

**Consultation Response: Student Housing
Issues Paper (16 March - 24 April 2015)**

**Sheila Gilmore
Edinburgh East Constituency**

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Introduction

In recent years the expansion of student accommodation in the city has become a cause for concern for local residents, so much so it has caused some to come together to call for this urgent rethink of the way in which developments are planned. From the outset many residents, elected representatives, community groups and some students, are keen to point out that none of these discussions have been to discourage students taking accommodation in areas such as the Southside. What is called for is for greater balance and management of the units permitted by the planning and licensing authority to ensure that no one population or community becomes over concentrated in specific localities, such as the Southside.

Edinburgh East constituents enjoy a pace of life in the busy and vibrant Southside to which students do make a massive contribution, and I am proud to say that the areas where students choose to reside in Edinburgh are exciting and vibrant places to live, work and 'play'. These areas enjoy economic benefits which extend to other residents right across our city. It is of course formally acknowledged in the existing Local Plan there can be a negative impact when numbers are too high. The discussion accompanying Hou 10 makes clear that because the student populations is growing but transient, it is less likely to afford the pleasure of being involved in community life, and may only regard the area as home in the short term. This subsequently impacts on any involvement they may have to coordinate maintenance of gardens or common stairs, a burden left to the declining number of long term residents.

Purpose built student accommodation has many advantages over licensed tenemental properties. Not only does the provision of quality accommodation benefit students looking for a 'hassle-free' accommodation it can be well managed and therefore reduce some impact on permanent residents within traditional tenements. At the turn of the century, the decision to promote and increase the numbers of beds within this type of accommodation was seen as a way of relieving some of the pressures on traditional family accommodation within tenement stairs. Combined with licensing requirements under HMO legislation, the preference for this accommodation was meant to raise standards, and also ensure that further capacity was built in the urban University areas in order to return family housing stock to its original purpose.

It is unfortunate however, that over time the numbers of beds within licensed properties have increased, while the development of purpose built accommodation over much of the last decade had been largely been piecemeal, with smaller developments at Calton Road, Potterow and Chalmers Street making up much of the numbers. Since the Edinburgh economy has revived from the economic downturn a substantial number of large scale developments have come forward for the Holyrood

valley, Deaconess House, and now at brownfield sites within the Southside. Those proposals have been much larger in scale, and the numbers of units proposed much greater than previously seen. At the same time, little of the licensed housing stock has returned to households which do not require HMO licenses, leading to an overconcentration of student numbers in some areas of the urban city, particularly the Southside, Tollcross, Marchmont and Leith Walk.

Within the last year the planning authority's policy, Hou 10, and guidance, has failed a test by the Scottish Government Reporter who determined that a development at Bernard Terrace was acceptable due to its proximity to the University of Edinburgh, regardless of the potential numbers of student units which would now be located in the immediate area.

The purpose of this response to the consultation seeks to respond to questions asked by the planning authority, but reiterate that any revision to the current policy must restate its current aims and ensure that it fully responds to calls for balance. The discussion here reiterates my calls for much closer coordination between the the planning and licensing authorities within the Council to ensure that those aims can be delivered in practice.

Consultation Question Responses

Question 1: Do you feel that the Council should continue to support the growth of further and higher education in Edinburgh? Please provide a reason for your answer

Edinburgh is a city which has succeeded thanks to coexistence of industry, finance and the capabilities of its educational and research institutions. I am in no doubt that the Council must continue to support the continued growth of this sectors, which employs tens of thousands people – directly and indirectly - across our city. What must be defined by the planning authority is its comprehensive understanding of the continued scope and scale of the economic benefit and physical growth that is expected in the short and long term, in order to ensure that this can be accommodated by existing residents, and indeed planners. As well as the teaching and research space for the sector's continued expansion, accommodation for undergraduates and postgraduates will be required and this should inform a development brief for the education sector. I am clear that any discussion about guidance for accommodation must also take into account any planned economic and geographic growth the sector has in order to determine the likely units needed, and the land requirements for development.

Question 2: Do you feel that the Council should continue to support the development of purpose-built student housing? Please provide a reason for your answer.

In order to restate the aims of the current policy it is clear provision is needed for the council to continue to support the development of this accommodation, however there is a need to scrutinise proposals to determine how it complements growth plans. At the outset of this consultation, information included in the report agreed by Planning Committee members on 4 December 2014, established that many thousands of purpose built units had already been agreed a the proportion of students in purpose built accommodation could reach 31%¹. This is of course a substantial number and the authority must establish if the sector anticipates there is sufficient demand to fill these units, and when this can be expected. It is pertinent to ask how many more units of purpose built student accommodation are required. The authority must ask if the sector has set a target for the proportion of students it

¹ Page 2, City of Edinburgh Council Planning Committee - Item No 5.1 - Edinburgh Planning Guidance: Student Housing – Issues Paper, 4 December 2014, available at http://www.edinburgh.gov.uk/download/meetings/id/45453/item_no_51_-_edinburgh_planning_guidance_student_housing_%E2%80%9393_issues_paper., last accessed 29 March 2015

intends to accommodate in this way, and if any goal is realistic. I am conscious of speculation that some of the completed units for instance in Fountainbridge remain unoccupied.

There is a trend for developers to provide studio-type individual units which are leased at a higher cost per individual student. Any projections must take into account the underlying need for 'shared' HMO properties which usually command a comparably lower rent than what is generally being constructed at the moment. It would be practical if guidance on the make-up of the dwellings demanded that more purpose-built properties with shared kitchen and bathroom facilities were included in plans (i.e. lower cost), in the same way that the planning authority is prescriptive about residential development.

Question 3: Should the revised guidance identify preferred sites for purpose-built student accommodation? Please provide a reason for your answer.

As I have indicated above, any detail in this respect should be focused on the sector's expansion plans, to establish the anticipated geographic spread of teaching buildings and the associated accommodation. With a greater idea of how the sector intends to expand, it would be advantageous for the authority to consider the sites where an element of student accommodation would be an acceptable and can be included in a development brief. Where there are housing sites within the local plan it might be helpful if there was an indication which can accommodate a portion of student accommodation, wholly or as a component part. Where housing sites have been developed or proposed including a student accommodation component, this has been helpful in managing the expectations of those who are choosing to move into the new developments; examples include the accommodation at Chalmers Street, adjacent to the Quartermile, and as proposed for St Margaret's House (London Road)

Many of the recent applications in the Southside are clearly 'windfall' sites which have become available without advance notice and are unlikely to be included in any brief. While I appreciate that the planning authority is likely to be reluctant to define any areas where such development is not acceptable, I outline in my response to question 6 the need for the a strengthening of part b) of the current policy to preclude such windfall sites where the concentration of units is already high.

Question 4: Should student 'needs' be met as far as possible in well managed purpose-built student accommodation? Please provide a reason for your answer

I refer to my response to question 2. Any assumptions need to be based on the projections of the sector in order to ensure that supply meets demand, and that the make-up of the accommodation meets the demand of those students who currently prefer lower cost 'shared' HMO type properties, rather than individual studios.

Question 5: Do you believe that purpose-built student accommodation is affordable for students and/ or helps address the overall need for places for students to live? If not, do you think the Council should consider revising its approach to try and ensure that student accommodation is more affordable?

I refer to my response to question 2. It is clear to my constituents and I that many of the properties available in purpose built student accommodation which has been made available in recent years is generally unaffordable to many students who retain a preference for 'shared' HMO type properties which are generally lower cost. I understand that many of the properties are individual studios with private bathroom facilities and inadequate kitchen facilities. While a proportion of the higher cost relates to the location of the properties, improvements can be made in the affordability in terms of being prescriptive about the makeup of the dwellings and any shared facilities, and improve the attractiveness comparative to housing stock which is licensed under the HMO regime.

Question 6: Should we continue to use a 30% threshold or introduce different thresholds to reflect the roles of different areas? Please provide a reason for your answer

As indicated in response to question 3 this provision is reliant on an overarching strengthening of part b) of the current policy. While I anticipate that the planning authority is under pressure to define the curtailage of the relevant campuses referred to by part a) of the current policy, I have a real concern that this could lead to a greater part of the Old Town and Southside being included in any assumed definition of University of Edinburgh 'campus' already envisioned by the current guidance.

The lack of clarity regarding the campus area was a key point of contention in relation to Lutton Court, and to a degree the Meadow Lane application. The

nature of Edinburgh University in particular (but also to Napier) is that it is made up of a number of buildings/ groups of buildings scattered through a substantial swathe of the centre of the city where residential and commercial uses are intermingled with the university buildings. The University does not have a defined and distinct campus that it can lay claim to and the authority should establish in its guidance that it does not seek to define its campus or curtailage in the city centre area. Such attempts to define a 'campus' must be restricted to clearly demarcated campus areas such as Riccarton, or Kings buildings; in which case it may be acceptable to lift any threshold.

I am of the view that where a campus is not defined, the 30% threshold should remain in place to ensure that the Southside and Old Town area remains an area where the applications must be determined distinctly under the threshold requirement (i.e. part b) of the policy rather than being a campus (i.e. part a). Should the authority be willing to apply single threshold in this area, it must rely on clear and transparent administration boundaries such as wards or polling districts and update its concentration maps at regular intervals.

Question 7: On larger sites, should the Council be requiring a proportion of general housing as part of the proposed development? Please provide a reason for your answer.

One of the key issues my constituents have raised in responding to the various application for purpose built student accommodation over the past 2 years has been the loss of 'windfall' sites to student accommodation developers. These could have been committed to use for affordable family accommodation, or mews style housing amongst traditional urban areas within the Southside and Old Town. Some of the sites, including Luton Court and now Potterow are those which are already in the Council's ownership and could have been used to deliver more affordable housing for Southsiders who wish to stay in the area. Such action would promote the longevity of an area, establishing a population mix and ensuring longer term outlook is taken to better serve Edinburgh residents. Development including general housing would help deliver and maintain the balanced, vibrant Southside residents want to live in.

I am in absolute agreement that all developments should require a proportion of general housing, but this must be affordable. At the very least the equivalent of 25% of units must be required as affordable dwellings in line with other residential development applications (i.e. based on person unit into anticipated household residents).

Question 8: Do you agree with the numerical methodology currently being used to calculate student concentration? Please provide a reason for your answer.

I am content with the numerical calculation, however I believe that a more transparent and open system should be available to residents to use on the Council website, so they can get a better grasp of the current numbers in anyone location. I would hope that the authority has the systems capable to make this possible. This should allow residents to enter their postcode and the form to be pre-populated with the information required in each row of the table provided. Any such system must also be regularly be updated with data from the HMO licensing team who record details of permissions for shared properties

Question 9: Are there other issues, which revised planning guidance should address? Please provide a reason for your answer.

This consultation policy has to be part of a wider consideration of how to achieve balanced communities especially in the centre of a city, and work must be coordinated with the HMO licensing team to ensure that both departments have a better grasp of population concentration and license provision. Both departments cannot take decisions with regard to policy in isolation; the decisions of the licensing team directly impacts the numbers which should be taken into account for applications where the threshold applies.

As much of the responsibility for managing HMO applications rests with the Council's licensing department, a minority of HMO applications come to the attention of planners. There is little discussion of the planning authority's legislative responsibility to scrutinise HMO applications for 5 or more individuals and the absence from this paper is notable. The existing Hou 9 includes a policy wording limiting HMO concentrations in sensitive areas to a maximum of 30% and must be maintained too. The 30% planning rule has been breached in many areas, because responsibility for granting licenses for properties with 4 or fewer persons rests with the local authority's licensing department. There is an urgent need to tie up the two departments to ensure that there is greater management of HMO numbers going forward. This would be achieved by producing updated information relating to 'sensitive' areas on a regular basis, which would support those applicants and residents who choose to comment on any applications. While the current local plan has provisions to limit the concentrations of purpose built student accommodation and HMO accommodation under the planning system, there is a need to ensure that local authority, as planning and licensing authority can work to maintain a balanced

community where HMO accommodation requires a license only (i.e. properties with 4 or fewer residents). The current HMO regime contains a legislative loophole which means the planning authority has difficulty managing concentrations. The planning authority must work with the licensing authority to establish a joint approach to the Scottish Government regarding changes to the Housing (Scotland) Act 2006 (part 5) to allow the local authority to restrict further licenses on the basis of license concentrations in sensitive areas. Ideally, my constituents would like to see the authority seek changes from the Scottish Government requiring the landlords of all HMO properties to seek planning permission in addition to a license.

Conclusions

It is clear to see that the planning authority was unprepared for the deluge of controversial applications for student accommodation in my constituency. While the policy in question appeared to be sufficiently designed to control concentrations of student accommodation its recent failure has led to residents losing confidence in the authority's current regime. The consultation on this topic is welcome, as it is clear that a truly holistic approach is needed if the planning authority is able to balance the needs of residents and the demands of a growing education sector. It is paramount that the consultation seeks responses from the sector to ensure that the projected growth – economic and geographic – is plotted. This starting point must inform the authority's modification to this policy and the guidance for the long term.

In this submission I have called for overhaul of this policy and guidance to ensure:

- The development of education based development brief(s);
- thorough strengthening of the 30% threshold;
- the need to recognise that the University of Edinburgh does not have any 'campus' within the city centre;
- detailed guidance to promote development of more affordable student accommodation;
- the inclusion of affordable housing as a component part of all purpose built student accommodation developments; and
- coordination with the HMO licensing team.

Please keep me fully informed of the outcome of this consultation process.