[redacted]

From: Erlina Hale [redacted]
Sent: 07 July 2026 16:51
To: Local Plan
Cc: [redacted]
Subject: Representations to the Newham Local Plan Main Modifications Consultation - ROK Planning obo. Unite Students
Attachments: 260707 - Main Mods Consultation Form and Representations - ROK obo Unite.pdf

Good afternoon,

I hope you are well.

I am writing to submit our representations on behalf of Unite Students to the Newham Local Plan Main Modifications Consultation ahead of the deadline at 5pm today (7th July 2026). The attached includes both Newham's consultation form and ROK's representations letter.

Our representations follow on from:

- Representations to the Newham Local Plan Refresh Issues and Options Consultation – December 2021
- Representations to the Newham Draft Local Plan Regulation 18 Consultation – February 2023.
- Representations to the Newham Draft Local Regulation 19 Consultation – September 2024.
- Hearing Statements for the Examination of the Newham Local Plan – November 2025.
- Attendance at Hearing Sessions for the Examination of the Newham – December 2025 to February 2026.

The comments included focus on:

- Policy D4 (Tall Buildings)
- Policy H5 (Build to rent)
- Policy H8 (Purpose built student accommodation)
- Policy H11 (Housing design and quality)
- Policy D2 (Public realm net gain)
- Policy CE2 (Zero Carbon development)
- Policy CE3 (Embodied Carbon and the circular economy)

We would be grateful if you could kindly confirm receipt of our presentations. If you have any comments or queries, please do not hesitate to contact me or Matt (cc'd).

Many thanks,

Erlina

ROK PLANNING

Erlina Hale
Senior Planner
T: [redacted]
E: [redacted] | www.rokplanning.co.uk
51-52 St. John's Square, London, EC1V 4JL

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Response Form for Consultation of Proposed Main Modifications to the Newham Local Plan 2026 – 2042

Newham London	**Local Plan** Consultation of Proposed Main Modifications to the Newham Local Plan 2026 – 2042 Response Form	**Ref:** **(For official use only)**

Name of the Local Plan to which this representation relates:	Newham Draft Submission Local Plan

Please return to London Borough of Newham by 5pm 7th July 2026

Privacy Notice

Who we are
London Borough of Newham (LBN) is registered with the Information Commissioner's Office (ICO) as a 'Data Controller' This privacy notice applies to you ('the service user') and LBN ('the Council'). The Council takes the privacy of your information very seriously.

This privacy notice relates to our functions relating to the Consultation of Proposed Main Modifications to the Newham Local Plan 2026 – 2042. It also provides additional information that specifically relates to this particular consultation, and should be read together with our general privacy notice, which provides further detail.

What data do we collect and process
We collect your name, contact details, email address, job title and organisation if applicable and demographic equalities data if you choose to share it.

Why we collect your data
The consultation is a requirement of the Town and Country Planning (Local Planning) (England) Regulations 2012. We collect your data so that we can get your views on the legal compliance or soundness of the Local Plan, as well as its compliance with the duty to co-operate.

The lawful basis for processing your data
The lawful basis we use to process your data as set out in UK data protection legislation is:

Article 6 (a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose.

Article 9 (a) Explicit Consent: the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

We will only process personal data where we have consent to do so, and you can withdraw your consent at any time. By submitting your personal data in the response form you are consenting for us to process your data and/or consenting to be added to the database. If added to the database, they can be removed upon request.

You can withdraw your consent at any time.

How we use your data
This data is collected, collated and then submitted to the Secretary of State, who will appoint an Inspector to conduct an independent examination of the Local Plan. Demographic data will be processed anonymously to assess the effectiveness of our consultation. Where you have consented, your contact details will be added to our consultation database for future consultations and updates on the Examination in Public. At submission representations will be made public on the council's website, including name of person and organisation if applicable making representation. Other

personal information will remain confidential. Representations, in full, submitted along with the Local Plan, evidence base and documents Submission Draft Newham required by legislation to the Planning Inspectorate and to the person the Secretary of State appoints as the Planning Inspector. Contact details will be made available to the Inspector and Programme Officer so they can contact individuals to participate in the Examination.

Consultation database is stored on Mailchimp and accessed by planning policy team only. Mailchimp stores names and email addresses of those on the consultation database in line with Mailchimp policies, particularly its data processing addendum. Please be aware they may store personal data external to the UK specifically in the USA and/or EU.

Who we will share your data with
We will share your data with the Planning Inspector appointed by the Secretary of State, the Programme Officer appointed by Newham, and within the planning policy team. Your name and organisation (if applicable) will be published on our website along with representations upon submission. Demographic data will be processed anonymously to assess the effectiveness of our consultation.

How long we will keep your data
We will keep your data safe and secure for a period of 15 year(s)in line with our retention Schedule. After this time, it will be securely destroyed.

How do we protect your data
We comply with all laws concerning the protection of personal information and have security measures in place to reduce the risk of theft, loss, destruction, misuse or inappropriate disclosure of information. Staff access to information is provided on a need-to-know basis and we have access controls in place to help with this.

See the Planning Inspectorate Customer Privacy Notice for details on how they keep your data safe and secure.

Know your rights
We process your data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Find out about your rights at Your rights – Processing personal data privacy notice – Newham Council or at https://ico.org.uk/your-data-matters/ If you have any queries or concerns relating to data protection matters, please email: dpo@newham.gov.uk

Response Form

This form has two parts –
Part A – Personal Details: need only be completed once.
Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

Anonymous responses cannot be accepted. Representations will be published with your name, but personal contact details will be kept confidential.

Personal Details*		Agent's Details (if applicable)
**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent.*		
Title		Miss
Name		Erlina Hale
Job Title (where relevant)		
Organisation (where relevant)	Unite Students	ROK Planning
Address Line 1		51-52 St. John's Square
Line 2		London
Line 3		
Line 4		
Post Code		EC1V 4JL
Telephone Number		[redacted]
E-mail Address (where relevant)		[redacted]

Representor type (Please tick as appropriate)

Works in Newham	
Statutory Consultee	
Resident	
Elected official	
Developer	X
Community Group Representative	
Business owner	
Other (please specify)	

Part B – Please use a separate sheet for each representation

Name or Organisation: Unite Students

What chapter is your response referring to?

Please tick as appropriate

Vision and Objectives		Building a Fairer Newham	
Design	X	High Streets	
Social Infrastructure		Inclusive Economy	
Homes	X	Green and Water Spaces	
Climate Emergency	X	Transport	X
Waste and Utilities			

Neighbourhoods - N1 North Woolwich		Neighbourhoods - N2 Royal Victoria	
Neighbourhoods - N3 Royal Albert North		Neighbourhoods - N4 Canning Town	
Neighbourhoods - N5 Custom House		Neighbourhoods - N6 Manor Road	
Neighbourhoods - N7 Three Mills		Neighbourhoods - N8 Stratford and Maryland	
Neighbourhoods - N9 West Ham		Neighbourhoods - N10 Plaistow	
Neighbourhoods - N11 Beckton		Neighbourhoods - N12 East Ham South	
Neighbourhoods - N13 East Ham		Neighbourhoods - N14 Green Street	
Neighbourhoods - N15 Forest Gate		Neighbourhoods - N16 Manor Park and Little Ilford	
Neighbourhoods - N17 Gallions Reach			
Other (please specify)			

What is the Main Modification or map change reference(s) you are commenting on?

You can find the modification reference in the main modifications table. We acknowledge an issue may relate to more than one Main Modification, in which case please reference all relevant modification references.

Please refer to the representations letter prepared by ROK Planning attached to this form.

Response

Please focus your comments only on the Proposed Modifications and please provide:

- The Main Modification or Policies Map change reference(s) you are commenting on
- Whether you consider the modification legally compliant and/or sound
- If unsound, which test(s) of soundness it fails and the change you seek
- Any evidence supporting your view
- Any alternative wording you wish to propose

This consultation should not be used to:

- Repeat comments previously made at Regulation 18 or 19 stages
- Comment on parts of the Plan that are not subject to a Proposed Modification

Please refer to the representations letter prepared by ROK Planning attached to this form.

(Continue on a separate sheet /expand box if necessary)

Do you wish to be notified about future Examination stages:

Yes ☒ No ☐

Please return to London Borough of Newham by 5pm 7th July 2026

ROK Planning Ltd
51-52 St. John's Square
London
EC1V 4JL

REF: R00596/EH/MR
BY EMAIL ONLY - localplan@newham.gov.uk

Planning Policy Team
Newham Dockside
1000 Dockside Road
London E16 2QU
United Kingdom

7 July 2026

Dear Sir/Madam

REPRESENTATIONS TO THE NEWHAM LOCAL PLAN CONSULTATION ON THE PROPOSED MAIN MODIFICATIONS
ROK PLANNING ON BEHALF OF UNITE GROUP PLC

I write on behalf of our client, Unite Group Plc ('Unite'), to submit representations to the London Borough of Newham's ('the Council') Consultation on the Proposed Main Modifications to the Newham Local Plan.

The submission of these representations follows on from representations made on behalf of Unite to the previous stages of the draft Local Plan's preparation, as follows:

- Representations to the Newham Local Plan Refresh Issues and Options Consultation – December 2021
- Representations to the Newham Draft Local Plan Regulation 18 Consultation – February 2023.
- Representations to the Newham Draft Local Regulation 19 Consultation – September 2024.
- Hearing Statements for the Examination of the Newham Local Plan – November 2025.
- Attendance at Hearing Sessions for the Examination of the Newham – December 2025 to February 2026.

Unite Students is the UK's largest owner, manager, and developer of purpose-built student accommodation (PBSA). With more than 143 properties in 22 leading university towns and cities, Unite Students is home to around 64,000 students, living predominantly in en-suite study bedrooms with rents covering bills, insurance, and 24-hour security.

This includes existing properties in Newham including Angel Lane (759 beds) and Stratford One (1001 beds), as well as further schemes under construction including Hawthorne House (previously known as Jubilee House, 719 beds) and Meridian Square (952 beds).

Driven by a common purpose: to provide a 'Home for Success' to live, work and invest, Unite Students is committed to raising standards in the student accommodation sector with the support of over 60 university partners.

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London
EC1V 4JL

Founded in 1991 in Bristol, the Unite Group is an award-winning Real Estate Investment Trust (REIT), listed on the London Stock Exchange. For more information, visit Unite Group's corporate website www.unitegroup.com or the Unite Students' site www.unitestudents.com.

Following on from our attendance at the hearing sessions for Matters 3 (Spatial Strategy), 6 (Housing Development Management), 10 (Design), 11 (Climate Emergency), and 14 (Transport and Infrastructure), these representations focus on the Main Modifications relevant to the aforementioned matters that the Inspector has since identified as required to ensure the Plan meets the tests of legal compliance and soundness.

The Main Modifications relevant to each Matter are addressed in turn below.

Spatial Strategy – Tall Buildings

Policy D4 (Tall Buildings)

With regards to Spatial Strategy, our representations centre around Policy D4 (Tall Buildings) and the relevant Main Modifications MM17-MM21.

During our attendance at the Matter 3 hearing session, it was highlighted that the draft Policy D4 conflicted with Policy D9 (Tall Buildings) of the London Plan in the way in which it set 'maximum' heights whereas paragraph 3.9.2 of Policy D9 encourages boroughs to identify 'appropriate' heights. This had similarly been highlighted by the GLA themselves who had objected to the use of the word 'maximum'. Placing limits on the heights of buildings would subsequently conflict with paragraph 130 of the NPFF which promotes optimal densities and the efficient use of land.

As such, Unite strongly support MM18 which makes the following amendments:

- 'Height Range Maximum' to '~~Height Range Maximum~~ **appropriate height**';
- 'Prevailing heights should be between' to 'Prevailing heights should **generally** be between'; and
- 'tall building elements up to' to 'tall building elements **of approximately** ~~up to~~'.

Furthermore, Unite also argued during the examination that flexibility should be built into the policy to allow for the consideration of tall buildings outside the identified zones subject to meeting the criteria in London Plan Policy D9. It was suggested that wording similar to the recently adopted Lewisham Local Plan, which stated "*Development proposals for building heights that depart from the parameters set by the Local Plan will be considered having regard to relevant material considerations"* could be incorporated.

As a result, Unite strongly support:

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1. MM17 which amends 'Tall buildings will only be acceptable' to 'Tall buildings will ~~only~~ be acceptable'.
2. MM19 which introduces a Part 5 to Policy D4 as follows:

> ***"5. Outside tall building zones, opportunities to increase density without tall buildings should be explored. Tall building developments outside tall building zones will be supported if they meet part 3 and 4 of the policy and if they meet the following criteria…"***

These Main Modifications ensure that the policies are effective, positively prepared and consistent with the London Plan.

Housing Development Management – BTR, PBSA and accessible accommodation

With regards Housing Development Management, our representations centre around Policies H5 (Build to Rent), H8 (Purpose built student accommodation), and H11 (Housing design and quality) and the relevant Main Modifications MM54-MM65.

Policy H5 (Build to rent)

Throughout the Examination, Unite argued that the draft policy's requirement for 60% affordable housing (50% social rent and 10% London Living Rent) was neither justified nor consistent with the London Plan's 35% requirement and therefore failed the NPPF Tests of Soundness. Newham themselves acknowledged that the viability assessment demonstrated that there were challenges in meeting this target.

A reduction in the 60% target was further supported by the adoption of the Housebuilding for the London LPG which includes a time-limited planning route that supports 20% affordable housing provision for BTR development.

Consequently, MM54, which reverts to the provision of affordable homes in accordance with the London Plan, is supported by Unite. This Main Modification ensures that the policy is effective and consistent with the London Plan.

Policy H8 (Purpose built student accommodation)

Parts 1 and 2

Firstly, with regards to Parts 1 and 2 of the draft policy, which set out where new PBSA accommodation will be supported, Unite strongly objected to the incorporation of any locational limits and argued that MM57, which amends over-saturation to over-concentration, does not go far enough to address our concerns.

Unite maintain that the locational limits including the reference to 'over-concentration' and its associated

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calculation should be removed in their entirety on the basis that they fail the NPPF Tests of Soundness for not being:

1) In conformity with national policy – The way in which the policy seeks to limit PBSA development conflicts with the NPPF and goes beyond the London Plan.

   Paragraphs 61-63 of the NPPF state that in order to support the Government's objective to significantly boost the supply of homes it is important that a sufficient amount and variety of land can come forward and that the needs of groups with specific housing requirements (including students) are addressed.

   Meanwhile Part B of London Plan Policy H15 (Purpose-built student accommodation) states:

   "Boroughs, student accommodation providers and higher education providers are encouraged to develop student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes."

   Introducing locational limits directly contradicts the NPPF and London Plan's positive approach to PBSA development.

2) Positively prepared – The H8: Purpose-Built Student Accommodation Topic Paper (2025) which forms part of the evidence base acknowledges that even if current permissions are built out the student-to-room ratio will be 2.5:1. Locational limits will exacerbate this supply-demand imbalance and therefore be ineffective in providing sufficient accommodation to support the demonstrated need.

   Furthermore, the use of the word 'only' in 'New purpose-built student accommodation… will only be supported where', illustrates that the policy is not positively prepared. As outlined above, it lacks conformity with the way in which the NPPF and Policy H15 of the London Plan seek to ensure that the local and strategic need for PBSA is met.

3) Effective – The draft policy places emphasis on new PBSA development being located within or adjacent to existing or approved campuses. However, this does not take into account that there is likely to be very limited land availability for new PBSA developments in these locations, thereby restricting the delivery of new student accommodation over the plan period.

   Additionally, directing PBSA to areas of high PTAL or in proximity of campuses whilst simultaneously introducing overconcentration thresholds is contradictory and could prevent PBSA development in sustainable, well-connected locations.

4) Justified – As set out in our Regulation 19 representations, appeal cases across the country have found varying concentrations of students acceptable. Whilst Newham noted that the appeal decisions highlighted relate to population which is separate to their rationale of better management of the finite

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land available, Unite argue the principle of these decisions still stands – it is difficult to define and evidence what triggers ''overconcentration'.

This is evidenced by lack of robust justification for the 'over-concentration' calculation proposed in the 'ALL' section of the implementation text. The two elements of the calculation were each taken from two different appeal decisions from different boroughs and these thresholds have not been tested elsewhere or in conjunction with each other. They are also dated 2008 and 2009.

The PBSA market is mature and well-managed. Considerations of over-concentration conflates PBSA development with uncontrolled HMO accommodation, which is a markedly separate housing product and thus entirely unjustified. Indeed, it is important to note that in comparison to uncontrolled HMOs, PBSA developments have on-site staff and are required to abide by student management plans which outline processes for the protection of surrounding residential amenity. Additionally, being part of ANUK is justification for responsible landlords.

Unite suggest that the policy wording is amended to simply encourage PBSA development in sustainable, well-connected locations, for example areas of high PTAL and in proximity to campuses and public transport links. Our suggested policy wording is shown below in red with deletions underlined and additions in bold:

~~1. New purpose-built student accommodation in Stratford and Maryland neighbourhood will only be supported where:~~
~~a. it is located within or adjacent to an existing or approved campus development in the neighbourhood; or~~
~~b. b. it is solely providing a replacement facility with no net increase in bed spaces.~~

2. *New purpose-built student accommodation* ~~*in all other neighbourhoods outside Stratford and Maryland*~~ *will* ~~*only*~~ *be supported where:*
   a. It is in a sustainable, well-connected location such as a town centre, a local centre, an area with a high PTAL rating or in proximity to an existing or approved campus development.
   ~~b. it is located within or adjacent to an existing or approved campus development in the borough; or~~
   ~~c. it is in a town centre or local centre location well connected by public transport (with a minimum Public Transport Accessibility Level of 4).; and~~
   ~~d. it will not create an over-concentration of purpose-built student accommodation; or~~
   ~~e. it is solely providing a replacement facility with no net increase in bed spaces or it is located within or adjacent to an existing or approved campus development in the borough.~~

Separately, Unite strongly support the way in which MM57 removes the requirement for a replacement facility to have no net increase in beds as this is unviable, does make the most efficient use of land and goes beyond the London Plan.

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Part 3

Secondly, with regards to the affordable student accommodation requirements in Part 3 of the draft policy, Unite strongly objected to the 60% provision sought. PBSA was not included in the typologies tested within the viability assessment report that formed part of the evidence base and Unite provided significant evidence on the viability challenges PBSA development faces. The policy was therefore neither effective, justified nor in conformity with the London Plan.

As such, the amendment within MM57 to change the requirement to 'New purpose-built student accommodation should provide affordable student accommodation in accordance with the London Plan' is required to make the policy sound and subsequently strongly supported by Unite.

Part 4

Unite argue that the requirement in Part 4b of the policy, for PBSA in areas of over-concentration to secure all of the bedrooms in the development through a nomination agreement, is too onerous and not in conformity with the London Plan.

In fact, Unite strongly support the relaxation of nominations agreements altogether based on the viability evidence provided in their hearing statement. Introducing more stringent nominations agreement requirements is also against the GLA's direction of travel. As part of the Towards a New London Plan consultation, the GLA acknowledged that using nominations agreements for market provision can hinder delivery due to the commercial risks involved. It therefore queried whether such agreements may be more effective if limited to affordable accommodation. This would go some way in alleviating Unite's concerns.

Several schemes have been approved under the current London Plan Policy H15 which have dispensed with the nominations agreement requirement on the basis that the scheme would yield a higher development value. This also better aligns with the preferences of HEIs who are becoming increasingly hesitant to enter into agreements due to funding gaps.

Unite therefore suggest that a further main modification is incorporated to remove part 4b and 4C in their entirety and to introduce an element of flexibility to part 4a.

4. *New purpose-built student accommodation should* ***try to****:*
   - ~~*a.*~~ *secure the* ***affordable student accommodation*** ~~*majority of the*~~ *bedrooms in the development,* ~~*including all of the affordable student accommodation bedrooms,*~~ *through a nomination agreement, for occupation by students of one or more higher education providers* ***unless otherwise agreed with the Council****;* ~~*or*~~
   - ~~*b. in areas of over-concentration, secure all of the bedrooms in the development through a nomination agreement, for occupation by students of one or more higher education providers;*~~

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~~*and*~~

~~*c. where purpose-built student accommodation is being delivered within or adjacent to an existing or approved campus development in the borough in accordance with H8.1.a or H8.2.d, the nominations agreement should be secured for occupation by students of the higher education provider that the development is located is within or adjacent to. 5.*~~

Part 5

At the Matter 6 hearing session, it was agreed that the requirement in the draft policy for 'sporting facilities' is neither viable nor feasible for all sites. The PBSA Topic Paper argued that it is consistent with the GLA's PBSA LPG (2024) which requires both internal and external amenity space in addition to living rooms. Whilst Unite ensure to provide high quality amenity space, such spaces are different to 'sporting facilities'. The Council agreed that this was the wrong choice of wording and should instead be amended to 'exercise' facilities'. As such, Unite strong support this change as Part of MM57 in order to make the policy justified and effective.

Policy H11 (Housing design and quality)

Part 3

MM64 proposes a main modification amending the accessible room requirements for PBSA developments from:

- *ten per cent of new bedrooms to be wheelchair-accessible in accordance with Figure 52 incorporating either Figure 30 or 33 of British Standard BS8300- 2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice; or*
- *15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice.*

… to instead require provision to have regard to London Plan Guidance: Purpose-built Student Accommodation and local evidence of need.

Unite support MM64 in principle as the initial draft policy adopted wording from the GLA's draft PBSA LPG which was initially consulted on between October 2023 and January 2024. Unite objected strongly to these requirements both during the LPG and Newham's Regulation 19 stage consultations as they retrospectively apply London Plan Policy E10, which was prepared with the intention of applying to 'serviced accommodation' and not PBSA. At the time, this was confirmed by the London Plan EIP Inspector. The Inspector similarly established that Policy D7's (Accessible housing) 10% accessible requirement applies only to new dwellings under Building Regulations Part M Volume 1 and not PBSA (covered by Part M Volume 2). Therefore, Newham's PBSA topic paper, which claimed that the draft policy aligns with Policy D7, the principles of which extend to PBSA, is entirely incorrect.

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Prior to the draft LPG's release, no Local Planning Authority nor Inspector considered the requirements of Policies D7 or E10 applicable to PBSA. Unite have successfully argued this point at various EIPs (including Southwark, Brent, Islington and the London Plan) where their representations have led to reduced requirements.

As such, these requirements were removed from the LPG once adopted and MM64 accordingly reflects the new wording of the LPG as well as allowing for local evidence of need.

However, Unite would maintain that this does not go far enough. Of the c.12,567 students that Unite home in London, the number of students in need of accessible rooms was 5 in 2023/24 (0.04% take up) and 3 in 2024/25 (0.02% take up). The Towards a New London Plan consultation document also acknowledged that for PBSA, it can be difficult to determine the right level of need or demand, which can result in over-provision.

Unite operate a policy of adapting rooms to meet the bespoke needs of individual users and not applying a one size fits all policy. Unlike a hotel, this approach works well in PBSA as they have sufficient time to adapt rooms in the period between a student applying for a bed and moving in.

Consequently, Unite suggest amending the wording to align with the relevant requirement in Part M Volume 2 paragraph 4.24 part g. which is 1 in 20 or 5% accessible. We also recommend that this is further split into 1% fitted out and 4% adaptable. This amendment would make Policy H11 justified and effective in delivering the accessible accommodation required whilst also not resulting in over-provision. Unite's suggested wording is detailed below in red.

> *3e. Purpose-built student accommodation should provide accessible student accommodation in accordance having regards to* ***Part M Volume 2 paragraph 4.24 part g.*** ~~*London Plan Guidance: Purpose-built Student Accommodation (October 2024)*~~ *and local evidence of need.* ***The 5% requirement should be split into 1% fitted out wheelchair accessible rooms and 4% easily adaptable rooms.***

Design – Public Realm

Policy D2 (Public realm net gain)

Parts 2, 3 and 4

As outlined throughout the Regulation 19 consultation and Examination stages, Unite support in principle exploring opportunities to create and enhance the public realm surrounding a given site. This aligns with the aspirations of London Plan Policy D8, Part A of which states that boroughs should "encourage and explore opportunities to create new public realm where appropriate". However, without any Main Modifications proposed Unite maintain their argument that the wording of Policy D2 as drafted goes

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beyond the London Plan.

Unlike draft Policy D2, the London Plan has no 'requirement' to make a contribution, only support and encouragement to explore opportunities where appropriate – an approach that Unite endeavour to take on all their schemes. As such, a contribution is neither consistent nor justified in line with the London Plan.

Not all sites can provide development contributions to public realm due to site specific constraints. For example, sites constrained by a railway or highway. Similarly, there are wider highways and safety aspects which impact a developer's ability to enhance and create public realm spaces. Particularly where an area of public realm will have a particularly high pedestrian footfall or where there are more significant anti-terrorism threats, this will influence the quantitative and qualitative aspects of the public realm contribution. In these instances, the 'requirement' would again need to be flexible or relaxed.

Additionally, where development contributions to public realm compromise the delivery of valuable floorspace, the policy should again recognise that flexibility needs to be afforded to ensure the most efficient use of land as per NPPF paragraph 130 and London Plan Policy GG2 Making the best use of land.

Whilst Newham's Regulation 19 response stated that the draft policy has been viability tested, the viability evidence provided does not test PBSA applications. Furthermore, applying a blanket calculation to all developments, which does not consider site specific factors is not effective. For example, where a site provides a greater on-site development contribution to public realm, the financial contribution towards off site highways land public realm should be suitably reduced or removed. In other instances where a development is subject to numerous other financial contributions and therefore significantly impacted in terms of viability, the policy should again allow for an element of flexibility.

With specific regard to PBSA, the policy does not take account of the variation in costs between different types of development as well as the general viability challenges facing PBSA:

- PBSA requires employment of staff to enforce Management Plans.
- The CIL rate for PBSA schemes is also typically much higher than that of C3 residential schemes.
- The combination of affordable rent provision with the requirement for nominations agreements has had a significant impact on viability. The remaining rooms are forced up in price to offset the impact of the affordable rent.
- According to PBSA providers, build costs in London now sit at circa. £150,000 – £175,000 per bed for a standard scheme, a figure which has effectively doubled in the last 8 years.
- The PBSA sector has reported the addition of circa. 8 months as a result of the Gateway 2 process alone, and an on average 45-week BSR approval process. Overall, it is understood that project timescales are being extended by approximately 2 years. This has a crippling effect on project delivery, particularly in the context of increased interest rates / costs, where development debt is currently priced at between 8-10% p.a. To put this into context, a 400-bed scheme in London, which

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London
EC1V 4JL

would have previously been completed in 2 years, would equate to around £10m to £15m of additional cost alone assuming 8% interest costs.

- Uncertainty around timing and BSR delays adds an additional layer of viability concern with PBSA development given the academic cycle. Any delay beyond September or the term opening will result in a loss of a full year of income. A PBSA block is not likely to have any students joining part way through the academic year as students will have already been locked into accommodation contracts.
- In 2025 Cushman & Wakefield September reported that less than 20% of the pipeline is under construction. More recent figures are showing that whilst the national pipeline stands at 186,153 beds, only 3,778 started on site in Q4 2025 and 2,004 in Q1 2026, 54% of which were across just two sites.

As such, a Main Modification is required to amend the wording to align with that of the London Plan, which simply encourages opportunities to explore new public realm. Our suggested amendments are detailed below:

2. *All new-build developments and developments for a change of use that are either on sites with a street-facing boundary of at least 25m, or that are major residential developments, should* ***explore opportunities to create new public realm and contribute towards the enhancement and maintenance of existing public realm where appropriate.*** ~~*make positive qualitative contributions to the public realm through the following*~~ ***This may include****: …*

~~3. *All major developments referable to the Mayor of London are required to make a proportionate contribution towards public realm enhancement and maintenance beyond the site, as informed by an Active Travel Zone Assessment (TfL).*~~

~~4. *Non-referable major developments and minor residential developments of five or more gross new build units are also encouraged to make improvements to the wider public realm network within their neighbourhood.*~~

Part 5

Unite note that there are similarly no Main Modifications proposed to Part 5 of Policy D2. As a result, Unite maintain their argument, which was shared by other representatives at the Matter 10 hearing sessions, that the requirement for a Public Realm Management Plan is neither justified nor effective.

Firstly, the requirement goes beyond Part H of London Plan Policy D8 (Public Realm) which states that development plans and proposals should "ensure appropriate management and maintenance arrangements are in place for the public realm".

Secondly, the submission of additional reports beyond those required by the London Plan poses a risk of overcomplicating planning applications, unnecessarily increasing the number of documents that consultants have to prepare and planning officers have to review and slowing down the planning

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process. The draft new NPPF, which went out for consultation between December 2025 and March 2026, promotes a more consistent and proportionate approach to local information requirements set out in local validation lists.

Finally, many of the details required in Part 5 points a) to c) are likely to be subject to input and involvement from third parties or other landowners and therefore finalised post planning and not available at the application stage.

Unite therefore suggest that a Main Modification is incorporated to clarify that the requirement of such a plan should be determined on a case-by-case basis, and where required, secured by condition. Amended wording is suggested in red below:

5. *A Public Realm Management Plan should be* ***secured via condition where required for*** ~~*submitted for all applications providing qualitative and quantitative*~~ *public realm net gains on privately owned land.* ~~*This will be implemented through legal agreement for major developments.*~~ ***Where appropriate, t***~~*T*~~*he management plan should address: …*

Climate Emergency

Policy CE2 (Zero Carbon development)

Part 1

There are no Main Modifications proposed to the space heating demand standards in Part 1 of Policy CE2. As such, Unite maintain that whilst they the use of space-heating-only metrics for PBSA (the alternative, Part L-based metrics, would artificially penalise high-density accommodation) the specific numerical standard set by Policy CE2 is not justified by evidence, has not been viability tested for PBSA, and therefore conflicts with the 13 December 2023 WMS.

The policy must be amended to use PBSA-appropriate, evidence-based space-heating thresholds aligned with emerging national standards, particularly the UK Net Zero Carbon Buildings Standard (UKNZCBS). Without these amendments, which are suggested in red below, the Policy would be neither justified, effective or consistent with national policy.

1. *New development should be designed and constructed to be Net Zero Carbon in operation, using as little energy as possible to heat a building over a year, and meeting the following standards:*
   a. *All new residential units should achieve a space heating demand of less than 20 kWh/m2 GIA/yr.*
   b. ***All new PBSA developments should achieve a space heating demand of less than XX kWh/m2 GIA/yr.***
   c. *All new non-domestic buildings except industrial buildings should achieve a space heating demand of less than 20 kWh/m2 GIA/yr.*

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d. All new industrial buildings should achieve a space heating demand of less than 15 kWh/m2 GIA/yr.
e. All other development is encouraged to use as little energy as possible to heat the building.

Part 3

Unite strongly support MM74 which amends the Energy Use Intensity (EUI) target for PBSA. In line with the arguments made by Unite throughout the hearing session for Matter 11, this is a more appropriate target for PBSA compared to the previous conventional residential target that was applied that had not been viability tested nor based on PBSA-specific evidence. This would have had the effect of:

- Imposing an unviable target that no realistic PBSA design can meet;
- Creating perverse design incentives (e.g. artificially reducing occupancy levels to lower EUI/m²); and
- Conflicting with the WMS requirement that any uplift must be demonstrably viable.

This was therefore neither justified, effective or consistent with national policy.

Part 4

Part 4 of Policy CE2 initially introduced the requirement to generate renewable energy on site to a fixed output per m² of building footprint. Two targets were provided – one for industrial buildings and one for all other building types.

Unite argued that this rigid target:

1. Penalises efficient built forms – A per-m²-of-footprint PV requirement means efficient tall buildings cannot comply, less efficient low-rise massing becomes artificially incentivised, and this results in an approach contrary to the NPPF's efficient land-use principles.
2. Exceeds Building Regulations / not consistent with WMS – There are no equivalent Building Regulations standards mandating a minimum level of renewable energy per m2 of footprint. The WMS confirms councils cannot exceed Building Regulations energy standards.
3. Misrepresents PBSA – If offset contributions are tied to the unrealistic total EUI target, developers would be paying for a problem caused by occupancy, not by the building's inherent performance. Using total EUI to calculate shortfalls will therefore misrepresent PBSA.
4. Lack of evidence – The Council has not demonstrated the technical feasibility across typologies (evidence base document EB072 only models residential buildings of different sizes), the viability across PBSA and high-density forms, or how the requirement aligns with national policy.

A Main Modification has been proposed (MM75) to split the target for all building types except industrial buildings into one for buildings that are under 21 metres in height and one for buildings over 21 metres in height. Whilst this goes some way in addressing point 1 of Unite's argument above, it does not address the way in which it exceeds building regulations and is not in compliance with the WMS, misrepresents

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PBSA, and is based on a lack of evidence.

In order for the policy to be justified, effective and in conformity with national policy, Unite continue to argue that:

- The rigid per-m² PV requirements should be removed.
- The policy should instead encourage on-site renewables "where technically feasible".
- It should also allow off-site or low-carbon energy supply where justified.

Unite's suggested amendments are shown in red below:

4. *New development should generate renewable energy on site* ***where technically feasible. Off-site or low-carbon energy supply should also be supported where justified.*** ~~*, to a level equivalent to, or in excess of, the predicted annual energy demand of the building, in accordance with the following requirements:*~~

~~*a. As a minimum, the amount of energy generated in a year must be:*~~

~~*i. at least 120 kWh/m2 per building footprint per annum for industrial buildings; and*~~

~~*ii. at least 80 kWh/m2 per building footprint per annum for all building types except industrial buildings that are under 21 metres in height; and*~~

~~*iii. iii. at least 50 kWh/m2 per building footprint per annum for all building types except industrial buildings that are over 21 metres in height*~~

Part 5

No Main Modifications are proposed to Part 5 of Policy CE2. Unite therefore continue to argue that whilst monitoring building performance is supported in principle, the policy as drafted, is inconsistent with the WMS and unworkable for PBSA because:

1. It requires monitoring of total (regulated + unregulated) energy, but unregulated use is driven by occupant behaviour something the developer cannot control or influence.
2. Using total energy use for compliance creates a substantial risk of non-compliance, because PBSA has inherently higher small-power loads per m² than standard C3 housing.
3. The WMS does not allow local authorities to regulate operational energy behaviour, only building fabric performance.
4. Policies requiring assured performance methodologies (e.g., Passivhaus, AECB) must be viability-tested and should not be mandatory unless justified—neither test appears to have been met.

Unite therefore continue to request the following amendments (also detailed in red below) in order to make the Policy justified, effective and consistent with nation policy:

- Limit the requirement to regulated energy only.
- Align monitoring expectations with the UKNZCBS, which specifies how regulated and unregulated

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energy should be reported separately.
- Clarify that developers cannot be penalised for tenant-driven energy use.

5. *New development must demonstrate they are delivering the intended performance approved, and that the 'performance gap' between design and actual in-use* ***regulated*** *energy has been minimised, by:*
   a. ~~*Demonstrating and committing to the use of an assured performance method (e.g. Passivhaus or AECB) to ensure that the building's operational energy performance will meet the design intentions.*~~
   b. *Major developments should monitor their total* ***regulated*** *energy use and renewable energy generation* ***in line with the UKNZCBS*** *and submit the annual figures to the London Borough of Newham for the first 5 years of operation.* ***Only regulated energy should be reported so that developers cannot be penalised for tenant-driven energy use.***

Policy CE3 (Embodied Carbon and the circular economy)

Part 6

MM78 proposes to amend the embodied carbon limit from 500 to 700kg CO2/m2. Unite support this amendment in principle following their argument made throughout the Examination that the 500kg CO2/m2 was not justified.

However, they continue to highlight that:

1. The target is taken from LETI domestic benchmarks, which are not applicable to PBSA or dense commercial residential forms. PBSA contains more material per m² due to higher density, additional cores, more bathrooms, and more plant infrastructure.
2. The London Plan does not set numerical embodied-carbon limits, only requires measurement and reduction through circular economy reporting. As such the proposed target is not consistent in line with the London Plan.
3. The RICS WLCA method does not support fixed universal targets, and warns against category-mixing benchmarks.
4. A blanket $kgCO_2e/m^2$ cap risks making PBSA schemes unviable without any evidence base to justify the value.
5. Policy CE3 contradicts its own supporting text, which acknowledges, "There is no universal target" (para 3.269) yet immediately imposes one.
6. The target does not account for Modules C and D uncertainties, façade refresh cycles, or structural constraints, which the policy also fails to address.

Whilst Newham's response to our Regulation 19 reps references the evidence base from the West of England Combined Authority and how this indicates that embodied carbon targets can be reached with little impact, this document again does not address how the targets are applicable to PBSA.

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The Evidence base for Net Zero Building Policy - Embodied Carbon (EVEN06 dated January 2022) models four different typologies – an office building, a school, a 5-storey apartment block and a semi-detached house – none of which are comparable to high density PBSA buildings. Unite have also made similar representations to the Bristol Local Plan EIP for which this document was prepared.

To make the Policy justified and effective, Unite therefore maintain their requests that:

- The Policy should require whole-life carbon assessment using RICS WLCA v2;
- The Policy should require justification of design-stage reductions;
- The Policy should sets the 700 $kgCO_2e/m^2$ as an aspirational benchmark not a mandatory cap; and
- The Policy should includes typology-specific expectations for PBSA.

6. ***Whole-life carbon should be assessed using RICS WLCA v2 and m~~M~~****ajor developments* ***(excluding PBSA)*** *~~are expected~~* ***should aim*** *to meet embodied carbon limits of less than 700kg CO2/m2* ***whilst major PBSA development should aim to meet embodied carbon limits of less than XX CO2/m2****.*

Transport and Infrastructure – Cycle Parking

Policy T3 (Transport behaviour change)

Parts 4 and 5

Despite previous representations made, Unite note that no Main Modifications are proposed to Policy T3.

Unite maintain their argument that Parts 4 and 5, as currently worded, will leave to an overprovision of cycle parking in PBSA developments. Their most recent cycle parking survey, undertaken in June 2025, demonstrated that overall, across London there is a 1.82% take up equating to 1 space per 55 students.

Increases in cycle parking provision associated with the current and previous iteration of the London Plan, has simply led to a greater amounts of under-utilised cycle parking as opposed to an increase in cycle ownership in students. Reasons behind this include:

- Not practical for overseas students to bring bikes and similarly often little room in the car for bikes when students move in.
- PBSA schemes are generally sustainably located in areas of high PTAL so can walk/use public transport. Unite's schemes in Newham are less than a 10-min walk to Stratford Station.
- Perception around cycle safety in London and poor cycle parking facilities
- The influence and take up of cycle hire schemes, such as lime bikes which have immensely grown in popularity since the publication of the current London Plan cycle standards, provide an affordable

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alternative to private cycle use. They preclude the need for private ownership, bike storage and investments in safety, security and maintenance.

As such, requiring cycle parking in line with or higher than London Plan standards, will simply exacerbate the issues associated with overprovision. PBSA is developed at higher densities than conventional housing and as a consequence and in order to provide these levels of cycle parking, large areas of floorspace typically at ground floor level, are required – space which could have instead provided additional PBSA bedrooms and/or amenity space. Therefore, a greater amount of space, that could otherwise be used more efficiently and effectively to cater for growing demand for student bedspaces and greater amenity space for occupiers, will be lost to cycle parking. It also means a greater reliance on two-tiered spaces.

Whilst Unite appreciate that cycle parking standards are set by the GLA in the London Plan, the recently adopted Housebuilding for London LPG shows a clear direction of travel towards the reduction in cycle parking standards to assist with scheme viability.

At paragraph 2.3.4 of the LPG, the guidance clearly states that

> *"Whether it would be acceptable to provide less than the minimum parking required by Table 1 should be considered in the balance of site constraints and impacts on design, such as the following:*
>
> 1) *Avoiding the need for a basement (or additional basement level) or other design requirements that materially improve viability;*
> 2) *A small building footprint relative to overall floorspace; or*
> 3) *The density or scale of development generates a very large requirement and this has a disproportionate effect on requiring what could otherwise be lettable or saleable floorspace."*

Point 3 of the above in particular provides the opportunity for high density PBSA developments to justify provision below the new standards on the basis that the required provision would be disproportionate. This could be clearly evidenced and justified by Unite at application stage. As such Unite argue that similar wording to the above should be added to Policy T3 to ensure that it is effective in meeting the needs of students whilst also optimising the accommodation that can be provided on site and in turn enhancing scheme viability and deliverability. Unite's suggested wording is detailed below:

4. *All new development should deliver high quality, sustainable transport storage (including cycle parking, in line with~~, or higher than,~~ London Plan standards) and should meet the following requirements, as relevant:*

   …

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5. ***It may be acceptable to provide less than the minimum parking required by London Plan standards in the balance of site constraints and impacts on design, where circumstances such as the following apply:***
   a. ***Avoiding the need for a basement (or additional basement level) or other design requirements that materially improve viability;***
   b. ***A small building footprint relative to overall floorspace; or***
   c. ***The density or scale of development generates a very large requirement and this has a disproportionate effect on requiring what could otherwise be lettable or saleable floorspace.***

6. *Major developments should* ***consider*** ~~*make*~~ *provisions for safe and convenient charging of E-bikes and mobility scooters* ***where appropriate****.*

If you require further clarification or wish to discuss this further, please do not hesitate to contact either Erlina Hale ([redacted]) or myself at this office.

Yours Sincerely,

[redacted]

Matthew Roe
Director
ROK Planning Ltd
T: [redacted]
E: [redacted]