

Purpose Built Managed Student Accommodation (PBMSA) Supplementary Planning Guidance (SPG)

Consultation Report, June 2016

1. Introduction

This report provides a summary of the consultation process undertaken when preparing new Supplementary Planning Guidance (SPG) in relation to Purpose Built Managed Student Accommodation (PBMSA) in Belfast. It outlines how the consultation was undertaken, summarises the responses received and outlines the changes made to the final guidance as a result.

The SPG provides additional advice and guidance specific to PBMSA in Belfast and is intended for use by developers, the public and by planning officers in the assessment of planning applications for PBMSA developments within Belfast. It complements the information already set out in the associated Best Practice Guide published in January 2016 and the Planning and Place Advice Note published in October 2015. As non-statutory planning guidance, the SPG supports, clarifies and/or illustrates by example policies included within the current planning policy framework, including Planning Policy Statements (PPSs) and local development plans.

2. Consultation Process

The Council published the draft SPG for consultation for a period of 12 weeks from 7 March – 31 May 2016. In keeping with our Statement of Community Involvement (SCI) we endeavoured to ensure that the exercise was meaningful, inclusive and fit for purpose.

During the 12 week consultation period, the Draft SPG was available to download from the Council's website alongside a Consultation Response Form (see Appendix A) and copies of supporting documentation, including the Equality Screening Report and the Strategic Environmental Assessment (SEA) Screening Report. The Consultation Response form could also be completed as an on-line questionnaire on the Council's website.

Hard copies of the Draft SPG and Consultation Response Form could also be collected from the Council's planning reception on the ground floor of the Cecil Ward Building at 4-10 Linenhall Street in Belfast city centre. Copies were also available to be sent out as hard copies on request. As well as response being welcomed via the structured on-line response form or and hard copy response form, representations could also be submitted via email or in writing.

In addition to the general publication of the draft SPG, the Council also undertook a targeted consultation exercise, aiming to engage interested organisations who have recently engaged with the Council in relation to PBMSA developments, including current and recent applicants (or their representatives) and organisations who have engaged with the development management process to either support or object to specific planning applications for PBMSA (see Appendix B).

The consultation exercise was publicised widely through social media throughout the consultation period and appeared as a featured article on the home page of the Council's website during the final few weeks of the consultation. A press release was also issued in May to publicise the consultation more widely and this resulted in a short report featuring in the Newsletter on 20 May 2016 reminding readers that there were only two weeks remaining to respond to the consultation.

3. Consultation Responses

During the consultation period, the SPG's consultation page on the Council's website received over 430 views and 31 organisations were contacted directly in relation to the consultation. Three formal responses were submitted to the consultation from a resident of South Belfast, Councillor Ross Brown and Queen's University Belfast. All three responses were generally supportive of the draft SPG but made a number of specific suggested changes. The following sections summarise the comments made, the Council's response to the comments and any changes made to the document as a result:

Consultation Response	Officer Comment	Summary of Proposed Changes to Document
Planning Issues		
<p>A much greater emphasis could be placed on buying in the support of local communities impacted by the construction of these buildings. As opposed to highly recommending consultation with local community it should read that developers are compelled to engage in consultation with local residents to ensure full information is given prior to planning commission being sought.</p>	<p>Paragraph 5.2 of the draft SPG encourages pre-application consultation with the community. However, whilst the Council recommend pre-application engagement for PBMSA development, this can only be insisted upon where the development falls within the statutory definition of major development, as defined in the Planning (Development Management) Regulations (Northern Ireland) 2015. In such cases, applicants must submit a Proposal of Application Notice (PAN) to the Council at least 12 weeks prior to the submission of the planning application, at which stage the Council are able to review an applicant's proposed pre-application consultation process. The Council then have 21 days to state whether the consultation is acceptable or detailing any further consultation required. In practice, most planning applications for PBMSA are likely to fall within the definition of major development and will require community consultation.</p>	<p>Additional bullet point inserted at paragraph 5.2 in relation to the PAN process. PAN also added to Glossary at Appendix A.</p>
<p>SPG should recognise the difference between a private developer/investor speculative development of PBMSA with a development being financed and managed by a University or further or higher education institution.</p>	<p>The SPG recognises the benefits of formal links with a further or higher education institution as part of the management arrangements in paragraphs 5.43-5.45. In addition, the government-approved Codes of Standards referenced at Paragraph 5.46 recognises the difference between accommodation managed or controlled by educational establishments (which would include via nomination agreements) and those operated independently. More detailed advice in relation to Management Plans is also contained within the associated Best Practice Guide.</p> <p>However, the Council cannot differentiate between speculative developers and a university or other higher education institution. The purpose of the</p>	<p>No proposed changes</p>

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	<p>planning system is to consider whether a proposed use of land is acceptable and in doing so each application must be assessed on its own merits. To do otherwise would be unlawful.</p>	
<p>Location and Accessibility</p>		
<p>The criteria of 1200m or 15 minute walking distance for assessing suitable sites should be an aspiration. However, the reality within Belfast in particular is that this may not always be possible to achieve and, whilst 15 minutes walk should be the ideal, but must not rule out good schemes on cusp/boundary of this. Within this context there are other important factors to consider – for example; the importance of sustainable transport links, the suitability of the location for students. It may also be influenced from where a measurement is taken from e.g. is it the nearest University building or what is deemed the centre of the University? A distributed institution would potentially have a much larger range of potential sites but these may be much further from the main facilities, accessed by individual students, than the ideal 1200m. Within Belfast the Queen’s estate is located predominantly within Conservation areas and contains a large number of listed buildings. These will constrain the availability of appropriate sites for significant PBMSA development. The 1200m should therefore be deemed an aspiration rather than a fixed constraint.</p>	<p>The Strategic Planning Policy Statement (SPPS) for NI seeks to locate development where it helps reduce car usage by improving connectivity and promoting more sustainable patterns of transport. The SPG reflects this by recommending locations within a 15 minute walking distance of a university or college.</p> <p>This 15min (1,200m) threshold was first included within the Council’s ‘Framework for Student Housing and Purpose Built Accommodation’ (March 2014), and is in line with the generally accepted walking pace of 80m per minute. However, it is acknowledged that this is not an exact science and that pace will vary depending on your fitness level, walking technique etc. Within an urban area, it is unlikely that a pedestrian will be able to walk in a straight line between two locations and may have to navigate obstacles such as pedestrian crossings and indirect walking routes. A 1,200m radius from the nearest university building is therefore only ever an estimate of walking distance, but does provide a useful objective guide.</p> <p>As suggested in the consultation response, the SPG also recognises that locations that benefit from high accessibility (such as access to a good quality public transport route) are the preferred locations for higher density housing such as PBMSA (Para 5.6) and that PBMSA may be acceptable in highly accessible locations outside of the City Centre (Para 5.10). It is therefore not felt that the SPG would negatively affect proposals for PBMSA developments in highly accessible locations beyond walking distance of a university or college campus.</p>	<p>No proposed changes</p>

Consultation Response	Officer Comment	Summary of Proposed Changes to Document
Design Quality		
<p>The University considers that the HMO bedroom sizes are low. To achieve high quality PBMSA that is suitable for its occupants to both live and study, a minimum of 10m2 is the preferred minimum standard, set by the University for a single en-suite study bedroom.</p>	<p>Whilst the Council welcome the provision of good quality student accommodation that exceeds minimum spaces standards outlined in the SPG, there are currently no policy requirements for such higher standards. As no official standards exist for PBMSA, the Houses in Multiple Occupation (HMO) standards are the nearest available space standards that could be applied to accommodation suitable for students. The new Houses in Multiple Occupation (HMO) Act (NI) 2016 contains minimum standards that are to be applied to HMOs in Northern Ireland and are in line with minimum standards often proposed for PBMSA elsewhere in the UK.</p>	<p>No proposed changes</p>
<p>I would like to propose that the council set out in the planning guidelines minimum building standard requirements in line with either the BREEAM or Code for Sustainable Homes framework. These frameworks set out clear criteria of what sustainability in good planning and building design entails. Given the legal requirement to further sustainability I do not believe it is sufficient to refer to sustainability in the proposed guidelines without providing clarification of a level at which we are aiming as a council.</p>	<p>Whilst the Council welcome the provision of good quality student accommodation that meets BREEAM (Building Research Establishment's Environmental Assessment Method) or Code for Sustainable Homes (CSH) standards, there is currently no policy requirement for such standards. It is therefore beyond the scope of this supplementary guidance to introduce minimum sustainability standards.</p> <p>However, the associated Best Practice Guide does recommend consideration of sustainable construction methods and the use of energy reduction and zero carbon technologies. This is recommended best practice rather than a policy requirement, but could be reflected within the final SPG.</p> <p>Furthermore, although the SPG is unable to introduced a new requirement for PBMSA developments to achieve particular standards in sustainability, there are a number of elements of existing planning policy and guidance within the SPG that seek to further sustainable development, such as the aim of reducing the need to travel and promoting walking/cycling, providing a quality residential environment, considering facilities for the management of waste and recycling, the use of Green Travel Plans and the provision of adequate management arrangements for the accommodation. These reflect many of the criteria addressed within the BREEAM/CSH assessments.</p> <p>As noted in the response, the Planning Act (NI) 2011 and the SPPS both</p>	<p>New paragraph on 'Sustainable Development' inserted within the section on Design Quality to better reflect sustainable development aspirations (see also below).</p> <p>Comments regarding sustainability standards (BREEAM/CSH) to be considered in the context of the emerging</p>

Consultation Response	Officer Comment	Summary of Proposed Changes to Document
	<p>place the aim of ‘furthering sustainable development’ at the heart of the new local planning system. It is therefore appropriate to consider the need for sustainability assessment or rating systems, such as BREEAM/CSH, as part of the new Local Development Plan (LDP). These comments will therefore be considered in the context of the new emerging LDP currently being prepared by the Council.</p>	<p>LDP for Belfast.</p>
<p>I would like to propose that we include a requirement under the planning guidelines that all rooftops are either covered in solar panels or greened in line with the requirements in France http://www.theguardian.com/world/2015/mar/20/france-decrees-new-rooftops-must-be-covered-in-plants-or-solar-panels</p>	<p>Whilst the Council welcome the provision of good quality, sustainable student accommodation, there is currently no policy requirement for solar panels or green rooftops. It is therefore beyond the scope of this supplementary guidance to introduce this requirement.</p> <p>Nevertheless, it is already acknowledged at paragraph 5.19 that roof gardens may provide an opportunity to contribute to the overall open space provision. In addition, as noted above, the associated Best Practice Guide recommends the use zero carbon generating technologies as recommended best practice rather than a policy requirement. The SPG has been amended to better reflect these aspirations.</p> <p>As also noted above, It will also be appropriate to consider the use of solar panels and green roofs as part of the new Local Development Plan (LDP). These comments will therefore be considered in the context of the new emerging LDP currently being prepared by the Council.</p>	<p>New paragraph on ‘Sustainable Development’ inserted within the section on Design Quality.</p> <p>Solar panels and green rooftops to be considered in the context of the emerging LDP for Belfast.</p>
Impact and Scale		
<p>Each development will have its own varying impacts upon each student and on the local area where it has been developed. It’s important to get evidence from local traders, local people, students, greater level of educational attainment and whether or not any local partnerships are working. A comparison of educational achievement can be done using local universities and comparing various accommodations. It’s important to develop partnerships with local communities, traders etc on a development by</p>	<p>As noted above, the SPG highlights the requirements for developers to consult local communities and stakeholders prior to an application being submitted. Once a planning application is formally submitted to the Council, neighbouring properties are notified and local stakeholders and the public are given the opportunity to comment on proposals. For major applications, this may also include the opportunity to speak directly to the Planning Committee when an application is being considered.</p> <p>Council Officers and the Planning Committee will then take all comments received into account when assessing the likely impact of a proposed</p>	<p>Paragraph 5.37 amended to highlight the role of community consultation in considering the potential impact of</p>

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<p>development basis taking into consideration the impact these local neighbours have on their immediate surroundings. Assessment with local communities should be done personally.</p>	<p>development on the surrounding area.</p> <p>The final SPG has been amended to reflect the role of community and stakeholder consultation in helping to assess the likely impact of proposed development on the surrounding area.</p>	<p>proposed developments.</p>
<p>The SPG rightly places a high degree of importance on the impact of PBMSA on surrounding communities and seeks to ensure ‘balanced communities’ are achieved. However, what must also be considered, by way of any impact analysis, is the wider economic impact of a growing student population aligned to a growing University in Belfast City and Northern Ireland. Queen’s University is developing new PBMSA to support its student growth objectives over the next 5 years. Growing in this way will have a significant economic impact on Belfast and Northern Ireland and this should be factored into any impact assessment of a scheme where the business case drivers are linked to an institutions corporate plan. Universities UK recently published a report on ‘The Economic Impact of Queen’s University Belfast on the Northern Ireland Economy’. The report sets out key statistic on the economic output of the University including: employment, export earnings, student profile and secondary or ‘knock-on’ effects on the economy. This information could help inform and assess the impact of any University supported development of PBMSA. A link to the report is provided below: http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2015/economic-impact-queens-belfast.pdf</p>	<p>The Council recognise that students studying and living within Belfast make a significant contribution to local and regional economies. In addition to the research undertaken by Universities UK in 2015, the Council also completed its own research on ‘The Economic Impact of Higher Education Students on the Economy of Belfast’ in February 2014.¹</p> <p>However, whilst economic benefit is an important consideration for the City, it is unlikely to have determining weight within the context of design quality and the impact of individual developments. Nevertheless, the economic benefit will be a consideration when assessing the need for new developments and comments linking proposed developments directly to a further or higher education institution’s published Corporate Plans could be better reflected in relation to need.</p>	<p>Paragraph 5.52 and 5.53 amended to reflect links to the Corporate plans of the City’s further and higher education institutions.</p>

¹ Available from: <http://www.belfastcity.gov.uk/buildingcontrol-environment/Planning/student-accommodation.aspx>

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<p><i>Concern that smaller scale PBMSA developments would mean a greater number of developments that could be more costly to manage or be managed by a warden who will not be on the site and it makes me doubt that a robust system of management could be in place.</i></p>	<p>The SPG notes that smaller scale PBMSA may not support the necessary management arrangements to make them acceptable. However, where smaller schemes are able to demonstrate the provision of appropriate management arrangements, planning applications may still be considered acceptable.</p>	<p>No changes proposed</p>
<p>Management</p>		
<p>The SPG should make accreditation², under one of the available Codes of Standards, a mandatory requirement for all providers and not voluntary as set out in the proposal. This would ensure that the SPG is aligned to the HMO Bill 2016 (NIA60/11-16)</p>	<p>The HMO Act (NI) 2016 (the Bill having now received Royal Assent) contains provisions to allow PBMSA developments to be exempt from HMO Licensing where PBMSA has secured accreditation². This will be subject to secondary legislation to be brought forward by the new Department for Communities. The SPG has been amended to ensure better alignment with this new legislation.</p>	<p>Paragraph 5.48 amended to remove 'voluntary'</p>
<p>Planning Agreements</p>		
<p>Planning agreements may also be useful in recognising where a University has a direct involvement in the management of the PBMSA. In such circumstances the Planning Agreement should allow greater flexibility, where restrictions are otherwise being applied to the private sector operator, reflecting the partnering relationship between the Council and the University. Any such flexibility would only exist for as long as the University remained the operator.</p>	<p>Appendix D notes that Planning Agreements may be used to ensure proposed links with a relevant university or college are formalised. It should also be noted that the new HMO Act referenced above also includes exemptions from HMO licensing for PBMSA that are Managed or controlled by an educational establishment.</p> <p>Flexibility can be applied in negotiating any aspect of a planning agreement, including issues around management. However, the agreements must reflect the development which was applied for, consulted upon and approved by Committee.</p>	<p>No changes proposed</p>

² There are a number of accreditation schemes (known as 'Codes of Standards') available for the management of PBMSA approved for use in the UK by the Department for Communities and Local Government (DCLG). These accreditation schemes provides assurance to respective tenants and the Council that quality standards will be met and that appropriate management arrangements will be in place for operation of a development,



Belfast
City Council

Purpose Built Managed Student Accommodation in Belfast Supplementary Planning Guidance (SPG) response form

We have developed a Purpose Built Managed Student Accommodation (PBMSA) in Belfast Supplementary Planning Guidance (SPG) document which provides extra advice and guidance for developers, the public and planning officers when working on planning applications for purpose built managed student accommodation developments.

Please read the draft plan before completing this consultation.

All responses to this consultation must be received by 12noon on 31 May 2016.

Privacy

All responses will be treated as public and may be published on the Belfast City Council website.

If you do not want your response to be used this way or if you prefer it to be used anonymously please indicate this when responding.

We will respect this request, subject to our obligations to disclose information, for example under the Freedom of Information Act 2000.

Do you wish to respond anonymously?

Yes

No

Name:

Address:

Telephone:

As part of our new planning powers, we are developing a new 15 year Local Development Plan. It will provide the spatial framework for how we will make planning decisions to support the economic, environment, and social needs for Belfast.

Would you be interested in receiving updates about this in the future?

Yes

No

If yes, please enter your email here:

Are you responding as an individual?

Yes

No

If no, please tell us:

Name of organisation

Job title or role

Description of organisation

Question 1

The PBMSA Supplementary Planning Guidance is structured around six planning issues - location, design quality, scale and impact, management, need and planning agreements. Are these issues identified the correct ones?

- Yes (If yes please go to question 1c)
- No (If no please go to questions 1b and 1c)

Question 1b

What do you think the correct issues should be?

Question 1c

Are there any other planning issues the PBMSA Supplementary Planning Guidance could address? If so, please enter them here:

Question 2

Do you agree that purpose built managed student accommodation should be within 15 minutes walking distance (1,200m) of a university or college campus?

- Yes (If yes please go to question 3)
- No (If no please go to questions 2b)

Question 2b

Why do you not agree?

Question 3

The Supplementary Planning Guidance highlights the importance of creating a quality and sustainable residential environment for future residents. Do you agree with the proposed minimum size of rooms, based on housing legislation? *(See appendix C of the guidance)*

- Yes (If yes please go to question 4)
- No (If no please go to questions 3b)

Question 3b

What changes should we consider?

Question 4

Do you have any suggestions how we could assess the impact of a Purpose Built Managed Student Accommodation developments? (Either on a development by development basis, or alongside other student accommodation.)

Question 5

In the past we have received applications for smaller-scale purpose built managed student accommodation developments, for example less than 50 units or 200 residents.

Do you agree that smaller developments could still be acceptable if they are able to meet other policy requirements such as having robust management arrangements for the accommodation?

- Yes (If yes please go to question 6)
- No (If no please go to questions 5b)

Question 5b

Why do you not agree?

Question 6

Do you agree that voluntary accreditation under one of the available Codes of Standards for the management of Purpose Built Managed Student Accommodation should be required from the operator?

- Yes (If yes please go to question 7)
- No (If no please go to questions 6b)

Question 6b

Why do you not agree?

Question 7

The Supplementary Planning Guidance identifies a number of examples of where planning agreements can be used in relation to Purpose Built Managed Student Accommodation developments (Appendix D). Are there any other ways that planning agreements could be used?

Yes (If yes please go to question 7b)

No

Question 7b

Please provide details

Thank you for completing this consultation.

Please return this response document to us by 12noon on 30 May 2016.

Postal address:

PBMSA SPG Consultation
The Planning Service,
Belfast City Council,
The Cecil Ward Building,
4-10 Linenhall Street,
Belfast,
BT2 8BP.

Appendix B: Targeted Consultation on the Draft SPG

This list comprises organisations who have recently engaged with the Council in relation to PBMSA development, including current and recent applicants (or their representatives) and organisations who have engaged with the development management process to either support or object to specific planning applications for PBMSA.

- Andrew Nesbitt Architects
- Ashton Community Trust
- Belfast Civic Trust Ltd
- Belfast South Community Resources
- Carrick Hill Residents Association
- Consarc Design Group
- Donegall Pass Community Forum
- Durnien Surveyors
- Eastside Partnership
- FM Planning
- Greater Shankill Partnership Board
- Hall McKnight Architects
- Inner North Neighbourhood Partnership
- Macrae Hanlon Spence Architects
- Michael Burroughs Associates
- North Belfast Partnership Board
- Ostick and Williams Ltd
- Queen's University Belfast
- Resolve Planning and Design
- Robinson McIlwaine LLP
- Royal Society for the Protection of Birds (RSPB)
- RPP Architects
- Sandy Row Community Forum
- South Belfast Partnership Board
- South City Resources and Development Association
- TSA Planning Ltd
- Turley
- Ulster Architectural Heritage Society
- University of Ulster
- West Belfast Partnership Board
- Wirefox Design Ltd / Wirefox Management Ltd