

## **Examination of B&NES Placemaking Plan**

### **Matter 13 – Bath’s Universities**

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

**Representor: Beech Avenue Residents’ Association, Bath**

**Representor Reference Number: 7237**

**August 2016**

### **Background**

1. In summary, Placemaking Plan (PMP) Representations previously submitted by Beech Avenue Residents’ Association (BARA - Representor No.7237) argue that:
  - (a) Policy SB19 unnecessarily, and contrary to the National Planning Policy Framework (NPPF), proposes that the substantive solution to providing accommodation for future University of Bath (UoB) students lies in developing campus land that was removed from the Green Belt but which remains within the Cotswolds Area of Outstanding Natural Beauty (AONB). In arriving at this conclusion the PMP uses an out of date student number forecast to 2020/21 and a highly speculative estimate (not endorsed by UoB) of student numbers beyond 2020/21. More recently, UoB has signalled significant changes to its growth aspirations (see CD/PMP/B16/1) and BARA’s analysis shows how these revised accommodation requirements could be fully met without the need to significantly increase private sector student accommodation in Bath (HMOs or accommodation blocks) if at all, or to build on any of the sensitive campus AONB land that was removed from the Green Belt. [Representations 7237/2 & 7237/4]
  - (b) Expansion onto AONB areas of the University of Bath (UoB) campus is unnecessary and should be a last resort since AONBs, like National Parks, enjoy the highest status of national protection. PMP proposals conflict with the National Planning Policy Framework (NPPF), the Countryside & Rights of Way Act 2000 and the acknowledged objectives of the Cotswolds AONB Management Plan; [7237/1 & 7237/2]
  - (c) As well as confirming that ‘great weight should be given to conserving the characteristics of AONBs, which have the highest status of protection’ (para.115), the NPPF (para.116) requires that alternatives are considered and an assessment of the scope to develop elsewhere is undertaken before any major development is considered in an AONB. Neither has been undertaken, for example, in respect of General Development Principle (h) of Policy SB19 which seeks to optimise UoB campus development capacity by employing decked parking. Decked parking is dismissed by UoB and features nowhere in the campus Masterplan. [7237/3]
  - (d) It is considered inappropriate for the PMP to speculate on student numbers and accommodation requirements beyond the period that the universities are prepared to provide data, i.e. up to 2020/21. Inclusion of para.230 in the PMP therefore renders the document unsound since it relies on unsubstantiated evidence beyond 2020/21. The same applies to Table 5b of the updated Evidence Base document CD/PMP/B16/1 (May 2016). Student accommodation demands to the end of the Plan period should be the subject of a dedicated and flexible Student Housing Strategy

as called for in a separate FoBRA representation (Representor No.102). Within the Student Housing Strategy:

- B&NES should define how many more HMOs and/or accommodation blocks (if any) are acceptable within the city;
- the universities should declare how many more bed spaces they are able (or prepared) to accommodate on-campus or elsewhere in the district (with locations and timescales); and
- only then should any sustainable increase in student numbers be discussed. [7237/5]

2. In a representation (0304-25) on B&NES' December 2015 Consultation Draft Placemaking Plan (PMP), the University of Bath claims that it currently has approximately 153,000sq.m of non-residential floorspace (NRF) and requires a minimum of 210,000sq.m by 2020/21 - a shortfall of 57,000sq.m. The representation includes a 2016 campus capacity assessment (Supporting Info.4) which claims that it would not be possible to deliver more than a further 51,600sq.m of NRF, even (controversially) utilising land that was removed from the Green Belt (but remains within the Cotswolds AONB), and at the expense of providing no more than 440 further student bed spaces on campus.
3. However, an earlier campus Masterplan (see Fig.1.05 at Appendix 1 below) showed that by 2009 NRF had already reached 185,000sq.m and the University has reported that, since then, a further 36,500sq.m has been added, yielding a total of 221,500sq.m, i.e. already well in excess of the University's 2020/21 requirement.
4. Even as recently as 2014 a Masterplan update shows the campus development framework able to meet all of the University's space requirements (including up to 1,700 further student bed spaces and 60,000 sq.m of NRF), importantly without encroaching on the sensitive Cotswolds AONB.
5. There is therefore a significant discrepancy between the University's own assessments of its holdings. This has major implications on the probity of the University's claim that it could be necessary to:
  - develop highly sensitive AONB land currently used as tennis courts (close to residential properties) and sports pitches; and
  - house significantly more students in the city.

## **Response to Inspector's Matter 13 Questions**

6. Beech Avenue Residents' Association wishes to respond to the Inspector's Questions 2, 5, 6, 7 & 8.

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

7. No, the evidence is inconsistent. The proposed strategy to control student accommodation purports to control the proliferation of HMOs through Article 4 Direction, of Private Sector Accommodation Blocks (PSABs) through Policy B5 and, in the case of the University of Bath, encourages the build of future student accommodation within the Cotswolds AONB through Policy SB19. All three elements of the strategy are shown to be flawed in previous representations. In the case of Bath Spa University, no solution is offered through Policy SB20.
8. In Representation 0304-25 the University of Bath now claims that it requires a minimum of 57,000sq.m of additional non-residential floorspace (NRF) on-campus and that this should take priority over student accommodation. Furthermore, in a January 2016 Campus Capacity Assessment (0304-25, Supporting Info. 4) it further claims that, contrary to the extant campus Masterplan (CD/PMP/B19), the remaining capacity of the whole campus, i.e. including AONB land removed from the Green Belt, could yield only 51,600sq.m of NRF – and only then if further campus student bedspaces are limited to 440.
9. The evidence used to support the strategy proposed in the Draft PMP is therefore out of date and inconsistent, rendering the strategy unjustified.

### **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?**

10. No. None. As explained in BARA Representation 7237/5 and FoBRA Representation 102/5, student accommodation demands to the end of the Plan period should be the subject of a dedicated Student Housing Strategy document, reviewed regularly to take account of the inevitable volatility of student number forecasting. The Draft PMP dismisses this approach at Vol.2 para.234.

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

11. No. Regarding Policy SB19, as well as confirming that 'great weight should be given to conserving the characteristics of AONBs, which have the highest status of protection' (para.115), the NPPF (para.116) requires that alternatives are considered and an assessment of the scope to develop elsewhere is undertaken before any major development is considered in an AONB. Neither has been undertaken, for example, in respect of intensifying the existing core UoB campus (e.g. implementing the extant campus Masterplan), assessing scope to develop elsewhere within the District or implementing General Development Principle (h) of Policy SB19 which seeks to optimise UoB campus development capacity by employing decked parking. Decked parking is simply dismissed by UoB and features nowhere in the campus Masterplan. In simply proposing major development on the Cotswolds AONB, Policy SB19 fails all elements of the soundness test.

**Q7. Is there tension between Policy SB.19 and LCR5 in relation to the safeguarding of playing fields and recreational space?**

12. Yes. **Policy LCR5**, which safeguards against the loss of recreational space used for sport and recreation, includes the following wording:

- *“Development involving the loss of open space (amenity green space, outdoor sports space, play space for children and youth, accessible natural green space) **will only be permitted provided it can be demonstrated that suitable replacement facilities of at least equivalent quality, quantity and community value are provided and, in the case of open space, it is not a critical component of eco/green infrastructure network and any redevelopment improves habitat connectivity**”.*

13. **Policy SB19** encourages the University of Bath to develop space currently used for sport and recreation on those sensitive eastern AONB areas of the campus hatched purple on the UoB Development Zone Map included in the PMP , Vol.2, p.125:

- *“Purple Zones (hatched) – where university-related development is acceptable in principle...guided by the Cotswolds AONB Management Plan”.*

14. UoB responded in its Representation 0304-25, which includes (at Supporting Information 4) a Campus Capacity Assessment dated January 2016. This purports to demonstrate, contrary to the extant campus Masterplan, that the remaining capacity of the whole campus is limited to 443 new student bedspaces (293 at Polden Corner and 150 on the Lacrosse Pitch) plus 51,600sq.m of non-residential floorspace (NRF) comprising:

Location	Description (all non-residential floorspace)	Floor Area (sq.m)
8W	New build academic	2,400
6W	New academic development plot with net increase of 2,500 sqm	2,500
2S	New academic development plot with net increase of 7,000 sqm	7,000
Milner	New build academic	2,400
South Car Park	New build academic	5,300
Tennis Courts	New build academic	3,600
East Car Park/ Sports Pitches	Potential development area for up to 18,000 sqm of new build academic	18,000
Opposite STV	New build academic	3,750
Supermarket	New build	500
3E	New extension	450
Library	New extension	3,500
5W	New academic development plot with net increase of 2,200 sqm	2,200
	<b>Total</b>	<b>51,600</b>

Table 1. Components of the 51,600sq.m claimed remaining capacity of the whole UoB campus for non-residential floorspace as detailed in UoB Representation 0304/25, Supporting Information 4.

15. It can be seen from the UoB January 2016 Campus Capacity Assessment (reproduced at Fig.A3 below) that a large proportion of these proposed development areas (the Lacrosse Pitch, Tennis Courts & East Sports Pitches totalling 150 bed spaces and 21,600sq.m of NRF) would involve the very loss of open space that Policy LCR5 seeks to safeguard. UoB proposes (at Representation 0304-24, Supporting

Information 1) to compensate this loss “elsewhere on the campus, through for example, the provision of 3G pitches on St John’s Field that would substantially improve the capacity of those pitches.”

16. The value of St John’s Field to the local community was clearly demonstrated during a 2007 Public Inquiry<sup>1</sup> into an application to have it designated a Village Green – which was only narrowly defeated. During that Inquiry numerous local residents confirmed how they have used the field for various recreational pursuits over more than 20 years, and continue to do so regularly.
17. In proposing the introduction of 3G pitches on St John’s Field for example, it is understood that the University would wish to include lighting to maximise usage during winter evenings. Apart from providing precisely zero “facilities of at least equivalent quantity” to the large open spaces that would be lost, it is difficult to see how such a proposal would provide “a replacement facility of at least equivalent community value” as required by Policy LCR5, when the very openness and attractiveness of much-loved St John’s Field (which remains within the Green Belt and AONB) and so demonstrably valued for recreation by the local community for generations, could be ruined in the process.
18. Notwithstanding the high level of protection afforded to AONBs, any loss of open space due to the claimed need for future university development must be fully compensated by suitable one-for-one replacement facilities of at least equivalent quality, quantity and community value as required by Policy LCR5.
19. The above demonstrates that **there is considerable tension between Policy SB.19 and LCR5 in relation to the safeguarding of playing fields and recreational space.**
20. Notwithstanding the discussion above, Beech Avenue Residents’ Association considers UoB’s arguments regarding the claimed quantity and location of campus real estate necessary for its future needs for non-residential floorspace (NRF) and student accommodation to be fundamentally flawed in terms of:
  - the extent of UoB’s claimed need for further non-residential floorspace (Appendix 1);
  - the likely demand for future campus Student Accommodation (Appendix 2); and
  - campus car parking (Appendix 3)

to the extent that it can be demonstrated how all of UoB’s aspirations for identified growth could comfortably be accommodated within the non-AONB areas of the campus.

21. As a safeguard against unnecessary future pressure on the sensitive Cotswolds AONB, BARA suggests that the PMP should include a policy which states that all opportunities to develop the UoB ‘core’ campus must have been considered and shown to have been exhausted before any possible encroachment onto the AONB is even considered. In this case, no evidence has been presented as to why the provisions of the extant campus Masterplan (2,400 bedrooms & 60,000sq.m of NRF) have somehow become ‘unachievable’.

---

<sup>1</sup> The Inspector’s report can be viewed at [https://democracy.bathnes.gov.uk/Data/Regulatory%20\(Access\)%20Committee/20070710/Agenda/10zAppendix%203%20-%20Inspector%27s%20Report.pdf](https://democracy.bathnes.gov.uk/Data/Regulatory%20(Access)%20Committee/20070710/Agenda/10zAppendix%203%20-%20Inspector%27s%20Report.pdf)

**Q8. Is the strategy sustainable over the plan period?**

22. No. As stated in BARA Representation 7237/5, it is considered inappropriate for the PMP to speculate on student numbers and accommodation requirements beyond the period that a university is prepared to provide data (up to 2020/21). Inclusion of para.230 in the PMP therefore renders the document unsound since it relies on unsubstantiated evidence beyond 2020/21. The same applies to Table 5b of the associated Evidence Base document CD/PMP/B16/1.

## Appendix 1

### University of Bath Non-Residential<sup>2</sup> Floorspace (NRF)

#### The University's Position Prior to the B&NES Placemaking Plan Consultation

23. As early as 2009, the University of Bath reported<sup>3</sup> (and reproduced as Fig.1.05 below) that its non-residential floorspace totalled 170,000sq.m and that there was capacity on the campus to increase this by 60,000sq.m and provide 2,400 student bedspaces. All such development could be accommodated within the area coloured dark purple in Figure A2 below.

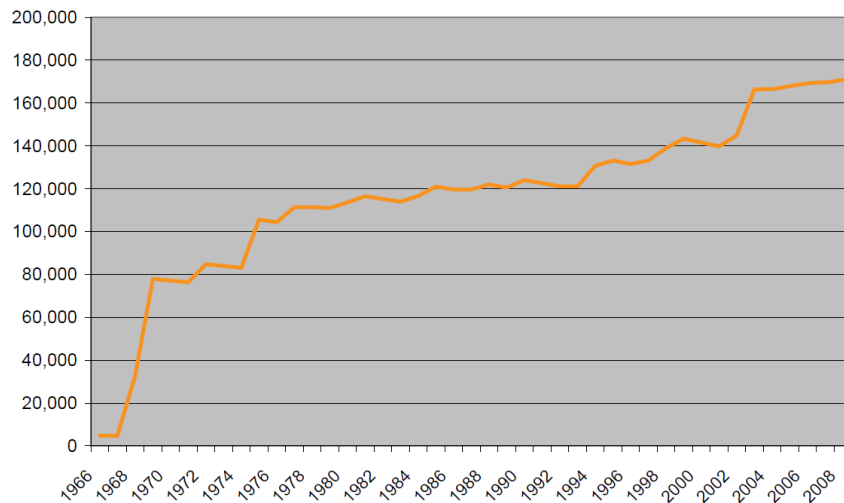


Fig.1.05 Non-residential space available from 1966 to 2008 (sq.m)

(From University of Bath Masterplan 2009-2020 (CD/PMP/B19))

24. This same level of growth aspiration is confirmed in a 2014 Masterplan update (Fig.A1 below) which identifies the development sites that could achieve such expansion:

*"The Masterplan [2014 update, p.6], therefore, looks to 2026, and includes provision for 60,000m<sup>2</sup> of academic and administrative space and 2,400 new study bedrooms."*

25. Hence, space exists within the dark purple area (Fig. A2) that could increase NRF to 230,000sq.m.

26. Figure A2 (from page 125 of the Draft PMP, Volume 2) identifies (purple hatched) two campus zones that were removed from the Green Belt, i.e. sports fields to the east of the Sports Training Village and tennis courts west of Norwood Avenue. Both zones remain in the Cotswolds AONB, and national planning policy states that AONBs, like National Parks, should be afforded the highest level of protection from inappropriate development. However, the draft Placemaking Plan positively (but unnecessarily in BARA's view) encourages the university to utilise this sensitive land to meet its expansion aspirations.

27. Comparing Figures A1 and A2 it can be clearly seen that the University's 2014 expansion plans avoid any encroachment onto the sensitive AONB.

<sup>2</sup> Non-residential = Academic + Administrative. Academic = teaching + research.

<sup>3</sup> [http://www.bath.ac.uk/estates/docs/Masterplan\\_2009\\_to\\_2020\\_Final\\_Report.pdf](http://www.bath.ac.uk/estates/docs/Masterplan_2009_to_2020_Final_Report.pdf) (CD/PMP/B19)

Figure 1.05.

28. Since 2009, UoB has increased its NRF by over 36,500sq.m (see Table A1 below taken from UoB PMP Representation 0304-25, Supporting Information 2, paras.39 to 41), bringing the total to 206,500sq.m. There therefore would appear to exist the potential for a further 23,500sq.m (of the 60,000), which would bring the total to 230,000sq.m.

East Building	4,110 sq.m
The Chancellors' Building	8,236 sq.m
1 West extension	2,714 sq.m
Centre for the Arts (net gain)	2,426 sq.m
10 West (summer 2016)	8,460 sq.m
4 East South (summer 2016)	6,035 sq.m
Milner Centre	1,787 sq.m
Manvers Street	2,800 sq.m
<b>Total</b>	<b>36,568 sq.m</b>

Table A1. Non-residential floorspace added since 2009  
(UoB figures from PMP Representation 0304-25)

The University's Position Since the Placemaking Plan Consultation

29. In contrast to the campus Masterplan and the calculations above, in representations<sup>4</sup> on the draft PMP, UoB now claims that only 153,000sq.m of NRF exist (including Manvers Street) and that the campus is unable to meet its minimum claimed NRF requirement (210,000sq.m), even by utilising large additional areas of undeveloped land within the Cotswolds AONB – the purple hatched areas in Fig.A2 below.

30. So, between 2014 and 2016 UoB has radically changed its position as summarised in Table A2 below. It is particularly puzzling how there can be such a difference in the actual non-residential floorspace that exists in 2016 (a claimed reduction of a quarter from 206,500 to 153,000 sq.m). This needs to be explained.

<b>Non-Residential Floorspace sq.m</b>	<b>2014 Masterplan</b>	<b>2016 Claimed</b>
NRF 2009	170,000	116,500
NRF added 2009-2016	36,500	36,500
NRF 2016	<b>206,500</b>	<b>153,000</b>
Remaining capacity within purple area (i.e. excluding AONB)	23,500	0
Total NRF capacity excluding AONB	230,000	153,000
Further need/capacity utilising all of AONB areas	0	51,600
Total Campus NRF Capacity	<b>230,000</b> (excl. AONB)	<b>204,600</b> (incl. AONB)
Shortfall vs 210,000 sq.m (min.)	0	5,400
Shortfall vs 225,000 sq.m (max.)	0	20,400

Table A2. Non-Residential Floorspace. Comparison of UoB Positions pre- & post-Placemaking Plan Consultation

<sup>4</sup> Representation Nos: 304/25 (Policy B5) & 304/24 (Policy SB19)



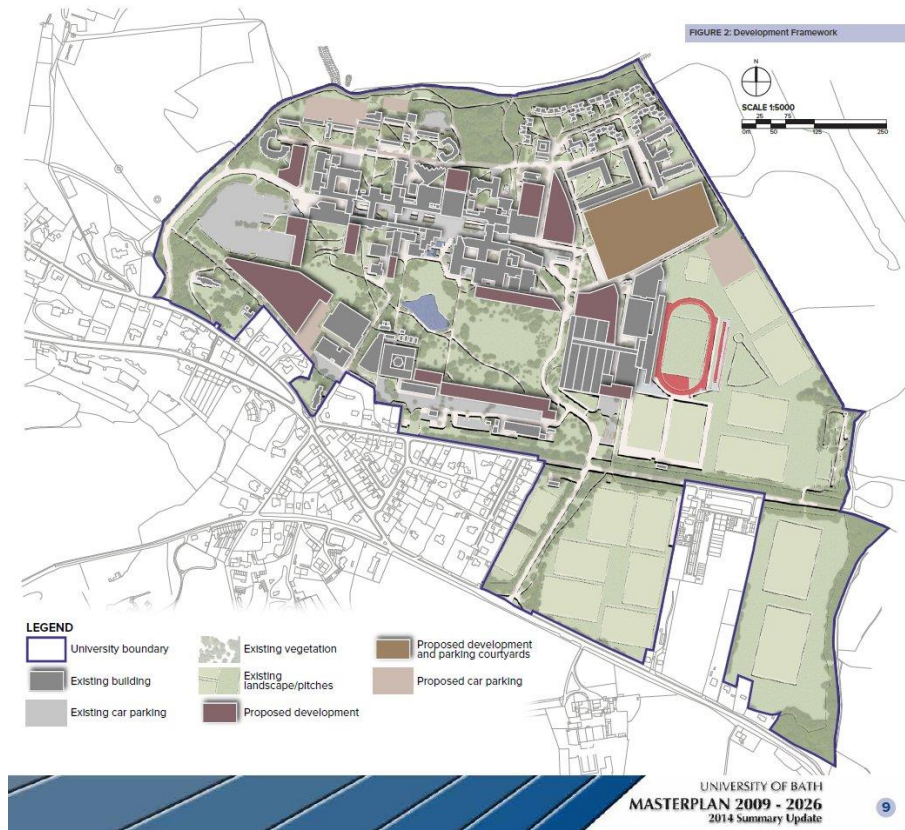


Figure A1. Campus Development Framework (from Masterplan 2014 update)

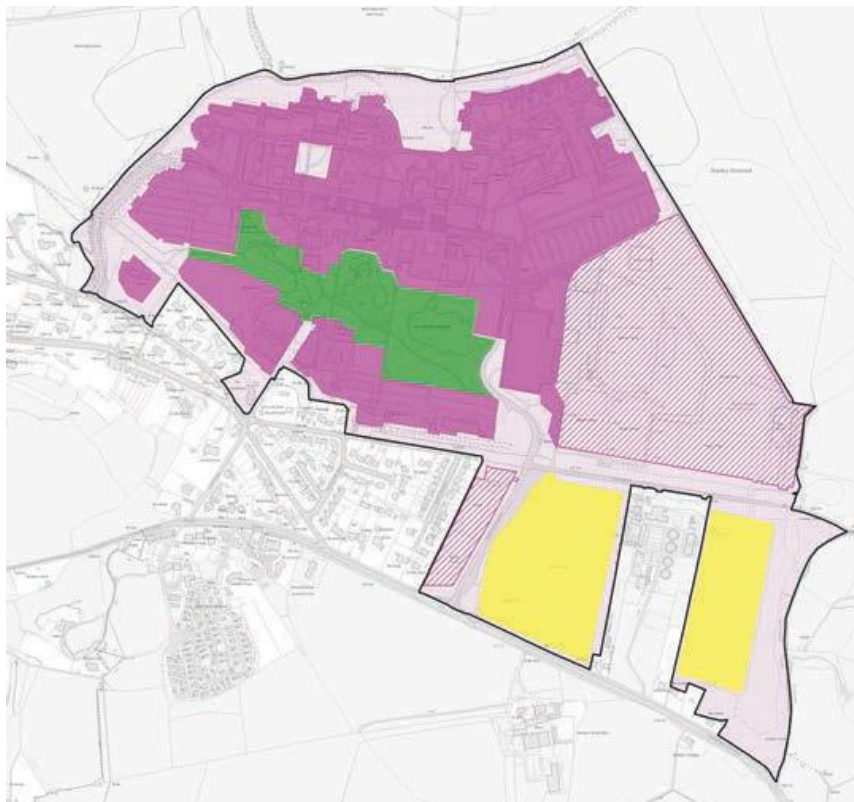


Figure A2. University of Bath Development Zone Map (PMP, Vol.2, p.125)

31. In summary, it is BARA's contention that, in claiming that only 153,000sq.m of NRF currently exist (150,300sq.m on-campus plus 2,800sq.m. at Manvers Street), UoB has significantly understated the true position to the extent that the extant campus Masterplan, plus the new campus developments agreed to have been completed since 2009, indicates this total to be understated by 53,500sq.m.
32. This apparent discrepancy more than compensates for the claimed deficit in NRF, even for the UoB's preferred maximum need for 225,000sq.m of NRF. In other words, **UOB's total claimed need for NRF can be satisfied without encroachment onto the sensitive Cotswolds AONB.**
33. The above analysis calls into question UoB's claim<sup>5</sup> that "All of the development areas included in the University's Masterplan are included in the PMP Development Framework for the campus".

---

<sup>5</sup> UoB Representation 0304-24, Supporting Information 2: 2016 Development Framework.

## Appendix 2

### Student Residential Accommodation managed by University of Bath (UoB)

34. In its PMP representations, UoB predicts Total Student numbers to peak at 19,000 in 2020/21 (Table A3) with 'growth increasingly being delivered by the use of venues outside B&NES and innovative modes of delivery beyond 2020/21.'
35. Demand has dictated that UoB has traditionally provided managed accommodation for approximately a quarter of its full-time student count. In 2012/13 the university managed 3,347 bed spaces (on- & off-campus). This total rose to 4,051 in 2014/15 with the completion on campus of The Quads. It is expected that a further 293 campus bedrooms will be provided at Polden Corner in 2017/18 bringing the total to 4,344. A final tranche of 150 bed spaces on the Lacrosse Pitch (see Fig.A3) would bring the total to 4,494.
36. Using these figures and the university's revised predicted total student numbers to 2020/21, Table A3 below shows the percentages of university-managed accommodation against total student count. It can be seen that the university's plan to provide just 443 more campus bedspaces would maintain the traditional provision for about a quarter of the total student count.

	Total Students	Total Uni-managed Bed Spaces	Percentage University Beds/Total Students
2012/13	14,455	3,347	23.1%
2013/14	14,879	3,347	22.5%
2014/15	15,461	<b>4,051</b>	26.2%
2015/16	16,419	4,051	24.7%
2016/17	17,026	4,051	23.8%
2017/18	17,630	<b>4,344</b>	24.6%
2018/19	18,090	4,344	24.0%
2019/20	18,510	4,344	23.5%
2020/21	19,000	<b>4,494</b>	23.6%

Table A3. University-managed accommodation

37. The Development Framework within the 2014 update of the campus Masterplan (Fig.A1) identifies how up to 2,400 study bedrooms could be accommodated without encroaching on any of the AONB land (purple-hatched in Fig.2) removed from the Green Belt. To date 700 have been built (The Quads).
38. In its PMP representations, UoB now proposes to build only 440 more of these (at Polden Corner and on the Lacrosse Pitch) as reflected in Table A3 above. If all 2,400 bedrooms were to be built by 2020/21 (the year the University numbers could peak) these would provide an unprecedented 34% of total students with a bed space. Indeed, in its PMP representations<sup>6</sup> UoB suggests that:
- *"The requirement to provide bed spaces for all 1st year students and a significant share of subsequent years should be deleted".*

---

<sup>6</sup> 0304-24 & 0304-25.

39. It is therefore suggested that there is no credible scenario in which it would be necessary to build any student accommodation on the sensitive purple-hatched areas of Fig.A2, which remain in the Cotswolds AONB. Figure A3 controversially suggests that the Tennis Courts (adjacent to Beech Avenue residential properties) could be developed to provide 150 bedspaces in 3-storey townhouses and that the eastern sports pitches could provide up to 800 bed spaces. Clearly, neither is necessary in any credible scenario. Notwithstanding these arguments, no explanation is given as to how the associated loss of recreational space would be compensated by “replacement facilities of at least equivalent quality, quantity and community value” as required by PMP Policy LCR5. Turning the few remaining open spaces in that scenario into lit all-weather pitches would certainly not satisfy LCR5.

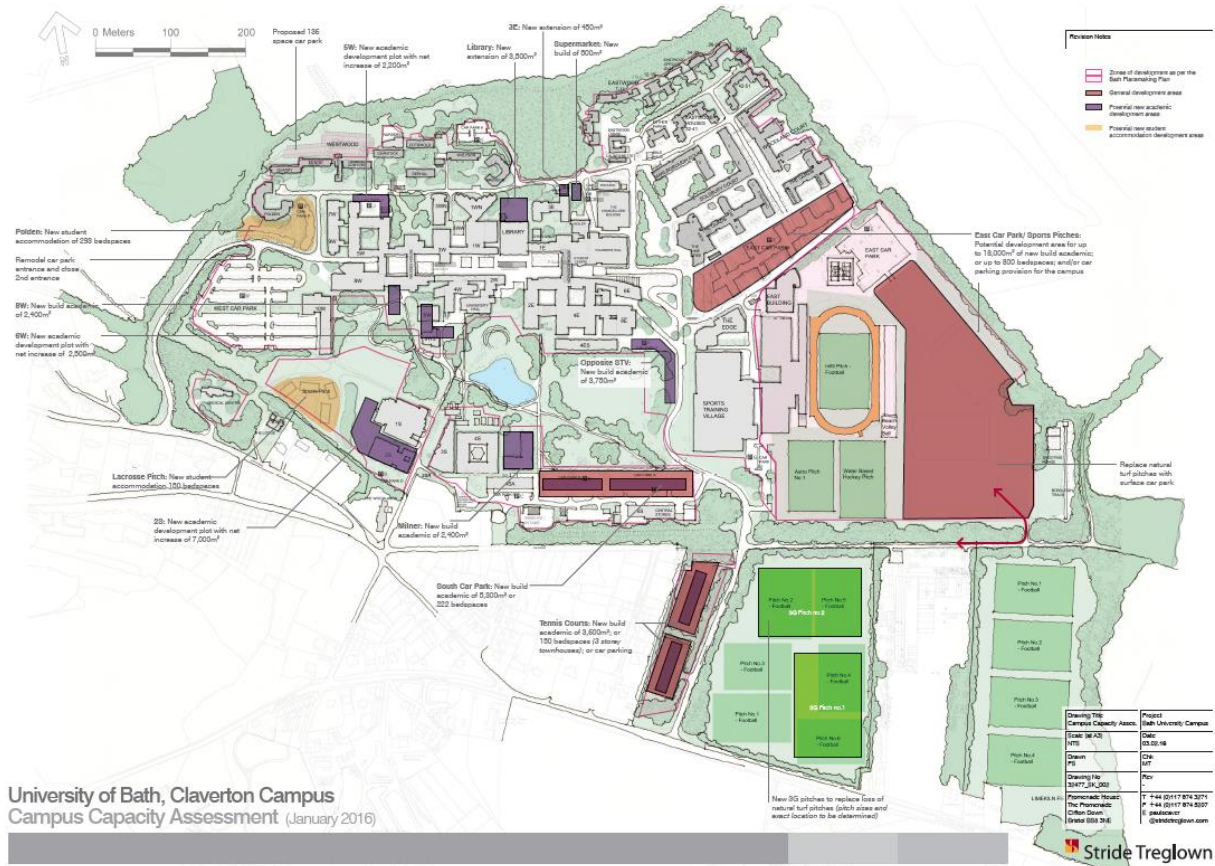


Figure A3. UoB Campus Capacity Assessment January 2016 (UoB PMP Representation 0304-25, Supporting Information 4)

## **Appendix 3**

### **University of Bath Campus Car Parking**

40. It is agreed that development of the existing UoB East & South car parks is dependent on alternative parking provisions. The PMP (at Policy SB19, General Development Principle (h)) suggests that UoB should consider decked (multi-storey) parking but UoB proposes that any such mention should be deleted (in its PMP Representation 0304-24).
41. The University of Bath Campus Capacity Assessment January 2016 (Figure A3) proposes instead that it may be necessary to convert the Tennis Courts into a car parking area. The courts are adjacent to Beech Avenue residential properties and within the Cotswolds AONB and local residents would vociferously oppose any such suggestion (as they have in the past) on the basis that a car park would have to be lit and would cause pollution and unacceptable noise, particularly at night.
42. As suggested in the PMP, decked parking is the obvious solution and has been ignored by UoB in favour of cheaper surface parking for 50 years. It has been shown above that there is no necessity to develop beyond the areas identified in the existing campus Masterplan (Fig.A1) but even if the university was somehow able to justify further outward expansion, decked parking has the potential of freeing-up significant developable land within the core campus, for example on the site of the large western car park.