

Are you responding as...?



Your Details (* denotes a mandatory field) (Title*)

Mr

Your Details (* denotes a mandatory field) (First Name*)

Tim

Your Details (* denotes a mandatory field) (Last Name*)

Mee

Your Details (* denotes a mandatory field) (Job Title (if relevant))

Estate Manager

Your Details (* denotes a mandatory field) (Organisation (if relevant))

Nottingham Trent University

Your Details (* denotes a mandatory field) (Address Line 1*)

First Floor Dryden Centre

Your Details (* denotes a mandatory field) (Address Line 2*)

Dryden Street

Your Details (* denotes a mandatory field) (Address Line 3)

Nottingham

Your Details (* denotes a mandatory field) (Post Code*)

NG1 4FZ

Your Details (* denotes a mandatory field) (E-mail address)

[REDACTED]

Agent Details (if not applicable click 'Next') (Title)

Mr

Agent Details (if not applicable click 'Next') (First Name)

Mark

Agent Details (if not applicable click 'Next') (Last Name)

Bassett

Agent Details (if not applicable click 'Next') (Job Title (if relevant))

Senior Planning Manager

Agent Details (if not applicable click 'Next') (Organisation (if relevant))

Freeths LLP

Agent Details (if not applicable click 'Next') (Address Line 1)

Cumberland Court

Agent Details (if not applicable click 'Next') (Address Line 2)

80 Mount Street

Agent Details (if not applicable click 'Next') (Address Line 3)

Nottingham

Agent Details (if not applicable click 'Next') (Post Code)

NG1 6HH

Agent Details (if not applicable click 'Next') (Telephone number)

0845 030 5748 / [REDACTED]

Agent Details (if not applicable click 'Next') (E-mail address)

[REDACTED]

Local Plan Part 2 MASTER

Do you wish to be notified of any of the following?
TICK ONE BOX FOR EACH ROW (Submission of the Local Plan Part 2 for examination?)



Do you wish to be notified of any of the following?
TICK ONE BOX FOR EACH ROW (Publication of the recommendations of the Inspector?)



Do you wish to be notified of any of the following?
TICK ONE BOX FOR EACH ROW (Adoption of the Local Plan Part 2?)

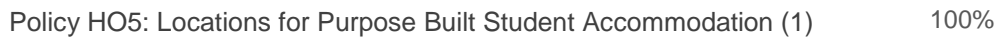


Does your response relate to..?
TICK ONE BOX ONLY



Please specify the policy.

If there is a policy you feel has been omitted from the Plan, please select the last option "Policy not including in the Plan"



Does your response relate to the Policy text or justification text?



Please provide the related Policy criteria (this is the number and/or letter of relevant paragraph of the policy). (Policy criteria)

a-e

Local Plan Part 2 MASTER

Do you consider the Local Plan - Part 2 to be legally compliant?
(Please read the following guidance note and indicate whether or not you feel the Plan is legally compliant)

A plan is considered legal when it complies with the various regulations that govern how it should be prepared. Key issues the Inspector will look at include:

- a) Whether it is in the Local Development Scheme;
- b) Whether community consultation was carried out in accordance with the Statement of Community Involvement;
- c) Whether the requirements of the relevant Regulations have been followed;
- d) Whether the appropriate notifications have been made;
- e) Whether a Sustainability Appraisal assessing social, environmental and economic factors has been completed and made public;
- f) Whether the document has regard to the Sustainable Community Strategy for the areas it covers; and
- g) Whether the requirements of the Duty to Cooperate have been met.

Yes, I do consider it to be legally compliant (1) 100%

With the above in mind do you consider the Local Plan Part 2 to be 'sound'?

Yes (-)

No (1) 100%

If you consider that the Plan is unsound, do you think it is..
(Please tick one box for each row) (Positively Prepared - Nottingham City Council have objectively assessed the need for homes, jobs, services and infrastructure and these will be delivered where sustainable.)

Yes (1) 100%

No (-)

If you consider that the Plan is unsound, do you think it is..
(Please tick one box for each row) (Justified - The Plan is based upon a robust and credible evidence base.)

Yes (-)

No (1)

If you consider that the Plan is unsound, do you think it is..
(Please tick one box for each row) (Effective - The Plan will deliver what it sets out to.)

Yes (1) 100%

If you consider that the Plan is unsound, do you think it is..
(Please tick one box for each row) (Consistent with National Policy - The Plan accords with the National Planning Policy Framework or includes clear and convincing reasons for doing something different.)

Yes (1) 100%

Please explain why you 'support' or 'do not support' the Local Plan Part 2 (ie why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.

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This representation relates to specifically to Policy HO5: Locations for Purpose Built Student Accommodation and follows up from a letter sent to Matthew Gregory (Planning Policy Manager) dated 12 November 2015 which is attached to this submission and forms the basis for the representations. At present it is submitted that the policy fails the 'justified' test of soundness as set out in paragraph 182 of the NPPF in that Policy H05 is not the most appropriate strategy when considered against reasonable alternatives. The policy as drafted provides too wider scope for the principle of purpose built student accommodation and instead it is recommended that a policy which requires greater alliance with the Universities and other Higher Education Authorities would be more appropriate. A more detailed defined policy will increase the likelihood of high quality student accommodation which would in turn be a more effective tool in persuading students to leave traditional family housing areas.

Please set out what change(s) you consider necessary to make the Plan legally compliant or sound, having regard to the reasons you identified in the previous question.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any Policy or text. Try to be as precise as possible.

If you consider the Plan legally compliant and sound please go to the next question.

Local Plan Part 2 MASTER

Please set out what change(s) you consider necessary to make the Plan legally compliant or sound, having regard to the reasons you identified in the previous question.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any Policy or text. Try to be as precise as possible.

The objective should be to create a policy that permits development in response to need, creates higher quality accommodation provision and contributes to the wider objectives of student housing and particularly the attempts to reverse the trend of students occupying traditional family housing areas. To aid this process Nottingham Trent University would be prepared to discuss a protocol whereby they will actively encourage prospective students into purpose built accommodation and with a particular aim of significantly increasing the proportion of second and third year students who choose this type of accommodation. Critical to this objective is evolving student accommodation to meet the requirements of students sufficient to persuade them that the benefits of such housing outweigh the traditional migration to HMOs. By encouraging developers to work with Universities within the policy and providing greater control over matters such as space standards, the quality of purpose built development should increase and become more attractive to students. The Council has been successful in preventing further growth of HMO student accommodation. However, it is submitted that the type of policy intervention proposed within these representations is required if the Council is to make any significant progress in reversing the trend of students accommodation habits and returning high concentration areas back to family housing. This could provide a mechanism to assist the Council in achieving one of its key strategic planning aims of aiding the reduction in demand for student accommodation in residential areas and 're-balancing' communities. A second significant gain of the proposed policy suggestions are the social and security benefits of University approved schemes. In principle NTU could impose a good practice checklist for which developers would have to adhere, in terms of space standards, facilities and management, which should result in higher levels of confidence of well managed schemes and reduction in problems (perceived or otherwise) associated with high student concentration (ie: noise, anti-social behaviour etc). NTU could ensure that such standards are maintained so that post development an element of control remains. It is recommended that Policy HO5 be amended to the following wording: Purpose built student accommodation of an appropriate scale and design will be encouraged in the following locations: a) University campuses; b) Allocated sites where student accommodation use accords with site specific Development Principles; Purpose built student accommodation development will also be acceptable in the following locations, subject to developers demonstrating that there is a need for additional student accommodation or that they have entered into a formal agreement with a University or another provider of Higher Education for the supply of bedspaces created by the development; c) The City Centre (as shown in the accompanying Policies Map Revisions Document), subject to accordance with site and area specific policies, including relevant 'Quarter Policies' and excluding the area of predominantly family housing that lies to the north of the Royal Quarter; d) Above shopping and commercial frontages within defined Town, District and Local Centres, and within other shopping and commercial frontages on main transport routes where this assists in the regeneration of underused sites and premises and is consistent with relevant defined Centre policies; e) Sites where student accommodation accords with an approved SPD. The text below could either be within the policy itself or supporting text. The evidence of 'need' for additional student accommodation should include, but not be limited to, capacity assessment of existing stock (both University and privately-owned stock) including any waiting lists for existing places, an appraisal of schemes in the planning pipeline (under construction, with planning permission and current applications), consultation with Higher Education providers and reference to the Council's latest Annual Monitoring Report which contains information on student numbers and completed bed spaces.

If your response is seeking a change, do you consider it necessary to participate at the examination in person?

Yes, I wish to participate in person at the examination (1)

100%

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Please explain why you 'support' or 'do not support' the Local Plan Part 2 (ie why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.

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This submission specifically relates to Policy HO6 - Houses in Multiple Occupation (HMOs) and Built Student Accommodation. These representations are linked to those made in relation to Policy HO5 and comments made under that submission apply to this policy. It is submitted that this policy and therefore the Plan is not effective as it does not represent the most appropriate strategy. The opportunity exists to make alterations to the proposed policy wording which results in a policy that delivers purpose built student accommodation in the most appropriate locations, seeks better alliance between developers and Universities and other Higher Education providers and provides higher quality development.

Please set out what change(s) you consider necessary to make the Plan legally compliant or sound, having regard to the reasons you identified in the previous question.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any Policy or text. Try to be as precise as possible.

If you consider the Plan legally compliant and sound please go to the next question.

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The reasons for the proposed policy wording change align with that suggested for Policy H05 and therefore are not repeated. It is suggested that in addition to criteria 2a-h, two further criteria are added. It is proposed that these should be: Whether the proposal in respect of purpose built accommodation satisfies minimum space standards and provides adequate communal space/facilities, and student drop off/collection arrangements as set out within an approved SPD. Whether the proposal in respect of purpose built accommodation meets the needs test set out in Policy HO5 or whether there is a formal agreement with a University or another provider of Higher Education for the supply of bed spaces created by the development.

If your response is seeking a change, do you consider it necessary to participate at the examination in person?

Yes, I wish to participate in person at the examination (1)

100%

FREETHS

For the attention of Matthew Gregory
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Planning Policy
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Nottingham
NG2 3NG

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03 March 2016

Our Ref: MBA/2003/235875/129/MB

Dear Mr Gregory

LAND AND PLANNING POLICIES DOCUMENT CONSULTATION RESPONSE

Further to our telephone conversation a few weeks ago, I write as discussed, to formally submit comments to your Land and Planning Policies Document consultation. This follows my 'pre-publication' letter of 11 November 2015 and the subsequent very positive meeting that was held between the Council and our client Nottingham Trent University (NTU).

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This letter effectively confirms our client's position with regards to suggested alterations to wording of Policies HO5 and HO6 which relate to the provision of purpose built student accommodation. I should also advise that comments have been submitted through your on-line web based consultation form.

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The suggested policy wording is attached and we consider will provide greater control and rationale to purpose built student accommodation without compromising the strategic objective of protecting family housing in areas of high concentration and with the aim of assisting in returning existing HMO's to family stock.

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The suggested revisions to the policy are based upon your wording of Policies HO5 and HO6 but with additions similar to those contained within Manchester City Council's Core Strategy (Policy H12). You will gather that the general thrust of our suggested policy alterations are to add control (in response to need) to the number of purpose built accommodations developments but also to raise the standard of quality of such schemes. This could be achieved by the policies encouraging engagement with the Universities as an alternative to passing a needs test and by incorporating some minimum standards for student accommodation.

The principal objective is to create a policy that permits development in response to need and creates higher quality accommodation provision. To aid this process NTU are prepared to discuss a protocol whereby they will actively encourage prospective students into purpose built accommodation and with a particular aim of significantly increasing the proportion of second and third year students who choose this type of accommodation. Critical to this objective is evolving

accommodation to meet the requirements of students, sufficient to persuade them that the benefits of such housing outweigh the traditional migration to HMOs. By encouraging developers to work with Universities within the policy and providing greater control over matters such as space standards, the quality of purpose built development should increase and become more attractive to students.

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The Council has been successful in preventing further growth of HMO student accommodation. However, it is submitted that the type of policy intervention proposed is required if the Council is to make any significant progress in reversing the trend of students accommodation habits and returning high concentration areas back to family housing. This could provide a mechanism to assist the Council in achieving one of its key strategic planning aims of aiding the reduction in demand for student accommodation in residential areas and 're-balancing' communities.

A second significant gain of the proposed policy suggestions are the social and security benefits of University approved schemes. In principle NTU could impose a good practice checklist for which developers would have to adhere, in terms of space standards, facilities and management, which should result in higher levels of confidence of well managed schemes and reduction in problems (perceived or otherwise) associated with high student concentration (ie: noise, anti-social behaviour etc). NTU could ensure that such standards are maintained so that post development an element of control remains.

Having regard for these factors we suggest that the policy as currently proposed does not represent the most appropriate strategy for this particular issue and submit that our suggested wording should be incorporated into the proposed policy to ensure that the Plan passes the 'justified' test of soundness as set out in paragraph 182 of the NPPF.

Yours sincerely

Mark Bassett
Senior Planning Manager
Freeths LLP
Please respond by e-mail where possible

Policy HO5: Locations for Purpose Built Student Accommodation

Purpose built student accommodation of an appropriate scale and design will be encouraged in the following locations:

- a) University campuses;
- b) Allocated sites where student accommodation use accords with site specific Development Principles;

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Purpose built student accommodation development will also be acceptable in the following locations, subject to developers demonstrating that there is a need for additional student accommodation or that they have entered into a formal agreement with a University or another provider of Higher Education for the supply of bedspaces created by the development;

- c) The City Centre (as shown in the accompanying Policies Map Revisions Document), subject to accordance with site and area specific policies, including relevant 'Quarter Policies' and excluding the area of predominantly family housing that lies to the north of the Royal Quarter;
- d) Above shopping and commercial frontages within defined Town, District and Local Centres, and within other shopping and commercial frontages on main transport routes where this assists in the regeneration of underused sites and premises and is consistent with relevant defined Centre policies;
- e) Sites where student accommodation accords with an approved SPD.

The text below could either be within the policy itself or supporting text.

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The evidence of 'need' for additional student accommodation should include, but not be limited to, capacity assessment of existing stock (both University and privately-owned stock) including any waiting lists for existing places, an appraisal of schemes in the planning pipeline (under construction, with planning permission and current applications), consultation with Higher Education providers and reference to the Council's latest Annual Monitoring Report which contains information on student numbers and completed bed spaces.

*additional policy wording in bold

Policy HO6 : Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation

- 1) Planning permission for the following development will be only granted where it does not conflict with Policies HO1 and HO2 above and does not undermine local objectives to create or maintain sustainable, inclusive and mixed communities:
 - a) Changes of use and / or the erection of buildings to create new Houses in Multiple Occupation (HMOs);
 - b) Extension / alteration of existing HMOs including development that facilitates an increase in the number of occupiers / bedspaces;
 - c) Changes of use and the erection of buildings to create residential accommodation for exclusive occupation by students (i.e. purpose built student accommodation);
 - d) Extension / alteration of buildings resulting in an overall increase in the number of student bed spaces.
- 2) In assessing the development's impact on local objectives to create or maintain sustainable, inclusive and mixed use communities, regard will be given to the following:
 - a. The existing proportion of HMOs and / or other Student Households in the area and whether this proportion amounts or will amount to a 'Significant Concentration' (calculated using the methodology shown in Appendix 6);
 - b. The individual characteristics of the building or site and immediate locality;
 - c. Any evidence of existing HMO uses and purpose built accommodation provision within the immediate vicinity of the site that already impact on local character and amenity;
 - d. The impact of the development on the character and amenity of the area or site having particular regard to the criteria set out in Policies DE1 and DE2;
 - e) Whether the proposal would incorporate adequate management arrangements, and an appropriate level of car and cycle parking having regard to the location, scale and nature of the development.
 - f) ***Whether the proposal in respect of purpose built accommodation satisfies minimum space standards and provides adequate communal space/facilities, and student drop off/collection arrangements (Optional wording :as set out within an approved SPD.)***
 - g) Whether the proposal would result in the positive re-use of an existing vacant building or site that would have wider regeneration benefits;
 - h) whether new purpose built student accommodation is designed in such a way that it can be capable of being re-configured through internal alterations to meet general housing needs in the future.
 - i) ***Whether the proposal in respect of purpose built accommodation meets the needs test set out in Policy HO5 or whether there is a formal agreement with a University or another provider of Higher Education for the supply of bed spaces created by the development.***

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*additional policy wording in bold.