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Nottingham City Council  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

**By email**

31 October 2017

let.013..SM.25810001

Dear Sir / Madam

**LOCAL PLAN PART 2 LAND AND PLANNING POLICIES (REVISED PUBLICATION VERSION CONSULTATION).**

We write on behalf of our client Bricross Developments Ltd to make representations to the Local Plan Part 2 – Land and Planning Policies Revised Publication Version consultation. HO

Our client owns land north of Castle Boulevard which is currently subject to a planning application for a purpose-built student accommodation scheme (LPA ref: 17/00882/PFUL3) and has been assessed against the current adopted Local Plan and Core Strategy.

We are however concerned that the draft student housing policies in the emerging Local Plan Part 2 (i.e. Policy HO5 relating to locations for purpose built student accommodation and HO6 relating to HMOs and student accommodation) are unduly restrictive. The inclusion of the need test or agreement of the University for any new student bed spaces within these policies represents a significant and unnecessary burden and impediment on the provision of purpose built student housing in the city.

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On this basis, the following representations object to the currently worded student housing policies, and seek the removal of the need test and agreement of the University in Policy HO5 and HO6.

**Current development plan policy relating to student housing**

In consideration of the proposed emerging student housing policy it is important to understand the current policy relating to student housing and how it emerged.

The Aligned Core Strategy states that a key strand for 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 assist in enabling existing HMOs to be occupied by other households, thus reducing concentrations of student households.

The Core Strategy also seeks to provide students with an alternative form of accommodation that is new, designed specifically for their requirements and well located so that demand would be diverted away from traditional forms of housing suitable for family and other non-student occupation.

### **Current draft student policies**

The draft Local Plan seeks to ensure that new housing does not exacerbate the unbalanced housing stock within the city, but provides a suitable mix and range of quality homes including family, affordable and student housing in appropriate locations.

Draft Policy HO5 sets out the locations where purpose built student accommodation will be encouraged including on allocated sites, the city centre and university campuses subject to developers demonstrating that there is a need for the accommodation or that they have entered into an agreement with a University or Higher Education provider for the bed spaces.

Draft Policy HO6 which sets out the criteria to be satisfied in assessing new student accommodation also includes a requirement to demonstrate need and that the proposal will not result in an 'Significant Concentration' of student households in an area.

#### **Representations to Draft Policy HO5**

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Whilst we understand that Policy HO5 seeks to locate student accommodation in accessible locations such as the city centre, it is requested that the policy is amended to also encourage student accommodation in accessible and sustainable locations that are well served by public transport and connected to the city centre. Such locations are also considered to be appropriate and suitable for student accommodation.

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Moreover, whilst it is noted that the purpose of the policy is in response to concerns over demographic imbalances and problems associated with high concentrations of student occupation within Nottingham, as drafted the wording of the policy is however unduly restrictive.

Purpose built student accommodation has a positive impact upon housing supply, helping to free up family housing currently occupied by students, and consequently there is no strategic policy basis to restrict such accommodation.

The National Planning Policy Framework at paragraph 49 seeks to 'significantly boost the supply of housing'. Furthermore, the Planning Practice Guidance (PPG) advocates that Local Planning Authorities should plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings. Encouraging more dedicated student accommodation will help to take pressure off the private rented sector and increases the overall housing stock. The PPG also recommends that 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<sup>1</sup>.

The restrictive nature of Policy H05 and unnecessary burden to demonstrate need or an agreement with the University for the bed spaces is therefore not in accordance with national policy which seeks to boost the supply of housing. Purpose built student accommodation should be encouraged within the city as a means of taking pressure off the overall housing stock.

The requirement to demonstrate need for student accommodation is also unsupported by evidence. The council's 2017 Annual Monitoring Report (AMR) notes that in the last eight years there has been a significant rise in the number of students in Nottingham which has resulted in approximately 10,350 additional students. Whilst it also notes that there has been an increase in supply of purpose built student accommodation to help meet this need, there are still over 16,000 students who require accommodation from private flats or housing in the city, highlighting that there is no evidence to restrict more purpose-built student accommodation.

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Such a conclusion was reached by the Inspector in the Examination for the Leeds Core Strategy in 2014, who recommended that the draft student housing policy was amended to remove the requirement for developers to demonstrate a need for student accommodation or be in receipt of a formal agreement with a university for the bed spaces given this was not supported by evidence and was not justified.

In summary, the current wording of Policy H05 is unwarranted, overly restrictive and represents a significant and unnecessary burden for developers promoting student accommodation, contrary to the NPPF growth agenda. The requirement to demonstrate need or the agreement of the University for the additional bed spaces should therefore be removed from the policy.

#### Draft Policy HO6

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The requirement to demonstrate need for additional student accommodation in Draft Policy H06 is also considered to be unduly restrictive and an unnecessary barrier.

In addition, Policy H06 requires developers to demonstrate that applications for new student accommodation will not amount to a 'Significant Concentration' of student households in an area.

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Paragraph 4.60 adds that a percentage of 10% or more will determine that an area has a 'Significant Concentration'. It is however difficult to understand how such a low percentage would constitute a significant concentration within an area. There is no justification within the Local Plan for such a low percentage. Moreover, not all HMOs are for students and therefore, it is likely that the percentage of student HMOs is less than 10% within some areas.

Such a low threshold will therefore potentially impact on the delivery of new

<sup>1</sup> Paragraph: 021 Reference ID: 2a-021-20160401

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purpose-built student accommodation coming forward on otherwise suitable and appropriate sites, and it is requested that the percentage is increased to 20%.

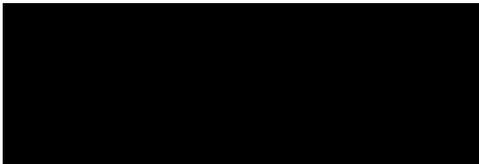
### Summary

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In summary, the wording of Policy HO5 and H06 requiring the demonstration of need or an agreement with the University for the additional bed spaces is unduly restrictive. The Core Strategy supports the encouragement of purpose built student accommodation in appropriate areas to help turn back the tide of 'studentification' within parts of Nottingham. The AMR identifies that there is still a significant requirement for student housing. The proposed policy requirement to demonstrate need is therefore, unsound and represents an onerous requirement for developers to overcome, and as such is unjustified.

It should be for the market to determine the demand for purpose built student accommodation and the developer in bringing forward sites in appropriate locations. The proposed test of need or agreement of the University should therefore be deleted from both policies.

Yours faithfully



Andrew Astin



**Nottingham City Council  
Local Plan Part 2: Land and  
Planning Policies Document  
Revised Publication Version**

Ref:  
For office use only

**Response Form**

A number of changes have been made to the previous ‘Publication Version’ of the Local Plan. These changes cover Site Allocations and Development Management Policies with additions shown in blue underline and deletions in ~~red strikethrough~~ in the Revised Publication document. A full schedule of changes is also available as are updates/addendums to the supporting documentation and these can be found at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication). This consultation is focusing on these changes and comments made in response to the previous ‘Publication Version’ consultation need not be repeated.

You are advised to read the [guidance note](#) before completing this form, but if you have any questions, please email the Planning Policy and Research Team 0115 876 4594 or [localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk)

Please return this response form to [localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk)

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Local Plan Revised Publication Consultation, Planning Policy and Research Team, Nottingham City Council, LH Box 52, Loxley House, Station Street, Nottingham, NG2 3NG.

Responses must be received by 5.00pm Friday 10<sup>th</sup> November 2017

**Part A – Contact Details and Future Notifications**

Please tick the boxes as appropriate.

<b>Q1</b> Are you responding as?	<input type="radio"/> An individual <input type="radio"/> A Landowner/Developer <input checked="" type="radio"/> An organisation <input type="radio"/> Other _____
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<b>Q2</b> If you have commented before on the Local Plan and have your consultee ID number (this will have been provided on your consultation letter) please provide it.	<input type="radio"/> ID No. _____
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<b>Q3</b> Your Details	<b>Q4</b> Agent’s Details (if relevant)
Title	Mr
First Name	Andrew
Last Name	Astin
Job Title (if relevant)	Associate Director
Organisation (if relevant)	Indigo Planning
	Bricross Developments Ltd

relevant)		
Address Line 1	c/o agent	Toronto Square
Address Line 2		Leeds
Address Line 3		
Address Line 4		
Address Line 5		
Post Code		LS12HJ
Telephone Number		
E-mail Address		

**Q5 Do you wish to be notified of any of the following?**

(please tick yes or no for each question)

**Submission of the Local Plan Part 2 for Examination?**  
**Publication of the Recommendations of the Inspector?**  
**Adoption of the Local Plan Part 2?**

- X Yes      ○ No  
X Yes      ○ No  
X Yes      ○ No

**Part B – Your Response**

If you wish to comment on more than one issue please complete a separate form for each response (although you only need to complete Part A once).

**Q6** If you know the Proposed Change reference number provided in the Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, please provide it and move to Q8.

**Q7** Alternatively, if you do not know the Proposed Change reference please answer the following questions:

**What does your response relate to?** (please select only one from a) to e) below).

**a) A site?** (if yes, please specify the site and move to Q8)

**Which site?** (please provide details of the site including ref number and site name).

**b) A Policy?** (if yes, please give the Policy reference then move to Q8)

**Which Policy?** (please provide the Policy reference)

**Policy text or justification text?**

**Which part of the text?** (please provide the

Proposed Change reference: _____
<input type="radio"/> Yes <input type="radio"/> No  <input type="radio"/> Please give site details: Site Ref: _____ Site Name: _____
<input checked="" type="radio"/> Yes <input type="radio"/> No
Policy Ref_H05_____
<input checked="" type="radio"/> Policy text <input checked="" type="radio"/> Justification text
Full policy_____

related Policy criteria or paragraph number)

**c) Another part of the document?** (if yes, please state which section then move to **Q8**)

Yes

No

If yes, please specify which section below.

**Which section?**

- Policies Map
- Section 1: Introduction
- Section 2: Background
- Appendix 1: Parking Guidance
- Appendix 2: Schedule of Proposed Transport Network Schemes
- Appendix 3: Housing Delivery
- Appendix 4: Employment Delivery
- Appendix 5: Retail Delivery
- Appendix 6: Methodology for Significant HMOs Concentration
- Appendix 7: Schedule of Caves

**d) Supporting documents?** (if yes, please specify which document, then move to **Q8**)

Yes

No

**Which document?**  
(e.g. Sustainability Appraisal)

\_\_\_\_\_

\_\_\_\_\_

**e) Another issue?**

(please specify then move to **Q8**)

Yes (please give details)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Q8 and Q9 are required by Planning Regulations. Please refer to the [guidance note](#) for more information.**

**Q8** Do you consider the Local Plan Part 2 to be legally compliant? (please tick yes or no and explain in the box to Q10. You will also need to answer Q9).

Yes

No

**Q9** Do you consider the Local Plan Part 2 to be 'sound'? (please tick yes or no).

Yes (go to Q10)

No (answer a-d below)

**a)** Do you consider the Plan is unsound because it is not 'positively prepared'?

Yes

No

**b)** Do you consider the Plan is unsound because it is not 'justified'?

Yes

No

**c)** Do you consider the Plan is unsound because it is not 'effective'?

Yes

No

**d)** Do you consider the Plan is unsound because it is not 'consistent with national Policy'?

Yes

No

**If you consider that the Plan is unsound, explain why in the box to Q10).**

**Q10** Please explain why you 'support' or 'do not support' the Proposed Changes set out in the Revised Publication Version of the Local Plan Part 2 (i.e. why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.

Please see supporting letter.

(please continue on a separate sheet if necessary)

**Q11** 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 Q10. 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 and be as precise as possible.

Please see supporting letter.

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Please note your response should cover succinctly all the information, evidence and supporting information necessary to support/justify the response and the suggested change, as there may not be a subsequent opportunity to make further responses. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**Q12** 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  
 No, I do not wish to participate in person at the Examination

**Q13** If you wish to participate in person at the Examination, please outline why you consider this to be necessary.

Our client, Bricross Developments Ltd are currently promoting a new development in Nottingham, and therefore have a strong interest in the emerging Local Plan. We therefore wish to appear at the Examination on their behalf.

(please continue on a separate sheet if necessary)

Please note the Inspector will determine who participates at the Examination and the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the Examination.

**Responses must be received by 5.00pm on Friday 10 November 2017.**

**Thank you for taking the time to have your say on the Nottingham City Council Local Plan Part 2: Land and Planning Policies Document. You are kindly requested to complete the Equality Opportunities Monitoring questions on page 6, however this is OPTIONAL.**

**Data Protection** - The response(s) you submit on the Local Plan Part 2 will be used in the plan making process and may be in use for the lifetime of the Local Plan in accordance with the Data Protection Act 1998 although address, telephone and email details will not be published.. The information will be analysed and the Council will consider issues raised. Please note that responses cannot be treated as confidential and will be made available for public inspection. All responses can be viewed at the Council offices. If you provide your email address this will be the method of communication used in the future by default unless you advise us otherwise.



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ID No. \_\_\_\_\_

**Q3 Your Details**

Title	
First Name	
Last Name	
Job Title (if relevant)	
Organisation (if	Bricross Developments Ltd

**Q4 Agent’s Details (if relevant)**

Mr
Andrew
Astin
Associate Director
Indigo Planning

relevant)		
Address Line 1	c/o agent	Toronto Square
Address Line 2		Leeds
Address Line 3		
Address Line 4		
Address Line 5		
Post Code		LS12HJ
Telephone Number		
E-mail Address		

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Proposed Change reference: _____
<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Please give site details: Site Ref: _____ Site Name: _____
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Policy Ref_HO6 _____
<input checked="" type="checkbox"/> Policy text <input checked="" type="checkbox"/> Justification text
Full policy _____

related Policy criteria or paragraph number)

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**e) Another issue?**

(please specify then move to **Q8**)

Yes (please give details)

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