

Appendix 2: Consultation Representations, Responses and Resultant Actions

Do you have any comments on the proposed additional guidance for criterion 1 of adopted Policy COM7, which requires HMO proposals to ' <i>not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs</i> '?	
Organisation	Bridgend County Borough Council (Elected Member)
Representation	This might be further qualified by also taking into account the proximity of non-HMO residential properties such as Purpose Built Student Accommodation (PBSAs). There might also be a case for including hotel premises used for the provision of temporary housing.
Local Planning Authority response	<p>The SPG has been prepared to provide additional guidance on the application of adopted Replacement Local Development Plan (RLDP) policies. It does not introduce new policy and cannot depart from, override, or amend the policies of the RLDP. As criterion 1 of Policy COM7 states that proposals for HMOs should '<i>not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs</i>', the SPG is limited to the consideration of properties that fall under the definition of an HMO in planning terms.</p> <p>PBSAs generally fall under the 'Sui Generis' use class, not use class C4 (HMOs), as stated under paragraph 5.5 of the SPG. Hotel premises used for the provision of temporary housing does not automatically become an HMO in planning terms unless its use fundamentally shifts to long-term residential occupation. The Welsh Government's 'Houses in Multiple Occupation: Practice Guidance' (March, 2017) states that, '<i>to fall within the 'house in multiple occupation' definition a property must be occupied as the main residence</i>'. If the occupancy is short-term, it is considered under the 'Sui Generis' use class. However, if the hotel becomes used predominantly as long-term shared living accommodation for unrelated adults, where the residents:</p> <ul style="list-style-type: none"> • Live there as their main residence • Share cooking or washing facilities

	<ul style="list-style-type: none"> • And live broadly like an HMO... <p>...then the use could be considered to have changed to an HMO and a planning application would be required. If such a change of use occurs, it will be considered against criterion 1 for each new HMO planning application within a 50m radius thereafter.</p>
Resultant action	Add a sentence stating under paragraph 5.5 clarifying that hotel premises used for temporary accommodation are generally not considered as HMOs. This will help to clarify when a building of this kind should be considered against criterion 1 of Policy COM7.
Do you have any other comments to make on the proposed Houses in Multiple Occupation SPG?	
Organisation	Bridgend County Borough Council (Elected Member)
Representation	<p>The reference to space standards in Appendix B is welcomed, so to align planning and housing enforcement considerations.</p> <p>I suggest that the term “should” on Page 13 5.6 be substituted with “will” so to read as follows:- <i>However, Shared Regulatory Services (SRS), who oversee the licensing and management HMOs in Bridgend County Borough, should will be consulted on planning applications for HMOs to ensure alignment between planning and housing enforcement considerations.</i></p> <p>This is to ensure that SRS is consulted on each occasion.</p> <p>Further guidance might be required to deal with situations where an objection is received from SRS on the grounds of insufficient room sizes.</p>
Local Planning Authority response	The respondent's support for the SPG's reference to space standards in Appendix B is noted. Their suggestion to alter the wording in paragraph 5.6 is agreeable as this would help to strengthen the alignment between licensing standards and planning requirements, as suggested. It should be

	<p>noted, however that the SPG is not able to enforce licensing standards for planning proposals for HMOs.</p> <p>Regarding the point made about guidance for SRS objections on the grounds of insufficient room sizes, the RLDP does not contain an adopted policy on minimum room sizes for HMOs and it is beyond the scope of an SPG to specify new policy requirements in this manner. However, any objections raised by SRS in relation to specific planning applications would be considered accordingly through the development management process.</p>
Resultant action	<p>Alter the wording in paragraph 5.6 so it reads: '<i>However, Shared Regulatory Services (SRS), who oversee the licensing and management of HMOs in Bridgend County Borough, should will be consulted on all planning applications for HMOs to ensure alignment between planning and housing enforcement considerations</i>'.</p>
General comments	
Organisation	South Wales Police
Representation	<p>Secured by Design (SBD) is the official police security initiative to encourage the adoption of crime prevention methods and standards in new and existing housing. It aims to achieve a good standard of security for both the home and the surrounding environment:</p> <p>Welsh Government have been supportive of Designing out Crime and Secured by Design as shown by the following statements in documents:</p> <p>Welsh Government's Technical Advice Note (TAN)12.</p> <p>Paragraph 5.17.3 of TAN 12 states "The Safer Places and Secured by Design Initiative provide recognised standards, that have been shown to reduce crime (particularly residential burglary) and the impact of crime upon neighbourhoods. It is desirable for the security of all housing</p>

developments, public buildings, and all buildings funded by public bodies, to achieve similar measurable standards.”

Planning Policy Wales (PPW) 2024:

PPW Wales states under 3.11 “Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard should be given in the preparation of development plans and taking planning decisions. The aim should be to produce safe environments that do not compromise on design quality in accordance with the cohesive communities well-being goal.”

As can be seen from the above Welsh Government have addressed community safety and crime prevention in guides and legislation, and been supportive of Secured by Design.

UK Government Policy places a duty on local authorities through Section 17 of the Crime and Disorder Act:

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Section 17 of the Crime and Disorder Act requires local authorities to consider crime and disorder implications in all their authorities and functions and do all that they reasonably can do all they can do to reduce these problems.

In respect of social housing in Wales, Welsh Government recognises the importance of having homes that are safe and secure for our communities, homes that house some of our most vulnerable people in society and are supportive and realise the value of Secured by Design. This is shown by Welsh Government requirements in the following:

Welsh Development Quality Requirements (DQR) 2021 Creating Beautiful Homes and Places

In the DQR all Welsh Government grant funded social housing in Wales must meet the Secured by Design Gold Standard to meet the Development Quality Requirements (DQR) set out in Beautiful Homes and Spaces.

Welsh Housing Quality Standards (WHQS) 2023.

The Welsh Housing Quality Standards aim to improve the quality of social housing in Wales, ensuring that all social homes meet specific criteria for safety, comfort and environmental sustainability. The following security standards are specified in WHQS:

“External doors and windows must provide a reasonable level of physical security. A home has a ‘reasonable level of security’ if it is capable of complying with ‘Secured by Design’ (SBD), although it may not necessarily have an SBD certificate.

When fitting new external doors and windows: the replacements must comply with the product specifications for external doors and windows stated within the most recent edition of ‘Secured by Design’ and be independently certified as such.

When retaining existing doors or windows: delivering a reasonable level of security can be achieved by modification of existing installations to comply with SBD. Components, hardware and glazing used in modifications must comply with the product and material specifications stated within the most recent edition of ‘Secured by Design’ and be independently certified as such.”

Houses in multiple occupation provide accommodation for some of the most vulnerable people in society. Quite often HMO’s house people who are not known to each other in shared accommodation. Women and girls also live in HMO’s and violence against women and girls is high on the agenda of everyone.

Violence Against Women and Girls (VAWG).

The harm caused to victims and society by violence against women and girls (VAWG) in all its forms, including but not limited to, harassment, stalking, rape, sexual assault, murder, honour-based abuse and coercive control is incalculable. While men and boys also suffer from many of these forms of abuse, they disproportionately affect women.

In spring 2023, the Home Secretary announced Violence Against Women and Girls as a national threat and included it within the 9 Strategic Policing Requirement (SPR) alongside terrorism, serious and organised crime and child sexual abuse.

Secured by Design can assist with ensuring that the built environment in all its forms, is designed to reduce the opportunity of Violence Against Women and Girls (VAWG) and contribute to such places feeling safe, to live.

In the consultation document security is not mentioned. Therefore I would ask that there be a heading in the SPG called Security of HMO's. Under this heading I would ask that the SPG states the following:

HMO's that are new builds, must meet the standards specified in the Welsh Government's Welsh Development Quality Requirements (DQR) 2021 Creating Beautiful Homes and Places and must meet Secured by Design Gold standard.

In respect of existing properties that are converted to HMO's I would ask that they meet the security standards specified in WHQS.

In addition security standards for bedroom doors are not specified in the Secured by Design Residential Guide. Therefore I would ask that in addition to the advice given in the SBD Guide, the

	<p>SPG states that in houses of multiple occupancy, bedroom doors should meet Secured by Design standards i.e. PAS 24 2022 or equivalent.</p> <p>Further information in respect of Secured by Design can be found on the website www.securedbydesign.com.</p>
Local Planning Authority response	<p>The LPA agrees that ensuring the security of HMOs and the people living within them and nearby is of the utmost importance. The respondent's suggestion to include a separate heading within the SPG titled 'HMOs and Security' is therefore accepted.</p> <p>However, it should be noted that Planning Policy Wales only refers to the application of the WDQR standards to affordable housing (as defined by Technical Advice Note (TAN) 2). They are not applicable to private new build HMOs and therefore it is beyond the scope of an SPG to necessitate this standard to be applied to all HMOs. Similarly, the Welsh Housing Quality Standards are national minimum standards for social housing owned or managed by local authorities and Registered Social Landlords (RSLs). It would be beyond the scope of this SPG to require application of these standards to all HMOs, including those privately owned and managed.</p> <p>The specification of internal security features, including Secured by Design standards for individual bedroom doors, is a matter for HMO licensing and building regulations rather than planning*. These detailed measures fall outside the scope of planning control and therefore cannot be referred to in the SPG.</p> <p>The SPG is able to <i>encourage</i> applicants to design proposals to that of Secured by Design 'Gold' standard. However, it cannot require them to adopt such standards as these are not specified in either local or national planning policy.</p>

Resultant action	<p>Insert a new headed section under the heading, 'Policy COM7: Criterion 6' of the SPG, titled 'HMOs and Security':</p> <p><u><i>HMOs and Security</i></u></p> <p><i>Applicants are encouraged to design HMOs in accordance with Secured by Design (SBD) principles and are advised to aim to achieve the SBD 'Gold' award (an award that acknowledges crime and anti-social behaviour reduction measures relating to layout, environmental design and the use of Police Preferred Specification products), where practicable.</i></p> <p><u>Guidance note</u></p> <p>*For clarity, we have produced a 2-page document titled 'A Simple Guide to Planning, Licensing and Building Regulations for Houses in Multiple Occupation', which is attached as an additional Appendix (Appendix 3) alongside this report. Its purpose is to clearly and simply set out what each regulatory regime – Planning, Licensing and Building Regulations – can achieve in relation to the management of HMOs.</p>
Member of the public	No. 01
Representation	<p>Is this hmo for Bridgend homeless, if it for the permanent holiday makers. How dare you put these men in our community. House prices will drop, crime, rape thefts. They looking for one of these men after an incident in Maesteg. How about protecting the people who live here & pay taxes so they can stay I and have everything free. We are in a cost of living crisis and homeless. I am appalled that you want to turn us into a third world. You should go around bridgend and ask the people who live if they approve for hmo for local homeless or for immigrants. I say no and so would all of Maesteg and Bridgend. We did not invite them we don't want them send them back to France it safe there.</p>
Local Planning Authority response	<p>The draft HMO SPG provides additional planning guidance for HMO planning applications, but does not propose any specific HMOs across the County Borough. The occupation of HMOs is beyond the scope of the land use planning system.</p>

Resultant action	None required.
Member of the public	No. 02
Representation	I cannot find your consultation document on Hoses of Multiple Occupancy. However, I would like to say I certainly wouldn't not like one anywhere near where I live. If there was one it would make me feel very unsafe and would mean I wouldn't go out alone day or night.
Local Planning Authority response	The draft HMO SPG provides additional planning guidance for HMO planning applications, but does not propose any specific HMOs across the County Borough. The occupation of HMOs is beyond the scope of the land use planning system
Resultant action	None required.

Proposed SPG changes as a result of the consultation

The paragraphs proposed for amendment following the consultation are detailed below, for the reasons explained in the previous table. Strikethrough text is used to indicate proposed deletions from the SPG, whereas blue text is used to indicate proposed additions to the SPG. Only paragraphs proposed for amendment are included below, there are no proposed changes to the remainder of the draft SPG following consultation. The final draft version of the SPG (**Appendix 1**) incorporates the proposed amendments below.

1. Insert a bullet point under paragraph 5.5 clarifying that hotel premises used for temporary accommodation are generally not considered as HMOs, unless in specific circumstances. This paragraph sits underneath a sub-heading titled 'Exclusions', and specifically sets out which types of residential arrangements that are not typically considered HMOs for planning purposes. Such proposals will not be considered against Policy COM7. The inserted wording (amendment) will read as follows:

'Hotel premises used for short-term temporary accommodation – A hotel building used to provide temporary accommodation for non-holiday residents, such as homeless households, which does not operate as a hotel in the conventional sense, is typically regarded as a 'sui generis' use.'

2. Alter the wording of the fourth sentence of paragraph 5.6, an insertion to require the consultation of Shared Regulatory Services (who manage HMO Licensing) on all HMO planning applications. This will now read as follows:

'However, Shared Regulatory Services (SRS), who oversee the licensing and management of HMOs in Bridgend County Borough, ~~should~~ will be consulted on all planning applications for HMOs to ensure alignment between planning and housing enforcement considerations.'

3. Insert a new headed section under the heading, 'Policy COM7: Criterion 6' of the SPG, titled 'HMOs and Security' after paragraph 6.46, as paragraph 6.47, to read as follows:

'HMOs and Security

Applicants are encouraged to design HMOs in accordance with Secured by Design (SBD) principles and are advised to aim to achieve the SBD 'Gold' award (an award that acknowledges crime and anti-social behaviour reduction measures relating to layout, environmental design and the use of Police Preferred Specification products), where practicable.'