

Meeting of:	CABINET
Date of Meeting:	23 SEPTEMBER 2025
Report Title:	DRAFT HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING GUIDANCE
Report Owner / Corporate Director:	CORPORATE DIRECTOR - COMMUNITIES
Responsible Officer:	JACK DANGERFIELD SENIOR STRATEGIC PLANNING POLICY OFFICER
Policy Framework and Procedure Rules:	There is no impact on the Policy Framework or Procedure Rules.
Executive Summary:	The purpose of this report is to seek Cabinet approval to consult on the draft Supplementary Planning Guidance (SPG) 'Houses in Multiple Occupation' document (Appendix 1). Subsequent adoption of this SPG will enable effective implementation of the Houses in Multiple Occupation Policy within the adopted Replacement Local Development Plan, the Council's statutory land-use planning document.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval to consult publicly on the draft '*Houses in Multiple Occupation*' (**HMO**) Supplementary Planning Guidance (**SPG**) document (see **Appendix 1**).

2. Background

- 2.1 The adopted Replacement Local Development Plan ("**RLDP**", March 2024) plays a key role in enabling sustainable, mixed and balanced communities, including development of HMOs. The Town and Country Planning (Use Classes) Order 1987 (as amended) (**Use Classes Order 1987**), now contains a distinction between '*small HMOs*' (Use Class C4, with 3-6 residents sharing basic amenities) and '*large*

HMOs' (Unique Use or '*sui generis*'), with more than 6 unrelated persons sharing basic amenities). Prior to February 2016, planning permission was only required for large HMOs. However, since this date, planning permission is required for all HMOs, whether housing 3-6 or 7 or more unrelated people who do not form a single household. In this context, the meaning of '*small HMO*' under Class C4 as a '*house in multiple occupation*' (but not a converted block of flats), in the Use Classes Order 1987, aligns with and refers to the meaning of "*HMO*" in section 254 of the Housing Act 2004 (**HA 2004**). The meaning of '*single household*' under Class C3(a) dwellinghouses of the Use Classes Order 1987, aligns with section 258 of the HA 2004 which sets out when persons are to be regarded as not forming a *single household* and when a person is considered to be a member of the same family; s258 HA 2004 also applies to HMOs defined under s254 HA 2004, including *small HMO* (Class C4) and *large HMO (sui generis)*. This change in legislation has resulted in greater awareness of HMOs in the context of the planning system.

- 2.2 HMOs can play an important role in the County Borough's housing mix by providing a broader range of accommodation options, particularly for students, young professionals, and those on lower incomes. However, they also raise specific planning challenges. HMOs are often characterised by shorter than average tenancies, leading to higher population turnover, and their occupation by multiple independent adults can increase the intensity of residential use. This, in turn, can lead to increased activity in and around the property, more noise, greater demand for parking, and additional pressures on waste management.
- 2.3 Whilst not every HMO will result in adverse impacts, and in some cases the level of activity may be comparable to that of a large family household, the cumulative effect of high concentrations of HMOs can be significant. These cumulative impacts can include harm to residential amenity, erosion of local character and loss of community cohesion. There is a need to strike a careful balance between supporting housing choice and preventing the over-concentration of HMOs in any given locality. RLDP Policy COM7 specifies criteria to assess the appropriateness of proposals to convert dwellings into HMOs, aiming to avoid over-intensification of the use as an HMO within any given locality.
- 2.4 At their meeting on 8th August 2024, the Development Control Committee requested development of a specific SPG on HMOs to provide additional planning guidance to support adopted Policy COM7. Councillor Simon Griffiths volunteered to champion the production of the HMO SPG and work alongside the Senior Strategic Planning Policy Officer to progress it. The draft HMO SPG attached to this report (**Appendix 1**) represents the culmination of this work.

3. Current situation / proposal

- 3.1 The draft SPG relating to HMOs (**Appendix 1**) aims to provide additional detail on

how adopted Policy COM7 should be interpreted and applied in practice. It is intended to assist both planning applicants and officers by clarifying this Policy's requirements and how proposals will be assessed. The draft HMO SPG also explains the relationship between planning and other regulatory regimes relevant to HMOs, such as Licensing and Building Regulations, highlighting how these other statutory regimes operate alongside, but separately from, the planning system. In doing so, the draft HMO SPG aims to ensure a consistent and transparent approach to managing HMO development, supporting the creation of sustainable, balanced communities throughout the County Borough.

3.2 This draft HMO SPG provides specific guidance on:

- How HMOs are defined in planning terms and when planning permission is required for HMOs;
- The roles of Planning, Licensing and Building Regulations in respect of HMOs;
- Application of the radius test (ensuring that no more than 10% of properties are HMOs within a 50m radius in any given area);
- How the character and appearance of the locality is considered when major extensions or alterations are proposed;
- How the scale and intensity of HMOs will be considered in relation to HMO applications;
- How local parking provision will be considered in relation to HMO applications;
- Amenity considerations (of both future HMO occupants and neighbours); and
- Submission requirements for applicants.

3.3 Prior to seeking Council approval for adoption, the draft HMO SPG will be subject to a public consultation exercise. This will be enabled by utilising the Council's online consultation portal, direct targeting of stakeholders (including all Elected Members and Town and Community Councils), and a social media campaign. Consultation responses will be sought to influence and shape the final version of the HMO SPG. A consultation report will then be presented back to Cabinet, then to Development Control Committee for noting, and finally to Council. That consultation report will document a general summary of comments, the issues raised and the Local Planning Authority's responses, while detailing how those comments have influenced the final version of the HMO SPG. Once adopted, the final HMO SPG will add weight to the interpretation and application of RLDP Policy COM7, provide more

detailed advice to planning applicants and will become a material consideration in the determination of planning applications.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An initial Equality Impact Assessment (**EIA**) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The HMO SPG will provide additional guidance and material weight in support of adopted RLDP Policy COM7. The HMO SPG aims to enable development of HMOs while safeguarding residential amenity, community cohesion, and the character of existing neighbourhoods. This is a key contributory factor to delivering Local Well-being Objective One - '*A prosperous place with thriving communities*'.
- 5.2 The HMO SPG will also contribute to the following goals within the Well-being of Future Generations (Wales) Act 2015:
- *A Wales of cohesive communities* - Seeks to prevent the over-concentration of HMOs and promote balanced communities.
 - *A more equal Wales* - Supporting access to affordable and flexible accommodation for individuals and enabling housing options that meet diverse needs.

6. Climate Change and Nature Implications

- 6.1 There are no direct Climate Change or Nature implications from this report, although the HMO SPG will provide additional guidance to enable development of sustainable HMOs that promote active travel opportunities.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no Safeguarding and Corporate Parent implications from this report.

8. Financial Implications

- 8.1 There are no financial implications arising from this report.

9. Recommendations

- 9.1 It is recommended that Cabinet:

- (a) Approve the draft HMO SPG (**Appendix 1**) as the basis for a public consultation period of 6 weeks;
- (b) Authorise the Corporate Director - Communities and Group Manager - Planning and Development Services to make minor presentational changes, typographical or factual corrections as necessary prior to public consultation; and
- (c) Authorise the Corporate Director - Communities and Group Manager - Planning and Development Services to undertake the public consultation for a period of 6 weeks and to report the results of the public consultation back to Cabinet for approval and then to send the report to Council and seek adoption of the final HMO SPG.

Background documents

None.