

REF: MR/BH/DB/R00149

26th August 2020

Dear Sir / Madam,

**DRAFT BRENT LOCAL PLAN
ROK PLANNING ON BEHALF OF UNITE GROUP PLC
HEARING STATEMENT IN RESPONSE TO MATTERS ISSUES AND QUESTIONS (MIQS) RAISED
BY THE INSPECTOR'S WITH REGARDS TO DRAFT BRENT LOCAL PLAN EXAMINATION IN
PUBLIC (EIP)**

I write on behalf of our client, Unite Group Plc, to submit a Hearing Statement in response to the Matters issues and questions (MIQ's) raised by the Inspector regarding the Brent Local Plan EiP published on 14th July 2020. 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 Local Plan, and specifically the representations made to the pre-submission version of the draft City Plan dated 5th December 2019, which focused upon purpose-built student accommodation (PBSA) and large-scale purpose-built shared living draft policies.

Matter 5 'Housing' – Policy BH7 'Accommodation with Shared Facilities or Additional Support'

This section deals with relevant questions as set out at paragraph 5.44 of the MiQs (emboldened below), focusing on PBSA and large-scale purpose-built shared living.

Is part D of policy BH7 sufficiently justified and effective in terms of defining or identifying a specific need in the Borough for shared-facility or additional support accommodation and purpose-built student accommodation?

Unite Students do not consider that a Borough wide need is required to be demonstrated for PBSA. Identifying an overall need for PBSA is sufficiently justified and effective in terms demonstrating a site is suitable to deliver student beds to meet an overall identified need. This position is supported the following points:

1. The requirement to demonstrate a borough need is contrary to the approach of the London Plan and the NPPF which identify an overall need for the accommodation should be demonstrated and this should not be at Borough or Council level;
2. This could ultimately prohibit PBSA developments coming forward in Brent, if this specific need is required at Borough level;
3. It is clear that in London, there is a trend whereby students live and study in neighbouring boroughs and are not ultimately living and studying in the same one, therefore, the draft policy needs to include a requirement to demonstrate a need within London, to enable flexibility;

4. Furthermore, the entirety of University buildings and campuses are not located within the same boroughs in London and it is common for them to be spread out and span over several boroughs;
5. It should be noted that Unite Students seek to develop sites and provide accommodation within extremely sustainable locations within London, to ensure that their students can travel efficiently to university buildings and campuses within the same boroughs or neighbouring.

It is therefore recommended that this policy requirement to identify and demonstrate a specific Brent need is removed from part D of draft policy BH7 to ensure it is sound and in accordance with both national and regional policy. Provided this further amendment is made to the draft policy, Unite are of the opinion that part D of the draft policy is sufficiently justified and effective in terms of identifying a specific need in the borough for purpose-built student accommodation.

Is policy BH7 consistent with national policy and the London Plan?

Overall, Unite are of the opinion that draft policy BH7 in relation to PBSA and Co-living is generally consistent with national policy and the London Plan. However, the draft policy and its supporting policy text does not recognise that PBSA development contributes towards the delivery of housing. As recognised in the NPPF and NPPG (paragraph 34), all student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can in principle count towards contributing to an authority's housing land supply. Therefore, on this basis, Unite believe that the draft policy and its supporting text should acknowledge that this type of accommodation supports the overall delivery of housing to ensure that the draft policy is sound and consistent with national policy.

Unite are generally supportive of the requirements of BH7 (with the exception of parts D and E), which are applicable to both PBSA and Co-living development as there are not prohibitive requirements that would stop this type of accommodation coming forward. In fact, the draft requirements of BH7 ensure will ensure that this type of development will come forward in well-connected and sustainable locations, of a high quality in design terms, includes management arrangements all of which Unite Students endorse. These are all requirements as set out in the London Plan, therefore Unite are of the opinion that the draft policy is in accordance with the London Plan with the exception of the point as set out above.

Accordingly, the following should be included at the first sentence of paragraph 6.2.57 "The Council acknowledge that student accommodation and non-self-contained residential accommodation contribute towards the delivery of housing and the Council's housing supply position as identified in the NPPF and NPPG (paragraph 34). Therefore, this is considered alongside and in parallel to self-contained housing in meeting the Council's housing need".

Does part E of policy BH7 provide sufficient definition in terms of where and how proposed shared-facility accommodation, including student accommodation, would result in an over-concentration of that type of development in the area?

It is noted that part E of draft policy BH7 and its supporting text has been updated to remove the numerical figure associating overconcentration with PBSA. This is wholly supported by Unite as this threshold was not justified as evidenced in previous representations made by Unite Students. Unite are still of the opinion that an over-concentration of PBSA or Co-living development cannot be defined, nor impacts negatively on the amenity of surrounding occupiers or infrastructure. Therefore, part E of the

policy should be removed. This is further supported by the following key points:

1. There are numerous appeal decisions where it has been cited that the delivery of PBSA does not cause harm where a student population represent an excess of 30%. Specific examples cited in these representations include; Bernard Terrace and St Leonard Street, where the student concentrations were acknowledged to be up to 60%;
2. Whilst this policy requirement is now more in line with the approach of the London Plan, which encourages new student accommodation away from existing concentrations in central London (paragraph 5.55), Unite maintain the argument that this policy requirement is onerous;
3. This is because there is no evidence or justification provided that a concentration of PBSA creates harm to residential communities;
4. PBSA can in fact have a positive impact on residential communities. This can be demonstrated in the appeal of an application at Oakbase House in Chester (APP/A0665/W/16/3166180) where the PBSA proposal was seen to alleviate the pressure on the use of family homes as HMOs;
5. It is clear from the appeal decisions cited within the previous representations made by Unite to this draft policy, that there is no clear definition of where and how student accommodation would result in an over concentration in an area;
6. In each locality the variables can be considered very differently and instead of a focus upon over concentration, which cannot be defined, the policy focus should be upon the management of the accommodation. This ultimately controls the variables which lead to a perceived over concentration of this type of accommodation in an area i.e. noise, waste management etc.

On this basis, Unite Students are of the opinion that part E of this policy should be removed to ensure it is sound and consistent with the themes of the draft London Plan, in relation to PBSA and co-living development, as this cannot be defined and the focus should be shifted to the management of the proposed accommodation.

Would providing further detail within part E of the policy significantly restrict such types of development from coming forward? Would doing this make the policy more or less effective?

As stated above, Unite Students are of the strong opinion that part E of this policy should be removed in its entirety in relation to PBSA and Co-living development. This position is supported by the following key points:

1. By re-adding further detail through a numerical threshold, this would restrict this type of development coming forward in certain areas and would ultimately contradict the other requirements of the draft policy i.e. 'is located in an area with good access to public transport and other amenities, including shops (normally within 400m)';
2. Ultimately PBSA and Co-living developments should be located in sustainable locations, therefore if there is an identified concentration in these areas, then it would mean that these types of developments would need to be located in second tier locations and further away from essential amenities. This is both detrimental to the future occupants of the developments and also conflicts with other parts of the draft policy, in this case part A;
3. In addition, it should be noted that these types of accommodation cater to a different market, so including a policy on overall concentration and identifying a threshold applicable to all of these types of accommodation is contradictory in itself;
4. Large areas prime for this type of development will essentially be wiped out and considered unsuitable on this basis, therefore prohibiting development of this accommodation coming forward;

5. Furthermore, the policy this does not have consideration to locations where PBSA and co-living developments are currently located and whether these are considered over concentrated already.

Ultimately the inclusion of part E of the policy will significantly restrict these types of development coming forward and will cause conflict with the other policy requirements. On this basis, to ensure the overall draft policy is more effective, sound and consistent with national and regional policy, part E should be removed in its entirety (in relation to PBSA and Co-living development).

Does the evidence within the ORS Reports, the submitted Plan and its policies adequately, reasonably and effectively address issues regarding accessible and adaptable housing? How does the Council anticipate dealing with such matters?

The draft policies address issues regarding accessible and adaptable housing for conventional residential development, however, this should not be applicable to PBSA or co-living housing. This position is supported by the following key points:

1. This is due to the reality that the typical demand from students per annum falls significantly below the 10% mark;
2. This is evidenced by Unite's experience in London which highlights that less than 0.5% of their London portfolio is occupied by wheelchair users; and
3. This is a steady and consistent trend as evidenced by Unite's longer term experience, full details of which are provided within (HESA 2017 – London and Disability Data).

This clearly demonstrates that there is no evidence to support the provision of wheelchair accessible units at this level in student schemes and ultimately, this results in an inefficient use of land. Therefore, policy BH7 needs to be updated to include an additional requirement, to ensure conventional residential requirements are not applicable to PBSA and Co-living development and the building regulations are applied in this respect. The additional requirement should state "adaptable and accessible accommodation should be provided in accordance with building regulations (part M schedule 1) and to respond to the specific demand which arises within each development".

We would stress that Unite Students are committed to providing wheelchair accessible units and ensuring their student accommodation schemes are inclusive to all. Unite Students operate a policy of meeting the needs of an individual user and not applying a one size fits all policy. Indeed, should individual bedrooms need to be adapted; this can be done quickly and relatively easily to meet requirements. Unite have undertaken such additional alterations in discussion with the end user and provided a bespoke solution to a student's needs. Adjoining carers' rooms have been provided also before the student took their place at university. Given the nature of student accommodation where 'sign up' is carried out in well in advance of the term starting (at least 3 weeks even during Clearing), it is therefore not considered necessary to over provide on wheelchair accessible units which will not be used. Student accommodation is not like a hotel where any one can come off the street and request a room. On the above basis Unite Students are of the opinion that the conventional housing standards should not apply to PBSA and Co-living developments in respect of accessible units and this position defers to the building regulations, which ensures accessible and adaptable units are delivered.

Matter 6 ‘Economy’

Paragraph 6.4.12 sets out a number of requirements in relation to affordable workspace and appears to provide the justification for policy BE1. For example, the supporting text advises that this should be secured for the lifetime of the development and that a Section 106 agreement will be used to secure these measures.

Is the policy sufficiently effective without these requirements within the policy wording? Should the policy wording reflect this?

Draft policy BE1 requires 10% of commercial floorspace which exceeds 3,000 sq m to be provided as affordable workspace. Unite Students are generally supportive of the provision of affordable workspace in their developments.

Under the definition as set out in paragraph 6.4.12, is it defined as “ workspace that is provided at rents maintained below the market rate for that space for a specific social, cultural, or economic development purpose”. Unite Students are in agreement with this definition, as It would not be appropriate nor sound for the planning policy wording to be to be more specific, to essentially dictate rental levels. It is considered that there is no justification for this type of workspace to be secured for the lifetime of the development, therefore this element of the draft policy should be removed, to ensure it remains consistent and sound with the national planning policy position. However, it is supported that affordable workspace can be secured through a S106 agreement, which is common practice in London Boroughs.

Overall Unite Students are supportive of this type of floorspace to be provided in their mixed-use schemes to assisting in supporting the localised economy and providing affordable workspace for start-up companies and SMES. On this basis, it is considered that the draft policy is sufficiently effective, flexible and sound.

We trust this Hearing Statement will be considered for the Examination in Public. If you should have any questions in the meantime please do not hesitate to contact .