

<b>Bath &amp; North East Somerset Council</b>		
MEETING/ DECISION MAKER:	<b>Cllr Matt McCabe, Cabinet Member for Built Environment, Housing and Sustainable Development</b>	
MEETING/ DECISION DATE:	<b>On or after 7th June 2025</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 3622</b>
TITLE:	<b>Co-living Position Statement</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<p><b>List of attachments to this report:</b></p> <p>Appendix 1 – Co-living Position Statement</p> <p>Appendix 2 – Consultation Statement following 4-week consultation on the Draft Position Statement</p> <p>Appendix 3 – Equality Impact Assessment of Co-living Position Statement</p>		

## **1 THE ISSUE**

1.1 Co-living is a relatively new model of housing with no standard definition in national policy. The Council does not have a policy relating to co-living schemes in the adopted B&NES Local Plan. It is acknowledged that there is currently the potential for an inconsistent approach to Co-Living planning applications without formal, visible guidance on the issue. Therefore, we have produced an interim Position Statement which will clarify the Local Plan policies the Council will consider when assessing planning applications for co-living proposals, and how they will be applied. This document will provide some guidance until a specific policy is adopted in the emerging local plan. It is not its role to seek additional policy asks but to clearly set out the Council's expectations.

## **2 RECOMMENDATION**

**The Cabinet Member is asked to agree that;**

2.1 The Co-living Position Statement (Appendix 1) is approved.

### **3 THE REPORT**

3.1 The aim of this position statement is to clarify which Local Plan policies the Council will consider when assessing planning applications for co-living proposals, and how they will be applied. It clarifies the position the Council will take to ensure alignment with Local Plan policy, with regards to the following topics:

- (1) Amenity standards
- (2) Occupancy
- (3) Sustainable construction
- (4) Affordable housing contribution
- (5) Community Infrastructure Levy (CIL) liability.

3.2 The Position Statement clarifies that the Council will assess each co-living proposal on a case-by-case basis. In general, applications for co-living accommodation will be supported in Bath and North East Somerset, if the development has been well designed, meets policy requirements and standards set out in this position statement, and is located in an area well-connected to local services and employment by walking, cycling and public transport.

3.3 The Position Statement outlines the following positions that will be taken when assessing application regarding the following topics:

#### **Amenity standards**

3.4 The Council will apply an aggregated approach to co-living space standards, taking account of both private and communal areas, in order to provide a suitable benchmark to ensure that a good standard of amenity space is provided.

3.5 The aggregated space (private plus communal) must be sufficient to ensure that there is a good overall standard of amenity space for residents, as required by policy D6.

3.6 In order to allow for the provision of adequate and usable private space under policy D6, private studios / bedspaces should be a minimum of 25 sqm for a single occupancy room. Exceptions to the minimum standard may be considered on a case-by-case basis where innovative approaches to design and exceptional communal amenity spaces that ensure high levels of amenity for all residents are proposed.

#### **Occupancy**

3.7 In accordance with Local Plan Policy H2A, co-living would not be considered a type of accommodation that meets the needs of second and third year students who would otherwise often reside in HMOs, as it is not provided at a cost level similar to renting a HMO.

- 3.8 As such, the Council discourage the occupation of co-living developments by student occupiers and may use a planning condition or legal agreement to restrict occupation to non-student occupiers.

### **Sustainable construction**

- 3.9 As co-living is a form of residential accommodation, new build schemes will be considered under adopted Local Plan policy SCR6: New Build Residential Development.

### **Affordable housing contribution**

- 3.10 The Council's position is that co-living studios fall within the definition of housing and co-living is not specialist type of accommodation for a group of people with specific needs (such as purpose-built accommodation or elderly accommodation) and as such Policy CP9 in the B&NES Core Strategy applies. Co-living accommodation is not considered to provide a suitable form of affordable housing in itself. As such, an off-site financial contribution is required in lieu of on-site provision.

- 3.11 The calculation to be used in calculating the commuted sum will involve converting the total co-living floor space to an equivalent figure of NDSS compliant dwellings, then the total dwelling figure will be assessed against the B&NES Commuted Sum formulae annexed to the B&NES Planning Obligations SPD.

### **Community Infrastructure Levy (CIL) liability**

- 3.12 Co-living is a new entrant to the B&NES housing market and does not currently have its own specific charge in terms of CIL charging. However, the Council will seek to secure a CIL contribution for co-living developments. The Charging Schedule sets out a charge for residential development, listing use classes C3 and C4 uses. However, this is not an exhaustive list, and co-living schemes clearly provide a type of residential development which did not exist when rates were set.

## **4 STATUTORY CONSIDERATIONS**

- 4.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policy approach to achieving sustainable development. While it does not make specific reference to co-living, key policy principles set out in the document are relevant. Paragraph 61 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.
- 4.2 Paragraph 63 goes on to say that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including those who rent their homes.

- 4.3 Co-living is not considered an appropriate typology for on-site affordable housing as it is typically delivered under the Nationally Described Space Standards (NDSS) However, it is agreed in the position Statement that Co-living provides the facilities required for single-person occupancy, in line with the definition of a residential unit in planning legislation. Therefore, it is appropriate that co-living contributes to affordable housing in B&NES. Paragraphs 64 states that where a need for affordable housing is identified it is expected to be met on-site unless an off-site provision or an appropriate financial contribution in lieu can be robustly justified.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The review and preparation of the Co-living Position Statement has been undertaken by the Planning Policy Team and the costs of its preparation and public consultation have been covered within the existing salary budget. The approval of the Position Statement is not anticipated to increase resource requirements in relation to the determination of planning applications.

## **6 RISK MANAGEMENT**

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 Pursuant to the public sector equality duty, an Equality Impact Assessment (EqIA) has been carried out for the Position Statement. The EqIA identifies the following examples of what the service has done to promote equality, potential adverse impacts on protected groups, and steps that have been or could be taken to address these impacts:

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<b>3.1 Issues relating to all groups</b> and protected characteristics	<p><b>Content of the position statement</b></p> <p>The position statement sets the Council's position on various issues relating to co-living schemes, most of which relate to meeting the needs of some equality groups. These include:</p> <ul style="list-style-type: none"> <li>- Setting out a calculation to ensure a contribution towards affordable housing is provided by all co-living developments.</li> <li>- Setting out amenity and space standards to ensure high quality development is provided for users.</li> </ul> <p><b>Consultation</b></p> <p>The consultation was primarily aimed at the development industry as the main user of the position statement. However, the consultation was open to all groups, in order to ensure that anyone who might live in a co-living scheme had the opportunity to provide comments.</p>	<p><b>Content of the position statement</b></p> <p>A potential negative impact is described under 3.6 below, with regards to restricting student occupiers.</p>
<b>3.2 Sex</b> – identify the impact/potential impact of the policy on women and men.	As in 3.1 above.	No known impacts identified.
<b>3.3 Pregnancy and maternity</b>	As in 3.1 above.	No known impacts identified.

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<b>3.4 Gender reassignment</b> – identify the impact/potential impact of the policy on transgender people	As in 3.1 above.	<p>Authors of documents will ensure that gender neutral language is used throughout.</p> <p>During discussions with any party involved in the preparation of position statement, officers will seek to not use titles and / or to assume gender identity when speaking to people.</p>
<b>3.5 Disability</b> – identify the impact/potential impact of the policy on disabled people (ensure consideration of physical, sensory and mental health needs/differences)	The position statement sets out that Local Plan policy H7 will apply to all co-living schemes, requiring provision of 5.6% of dwellings to be built to Building Regulation M4(3)(2a) standard (wheelchair adaptable housing) and 48% of the remainder to M4(2) accessible and adaptable dwellings standard.	<p>If any videos are used for information, updates will include captions.</p> <p>Officers will be available to respond to email / written queries throughout the preparation of the position statement.</p> <p>For those with learning disabilities who are unable to communicate through writing, officers will be available to speak on the telephone.</p> <p>For those with vision impairment, the position statement will be made screen reader friendly. Interpretation services will be provided on request or where a need is already known.</p>

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<p><b>3.6 Age</b> – identify the impact/potential impact of the policy on different age groups</p>	<p>As in 3.1 above.</p> <p>As co-living schemes are often occupied by younger people, the position statement seeks to set amenity and space standards which provide a high quality of accommodation for these users, resulting in a positive impact on the quality of schemes being provided in the District.</p>	<p>The position statement seeks to discourage the occupation of co-living schemes by students, as the Council have a specific policy (H2A) relating to provision of purpose-built student accommodation (PBSA). Off-campus PBSA developments must meet the requirements of students that would usually reside in HMOs. Students generally have a preference to live as a household with friends, at a cost level similar to renting a HMO. Such accommodation is likely to comprise cluster flats with shared facilities, whereas studio accommodation is considered to be too expensive for students, and is not therefore supported by policy H2A. As co-living schemes are mostly provided as studios, at a price point significantly higher than student cluster flats and HMOs within the city, provision of co-living accommodation for student occupiers is not considered to align with policy H2A. However, the position statement sets out that some flexibility may be considered appropriate on a case-by-case basis, for example to provide accommodation for those in part-time or post-graduate education.</p>

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<p><b>3.7 Race</b> – identify the impact/potential impact on across different ethnic groups</p>	<p>As in 3.1 above.</p>	<p>Individuals from ethnic minority backgrounds may be less familiar with written or spoken English. Where requested, summarised translations of the position statement will be provided, as will officer support in contributing responses to the consultation.</p> <p>Certain groups such as ethnic minorities are more likely to be on lower incomes so may seek to live in shared accommodation, such as co-living, noting however, that the type of schemes currently coming forward in Bath are not considered by the council to be an affordable rented tenure option due to high rental costs.</p> <p>Certain ethnic minority groups may seek accommodation which allows for extended family to live together. Co-living may be able to provide opportunity for this.</p>
<p><b>3.8 Sexual orientation</b> – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual, questioning people</p>	<p>As in 3.1 above.</p>	<p>No known impacts identified.</p>
<p><b>3.9 Marriage and civil partnership</b> – does the policy/strategy treat married and civil partnered people equally?</p>	<p>As in 3.1 above.</p>	<p>No known impacts identified.</p>
<p><b>3.10 Religion/belief</b> – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.</p>	<p>As in 3.1 above.</p>	<p>No known impacts identified.</p>



Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<b>3.11 Socio-economically disadvantaged*</b> – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances <b>(this is not a legal requirement, but is a local priority).</b>	<p>As in 3.1 above.</p> <p>The position statement confirms that the Council consider it appropriate that co-living accommodation contributes to affordable housing provision within the District, in the form of an off-site contribution. Policy officers have worked with housing officers to set out the calculation to be used to calculate the contribution.</p>	<p>Those on lower incomes may seek to live in shared accommodation, such as co-living, noting however, that the type of schemes currently coming forward in Bath are not considered by the council to be an affordable rented tenure option due to high rental costs.</p>
<b>3.12 Rural communities*</b> identify the impact / potential impact on people living in rural communities	<p>As in 3.1 above.</p>	<p>Co-living schemes are encouraged by the council in areas well-connected to local services and employment by walking, cycling and public transport. As such, co-living schemes are less likely to be encouraged in more rural locations.</p>
<b>3.13 Armed Forces Community **</b> serving members; reservists; veterans and their families, including the bereaved. Public services are required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education and healthcare (to remove disadvantage and consider special provision).	<p>As in 3.1 above.</p>	<p>No know impacts identified.</p>

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<p><b>3.14 Care Experienced ***</b> This working definition is currently under review and therefore subject to change:</p> <p>In B&amp;NES, you are ‘care-experienced’ if you spent any time in your childhood in Local Authority care, living away from your parent(s) for example, you were adopted, lived in residential, foster care, kinship care, or a special guardianship arrangement.</p>	<p>As in 3.1 above.</p>	<p>Social networks and family guidance often play a vital role in an individual's ability to access services or support. Care experienced individuals might lack these networks and guidance, which can make navigating systems, such as securing housing options more challenging. Those with care-experience may seek to live in shared accommodation, such as co-living, noting however, that the type of schemes currently coming forward in Bath are not considered by the council to be an affordable rented tenure option due to high rental costs. B&amp;NES officers in both the planning and housing services will be available over telephone, email or in-person, to discuss housing typologies with those in need of extra support. Those in the planning service will likely sign-post individuals to colleagues in the housing service when contacted.</p>

## 8 CLIMATE CHANGE

- 8.1 As co-living is a form of residential accommodation, new build schemes will be considered under adopted policy SCR6: New Build Residential Development.
- 8.2 The Council is committed to tackling the climate and ecological emergencies with Policy SCR6 being introduced in the Local Plan Partial Update to reduce emissions in residential buildings and to help achieve the Council's commitment to carbon neutrality by 2030 and the government's target of reaching net zero by 2050.

## 9 OTHER OPTIONS CONSIDERED

- 9.1 The alternative to preparing a Position Statement would be to consider planning applications for co-living solely on an individual case by case basis as has been the approach up until now. However, co-living is a newly emerging housing category which has very different characteristics to both self-contained housing and conventional HMOs. There are no direct references to co-living in the adopted B&NES Local Plan, although the Plan includes policies which are helpful in determining co-living planning applications. The Position Statement will help to ensure a consistent approach to assessing co-living proposals. It also clearly sets out the Council's expectations and planning policy requirements for applicants and promoters.

## 10 CONSULTATION

- 10.1 A formal consultation was undertaken for four weeks on the Draft Co-living Position Statement, between 4<sup>th</sup> February and 4<sup>th</sup> March 2025.
- 10.2 The consultation was published on the Council's website and was advertised via a press release and social media.
- 10.3 A Consultation Statement has been prepared setting out details of the consultation, a summary of the responses received, and Council comments on each of the key issues raised. This is available to review at Appendix 2.
- 10.4 In preparing this Single Member Decision Report the Cabinet Member and the Council's Monitoring Officer and S151 Officer have been consulted.

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<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	