

Brighton & Hove City Plan Student Housing Policy Options Paper

1. Introduction

1.1 The council is considering a new approach to planning for student accommodation in the city. There is currently no planning policy within the adopted Local Plan to address the development of new student accommodation. Given the proportion of students in the city the council wishes to remedy this void. There has been increased interest recently by the development industry in building 'speculative' purpose-built student housing at a time when the viability of building market/affordable housing has declined. This is putting pressure on sites the council wants to see developed for needed market or affordable housing.

1.2 The emergence of concentrations of students in Houses in Multiple Occupation (HMOs) particularly close to existing university campuses in the city has brought about rapid changes to the local populations, housing markets and residential environments in these areas.

1.3 The council wants to make sure that local communities are balanced in terms of the type of housing available and the people that live there. The council wants to take a positive and proactive approach to new student accommodation to ensure that they are located in the most suitable places in terms of accessibility and impacts on the amenity of surrounding areas.

2. Issue

2.1 Both Sussex University and the University of Brighton and their students make an important contribution to the economy of the city estimated at £65m annually. There are approximately 37,000 students at Brighton and Sussex Universities, which includes 5,200 international students from 150 countries.

2.2 The recruitment of new full time students is expected to increase gradually over the coming years and as a result there is expected to be a continuous significant shortfall of bed spaces in purpose built student accommodation despite recent developments in the city.

2.3 The supply of purpose-built student accommodation by universities has not matched the expansion of the student population. The private sector has responded to the increasing demand for student housing and there has been conversion of family housing to student HMOs in many neighbourhoods. During 2006/07 9,726 students resided in private rented housing within Brighton and Hove.

3. Background Evidence

3.1 The city has the highest number of HMOs in the UK (15,000 in 2007). In some areas of Brighton & Hove high concentrations of HMO's have led to neighbourhoods dominated by the student population. This process has been

called 'studentification'. A recent council study (The Student Housing Strategy 2006-2014) identifies these neighbourhoods as being:

- Moulsecoomb and Bevendean
- Coombe Road
- Hartington Road and Triangle
- Hanover
- Hollingdean

3.2 The strategy concluded that there was a need to:

- Support and enhance the quality and management of housing and residential environments within HMO dominated 'studentified' neighbourhoods.
- Continue to support private sector landlords to supply high quality student accommodation.
- Promote and enable the appropriate development of purpose built student accommodation at suitable locations within the city.
- Ensure that new developments of student housing are well managed and do not impact on existing residential communities in negative ways.
- To continue to monitor the changing geographic patterns of student housing in the city

3.3 Other Local Planning Authorities have adopted planning policies that seek to restrict the proportion of HMOs permitted in any one area. Manchester, for example, has proposed a limit of 10% of households within 100 metres of an application site where a change of use to an HMO is proposed.

3.4 The council has already started looking at levels of student housing and HMO's on a street by street basis in its Draft 'Student Housing and HMO Concentration Assessment 2011'.

3.5 Options set out in this paper should also be considered in conjunction with the measures proposed by the Council's Private Sector Housing to implement additional HMO licensing in studentified areas of the city.

3.6 Additional licensing would cover smaller HMOs of two or more storeys and three or more occupiers in the studentified wards of Brighton & Hove and include accommodation privately let to students. It would require landlords and managers to meet appropriate personal and professional standards of conduct; the upgrading of poorer buildings to minimum health and safety standards including fire safety; and the sufficient day-to-day management and supervision of the buildings to help reduce anti-social behaviour

4. Issues

Issue A) Addressing over-concentrations of HMOs

4.1 The council's believes there is a need to reduce the over-concentration of HMO's in certain neighbourhoods by promoting and enabling the appropriate development of purpose-built student accommodation at suitable locations within the city that will appeal to preferences of students in terms of location and accommodation.

4.2 In October 2010 the Government made changes to planning rules which allows family homes (Class C3) to change to a small house in multiple occupation (HMO) with up to 6 people (Class C4) without the need for a planning application (this change is called 'permitted development').

4.3 However where Local Authorities consider that there is a local need to control the spread of HMO's in specific areas they can use existing powers to remove this form of permitted development and thereby require the submission of a planning application for such a change between a family dwelling house and small HMO (this is called an Article 4 Direction).

A guide to planning use classes

Class C3 – dwelling houses covers:

- Use by a single person, couple or family
- Up to six people living as a single household and receiving care such as a supported housing scheme
- Groups of up to six people living together that do not fall into the C4 use class such as a homeowner and lodger.

Class C4 – houses in multiple occupation are:

- Shared dwelling houses occupied by between three and six unrelated people who share basic amenities such as a kitchen and / or bathroom

Some uses do not fall into any class. These are known as sui generis uses. Shared houses occupied by seven or more unrelated people that do not fall into class C4 are considered Sui Generis.

4.4 An Article 4 Direction would need to be accompanied by an adopted planning policy which would set out how the Council would deal with resultant planning applications.

Issue B) Managing Proposals for new student accommodation

4.5 There has been increased interest recently by the development industry in building 'speculative' purpose-built student housing. The council currently has no planning policy in place to address the development of new student housing outside of university or college premises and this is putting pressure

on sites the council wants to see developed for needed market or affordable housing.

4.6 There is also the need to ensure that proposals bring forward genuine student accommodation which are of high quality and meet the needs of students with the full support of the universities, in order to avoid the accommodation becoming private sector HMO's.

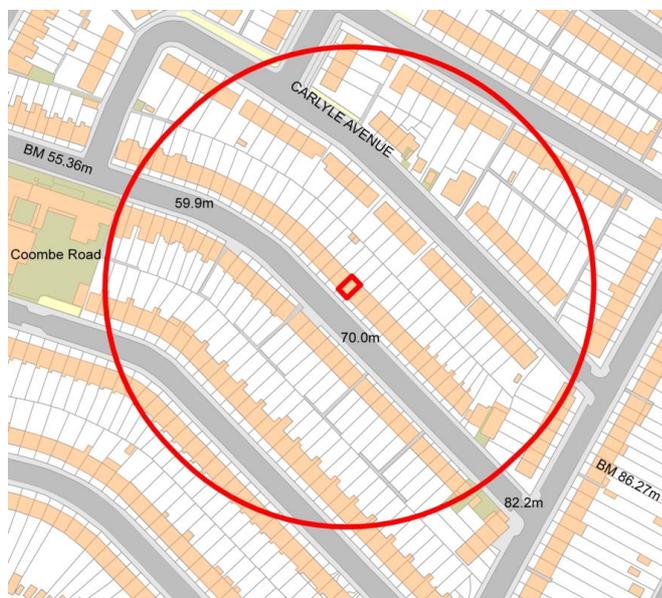
4.7 The council wants to take a positive and proactive approach to new student accommodation to ensure that they are in the most suitable location in terms of accessibility and amenity impacts on the surrounding area; that they well managed; meet the needs of the universities; and that they offer appropriate accommodation.

5. Options

Issue A) Over Concentration of HMO's

Option 1) Adopt an Article 4 Direction and produce a policy framework for managing HMO accommodation in the City Plan.

The policy would set limits for the proportion of properties within an area that could be occupied as Houses in Multiple Occupation. For example applications for HMOs would not be permitted where there are more than 10% of residences within 100 metres of the application site already authorised as Class C4, or other types of HMO in a sui generis use.



Illustrative map above shows an approximate 100 metre radius in relation to an application site

Advantages

- Addresses the findings and recommendations of the Council's Student Housing Strategy

- Stops new HMOs from being permitted where there is already a high concentration of such accommodation (concern amongst residents in the city where concentrations are high)
- Family accommodation retained in areas where concentrations of HMO's are high.

Disadvantages

- Requires the adoption of an Article 4 Direction to require development involving a change of use from a dwelling house to a house in multiple occupation to be the subject of a planning application. The Article 4 Direction will remove the permitted development rights for this type of development from the date when it comes into force, and is likely to be implemented within the current studentified wards of the city.
- May result in spread of HMOs into surrounding areas currently dominated by family housing and will not reduce concentrations in areas where problems have already been highlighted.
- Baseline data of the current distribution of HMO's would need to be kept up to date (records provided by Council tax team and mapped by Planning Policy).
- Additional workload and cost to the planning service as no fee is payable for planning applications arising from an Article 4 Direction.
- Financial compensation may be payable if an Article 4 Direction is introduced with less than one year's notice.

Option 2) Do not adopt an Article 4 Direction or produce a policy framework for managing HMO accommodation the City Plan

Advantages

- No additional workload for the planning service e.g. assessing applications, gathering evidence, enforcement
- Allows the market to determine the location of student accommodation

Disadvantages

- Will not stop new HMO's from being created (currently permitted development)
- Intensification of students may result in an increase of HMO's (as permitted development)
- Policy Void - at present there are no specific planning policies in the Adopted Local Plan 2005 that relate to student accommodation.
- Residents in areas of studentification may be adversely affected
- Increased depletion of family accommodation to students – increased pressure on the city to develop more family housing.
- Further depletion of identified housing sites to student accommodation
- This option does not address the recommendations of the Student Housing Strategy

Issue B) - New Student Accommodation (new build)

Option 1) No policy framework to manage the creation of new student accommodation in the City Plan

Advantages

- No additional workload for the planning service e.g. assessing applications, gathering evidence, enforcement
- Market will determine location of student accommodation

Disadvantages

- Policy void - at present there are no specific policies in the Local Plan that relate to building student accommodation.
- Intensification of students as HMO's increase (as permitted development)
- Further depletion of identified housing sites to student accommodation
- This option does not address the recommendations of the Student Housing Strategy

Option 2) Criteria based policy with no preferred sites identified

Advantages

- Clearly defines an approach for assessing applications for new student housing
- Provides confidence for universities and providers
- Allows the market to identify the most viable sites

Disadvantages

- Does not clarify upfront which sites are preferred for Student Housing by the universities and the city council. Site may be identified in the council's housing land supply for C3 use.
- Could be costly for developers who are refused consent on speculative sites

Option 3) Pro-active policy with appropriate student sites identified as Strategic Allocations, recognising that the most appropriate locations for student accommodation are located close to university campuses and in central locations within DA3, DA4 and DA5 Preferred sites identified by the universities are as follows;

- i. **Varley Halls, Coldean Lane, Brighton (DA3 Lewes Road Area)**
- ii. **Preston Barracks, Lewes Road, Brighton (DA3 Lewes Road Area)**
- iii. **Pelham Street, Brighton (See DA4 New England Quarter and London Road Area)**

iv. Circus Street, Brighton (See DA5 New England Quarter and London Road Area)

Advantages

- Clearly defines an approach for assessing applications for new student housing
- Clarifies upfront which sites are preferred for student housing by the universities and thus takes these sites out of the council's housing supply pipeline for market/affordable housing. Clearer picture gained for housing land supply.
- Assists development of sites
- Addresses the recommendations of the Student Housing Strategy

Disadvantages

- None identified

Sustainability Appraisal (SA) of Options

Overall Summary - Option A1 and A2

Although both Options may result in positive as well as negative impacts, the development of a policy framework, as described by Option A1 presents a greater opportunity for more positive impact than Option A2 and is the preferred option for this issue. The SA suggests that various recommendations are considered to improve the potential for positive impact.

Overall Summary - Options B1, B2 and B3

Option B1 is likely to result in more negative impacts overall than positive impacts, although these are fairly uncertain, and is the least preferable Option compared to Options B2 and B3.

Option B2 may also result in negative impacts, mainly due to the unknown location of sites that may be developed. However the fact that this option would result in a policy framework presents a greater opportunity than Option B1 for these impacts to be addressed, and is considered to be less negative, although still uncertain.

Although Option B3 may result in some negative impacts, the potential for positive impacts is far greater. This option provides clear direction for developers, and provides more certainty over potential impacts that developments as sites are identified. Option B3 is the preferred option for this issue. The SA suggests that the recommendations outlined above are considered to improve the potential for positive impact.

Preferred Option and Summary Justification

The Preferred Option would be to Combine Issue A) Option 1 and Issue B) Option 3 into a single policy to address HMO accommodation and new student accommodation.