

**REF: MR/BH/DB/R00282**

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26<sup>th</sup> June 2020

Dear Sir / Madam,

**WESTMINSTER CITY PLAN 2019-2040  
ROK PLANNING ON BEHALF OF UNITE STUDENTS (RESPONDENT NUMBER 115)  
HEARING STATEMENT IN RESPONSE TO QUESTIONS RAISED BY THE INSPECTOR IN  
DOCUMENT INSP5 AHEAD OF WESTMINSTER'S CITY PLAN EXAMINATION IN PUBLIC (EIP)**

I write on behalf of our client, Unite Students, to submit a Hearing Statement in response to the questions raised by the Inspector in document INSP5. Unite Students is the UK's leading manager and developer of purpose-built student accommodation (PBSA), providing homes for around 74,000 students in more than 177 purpose-built properties across 27 of the UK's strongest university towns and cities.

This hearing statement has been prepared further to the representations made throughout the preparation of the draft City Plan, and specifically the representations made to the pre-submission version of the draft City Plan dated 31<sup>st</sup> July 2019. This hearing statement focuses upon the Inspectors' question 20 and 21 in relation to policy 8 'stepping up housing delivery', questions 40, 43, and 44 in relation to policy 11 'housing for specific groups', and to policy 13 'Housing Quality' (Matter 4 – Housing).

**Policy 8 – Stepping up Housing Delivery**

Unite wish to make comment on policy 8, part D only, with the Inspector's relevant question, question 20, responded to below.

***Question 20 - What is the evidence base for the approach to short term sleeping accommodation (Part D) and is the approach justified? How will this be implemented and how does the approach relate to situations where planning permission is not required? Is the approach to purpose-built student accommodation justified?***

Policy 8, Part D states "*The change of use of any type of housing to temporary sleeping accommodation on a permanent basis will not be permitted*". Paragraph 8.11 (now 8.13 following the modifications contained within Core\_025v2 – April 2020) of the supporting text to policy 8 confirms that this restriction is intended to apply to purpose-built student accommodation outside of term time. The text states that "*this is because student homes are often situated in residential areas rather than on purpose-built campuses and the amenity of permanent residents must be protected from the negative impacts of a churn of holiday makers*".

In the first instance, purpose-built student accommodation is a very different form of accommodation to the short-term letting of individual homes which is largely unmanaged. PBSA buildings are managed and self-contained and are well suited to short term letting outside of term times. Indeed, this form of short term letting has been permitted both across London and across the UK, with Council's acknowledging the benefits of this approach as opposed to the accommodation remaining partially empty for most of the non-academic year. Whilst concerns on the protection of amenity are recognised, it is argued that

this can be controlled through compliance with a Non-Student Management Plan, where necessary, in the same way that a Student Management Plan is often required throughout the academic year. This has been deemed acceptable across the country.

Indeed, the draft London Plan Intend to Publish Version December 2019 (draft London Plan) in fact encourages Council's to consider the use of purpose-built student accommodation for short term lets specifically. Paragraph 4.15.13 states that *"to enable providers of PBSA to maximise the delivery of affordable student accommodation by increasing the profitability of the development, boroughs should consider allowing the temporary use of accommodation during vacation periods for ancillary uses"*.

Policy 8 Part D, and the relevant supporting text, should therefore be updated to specify that the policy does not apply to professionally managed purpose-built student accommodation, where relevant amenity considerations can be controlled via condition or legal agreement, in order to accord with the draft London Plan.

***Question 21 – Are the proposed modifications necessary for soundness?***

With reference to the response to question 20 above, an update to policy 8, part d to exclude professionally managed purpose-built student accommodation is considered necessary for soundness.

Paragraph 8.11 (now 8.13) of the supporting text to policy 8 should be updated to state that *"the restriction on short-term letting does not apply to professionally managed purpose-built student accommodation outside of term time, where relevant amenity and other considerations can be controlled via condition or legal agreement"*.

**Policy 11 - Housing for Specific Groups**

The overall approach towards PBSA is generally supported, however the following paragraphs set out objections to elements of the draft policy, having consideration to the proposed modifications (April 2020) (CORE\_025v2) and the Inspector's questions.

***Question 40 - Is the approach towards purpose-built student accommodation justified?***

***Part G – Purpose-Built Student Accommodation***

Whilst, as noted above, the overall approach towards PBSA is generally supported, there is a lack of justification regarding part G of policy 11. Unite object to the policy wording which identifies that PBSA will be supported *"for students studying at higher education institutions with a main hub in Westminster"*.

There is no supporting justification as to why PBSA is required for Universities with hubs in Westminster only, given how central the borough is in London and how accessible via key transport hubs (Paddington) it is to neighbouring boroughs. In fact, this is additionally contradictory to the draft London Plan, whilst requiring a nominations agreement, states at paragraph 4.15.3 that *"there is no requirement for the higher education provider linked by the agreement to the PBSA to be located within the borough where the development is proposed"*. Reference to 'main hubs within Westminster' should therefore be removed from the policy wording to ensure that It does not hinder the delivery of PBSA and accords with the draft London Plan.

Part G of this draft policy should read *“The council supports the development of new, well-managed, purpose-built accommodation for students studying at higher education institutions”*. Furthermore, the supporting policy text should reference the support outlined to purpose-built student accommodation as set out under policy 19.

#### *Part H – Affordable Student Accommodation*

Part H of policy 11 states that *“at least 35% of the purpose-built student accommodation will be secured as affordable student housing as defined in the London Plan”*. It further states that all accommodation should include a proportion of units that are adaptable to meet specialist needs. The proposed modification (April 2020) to part H through (M/H/16) has amended this part of the policy to read *“a proportion of the purpose-built student accommodation will be secured as affordable student accommodation in accordance with the London Plan. All accommodation should include a proportion of units that are adaptable to meet specialist needs”*.

This modification is strongly supported by Unite and now accords with draft London Plan Policy H17. It is important to note that the strict implementation of a 35% affordable housing requirement will render the development of student accommodation unviable and unattractive which will possibly result in the long term sustained shortage of PBSA which will exert significant pressure on more traditional housing markets. This is particularly unsustainable in respect of the increasing projections in student demand anticipated at additional 20,000 – 31,000 places up until 2025 and the increasing pressures on the conventional housing market in London. These would equate to a loss of 6,666 – 10,333 housing units (based on the Mayor’s guidance of 3 student bedrooms is the same as a 3 bedroom house) from the general housing stock.

In light of the increasing projections, it is clear there is a demonstrable need for student accommodation which is distinct from the need for affordable housing. Therefore, requiring affordable housing from this would double count the supply and subsequently conflict with paragraph 38 of National Planning Practice Guidance which states *“all 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”*. Therefore, it is imperative that the proposed modification (M/H/16) forms part of the draft City Plan.

#### *Part I – Restricting the loss of PBSA*

Part I states that *“existing purpose-built student accommodation will be protected unless its loss forms part of a published strategy of a higher education institution”*. This is noticeably contradictory to part G and part H detailed above, as PBSA that is underused or not serving a purpose in the borough could in fact be redeveloped for conventional residential. Part I needs to have consideration to the position that paragraph 4.17.1 of the draft London Plan sets out, as detailed further in the following section, regarding equal weighting of both PBSA and conventional housing in the delivery of housing.

Therefore, Part I should be removed from policy 11. Additionally, policy 8 ‘Stepping up Housing Delivery’ part C, which resists the loss of residential uses, should be updated to make clear that this includes PBSA as well as other residential uses which contribute to the delivery of housing in London. This will ensure that all residential uses, including PBSA, are given equal weight (as per paragraph 4.17.1 of the draft London Plan detailed further in the following section) and that the policy conflict with part G of policy

11 is removed.

**Question 43 – Is it justified and consistent with national policy?**

Part G states that *“the council supports the development of new, well-managed, purpose-built accommodation for students studying at higher education institutions with a main hub in Westminster”*. However, it also says that *“the development of new student accommodation should not result in the loss of other types of housing”*. This is contrary to the draft London Plan which states that purpose-built student accommodation contributes towards the delivery of housing.

Paragraph 4.17.1 states that *“the housing need of students in London, whether in PBSA or shared conventional housing is an element of the overall housing need for London and determined in 2017 London SHMA”*. It then goes on to state that *“London’s overall housing need in the SHMA is expressed in terms of the number of conventional self-contained housing units. However, new flats, houses or bedrooms in PBSA all contribute to meeting London’s housing need”*. PBSA is integral to the delivery of a wide range housing requirement and has a positive impact on housing supply through the release of other market housing on to the general market for example the release of HMOs back into family housing. This statement makes very clear that PBSA is in fact given equal weighting at a strategic level as conventional housing, therefore, the completion of new PBSA contributes to meeting London’s overall housing need and not in addition to it.

Furthermore, the NPPG states that “encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock” (Paragraph: 004 Reference ID: 67-00420190722).

Therefore it is recommended that part G of the draft policy is reworded to remove the final sentence *“the development of new student accommodation should not result in the loss of other types of housing”*, as this is a clear conflict to draft London Plan Policy H17, which carries significant weight following the examination in public alongside the NPPF and NPPG.

It should be noted that Unite support the amendment to paragraph 11.1 (M/H/18)a and the additional text which states *“the provision of specialist housing and accommodation will contribute to the Council’s overall housing target of at least 20,685 homes over the plan”*. However, as above, this needs to be included in the policy wording to accord with the NPPF and Draft London Plan, as purpose-built student accommodation contributes towards the delivery of housing.

**Question 44 - Are the proposed modifications necessary for soundness? Are any other modifications necessary?**

As noted in the above sections, the following is considered necessary for soundness:

1. Reference to the development of PBSA within ‘main hubs’ only in part G of policy 11 is removed, and subsequently updated to read *“The council supports the development of new, well-managed, purpose-built accommodation for students studying at higher education institutions”* in order to accord with the draft London Plan. Furthermore, the supporting policy text should reference the support outlined to purpose-built student accommodation as set out under policy 19.
2. It is imperative to include the proposed modification (April 2020) to part H of policy 11 through (M/H/16);

3. Part I should be removed from policy 11, and, additionally, policy 8 'Stepping up Housing Delivery' part C, which resists the loss of residential uses, should be updated to make clear that this includes PBSA as well as other residential uses which contribute to the delivery of housing in London;
4. Part G of policy 11 is reworded to remove the final sentence "*the development of new student accommodation should not result in the loss of other types of housing*", as this is in clear conflict with draft London Plan Policy H17, which carries significant weight following the examination in public alongside the NPPF and NPPG.

### **Policy 13 – Housing Quality**

Unite raise no objection to the draft wording of policy 13. However, whilst the policy is not considered to apply to PBSA or other forms of purpose-built shared living (including co-living), it should be updated to make this explicit within its wording.

