

**Development Control  
(North Sunderland) Sub-Committee**

**SUPPLEMENT**

**22<sup>nd</sup> March 2011**

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<b>Number:</b>	<b>S1</b>
<b>Application Number:</b>	<b>10/04017/FUL</b>
<b>Proposal:</b>	<b>Erection of a three storey student accommodation building and associated access and car parking</b>
<b>Location:</b>	<b>Site of 55 to 59 Dundas Street, Sunderland</b>

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Further to the main agenda report in connection with this application, additional information has been received from the applicant / agent (Social and Economic Justification Statement), which attempts to demonstrate the need for further such developments within the City.

**Social and Economic Justification Statement**

The aforementioned statement has been prepared partly in response to the requirements of policy CS2.2f of the emerging Revised Preferred Options Core Strategy and also to the objections received to the application by both Sunderland University and U-Student (partners of the University).

Policy CS2.2f of the emerging Revised Preferred Options Core Strategy states:-

*'Major planning applications for student accommodation will have to demonstrate how they meet a proven need for development, are compatible with wider social and economic regeneration objectives and are conveniently located for access to the University campuses and local facilities'.*

In respect of the above policy the applicant / agent has undertaken a desk top study in an attempt to evidence the need for further student accommodation in North Sunderland. The study looked at four areas, those being (1) existing student accommodation, (2) student accommodation controlled or owned by the University, (3) other student accommodation available and (4) student accommodation controlled by the applicant and reported the findings.

(1) Existing Student Accommodation – This area of the study looked at the availability of existing student accommodation in relation to the general quality of the accommodation provided and accessibility to the University campuses.

The findings of this section conclude that of the four, student accommodation sites identified (Panns Bank, Scotia Quay, Dunn House and All Saints), the application site is located closest to the Sir Tom Cowie St Peters Campus (based on approximate walking distances) being only 595m away compared to the next closest, Dunn House, which is approximately 865m away.

In this regard it is considered that the current application site is conveniently located for access to the University campus of Sir Tom Cowie St Peters.

(2) Student Accommodation Controlled or Owned by the University – This aspect of the study researched the availability of student accommodation controlled or owned by the University as well as the occupancy rates/take up of such accommodation.

The findings of the study indicate that for the academic year 2010/11 the University offered student accommodation both within its own halls of residence (four halls totalling 1486+ bed spaces) and also within other associated halls (two halls – The Forge and All Saints – totalling 696+ bed spaces). In total the University offered in the region of 2182+ bed spaces. (Note this information is obtained from the University website).

The statement claims that of the above suggested bed spaces, only 105 bed spaces are located within convenient access to the Sir Tom Cowie St Peters Campus, which is less than 5% of the University's managed bed space.

The statement goes on to state that during a site visit undertaken on 23 February 2011 of the All Saints student halls, a group of students currently residing in the building raised concerns regarding the quality of the accommodation and external space provided.

In response to the above, it is acknowledged that the information provided is limited and represents the findings/view of the applicant. However, in the absence of any information to the contrary, either from the University or any other student accommodation provider, the justification made in respect of the location of the student building and access arrangements to the University campus of St Peters is accepted in this instance.

(3) Other Student Accommodation Available – On the north side of the River, the study has identified Dunn House (North Bridge Street) as being a major student accommodation provider not under the control of the University.

Based on information obtained from the Dunn House website it would appear that the building contains 114 self-contained flats, catering for both students and workers.

For the purpose of the study a site visit to Dunn House was undertaken on 23 February 2011 where it established that approximately 80% of the building was occupied. It was also claimed by an employee of the establishment that regular complaints are received from occupants (mainly students) claiming that the single rooms are too small and the overall image of the building poor.

(4) Student Accommodation Controlled by the Applicant – As stated in previous reports, the applicant is a well established student accommodation provider within the City, particularly in North Sunderland. The current property portfolio is primarily self contained flats which have been redeveloped to a very high standard, a principle that the applicant wishes to take forward into the

proposed development. The applicant claims that the demand for his type of accommodation is high in this area owing to the proximity of the Sir Tom Cowie St Peters Campus and currently he is oversubscribed for the current and next academic years.

The statement claims that with regards to quality the applicant, like the University, is equally committed to providing high quality student accommodation, in a modern environment, professionally delivered and managed.

In response to the above claims it is accepted that whilst no statistical evidence has been provided to support the claims of oversubscription, equally there is no evidence to suggest that this is in fact not the case. From the evidence provided within the submitted Social and Economic Statement it is accepted that there may be a demand for high quality student accommodation within North Sunderland that is currently not being met by the market. This belief is however the view taken at this time and may change should evidence to the contrary be provided by either the University, one of its partners or another reputable student provider.

## **Representation**

As stated in the main report, three letters of objection and one letter / e-mail of support have been received in respect of the application. Full details of the representations and justification for each of the points raised are detailed below.

### **1. St Bedes Medical Practice**

We are quite happy with the planning application on condition that (i) the premises are used for students only and (ii) there is adequate car parking so as not to use St Bedes as an overflow.

### **2. CBRE**

The basis of the objection is as made for previous applications for student residential accommodation. This is also consistent with the wording developed within the emerging Local Development Framework i.e. that demand for student residential accommodation needs to be demonstrated. This inevitably requires engagement with the University.

The student residential market in Sunderland is finely balanced between supply and demand sides. Whilst major progress has been made over the past years managing unsustainable void position the outlook remains volatile, requiring extensive planning between University recruitment, Faculty and accommodation office teams on an annual basis to ensure business targets are met.

Student number planning over the next period is assumed at steady state at best. The recent changes in funding for education are likely to have a major impact on the sector including if, how and where future cohorts engage with higher education. This will have an impact on the student residential market.

Traditionally a large proportion of Sunderland students continue to register home as a term time address, consistent with the profile of local / regional recruitment. This has a significant impact on the perception of the Sunderland market for student residential accommodation.

The University has a supply of circa 2100 managed bed spaces either through its own estate or through partnership with external providers (U Student). Major investments have and continue to be made in the residential estate to maintain the quality of provision expected from both current and future cohorts. The residential offer continues to play a key role in both the student's decision making process and experience whilst at university.

In the longer terms the strategy remains to relocate some of the provision to the city centre sites as opportunities arise. This supports the objectives identified within the campus master plans and will provide further regeneration in Sunderland city centre. This relies on there being sufficient demand in the market.

To summarise therefore supply and demand for 2011-12 is at an equilibrium. The position thereafter is unclear and there remains significant risk within the market. The University as a key partner in the delivery of the Sunderland Economic Master Plan relies on the ability to maintain a sustainable plan for student residential and should not be undermined by speculative proposals that have not been justified.

Without any further evidence on business justification for this particular proposal the University maintains the position that the application is inappropriate and should not be granted planning consent.

### 3. U –Student

U-Student now own and operate The Forge U Student Village having bought the site from the University and carried out a significant refurbishment and new build program, investing in the region of £12 million into the local economy during 2010/11.

U-Student state that they have an excellent and long term relationship with the University.

It is their view that the University is a key economic driver for the City, and working closely with them, their aspiration is to further enhance the reputation of Sunderland University and the host city by providing high quality student accommodation, in a secure, modern environment, professionally delivered and managed.

The reason for this letter is to draw your attention to the importance of balancing supply and demand where student accommodation is being considered, and it is U-Students view that at present sustainable demand cannot be demonstrated to require any more supply of bed spaces within the City, with void bed spaces this academic year across circa 2000 beds available between the U-Student site and other university accommodation. This statement can be substantiated quite easily. U-Student therefore urge the city to liaise extensively with the University directly in relation to this application and all forthcoming student accommodation applications and ensure a policy is maintained whereby sustainable long term demand is clearly demonstrated before approving any further student bed spaces.

(The remainder of the objection relates to Houses in Multiple Occupation and is not directly related to the application currently under consideration).

#### 4. Mr Humble – 17 Reading Road

Mr Humble objects to the application to build on open ground in Dundas Street by Leah properties Ltd on the ground that Leah developers and other property developers over the last 20 years have turned the Roker Avenue area into one giant slum.

In response to the above representation the following comments are offered.

1(i). Student accommodation such as that proposed in this application is classified as a Sui Generis use. Sui Generis uses are uses that do not sit within one of the use classes as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 usually owing to their unique nature and material impacts. Such uses do not benefit from permitted changes between certain classes and therefore planning permission would be required to change the use of the building to something other than student accommodation, even other residential uses. In this regard only students would be permitted to occupy the building under the current proposal.

1(ii). The application proposes 12 parking spaces to the rear of the building which has been considered by the Manager of City Services - Transportation and deemed to be acceptable for the type and size of accommodation to be provided.

2 & 3. As set out in the above policy section, the emerging Revised Preferred Options Core Strategy contains a policy, CS2.2f, which requires all major planning applications for student accommodation to demonstrate that they will meet a proven need for such accommodation. In this regard the applicant has undertaken a study of student accommodation in North Sunderland and where possible has attempted to evidence his claims that there is a need for additional student accommodation in this area.

The primary objection of both the University and U-Student would appear to relate to the issue of supply and demand of student accommodation within the City. Both the University and its partner, U-Student, are of the opinion that supply and demand are at an equilibrium and any further additions to this form of accommodation may have economic and market implications for the City.

Whilst the opinion of both the University and U-Student is acknowledged, no further justification evidencing the above claims has been provided and therefore any decisions made need to be based on supported evidence and not merely an individuals / groups opinion. The University have been asked to evidence their objection in respect of policy CS2.2f, however to date no such information has been forthcoming.

Furthermore, the claims made regarding 'speculative' development are not considered to apply to this proposal owing to the fact that the applicant has experience of the student accommodation market in North Sunderland and has attempted to evidence that there is a demands for the type of accommodation he is proposing to build.

Finally, the above objections also need to be balanced against the University and U-Students opposition to the proposal due to personal interest and commercial competition, which is not a matter to be considered in the planning arena. For this reason it is considered even more important that any claims made in relation to supply and demand should be fully evidenced before being given any weight as a material consideration.

Therefore, taking all of the above into account it is considered that whilst there may be merit in the claims being made by the University and U-Student, without further evidence and/or justification of such claims it is not considered that the issues raised are robust enough to warrant refusal of the application. This is further compounded by the fact that policy CS2.2f of the emerging Preferred Options Core Strategy has not been subject to any formal consultation and therefore the weight that can be afforded to this policy is limited at this time.

4. No material planning grounds are contained within this objection and therefore no justification is offered in this regard. It should however again be noted that the current proposal for student accommodation is a Sui Generis use and not a C4 use which specifically relates to Houses in Multiple Occupation. Therefore given that there are no permitted changes for such Sui Generis uses, any changes to the use of the building would require planning permission.

## **Conclusion**

In conclusion, having had regard to the Social and Economic Statement and issues raised within the representations it is considered that whilst the evidence provided within the Social and Economic Statement provides little statistical evidence to support the claim that there is a demand / need for additional student accommodation, the objections received from the University and U-Student provide no statistical justification to suggest that the student accommodation market is at saturation point. In addition, taking into account the 'possible' competition element of the objections and the fact that policy CS2.2f is of limited weight at the present time, it is felt that, on balance, the proposal is an appropriate and acceptable form of development. It is therefore recommended that Members approve the application subject to the conditions listed below.

## **RECOMMENDATION: Approve**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Site Location Plan (1:1250) received 15.12.10

Existing Site Plan received 21.12.10

Proposed Site and Roof Plan ref: D-02 Rev C received via e-mail on 08.02.11

Proposed Ground Floor Plan ref: D-03 Rev B

Proposed First Floor Plan ref: D-04 Rev B

Proposed Second Floor Plan ref: D-05 Rev B

Proposed Elevations ref: D-06 Rev C received via e-mail on 10.02.11

Proposed Section A-A Part 2 ref: D-11 received 15.12.10

Proposed Section B-B & Section C-C ref: D-12 received 15.12.10

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 and EN5 of the UDP.
- 4 The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority, in order to protect the amenities of the area and to comply with policy B2 of the UDP.
- 5 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 6 Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 9 Before the development, hereby permitted, is commenced a plan showing the provision of adequate facilities for the storage of refuse within the site shall be submitted to and approved by the Local Planning Authority, and shall be so installed and maintained thereafter in order to ensure a satisfactory form of development and to comply with policy EN1 of the UDP.

- 10 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 11 Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor and a BRE Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to at least the BREEAM 'Very Good' standard, unless otherwise agreed in writing with the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the UDP.