

General Comments:

Please can I make it clear that I would like WDC to have effective and robust policies on student housing, that will achieve deliverable aims and stand up to planning challenges. My comments below are to help try to achieve those aims, as I feel the SPD in its current form falls short of those expectations.

With that in mind, before the final PBSA SPD policy is adopted, please can WDC ensure that independent legal advice is sought to ensure this policy is robust as possible.

- The tone of the document is verbose and does not read like a practical, usable planning document but rather a series of arguments setting down a particular point of view of the current administration's position on students in Warwick District and that WDC are reluctantly drafting a policy to deal with a perceived issue.

- There are 24 pages of background information before you get to the policy sections. This could all be in the appendices rather than up front. Some of this information is likely to need more regular updating/become out of date rapidly and rather than rewriting the whole policy, the appendices could be amended. The author has possibly fallen into the trap that we did with the Task & Finish group on HMOs - overwhelmed by the mountain of information available - they have sought to include it all in the document – making it difficult to read/use. (For info - we had 15 appendices to ours HMO report and kept the body of the document as short as we could!)

- The SPD does not fully integrate with H6 in Local Plan which is a HMO *AND STUDENT ACCOMMODATION* policy. It needs to take some of the text from H6 and criteria as a starting point -there should be more obvious overlap and some of the terminology carried over e.g. no sandwiching of existing residential properties, clearer definition of a main thoroughfare.

- I'm concerned that the SPD tries to deal with PBSAs in isolation from other student accommodation such as HMOs. The SPD counts *bed spaces* of other PBSAs – why can't it count bed spaces of other student accommodation?

When this draft SPD was presented to Councillors, there was a comment from legal officers suggesting the idea of a 'ban' in certain areas (such as South Leamington) could be seen to discriminate against students. However the rationale for this needs to be explored further so Councillors and residents can understand whether this would be *indirect* discrimination and on what basis?

The Council has to consider would 'restricting student accommodation' in an area be discrimination if it was trying to achieve a legitimate aim and is it proportionate? It is a legitimate aim to avoid over concentration of any type of housing in one area, in order to encourage 'mixed communities'. To *Limit or restrict* could be seen as proportionate, rather than *ban*.

There are references within the NPPF which support this view:

Para 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes

Para 91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.

WDC could investigate 'restricting' and 'limiting' numbers of students therefore seeking a policy that limits both PBSAs AND student HMOs in some areas. This would also ensure there is more overlap with the existing H6 policy - which *does* limit in certain areas - and this emerging SPD.

- In the scenario where a new application for a HMO comes into an area with PBSAs, how will the PBSA count towards the 10% rule? Will it be as currently where PBSAs are counted as cluster flats?

- The SPD needs to acknowledge/link/reference other policies recently adopted by WDC which will have a bearing on applications – e.g. Canalside conservation area (now adopted), Parking SPD, refuse management guidance – all of which are now on WDC website.

- The SPD needs to mention S106 / CIL contributions within the policy document. At the moment it seems to be implied but with developers often coming back to the Council negotiate out of S106 obligations, this needs to be made explicit within the document. The SPD needs to acknowledge that these types of applications will have CIL & S106 requirements - as seen elsewhere in Local Plan and CIL calculations.

- Definition of a PBSA needs to be clear and is not currently - this has left us open to challenges on appeals recently (see Wise Street).

- Affordability is not addressed anywhere in the document – PBSAs are not on the same playing field as share houses/HMOs as they are always more expensive. So the 'hope' of attracting students from one type of accommodation to the other will not be fulfilled unless there is some element of affordability and more is done to strengthen the existing policy of H6.

Details in the Document:

Pg 5 The opening page outlines what the aim of the PBSA SPD is - and I would suggest some of those are not planning aims that are deliverable through an SPD alone.

e.g.: To encourage students to participate in local events and activities and to continue to live and work in the district once their period of study is over – How does this SPD achieve this? There is no reference to events or more importantly, accommodation that will be available for students once they graduate? The latter could be addressed by providing affordable housing/providing alternative living/co-living (referenced in Design and Management point 7 on pg 26 but with no details about how this will be achieved).

To improve relationships within existing communities between residents and the student population and encourage integration - again, how will that be achieved with a policy document referencing PBSAs – which by their secure design & build do not allow for easy access or community integration?

*To reduce the pressure on shared accommodation*1 in family homes resulting in a return of those properties to the housing market or for rental to those other than students*

How is the SPD going to achieve this unless WDC actively look to strengthen H6 policies in parallel?

Pg 8 – University of Warwick Housing demand needs up to date info as provided elsewhere on WDC website. Another rationale for including in an Appendix rather than main body of document.

Pg 11 & 12 - *Student accommodation is allowed to be counted toward the districts housing requirement, based upon the amount of accommodation released to the housing market: (This guidance is due to be updated in line with the 2018 NPPF in due course).*

Could this SPD clarify how student housing is now counted towards housing mix in revised NPPF of 2018?

Pg 12 - An aim of Local Plan is to: *Make sure that the district can accommodate university students without harming the balance of existing communities;*

Re my point earlier, it could be seen as proportionate to limit/restrict in certain areas so as to not impact the 'balance of existing communities'.

This statement is repeated again on pg 16 – which is an example of unnecessary repetition within the document.

Pg 13 – I do not think the word '*clearly*' should be used here. It is not 'clear' that H6 is not designed to deal with PBSAs. IT is a HMO and Student Housing Policy, which up until now, has been used to deal with student accommodation including PBSAs, albeit unsatisfactorily in some cases. Presumably H6 will continue to be used to assess HMOs and student accommodation in parallel with this SPD?

Pg 15 - Student Housing Strategy has been adopted by the Council but not unanimously.

My suggested amendment to Council 21st June 2018 that the Strategy aims be altered to read as follows:

second bullet point

.... sustainable locations close to the Universities and College, thereby encouraging students to move from HMO style accommodation and minimising travel times, congestion and pollution

Add a fourth bullet point

To avoid over-concentration of student housing to ensure mixed and balanced communities, in accordance with the Council's Article 4 policy

However this was not adopted at the time.

Pg 16 – I do not think the SPD can state that the 'knock on effect of H6 has been an increase in PBSA applications'. Both are happening simultaneously and have been for years. PBSA applications are coming in regardless, as are more HMO applications (which do not specifically relate to students). Again this statement is making assumptions to try and prove the need / ability for this policy to draw students away from HMOs - which is speculation and based on hope.

Pg 18 Is this page from Warwick University? Where has this information/ evidence come from? What was the University's involvement / endorsement of this SPD document through the creation of their Masterplan? I feel it is risky to quote the Warwick University's current policies within the main body of the policy document. These may change. Again this could be an appendix and within the SPD. Perhaps the Student Accommodation Code should be included as an appendix - it includes very good points about minimum room size which is an important requirement of ensuring adequate housing standards.

Pg 19 *The highest level of student numbers are just to the south of the central area of Leamington Spa as suggested by previous studies and **public perception***. This reference to 'public **perception**' – not helpful for a policy document and should just refer to evidence.

Pg 20 - 23 I feel the chapter headed 'The Resident's Views' could be viewed as controversial. Is this sort of thing normal for a policy document? Is it to make a point that SOME residents were 'consulted' in the creation of this document - but why should this be put into the policy? Moreover, the way it is phrased in some places implies that these are just 'perceptions' and 'views' rather than facts or evidenced – which in many cases they are the latter. This should be rephrased as 'evidence' gathered over the years. This section needs modifying or removing and replacing with the factual information relating to planning policy - i.e. around amenity. Both of settled and student community. E.g. could include that many students are absent for a percentage of the year (fact because of the term times), that waste is a visual issue (a fact associated particularly with HMOs and confirmed on pg 23 by the map indicating the 'hotspots'), that the retail uses of an area are more 'geared' towards students i.e. take aways.

Pg 24 & 25

Policy PBSA 1 reads well and appears to cover the aims and objectives. The methodology of using AOI seems to reflect that used to count and limit HMOs within a given area.

This is the section where the policy could overlay the maps to count existing HMOs to ensure there is not over concentration in an area.

Could the definition of a 'thoroughfare' be more clearly defined as has been requested recently in relation to H6?

Please could you provide clarity on the **Zones**? Are they an exact overlapped with the local plan areas or have there been some tweaks?

pg 26 – PBSA 2 Design & Management – There are areas where this could be much bolder & clearer e.g.:

Criterion 4 - Layout, design & facilities. Should a WDC document only refer to UoW for details? The document should also reference WDC own policies and guidance e.g. for Waste which has now been developed and is on WDC website.

Criterion 5 - Management Plan - What is an *adequate* Management Plan? Can we be a bit more explicit and mention that a point of contact (person and phone number) for the community / Council to liaise with is essential?

Criterion 6 - Mix of room sizes. Affordability also needs to be addressed here. Why doesn't WDC also have a minimum room size standard that can be referenced?

Criterion 7 - Adaption to alternative uses? Can we be more specific here? How is this going to be possible if the minimum car parking spaces are provided?

Pg 28 Criterion 4 – section referencing lighting should also acknowledge this is also important for the safety of the occupants.

Pg 29 – Could this section make it clear that 'On Campus' location is also a priority for PBSAs?

Pg 29 – Is the Locating PBSAs in the District' a necessary section? Surely the policies themselves should help direct the locations rather than the summary in these pages 29 – 34.

Pg 33 – This is an example of unnecessary explanatory text. If this policy is about actively encouraging PBSA to be built in locations that are spread around (because of the AOIs) then all possibilities need to be assessed in an even handed way. It has already been established earlier on in the SPD, pg 14, that the land near the University has been removed from the green belt and would allow this purpose:

That part that lies within Warwick district is also within the Warwickshire Green Belt and has been designated as a major site within the green belt in the local plan, thus allowing new development to take place despite its green belt status. Paragraph 3.143 of the local plan states that "Within the district's boundary, development has been to meet the residential needs of the university. In the past this has involved a recognition that development in the green belt will be necessary to allow the university to expand. The predominantly built-up nature of the area currently known as Central Campus West means that this land is no longer appropriate for retention in the green belt. Further, the importance of the University in supporting the local economy (as recognised in the Strategic Economic Plan), and the need for the University to be able to grow within its existing boundaries, provide the exceptional circumstances to justify amending the green belt boundary to exclude the area shown on the Policies Map from the green belt. Any further development in the green belt proposed in any future masterplan will need to be considered carefully as part of the long term plan for the University across the two local authority areas."

Therefore I do not feel it is necessary to direct /limit the location of PBSAs to **Town Centres or Transport Corridors** as outlined on pg 35 and in the conclusion.

Pg 36 - How will WDC actively encourage the PBSAs in these alternative towns? Overall the SPD is intending to spread the PBSAs around – by use of the AOI methodology. What else?

Pg 36 *Rural communities would be put at risk of being **outnumbered by large numbers of students who would be unable to contribute to the local community given the time spent in travel and study.*** Do rural communities by definition have some special, protected status? This statement only goes to support the view that large numbers of students in an area could have an impact on the settled community! This could equally apply to towns and urban areas.