



City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

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Respondent #327 ▼

◀ ▶

COMPLETE

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Page 1: Survey Information

Q1

Do you confirm that you have read and understood the privacy notice? You must select 'Yes' in order to take the survey.

Yes

Page 2: Register for consultation

Q2

Your name:

Richard Frudd

Q3

Contact details: Please provide email and/or address

Organisation (optional) iQ Student Accommodation, c/o Quod

Address ██████████

Address 2 ██████████

City/town ██████

Post code ██████

Email address ████████████████████

Q4

Do you wish to be notified when the City of York Local Plan is adopted by the Council? If yes we will use contact details provided above

Yes

Page 3: Your response

Q5

To which consultation document does this response relate? Please note, links shown beside each option are for associated documents.

Share Link

████████████████████

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459 responses



SIGN UP FREE



Q6

To which section does this response relate?

Section 5: Housing

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

Respondent skipped this question

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

MM5.17 Policy H7: Student Housing

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

Q12

To which modification does this response relate?

Respondent skipped this question

Page 11: Section 8: Placemaking, Heritage, Design and Culture

Q13

To which modification does this response relate?

Respondent skipped this question

Q14

To which modification does this response relate?

Respondent skipped this question

Page 13: Section 10: Managing Development in the Green Belt

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Object

Q23

If you object, please select your reason from the list below (select all that apply):

Not positively prepared - i.e. strategy will not meet development needs

Not justified - i.e. there is no evidence to justify the modification

Not effective - i.e. it won't work

Q24

Please set out the reasoning behind your support or objection:Please note there is a 1000 character limit, therefore if your reason for support or objection is longer than this, please summarise the main issues raised.

Please see attached letter

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Our ref: Q230240/RF/ch
Your ref:
Email: [REDACTED]
Date: 27 March 2023



Strategic Planning Policy
York City Council
West Offices
Station Rise
York
YO1 6GA

By Email

Dear Officers

City of York Local Plan – Proposed Main Modifications (MM5.17 and MM5.18)

We write on behalf of iQ Student Accommodation ('iQ') to make representations to the above proposed main modifications to the draft local plan.

Main Modifications MM5.17 and MM5.18 relate to Policy H7 of the draft local plan concerning 'student housing', or purpose built student accommodation (PBSA). iQ have not considered it necessary to make representations to the emerging plan thus far, but fundamental changes are now proposed at this late stage that will have major direct impacts on PBSA provision in the city, with the scope for wider implications.

In summary, the modifications refocus the originally drafted policy to off-campus PBSA only, which is not necessarily contentious in the York context. However, areas of concern do arise around (i) the requirement for nomination agreements from the universities, (ii) limits on occupation of PBSA, and (iii) the introduction of contributions towards off-site affordable housing.

The new requirement for nomination agreements hands substantial power to third parties (the University of York and York St John University) giving them significant control over the off-campus PBSA market, and one which it is arguably in their interests to restrict.

Two likely outcomes of restricting the supply of off-campus PBSA will be increased costs for students, and increased pressure on traditional housing to accommodate students who do not wish to live on campus.

Therefore, the corresponding introduction of a requirement to contribute towards affordable housing provision is counter-intuitive. Factor in the introduction of CIL charging (subject to consultation alongside the proposed modifications) and this situation is exacerbated.

It is further compounded in a high value tourist city such as York by imposing onerous restrictions on occupation of PBSA throughout the year, and placing a strong policy presumption against enabling



use for non-student accommodation beyond term times, for example. Again, this adds pressure on existing residential units for holiday related accommodation, and compounds wider affordability issues.

Tests of Soundness and Recommended Changes

The proposed modifications are of concern due to their content and the stage at which they are being introduced to the local plan process, resulting in a lack of opportunity for interested parties to consider, engage and contribute. This is particularly true in terms of the opportunity to properly interrogate the viability evidence (related to affordable housing and CIL).

We have reviewed each of the highlighted areas of concern through reference to the tests of local plan soundness (i.e. is the plan positively prepared; justified; effective; and, consistent with national policy) below, alongside corresponding recommendations for changes which could make the policy sound.

Nomination Agreements (Criterion iia)

The requirement for nomination agreements effectively allows the city's universities to dictate which off-campus sites can come forward and where. This requirement is not necessary to make the plan sound given that Policy H7 already introduces a 'needs' test for off-campus PBSA, alongside what also equates to a 'sequential test' exercise in assessing the availability of space on campus (Criterion i).

Furthermore, whilst some higher education providers can provide a letter of in-principle support for a PBSA development, in some cases they are unable to enter into a contract until permission has been granted, and/or there is certainty of the academic year the bed spaces will be available; i.e. nomination agreements may not always be the most effective means by which to ensure that the accommodation needs of students in the city are being met.

This is considered superfluous in the case of York and draft Policy H7 due to the existence of Criterion i – off-campus PBSA can only be supported where it can be demonstrated that there is a need for student housing which cannot be met on campus – which is already a particularly onerous requirement.

Criterion iia adds unnecessary further bureaucracy and control, a consequence of which will be reduced choice and increased cost to students for off-campus PBSA, with corresponding increased pressure on traditional housing stock to accommodate students who do not wish to live on-campus.

It is recommended that Criterion iia is deleted because it is unsound. Arguably, it does not meet any of the soundness tests, not least as it is an unnecessary negative constraint beyond an already onerous approach to assessing the need for new PBSA.



Occupation (Criterion iv)

Whether through planning conditions or s.106 obligations City of York Council (CYC) have previously allowed PBSA to be occupied by students engaging in full or part-time higher education courses within the CYC administrative boundaries, and have also enabled it to be used for non-student accommodation outside of term times.

This is a common approach across the UK, and reflects the fact that student preferences and university course offerings regularly change, hence the need for flexibility. Similarly, making optimum use of the high quality accommodation when not in use by students accords with all layers of planning policy, supports the tourist sector, and reduces pressure on traditional residential accommodation.

The modifications restrict where those in part-time education (which is often undertaken alongside work and/or other related training) can reside in the city. The potential implications of this are wide ranging. For example, they could lead to unsustainable travel patterns, and do not support the increasing number of employers who are actively seeking students on part-time and/or vocational courses that ease the transition between education and career.

The modifications also impose a development plan presumption against short-term non-student lettings beyond student term times. It is unclear what the harm of such lettings are; they maximise the beneficial use of available, high quality residential accommodation; they support the tourist economy during peak tourist periods over Christmas and the summer holidays; and, consequently reduce the pressure on traditional residential accommodation to be used such as short term tourist lets (authorised or otherwise).

There is no corresponding planning harm. Indeed, the approach accords with one of the central strands of the planning policy in making the most efficient use of rare (in the case of York) brownfield land and residential accommodation.

The negative impacts of limiting such opportunities range from those on the attraction of tourism (e.g. increased costs to tourists) through to increased pressure on traditional residential properties to meet tourist demand. This compounds the potential impacts already outlined in relation to Criterion iia.

A further negative impact of limiting occupation in the manner proposed is that the cost of PBSA for students may increase due to the inability of operators to offset their own costs through a wider range of letting opportunities.

It is recommended that Criterion iv is revised to make it sound. An alternative form of wording which would be positively framed, justified and effective in light of the above would be as follows:

“The accommodation shall be occupied only by students enrolled in higher education at the University of York or York St John University during term time. Short term lettings to non-student residents outside of term time will be supported. Conditions or obligations shall be imposed to



secure compliance with this requirement and for the proper management of the properties throughout the year.”

Affordable Housing

A viability appraisal has been undertaken by consultants acting on behalf of CYC to inform (or justify) the proposal to introduce an affordable housing requirement in Policy H7 to off-campus PBSA.

The results suggest that there is sufficient ‘headroom’ with all tested typologies to support a financial contribution to affordable housing. However, and without sufficient opportunity to scrutinise the appraisal work, these findings are necessarily broad brush in nature, and do not take account of the wider implications of Policy H7.

Furthermore, the corresponding work to underpin introduction of a Community Infrastructure Levy (CIL) charging schedule slightly contradicts the findings in recognising that modest scale (100 beds and above) schemes will not be able to support additional costs.

The introduction of an affordable housing contribution will undoubtedly have implications for the viability of PBSA schemes across the city at a time when inflationary development costs and changing patterns of university teaching area already having effects on delivery.

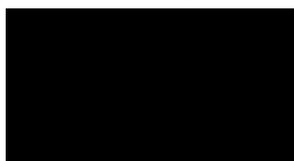
More fundamentally there is a clear contradiction between a policy as a whole which will increase costs for student residents, and increase pressure and costs on the traditional residential sector of the city, whilst simultaneously requiring financial contributions toward alleviating these pressures.

The introduction of the affordable housing contribution requirement could only possibly be considered sound if these contradictory requirements are resolved; i.e. the recommended approach to Criterion iia and Criterion iv is adopted.

Without such action the policy cannot be considered positively prepared, justified or effective, as it will simply compound one of the key matters that it seeks to resolve.

We trust that these comments will be afforded appropriate weight in consideration of the proposed modification, and would be happy to engage further should this be deemed appropriate.

Yours faithfully



Richard Frudd
Senior Director