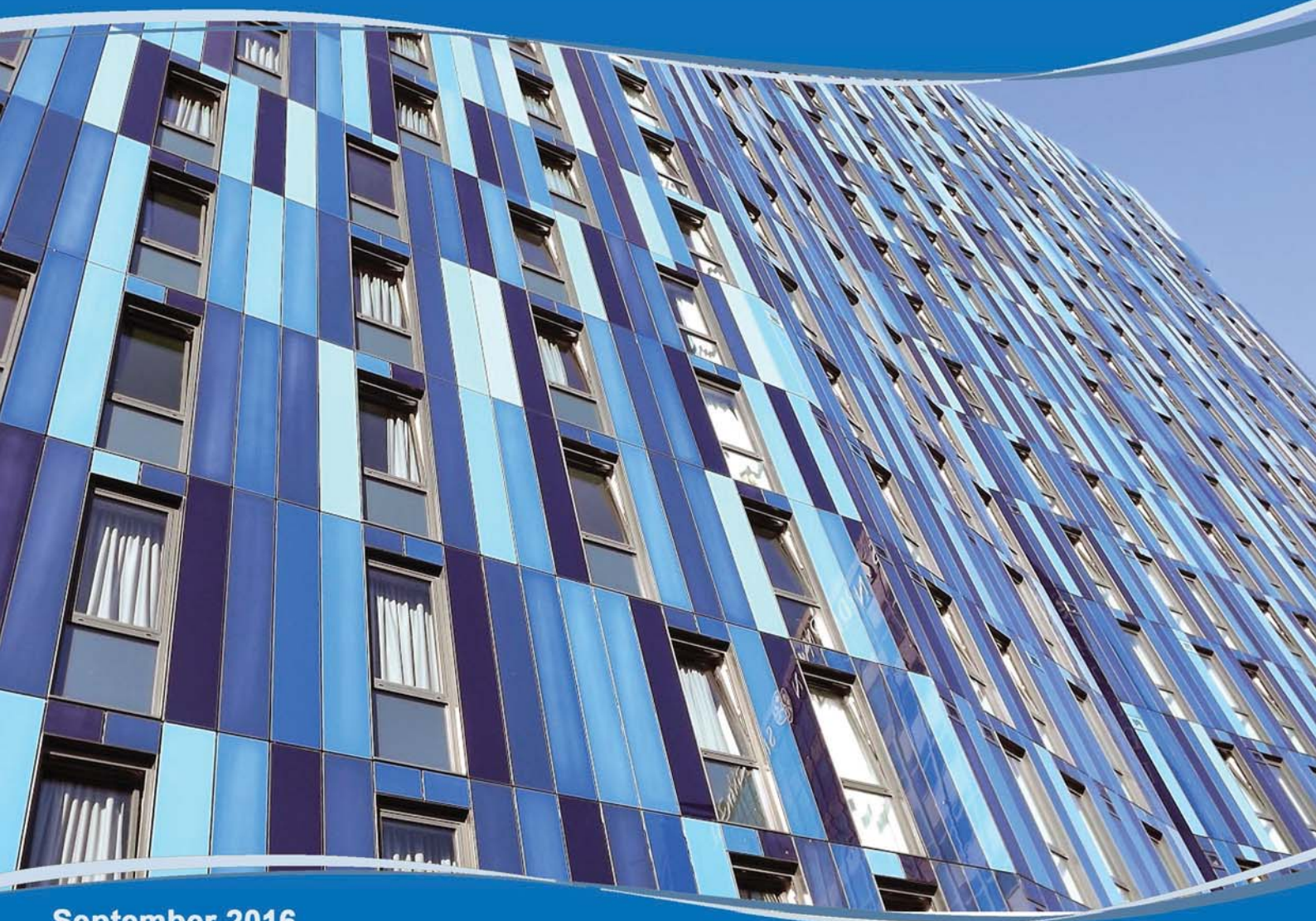


# Development Management

## Consultation Draft: Maintaining Sustainable Communities and Urban Core Housing Supplementary Planning Document



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# **1. Introduction and Overview**

- 1.1 In November 2011 the City adopted the Maintaining Sustainable Communities Supplementary Planning Document (SPD). The aim of the SPD was to manage the growth in HMOs in areas which already experienced high levels of this form of accommodation and to encourage student accommodation to be sited in the city centre to deliver mixed sustainable communities across the city. The Council also introduced three HMO Article 4 Directions between 2011 and 2013 which require planning permission for the change of use from family dwellings (Class C3) to small HMOs (Class C4) to support the aims of the 2011 SPD. In the intervening five years the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2015-2030 (CSUCP) has been adopted as a local plan and national planning policy has been incorporated into the National Planning Policy Framework. It is therefore appropriate to review the SPDs aims and contents to ensure it continues to align with current approved planning policy. In addition, the student housing market has expanded in the Urban Core area of the city in the form of purpose built student accommodation (PBSA). This draft SPD reviews the SPD in view of these changes to the shared housing market to ensure it continues to meet its objectives of delivering a working city, with decent neighbourhoods for current and future generations that will result in a prosperous and sustainable city.
- 1.2 The City Council's vision for future development in Newcastle upon Tyne is that it should deliver a unique and distinctive place – where people choose to live, work and visit and everyone can realise their full potential and enjoy a high quality lifestyle. To achieve the creation of balanced communities, where there is a range of housing, good access to jobs and services to meet local needs is sought.
- 1.3 Within the City there are different neighbourhoods performing different roles and functions in the housing market. These neighbourhoods should be characterised by a mix of tenure and type to deliver a range of choice of housing to suit the needs of different households. The City Centre and wider Urban Core of Newcastle upon Tyne (as defined in the CSUCP) contains a number of neighbourhoods which have their own distinct characteristics and which together act as the economic and cultural hub of the wider region, fulfilling a role as the leading retail, entertainment, employment and learning centre for the North East region, as well as providing homes to a number of communities and offering a wide array of investment opportunities. To sustain the growth of these neighbourhoods, and fundamental to achieving economic prosperity, there needs to be an appropriate range, mix and quality of employment sites and housing opportunities to ensure the Urban Core maintains its vibrancy.

- 1.4 Newcastle is fortunate to host two higher education establishments- the University of Newcastle upon Tyne and Northumbria University, and one further education campus - Newcastle College. All three establishments have their main campuses located in the city centre. These institutions make a valuable contribution to the city's economic, social and cultural wellbeing, as well as raising the profile of the city through their reputation for academic and research excellence. Their continued success and growth helps to support the local economy. The students who attend these institutions benefits the local economy, as well as the diversity of cultural and leisure attractions found in the city. However, accommodating the growing student population has often resulted in a concentration of shared accommodation close to and around the centre of the city. This Draft SPD will review current demand for accommodation for the students attending these institutions, the impact this is having on the areas around the Urban Core of the city and future likely growth areas in the Urban Core housing market. Two policies are then proposed to develop in greater detail existing local plan policies to ensure all residential development that comes forward around the centre of the city will deliver a high quality sustainable form of development. The aims of the SPD is to continue to deliver decent neighbourhoods for residents as part of a working city.



## **2. Current Policy Framework**

### **National**

- 2.1 National planning policy guidance is set out in the National Planning Policy Framework and National Planning Practice Guidance (2015). The National Planning Policy Framework- 2012 (NPPF) aims to promote sustainable development. There are three dimensions to sustainable development - economic, social and environmental. The economic role is to contribute to building a strong, responsive and competitive economy. The social role is to support strong, vibrant and healthy communities. The environmental role is to contribute to protecting and enhancing the natural, built and historic environment. To achieve sustainable development, the NPPF states that economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.
- 2.2 The NPPF sets out 12 core land-use planning principles that should underpin decision-taking. These include a number relevant to the consideration of shared accommodation developments and relevant to any revisions to the Maintaining Sustainable Communities SPD:
- Be genuinely plan-led, empowering local people to shape their surroundings;
  - Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
  - Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
  - Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
  - Taking account of the different roles and character of different areas, promoting viability of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside;
  - Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
  - Conserving heritage assets in a manner appropriate to their significance;
  - Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
  - Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs;

- Actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling; and focus significant development in locations which are or can be made sustainable.

- 2.3 As set out above a core principle of the planning system is that proper planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives. Sustainable development is at the heart of the Framework and decisions should be plan led. Paragraph 50 of the NPPF states that to deliver a wide choice of high quality homes and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Paragraph 123 of the NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

## **Local Plan**

- 2.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. All planning applications in Newcastle upon Tyne are assessed against the policies in the Core Strategy and Urban Core Plan for Gateshead Newcastle upon Tyne 2010-2030 (CSUCP) together with saved policies from the Newcastle upon Tyne Unitary Development Plan (UDP) and the Walker Riverside Area Action Plan (WRAAP) and the Benwell Scotswood Area Action Plan (BSAAP).
- 2.5 The following CSUCP policies are relevant in any revisions to a revised Maintaining Sustainable Communities SPD and Urban Core Housing SPD:

**Policy CS2** - Promotes the Urban Core for development which seeks to ensure that development maintains and enhances the vibrancy of the cultural and economic heart of the City. It seeks to promote economic activity and recognises that a mix of housing within the core can also be important.

**Policy CS9** - Existing Communities which seek to ensure existing communities are places of quality and choice through, amongst other things, maintaining a range of house types and choice of types and size of accommodation; bringing empty homes back into use; preventing the conversion, change of use of family accommodation; and preventing an over concentration of shared accommodation.

**Policy CS11** - Promotes life time neighbourhoods with a good range and choice of accommodation, services and facilities to meet varied and changing needs will be achieved through, amongst other things, providing adequate space inside and outside of the home to meet residents' needs; and focus purpose built student accommodation in the Urban Core.

**Policy CS14** - Promotes the wellbeing and health of communities being maintained and improved by requiring development to contribute to creating an age friendly, healthy and equitable living environment through, amongst other

things, preventing negative impacts on residential amenity and wider public safety from noise and vibration.

**Policy CS15** - Requires development to contribute to good place-making through the delivery of high quality and sustainable design and the conservation and enhancement of the historic environment.

**Policy CS16**- Requires development to be able to function effectively in a changing climate and to address impacts on climate change emissions.

**Policy UC4** - Promotes a range of size, type and tenure of housing in the urban core by developing 3,750 new homes, including in a number of and promoting residential development in a number of sub-area, promoting residential development as part of mixed-use schemes in Quayside and Ouseburn and supporting the conversion and redevelopment of upper floors for homes.

**Policy UC12** - Seeks to deliver higher quality distinctive places in terms of architecture and public realm.

**Policy UC13** - requires development to respect important public views with a presumption against development proposals that would cause significant harm.

**Policy UC14** - Developments will be required to respect the historic legacy, varied character and appearance of the historic environment by maximising opportunities to sustain and enhance the significance of heritage assets and their setting, to deliver high quality in the design of new buildings and conversions and include opportunities for contemporary interpretation of heritage assets.

**Policy UC15** - requires development to protect and enhance the Urban Green Infrastructure Network, address gaps and improve linkages to the network.

**Policy UC16** - requires public open spaces and routes to be enhanced.

- 2.6 The following saved UDP Policies are considered to be consistent with the NPPF and relevant in the consideration of this SPD:

**Policy H2** of the UDP seeks to protect residential amenity and sets out a number of criteria by which applications for development will be assessed.

**Policy H4** promotes to ensure a high quality of design and landscaping in all housing developments with particular attention paid to the character and quality of the local environment, good standards of outlook, natural light and privacy in all dwellings, safe and convenient routes for pedestrians and measures for designing out crime.

**Policy EN1.1** promotes high standards of design in all developments. These policies aim to ensure that new development is well related to its site and surroundings, does not seriously affect nearby development, is of good design, and enhances the city's environment and distinctive identity.

- 2.7 There are also various other policies in both Plans which will be relevant in consideration of the applications, these will vary depending on the nature of the proposal.



### **3. Background Research**

#### **(i) Student numbers**

- 3.1 In the last 15 years nationally higher education numbers have risen by 16% from 1.9 million in 2000/01 to 2.3 million in 2014/15. In Newcastle full time student numbers have risen by 68% between 2000/2001 and 2014/15 from 25,271 to 42,565 (see Appendix i). The reasons behind this growth include the introduction of tuition fees failed to dampen demand for places, with the growth in the international student market and in 2014 the Government lifting the cap on student number intakes for each university all adding to the year on year rise in student numbers attending the city's two universities.
- 3.2 In 2015/16 academic year student in-take at both universities in Newcastle saw more moderate growth. Future growth trends are difficult to predict with any certainty. There are a range of factors that could impact upon the future growth in full-time student intake numbers, including uncertainty surrounding the impact of the UK exiting the European Union on the international student market, further rises in tuition fees, increased competition in the wider International overseas student market, including the impact of the Home Office introducing tighter visa controls on overseas students, and a demographic decline post-2019 in the number of 18 year-olds nationally. An associated impact of raised tuition fees is locally based students living at home for one or more of their years at university, thereby reducing demand for student accommodation. Taking all of the above into account, there is not considered likely to be any substantial increase in demand from the student population for residential accommodation in the city in the near future above current levels.

#### **(ii) Small Private Rented HMO Sector**

- 3.3 Policy SC1 of the 2011 SPD prevents the loss of good quality, spacious and convenient dwellings suitable for occupation by a family being converted to HMO accommodation. Following the 2011 SPDs adoption 24 of the 27 subsequent planning applications for the change of use of a family dwelling to an HMO use in an Article 4 direction area have been refused. In that time nine of the ten subsequent appeals against the refusal of planning permission were dismissed, with the Government Inspector's supporting the Council's objectives set out in the SPD to protect family housing in the HMO Article 4 areas. The 2011 SPD has therefore met its objective of stemming the growth in the small HMO market in areas outside of the Urban Core of the city.
- 3.4 In terms of overall numbers of small HMOs in the city, Appendix ii sets out the level of Council Tax registered student HMO properties that gain a discount under Class N. However, it should be noted that these figures do not include other non-student HMO accommodation and does often not reflect occupation levels and void periods. As expected in the four wards covered by HMO Article 4 directions there has been no material growth in the number of HMO properties in these wards after 2011, despite the continued growth in student numbers attending the universities over this period. Growth in the student housing market has instead moved from

small HMOs in residential areas around the city centre to larger purpose built student accommodation blocks in the Urban Core.

- 3.5 There are signs that the new purpose built accommodation is starting to effect the existing traditional student housing areas, with vacancy rates increasing by 15% across the 6 key wards popular with student accommodation between 2011/12 and 2014/15, along with a reduction in the number of properties claiming Class N student exemptions in three wards - Wingrove, Ouseburn and South Heaton. The lack of more marked falls in the levels of HMOs in these wards could be due to a range of factors, including landlords keeping properties empty rather than return to the open rented market in order to not lose their established Class C4 HMO use. Also landlords are now more likely to accept under occupation of HMOs and associated reduced rents, rather than risk missing a year's rental income. Alternative types of tenant other than students, such as professional lettings, have also entered the private rented market. Areas furthest from the university campuses, such as Wingrove and parts of Heaton have been most affected by reduced demand from the student sector. Elsewhere, in areas closer to the university campuses (Jesmond and Sandyford) demand remains high for second and third year students.
- 3.6 The long-term decline of the small HMO sector in the Article 4 areas will improve the range of housing choice in the neighbourhoods close the city centre by releasing spacious and good quality housing with good connectivity to the city centre back to family occupation. This re-profiling in the housing mix within HMO Article 4 area will benefit the sustainability of these community and is a benefit arising from the Council's policy of focusing PBSA in the Urban Core area.
- 3.7 In view of the above there is a need to continue to protect family housing in HMO Article 4 areas from both the further loss of family housing and to prevent an over-supply in the HMO market, with its associated issues of under investment, poor maintenance and void properties which could all adversely impact upon a neighbourhood's character.
- 3.8 The City Council provides support for small landlords of HMO properties which have remained empty for long periods, to help convert the property back to family accommodation through a combination of grant and loan assistance. Grant funding of between £2,000 to £10,000, depending on the length the property has been empty, which can then be extended up to a value of £15,000 is available for properties vacant for more than 6 months to assist towards works to bring the property up to the Newcastle Accreditation Standard. Owners can also receive loans. Assistance is also available through the Council's Private Rented Services to help owners secure and manage tenants. The level of voids in HMO Article 4 areas will continue to be closely monitored to ensure appropriate assistance is made available to realise the potential of the existing housing stock to create sustainable communities.

### **(iii) University Purpose Built Student Accommodation**

3.9 National Planning Practice Guidance (2016) states that:

“Local planning authorities should plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus. Student housing provided by private landlords is often a lower-cost form of housing. Encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. Plan makers are encouraged to consider options which would support both the needs of the student population as well as local residents before imposing caps or restrictions on students living outside of university-provided accommodation. Plan makers should engage with universities and other higher educational establishments to better understand their student accommodation requirements.”

- 3.10 Both Newcastle and Northumbria Universities have halls of residence which they manage and control to cater largely for the needs of first year and post-graduate students. Student expectations and increased competition from the private sector have resulted in both universities having to re-invest in their accommodation portfolios. Students now expect a higher standard of accommodation, with en-suites, complementary facilities and a city centre location with more limited demand for catered facilities. The social benefits (especially attractive to first year students), the safety and pastoral care offered and the high standards of accommodation at competitive prices are reasons why most first year students seek to stay in university accommodation.
- 3.11 In 2015/16 Newcastle University managed 4,504 student bedspaces, including at Marris House/Richardson Road flats, Castle Leazes and Kensington Terrace. 78% of the accommodation was occupied by first year students and 22% for first year post-graduate students. A further 1,285 first year students who wished to be provided accommodation by the University were placed in private PBSA through nomination agreements with Newcastle University.
- 3.12 In academic years 2016/17 and 2017/18 the level of Newcastle University managed bedspaces is due to be reduced due to the temporary closure of Richardson Road flats during its redevelopment. This will result in an increased need for the university to seek alternative accommodation for first year students within the PBSA sector for a two-year period. However, from September 2018 with the re-opening of Richardson Road site an additional 350 bedspaces of managed accommodation will be available. As a result, from 2018 onwards, Newcastle University envisage that all first years and post-graduates who request university accommodation can be catered for through either their own portfolio of properties or through nomination agreements for a further 500/600 bedspaces with a PBSA provider.

- 3.13 Northumbria University have also recently invested to modernise their student housing portfolio. In 2014 the University opened their 1,000 bed Trinity Square Halls of Residence in Gateshead Town Centre. This investment has allowed the University to close less popular and outdated halls elsewhere, as well as exiting a number of nomination agreements they had entered into with PBSA providers. At present Northumbria University offer accommodation including Trinity Square, Winn Studios, Glenamara House and New Bridge Street in Shieldfield, as well as approximately 700 bedspaces at their Claude Gibb and Lovaine Halls of Residence on its city centre campus and through a number of nomination agreements. The long term future of the city centre campus halls is currently under review, as they do not meet modern student expectations. It is likely that the University would expect to replace these with either an on-campus development or alternatively a near-by site in the coming years. Outside of the universities own accommodation provision it also annually enters into nomination agreements for approximately 500 bedspaces with PBSA providers to meet demand for first year students. This level of nomination agreement is not expected to change in the near future.
- 3.14 Newcastle College is the leading provider of higher education in the region. As the students enrolled at the College are locally based they do not have any requirement for purpose built accommodation to meet their needs. They have a small number of international students, but these are currently adequately accommodated and there is not anticipated to be any significant change in demand in this sector of the market. There is therefore not considered to be any significant need arising from Newcastle College for purpose built student accommodation in the near future.

#### **(iv) The Purpose Built Student Accommodation Sector**

- 3.15 Nationally the student housing market has grown strongly since the recession, with the purpose built student accommodation (PBSA) market outperforming the other traditional property sectors and is expected to continue to perform strongly in the near future. The market strength has been reflected in recent years with an increase in institutional investors entering the market seeking long term secured income streams.
- 3.16 PBSA is normally in the form of a single block of residential accommodation used solely in term time by students in full time education at the two universities in the city. The accommodation can comprise a mix of cluster flats, which normally contain around 6 bedrooms, a communal lounge and bathroom and studio flats, a single room of accommodation containing both bedspace, living space and en-suite facilities. The accommodation often includes communal common and laundry rooms at ground floor level.



- 3.17 Prior to the 2011 SPD being adopted, the City Council in November 2007 approved guidance on the possible location of future student housing developments entitled “Interim Planning Guidance on Purpose Built Student Housing”. At that time it envisaged up to 5,030 additional bedspaces being required to meet future demand in this sector of the housing market. In the 9 years since its adoption approximately 7,500 student bedspaces had been completed up to the end of 2015 with planning permission for a further 5,200 in place. The Interim Guidance identified 47 potential PBSA sites, of which 32 were in and around the Urban Core of the city. By 2016 ten of the sites identified had been developed for PBSA, with one (Newgate Shopping Centre) about to commence development on site. It is considered that the remaining sites identified in the Interim Guidance are not now likely to come forward for PBSA due to a number of factors, including land ownership, site constraints and remote locations in relation to the university campuses.
- 3.18 The focus of PBSA has been in locations easily accessible to the two university campuses. This focus of growth in the Urban Core is in accordance with the Council’s CSUCP Policy CS11 which seeks to promote lifetime neighbourhoods with a good range and choice of accommodation, services and facilities to meet varied and changing needs. This will be achieved by, amongst other things, focusing the provision of purpose built student accommodation within the Urban Core of the city. Science Central and East Pilgrim Street Key Sites are allocated for mixed use developments, including student housing. The CSUCP anticipated in the short term an additional 2,000 bedspaces were required. However, construction levels have exceeded these levels, with 1,629 built in 2015 and a further 2,533 scheduled to be completed in 2016 and a further 1,736 bedspaces due to completion in 2017/18. (See Appendix ix). Planning permission for around 2,848 additional bedspaces, but not yet commenced construction is also in place, as well as live planning applications for further bedspaces, which are currently progressing through the application process at the present time.
- 3.19 The growth in the PBSA sector in the Urban Core has a number of planning benefits, including:-
- making University more attractive to prospective students by offering a range of high quality, affordable accommodation in accessible locations;
  - providing increased vitality to the city centre through the of increase in student residents with the associated benefits arising from increased footfall and spending in shops and local services;
  - reducing demand for existing HMOs in Article 4 areas and thereby encouraging their return to family dwellings;
  - securing development on often vacant or under-utilised sites and bringing previous vacant upper floors of historic premises back into use;
  - delivering a series of often striking architectural buildings that enliven the centre of the city;
  - generates little day to day vehicular traffic, except at the beginning and end of term;
  - limited amenity impacts on existing residential areas;

- the Council receives new homes bonus payments and planning obligation contributions provided by the PBSH sector through section 106 planning agreements and in the future Community Infrastructure Levy payments, to be used on infrastructure projects related to the developments (Since 2005 over £2.8 million has been contributed in the city by PBSA sector towards strategic highway improvements in the city centre and open space and public realm improvements in the city centre, including investment in Leazes Park, Exhibition Park and Summerhill. A potential further £2.5 million could be contributed if the approved PBSA planning permissions are implemented in the future).

3.20 However this investment from PBSA needs to be balanced against a number of issues that arise from the impact of the growth of PBSA in part of the Urban Core. These include:

- PBSA impacting upon the character and mix of development in areas, resulting in it becoming dominated by student housing to the detriment of often the diverse character and the commercial role of the Urban Core as the regional and cultural capital of the north east of England. Westgate and Ouseburn wards have seen significant growth in student numbers, particularly in areas closest to the university campuses (see Appendix ii);
- Anti-social behaviour, noise and nuisance from the coming and goings of students during terms time at night and out of term time the blocks can be under occupied presenting security concerns;
- lack of community cohesion with students changing on an annual basis with little relationship to surrounding area;
- PBSA development can create large blocks which fail to retain the historic character of areas;
- influx of large student numbers affects services for local residents;
- PBSA does not contribute towards the on-going costs of running Council services through Council Tax or Business Rates income and the city does not fully realise the benefits associated with Accelerated Development Zones in the Urban Core;
- inflexible design of blocks, often preventing easy conversion to other forms of residential accommodation;
- concerns in relation to possible over-supply in the market and its effect on the existing HMO market and associated knock-on impacts to the local housing market;
- The returns available on PBSA deter other forms of mixed use development not coming forward, or larger development sites not realising their full potential.

3.21 The two Universities currently operate a series of nomination agreements with private PBSA providers to supplement their own portfolio of properties to allow them to guarantee all first year under-graduate and post-graduate students a place in a University endorsed hall of residence. However, the scale of this on-going nomination agreement arrangement is declining. Once Newcastle University's Richardson Road redevelopment is completed in 2018 and the future of the two Northumbria University on-campus halls is determined then there is likely to be a reduced reliance by both universities on nomination agreements. This could impact

upon demand for the PBSA sector in the longer-term. The PBSA providers are therefore focusing more on attracting second and third year students, as well as their more traditional international student and post-graduate student market, to fill any vacant bedspaces.

- 3.22 Market experts continue to be confident about the PBSA market with Newcastle viewed as attractive for investment due to the calibre of the universities, the size of student population, the high number of student who live outside of the region who attend the universities and therefore need overnight accommodation and the availability of sites for development close to the city centre. The table below shows Knight Franks research of 18 British university cities and their assessment of the current level of PBSA as a percentage of full time students. The table also shows the position in the league table of towns with potential for future development of direct let PBSA, based on current supply, demand, affordability, rental growth and in house knowledge of the markets by Savills staff. All of the 18 cities fall within the top two league tiers where expected demand for PBSA is high, with none falling in to the lower third tier, where there is limited development opportunities or the pass tier. According to the table Newcastle continues to be a location suitable for further new developments and this is reflected in the number of developer enquires and pre-application requests.

### Development opportunities for PBSA in University Cities in UK in 2016

City	Percentage of full time students able to access PBSA (Sept 2016)	Development League table
Glasgow	22%	Lower Second
London	30%	First tier
Bristol	34%	First tier
Birmingham	35%	First tier
Manchester	36%	First tier
Southampton	36%	Lower Second
Cardiff	37%	Lower Second
Aberdeen	38%	Lower Second
<b>Newcastle</b>	<b>38%</b>	<b>Lower Second</b>
Exeter	40%	Upper Second
Leeds	40%	Upper Second
Sheffield	40%	Upper Second
Edinburgh	41%	First tier
Nottingham	41%	Upper Second
Durham	42%	Lower Second
Leicester	47%	Lower Second
Liverpool	51%	Lower Second
Coventry	53%	Upper Second

Student Market Review  
2016, Knight Frank

Spotlight UK Student  
Housing, 2016, Savills

- 3.23 Further analysis of the current and future planning application based on the table in Appendix ix shows that the proportion of students able to access PBSA will rise from 36.5% in 2015 to 54.2% if all current granted planning application are completed. It is expected that if student number of student do not significantly grow that Newcastle will drop down the development league table in the future.



### Proportion students able to access Newcastle PBSA.

Newcastle/Northumbria student numbers	42,565
Available PBSA bed spaces 2015	15,544 including Trinity Square (Gateshead)
% student access PBSA	<b>36.52%</b>
Available PBSA bed spaces by 2017	19,982 including under construction
% student access PBSA	<b>46.94%</b>
Available PBSA bed spaces post 2017	23,081 including permission granted
% student access PBSA	<b>54.23%</b>

- 3.24 At present the section 106 contributions from PBSA fund infrastructure requirements associated with the development, often in terms of transportation improvements and open space enhancements. From November 2016 PBSA is likely to also have to contribute towards the Council's Community Infrastructure Levy (CIL). The Council's draft charging schedule proposes £50 per square metre for this form of development in areas around the Urban Core. This will add a notable cost to developments. The current plethora of planning applications for PBSA is likely, in part, to be developers seeking to avoid CIL payment by securing permission ahead of its introduction.
- 3.25 In rental price terms traditionally PBSA has cost a premium above that found in the small HMO sector and has largely attracted first year and post-graduate students unable to access university halls of residence and the international student market. Second and third year and postgraduate student have usually found accommodation in the lower cost private rented HMO market. However due to the increase in supply, rents are becoming more competitive. Offers of early-bird discounts, reduced terms and access to a range of complementary facilities at the development are becoming common place to secure a tenant, with older blocks being refurbished to remain attractive to future tenants.
- 3.26 The majority of accommodation provided in the PBSA sector is in the form of 5/6 bedroom cluster flats. However, recently a significant proportion of studio units have been developed. Studios are particularly popular with international students. However both Universities do not encourage the growth in studios due to the limited social interaction available to occupants and compartmentalised form of accommodation, often comprising a single room of accommodation. The recent growth in the studio sector of the PBSA market has particularly benefited from changes to permitted development rights introduced in 2014 to convert office space into residential flats, often in the form of one or two person studio apartments for

occupation by students. Since this permitted development right was first introduced 56 prior approval applications have been submitted to convert office space to dwellinghouses. If fully implemented over 1,581 units of accommodation could be provided. The effect on the city centre housing market has been to increase the provision of small flats, but without involving planning permission and associated infrastructure contributions whilst removing lower grade office accommodation from the market. It is therefore difficult to control this aspect of the market. The impact of this permitted change will be monitored to assess its impact on the Urban Core and office supply.

- 3.27 Taking all of above into account, factors such as the introduction to CIL for PBSA, the number of bedspace capacity which will enter the market in September 2016, together with the number of committed additional bedspaces which will become available in 2017 or 2018, added to the impacts of increased supply on rental returns against moderate growth in demand and with other outstanding permission also likely commence on-site, then there is expected to be a reduction in the number of applications submitted in 2017 for PBSA as the market adjusts to all of these factors.

#### **(v) Private Rented Sector (PRS)**

- 3.28 In March 2015 the Government published “*Accelerating Housing Supply and Increasing Tenant Choice in the Private Rented Sector: A Build to Rent Guide for Local Authorities*”, with the intention of increasing long-term institutional investment in purpose-built long-term market rental housing schemes. The Guide notes that small-scale landlords tend to buy existing stock (generally commanding higher yields) and institutional investment in ‘Build to Rent’ housing can help to increase the overall supply of good quality housing and offer tenants’ greater choice.
- 3.29 The Guide states that Build to Rent can bring significant benefits to local authorities in terms of:
- Supporting the local community by meeting housing demand, increasing tenant choice and delivering genuinely sustainable communities that will keep tenants happy and deliver reliable long-term returns for the investor;
  - Accelerating housing delivery by complementing delivery of homes for sale and affordable housing (i.e. diversifying the housing offer) and by reducing sales risk – making for rapid placemaking;
  - Financial benefits of New Homes Bonus and additional Council Tax.

The Guide indicates that Build to Rent is not currently as viable as building for sale and that flexibility is required from local authorities to help to secure the wider potential benefits arising from institutional investment in the PRS.

- 3.30 Prior to 2000 there was limited housing development within Newcastle City centre. Over the period 2002-2008 more than 1,700 new units were constructed in the City centre (more than 240 per annum), largely to serve a buy-to-let boom and with a significant number of apartments utilised as ‘aparthotel’ units. Between 2009 and 2014 the credit crisis resulted in a period of very subdued new build activity, with no major schemes delivered. However since 2015 around 200 conventional apartment units were created in the City centre – including the conversion of Eaga House into 80 two-bed private-rented apartments) and The Mailings development in the Ouseburn area. Construction is shortly expected to begin of the scheme of 280 apartments on Forth Banks. Planning permission has been granted for one and two bed units at Saint James Metro site (280 units). There are also a number of live applications PRS housing awaiting determination, including at Rutherford Street (162 units) and Sandyford House (91 units).
- 3.31 The CSUCP makes provision for 19,000 new homes to be built in the City over the period 2010-2030, including approximately 3,750 within the City Centre; these figures specifically exclude purpose-built student housing. More than 300 homes have been completed since 2010 and pipeline scheme can be expected to increase this figure to more than 1,000 by 2020. Extensive housing development is also proposed at the Science Central and Pilgrim Street Key sites and within the Quayside and Ouseburn sub-area and these can be expected to make a major contribution to the delivery of 3,750 new homes by 2030.
- 3.32 The SPD is therefore being proposed to support the continued growth in this sector of the housing market to realise the Council’s ambition to see increased residential development at the right locations and as part of a co-ordinated form of development, with appropriate linkages to local services in the Urban Core.
- 3.33 All of the above changes in the HMO and Urban Core housing market have been reflected in the draft SPD.

## **4. The Role and Purpose of Supplementary Planning Documents**

- 4.1 A Supplementary Planning Document (SPD) is intended to add further detail to a development plan policy in the Local Plan. They can be used to provide further guidance for development specific sites, or on a particular issue and can demonstrate how a strategic policy will be delivered. It does not have Development Plan status, but it will be accorded significant weight as a material planning consideration in the determination of planning applications. The provisions of any SPD cannot, therefore, be regarded as prescriptive but they can provide a powerful indicative tool in the interpretation and application of policy.
- 4.2 This draft SPD and Policies SC1 and SC2 specifically, will be a material consideration in the decision making process. The draft SPD sets out how the Council intends to determine the following planning applications:
- Applications of a change of use from a C3 (dwellinghouse) to C4 (HMO) where permitted development rights have been withdrawn via an Article 4 Directions;
  - Applications for change of use to HMOs for more than 6 people;
  - Applications for student accommodation and other forms of temporary accommodation within Use Classes C3, C4 or sui generis uses;
  - Applications for residential accommodation within the Urban Core of the city within Use Classes C3, C4 and HMO sui generis.
- 4.3 This SPD will replace the Maintaining Sustainable Communities Shared Housing SPD 2011 and Interim Planning Guidance on Purpose Built Student Housing 2007.



## **5. Maintaining Sustainable Communities Policy SC1- HMO Changes of Use**

- 5.1 For the purpose of this SPD sustainable communities are defined as, “places where people want to live and work and visit because everyone can realise their full potential and enjoy a high quality lifestyle.”
- 5.2 In Newcastle upon Tyne many of the issues relating to problems associated with HMO accommodation revolve around the concentrations of students and groups of people in shared accommodation in certain parts of the City. There are currently over 42,565 students in 2014/15 in higher education students based at these institutions accommodated in 6,200 properties largely concentrated in six wards close to the City Centre. Some parts of these wards experience very high concentrations of HMO accommodation. Appendices i and ii contain information on student numbers and purpose built student bed spaces with Newcastle upon Tyne.
- 5.3 The impacts on communities of high concentrations of HMOs and temporary accommodation include:
- Anti-social behaviour, noise and nuisance;
  - Imbalanced in range of tenure and choice in local communities;
  - Negative impacts on the physical environment and streetscape through the poor upkeep of premises and gardens and the management of external environment including refuse harming the visual amenity of an area;
  - Pressures on parking provision;
  - Increased crime;
  - Fear of crime due to the influx of a transient population and perceived associated social issues;
  - Unbalanced housing market through the growth in the private rented sector at the expenses of owner-occupation; and
  - Restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population at the expense of other groups in the community.
- 5.4 HMOs typically contain groups of predominantly young people living together in rented accommodation. These groups typically enjoy active social lives and have less connection to their neighbourhoods than more permanent residents. The clustering of these types of household in neighbourhoods can result in increased incidents of noise from houses through social activities, amplified music and the comings and goings with associated slamming of doors and late night taxi traffic which disturbs neighbours. In addition the noise from occupants of HMO accommodation walking through neighbourhoods late at night after returning from social events often results in disturbance to other residents.

- 5.5 The cumulative effect of HMO accommodation upon a neighbourhood has resulted in tensions within the community and on-going complaints to the Police and Council to control anti-social activities and improve the appearance of untidy properties. The concentration of this one type of residential use in a small area has led to residents who do not share a similar life style, such as families and the elderly, leaving the area. This has the effect of creating an unbalanced community to the detriment of the area and the objectives of maintaining a sustainable neighbourhood.
- 5.6 Purpose built student accommodation have less impact on the private housing market. However, they do bring large numbers of students into a small area. This can lead to noise disturbance to existing residents living adjacent to such large concentration of students. Disturbance can be in the form of: Vehicles dropping off and picking up passengers at the accommodation late at night; and from the noise from student returning back to the accommodation late at night. There can also be issues about managing parking and refuse storage.
- 5.7 Issues can also arise where there are large concentrations of accommodation providing temporary accommodation to certain sectors of the community who may or may not need a degree of support. Large concentrations of transient residents can result in many of the issues listed above, as well as existing communities developing a perceived fear of crime associated with occupants of temporary accommodation, which can have a negative impact upon an area. These factors do not assist in the creation of cohesive communities.
- 5.8 Between 2011 and 2013 three HMO Article 4 Directions were designated across the city covering approximately 18,000 households. The boundaries of the area were drawn primarily to reflect a high concentration of shared housing, but note was also taken of evidence that a set of problems already existed in particular residential neighbourhoods.
- 5.9 The SC1 policy aims to protect the character of areas of the city and protect amenity focusing on developments related to HMOs (Class C4 or sui generis).

#### **Policy SC1: Maintaining Sustainable Communities – HMO Changes of Use**

**Planning permission for the erection, conversion, extension or alteration of properties to houses in multiple occupation (Class C4 or sui generis) and other forms of temporary residential accommodation \* will be granted unless:**

- A. Within an HMO Article 4 area\*\* the proposal would result in the loss of a good quality, spacious and convenient dwellings suitable for occupation by a family by reason of its location and level of amenity and so remove the dwelling from the stock within the overall housing mix;**
- B. Within an HMO Article 4 area the development is for purpose built student accommodation\*\*\*;**

- C. There would be unacceptable harm to the amenity of neighbouring residents caused by reduced levels of daylight, sunlight, outlook or privacy as a result of the development;**
- D. There would be harm to the amenity of neighbouring residents through the introduction of additional activity, access, traffic or parking at the property which would cause an unacceptable increase in noise and disturbance;**
- E. The proposal would be detrimental to the character and appearance of the locality or the existing building by reason of scale, design or loss of existing features, including trees and landscaping;**
- F. Insufficient provision on site is made available for refuse storage facilities and/ or cycle storage facilities;**
- G. The proposal would result in the introduction of such additional accesses, traffic or parking as would prejudice highway safety;**
- H. The proposal would lead to a level of concentration of such uses that would be damaging to the character of the area;**
- I. The proposal does not provide good levels of amenity for future residents in terms of noise, outlook, light, privacy, access and air quality;**
- J. In the case of Tyneside flats\*\*\*\* within Article 4 areas, it would result in:**
  - (i) The change of use of an upper Tyneside flat to an HMO;**
  - (ii) The extension or alteration of an upper Tyneside flat HMO to facilitate the creation of additional habitable space within the roofspace through the insertion of new or increased size rooflights or dormer window extensions.**

**For the purposes of this SPD:**

**\*Temporary residential accommodation is: (i) residential accommodation defined as overnight or short-term accommodation which may be supervised, where people, (including sometimes the homeless) can usually stay free or cheaply. Various indicators can be used to determine if the accommodation is temporary, such as the form of occupation (such as dormitories and/or communal or shared facilities); it may be used to accommodate a specific category of people (e.g. the young or homeless), may be supervised and /or serviced, and payment may be on a nightly basis (ii) studio apartments within Use Class C3 comprising a single room of accommodation with associated en-suite facilities.**

**\*\*The definition of HMO Article 4 area relates to an Article 4 Direction within the City under the Town and Country Planning (General Permitted Development) (England) Order 2015 or any re- enacting or revoking Order**

**which removes permitted development rights for the change of use from Use Classes C3 to C4.**

**\*\*\*The definition of purpose built student accommodation is residential accommodation used solely in term time by students in full time education at the two universities in the city in Use Class C4 and sui generis HMO uses and studio flats within Use Class C3.**

**\*\*\*\*The definition of a Tyneside flat as set out in criteria SC1 J is: (i)where there is a proposal to re-divide a house that had previously been Two Tyneside flats (but knocked in to one) and to convert the roof space at the same time as the re-division; (ii) to all flats of whatever age in the same configuration as a pair of Tyneside flats i.e. in a two storey building, a single flat above another single flat and with separate front doors (not necessarily side by side), and covering both terraced and semi-detached properties, but not those in a multi-storey block.**

- 5.10 Within Article 4 areas there is an identified concentration of HMO accommodation that if left uncontrolled would affect the vibrancy and sustainability of the neighbourhood. There is therefore a need to retain a mix of accommodation in these areas to preserve the balanced nature of the community to ensure they remain sustainable places of quality and choice in accordance with CSUCP Policy CS9. In these areas the stock has already been significantly eroded by the uncontrolled conversion to HMO accommodation. The resultant changes to an area through increased factors such as density of occupation, subdivision of plots, building maintenance, loss of landscaping, traffic and noise and disturbance impacts can seriously affect the character of an area. For these reasons the further loss of housing suitable for families in the HMO Article 4 areas would reduce the future ability of the City to attract families to live and invest these areas and would compromise its ability to maintain the areas as mixed vibrant communities. As a result the further loss of houses which are suitable for occupation by families will be controlled in the Article 4 Direction areas under criterion A.
- 5.11 Developments for new purpose built student accommodation developments in Article 4 areas would also result in an increased density of shared housing in areas which already experience impacts associated with this form of accommodation set out above. It is therefore also necessary to control the growth of this form of development as set out in Criteria B. The form of development covered by this criteria could be in the form of new build or conversion of existing properties and cover traditional three to six person small HMO, larger HMO or accommodation that is designed specifically for student or other forms of occupation.

- 5.12 In relation to criterion C the impact upon neighbouring residents amenity caused by increased noise and disturbance generated by HMOs and temporary accommodation will need to be assessed. Factors to consider in terms of potential disturbance include; the historic use of the property and likely changes in noise generated by the new use, both from inside the building and from outside by comings and goings to and from the building; traffic and parking generation and its impact upon the character of the surrounding area. Any development approved under Policy SC1 will be expected to install noise insulation along part walls with neighbouring properties in order to reduce noise transfer which could impact upon neighbour's amenity. Developments will also need to ensure that there is no loss of outlook, privacy and sunlight to neighbouring resident which would harm their amenity as set out under criterion C.
- 5.13 In relation to criterion D the impact upon neighbouring residents amenity caused by increased noise and disturbance generated by HMOs and temporary accommodation will need to be assessed. Factors to consider in terms of potential disturbance include; the historic use of the property and likely changes in noise generated by the new use, both from inside the building and from outside by comings and goings to and from the building; traffic and parking generation and its impact upon the character of the surrounding area.
- 5.14 The evidence supplied on noise complaints in the wards of the city with raised numbers of HMO is set out in Appendix ii. This demonstrates that HMOs, particularly those favoured by students, result in raised number of complaints about noise and activity that disturb the amenity of neighbouring residents. In addition the general lack of maintenance to properties, gardens and refuse bins and the transient nature of HMO occupation all affect the character of an area in a negative way. Outside of the Article 4 HMO areas the criteria relating to the assessment of applications for various forms of HMO accommodation and the impacts upon the surrounding area are necessary to ensure a sustainable form of development arises that would provide social, economic and environmental benefits to the area.
- 5.15 Developments creating HMO and temporary accommodation would need to ensure that they did not have a detrimental impact upon the character and appearance of the locality. Criterion E requires the impacts of scale and design, including landscape impacts, to be assessed as part of any application. An important consideration in designing HMO and temporary accommodating is to ensure sufficient space is made available for refuse storage. This should be of sufficient capacity to handle the weekly amount of refuse generated by occupants. The refuse storage area should be located within the site, but easily accessible to collection vehicles. It should be designed so as to be visually screened from all residents and away from habitable rooms. Cycle parking is also an important requirement for HMO accommodation. On-site provision should be made available in easily accessible locations. These requirements are set out in criteria F. Development will need to comply with City Council guidance on refuse storage and cycle parking capacity.
- 5.16 Developments occupied as HMO and temporary accommodation will need to ensure the vehicular traffic it generates, both for parking and servicing would not have a prejudicial impact upon highway safety. City Council guidance is available

on recommended car parking levels relating to these forms of development. These matters would be assessed against criterion G.

- 5.17 Individual Street and neighbourhoods have different characteristics, ranging from streets of predominantly family housing to a mix of commercial and different types of residential accommodation. Criterion H requires the impact of developments on the character of an area to be assessed. Each application will be assessed to determine whether an additional HMO or temporary accommodation development would adversely impact on the mix of the community and character of the surrounding area. Factors to take into account would be the effect on the character of the locality, especially in the case of tightly knit and homogeneous area of single family housing and the resultant increase in residents resulting from the proposed development.
- 5.18 In terms of criterion I, occupants of HMO accommodation need to enjoy good levels of outlook, light, daylight and privacy from all main habitable rooms. The property also needs to be insulated from external noise sources. The ventilation of properties in air quality management area will also be required to minimise any impact upon future residents. In this regard properties would be expected to meet the Council's standards for licensable HMOs set out under the mandatory licensing scheme of the Housing Act 2004. There will also need to be safe and convenient access to the property.
- 5.19 Criterion J relates to Tyneside flats - a particular form of accommodation found in Newcastle. In ground floor flats it provides one and two person accommodation. Upper flats normally provide three bed accommodation. However a significant proportion of upper Tyneside flats have been converted to four to seven bed HMO accommodation through the conversion of the roof space into habitable accommodation. The resultant intensification in the use of the flat, with associated comings and goings, parking, traffic, noise and activity has had an adverse impact upon neighbouring residents, as well as the mix of accommodation available in these high density streets. This has been to the detriment of the character of some areas and resulted in groups of streets with significant levels of HMO accommodation. These areas have been covered within Article 4 Direction. Policy SC1 seeks to control future uses of upper Tyneside flats and extensions of these properties into the roof space to ensure a balance is retained in these streets between smaller flats and HMOs in the interests of retaining a mix sustainable community.
- 5.20 For the above reasons the SPD seeks to control the loss of larger upper Tyneside flats from Class C3 to a HMO. In addition the policy controls the insertion of roof lights and dormer windows into those upper Tyneside flats which are currently used as HMO accommodation. This would ensure a range of HMO sized accommodation in the Article 4 area and prevent the problems of noise and activity that would arise from allowing all upper Tyneside flats to be converted into large HMO accommodation. The conversion of an upper Tyneside flat roofspace for family occupation under Class C3 would still be permitted, so as to allow families to continue to live in upper Tyneside flats and thereby meet their space requirements over time. In these cases the applicant will have to demonstrate the current use of the property would fall within Class C3 of the Use Classes Order. Suitable noise insulation measures would be required.

- 5.21 A plan showing the area affected at the time of approving this SPD by relevant HMO Article 4 Directions is set out in Appendix v. If any further areas are covered by HMO Article 4 Directions in the future then applications in these areas will also be considered in relation to Policy SC1.

## **6. Housing in the Urban Core Policy SC2**

- 6.1 The adopted Core Strategy and Urban Core Plan makes provision for 19,000 new homes to be built in the City over the period 2010-2030; these figures specifically exclude purpose-built student housing. CSUCP Policy UC4 seeks a range of size, type and tenure of housing in the Urban Core to realise the vision for mixed communities developing 3,750 new homes by 2030. Policy UC2 also seeks to secure a mix of housing and in the supporting texts states it will support housing in the Urban Core as part of mixed-use schemes.
- 6.2 The Council wishes to ensure where housing is proposed in the Urban Core it will deliver a high quality design that will add to the vibrancy of the area and deliver a broader range of housing to meet market demands often as part of mixed-use schemes. To ensure the Council's vision for the Urban Core set out in the CSUCP can be realised it is therefore considered appropriate to introduce Supplementary Planning Guidance to highlight issues that developments should address as part of the planning application process and thereby help applicants make successful applications. The purpose of the SPD is to promote delivery of an appropriate mix and form to deliver a sustainable form of development.

### **Policy SC2: Housing in the Urban Core**

**Residential development in the Urban Core of the city will be required to maintain the areas vibrancy, environmental quality, residential amenity and prevent the over-concentration of shared accommodation in accordance with the Core Strategy and Urban Core Plan. To achieve this applications for residential developments in the Urban Core will be required to demonstrate that:**

- A. It forms part of a co-ordinated approach to development and responding positively to the character of the surrounding wider area;**
- B. The design of purpose built student accommodation within Use Classes C3 (studios), C4 (HMOs) or sui generis HMOs ensures it can be adaptable to alternative future uses;**
- C. It is part of a mixed form of development, providing a range of type, size and affordability of residential accommodation and preventing an over-concentration of shared accommodation;**
- D. It represents a high quality design with local distinctiveness that sustains and enhances the environment in a manner appropriate to its significance;**
- E. It is designed for accessibility for all sections of the community;**
- F. A good standard of amenity for existing and future residents is provided;**
- G. The impacts of flooding, noise, vibration, air quality and contamination on residents are adequately mitigated;**
- H. That on-site refuse and cycle storage facilities in safe and secure locations and vehicle parking, where appropriate, is provided;**



- I. The development ensures it connects safely with the highway network in locations which are or can be made sustainable and which mitigates its effects on the transport network;**
- J. The development will be able to function effectively in a changing climate, and that it can addresses the impacts of climate change emissions;**
- K. Development will conserve the local biodiversity of the area and take opportunities and protect and enhance the Urban Green Infrastructure Network and address gaps and improve linkages; and**
- L. The development complies with all other requirements set out in relevant development plan polices.**

- 6.3 Applicants will be expected to demonstrate how the development will meet each of the criteria set out in the policy to achieve the aims of the policy. The Policy requires residential developments to demonstrate how they will maintain and enhance the vibrancy of the Urban Core and to ensure shared accommodation, such as HMOs or one room studio flats, do not result in an over concentration. Applications will be assessed to consider if it would impact upon environmental quality and residential amenity that would harm the character of the area and would therefore fail to deliver balanced sustainable communities, as required by CSUCP Policies CS1 and CS9.
- 6.4 The NPPF sets out a number of Core Planning Principles which should under-pin decision and plan making. These include the need to encourage the effective use of land by reusing land that has previously been developed and promoting mixed use developments, encouraging multiple benefits from the use of land. Criterion A reflects these principles in requiring development to demonstrate how it would be part of a co-ordinated approach to development in the area that will promote the effective use of land, local distinctiveness and create thriving communities in accordance with CSUCP Policy CS1. Where development sites are located adjacent to either vacant sites or sites where there is the potential for redevelopment to come forward, the application will need to demonstrate how its design has taken into account the potential to re-develop other sites and would not prejudice the ability to bring the other sites forward independently. The co-ordinated approach to development will need to demonstrate how safe routes across the site and wider area will be delivered with appropriate high quality hard and soft landscaping.
- 6.5 Criteria B requires purpose built student accommodation developments to be designed to be adaptable for alternative uses. This is to ensure these buildings are flexible to changes in the housing market, so they can continue to provide homes to differing sections of the housing market if demand for PBSA should change in the future. Alternative uses could be other forms of residential use, for example general needs housing as opposed to PBSA use, or alternatively commercial uses that would be appropriate for the site. The adaptability details should form part of a Design and Access Statement and should cover structural and room layout adaptability, as well as refuse and cycle storage and vehicle servicing and parking requirements.

- 6.6 Criterion C requires development to demonstrate how it will deliver a mixed range of housing in terms of size, type and tenure to meet the future needs of the community. Applications of more than 15 units would be expected to provide 15% affordable homes, subject to viability in accordance with CSUCP Policies CS11 and DEL1.
- 6.7 Applicants will also be expected to demonstrate how the development will deliver a strong and vibrant community, enhancing and improving the mix of uses in the area in which it is located. This will include preventing an over-concentration of shared accommodation, such as purpose built student accommodation, within parts of the Urban Core. Impacts on the character of the area will include demonstrating the additional HMO or temporary accommodation would not adversely impact on the mix of the community and character of the surrounding area. Factors to take into account would include:
- the general effect on the character of the locality, especially upon areas of neighbouring family housing and the resultant increase in density of shared housing in the area;
  - associated impacts of students on neighbours amenity, including noise impacts through students walking through existing residential communities in the evening and at night; and
  - the environmental impact upon the diversity and vibrancy of the area through the concentration of specialist housing blocks and their impact upon local distinctiveness and the historic environment.
- 6.8 Good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. National Planning Practice Guidance advises that achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. Criterion D sets out that in design terms there is a continuing need to ensure that residential development across the Urban Core of the city provide a high quality architecture that takes the opportunities available to improve the quality of an area, including: Respecting key views from and across the area; delivering active ground floor frontage along main thoroughfares that provide vibrancy and interest at street level; and demonstrating that opportunities for hard and soft landscape design that help integrate development into the wider environment have been incorporated. Relevant policies in the CSCUP should be addressed.
- 6.9 The City Centre of Newcastle includes a number of designated and non-designated heritage assets, including four conservation area (Central, Leazes, Ouseburn and Summerhill), schedule ancient monuments, listed buildings and locally-listed buildings. The National Planning Policy Framework states that local planning authorities should take into account: the desirability of sustaining and enhancing the significance of heritage assets; the wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring; the desirability of new development making a positive contribution to local

character and distinctiveness; and the opportunities to draw on the contribution made by the historic environment to the character of a place. Application will need to include in their design and access statements and heritage statements how it has met these requirements.

- 6.10 Good design can also help to create buildings and places that are for everyone. Planning can help break down unnecessary physical barriers and exclusions caused by the poor design of buildings and places. Criterion E sets out the need to ensure the application, normally in the form of a design and access statement, should include the applicant's approach to access and how relevant Local Plan policies have been taken into account and explain how any specific issues which might affect access to the proposed development have been addressed.
- 6.11 Criterion F requires existing and future residents to enjoy a good standards of amenity. In the Urban Core's context this will include ensuring residents have adequate space for their day to day needs, an attractive outlook from main habitable rooms and appropriate natural lighting into their homes, taking into account the sites context and urban grain to maintain privacy and an appropriate outlook.
- 6.12 Access to skylight and sunlight is an important factor in determining the quality of the resident's outlook, as well as helping make a building energy efficient by reducing the need for electric lighting to ensure a property feels light and welcoming. Applications will be expected to demonstrate that each habitable room (living rooms, dining rooms, study, kitchen and bedrooms) in a property will achieve good standard of natural light into a room and that the development would maintain adequate daylight to adjacent building and public spaces. Developments will need to demonstrate this through daylight and sunlight tests and plotting shadow paths to ensure that a good standard of amenity would be delivered. The tests should be carried out in accordance with BRE Guidance "Site layout Planning for Daylight and Sunlight" - Second Edition (2011). Residents will also need to enjoy a good standard of privacy to habitable rooms. To achieve good levels of privacy appropriate spacing between habitable room windows should be achieved that is characteristic of the surrounding area. Ground floor habitable rooms should be avoided along busy thoroughfares where it would compromise the privacy of future residents.
- 6.13 In March 2015 the Government introduced technical housing spacing standards, setting out proposed minimum gross internal areas for new dwellings. Local planning authorities have the option to adopt the optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for this additional standards in their area, and justify setting appropriate policies in their local plan. Newcastle City Council will review this need as part of its local plan adoption process.
- 6.14 Criterion G sets out a range of environmental factors that will need to be assessed to ensure residential use is safe and compatible with adjacent land uses.

- 6.15 Criterion H requires refuse and cycle parking to be provided which is secure and easily accessible. The Council has adopted guidance on recommended refuse capacity and cycle storage arrangements which are available to view on the Council website. Cycle parking should be made available for both residents and visitors, with a refuse management plan submitted in support as part of a planning application. The application will be assessed against the Council's approved guidance.
- 6.16 Criterion I requires development proposals to promote accessibility and safe local routes by making places that connect appropriately with each other and are easy to move through. Attractive and well-connected permeable street networks encourage more people to walk and cycle to local destinations. For this reason streets should be designed to be functional and accessible for all, to be safe and attractive public spaces and not just respond to engineering considerations. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. Developments that are poorly connected with the surrounding area and local services will need to mitigate these impacts to ensure the site can be safely accessed by sustainable means of transport.
- 6.17 Criterion J requires the development to demonstrate it can function in a changing climate and address the impacts of climate change emissions. To achieve this development will need to include measures to optimise the use of local renewable or low carbon energy in accordance within a defined hierarchy in accordance with CSUCP Policy CS16.
- 6.18 Criterion K requires developments to conserve and enhance the biodiversity value of a site through appropriate mitigation measures forming part of the application submission and identifying opportunities to enhance its biodiversity value of the area in accordance with Policy CS18 of the CSUCP. In addition Policy UC15 of the CSUCP identifies the need for development to protect and enhance the Urban Green Infrastructure Network. Measures can include the creation of new green space; creating and improving connections between green spaces and the wider network, providing sustainable urban drainage systems and measures such as street trees, living roofs and walls. Applications will be expected to include details as to how it has sought to incorporate these measures into its design.
- 6.19 Finally Criterion L sets out that all residential development in the Urban Core will have to comply with all other relevant development plan policies set out in the Council's Local Plan.
- 6.20 The information required to support housing applications in the Urban Core is set out in the Council's approved Validation Checklist available on the Council web site at:

[http://www.newcastle.gov.uk/sites/default/files/wwwfileroot/planning-and-buildings/tyneside\\_validationchecklist\\_april\\_2016.pdf](http://www.newcastle.gov.uk/sites/default/files/wwwfileroot/planning-and-buildings/tyneside_validationchecklist_april_2016.pdf)

## **7. Monitoring**

- 7.1 The draft SPD sets out two policies, SC1 and SC2 which will seek to maintain sustainable communities across the city and deliver sustainable forms of residential development within the Urban Core, whilst still delivering the Council aim of providing for 3,750 new homes in the Urban Core by 2030.
- 7.2 The success of the SPD will be monitored through housing delivery figures, setting out the range of types of housing, the level of affordable housing delivered and the amount and location of student accommodation, in accordance with the Core Strategy and Urban Core Plan Monitoring Framework. This will be published annually in the Council's monitoring report.

# Appendices

## Appendix I

### Student Population in Newcastle upon Tyne

Nationally over the past 15 years there has been a significant growth in the number of students attending higher education establishments. This national growth has also been reflected in Newcastle upon Tyne, where its two universities – University of Newcastle upon Tyne and Northumbria University, have seen significant growth in student numbers over the past decade. Today there is around 43,000 full time higher students at any one time studying in the city.

Table 1 shows the growth in full-time equivalent student numbers at the two universities between 2000/2001 academic year and 2014/15. Over this period there has been a 68% increase in student numbers attending both institutions, raising from 25,271 in 2001/02 to 42,565 students in 2014/15. This growth has been unaffected by factors such as the introduction of tuition fees in England in 2006 and the economic recession of recent years. Instead the growth in student numbers has been boosted by a range of factors, including the Government removing the cap of student numbers in 2014/15 and the attractiveness of the UK and the Newcastle universities to the overseas student market.

Newcastle's universities are well respected academic institutions and are therefore highly attractive for future students. Their resilience through both the recent recession and the introduction of tuition fees has demonstrated that their growth is sustainable in the long term. However future predicted growth in student numbers attending both universities is likely to be more modest.

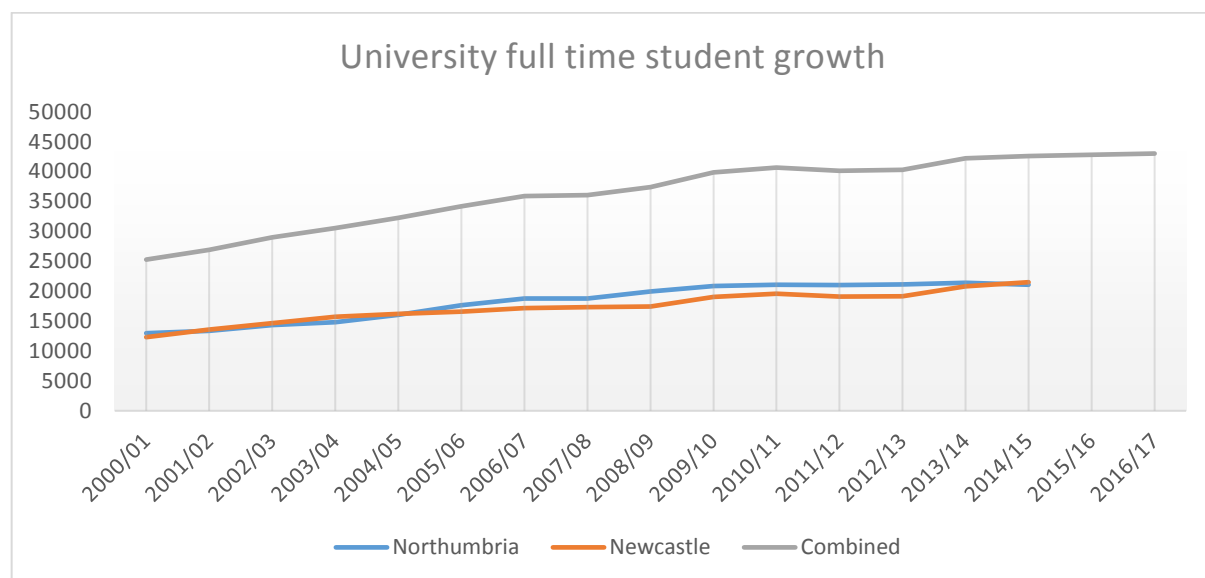


Table 1- Full time student numbers at University of Newcastle upon Tyne and Northumbria University 2000/1 to 2014/15

One impact arising from the introduction of tuition fees is the level of students attending local universities in order to reduce accommodation costs. However this has not impacted in the overall number of students seeking accommodation in the city.

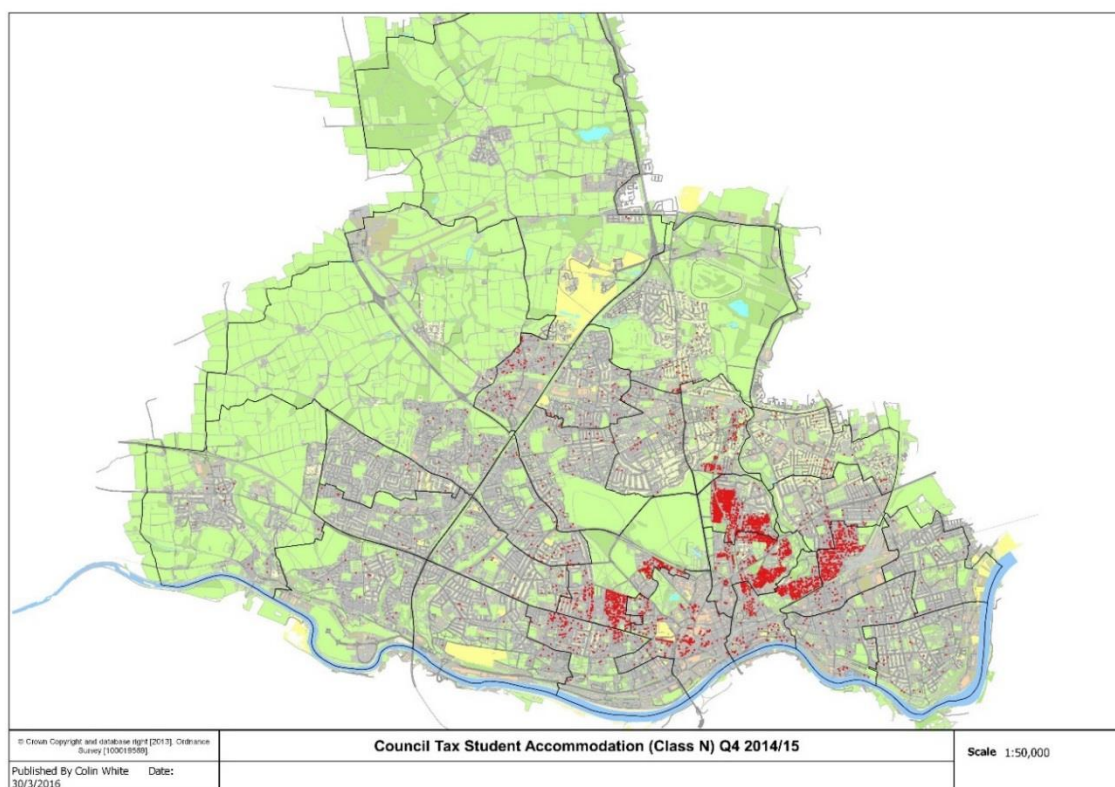
## Appendix II

### HMO Accommodation- The Impact of the HMO Article 4 Directions

The number of student properties in the city can be monitored through Council Tax data, where properties solely occupied by students can claim an exemption and are recorded on council tax systems under Class N. These properties tend to be shared accommodation of three or more unrelated persons living together as a single household- a house in multiple occupation. This type of residential dwelling normally falls with the definition of a small house in multiple occupation (HMO) under Use Class C4 where to or. Council Tax data shows that between 2001 and 2011 there was a rapid growth in student accommodation from 2,900 to 6,200 properties.

In response to the rapid growth in shared student houses in the city the Council introduced a series of Article 4 Directions in neighbourhoods with high concentration of HMO properties, which removed the permitted development rights to change use from a family accommodation under Use Class C3 to shared accommodation within Use Class C4. The Article 4 Directions were then supported by Policy SC1 of the Maintaining Sustainable Communities SPD which amongst other matters restricted the loss of family dwellings in the Article 4 areas. The Class N exemption are concentrated in 6 of the 24 wards in the city, with 86% of all Class N properties located in these wards -North Esmond, South Jesmond, Westgate, Wingrove, Ouseburn and South Heaton. These wards are chosen by students due to their close-proximity to the two university campuses and availability of private-rented shared accommodation.

Map 1 - The location of Class student housing across the city.





Map 2 shows how student HMO accommodation is concentrated close to the city centre and university campuses in the six affected wards.

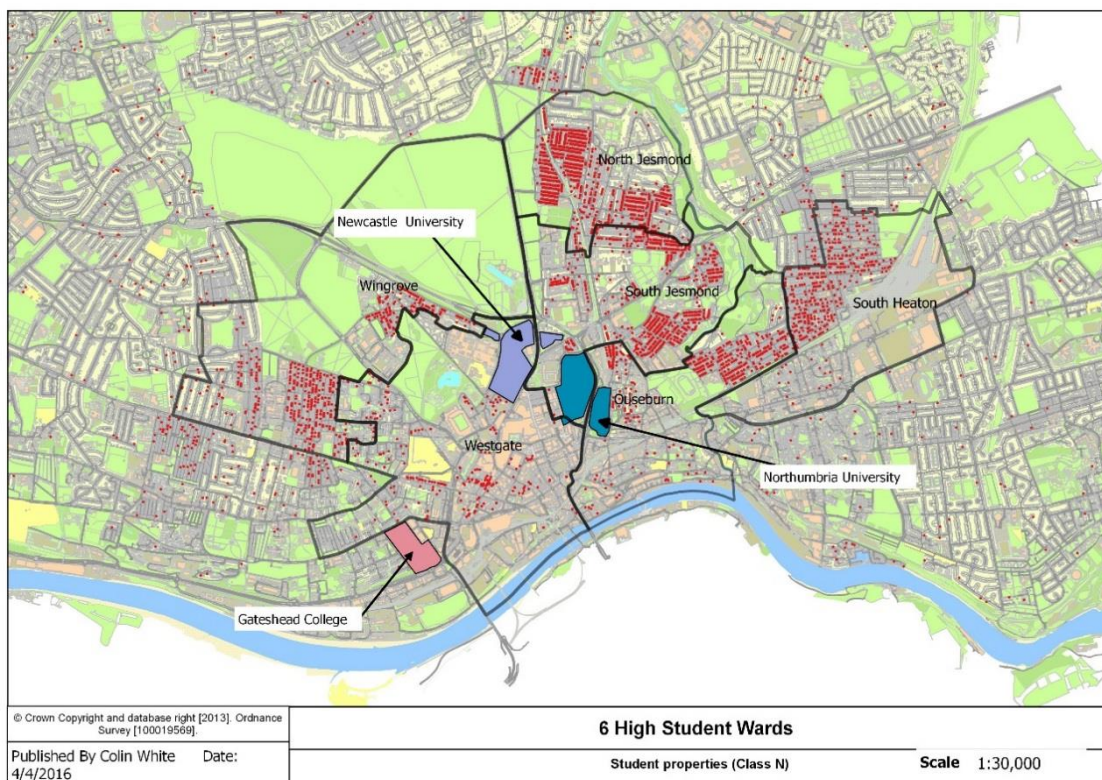


Table 2 shows Class N student accommodation exemptions on a ward by ward basis. North and South Jesmond have maintained the highest concentrations of student properties over the last 9 years with almost a third of properties rented to student (1,281 in North Jesmond and 1,511 in South Jesmond in 2016). Wingrove and South Heaton have lower rates of student accommodation, concentrated in neighbourhoods closer to the universities (753 in South Heaton and 715 in Wingrove wards in 2016). The growth of PBSA has resulted in a marked rise in student accommodation within Ouseburn and Westgate wards seeing significant increase in student numbers (2,818 in Ouseburn ward and 2,061 in Westgate wards). These wards are not included in Article 4 Direction areas and are located within the Urban Core

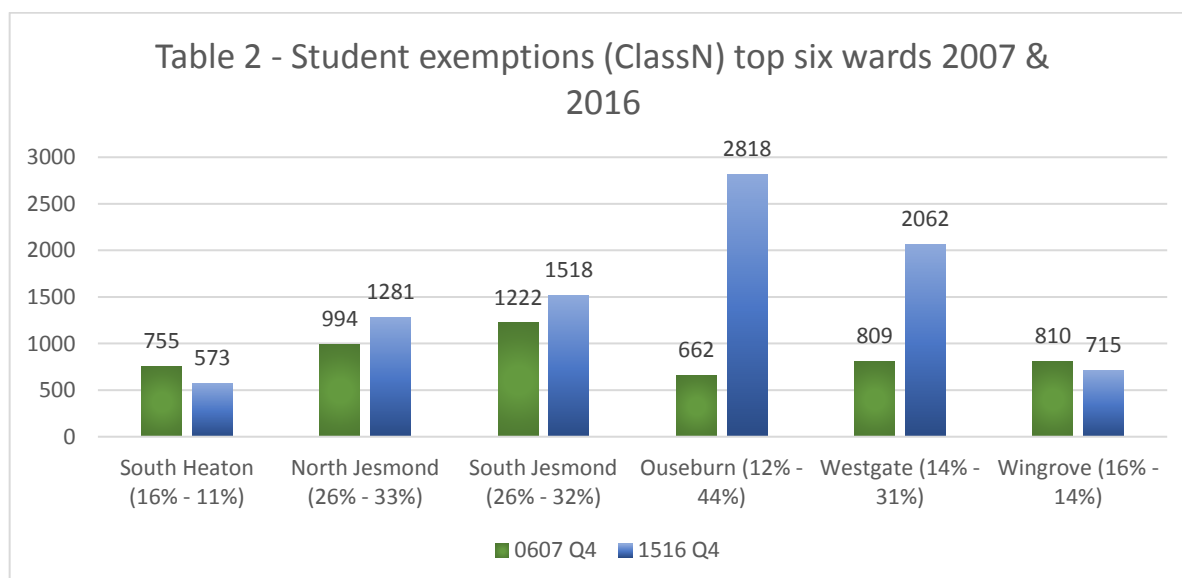
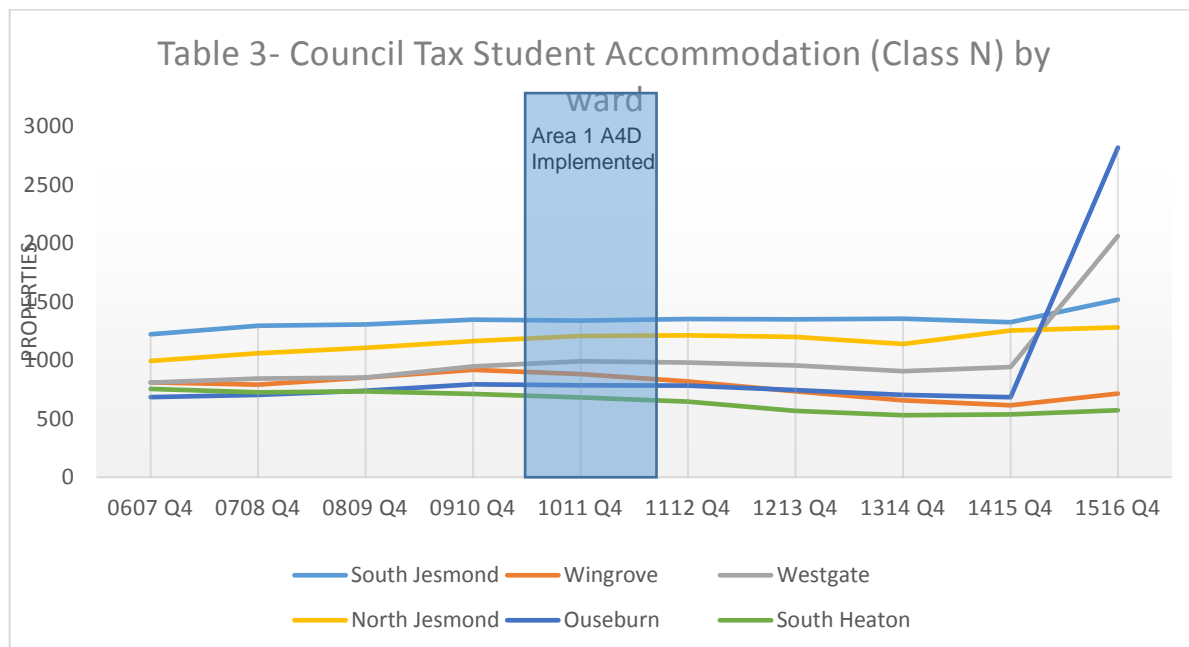




Table 3 shows the level of student except properties in the 6 most popular wards on a year by year basis since 2006/07. The table shows that the introduction of Article 4 Directions has successfully prevented any further growth in number of student HMOs in Jesmond, south Heaton. Wingrove ward does not have an article 4 direction, however its location has resulted in a declined interest in student accommodation. Westgate and Ouseburn has seen a rapid growth in student accommodation since 2014. This growth has been in areas outside of the Article 4 restrictions and is largely due to the growth of PBSA in the Urban Core, close to university campuses.

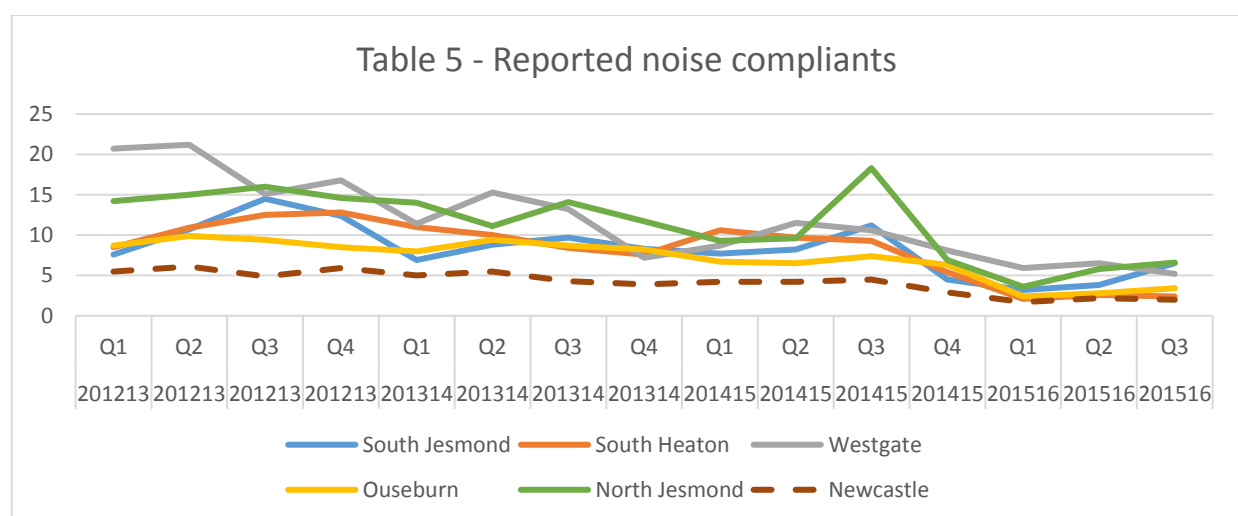
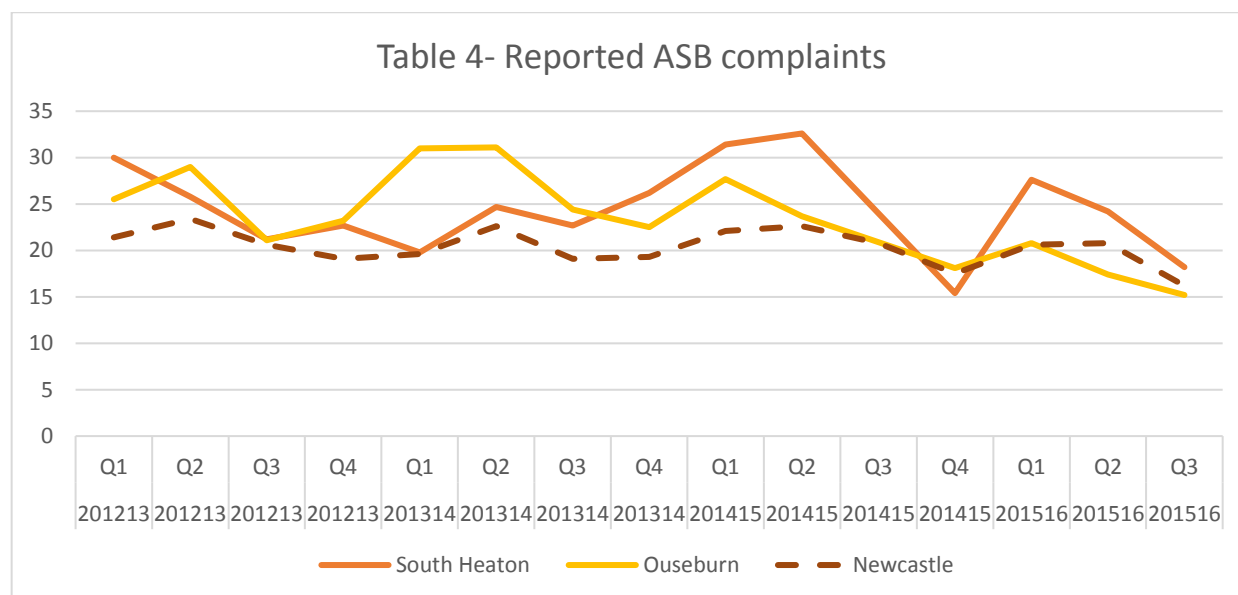


After 2011 the numbers of HMO properties in the city failed to grow despite the continued increase in students attending the universities. Instead the growing student population was accommodated in purpose-build student accommodation (PSSA) in the urban core area of the city outside of the Article 4 Direction areas.

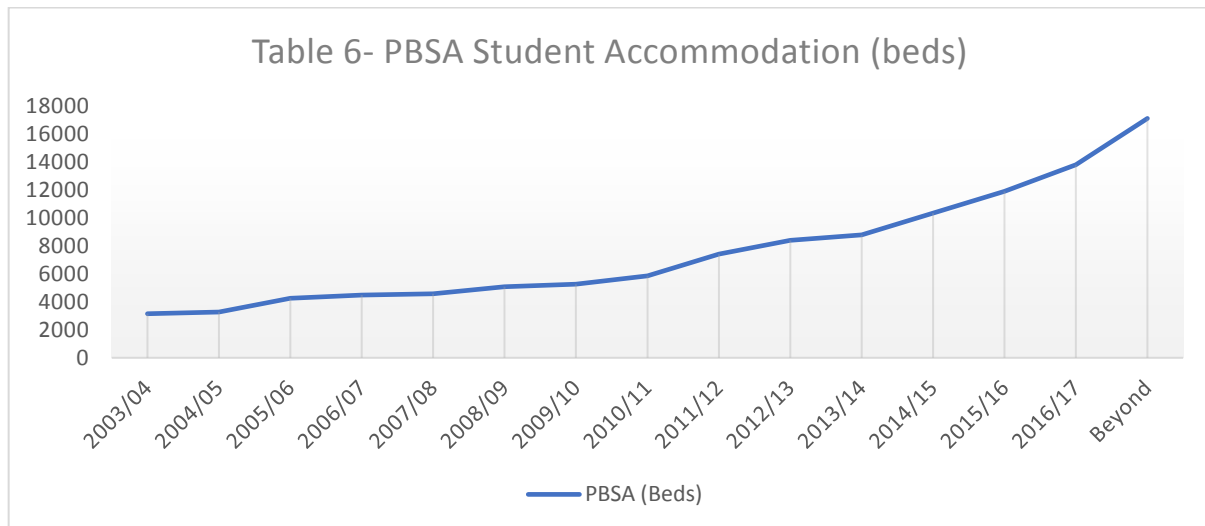
The high concentration of student HMO properties has had significant impacts on the neighbourhoods both positive and negative. The traditional residential areas of the city have seen an increase in services provided with local shops and cafés opening with student's spending money in the local area. A recent resident's survey in the Sandyford area indicated that residents liked the area as it was close to the city centre, felt a safe place to live and were satisfied with the accommodation available. The survey raised issues regarding litter which both students and non-students thought was a problem and should be addressed. The main complaint from non-student residents were noise levels and anti-social behaviour (ASB) from students as they returned from night outs and house parties.

HMO accommodation in the article 4 areas is predominantly occupied by students. The life style of students is often a source of complaint from existing residents, due to late night coming and goings, noise from the property, the unkempt nature of HMO accommodation and transient nature of occupation of this form of HMO accommodation. Noise and ASB issues are common complaints about students across the country and are expected when there are high concentrations of young people living in a neighbourhood.

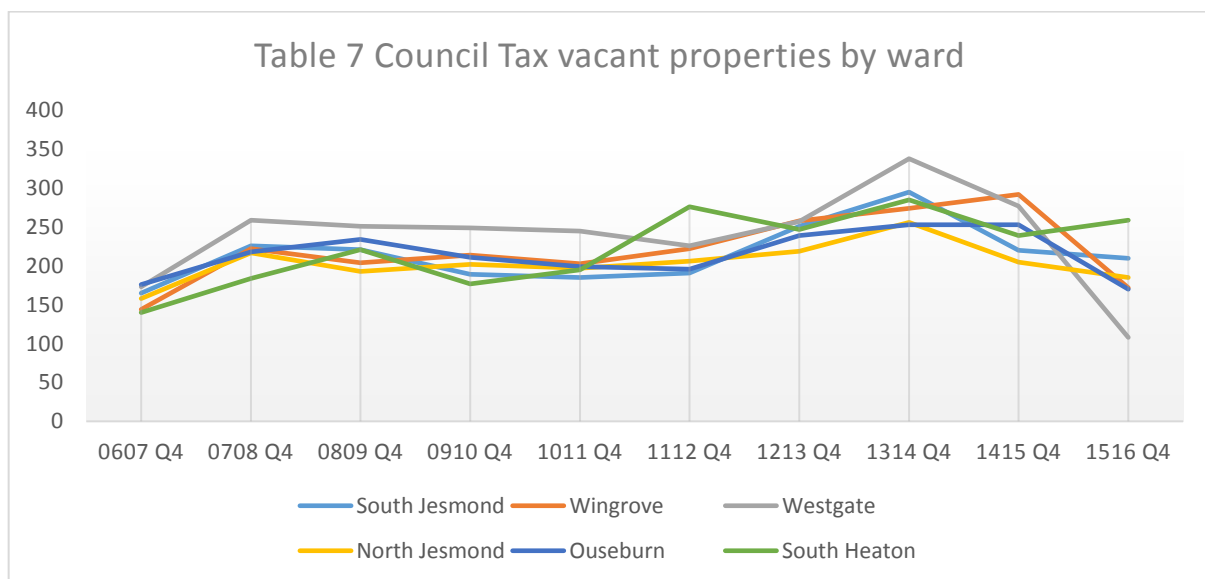
The Sandyford survey highlighted this, but also showed that residents felt safe and these problems are more a nuisance. Information collected from the Council and Police data are set out in Tables 4 and 5. This shows that only Ouseburn and South Heaton have above average levels of ASB complaints and five of the six wards with high concentrations of HMO accommodation have above average levels of noise complaints. Many residents state that they do not make formal complains about noise, often due to a range of factors, including a perceived lack of action that would arise from a complaint.



The expansion of student numbers in Newcastle saw a rapid increase in shared housing in the traditional student neighbourhoods with the purpose built student blocks developing at a slower pace. In the first years of the expansion of PBSA the majority of purpose built accommodation was built to cater for first year students through a combination of new build and renovation of university owned accommodation and nomination/lease agreements with private providers. An average of 550 bed spaces were built per year up until 2014, where the number of completed developments increased with over 1,500 new bed spaces created that year and similar numbers built in 2015 with a further 2,500 scheduled to be completed in 2016. As a result over 12,000 bed spaces have been completed over the last 14 years with a further 2,533 due to become operational in autumn 2016, a further 1,736 in the next 2 years beds under construction and a further 2,848 additional bed spaces with planning permission.

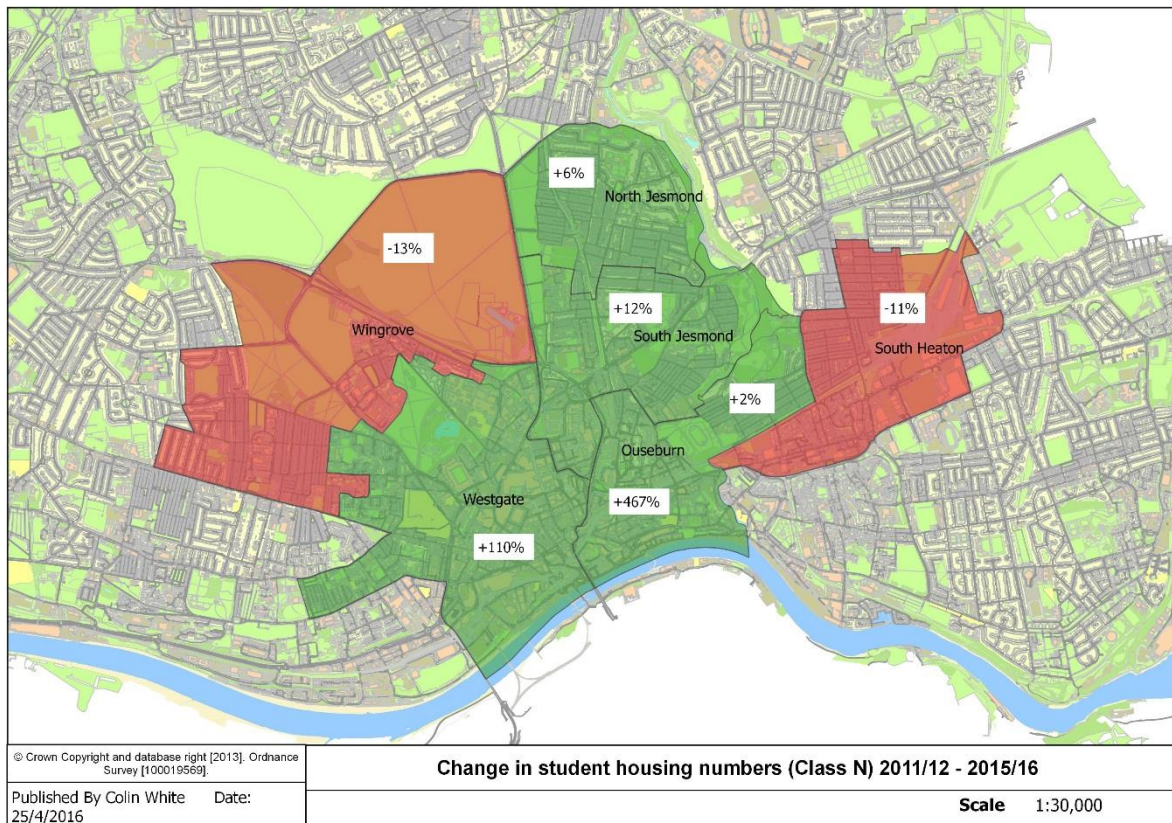


In 2015/16 1,500 bed spaces were completed and the majority of these competed directly with shared housing market for 2<sup>nd</sup> and 3<sup>rd</sup> year students. It is expected that the majority of future accommodation developed will also compete in this market.



The above table shows vacant rates by ward gained from Council Tax.

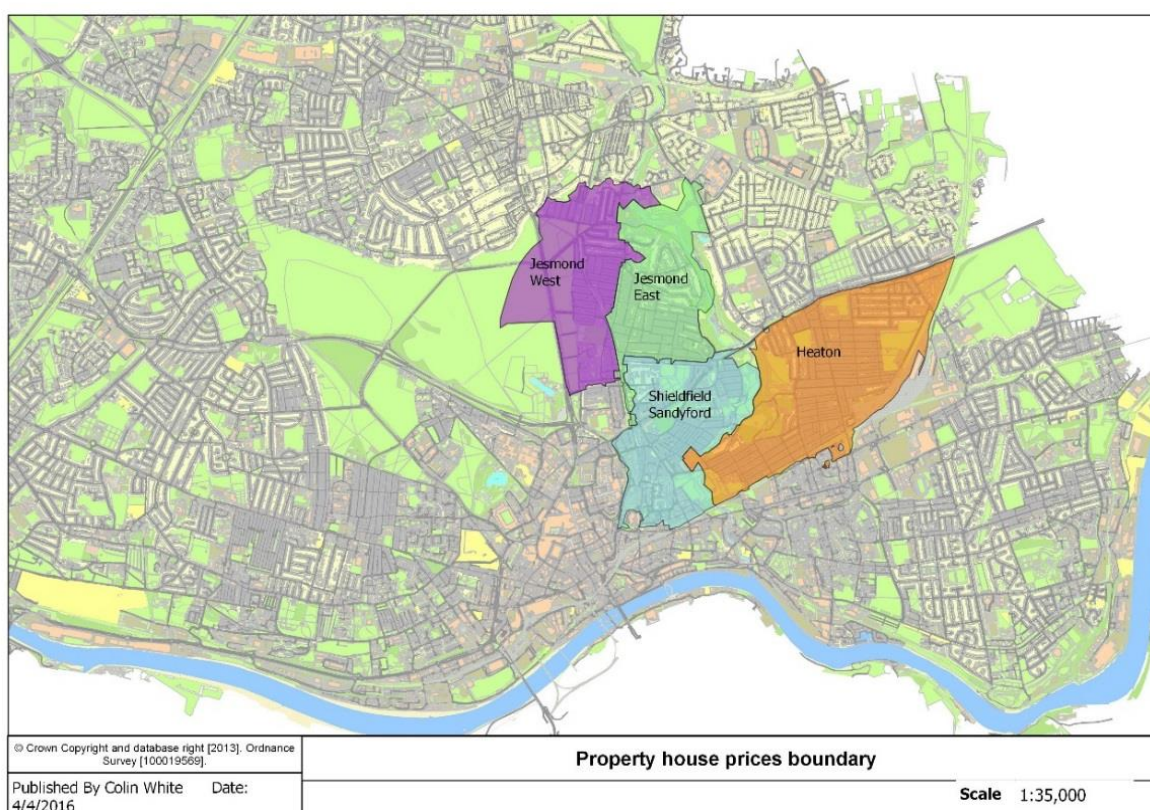
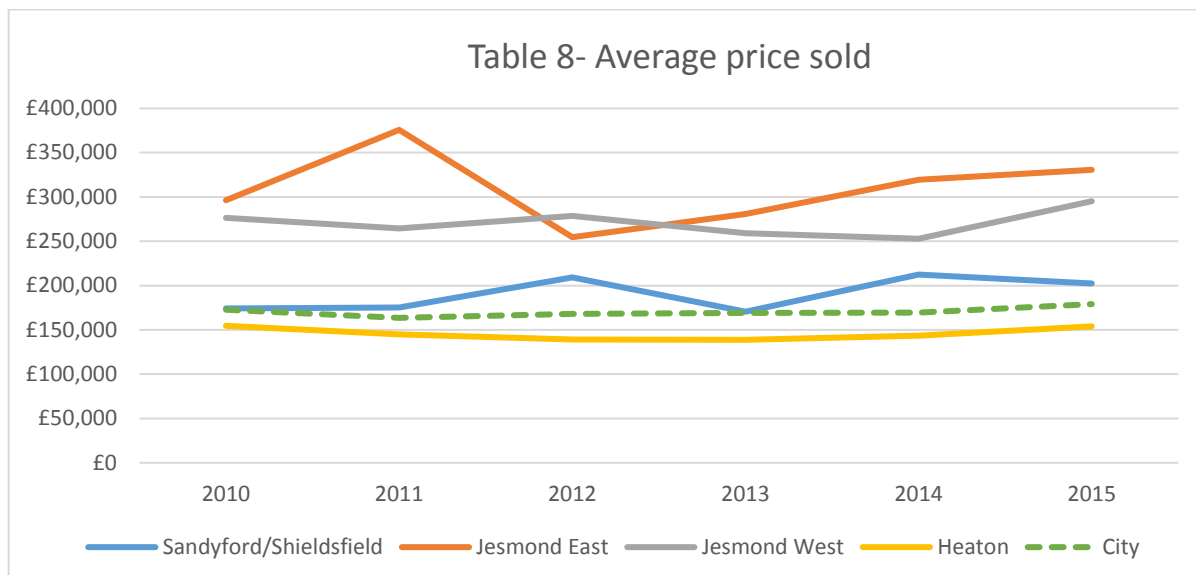
Map 3- Changes in student housing numbers 2011/12 to 2015/16



The full impact of the new purpose built student accommodation on the existing student areas is yet to be seen as the new purpose built student accommodation has only started to compete directly with traditional market for 2<sup>nd</sup> & 3<sup>rd</sup> years in 2015/16 and the success of these blocks and traditional areas will be dependent on student demand. Key factors will be rental levels, location, local services and quality of accommodation. There are indications that the areas of Heaton and Wingrove are starting to see a reduction in the number of student properties, with the Jesmond Sandyford areas remaining strong student areas.

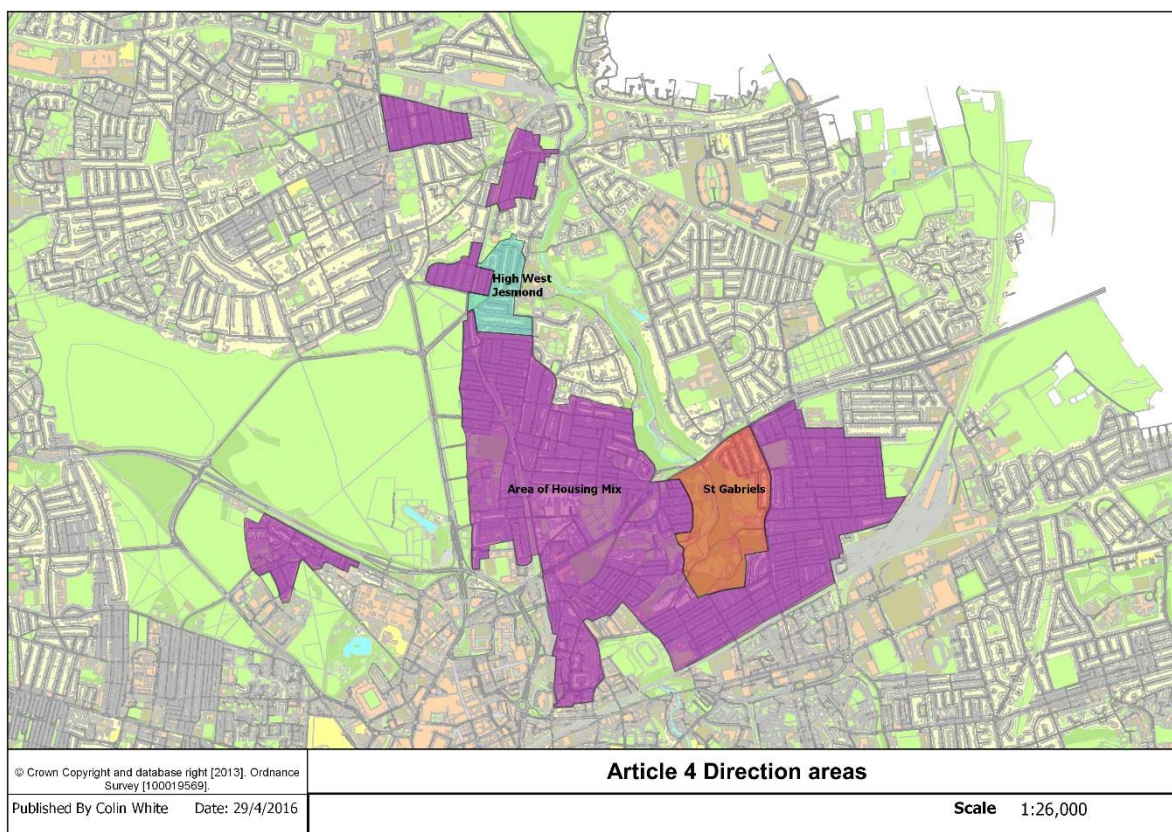
The changing student market will have an impact on property prices if owners decide that student market is unviable and sufficient numbers restructure their portfolio. Over the last five years on average 3% of properties are sold per year across Jesmond East, West and Heaton with Sandyford/Shieldfield selling slightly less at 2%. Over the last five years all areas expect Heaton has seen an increase in house prices with Heaton remaining static. There has been no significant change in prices or number of properties over the last couple of years and this may be due to owners looking at alternative options to maintain demand for their properties before considering sale.





It is likely that neighbourhoods in transition will see higher levels of voids, properties up for sale and a change in the nature of the areas as students move out and new people move in. Some areas will naturally find a new market with little negative impact on the existing neighbourhoods during transition, (areas with lower concentration of student properties and or with good local services). Other areas may find the transition harder and the Council will monitor the changes and where appropriate intervene to reduce the impact on local residents. Currently the Council offers empty homes grants and loans to help bring properties back into use and these will continue to be in the student areas.

The current Article 4 Directions has little impact on the core reasons for changing demand and will continue to provide a cap on the number of shared housing in the area.



## **Appendix III**

### **Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2015-2030 Plan Policies Relevant to this Draft Supplementary Planning Document:**

#### **Policy CS1 Spatial Strategy for Sustainable Growth**

1. A presumption in favour of sustainable development.
2. Focusing the majority of development in the existing built up areas.
3. Prioritising the Urban Core as the location for major office, retail, higher and further education, leisure, culture and tourism development.
4. Supporting economic development outside the Urban Core in Key Employment Areas; Team Valley, Walker Riverside, Follingsby, Newcastle International Airport.
5. Enhancing neighbourhoods and re-balancing housing stock by delivering homes supported by jobs and local services.
6. Sustaining villages and the rural economy through a balance of housing provision, employment and local services.
7. Specific revisions to the boundary of the Green Belt to allocate land for new development. The new Green Belt boundary is defined on the Policies Maps.
8. All development being:
  - i. Fully inclusive, irrespective of cultural background ethnicity and age, to meet the diverse needs of all residents and communities;
  - ii. Well-connected and accessible by sustainable modes of transport;
  - iii. Well designed to promote community cohesion, wellbeing, and to reflect and enhance the area's character and natural environment;
  - iv. Designed to reduce carbon emissions and adapted to the effects of climate change.

#### **Policy CS2 Spatial Strategy for the Urban Core**

The Urban Core is the priority location for development which will maintain and enhance its vibrancy. This will be achieved by:

1. Expanding its role as an office location through the provision of at least 380,000 square metres of new office space.
2. Enhancing its retail function through improving the quality, quantity and range of comparison and convenience shops and increasing provision of comparison retail provision in Newcastle Retail Centre by at least 50,000 square metres additional gross retail floorspace.
3. Promoting clustering of knowledge-based industries, universities, colleges and hospitals.
4. Supporting developments which enhance and diversify culture, leisure and tourism facilities.
5. Securing a mix of housing, including at least 3,750 new homes and prioritising the Exemplar Neighbourhood.
6. Promoting sustainable modes of transport and access for all, managing traffic to minimise the impacts of development and improving the local environment.
7. Securing high-quality design that promotes local distinctiveness and sustains and enhances the historic environment.
8. Allocating Key Sites, East Pilgrim Street (NC2), Exemplar Neighbourhood (SG2), Gateshead Quays (QB2), Science Central (C2) and Stephenson Quarter (D2) for growth. These sites will be brought forward in accordance with approved masterplans

to demonstrate a comprehensive and coordinated approach to site development and infrastructure provision.

### **Policy CS9 Existing Communities**

Existing communities will be sustainable places of quality and choice. This will be achieved by:

1. Maintaining a range of housing types and sizes throughout the plan area.
2. Maintaining and improving facilities, services and the local environment.
3. Bringing empty properties back into use, demolition of housing which is no longer viable or in demand, supporting programmes of improvement and renewal and the replacement of housing.
4. Preventing the loss of family homes, through sub-division, change of use or redevelopment, and
5. Preventing an over concentration of shared accommodation.

### **Policy CS11 Providing a Range and Choice of Housing**

Promoting lifetime neighbourhoods with a good range and choice of accommodation, services and facilities to meet varied and changing needs, will be achieved by:

1. Requiring 60% of new private housing across the plan area being suitable for and attractive to families, with a minimum target of 16,000 new homes to have three or more bedrooms.
2. Encouraging provision of Lifetime Homes and Wheelchair-Accessible Homes.
3. Increasing the choice of suitable accommodation for the elderly population and those with special needs including bungalows, sheltered accommodation and extra care accommodation.
4. Providing adequate space inside and outside of the home to meet the needs of residents.
5. Providing 15% affordable homes on all developments of 15 or more dwellings subject to development viability.
6. Focusing the provision of purpose built student accommodation within the Urban Core.

### **Policy CS15 Place-Making**

Development will contribute to good place-making through the delivery of high quality and sustainable design, and the conservation and enhancement of the historic environment. This will be achieved by:

1. Development being required to:
  - i. Respond positively to local distinctiveness and character,
  - ii. Create safe and inclusive environments;
  - iii. Ensure connectivity, accessibility and legibility;
  - iv. Respect and enhance significant views and the setting of heritage asset;
  - v. Respond to the unique character and importance of the River Tyne, its tributaries and its setting;
  - vi. Respond positively to opportunities to introduce public art, and
  - vii. Respond to local design and conservation guidance



## **Policy UC4 Homes**

A range of size, types and tenure of housing will be promoted to diversify the housing offer through:

1. Development of approximately 3750 new homes.
2. Allocating the Exemplar Neighbourhood in the Southern Gateway Sub- Area for approximately 1000 new homes predominantly for families.
3. Allocating mixed-use sites which will include homes in the following Sub-Areas:
  - i. Newcastle Central;
  - ii. Civic;
  - iii. Discovery;
  - iv. Gateshead Central;
  - v. Quays and Baltic; and
  - vi. Southern Gateway.
4. Promoting residential development as part of mixed-use schemes in the Quayside and Ouseburn Sub-Area.
5. Supporting conversions and redevelopment of upper floors for homes.

## **Policy UC12 Urban Design**

To deliver higher quality locally distinctive places in terms of architecture and public realm, development will:

1. Be designed to respect and enhance the positive characteristics and context.
2. Provide a co-ordinated approach that reinforces and creates linkages to its surroundings.
3. Provide strong urban frontages and an appropriate urban grain reinforcing continuity and enclosure at a walkable urban block scale.
4. Ensure active frontages along Primary and Secondary Pedestrian Routes.
5. Incorporate high quality, durable and sustainable materials appropriate to the character of the area and the use envisaged for the site.

## **Policy UC14 Heritage**

To respect the historical legacy, varied character and appearance of the historic environment development will:

1. Maximise opportunities to sustain and enhance the significance of heritage assets and their setting.
2. Deliver high quality in the design of new buildings and conversions reflecting the rich historic fabric.
3. Include opportunities for the contemporary interpretation of heritage assets including Hadrian's Wall and associated features.

## Appendix IV

### Unitary Development Plan Policies Relevant to this Draft Supplementary Planning Document:

Protection of residential amenity

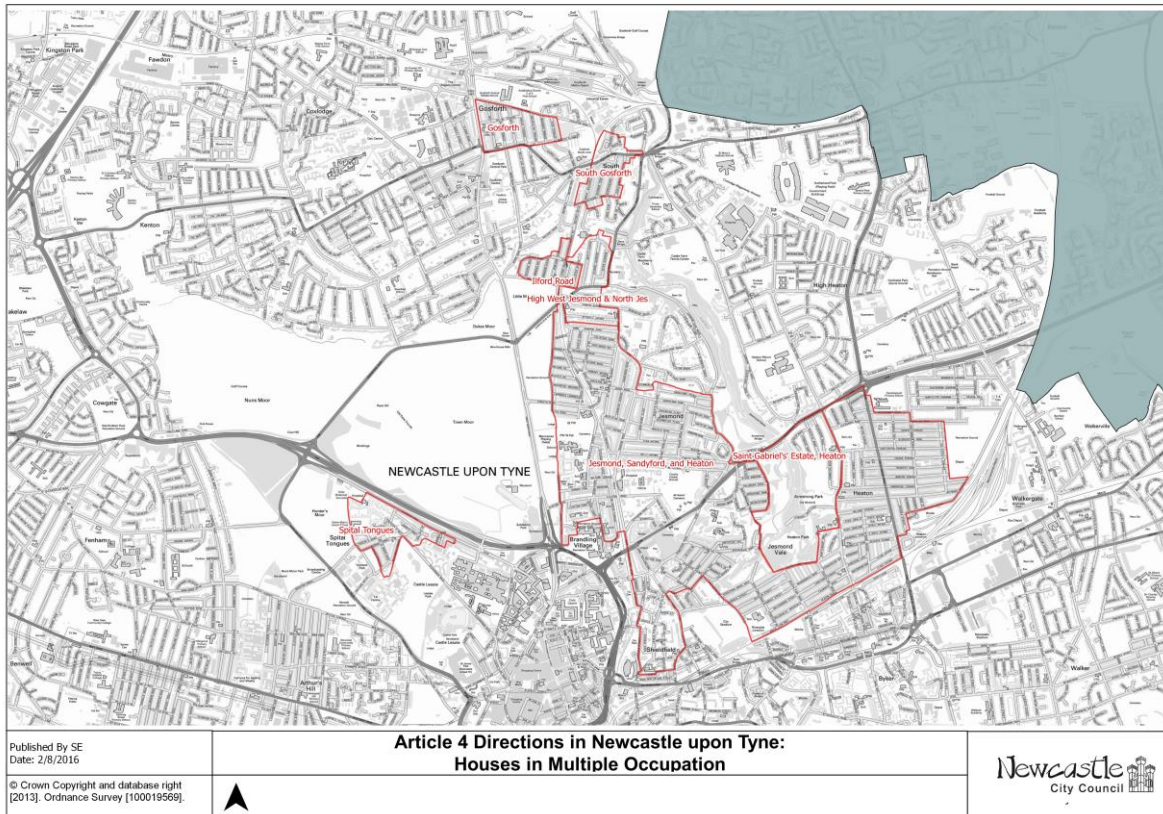
- H2 DEVELOPMENT WHICH WOULD HARM THE AMENITY OF ANY DWELLING, OR GROUP OF DWELLINGS WILL NOT BE ALLOWED. IMPACT ON RESIDENTIAL AMENITY WILL BE ASSESSED WITH PARTICULAR REGARD TO:
- A. PROTECTING THE CHARACTER OF THE LOCALITY AND OF THE EXISTING BUILDING IN THE CASE OF ALTERATIONS, EXTENSIONS OR CONVERSIONS;
  - B. PROTECTING TREES AND OTHER SOFT LANDSCAPING OF AMENITY VALUE;
  - C. ENSURING SATISFACTORY DAYLIGHT, SUNLIGHT, OUTLOOK AND PRIVACY FOR ALL DWELLINGS, EXISTING AND PROPOSED, PARTICULARLY IN RELATION TO GOOD EXISTING STANDARDS IN THE LOCALITY;
  - D. AVOIDING THE INTRODUCTION OF SUCH ADDITIONAL ACCESSES, TRAFFIC OR PARKING AS WOULD INCREASE VISUAL INTRUSION, NOISE OR DISTURBANCE, OR PREJUDICE ROAD SAFETY; AND
  - E. ENSURING THAT NON-RESIDENTIAL DEVELOPMENT AND/OR ASSOCIATED OPERATIONS WILL NOT HARM RESIDENTIAL AMENITY THROUGH AN INCREASE IN NOISE, DISTURBANCE, SMELLS, FUMES OR OTHER HARMFUL EFFECTS.
- H4 A HIGH QUALITY OF DESIGN AND LANDSCAPING WILL BE REQUIRED IN ALL HOUSING DEVELOPMENT. PARTICULAR ATTENTION WILL BE PAID TO:
- A. GOOD STANDARDS OF OUTLOOK, NATURAL LIGHT AND PRIVACY IN ALL DWELLINGS;
  - B. MEASURES FOR DESIGNING OUT CRIME;
  - C. MEASURES TO MAXIMISE ENERGY EFFICIENCY;
  - D. SAFE, CONVENIENT AND COMFORTABLE CIRCULATION FOR PEDESTRIANS ESPECIALLY CHILDREN, ELDERLY PEOPLE AND THOSE WITH DISABILITIES, INCLUDING MEASURES FOR TRAFFIC CALMING AND CYCLING; AND THE CHARACTER AND QUALITY OF THE LOCAL ENVIRONMENT.

## Design

EN1.1 ALL DEVELOPMENT WILL BE REQUIRED TO MEET HIGH STANDARDS OF DESIGN IN ACCORDANCE WITH THE FOLLOWING PRINCIPLES:

- A. RETAINING THE BEST BUILDINGS;
- B. TAKING FULL ADVANTAGE OF LANDFORM, LANDSCAPE AND OTHER SITE FEATURES;
- C. INTEGRATING DEVELOPMENT INTO ITS SETTING WITH REGARD TO THE SCALE AND PATTERN OF SURROUNDING BUILDINGS AND SPACES, AND LINKS IN THE PEDESTRIAN ROUTE NETWORK;
- D. RELATING TO THE MATERIALS AND DESIGN CHARACTERISTICS OF SURROUNDING BUILT DEVELOPMENT;
- E. FACILITATING SAFE PEDESTRIAN MOVEMENT;
- F. DESIGNING FOR EQUAL ACCESSIBILITY FOR ALL USERS REGARDLESS OF AGE OR DISABILITIES, AND MINIMISING OPPORTUNITIES FOR CRIME;
- G. ENSURING NEW BUILDINGS ARE ADAPTABLE TO USE FOR OTHER PURPOSES;
- H. A COMPREHENSIVE AND CO-ORDINATED APPROACH TO NEW DEVELOPMENTS OF MORE THAN ONE BUILDING;
- I. INCORPORATING HARD AND SOFT LANDSCAPING AS AN INTEGRAL PART OF DESIGN, MAXIMISING TREE PLANTING WHERE APPROPRIATE, AND PROVIDING FOR ITS LONG TERM MAINTENANCE;
- J. MINIMISING ADVERSE IMPACTS ON NEARBY LAND USES;
- K. MINIMISING IMPACTS ON ACTIVITIES ON NEIGHBOURING OPEN LAND AND COUNTRYSIDE; AND
- L. MAXIMISING THE USE OF BUILDINGS, STRUCTURES AND LANDFORMS TO SCREEN NOISE SENSITIVE DEVELOPMENT AND SPACES.

## Appendix V - HMO Article 4 Directions in Newcastle upon Tyne



## **Appendix VI**

### **Powers under the Planning Act 1990**

This SPD looks specifically at the powers available under planning legislation to address the issues outlined above. The policy introduced in this document derives from two areas of planning legislation as outlined below.

#### **- Control over extensions to existing properties**

The Town and Country Planning (General Permitted Development) Order 2015 (as amended), confirms that some dwellings benefit from permitted development rights. These allow certain building works to be carried out without the need for planning permission, for example small extensions onto dwellinghouses. These permitted development rights apply to both family dwellinghouses under Use Class C3 and HMOs whether under Use Class C4 or a sui generis use.

However the same permitted development provisions do not apply to flats, including Tyneside flats. For these, any development that would make a material change to the external appearance of the building requires planning permission. For example, the insertion of roof lights to facilitate extra bedrooms in the roof space of an upper Tyneside flat requires planning permission.

#### **- Houses in multiple occupation**

Planning permission is normally required for a material change of use of land or buildings. However, the Town and Country Planning (Use Classes) Order 1987(as amended) reduces the burden on the planning system by grouping similar uses within specific use classes. Changes of the use of buildings or land within one use class would not require planning permission.

Use Class C3 relates to dwellinghouses which are:

- families living together as a single household;
- those living together as a single household and receiving care; and
- those living together as a single household who do not fall within the definition of a house in multiple occupation.

Use Class C4 covers small shared houses or flats occupied by between three and six unrelated individual who share basic amenities. This will include students, migrants and asylum seekers occupying a house or flats. This use class excludes inter alia, care homes, children's homes, hostels, religious communities and student accommodation managed and owned by the education establishment.

Larger houses in multiple occupation, where more than six people share facilities, are normally unclassified by the Use Classes Order and are therefore considered to be 'sui generis' i.e. not falling within a particular use class.

The change of use from Use Class C3 (dwellings) to Class C4 (HMOs with 3-6 occupants) is permitted development and consequently does not normally require planning permission. However in Newcastle upon Tyne the HMO Article 4 directions (issued under Article 4 of the Town and Country Planning (General permitted Development (England) Order 2015) (GPDO) have removed this permitted development right in order to allow the Council, acting as local planning authority, to control the change of use of a family dwelling to HMO under Use Class C4. The change of use from Use Class C4 and C3 to Use Class C3 is permitted development under Schedule 2, Part 3 Class L of the GPDO and therefore does not require planning permission.

**- Other permitted development changes to dwelling houses**

The 2016 GPDO introduced a range of permitted development changes of use to residential flats, including from retail or financial and professional services to residential. The temporary changes of use from storage and distribution and light industrial uses to dwelling houses has also been made permitted development. Most notably in student housing market, the 2015 GPDO made permanent the former temporary permitted development right to change office accommodation under Use Class B1 (a) into Class C3 dwelling houses. This permitted development right excluded the change of use of listed buildings and is subject to a prior approval procedure to cover issues arising from the change of use impacting upon transport and highways, contamination risk, flooding risks on the site and the impacts of noise from commercial premises on the intended occupiers of the development. This has resulted in the loss of office accommodation to studio apartments, often in Newcastle focused on the student housing market in and around the edge of the Urban Core.

All material changes of use from family housing (Use Class C3) and HMOs of between 3 and 6 occupants (Class C4) to large HMOs (over six occupants) will normally require planning permission.

## **Appendix VIII**

### **Powers under the Housing Acts**

The Housing Act 2004 introduced a new definition of a House in Multiple Occupation (HMO) and replicates that of a Class C3 use in that it includes any dwelling occupied by three or more unrelated persons.

Under the Housing Act 2004 local authorities license HMO's that are three storeys or over and are occupied by five or more persons. This is known as mandatory licensing. The City Council's Public Housing and Private Sector Housing Section regulate the licensing of HMO accommodation. This is administered and licensed issued separately to the planning control legislation. The Local authority must grant a license if it is satisfied that:

- the house is reasonably suitable for occupation by the number of households or persons applied for and determined by the local authority having regard amongst other things to the provision of amenities and facilities;
- the proposed license holder or manager is a fit and proper person and is the most appropriate person to hold the license; and
- the arrangements for managing the house are satisfactory.

The Council also operates an Accreditation Scheme for Shared Housing and HMOs the purpose of which is to raise standards of accommodation on a voluntary basis. It is open to both licensable and non-licensable HMOs and is free to join.

The exercise of the powers available under the Housing Act 2004 will not directly control the scale and distribution of HMO accommodation, but it will afford opportunities for greater intervention to secure improvements in the manner in which properties are managed and maintained.

As such the Housing Act 2004 presents the Council with the opportunity to pursue complementary measures to support its planning policies. But those measures cannot be developed through this SPD and must instead be progressed under separate legislation. Advice on the licensing of properties and details of HMO licences in the City can be found on the Council's web site at:

[Houses in multiple occupation | Newcastle City Council](#)

## STUDENT BEDSPACE COMPLETIONS AND PERMISSIONS GRANTED AS AT August 2016

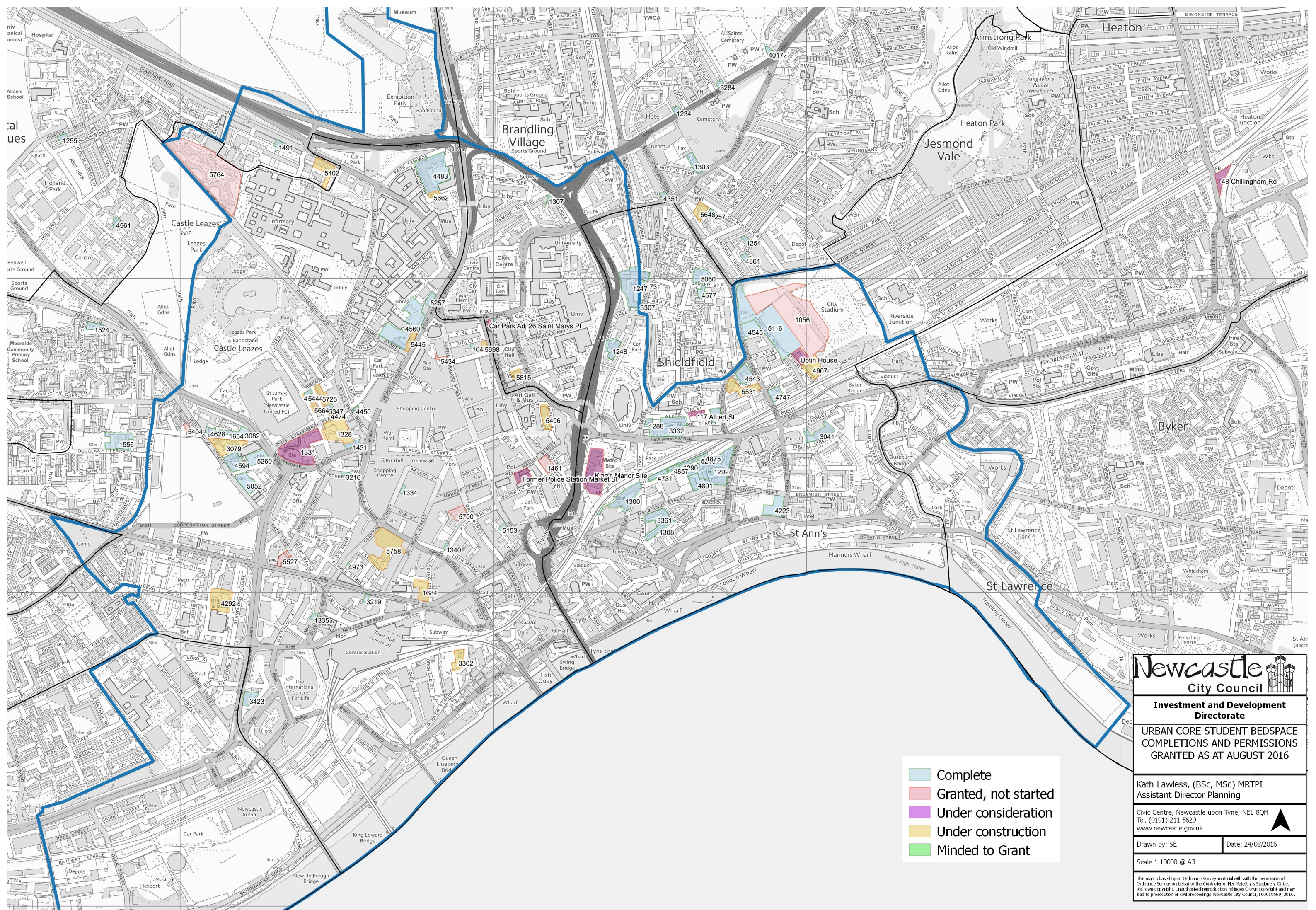


4907	Former Mowlem & Co Newcastle Ltd, 4 Stepney Road	41	249													249		Under construction
1097	Land at Goods Yard		144	144														Complete
1106	Marris House Phase II,		198	198														Complete
1292	Former Pattersons site, Stepney Lane	116	694			694												Complete
5698	Metrovick House, 24 Northumberland Street		63													63		Under construction
1318	Former Salem Chapel & site		315	315														Complete
4292	Blandford Square		371													371		Under construction
4483	Park Terrace / Kensington Terrace		347												347			Complete
1051	JT Parrish Building,		160	160														Complete
1461	Plummer House		251														251	Permission granted
5764	Richardson Road		1303														1303	Permission granted
3302	Clavering Place		209														209	Under construction
4223	Former Tyne Tees Studios, City Road		386												386			Complete
5725	Saint James House, James Street		140														140	Under construction
3082	Former Magpie Social Club, Barrack Rd		216												216			Complete
5664	5-8 St James Street		43														43	Under construction
Existing	St Mary's College		360	360														Existing
1308	Garth Heads		69	69														Complete
4891	Land adjacent to Quay Point	212	213					80		42		213						Complete
1290	Land adjoining 9 Stepney Lane	12	122															Complete
3307	Land at Byron Street, Shieldfield	8	26			26												Complete
3079	Hill Court, Pitt Street		543														543	Under construction
5260	Former Tyne Brewery Bottling Plant, Gallowgate		329												329			Complete
3041	Land at Coquet Street	53	263													263		Complete
1300	Manor Bank, Pandon Bank	129	514							514								Complete
3362	New Bridge Street Residence	96	417								417							Complete
Existing	Windsor Terrace		138	138														Existing
1248	Northern Electric Site,		353	353														Complete
Permitted Dev	Office block conversion		105														105	Under construction
1073	Saint Mary's Convent Library		26	26														Complete
1093	Former Convent of the Sacred		13	13														Complete
1096	Site at Coach Lane Campus,		16	16														Complete
1105	17 - 21 North Terrace		34	34														Complete
1208	Aldis House		17	17														Complete
1234	101 - 103 Jesmond Road		24	24														Complete
1236	Clifton House, 31/33 Osborne Road		18	18														Complete
1254	Warehouse Site		16	16														Complete
1255	Huntsmoor House		32	32														Complete
1257	Stewart House, Grantham Rd, Sandyford	4	21		21													Complete
1258	289 - 291 Chillingham Road, Heaton	1	7		7													Complete
1306	47/49 Jesmond Road West		20	20														Complete
1307	2 Victoria Square		12	12														Complete
1324	Leazes Arcade,		10	10														Complete

1328	Land at Strawberry Pub		331														331	Under construction
1334	25 - 31 Clayton Street		20	20														Complete
1335	26 - 30 Clayton Street West		15	15														Complete
1340	Sunlight Chambers		24	24														Complete
1341	24 Cloth Market		11	11														Complete
1447	53 Osborne Road		33	33														Complete
1456	431 Westgate Road		23	23														Complete
1474	123 Jesmond Road	4	15			15												Complete
1491	10/12 North Terrace		23	23														Complete
1524	New Mills/Monday Place, Arthurs Hill	10	50		50													Complete
1556	Bolam House		43	43														Complete
1595	80 - 88 Elswick Road & 1 Somerset		47	47														Complete
1640	Floor 1 & 2, 18 - 20 Ridley Place		11						11									Complete
1654	14-16 Pitt St (Hanro)		203												203			Complete
1684	Norwich Union House / Westgate House		259													259		Under construction
2565	Saint Marys phase III,		15	15														Complete
2639	29/31 Hawthorn Road		17	17														Complete
3216	46 - 54 Saint Andrews Street	3	6		6													Complete
3219	Clayton Chambers		15	15														Complete
Permitted Dev	Office block conversion		96														96	Under construction
4545	Portland Green, Portland Road (Phase 1A)	275	275										275					Complete
3478	30 Saint Marys Place	3	6		6													Complete
4017	Land adjacent to 123 Jesmond Road	8	35			35												Complete
5116	Portland Green, Portland Road (Building 4)	338	338												338			Complete
4351	135 Sandyford Road	4	19			19												Complete
4450	Land adjacent to Leazes Arcade	6	12						12									Complete
4474	NEEL Sub-Station, Strawberry Place		46														46	Under construction
1056	Portland Green, Portland Road (building 6)	366	366													366		Under construction
1056	Portland Green, Portland Road (buildings 5,7,8,9)	715	1033														1033	Permission granted
1056	Portland Green, Portland Road (buildings2,3)	318	318														318	Permission granted
4594	Central Link, Wellington Street/Heber Street	91	519							519								Complete
4628	18 Pitt Street (Former Henry Hirst)		65												65			Complete
4173	Rear Courtyard at 24 - 27 Byron Street	4	16			16												Complete
3361	Sallyport Buildings, Melbourne Street	69	281		281													Complete
4747	Tyneside Minimix Concrete site, Stoddart St	71	233											228	5			Complete
5246	Units 2&3, Bridge View, Stepney Lane		24									24						Complete
4875	Upper Floors Unit 4 Bridge View, Stepney Lane		14						14									Complete
4967	St James Terrace		7													7		Under construction
4973	Upper floors, 101 Clayton Street		3							3								Complete
5153	Rear offshoot Saint Andrews House		5							5								Complete
5198	Former Reg Vardy Toyota		18												18			Complete

5402	19-26 Claremont Place	89													49	40		Under construction
5404	6-8 Spring Street & 60-62 Pitt Street	36															36	Permission granted
5434	119 Northumberland Street	15															15	Permission granted
5444	1-3 St James Terrace	32												32				Complete
5496	Liquid/Envy nightclub, 49 New Bridge Street West	329															329	Under construction
5527	Former Salvation Army City Temple, 144 146 Westgate Road	27															27	Permission granted
4543	Winn Studio Residence, Stoddart Street, Shieldfield	396								396								Complete
5648	Warwick House , grantham rd	105														105		Under construction
5662	Devonshire Terrace	12															12	Under construction
5758	Newgate Shopping Centre	575															575	Under construction
5815	Northumbria Uni, 4 North Street East	34															34	Under construction
xxxx	1 Kings Manor	462															462	Under consideration
1331	Land At Saint James Metro	172															172	Under consideration
xxxx	117 Albert Street	106															106	Under consideration
xxxx	Land At Formerly 48 Chillingham Road	60															60	Under consideration
xxxx	Manor View House Kings Manor	407															407	Under consideration
xxxx	Uptin House Stepney Road	120															120	Under consideration
xxxx	Car Park Adjacent To 26 Saint Marys Place	7															7	Under consideration
part1313	Former Police Station Market Street	225															225	Under consideration
	TOTAL	22088	6140	112	1001	216	99	501	190	604	1548	983	402	1546	1629	2533	6143	





# Newcastle City Council

## Investment and Development Directorate

### URBAN CORE STUDENT BEDSPACE COMPLETIONS AND PERMISSIONS GRANTED AS AT AUGUST 2016

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Drawn by: SE Date: 24/08/2016

Scale 1:10000 @ A3

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