

## **Main Modification 31 (Supporting Document)**

1. Consistent with the fact that Bath already hosts one of the highest proportions of students per head of population in the UK, the December 2015 pre-submission draft B&NES Placemaking Plan (PMP) rightly describes<sup>1</sup> the growth aspirations of the city's universities and the related implications for student accommodation as being 'one of the most high profile issues affecting Bath'.
2. Following her Autumn 2016 Examination of the soundness or otherwise of the emerging B&NES PMP, the Inspector issued an Interim Statement<sup>2</sup> in which she explains (paras.4 & 5) that the purpose of the PMP (against which it will be examined for soundness) is to:
  - give effect to the strategic policies within the Core Strategy;
  - allocate sites for development; and
  - outline a suite of policies to manage development.
3. The Core Strategy is noticeably lacking on strategic policy regarding student accommodation, but does contain the following:
  - Policy DW1 target: "Growth in student numbers matches growth in purpose-built accommodation at each plan review", linked to Strategic Objective 5: "Ensuring the accommodation needs of any increase in the number of students can be met sustainably";
  - Policy B5 (three paragraphs): Strategic Policy for Bath's Universities (proposed to incorporate saved Local Plan Policy GDS.1/B11).
4. Notwithstanding that these scant mentions are barely adequate as 'strategic policy' for Bath's universities and the accommodation of their students, FoBRA notes and agrees that the PMP will only be considered sound if it "gives effect to these strategic policies, allocates sites for development and outlines a suite of policies to manage development" (see para 2 above).
5. In practice the PMP achieves none of those things for the reasons given below and, further, the Inspector proposes<sup>3</sup> to "defer consideration of how those [Student Accommodation] requirements should or should not be addressed to the forthcoming review" [of the Core Strategy]. It is understood that any review of the Core Strategy is now to be replaced by the preparation of a whole new Local Plan<sup>4</sup>. In other words, imposition of meaningful controls on student accommodation is proposed to be deferred indefinitely. This is not acceptable to FoBRA (nor probably to most citizens of Bath).
6. By contrast, the current and highly undesirable situation in Bath is as follows:

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<sup>1</sup> Para. 221.

<sup>2</sup> B&NES Document Reference: ID/17.

<sup>3</sup> Interim Statement para.23 and Main Modification 31.

<sup>4</sup> Email entitled 'Call for Sites – New Local Plan' dated 25 January 2017 from Team Manager, B&NES Planning Policy.

- Although Bath hosts one of the largest proportions of students per head of population in the UK, both universities are allowed to recruit as many students as they wish;
  - In the hope that the universities can house a higher proportion of their future students on campus (Policy GDS.1/B11), they are encouraged to build within the protected outer Cotswolds AONB if they so wish (PMP Policies SB19 & SB20), before fully utilising opportunities within the 'core' campus;
  - If the universities prefer to use their campuses for further expansion of teaching and research facilities rather than housing students (as the University of Bath (UoB) has stated in its PMP representations<sup>5</sup>), or if the majority of students prefer to live in town (as they do), PSABs<sup>6</sup> are supposed to be prevented from being built in the Central and Enterprise areas or on MOD land (Policy B5). However, PSABs are permitted to be built anywhere else in Bath, rather than prioritising the usage of prime city centre sites (e.g. the former St Johns School, Pulteney Road) for housing Bath's permanent residents;
  - PSABs are permitted to be built even if HMOs already represent up to a quarter of properties in an application area, taking no account of the number of students (as opposed to the number of properties) already living in a PSAB application area (HMO SPD, Article 4 Direction);
  - With so many families of modest income having been driven out of popular student areas like Oldfield Park and Westmoreland, unlimited numbers of further HMOs are encouraged across the city until they form a quarter of properties in any given area, at which point communities are still considered to be 'balanced' (Article 4 Direction);
  - Rather than comply urgently with the Inspector's definition of a 'sound' PMP (see para.2 above), B&NES prefers to defer consideration of what needs doing until an unprogrammed future Core Strategy review or, more likely now, a lengthy complete rewrite of the Local Plan;
  - Pleas from FoBRA for at least the last 10 years for a workable Student Housing Policy (Draft PMP para.234) have been ignored.
7. As detailed in its representations on the draft PMP, FoBRA considers that Strategic Policy B5 (as proposed to be amended then) was already inadequate to address the significant student housing challenge that faces Bath, thus rendering the PMP unsound. MM31 now proposes that the wording of Policy B5 is diluted to the extent that it would be even less effective, in that:
- With regards to expansion of the UoB, it is now proposed to revert to wording that is 10 years out of date (in quoting saved 2007 Local Plan Policy GDS.1/B11). UoB has indicated (in its PMP Representation 0304-25) that it has no intention of providing anything like the 2,000 additional campus study bedrooms 'sought' by Policy GDS.1/B11;
  - It is now proposed to remove all reference to controls on development of the Bath Spa University campus; and

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<sup>5</sup> 0304-25.

<sup>6</sup> Purpose-built Student Accommodation Blocks

- The wording of Policy B5 as it appears in the Core Strategy and as proposed by MM31 within the PMP would be inconsistent.
8. A surely unintended consequence of Policy B5, even as proposed to be amended by MM31, under the heading “Off Campus Student Accommodation and Teaching Space”, is that, other than in a relatively small portion of the city<sup>7</sup>, proposals for off-campus student accommodation will be considered for approval even where they would adversely affect the delivery of housing targets and economic development. FoBRA proposes deletion of the words “within the Central Area, Enterprise Area and on MOD land” from Policy B5.
  9. The December 2015 pre-submission draft PMP proposes (under Policy B5, p.118) to delete reference to saved Local Plan Policy GDS.1/B11 which (in 2007) sought the development of up to 2,000 additional study bedrooms and 43,250 sq.m. of academic space on the UoB campus by 2011, expressed within a university-wide master plan. MM31 proposes to reinstate it, viz:
 

*“With regards to the development and expansion of the UoB, the strategy seeks, in accordance with the saved Local Plan Policy GDS.1/B11, the development of about 2,000 study bedrooms and 45,000 [sic] sq.m. of academic space at the Claverton campus”.*
  10. Six years beyond 2011, copious additional academic space has been built in response to an additional 5,000 students since 2007, but significantly fewer than the 2,000 campus bedrooms envisaged in 2007 have materialised, thus fuelling Bath’s well-documented student accommodation problem. That outcome is unsurprising to FoBRA since, apart from being out of date, Policy GDS.1/B11 simply sets an arbitrary upper limit on the number of possible additional campus bedrooms, with no compulsion on UoB to provide them.
  11. While FoBRA agrees that UoB’s development requirements should indeed be expressed within a campus masterplan, we contend that this specific reference to 2,000 bedrooms is significantly out of date, rendering such detail meaningless in 2017. As pointed out by FoBRA in its PMP representations, the extant UoB Masterplan<sup>8</sup> indicates the capacity to deliver at least 1,700 more campus bedspaces<sup>9</sup> beyond those built to date without violating the outer sensitive Cotswolds AONB area. FoBRA notes that UoB’s PMP Representation 0304-25, which states that it has no intention of providing more than 440 more bedspaces on its Claverton campus (290 at Polden Corner and 150 on the Lacrosse Pitch), is at variance with and falls far short of (a) the capacity of the campus as cited in its own Masterplan and (b) the outdated requirements of Policy GDS.1/B11.
  12. Thus, by reverting to saved Local Plan Policy GDS.1/B11 as proposed, the modified PMP must fail the soundness test as defined at para.2 above in that it will neither give effect to Core Strategy strategic policy GDS.1/B11 nor allocate sites for anything like the number of additional student bedrooms required by that Policy at the Claverton campus. Since a key role of the PMP is to ‘give effect to the strategic policies within the Core Strategy’ (Document ID/17), and in the absence of a meaningful Student Housing Policy, FoBRA suggests that reference to outdated Policy GDS.1/B11 be deleted and the PMP is instead amended to make approval of further UoB expansion conditional upon providing a proportionate number of additional campus bedrooms.

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<sup>7</sup> i.e. the Central Area, the Enterprise Area and on MOD land.

<sup>8</sup> University of Bath Masterplan 2009-2026, 2014 Summary Update

<sup>9</sup> i.e. 2,400 less The Quads (700)

13. Under the heading “Placemaking Plan and determining planning applications” B&NES has recently placed on its website<sup>10</sup> a page entitled “Placemaking Plan: Analysis of weight to be applied to Placemaking Plan policies (as at January 2017)”. This explains that, from the point at which Main Modifications were published for consultation (5th January 2017), the following analysis sets out the weight that the LPA will give to policies in the Placemaking Plan.
- a. Against PMP, Volume 2 (Bath), page 127, that analysis states that Policy SB19: University of Bath at Claverton Down (the subject of MM32) replaces Local Plan saved Policy GDS.1/B11 (the subject of MM31).
  - b. If SB19 is intended to replace GDS.1/B11 (which has been shown to be out of date elsewhere, dating back to 2007), it is inconsistent to propose (as MM31 does) to revert to GDS.1/B11 elsewhere in the PMP, i.e. as part of Policy B5. FoBRA considers Policy B5 [modified] to be woefully inadequate as a strategic policy. Properly to become one, it should define a workable strategy for housing Bath’s students both on- and off-campus, something which it patently does not do, as written. Policy B5 merely ‘seeks’ the development of 2,000 UoB campus bedrooms and prevents others from being built in certain parts of the city. UoB has signalled (in its PMP Representation 0304-25) that it has no intention of providing more than 440 additional campus bedrooms and is under no obligation to do so.
  - c. FoBRA contends that the PMP cannot achieve its stated roles of allocating sites for student housing development and outlining a suite of policies to manage such development (see para.2 above) if there is no published student housing strategy which defines how it is proposed to control and manage future demand for student accommodation both on- and off-campus.
14. For the reasons given above and in its PMP representations, FoBRA considers the proposed changes to Policy B5 make it quite unable to be titled ‘Strategic Policy for Bath’s Universities’. What is so desperately required now is a comprehensive and effective Student Housing Policy, covering all aspects of university recruitment, and the balance between the housing of students and of Bath’s permanent population, taking into account control of the severe demands placed by the universities on development sites in Bath and on campuses tightly constrained by national Green Belt and AONB designations. This is a debate in which FoBRA would be willing to participate, perhaps through the Bath City Forum.
15. In these circumstances, FoBRA does not understand how the PMP, as proposed to be amended by Main Modification 31, being neither effective, nor positively prepared nor justified, can be considered sound when tested against the requirements of the NPPF and the Inspector’s own published criteria (see para.2 above).

Note: The Table below shows how the wording of Policy B5 has changed between publication of the Core Strategy (November 2014), the re-submission draft PMP (December 2015) and as proposed after Main Modification MM31.

Final – 11<sup>th</sup> Feb 17

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<sup>10</sup> <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/placemaking-plan/placemaking-plan-examination#five>

## Annex A. Core Strategy November 2014

### **POLICY B5 - STRATEGIC POLICY FOR BATH'S UNIVERSITIES**

#### **University of Bath – Claverton Down Campus**

To support the development and expansion of the University of Bath the strategy seeks, in accordance with saved Local Plan Policy GDS.1/B11, the development of about 2,000 study bedrooms and 45,000 sq.m. of academic space at the Claverton Campus.

#### **Bath Spa University – Newton Park Campus**

Within the context of a strategic framework for the universities entire estate the strategy seeks the redevelopment and intensification of the Newton Park campus to provide additional study bedrooms and academic space. Through the Placemaking Plan the council will be reviewing whether the Campus should continue to be designated as a MEDS and, if so, its boundary. Proposals should accord with the NPPF, paragraph 89 and future local planning policy in the Placemaking Plan and seek to optimise opportunities for educational use and student accommodation within the current boundary of the campus or boundary of the MEDS if so do you find in the Placemaking Plan before seeking to justify very special circumstances for development beyond them or a change to the development boundaries. In all circumstances regard should be had to the site's environmental capacity, the significance of heritage assets and the optimum development of the campus in this regard.

#### **Off-Campus Student Accommodation**

Proposals for off-campus student accommodation will be refused within the Central Area, the Enterprise Area and on MOD land where this would adversely affect the realisation of other aspects of the vision and spatial strategy for the city in relation to housing and economic development.

## Annex B. Draft Placemaking Plan December 2015

### **POLICY B5 STRATEGIC POLICY FOR UNIVERSITIES, PRIVATE COLLEGES AND THEIR IMPACTS**

#### **Overall Approach**

Planning decisions should enable, as far as possible, the aspirations of the University of Bath and Bath Spa University to be met, within the context of environmental sustainability and the need to deliver the full spectrum of other development requirements for the city, in the city.

#### **Off-campus Student Accommodation and Teaching Space**

Proposals for off-campus student accommodation (whether in the form, C2, C4 or sui generis residential units) or teaching space will be refused within the Central Area and the Enterprise Area where this would adversely affect the realisation of the vision and spatial strategy in relation to delivering housing, and economic development (in respect of office, industrial, retail and hotel space).

#### **Housing Market Impacts**

Between 2011 and full Plan review the number of C3 dwellings permitted to convert to (Class 'N' Council tax exempt) C4 Houses in Multiple Occupation will be monitored and compensatory provision will be made if the achievement for 7,000 net additional dwellings for the city is at risk.

## Annex C. After Main Modification MM31

### **POLICY B5 - STRATEGIC POLICY FOR BATH'S UNIVERSITIES**

With regards to the development and expansion of the University of Bath the strategy seeks, in accordance with saved Local Plan Policy GDS.1/B11, the development of about 2,000 study bedrooms and 45,000 sq.m. of academic space at the Claverton Campus site allocations.

#### **Off Campus Student Accommodation and Teaching Space**

Proposals for off-campus student accommodation (whether in the form, C2, C4 or sui generis residential units) or teaching space will be refused within the Central Area, the Enterprise Area and on MoD land where this would adversely affect the realisation of other aspects of the vision and spatial strategy for the city in relation to delivering housing, and economic development (in respect of office, industrial, retail and hotel space).

#### **Housing Market Impacts**

Between 2011 and full Plan review the number of C3 dwellings permitted to convert to (Class 'N' Council tax exempt) C4 Houses in Multiple Occupation will be monitored and compensatory provision will be made if the achievement for 7,000 net additional dwellings for the city is at risk.