

**REF: MR/BH/DB/R00129**

**BY EMAIL ONLY:** [programmeofficer@carmeledwards.com](mailto:programmeofficer@carmeledwards.com)

9<sup>th</sup> October 2020

Dear Sir / Madam,

**DRAFT REVISED LAMBETH LOCAL PLAN 2020-2035  
ROK PLANNING ON BEHALF OF UNITE STUDENTS (RESPONDENT NUMBER R046)  
HEARING STATEMENT IN RESPONSE TO QUESTIONS (MIQ) RAISED BY THE INSPECTOR IN  
DOCUMENT MF3 REGARDING MATTER 3 'HOUSING' AHEAD OF LAMBETH'S 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 within document MF3 dated 30<sup>th</sup> September 2020 regarding the Lambeth Local Plan Examination in Public (EIP).

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 plan dated March 2020. This statement responds to the MIQs in relation to Matter 3 'Housing'.

**MATTER 3 – 3.6 – STUDENT HOUSING**

**Is policy H7 justified? What is the evidence to state that two student housing units within 500m of each other has an unacceptable impact on residential amenity?**

Unite have strongly objected in their previous representations (enclosed at **appendix A**) to part i, iii, iv, and viii of the draft policy and its supporting text. Further to this, Unite's position is that these parts of the policy remain unjustified as drafted for the following key reasons:

1. Part (i) 'Compromise capacity to meet the need for conventional dwellings':
  - a. It is recognised within national (NPPG Para 034) and regional planning policy (Draft London Plan December 2019 para 4.15.1) that purpose-built student accommodation (PBSA) contributes to the delivery of housing and is also identified in the housing delivery test methodology;
  - b. In addition, as cited in Unite's previous representations, there are number of appeal decisions which reinforce this position and have overridden this perceived conflict in the lieu of the current national and strategic planning policy position;
  - c. Therefore, point 'i' is in clear conflict with the national and strategic planning policy position which has clearly moved on since the previous Local Plan was adopted, and is now clear in its

direction that the delivery of PBSA does not compromise capacity to meet the need for conventional dwellings;

- d. This position is acknowledged in Lambeth's Housing Topic Paper at paragraph 5.1, where it stated that "The ten year borough-level housing targets set in the London Plan include an allowance for delivery from non-self-contained residential accommodation (NSC), such as purpose built student accommodation, hostels, care homes and shared living";
  - e. Therefore, part (i) of the policy and its supporting policy text at paragraph 5.64 and 5.65 is not justified, as it is in conflict with national and regional planning policy and should therefore be removed in its entirety;
2. Part (iii) – 'is supported by evidence of a linkage with one or more higher education institution provider (HEP) in Lambeth, or within a reasonable travelling distance':
- a. Unite's previous representations set out their clear objections to part (iii) regarding the requirement to provide evidence of a linkage with one or more higher education providers (HEP) in Lambeth, or within a reasonable travelling distance of Lambeth;
  - b. These objections will not be reiterated. However, it should be further noted that Lambeth, in their Housing Topic Paper, have not had consideration to the fact that a nominations agreement cannot be in place prior to a planning application being determined/permitted, nor justified the need for PBSA to be affiliated with a Lambeth HEP or within a reasonable travelling distance of Lambeth;
  - c. At regional level, it is clear that the need for PBSA is dealt with on a strategic London basis and it is required only to be located in sustainable locations which are well connected;
  - d. Specifically, Lambeth have identified at paragraph 5.68 that PBSA must be close to the institution they intend to serve. This is detailed as reachable within 30 minutes. It then goes on to stipulate that otherwise, they should have good public transport accessibility (Level 4 or above), and easy access to shops, services and community facilities. Whilst this caveat is noted, it is considered that ultimately these stipulations are unfounded given the fact that a 30-minute journey time will vary heavily by mode of transport and student choice. This clearly conflicts with the draft London Plan position which is less prescriptive and require food connectivity to local services only;
  - e. Therefore as reiterated in our previous representation, part (iii) of the draft policy is not justified and should be updated to reflect the strategic position as set out in draft policy H15 of the London Plan in terms of demonstrating a nominations agreement with a London HEI (not Lambeth specific) and in locations that are well connected to local services by walking cycling and public transport;
3. Part (iv) – 'Would not lead to an over-concentration of similar uses':
- a. It is clear from the evidence submitted to support Unite's previous representations, that the concentration of PBSA does not create harm to residential communities. The appeal decisions (appendix A-C of Unite's representations at **Appendix A**) are clear in their conclusions that varying percentage of student populations (30% - 62%) in an area does not lead to harm;
  - b. Whilst the Council have identified a number of dismissed appeal decisions relating to overconcentration of PBSA, it is clear that these do in fact identify that percentages of

concentration should be considered on a case by case basis in terms of supporting mixed and balanced communities, as opposed to identifying overconcentration, and that this threshold is not dictated by planning policy;

- c. The Council's 'Types of Housing Topic Paper 9, states "Lambeth recognises that student residents can bring many benefits to an area, such as increased use of local facilities and services (particularly shops, bars and restaurants), part-time employment in local businesses, volunteering, and in some cases easing pressure on family housing. A student population can also increase the vibrancy of a neighbourhood. Lambeth also acknowledges the need for purpose-built student accommodation in the borough to help meet the need identified at London level". The wording of the draft policy regarding overconcentration does not reflect this acknowledgment of the wider planning benefits that PBSA brings to a locality and Unite believe this should be reflected as opposed to a restrictive policy which is likely to prohibit PBSA developments coming forward to meet an identified need;
- d. The London Plan expected annual need of 3,500 bedspaces per annum across London is a minimum requirement and the Council should seek to meet and exceed this given they have identified that 46% of 24,246 (Lambeth SHMA 2017) students live with their parents, therefore presenting a clear need for suitable and purpose built accommodation;
- e. Whilst the Council have identified dismissed appeal decisions relating to overconcentration, they have not provided evidence as to where a concentration of PBSA has led to a negative impact on a residential community or compromised the delivery of creating mixed and balanced communities in the Borough. Indeed, it is notable that these dismissals were made in cases where no management plan was proposed, and thus these dismissals can be seen to largely be based on amenity issues as opposed to a blanket refusal on the basis of an overconcentration itself. This point is particularly relevant with regards to the Vauxhall Area;
- f. Unite strongly object to the additional supporting policy text at paragraph 5.69 as no evidence as to how the existing concentration of PBSA and pipeline of PBSA in Vauxhall has caused harm to residential occupiers or prevented creating mixed and balanced communities in the area. Vauxhall is located within the Central Activities Zone (CAZ) and the Nine Elms Vauxhall Opportunity Area (NEVOA), where significant growth in terms of housing and employment have and continue to be delivered. It is a high-density central area which has very different characteristics to an urban predominantly residential area;
- g. It is clear that other uses have been delivered by way of conventional residential, employment and hotel uses, all of which create a mixed and balanced community which PBSA also contributes towards. It is clear from various news articles that there are numerous empty residential blocks located in Vauxhall, known as ghost towers (see news article at **Appendix B**). This would lead to the assumption that the oversupply of conventional residential development has caused vacant dwellings. PBSA is particularly suited to these central urban areas and given the fact that evidence of a nominations agreement is required (under the draft London Plan Policy H15), the accommodation is meeting an identified need and is guaranteed to bring forward the wider planning benefits that are acknowledge by the Council and support mixed and balanced communities;
- h. Furthermore, the existing and additional policy text contradict one another, as this states that each site will be considered on a site-by-site basis and the Council emphasis this approach in Topic Paper 9. However, it also states that additional PBSA in the Vauxhall NEV Opportunity

Area is unlikely to be supported, again there is no evidence presented to support this further planning policy restriction;

- i. On this basis, we request the removal of the overconcentration requirement (iv) and it's supporting policy text (5.69) and request the Council to be pragmatic and not restrict the delivery of PBSA in this location, where it can clearly contribute mixed and balanced communities;
4. It is clear that there is a conflict between the PBSA policy (H7) and Large-scale purpose built shared living (H13) in terms of locating them on adjacent sites or 2 similar uses within 500m, this is dealt with under question 3.11 below.
5. Part (viii) – cycle parking standards
  - a. Unite maintain their objection to this part of the policy and consider it unjustified. This is detailed fully within Unite's previous representations enclosed at **Appendix A**.

### **MATTER 3 – 3.11 – LARGE-SCALE PURPOSE-BUILT SHARED LIVING**

#### **Is the requirement in policy H13 for the provision of 15 sqm of functional living space separate from the communal living facilities, justified?**

Unite maintain their objection to the requirement for 15sqm of functional living space (a – i) and supporting policy text 5.123, separate from communal living facilities for the following key reasons:

1. The concept of this type of accommodation is to provide smaller private residential rooms, which are offset by communal space to create communities between single person household in high density developments. This is clear from the draft London Plan Policy (H16) and its supporting text. Therefore, this requirement is in conflict with the London Plan's policy vision for this type of accommodation;
2. The Council's justification of this requirement for private floorspace is justified against the National Space Standards, however, these are applicable to Use Class C3 and should not be applied to a sui generis use which has a very different format and is not considered a conventional residential use class. This is not considered sufficient grounds to justify this requirement;
3. The concept of this type of accommodation is still evolving and the draft policy should be flexible and not be restrictive on its floorspace. There are clear opportunities for co-living developments to be delivered in varying formats dependent of developer and the target market i.e. cluster flats which include semi-private communal space which are then further supplemented by large communal areas. The Council's arbitrary floorspace requirement does not take account of this evolving format and target market, alongside the fact that this type of accommodation could be delivered in varying formations;
4. An overall restriction on private functional living floorspace does not respond to the strategic planning policy position which has been applied in the determination of various planning applications across London;
5. It should also be noted that Unite object to the Council's requirement for communal space to meet the minimum requirements for houses in multiple occupation, on the same basis as per the above that this is a sui generis use;

6. Therefore, this requirement (a -I and ii) should be removed as it is not sufficiently justified alongside its supporting policy text at (5.123);

**Is the provision of rent caps justified and in line with national policy?**

Unite maintain their objection to this requirement (a-iii) as per their previous representations as planning policy should not dictate rental values and this is in clear conflict with national planning policy which does not dictate this.

**What is the basis for limiting the applicability of this policy to certain areas?**

Unite maintain their strong objection to this part of the policy (iv) and supporting planning policy text (5.126) for the following reasons:

1. It is in clear conflict with draft Policy H7, given the fact there are a number of existing PBSA developments within the Vauxhall Area, which is identified as suitable for co-living development;
2. However, this policy also includes that these two uses will not be supported on adjacent sites or within a 500m radius of one another. Despite Vauxhall being identified as a suitable location for co-living development, this restriction completely wipes out the area, therefore prohibiting the delivery of co-living development within the preferred area. Please refer to the plan at **Appendix C** which identifies the Vauxhall boundary, the existing PBSA developments and the 500m radius from these;
3. Furthermore, Topic Paper (9) identifies Vauxhall as a suitable location for this type of development due to its high levels of public transport access, central location and existing high density uses. In this same Topic Paper it identifies PBSA and Co-living development as similar uses, however, there is no justification as to why one use is suitable to the Vauxhall area and the other no longer due to potential impact upon mixed and balanced communities. This presents a further contradiction in the justification of this draft policy;
4. It is clear that draft policy H13 is completely contradictory as it identifies Vauxhall as suitable for co-living accommodation, but the policy requirement (iv) and supporting policy text at 5.126 would restrict this. Therefore, this will ultimately prohibit co-living development being delivered in this 'identified' area. On this basis part (iv) and its supporting policy text at 5.126 should be removed.

**Is part B of the policy too limiting and negatively framed, and is the exclusion of public sector land from the provisions of the policy justified?**

A further point of objection is to part b (set out below) of the draft policy which imposes further restrictions as to whether:

- i. it would result in the loss of existing self-contained residential accommodation (C3);
- ii. it is proposed on a site allocated or protected for other uses;
- iii. it is proposed on a site with an extant planning permission for C3 housing.

This is again in clear conflict with the London Plan Policy H16 and will ultimately restrict the delivery of co-living development for the following key reasons:

1. It is acknowledged by the Council in their topic paper, that co-living development seeks to meet a specific housing need (through the private rented sector) and 1.8 bedroom is the equivalent to 1 unit of conventional housing;
2. Therefore it seeks to meet housing delivery in a very similar way as to PBSA and ultimately does not compromise the delivery of conventional housing for the very same reasons as set out in paragraph 1, a-e, in response to
3. On this basis part b (i, ii and iii) are unjustified and should be removed which will further restrict the delivery of this type of development.

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 Bethan Hawkins on 07849 848236 or (bethan.hawkins@rokplanning.co.uk), or myself at this office.

Yours sincerely,



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