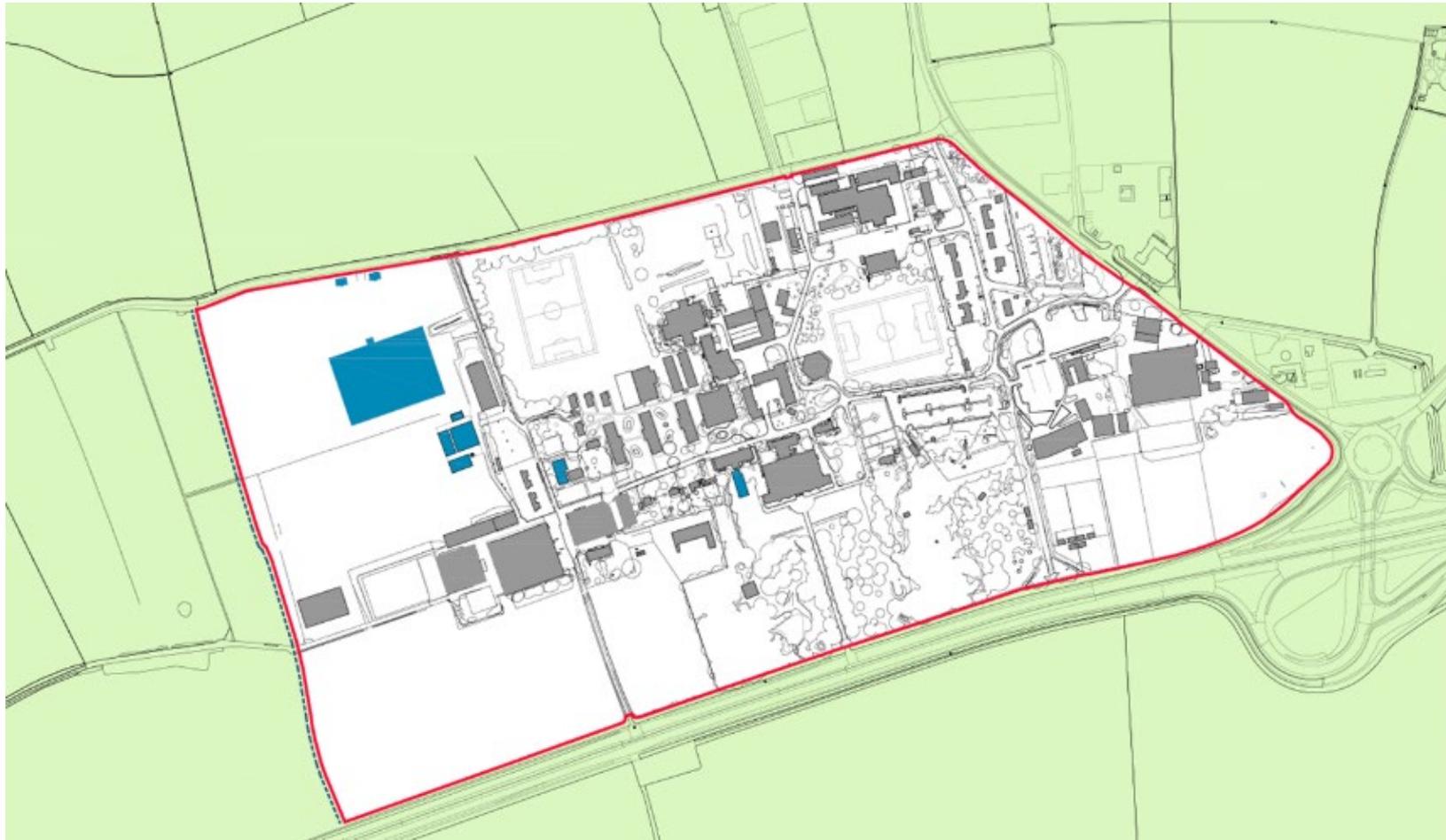
July 2021 (EX/CYC/66g) Reps in respect of whole College campus washed over by Green Belt, including a proposed Green Belt inset boundary (see Map 4 in the reps).

July 2022 (HS/P3/M2/U&C/6 and HS/P3/M3/SH/4) Reps in respect of the Inspectors Matters, Issues and Questions for the Examination

(EX/INS/37 and for Matter 2: Universities and Colleges and Matter 3:
Student Housing
October 2022 (EX/SoCG/25) Statement of Common Ground including
areas of disagreement between the College and the Council.

APPENDIX A:

Map 1 - College's Proposed Green Belt Inset and education designation based on clearly defined boundaries: A64 to the south, local roads to north and east and public right of way to west. (n/b the buildings shown in blue have been recently built out or have been granted planning permission).



APPENDIX B

Map 2 - Showing developed land (edged in purple) adjacent to PMM31 (edged/ coloured yellow) which makes no contribution to openness and is within the College Campus



APPENDIX C

Map 3 – Alternative boundary (shown as land edged in yellow and blue) for both the education designation and green belt inset. It is based on existing roads, paths and boundaries which are physically more readily recognisable than the public right of way to the west. The PMM31 education designation is edged/ coloured yellow. The proposed extension is edged in blue. The land edged in green are private houses and should be excluded from the education designation.

