

Examination of B&NES Placemaking Plan

Matter 13 – Bath’s Universities

Issue – Whether the approach to Bath’s Universities is sound

Representor: Chris Beezley

Representor Reference Number: 2

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Summary

1. Regarding student numbers and their accommodation requirements, the Placemaking Plan (PMP) is primarily informed by an out-of-date B&NES Information Paper¹. At the time of the public consultation on the Draft PMP the latest available version of the Information Paper was dated December 2015 and the PMP accordingly concludes (at Vol.2, para.229) that by 2020/21 the number of students that could be without accommodation could be 4,900 (Vol.2, para.229), rising by a further 5,500 by the end of the Plan period (para.230).
2. Following consultation on the Draft PMP, in May 2016 B&NES produced a major revision of the Information Paper² and PMP representations submitted by Bath’s two universities have been put into the public domain.
3. This statement updates the representations submitted by Chris Beezley (Representor Ref. No. 2) taking account of this revised information, and addresses Questions 2, 3, 4, 5, 6 & 8 identified by the Inspector relating to Matter 13: “Whether the approach to Bath’s Universities is sound”.

Introduction

4. In summary, PMP Representations submitted by Chris Beezley [Representor Ref. No.2] argue that:
 - a) the PMP is out-of-date in forecasting student numbers that do not take into account the universities’ recent changes in strategic priorities, e.g. The University of Bath (UoB) stabilising undergraduate numbers and growing postgraduate numbers. The PMP is therefore inconsistent with National planning policy (NPPF paras.12 & 14) and is considered unsound. The Universities section of the PMP should be rewritten to reflect the universities' latest thinking² regarding student numbers and accommodation requirements. Include a comprehensive assessment of the potential for intensifying development on the University of Bath core campus, including decked parking. If (as expected) this yields the result that student accommodation need not be built on AONB land

¹ B&NES Local Plan. Historic and Future Student Numbers and Accommodation Requirements in Bath (Part of the Strategic Housing Market Assessment). December 2015. Ref. CD/PMP/B16.

² B&NES Local Plan. Student Numbers and Accommodation Requirements in Bath (Part of the Strategic Housing Market Assessment). May 2016 (Update of December 2015 – following consultation on the Draft Placemaking Plan). Ref. CD/PMP/B16/1

that was removed from the Green Belt, delete all reference to this suggestion from the PMP [Representations 2/3, 2/4 & 2/5];

- b) the PMP should be effective, i.e. deliverable, over its period. A common interpretation of this test is that a Plan should provide enough suitable, available or achievable and viable sites for development, including sufficient infrastructure. The PMP patently fails this test in the case of student accommodation since development of the magnitude identified can neither be accommodated in the city in HMOs or accommodation blocks nor on campus due to Green Belt and/or AONB protections which preclude such major development (NPPF paras.115/116) [Representation 2/4];
- c) if sufficient suitable, available, achievable and viable sites still cannot be identified in the city (in terms of a sustainable number of additional HMOs and/or accommodation blocks) and/or on-campus (in terms of sustainable development within the non-Green Belt/AONB areas of the campuses), then require the universities to investigate novel solutions, e.g. outside Bath with sustainable transport links. Failing this, the universities should modify their growth aspirations accordingly, if necessary through additional measures/policies such as those alluded to in para.237 of the PMP:
- *'B&NES has considered additional measures/policies such as refusing teaching space when dedicated accommodation supply is generating a need for more than a certain number of HMO bedrooms. Such an approach is in place in Oxford, but it is not considered to be a tool to be deployed yet in Bath. Such a mechanism will, though, remain an option for future plan reviews.'* [Representation 2/4]; and
- d) recognising that any student numbers forecast included in the PMP will rapidly become out of date, transfer such data to a dedicated Student Housing Strategy document and restrict the PMP to high level policy – which needs to be expanded in its scope [Representation 2/5].

Conclusions

5. The B&NES Student Numbers and Accommodation Requirements Information Paper was revised after the public consultation period (May 2016) and concludes (see Appendix 1 attached) that by 2020/21 between 1,431 and 1,531 students could be without accommodation. Although this is a less critical situation than that predicted in the December 2015 Information Paper (and hence in the Draft PMP), the PMP has not been reissued to reflect this. The PMP therefore remains out-of-date and thereby unsound.
6. Furthermore, the May 2016 Information Paper is itself already inconsistent with the University of Bath's position since it assumes (at Table 5a) that the University of Bath would provide 1,000 more campus bed spaces³ by 2020/21. This is inconsistent with UoB PMP Representations 0304-24 & 0304-25 in which it is stated that:
- *"the university must prioritise the provision of further academic and research developments on campus";* and
 - *"will simply not be able to accommodate...the required bed space accommodation."*

³ 290 in 2017/18 and 710 in 2020/21.

7. Accordingly, in its Representation 0304-25 (Supporting Information 4), the UoB claims that the whole of the campus⁴ is incapable of providing the minimum of 57,000sq.m of 'critical' non-residential floorspace it claims it needs, even if new student accommodation is restricted to just 440 bedspaces (290 at Polden Corner and 150 on the Lacrosse Pitch) rather than the 1,000 assumed by B&NES' May 2016 Information Paper.
8. Hence the number of students likely to be without accommodation by 2020/21 should be increased by 560, i.e. **between 1,991 and 2,091**.
9. It should be noted that Beech Avenue Residents' Association has submitted a hearings statement that demonstrates inconsistencies with the extant campus Masterplan, how the University of Bath has grossly overstated its non-residential floorspace (NRF) requirements and how it is possible to accommodate all of its NRF needs and more than sufficient student bedspaces on the non-AONB area of its core campus to account for the identified student accommodation shortfall.

⁴ i.e including Cotswolds AONB land that has been removed from the Green Belt.

Appendix 1

10. Table 1 below summarises the findings of B&NES' May 2016 Information Paper: Student Numbers and Accommodation Requirements in Bath.

UoB = University of Bath

BSU = Bath Spa University

PSAB = Private Sector Accommodation Block

	2015/16	2020/21	Change over 5 yrs
UoB Total Students	16,419	19,000	2,581
BSU Total Students	7,400	10,742	3,342
Combined Total Students	23,819	29,742	5,923
Total students as proportion of 94,000 population	25%	32%	
UoB students needing accommodation	12,426	14,782	2,356
BSU students needing accommodation	4,228	5,909	1,681
Combined students needing accommodation	16,654	20,691	4,037
% of Total students needing accommodation	70%	70%	
No. of UoB-managed beds	4,051	5,220	1,169
No. of BSU-managed beds	1,810	2,271	461
Combined No. of university-managed beds	5,861	7,491	1,630
No. of UoB students in PSABs	88	178	90
No. of BSU students in PSABs	88	178	90
Combined No. of students in PSABs	176	356	180
Residual UoB private sector bed demand	8,287	9,468	1,181
Residual BSU private sector bed demand	2,330	3,460	1,130
Residual Total private sector bed demand	10,617	12,928	2,311

Table 1. From B&NES' May 2016 Information Paper: Student Numbers and Accommodation Requirements in Bath².

Note: The current demand of **10,617** private sector bed spaces equate to about **2,650 student HMOs**, about 6.6% of the 40,000 total dwelling stock of the city.

11. The Information Paper concludes that between 2015/16 and 2020/21 there is likely to be an increase in private sector student bed demand of **2,311**.
12. However, it is likely that between 75 and 100 further HMOs are likely to materialise (following market trends post Article 4 Direction) over those 5 years), generating between **300 and 400** beds. These would reduce the Residual Need to between 1,911 and 2,011 beds.
13. Further, B&NES estimates that approximately 480 beds would be generated from potentially suitable private sector windfall sites (e.g. former St John's School, Rear of Argos). These would reduce the Residual Need to between **1,431 and 1,531** beds.

Appendix 2

Response to the Inspector's Matter 13 Questions

14. I should like to respond to the Inspector's Questions 2, 3, 4, 5, 6 & 8.

Q2. Is the proposed strategy justified and supported by evidence?

15. No. The PMP, as currently presented, relies on the B&NES' Information Paper 'Student Numbers and Accommodation Requirements in Bath, December 2015' (CD/PMP/B16) which predicts a shortfall of about 4,900 student bedspaces by 2020/21, rising by a possible 5,500 more by the end of the Plan period. Having been compiled using data supplied by the universities in early 2015 (para.227), this data was already out-of-date during the consultation period and has since been superseded by updated university forecasts. The Information Paper was rewritten in May 2016 (CD/PMP/B16/1) but the PMP has not been reissued to reflect its very different conclusions. Furthermore, University of Bath Representations 0304-24 & 0304-25 render even the conclusions of the May 2016 Information Paper incorrect due to an inconsistent assumption regarding the claimed capacity of the Claverton Down campus to provide up to 1,000 further student bedspaces – the university states that this should be 440, although the extant campus Masterplan (CD/PMP/B19) gives a figure of 1,700.

Q3. In the absence of off-campus provision for student accommodation, what impact are the recently revised growth aspirations of both the University of Bath and Bath Spa University likely to have on the objectively assessed needs for housing in Bath?

16. The revised Student Numbers and Accommodation Requirements Information Paper (May 2016) reflects the revised growth aspirations of both universities and claims a residual need for around 1,500 student bedspaces by 2020/21 (detailed at Appendix 1 above). This number takes account of a sustainable increase in the number of HMOs and of potential 'windfall' Private Sector Accommodation Blocks (PSABs) during that period. No solution is proposed for the Bath Spa University contribution. For the University of Bath, B&NES assumes that the sensitive portion of the Claverton Down campus removed from the Green Belt (currently mainly sports fields) could provide a solution, but this land remains part of the Cotswolds AONB which is afforded special protection by the National Planning Policy Framework (NPPF). Also, the University of Bath claims (in its representations 0304-24 & 0304-25) that any further build anywhere on-campus must favour its non-residential floorspace needs and that capacity for further student bedspaces is limited to 440 - rather than the 1,700 identified in the extant campus Masterplan (CD/PMP/B19).

17. Hence, the residual need for around 2,000 student bedspaces by 2020/21 is likely to have a significant impact on the objectively assessed needs for housing in Bath.

18. Neither university is prepared to predict student numbers beyond 2020/21 – thus the longer-term assumptions made by B&NES in the Information Paper (e.g. Fig.5b) are highly questionable, particularly in an anticipated era of the universities delivering knowledge by novel off-campus methods.

Q4. Will policies within the Placemaking Plan be effective in ensuring that any additional increase in need for student accommodation will not reduce the supply of general housing?

19. No. As stated in my Representation 2/5, the PMP suggests (Vol.2, para.221) that the strategic planning framework within which the Universities need to operate comprises:

- Policy B5 on the management of further higher education-related space in certain key areas of the city [the Central and Enterprise Zones only];
- Policy SB19 - On-campus capacity, e.g. for the University of Bath on land that was removed from the Green Belt; and
- Article 4 Direction on HMOs.

20. Representation 2/5 discusses how each of these three elements is flawed and lacking in content.

21. In summary:

- Article 4 Direction with its 25% of properties threshold has been ineffective in delivering a return to balanced communities. Instead, HMO 'hotspots' have expanded. It is argued that this threshold should be reduced significantly and combined with an appropriate threshold for the proportion of HMO occupants in a given locality;
- It is suggested that Policy B5 should be expanded to cover the whole of the city to guard against a likely continuation of the proliferation of 'windfall' student accommodation blocks in preference to general housing outside the relatively small Central and Enterprise areas; and
- With regard to Policy SB19, rather than encouraging UoB to build student accommodation on the highly-sensitive Cotswolds AONB, B&NES should encourage the University of Bath to find novel ways of intensifying the existing core (i.e. non-AONB) areas of the campus in line with the extant campus Masterplan (CD/PMP/B19). Further opportunities include the use of decked car parking (in line with General Development Principle (h) of Policy SB19 but rejected by UoB) and intensifying areas of older student accommodation (particularly near the northern campus boundary).

Q5. Paragraph 17 of the CS confirms that the development of the University of Bath and Bath Spa University requires strategic policy direction in order to secure the future of each institution. Is the strategy contained in the Placemaking Plan in relation to student accommodation the most appropriate when considered against any reasonable alternatives? What alternative options have been considered to meet the more recent indications / aspirations of the universities?

22. With regard to the first question, I would refer the Inspector to my Representation 2/5 in which it is argued that, because the scale of the student housing requirement can (and does) change at any time (in either direction), student accommodation aspects of the Plan should be based on a dedicated and flexible Student Housing Strategy as proposed by FoBRA, decoupled from the PMP, which addresses such time variables as:

- What is the latest student number/accommodation forecast?
- What plans exist for further campus accommodation?
- How many more HMOs are acceptable in Bath and is Article 4 Direction working?
- How many more sites for student accommodation blocks are available and should Policy B5 provide safeguards beyond the Central & Enterprise zones?

- What maximum size of student population is sustainable?

23. With regard to the Inspector's second question under Q5, no known alternative options have been considered to meet the universities' latest aspirations. Separately⁵, the University of Bath's claimed need for non-residential floorspace is shown to be grossly overstated (using its own evidence) and it is shown how it is possible, by implementing the extant campus Masterplan, to house sufficient numbers of students on-campus without threatening the Cotswolds AONB as repeatedly suggested by B&NES.

Q6. Are relevant policies positively prepared, effective and consistent with national policy?

24. No. My representation 2/5 cites the National Planning Policy Framework (NPPF) which requires that:

- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change (para.14);
- Plans should be kept up-to-date (Core Planning Principle para.17, paras.157, 209);
- A Local Planning Authority should submit a Plan for examination which it considers is "sound" – namely that the Plan:
 - should be positively prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements (para.182);
 - should be justified, being the most appropriate strategy, when considered against the reasonable alternatives (para.182).

25. The Planning Advisory Service's Soundness Self-Assessment Checklist⁶ translates these requirements into the following questions:

- Is the Plan based on a strategy which is the most appropriate when considered against the alternatives?
- Is the Plan justified by a sound and credible evidence base which is up-to-date and convincing?
- Is the Plan flexible?
- Is the Plan deliverable, e.g. is there evidence to show that there are no national planning barriers to delivery?
- Is the Plan consistent with national policy?

26. I contend that, in assessing the need for and proposing the delivery of student accommodation in the Placemaking Plan (PMP), the answer to each of these questions is 'No'.

27. PMP Vol.2 para.221 cites Article 4 Direction on HMOs as forming part of a strategic planning framework within which Bath's universities need to operate. In PMP Representation 102/3, FoBRA has demonstrated how implementation of Article 4 Direction in Bath since 2013 has simply resulted in

⁵ August 2016 Hearings statement submitted by Beech Avenue Residents' Association.

⁶ [http://www.pas.gov.uk/local-planning/-/journal_content/56/332612/15045/ARTICLE#Soundness checklist](http://www.pas.gov.uk/local-planning/-/journal_content/56/332612/15045/ARTICLE#Soundness%20checklist)

HMO hotspots (i.e. where HMOs account for well over 25% of properties creating unbalanced communities) that already existed in 2013 expanding to twice their size in just 3 years. This contravenes NPPF paragraph 50 which states:

*“To ... **create sustainable, inclusive and mixed communities**, local planning authorities should plan for a mix of housing based on ... the needs of different groups in the community ...”.*

28. In summary, the PMP fails to comply with NPPF paras.14, 47, 50 & 115 which state that LPAs should:

- positively seek opportunities to meet the development needs of their area; Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change (para.14);
- identify a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements (para.47);
- plan for a mix of housing based on the needs of different groups in the community to create sustainable, inclusive and mixed communities (para.50); and
- give great weight to protecting the landscape and scenic beauty of AONBs (para.115).

Q8. Is the strategy sustainable over the plan period?

29. No. Neither university is prepared to predict student numbers beyond 2020/21 – thus the longer-term assumptions made by B&NES in the Information Paper² are highly questionable, particularly in an anticipated era of delivering knowledge by novel off-campus methods. It cannot therefore be predicted that the strategic planning framework within which it is claimed that the Universities need to operate (Vol.2, para.221) - comprising Policies B5, SB19 and the Article 4 Direction SPD - is sustainable over the period 2021/22 to 2028/29 even if modified as suggested by FoBRA in its PMP representations and hearings statement.