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10th January 2005

Mr D Hankin
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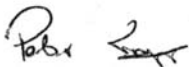
Dear Mr Hankin

Student Housing SPD - Addendum to Report

Further to our meeting last week, please find attached a copy of an Addendum to our Student Housing SPD Report.

Please do not hesitate to contact me if you should have any queries concerning this or any other aspect of our work.

Yours sincerely



Peter Triplow
Senior Regeneration Planner
ATKINS

Charnwood LDC	
Planning & Technical services	
File.....	
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Comment	Page	Paragraph	Clarification Required												
1	3	6	<p>The total number of full time higher education students registered at Loughborough University for the 2003/04 academic year is 12086.</p> <p>Of these, 854 are on placement and 74 are based at the Peterborough campus. This leaves a total of 11158 full time students based in Loughborough for the 2003/04 academic year. No account needs to be taken of students based at the Singapore campus as all these are part time.</p> <p>The University plans to close the Peterborough campus in the near future but as yet it has not been possible to ascertain whether the students presently based there will be transferred to Loughborough or whether the campus will simply stop taking on new students and close once the remaining students have graduated.</p> <p>The 854 students on placement represent 7.1% of the total registered. From discussion with the University, it appears that this percentage is unlikely to change.</p> <p>The second and third sentences of paragraph four on page five should be replaced with: "In 2003-04, some 7.1% of students registered at the University were on placement and not based in Loughborough. In addition, 74 students were based at the University's Peterborough campus. It has been assumed that this will continue to be the case for the foreseeable future. The totals shown in the tables therefore represent 92.9% of the totals given on the previous page minus an additional 74 students each time."</p> <p>Assuming the percentage of students on placement remains at 7.1 and assuming, for now, that there will be no change in numbers at Peterborough, Tables Three to Six should be amended as follows:</p> <p>Table Three: Student numbers and bedspaces in Loughborough 2003-04</p> <table border="1" data-bbox="689 1198 1886 1382"> <thead> <tr> <th rowspan="2"></th> <th colspan="2">Undergraduates</th> <th rowspan="2">Postgraduates</th> <th rowspan="2">Total</th> </tr> <tr> <th>First years</th> <th>Second / third years</th> </tr> </thead> <tbody> <tr> <td>Managed</td> <td>3288</td> <td>1044</td> <td>433</td> <td>4765</td> </tr> </tbody> </table>		Undergraduates		Postgraduates	Total	First years	Second / third years	Managed	3288	1044	433	4765
	Undergraduates		Postgraduates		Total										
	First years	Second / third years													
Managed	3288	1044	433	4765											

Comment	Page	Paragraph	Clarification Required				
			Unmanaged	0	4815	1578	6393
			Total	3288	5859	2011	11158
			Table Four: Student numbers and bedspaces in Loughborough 2004-05				
			Undergraduates		Postgraduates	Total	
			First years	Second / third years			
			Managed	3288	1172	518	4978
			Unmanaged	0	4721	1893	6614
			Total	3288	5893	2411	11592
			Table Five: Student numbers and bedspaces in Loughborough 2005-06				
			Undergraduates		Postgraduates	Total	
			First years	Second / third years			
			Managed	3288	1357	587	5232
			Unmanaged	0	4527	2142	6669
			Total	3288	5884	2729	11901
			Table Six: Student numbers and bedspaces in Loughborough 2006-07				
			Undergraduates		Postgraduates	Total	

Comment	Page	Paragraph	Clarification Required				
				First years	Second / third years		
			Managed	3288	2058	646	5992
			Unmanaged	0	3816	2360	6176
			Total	3288	5874	3006	12168
			<p>This is how the total in the bottom right hand corner was arrived at. From the number of full time higher education students shown on page four is subtracted first the 7.1% of the total who are on placement and then the 74 students based at Peterborough. So, for 2004/05 this gives: 12558 - 892 - 74 = 11592.</p> <p>The tables are then calculated as set out on page five of the Report.</p>				
2	5	2	<p>The figure of 254 student bedspaces with outstanding planning permission should actually read 316. This figure comprises the following permissions:</p> <p>P/03/1967/2 Curzon Cinema, Mill Lane 166 bedspaces P/02/3473/2 102 Derby Road 8 bedspaces P/01/2499/2 Rosina, Radmoor Road 54 bedspaces P/03/1257/2 Schofield Centre, Greenclose Lane 88 bedspaces</p> <p>Information supplied by Charnwood Borough Council on 1st October 2004</p>				
3	7	Table 7	<p>The number of students attributed to Loughborough in Table Seven should read 12000 and not 15000. This would make it consistent with the figure of 12291 full time students set out in Table Two, which was supplied by the University.</p> <p>The student numbers in this table were taken from individual Universities' websites and may not all apply to the same year. The built up area populations were taken from the 1991 census. Please note that this table is intended to be indicative only and all figures shown are approximate.</p>				

Comment	Page	Paragraph	Clarification Required
4	9	2	<p>Insert the following text after the fourth sentence: "The household then ceases to be a dwellinghouse under planning law and instead becomes a "sui generis" use. For the purposes of this Report, a household occupied by more than six unrelated students shall be known as a Large Unmanaged Student Household (LUSH). Under the provisions of the Housing Act 2004, a building occupied by two or more unrelated people and therefore comprising more than one household is known as a House in Multiple Occupation or HMO. The 2004 Act introduced a system of mandatory and discretionary licensing for HMOs which is likely to have implications for student housing. Please refer to page ten for an explanation of the Housing Act and its implications."</p>
4a	10	all	<p>Replace page ten with:</p> <p>"Housing Act 2004</p> <p>In late 2004, a new Housing Act passed into law. This Act has changed the ways in which Houses in Multiple Occupation (HMOs) are defined and regulated and has significant implications for private sector student housing.</p> <p><i>The previous situation</i></p> <p>Until the passing of the Housing Act, HMOs were defined in such a way that most student houses fell without the definition. This was because an HMO was defined as a property within which the occupants were living as separate households, such as a house divided into bedsits. By contrast, students tended to live as single households with one tenancy agreement covering the whole property.</p> <p>There was no requirement for local authorities to license HMOs until the passing of the new Act; any licensing was at the discretion of the local authority. In addition, HMOs were defined purely on the basis of their occupancy; size was not important. The local authority's licensing powers did not extend to control over whether a house could or could not become an HMO but they did allow it to insist that properties were properly maintained and that front yards and pavements were kept clean.</p> <p><i>The new Act</i></p>

Comment	Page	Paragraph	Clarification Required
			<p>When the Housing Act became law, the definition of what constituted an HMO changed. Rather than covering only those dwellings in which people are living as separate households, it now covers any dwelling in which two or more unrelated people are living. This means that it covers the vast majority of student households.</p> <p>Under the new law, local authorities have a duty to inspect and license any HMO of three storeys or over and having five occupants or more. This is known as mandatory licensing. However, they also have the option of extending this licensing requirement to any HMO under the new definition, regardless of size or height. This is known as discretionary licensing.</p> <p>Introducing discretionary licensing is by no means easy. Any local authority wishing to take this path must justify why it wishes to do so and is required to consult all those properties that are to be affected. For this reason, the best use of discretionary licensing powers may be to regulate HMOs within a small area where multiple occupancy is known to be an issue. It is unlikely, in the first instance, that Charnwood Borough Council will have the resources to introduce discretionary licensing as the emphasis will be on mandatory licensing. The council may, therefore, need to take on further EH staff if it wishes to go down this road.</p> <p><i>How can this help with the SPD?</i></p> <p>Whereas the planning system is the best tool for influencing the future location of student housing in the town, the changes stemming from the new Housing Act have a far greater impact on the condition of existing student housing. For areas such as Storer and Southfields, where many private houses are already rented to students, the Act offers the best chance to control the condition of properties and their curtilages.</p> <p>The SPD therefore proposes that both planning and environmental health measures are implemented side by side. Discretionary licensing areas will be considered in neighbourhoods where there is a recognised imbalance between students and non students."</p>
5	9	4	<p>Keep the first three sentences and replace the rest of the paragraph with: "However, these directives are not intended to be used widely and setting them up is a lengthy and cumbersome process involving an</p>

Comment	Page	Paragraph	Clarification Required
			<p>application to the Secretary of State. Circular 9/95 states that permitted development rights should only be withdrawn in exceptional circumstances and that, in the case of dwellinghouses, this should only happen where the house is of outstanding quality. In addition, any person with an interest in the land who has a planning application refused or conditioned due to an Article Four Direction may claim compensation provided they submit an application within twelve months of the Direction being made. Section 107 of the 1990 Act states that this can include compensation for lost land value. Therefore, anybody whose property is subject to an Article Four Direction forbidding extensions could claim the value that their extension would have added to the house from the Council for the cost of a planning application. We would therefore advise that these Directions be used sparingly, if at all."</p>
6	9	5	<p>Insert the following text before the last sentence: "This could be achieved by restricting the size of extensions to the dimensions set out in the General Permitted Development Order."</p>
7	16	2	<p>Replace this paragraph with the following text: "In terms of sites for managed student housing, only those already in the pipeline or put forward by the University within the bounds of its campus would be developed; no further sites would be identified through the local planning process. Speculative proposals from developers would be determined on their own merits, as is presently the case."</p>
8	16	4	<p>Replace "HMOs" with "LUSHs".</p>
9	17	1	<p>Add the following text to the end of the first bullet point: "within the area shown on the map".</p> <p>Add a fifth bullet point with the following text: "The identification of sites beyond the SPD policy area for the provision of managed student housing."</p>
10	17	1	<p>Replace "Houses in Multiple Occupation (HMOs)" with "Large Unmanaged Student Households".</p> <p>Add a fifth paragraph to this page containing the following text: "Occupancy conditions have been included in this option purely on the grounds that they form part of the approach taken in Leeds. The advice given on page nine on the issue of controlling occupancy should be borne in mind.</p>
11	17	2	<p>Replace the bracketed text in the first bullet point with: "perhaps by limiting the size of extensions to the</p>

Comment	Page	Paragraph	Clarification Required
			dimensions set out in the General Permitted Development Order."
12	19	2	<p>Replace "Houses in Multiple Occupation (HMOs)" with "Large Unmanaged Student Households" in the second bullet point. Replace "HMOs" with "LUSHs" in the third bullet point.</p> <p>Replace the bracketed text in the fourth bullet point with: "perhaps by limiting the size of extensions to the dimensions set out in the General Permitted Development Order."</p> <p>Add a sixth bullet point with the following text: "The identification of sites within and beyond the Restraint Area for the provision of managed student housing."</p>
13	21	4/7	<p>Replace "HMOs" with LUSHs" in the second and third bullet points in the fourth paragraph and in the first bullet point in the seventh paragraph.</p> <p>Replace the bracketed text in the fourth bullet point in the fourth paragraph and the second bullet point in the seventh paragraph with: "perhaps by limiting the size of extensions to the dimensions set out in the General Permitted Development Order."</p>
14	23	1	<p>Replace the second sentence with the following text: "Ideally, areas to be subject to the policy would be determined on a street by street basis using census output areas. However, this approach has been called into question in a recent appeal in Nottingham (ref. APP/3060/A/03/1135116) where the Inspector deemed that output areas were too small to be considered representative of the locality. By the same token, wards are perhaps too large to be able to represent a single neighbourhood. The basis for choosing which areas would be subject to the policy may, therefore, lie somewhere between the two, perhaps using a cluster of four or five output areas? Once an area had been designated, a threshold would be set above which the policies would come into force."</p>
15	24	1	<p>Replace "Houses in Multiple Occupation (HMOs)" with "Large Unmanaged Student Households" in the first bullet point. Replace "HMOs" with "LUSHs" in the second bullet point.</p> <p>Replace the bracketed text in the third bullet point with: "perhaps by limiting the size of extensions to the dimensions set out in the General Permitted Development Order."</p>

**Loughborough Student Housing – Draft Supplementary Planning Document (Options Report)
Addendum and Errata**



Comment	Page	Paragraph	Clarification Required