

PLACEMAKING PLAN EXAMINATION IN PUBLIC

Matter 13 - Bath's Universities

Bath Spa University Written Statement

12 August 2016



CONTENTS

| | | |
|-----|---------------------------------------|---|
| 1.0 | Introduction | 2 |
| 2.0 | Updated Evidence Base..... | 3 |
| 3.0 | Matter 13 – Bath’s Universities | 4 |
| 4.0 | Concluding Remarks..... | 8 |

APPENDICES

| | | |
|----|---|----|
| A. | A. Previously Submitted Representations..... | 10 |
| B. | B. Review of updated evidence base dated May 2016 | 11 |

1.0 Introduction

- 1.1 CBRE Ltd is instructed, on behalf of Bath Spa University ('BSU') to submit this further written statement in relation to the Bath & North East Somerset ('B&NES') draft Placemaking Plan. These comments should be read in conjunction with the representations submitted to the draft Plan in March 2015 and on 3 February 2016 (**Appendix 1**).
- 1.2 The representations submitted in February 2016 outlined the background to the University in terms of the number of students and the areas of study, and the detail of the contribution to the employment and economic benefits of the local area. In summary it was considered that the draft Plan offers protection and priority to other land uses, that it is prejudice against higher education and associated uses and therefore has not been positively prepared in line with the requirements of paragraph 182 of the NPPF. The draft Plan should be reviewed so that due weight is offered to the economic contribution and benefits of higher education uses as to traditional employment (B class) uses.
- 1.3 Since the submission of these representations, the Council has issued further Evidence Base in May 2016 (Student Numbers and Accommodation Requirements in Bath), and the Matters have been issued which the Inspector would wish to discuss at the Hearing. We take each of these in turn in the following sections.

2,335 words

2.0 Updated Evidence Base

- 2.1 Since the previous representation submission, B&NES have issued further evidence in regards to student numbers and associated accommodation requirements to support of the Placemaking Plan and to justify the decision not to include student accommodation as part of the mixed use policy. This evidence base forms part of the Strategic Housing Market Assessment.
- 2.2 A review of this evidence base has been undertaken and there are a number of inconsistencies and errors. The table at **Appendix 2** outlines these inconsistencies and where the facts and figures need to be amended, this is mainly around which dataset has been used as the evidence base and consistency around reporting. This has been sent to B&NES prior to the Examination.

3.0 Matter 13 – Bath’s Universities

3.1 The questions raised look to examine whether the approach to Bath’s Universities is sound. We remain of the opinion that the Plan has not been developed in a positive manner, and provide comment below regarding the questions which have been raised:

Question 1 – The Strategic Housing Market Assessment upon which the CS is based assumes that the expected modest growth in the student population will be accommodated through on-campus provision (CS Policy B5). With this in mind; is it appropriate to review Section 2F of the adopted CS in isolation to general housing policies and the overall strategy for Bath?

3.2 It has been demonstrated that the growth cannot be achieved solely through on-campus provision. Paragraph 2.41 of the Core Strategy outlines that growth beyond 2020 will require additional on and off campus capacity to be identified, whilst the associated policy, Policy B5, outlines that this cannot be within the Central Area, the Enterprise Area and on MoD land where it, “would affect the realisation of other aspects of the vision and spatial strategy for the city in relation to housing and economic development”.

3.3 As detailed in National Planning Policy Guidance (‘NPPG’), “student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. Notwithstanding, local authorities should take steps to avoid double-counting”.

3.4 Based on the above, it is appropriate to review Section 2F of the Core Strategy to ensure that the new projections for growth beyond 2020 and that the realisation of the economic benefit and growth the University has on Bath is taken into consideration.

3.5 It should be noted that BSU consider that their growth projections which they have provided are a robust forecast in light of ‘BREXIT’. The potential impacts of BREXIT are not yet known, however, given the make-up of the University’s student population, being mainly from the UK and its funding also from the UK Government, the growth projections as detailed in the initial representations remain robust.

Question 2 - Is the proposed strategy justified and supported by evidence?

3.6 The strategy is supported by evidence. However, as indicated in the previous section, there are a number of inconsistencies which have been identified and which need to be addressed prior to the adoption of the Plan.

3.7 We do not consider that the strategy is fully justified.

Question 3 - 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?

3.8 As detailed in the previous representations, it is BSU’s preferred approach to accommodate their growth through purpose built student accommodation either on-campus and off-campus, to ensure better quality and management. In turn this also reduces the pressure on market housing and on HMOs. BSU’s growth projections should be taken into consideration in the projections for the overall housing projections. This is set out in the NPPG as detailed above.

3.9 In terms of growth aspirations, BSU’s undergraduate non-European population has increased steadily since 2003 with more significant growth in 2013/2014 and 2014/2015. As detailed in the updated Evidence Base in May, for BSU the shortfall to 2020/21 is 1,130. Beyond this, the University expect moderate growth during the period of 2024 to 2030

3.0 Matter 13 – Bath’s Universities

which will result in the need for additional teaching space and associated facilities, along with more accommodation.

3.10

Question 4 - 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?

3.11 There is no strategy in place, as there is no direct policy which allocates sites for purpose built student accommodation for the universities. This in turn will put pressure on the market housing and the private sector and therefore in turn could see the rise in demand for further HMOs to accommodate these needs. This would have a likely detrimental effect on overall housing supply in B&NES.

Question 5 - 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?

3.12 As detailed below, we do not think that the strategy in the Placemaking Plan is the most appropriate given the lack of flexibility on the policy for the mixed use area in the revised wording for Strategic Policy B5. Recognition should be given to the economic benefits of the University.

3.13 Furthermore, in regards to Bath Spa University, Newton Park Campus, and the need for expansion of the campus to accommodate growth and the preferred option of the Core Strategy for this to be on-campus, flexibility should be given within Policy SB20 (Bath Spa University, Newton Park Campus) to reflect the future expansion requirements.

3.14 Furthermore, it is considered that acknowledgement should be given in the Plan to allow for flexibility when considering Green Belt sites for future education space and accommodation where it can be demonstrated that there are no available or deliverable sites on campus or alternative sites off-campus for development. The University would welcome this acknowledgement in the Green Belt policies to reflect the future expansion requirements of the Universities as a Very Special Circumstance.

Question 6 - Are relevant policies positively prepared, effective and consistent with national policy?

3.15 No, as detailed in the representations submitted in February 2016 the Plan has not been positively prepared, effective or is consistent with national policy. Whilst the Council state that they have prepared that Plan in line with national policy in regards to the approach to prioritising housing and economic needs regard should be given to the NPPG. This states:

Local planning authorities should plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus. Student housing provided by private landlords is often a lower-cost form of housing. Encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. Plan makers are encouraged to consider options which would support both the needs of the student population as well as local residents before imposing caps or restrictions on students living outside of university-provided accommodation. Plan makers should engage with universities and other

3.0 Matter 13 – Bath’s Universities

higher educational establishments to better understand their student accommodation requirements.

- 3.16 Whilst B&NES has engaged with BSU and the University of Bath, it is clear that they have not planned positively for the future growth requirements, and the current policy is not in line with national guidance. The Government’s aspirations for Higher Education participation has increased in recent years and has led to the removal of the admissions cap which now allows institutions in England to recruit an unlimited number of Home and EU undergraduate students. These growth aspirations should be aligned within the Plan.
- 3.17 A review of positions of other University towns and how student housing growth has been assessed in regards to the Local Plan aspirations has been undertaken. There are a number of other University Towns and Cities in the UK which experience similar issues to B&NES in managing the tensions between facilitating academic growth and the demand for other land uses. However, other cities such as Bristol and Nottingham plan positively for university growth.
- 3.18 Policy DM2 of Bristol City Council’s Development Management Policies Development Plan Document (2014) directs student accommodation towards the city centre, stating that this can help to make a positive contribution to the mix of uses within the city centre and is less likely to result in harmful impacts on residential amenity.
- 3.19 Nottingham City Council, in their emerging policy, due to be submitted to the Secretary of State in October 2016, observes that the Universities are major assets that are vital to the City’s economy and make an important contribution to the positive national and international reputation of the city, attracting substantial investments and supporting growth across a range of employment sectors.
- 3.20 Nottingham’s Aligned Core Strategy was adopted in 2014, following the publication of the Examiner’s Report in July 2014. The Report concluded that the Aligned Core Strategy was sound providing a number of modifications are made to the Plan. One of the modifications was to include a new paragraph at 3.8.9 which states that:

A further key strand of creating and maintain sustainable, inclusive and mixed communities is the encouragement of purpose built student accommodation in appropriate areas. Such developments can provide a choice of high quality accommodation for students and also assist in enabling existing HMOs to be occupied by other households, thus reducing concentrations of student households. Suitable locations are identified in the City Council’s Part 2 Local Plan.

- 3.21 A further main modification was deemed necessary to make the document sound. At Policy 4.1f), the Inspector requested that the policy wording be changed from ‘encouraging economic development associated with the universities’ to ‘encouraging the further expansion of the universities ... for their own purposes, together with economic development associated with them.’ Therefore, the requirement to facilitate the growth of the universities was a main modification recommended by the Inspector to ensure that the Aligned Core Strategy could be considered sound.
- 3.22 Therefore as outlined in our previous representations, the plan has not been positively prepared and not consistent with national policy.

Question 7 - Is there tension between Policy SB.19 and LCR5 in relation to the safeguarding of playing fields and recreational space?

- 3.23 Policy SB19 relates to the University of Bath and not relevant for comment by BSU.

3.0 Matter 13 – Bath’s Universities

Question 8 - Is the strategy sustainable over the plan period?

- 3.24 We do not consider that the strategy which has been adopted is sustainable over the plan period given the inconsistencies with the Evidence Base and the lack of flexibility in the mixed-use sites in terms of employment generating uses. We would recommend that the figures within the Evidence Base are updated. Furthermore, as outlined above, the lack of ability to sustainably plan for the University’s growth will have an overriding long term impact on the housing market.

4.0 Concluding Remarks

- 4.1 In summary, we do not consider that the current policy framework for Bath's Universities meets the 'soundness tests' as required by the NPPF due to the lack of positive planning to ensure that the growth requirements of institutions can be met over the plan period. This strategy is not sustainable and does not provide a suitable planning framework under which Bath Spa University can plan positively to meet its needs, and will likely exacerbate wider land use planning issues with regard to private housing and HMOs.
- 4.2 Universities are a key contributor to B&NES's economy, and their growth requirements should be planned for in recognition of this, to enable long term strategic visions to be realised and allow for continued economic and educational success, which benefits the entire economy of the region.
- 4.3 Therefore, the planning policy approach should be amended to allow Universities' expansion and development for both academic uses and supporting accommodation.

APPENDICES

A. Previously Submitted Representations

B&NES Council
Planning Policy Team
Lewis House
Manvers St
Bath
BA1 1JG

3rd February 2016

Dear Sir/Madam,

PLACEMAKING PLAN – DRAFT PLAN CONSULTATION (DECEMBER 2015)

CBRE is instructed, on behalf of Bath Spa University (hereafter referred to as 'BSU'), to submit representations to the Bath & North East Somerset ('B&NES') draft Placemaking Plan, which is currently open for consultation until 3rd February 2016.

BSU is a key stakeholder in Bath and the region, and welcome the opportunity to work proactively with B&NES going forward to establish a comprehensive approach to BSU's estate strategy and space requirements.

BSU have engaged with B&NES previously on general estate strategy and on a site-specific basis, and currently has a pending application for the change of use of the Herman Miller Building to D1 academic use, to allow the Bath School of Art and Design to relocate to this location (reference: 15/04810/FUL).

Background

Bath Spa University is a leading University in the South West, recognised for its teaching and research excellence. It offers a range of pre-degree, university and postgraduate degree programmes, focused primarily on arts and humanities subjects. In 2015, BSU celebrated 10 years since gaining full university status, with its history in the city dating back over 160 years.

The University currently has a core¹ of c. 6,300 students within Bath and its surrounding areas, across its five areas of study:

- Art and Design;
- Education;

¹ 'Core' excludes trans-national students, students on professional masters programmes, franchised students at partner colleges and Bath Spa Global students.

- Humanities and Cultural Industries
- Music and Performing Arts;
- Society, Enterprise and Environment.

A Research and Graduate College operates across all disciplines.

Supporting this academic base are 770 full time equivalent employees (FTE) in teaching and supporting functions. For the 2015/16 academic year alone, employee numbers have increased by c.50 FTEs.

The University has strong links and partnerships with surrounding businesses, communities and schools. In addition to providing a highly skilled workforce, it is a source of entrepreneurialism and indirect benefits through its multiplier effects.

In late 2015, Oxford Economics was commissioned by BSU to undertake research into BSU's contribution to employment and economic benefits in the local area. This Report was submitted in support of the Herman Miller change of use application, and is submitted now as additional evidence for B&NES' consideration. This report demonstrates the wider economic impact that BSU have within the City and region. Key figures highlight that:

- In 2014/15, BSU had a total economic impact, comprised of direct, indirect and induced expenditure channels, of £51.8 million, supporting one in every 91 jobs in B&NES.
- In addition to this, BSU (including its students and visitors), when assessed support one in every 49 jobs in B&NES, supporting a GVA contribution of £94million to B&NES' economy, equivalent to 2% of the local economy.
- Long-term value is added by degree-educated workers – thus giving them an increase in earning capacity/potential and overall contribution to the region's GDV.
- BSU is an importer of talent, retaining 17% of graduates who go on to find employment in B&NES.

BSU's significant contribution to the B&NES economy and employment market is clear. However, the draft Placemaking Plan fails to recognise the multiplier benefits of higher education and the University and offers no opportunity for BSU's continued success and managed growth in line with its robust projections.

We consider that the draft Plan goes so far as to offer protection and priority to other land uses, that it is prejudice against higher education and associated uses. The draft Plan should be reviewed so that due weight is offered to the economic contribution and benefits of higher education uses as to traditional employment (B class) uses.

In this context, BSU has identified a number of specific policy areas it would like to comment on, as well as clarifications to make to relevant evidence base.

Student Projections

BSU has engaged with B&NES on a number of occasions to discuss their growth and associated estates strategy which has resulted from wider UK Government Policy changes on higher education and the higher education market. BSU welcomes that the draft Placemaking Plan's recognises the changing needs of the City's universities since the Core Strategy was adopted (2014).

B&NES has prepared a 'Historic and Future Student Numbers and Accommodation Requirements in Bath' Report (December 2015) which forms part of the evidence base (Strategic Housing Market Assessment) informing the draft policies.

BSU has been approached to provide clarification of their student numbers and accommodation requirements in a particular format to enable B&NES to ensure their evidence base is robust and up to date. The information requested has been sent to B&NES previously, and will be updated and submitted in due course where necessary responding to recent questions received from Officers further to their review of the information provided.

B&NES' evidence base document was prepared ahead of receipt of this information from BSU and consequently contains a number of inaccuracies and inconsistencies as various assumptions have been made. In addition to the student numbers and accommodation requirements information requested, we therefore also enclose a schedule of comments and clarifications on the evidence base document. BSU met with B&NES to discuss this information.

Whilst BSU has welcomed the engagement with B&NES Planning Policy Team, it is considered that this retrospective approach to policy making, whereby policy is drafted ahead of preparation of a robust and up to date evidence base is inconsistent with the NPPF 'positively prepared' test of soundness. As explained later in this representation, we consider that owing to the inaccuracies and inconsistencies within the current evidence base, the policy position which emerges from this evidence should also be reviewed.

B&NES' evidence base sets out a requirement for c. 1,500 to 2,100 (although the number has been quoted much higher, in excess of 3500, on occasion²) additional bedspaces by 2020/21³; BSU's own figures indicate this figure is actually 1,100 (excluding HMO assumptions).⁴ This projected excess demand is significantly lower than B&NES' previous assumptions and therefore should be considered when assessing the policy approach and meeting BSU's need. It should also be noted that unlike other similar institutions BSU is able to demonstrate that a number of students do live at home, hence a reduction in dependency on designated student housing.

It should be noted that BSU as an institution operates within a different model to the University of Bath. A number of purpose-built student bedspaces have been delivered in recent years, on campus at Newton Park and also off campus through the use of Twerton Mill; in addition Green Park House will come on line in 2016. These developments enable BSU to meet student growth and demand, which has reduced pressure on HMOs. It is BSU's preferred strategy that growth is met through their own purpose-built development both on-campus and off-campus in the wider district, to ensure better quality and management of student accommodation, for the benefit of its students and the surrounding communities. Whilst it is acknowledged that HMOs constitute part of the student housing market, it would not be robust to rely solely on HMOs to meet BSU's projected need. Therefore, planning to meet student growth in a managed way through the development plan process is BSU's preferred approach.

² Student Accommodation (Placemaking Plan) paper, forming Agenda Item 12 at the Planning, Housing and Economic Development Policy Development & Scrutiny Panel 5th January 2016.

³ BSU is aware that the plan period is until 2029, however, given the nature of their operations do not wish to project student requirements past 2021. However, it is envisaged that growth may level off beyond 2020/21, with modest increases only. B&NES have suggested applying a 1% growth assumption from 2021 to 2029, acknowledging that growth will be modest, but that unplanned events may affect this.

⁴ The inconsistencies and clarifications in the report are caused by a number of factors, including changes to Higher Education Policy from UK Government, as well as updated figures for 2015/16, which are produced by BSU as opposed to HESA.

INTRODUCTION – SOUNDNESS TESTS

The National Planning Policy Framework ('NPPF') sets out the tests against which Local Plans should be prepared and assessed.

*NPPF 15 – 'Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that **development which is sustainable can be approved without delay**. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.'*

NPPF 182 – 'The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:

- *Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- *Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- *Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- *Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.'*

It is against these categories that we have assessed policies in the draft Placemaking Plan, as this is what makes the document 'sound'.

POLICY ON BATH'S UNIVERSITIES

Draft Placemaking Plan (draft Plan Para 211 Onwards)

As abovementioned, the draft Placemaking Plan's recognition of the changing requirements of the City's universities following the adoption of the Core Strategy is welcomed. BSU's growth needs are set out in detail in the appended data on student numbers and should replace the current evidence base.

BSU has engaged with B&NES on a number of occasions to discuss how the student number requirements translate into the University's Estates Strategy and their short, medium and long term requirements for carefully managed growth. This is given the context that future University growth at Newton Park is restrained under the existing policy framework and leasehold arrangements – meaning the University is looking for alternative sites to meet their needs. Despite this engagement, BSU has not been met with a willingness to discuss strategic options, clearly demonstrating B&NES' intention to not provide for growth of academic facilities or student accommodation.

This is reflected in the draft Placemaking Plan which does not take universities needs into consideration:

*'there is no land within the city ('city' does not include on-campus land) to enable the aspirations of the Universities (even if these were curtailed somewhat) without significant negative effects on other priorities.'*⁵

With regard specifically to BSU's ambitions the draft Plan states that:

*'No site specific deliverable solutions to enable further increases in housing supply specifically for BSU can be identified in the Development Plan at this time.'*⁶

Moreover, the proposed amendments to existing Core Strategy Policy B5 ('Strategic Policy for Bath's Universities') further restrict any BSU off-campus developments in the City (the amendments are highlighted in bold below):

- Proposals for off-campus student accommodation **or teaching space** will be refused within the central area and enterprise area where this would adversely affect the realisation of the vision of the spatial strategy in relation to for delivering housing, and economic development **(in respect of office and retail space)**.

These draft Core Strategy amendments are considered to be internally contradictory - the first point on overall approach seeks to enable, as far as possible, the aims of the Universities to be met, within the balance of sustainability and the demands of development requirements in the city, however, the final point actively seeks to refuse development within the central and enterprise area for both student accommodation and academic space, where this would adversely affect the realisation of delivering other land uses. Whilst the point on student accommodation is already within the Core Strategy, the specific reference to teaching space has been added, and therefore creates further restriction to University growth.

Furthermore the amended Core Strategy text states:

*'Whilst a number of in-city accommodation blocks have been permitted... further supply must be controlled in specific parts of the city where necessary, otherwise the housing, affordable housing and economic strategies will not be deliverable. This also applies to teaching space.'*⁷

Taken individually and together the proposed draft Placemaking Plan and amendments to the Core Strategy are contradictory to the 'positively prepared' test of NPPF Para 182 as it fails to find solutions for the identified need.

The proposed amendments to the Core Strategy, alongside the draft Placemaking Plan, essentially sets out that university development is the lowest priority land use in the City. This is unjustified and unsound. We do appreciate the pressure for development in the City Centre, but feel that the University's contribution to economic activities has not been recognised in the Placemaking Plan.

The policy makes no acknowledgement of the wider economic and community benefits of Bath's universities in terms of direct and indirect job creation, economic output, links with industry, graduate retention and other significant economic-generating activities. The economic contribution of BSU is highlighted at the beginning of this letter and quantified with the Oxford Economic Report (appended).

Furthermore, this approach is considered contradictory to the purpose and function NPPF Para 22 which seeks to prevent the long-term retention of land for economic uses where there is no reasonable prospect of the future use of the land for that purpose. The draft Placemaking Plan policy is considered to be more restrictive than and therefore inconsistent with the Para 22. Case law entrenches this position, in *DB Schenker Rail (UK) v Leeds City Council* [2013] EWHC 2865 (Admin), Her Honour Judge Belcher stated that:

⁵ Paragraph 242.

⁶ Paragraph 250.

⁷ Paragraph 253.

'NPPF 22 read as a whole clearly covers both the need to prevent long term protection of sites where there is no reasonable prospect of the allocated use coming forwards and the need for applications for alternative uses to be assessed where there is no reasonable prospect of the allocated use coming forward.' [54]

The draft policy is not positive, rather seeks to add unwarranted protection to other uses as a preference to any type of university development.

The Development Plan period is 15 years therefore restricting BSU's growth requirements for the next five years but with the potential to have significantly longer implication on the positive growth and planning of the University. It does not allow sufficient flexibility for University development, yet safeguards land for the next 15 years without a flexible approach to allow release of this for changes in market conditions.

The proposal by B&NES that universities may rely on windfall or unallocated sites (to be assessed through the development management process as per amendments to Core Strategy Policy B5) is not a robust solution for a key growing sector; particularly as the draft Plan also states that *'the scope for windfall potential is limited.'*⁸ On that basis, the draft Plan also fails to accord within the 'justified' test of NPPF Para 182 in failing to consider reasonable alternatives to meet the universities' requirements.

Employment Uses

B-class uses are protected in emerging policy, and are included within emerging site allocations, however, University development is not offered the same strategic opportunities across the plan period. A number of proposed site allocations are mixed-use in nature, and seek to deliver particular land use types. However, we would request further flexibility to allow University development to be included within this, and be permissible as a component of mixed-use developments. Considering the length of the plan period, and the likelihood of strategic priorities and targets to shift within this period, there should be acknowledgement of the role of BSU as an employment and economic activity generator and that traditional B-class uses are not the only way of securing the target jobs.

The Strategic Objectives set out targets for the delivery of 10,300 net additional jobs over the plan period. This is set out to be achieved through managed loss of industrial floorspace, and gain in office floorspace. However, the targets refer to job number delivery, and therefore should recognise where other land uses, including academic and University development, can deliver jobs and economic benefit, and that other uses can contribute to the delivery of jobs in B&NES. The wider economic contribution of BSU has not been recognised, despite their support and relationship with not only the local economy, but the national economy through the value of their academic activities supporting the creative economy. Recently published DCMS statistics highlight that the creative industries now have a net worth to the UK economy of £84.1 billion.⁹ The changing dynamics of the UK economy should be acknowledged in the Strategic Objectives, as modern industries replace traditional forms of economic generation. We have reviewed the relevant evidence base documents and have provided comments on the Lambert Smith Hampton Industrial Market Review below, however note that the Office Market Review is not available, and question how growth figures and policies can be produced without a transparent evidence base.

Therefore, University development should be permitted on allocated mixed-use sites or sites in other uses, where the economic generation and delivery of jobs is supported.

⁸ Paragraph 242.

⁹ <https://www.gov.uk/government/news/creative-industries-worth-almost-10-million-an-hour-to-economy>

Policy ED.2A

Although not an employment land user or developer, given the restrictions placed on future university development by other draft policies within this plan, BSU considers it necessary to comment on how these policies may enable its future growth to be met sustainably.

Core Employment Areas as designated by the Local Plan have been reviewed and updated for draft Policy ED.2A of the Placemaking Plan, and amended into two categories: Strategic Industrial Estates or Other Primary Industrial Estates. SIEs have a greater deal of protection, with Newbridge Riverside protected under this designation. There is a presumption in favour of their protection, and alternative proposals will require evidence of:

- a. Viability of reuse or redevelopment;
- b. The results of a marketing period of 24 months, on reasonable terms, **during a sustained period of UK economic growth;**
- c. Market signals of demand in the district and locality;
- d. The availability and quality of alternative premises.
- e. Other evidence casting doubt on related industrial supply policies.

Applicants will also need to demonstrate that non-industrial uses would not have an adverse impact on the sustainability of the provision of services from industrial premises that remained in the locality, or would not act against the development of undeveloped areas for industrial uses.

BSU do not wish to object to this policy, and agree with the ethos and role of the policy, however, consider that amendments could be made to bring the policy into full NPPF compliance, and make the policy more robust and effective, given NPPF paragraph 22 which states that:

'alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'

Therefore, we consider that a 24 month marketing period during a sustained period of UK economic growth is deliberately seeking to override the significance of market signals, as market signals will indicate likely demand which will be intrinsically tied to wider economic conditions.

Furthermore, we consider additional criteria should be added, to consider site-specific conditions which may affect the feasibility of re-use or redevelopment for economic uses, and therefore render change of use the only feasible option for the building/site. This should be done in light of the nature of the industrial land supply in Bath, and the changing industrial market in the city and region. For example, the Lambert Smith Hampton Industrial Land Review Report, which forms part of the evidence base for the Placemaking Plan, acknowledges the lack of demand for larger industrial units of lower quality. It also states that:

'Some industrial uses and premises do not sit comfortably alongside residential areas, principally heavier industrial processes under Class B2 and warehousing and distribution uses under Class B8 which in many cases have their own specific requirements in terms of building size and scale, accessibility, operational requirements including working hours.'

This demonstrates some of the site-specific factors which may be relevant when assessing redevelopment or reuse.

Lambert Smith Hampton Industrial Land Review Report (December 2015)

We note a factual inaccuracy in relation to the evidence base underpinning the policy approach. The Lambert Smith Hampton Industrial Land Review assessment is based on 'estate dashboards'. The 'estate dashboard'

for Brassmill Lane/Locksbrook Road at Appendix 3, states that Herman Miller is an occupier, and that there is 100% occupancy (and nil availability). Clearly that is no longer the case as Herman Miller vacated the significant unit at the end of summer 2015. We have also been made aware that Roper Rhodes, who occupy space in Brassmill Lane, are also departing the site in favour of taking further space in Melksham. Therefore it is our view that the 'performance' section, and potentially policy approach, require updating in light of these changes.

Summary

We would therefore propose that the plan introduce flexibility/mechanism to enable University development to be incorporated as part of mixed-use sites, or to replace elements of allocation requirements, where the designated land use is no longer required. The 15-year requirement, by virtue of its length, is incapable of predicting the market trends across this period, and therefore allocating to meet this need does not sufficiently allow this to be reduced should demand require it. We would therefore request a presumption that University development is considered acceptable in principle on sites allocated for employment-generating uses, as it is clear that University development makes a significant contribution to both economic and job generation.

BSU AND THE GREEN BELT

BSU at Newton Park (draft policy SB20)

The removal of the Major Existing Developed Sites status in accordance with the NPPF is accepted. However the statement that with regard to Newton Park, 'this is not all previously developed land' is unnecessary and should be deleted. The assessment of previously developed land should be determined solely by the development management process as it is a matter of judgement against the definition of 'previously developed land' in the NPPF.

The policy approach set out at SB20 is accepted, given the potential for some further development and flexibility with density at Newton Park, it is welcomed that there is some guidance on how this would be assessed. However, given the constraints of planning policy and land ownership terms (the Duchy of Cornwall who applies further restrictions), it will not be possible to meet the entirety of BSU's growth need at Newton Park and therefore, other solutions will need to be explored beyond this (as per the above comments under Bath's Universities).

The wider Green Belt

Historically, the University of Bath has had land in the Green Belt released to facilitate their on-campus expansion. Owing to a number of planning policy and (outside of Green Belt policy) land ownership constraints at Newton Park this option is not so readily available to BSU. Therefore we request a more flexible approach is take to development in the Green Belt elsewhere in B&NES for BSU expansion (i.e. beyond Newton Park).

In accordance with the approach to Policy SB20 in identifying that BSU expansion requirements constitute 'very special circumstances' we propose that this guidance is extended to other parts of the Green Belt. Whilst the identification of 'very special circumstances' is under the remit of the development management process, we consider that the wider Green Belt approach should be amended or supplemented to include an acceptability that university development in the Green Belt constitutes very special circumstances given limitations of development elsewhere in B&NES proposed in the draft Placemaking Plan.

We therefore propose a new policy, to allow BSU to consider sites elsewhere in the Green Belt, through clarification of the approach to 'very special circumstances' as set out in the Newton Park policy, and the

acknowledgement that BSU's role in B&NES is significant and worthy of being supported and justified through very special circumstances.

SUMMARY

The draft Placemaking Plan does not currently seek to meet BSU's needs for its future managed growth, and does not acknowledge the critical role BSU plays in the district, as an education provider and key economic and employment generator. The emerging policy position seeks to restrict University growth and expansion, and essentially designates University-related development as the lowest priority land use.

We consider the draft Policy in respect to Bath Universities and proposed amendments to the Core Strategy unsounds as they fail to meet the following NPPF requirements:

- Positively prepared – the draft policy has been prepared ahead of the preparation of a robust and up to date evidence base. BSU encloses up to date information on student numbers and accommodation requirements. The emerging policy as drafted fails to offer a solution to meet this identified need. Instead it further restricts the expansion of teaching space (in addition to student accommodation) on sites outside of BSU's existing campuses;
- Justified – this approach is not justified as it does not attempt to meet the identified need of BSU, and does not set out any specific reasons as to why this is considered to be an acceptable approach, in light of the 'positively prepared' requirement.
- Consistent with national policy – a number of areas have been highlighted to demonstrate where specific policies are not compliant with policies as set out in the NPPF.

This does not represent positive planning, as per the requirements of the NPPF, and is therefore an unsound approach.

Conclusion

We trust that this response is helpful in the further development of the Placemaking Plan and look forward to engaging with you further to address the soundness issues we have highlighted with the University policies, and the wider policy issues identified.

We reserve the position to be invited to the Examination Hearings, and request that we are kept informed of the Plan's progress.

Please do not hesitate to contact me or my colleague Phoebe Juggins (phoebe.juggins@cbre.com/ 020 7182 2132) if you wish to discuss this further.

Yours sincerely,



RACHEL FERGUSON
ASSOCIATE DIRECTOR - PLANNING

CC: Neil Latham, Chief Operating Officer, BSU
James Turvey, Estates Management Surveyor, BSU
Professor Christina Slade, Vice Chancellor, BSU
Lisa Bartlett, B&NES

B. Review of updated evidence base dated May 2016

Potential errors in the BANES Council student numbers accommodation plan

Main points

1. There is a mismatch in the numbers in some instances as Table 6 is HESA data and Table 9 appears to be internal data from SITS. This is causing confusion in the document.
2. The HESA data gives higher numbers of students. Looking at the background data it appears that this is due to the HESA data including franchised students (from Weston College so under North Somerset Council), which correctly the SITS data in Table 9 does not include.
3. The tables used in the report need to be clearly labelled to avoid confusion (with source and whether the count is headcount or FTE for example).
4. In certain cases the numbers are in the wrong places, this is detailed below.

Detailed points

| Where | Potential Error/Query |
|--------------|--|
| 3.1 | The 8,282 enrolments refers to 2016/17 (not 2015/16 as stated) – see Table 9 |
| 3.1 | 8,282 figure comes from Table 9 not table 6 |
| 3.1 | The 85% refers to 2016/17 not 2015/16 |
| Table 6 | Need to make it clear that this is a headcount and not an FTE |
| Figure 9 | Need to make clear where data is from for this figure (it appears to be from the HESA data in Table 6) but this needs to be clearly stated as later the report (in Table 9) uses different numbers which appear to be from BSU's internal SITS system and the likely difference in numbers is most likely due to HESA data including franchised students. |
| Table 6a | Needs to state the source (presume SITS data so will not match the previous HESA data) |
| 3.2 | The figure of 5,375 FT UG students is for 2011/12 not the quoted 2010/11. |
| 3.2 | Related to above the % FT UG make of total enrolment in 2011/12 is 63% not the quoted 59% |
| 3.2 | In same section quote figure 6,078 FT UG students, but this comes from Table 9 for this year 2016/17 so using two completely different tables and hence data sources. Should be using Table 9 for all of the section as HESA data in Table 6 includes franchised students who study elsewhere so should not be used in demand calculations. Best to change wording to "Whereas FT UG represented 64% (4,533) of the total enrolment in 2012/13 they are now estimated to represent 73% (6,078) in 2016/17". All this data then comes from Table 9 for consistency. |
| 3.5 | Not clear how the figure of 1,904 bedrooms for Bath Spa in 2014/15 worked out. It says initially that there were 1,664 bedrooms for Bath Spa (with the addition of 'The Gardens') and if add to this (using their 50/50 split) an extra 178 bedrooms from unaffiliated private sector developments; this makes (1,664+178) 1,842 bedrooms for 2014/15 not the quoted 1,904. |
| 2.53 | In working out the multiplier for 2012/13, can 2012/13 percentages be used instead of the ones in Table 6b which were based on the 2015/16 splits in accommodation status? |
| Table 7b | Not sure where supply number comes from for 2012/13 (1,103) |
| Figure 10 | Not clear where these number projections come from, not match projections in Table 9. Figure 10 says 10,451 students in 2020/21 (is this a headcount, is this all students?) but this does not match figure in Table 9 for 2020/21 (10,742). |

| | |
|-----------|---|
| Figure 11 | One of the trend lines not labelled (purple one) – presume this is PG students? Again not clear where these numbers are from, do not match Table 9 projections |
| 3.17 | Quotes student number of 10,792 in 2020/21 but according to Table 9 this should be 10,742 |
| Table 8 | No clear where numbers come from (cannot see in background data). Can only find yearly projected demand for rental places and these figs not match table 8. |
| Table 9 | Not clear what source is i.e. is it internal BSU SITS data and if its headcount or FTE (presume it's the former) |

Below are the points that were sent to previously BANES with regard to the December 2016 document. After looking over the May 2016 report provided by BANES it appears that the following (in red) were not addressed and/or taken on board:

| Report Paragraph | Nature of comment | Comment/amendment |
|------------------|------------------------|--|
| 1.4 | Factual correction | BSU have charitable status, but are not a charity themselves. |
| 1.7 | Supporting information | BSU consider that the growth in student numbers has indeed been met as far as possible by an increase in accommodation provision – see Waterside Court, Charlton Court and Bankside House, Twerton Mill, Green Park as well as new accommodation at Newton Park in recent years. (not in May version) |
| 3.1 | Factual correction | Should read 7,379 student enrolments, of which 7,343 individuals. |
| 3.1 | Factual correction | 6,332 full time students including 451 franchised students studying with another institution. |
| 3.1 | Factual correction | Number for 2015/16 (at 04/01/2016) is 6,882 which includes 437 at partner colleges. |
| 3.1 | Update | Full time study is at 88% as of January 2016 (check fig of 85% for 16/17) |
| Table 5 | Supporting information | Total Part Time figure for 2014/15 comprises mostly Postgraduates, of which approx. half are PMP (employed teachers taking professional development courses) run from Corsham Court |

| | | | | | | | | | | | | | | | | | | | | | | |
|------------------------------|------------------------|--|---------|-----|----------|-----|----------|----|------------------------------|----|------------------|------------|--|--|-----------------|-----|----------------|-----|--------------------|------------|--|--|
| Table 5 | Supporting information | Undergraduate total of 5,303 for 2014/15 includes 465 franchised students studying with another institution. | | | | | | | | | | | | | | | | | | | | |
| 3.4 | Factual correction | The numbers of full time students include franchised students studying with another institution. | | | | | | | | | | | | | | | | | | | | |
| 3.4 | Factual correction | 6,332 full time students including 451 franchised students studying with another institution. | | | | | | | | | | | | | | | | | | | | |
| 3.4 | Supporting information | BSU document clarifies this – only 25% of PG students require halls or Bath rental accommodation (PGCE about half of this group). Only 3% of part time PG students require halls/Bath rental. | | | | | | | | | | | | | | | | | | | | |
| 2.49 (note numbering errors) | Factual correction | <p>Please note the bed spaces for 2015/16 and 2016/17 shown below. These are the ones that have been used when calculating the demand for Bath rented rooms.</p> <table border="1" data-bbox="855 657 1744 1329"> <tr> <td>Gardens</td> <td>561</td> </tr> <tr> <td>Lakeside</td> <td>311</td> </tr> <tr> <td>Bankside</td> <td>43</td> </tr> <tr> <td>Reserved for Resident Tutors</td> <td>-6</td> </tr> <tr> <td>BSU Owned</td> <td>909</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Waterside Court</td> <td>316</td> </tr> <tr> <td>Charlton Court</td> <td>295</td> </tr> <tr> <td>Unite owned</td> <td>611</td> </tr> <tr> <td></td> <td></td> </tr> </table> | Gardens | 561 | Lakeside | 311 | Bankside | 43 | Reserved for Resident Tutors | -6 | BSU Owned | 909 | | | Waterside Court | 316 | Charlton Court | 295 | Unite owned | 611 | | |
| Gardens | 561 | | | | | | | | | | | | | | | | | | | | | |
| Lakeside | 311 | | | | | | | | | | | | | | | | | | | | | |
| Bankside | 43 | | | | | | | | | | | | | | | | | | | | | |
| Reserved for Resident Tutors | -6 | | | | | | | | | | | | | | | | | | | | | |
| BSU Owned | 909 | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| Waterside Court | 316 | | | | | | | | | | | | | | | | | | | | | |
| Charlton Court | 295 | | | | | | | | | | | | | | | | | | | | | |
| Unite owned | 611 | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

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|-------------------------------|--------------------|--|--------------|-----|--|--|---------------------|----|--|--|-------------------------------|-------------|--|--|------------|-----|--|--|--------------------------|-------------|
| | | <table border="1"> <tr> <td>Twerton Mill</td> <td>277</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Independent Housing</td> <td>13</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Bed Spaces for 2015/16</td> <td>1810</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Green Park</td> <td>461</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Total for 2016/17</td> <td>2271</td> </tr> </table> | Twerton Mill | 277 | | | Independent Housing | 13 | | | Bed Spaces for 2015/16 | 1810 | | | Green Park | 461 | | | Total for 2016/17 | 2271 |
| Twerton Mill | 277 | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Independent Housing | 13 | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Bed Spaces for 2015/16 | 1810 | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Green Park | 461 | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Total for 2016/17 | 2271 | | | | | | | | | | | | | | | | | | | |
| 2.50 | Factual correction | Please note the totals above. | | | | | | | | | | | | | | | | | | |
| Table 6b | Factual correction | 2014/15 demand was 3,589. Of 6,339; 1286 are in halls. 2303 rent in bath 2750 are with parents / own home / rent outside of the city. Therefore demand is 1,286 plus 2,303. | | | | | | | | | | | | | | | | | | |
| Table 6c | Factual correction | Refer to updated BSU data. | | | | | | | | | | | | | | | | | | |
| 3.8 | Update | BSU data shows FT growth from 5881 in 2014/15 to 8756 in 2020/21. PT 983 to 1986. (does not match figs in Figure 10) | | | | | | | | | | | | | | | | | | |
| 3.8 | Update | BSU 2020 strategy is for part of this growth to come from growing TNE (courses run at overseas institutions) (500 FTE by 2020/21) | | | | | | | | | | | | | | | | | | |

| | | |
|--------------|------------------------|--|
| 3.9 | Supporting information | In terms of further justification, of 2015/16 Masters & PMP students (1479 headcount), 1255 (85%) are in their own accommodation or outside of Bath. (this does not appear to have been incorporated) |
| 3.10 | Factual correction | This assumes that all students will want to rent in Bath, when in reality, 58% of undergrads in 2015/16 did not. (not incorporated) |
| 3.10 | Factual correction | Postgraduate courses are mainly run in Wiltshire. (not incorporated) |
| 3.10 | Supporting information | Refer to separate BSU document for justification. |
| 3.10 | Update | Bath Spa Global Update – figures have been reduced and forecast demand by 2020/21 is now a more modest total of 337. (not incorporated) |
| 3.11 | Factual correction | BSU analysis shows a need for an extra 1,100 spaces in Bath by 2021 (after allowing for the 461 at Green Park). (not incorporated) |
| 3.13 | Factual correction | 512 of 1827 First year undergrads (including franchised) were at home or renting outside of Bath. (not incorporated) |
| Table 7 | Update | BSU template shows this updated. |
| 3.16 onwards | Update | BSU template shows this updated – these sections not needed as updated evidence provided. There has been some misunderstanding and misinterpretation of some data. The numbers in the template spreadsheet have been carefully prepared based on the latest BSU data and show an expected increase of 1,100 bed spaces that need to be met by a mix of increased "Halls" (in or outside of Bath) and increased HMOs. |

Table below was used in the background data and tallies up with 2020/21 projected student numbers used in Table 9 of the May 2016 BANES report (+- 1 student):

Planned student numbers.

| | | Academic Year | 2020/1 | 2020/1 | 2020/1 | 2020/1 | Total | Total |
|-------------------|---|----------------------|------------------------|-------------------|------------------------|-------------------|-------------------------------|--------------------------|
| | | Fee Mode | Full Time | Full Time | Part Time | Part Time | | |
| Area | | Course Type | Planned Course Fee FTE | Planned Headcount | Planned Course Fee FTE | Planned Headcount | Planned Course Fee FTE | Planned Headcount |
| Core | 1 | Undergraduate | 7,146 | 7,146 | 53 | 106 | 7,199 | 7,252 |
| Core | 2 | Masters | 758 | 758 | 109 | 218 | 867 | 976 |
| Core | 2 | Phd | 21 | 21 | 94 | 188 | 115 | 209 |
| Core | 3 | PGCE | 490 | 490 | 42 | 83 | 532 | 573 |
| Core | 5 | PMP | 3 | 3 | 232 | 1,391 | 235 | 1,394 |
| Core | | Total | 8,418 | 8,418 | 529 | 1,986 | 8,947 | 10,404 |
| Franchised | 4 | Franchised | 394 | 394 | 21 | 42 | 415 | 436 |
| Franchised | | Total | 394 | 394 | 21 | 42 | 415 | 436 |
| International P&T | 6 | BSG | 337 | 337 | | | 337 | 337 |
| International P&T | 7 | TNE | 516 | 516 | | | 516 | 516 |
| International P&T | | Total | 853 | 853 | | | 853 | 853 |
| Total | | | 9,665 | 9,665 | 550 | 2,028 | 10,215 | 11,693 |
| "BSU" Students | | 1,2,3,5,6 above | 8,755 | 8,755 | 529 | 1,986 | 9,284 | 10,741 |

Red = In Template spreadsheet. "Undergraduate" per template is BSU Undergraduate + BSG. PG Taught is Masters + PGCE + PMP, PG Research is Phd.

"9,100" students referred to in strategy included Franchised, but excluded PMP. Total of those above is 9127 FTE, 9446 headcount. In addition to this, the high level strategy showed 500 TNE and 1350 BSG.

The 337 BSG above is 79 first years on IFYBM, and 258 continuing students, some in BSG, some transferred to SEE.