

# **Consultation Report on Houses in Multiple Occupation & Purpose Built Student Accommodation**

Supplementary Planning Guidance (SPG)

City and County of Swansea Council

July 2017

**LICHFIELDS**

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## 1.0 Introduction

1.1 A total of 195 responses were received as part of the 6 week public consultation between 23rd January – 5th March 2017. Responses were received via the Council's website e-consultation system, via email and on paper.

1.2 Of those who completed the consultation response forms, 38 respondents ticked that they were making an objection, 3 noted they were in support, and 32 respondents indicated they were making a comment.

1.3 All responses have been reviewed in the table below. Comments raised have been categorised into issues/themes and the Council's response provided within a separate column adjacent to each. In addition, the table outlines the changes that have been made to the SPG document as a result.



Theme	Issues Raised	Response	Changes to SPG
<p>1. Issues raised with the format of the SPG, the language and clarity.</p>	<p>The SPG should be written in plain English.</p> <p>Further clarity and definition required on key phrases e.g. 'material consideration'; 'exceptional circumstances' that would outweigh the harmful concentration and intensification of a HMO; and 'no adverse effect'. Concern was raised that there were areas of vagueness which are open to interpretation.</p> <p>There should be two separate SPG documents - one for HMOs and another for PBSA.</p> <p>Concern was raised that the maps were not easy to understand and should be simplified.</p> <p>The SPG should be reviewed regularly so that it is fit for purpose and for the Council's HMO register to be kept up-to-date.</p>	<p>A full review of the SPG has been undertaken to ensure that the document is clear and understandable. Where necessary further clarity and definition has been provided within the SPG e.g. 'material considerations' in Chapter 2.</p> <p>Having two separate documents was considered. However, as HMOs and PBSA are interrelated, a strategic approach has been taken by the Council to address the issues and having one document enables the issues to be considered alongside one another. This was concluded to be the most appropriate option.</p> <p>The maps are clearly annotated and have keys to define the data illustrated. Difficulties experienced are mainly due to the large-scale nature of some of the maps. This is an inherent difficulty when considering data on a Local Authority scale. Maps have been simplified where possible.</p> <p>It is the Council's intention that the SPG will firstly be reviewed when the Local Development Plan (LDP) is adopted to ensure it is compatible with the new development plan policy framework. It will subsequently from</p>	<p>General changes have been made throughout the document to ensure that it is clear and understandable.</p> <p>Further definitions have been included within Chapter 2: Terms of Reference.</p> <p>A monitoring section has been added to the SPG outlining the frequency of the SPG review and monitoring (paragraph 1.6).</p>

		<p>this be regularly monitored.</p> <p>The Council's database of licensed HMOs is updated regularly by the Council's Housing and Public Health Team and the HMO public register (available on the Council's website) is updated approximately every 4 weeks.</p> <p>In terms of unlicensed HMOs, the Council's Housing and Public Health Team is currently undertaking survey work in the St Thomas ward to identify potential further HMOs. The results of the survey will be reported back to the Cabinet Member.</p>	
<p>2. Consultation undertaken as part of the drafting of the SPG</p>	<p>Why were residents not part of the stakeholder group used to draft the SPG?</p> <p>Perceptions that there was not enough publicity about the SPG.</p>	<p>Councillors were consulted in drafting the consultation document so they could represent the views of their local Ward constituents ahead of the full public consultation on the draft document. This was achieved through the consultation with the Student Liaison Forum, the Scrutiny Working Group and the Councillor Workshop.</p> <p>The Council then undertook a 6 week public consultation during which Officers hosted a drop-in event to answer queries from members of the public. Direct email notifications about the public consultation period were sent to members of the public who requested to be informed or who had</p>	<p>After careful consideration of these comments it was felt that no changes were required to the SPG for the reasons set out in the response. The level of engagement and publicity undertaken on this SPG has been appropriate.</p>

		<p>commented on relevant policies in the recent Deposit LDP consultation. Press and social media publicity was undertaken before and throughout the consultation period (further details are provided in Appendix 2 of the SPG).</p>	
<p>3. Comments relating to the Evidence base</p>	<p>Respondents highlighted the need for robust evidence to be obtained to identify HMOs that are outside the 'Additional Licensing' areas of Castle and Uplands Wards, and the requirement for this information to be continuously kept up to date. It was considered that more work is required to ensure account is taken of all existing HMOs (unlicensed and licenced) as part of this SPG.</p> <p>Increase in students living and studying in Swansea, not least as a result of significant university expansion, should be further reflected in the Evidence Base.</p> <p>It was noted that the SPG should include more emphasis on the fact that HMOs provide important accommodation for non-students - particularly asylum seekers and immigrants. This is also important in the context of Welfare Reform which was noted to have impacts on those not just under 35 years - but those who will be impacted by the 'spare room</p>	<p>The Council's database of licensed HMOs is updated regularly by the Council's Housing and Public Health Team and the HMO public register (available on the Council's website) is updated approximately every 4 weeks.</p> <p>In order to understand the full extent of HMOs within the radius areas to be applied the LPA will, for proposals in Uplands and Castle Ward, use the Council's public register of licensed HMOs as the basis for the calculation. The public register of licensed HMOs is updated regularly by the Council's Housing and Public Health Team. For all HMO proposals, including those outside this Additional Licensing Area, the LPA will draw upon all available records within the public domain. In addition, when calculating the proportion of HMOs, the LPA will also consider representations received as part of the consultation process on planning applications in order to establish the use of properties. Whilst currently there is no other Additional Licensing Area outside</p>	<p>Additional text has been added to paragraph 4.14 to further recognise that HMOs provide important accommodation for students and non-students.</p> <p>No additional information is needed in relation to the increase in student numbers and university expansion plans.</p> <p>Reference to the 'bedroom tax' has been included at paragraph 4.16.</p>

	<p>subsidy'.</p> <p>Perception that the SPG is not “founded on a comprehensive and up to date evidence base”, and that it is based on evidence from existing HMO licensing records and therefore could exclude current HMOs which are not licensed in St Thomas Ward.</p>	<p>Uplands and Castle Wards, the Council is actively reviewing the evidence available in this regard to establish whether other areas meet the criteria for such a designation. Appropriate surveys, inspections and engagement will be carried out to provide the necessary evidence to underpin such a designation, which will highlight whether a significant proportion of HMOs in a given area are being ineffectively managed and likely to give rise to one or more particular problems, either for those occupying the HMOs or for members or the public.</p> <p>Chapter 4 of the SPG sets out that there has been an increase in the number of students with both universities on average growing by 4% per annum over the last 15 years. It also recognises the future plans of the two Universities to grow its student numbers and their expansion plans, including the new Swansea University Bay Campus and UWTSD SA1 Waterfront innovation Quarter. It is considered therefore that the increase of students living and studying in Swansea and the Universities' expansion plans is adequately reflected within the Evidence Base.</p> <p>The SPG emphasises the fact that</p>	
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		<p>HMOs provide important accommodation for non-students. However, further text has been added to paragraph 4.14 to emphasise this. It is not considered necessary though to describe in further detail the different circumstances of non-students who might need/choose HMO accommodation.</p> <p>The SPG recognises the impact of Welfare Reform on the demand for HMOs. Reference is made to the forthcoming changes to Housing Benefit which will reduce payments to social tenants if their rent is currently higher than the amount of Housing Benefit they would receive in the private rented sector (see paragraph 4.15 in particular). However, it is recognised that the SPG does not make specific reference to the impact of the 'spare room' tax and therefore additional text has been added on this in paragraph 4.16.</p> <p>The evidence base for the SPG is founded on the most up-to-date data which is currently available. The SPG does recognise that there may be properties that now fall under the new C4 HMO use class, that are not recorded on any Council licensing or planning database. As a result, the</p>	
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		<p>SPG recognises that the production and maintenance of a comprehensive database mapping Use Class C4 HMOs outside of Castle and Uplands Wards will be an important and urgent task for the Council to support the application of this SPG.</p> <p>In addition, the Council’s Housing and Public Health Team is currently undertaking survey work in the St Thomas ward to identify potential HMOs.</p> <p>When considering individual planning applications for a conversion to a HMO, the Local Planning Authority (LPA) will draw on up-to-date information to inform their decision. This will include the Council’s public register of licensed HMOs and other information in the public domain. The LPA will work closely with the Housing and Public Health Team, particularly in relation to applications outside of the Additional Licensing Areas. The LPA may carry out a site visit.</p>	
<p>4. HMO Threshold Levels and boundary</p>	<p>Most comments to the SPG focussed on the threshold level. The majority of comments received considered that the threshold level within the HMO Management Area was too high - although answers varied considerably</p>	<p>HMOs have an important role in providing affordable housing choice, however, the research and evidence undertaken as part of the SPG shows that there is correlation between areas with high densities of HMOs, and</p>	<p>The threshold level within the HMO Management Areas has been changed from 30% to 25%.</p> <p>Additional wording has been added to make it clearer that the</p>

	<p>regarding what was perceived as an appropriate level. Responses ranged between 25%, 20%, 15% or 10%. One respondent considered that the threshold within the HMO Management Areas should be raised to 50%. 5% was specifically identified as being appropriate in the St Thomas and Uplands wards, but also in all areas outside the HMO Management Area. A 5% 'buffer' threshold was suggested as appropriate in Uplands around the HMO Management Area. Suggestions were made that there should not be a two-tiered approach and that one threshold of 10% should be applied across Swansea.</p> <p>Objections were raised to any further increase in HMOs particularly in Uplands and Brynmill. Comments were made that the SPG should impose a 5 year moratorium on further HMO conversions in Brynmill and Uplands - and other communities where current concentrations are over 40%.</p> <p>Representations recognised the need to ensure there are enough HMOs for students - who contribute to the Swansea economy.</p> <p>It was felt that the wording of the criteria test should be made clearer –</p>	<p>community cohesion issues. It is therefore important to achieve a balance of managing the concentrations of HMOs in the public interest, whilst also allowing for some sustainable growth to meet demand.</p> <p>Swansea has an uneven concentration of licensed HMOs. The research undertaken to evidence the SPG clearly shows the distinct pattern that characterises the provision of HMOs in Swansea, which is partly due to the location and relative proximity of the City's universities, but also the mixed use nature of certain areas within more dense, urban areas of the County, including near the City Centre. A single figure blanket threshold across the County would not reflect the evidence regarding the nature of Swansea, the differences in character of areas and the future needs to allow sustainable low level growth of HMOs. A two-tier threshold approach is therefore necessary, to limit any further harmful concentration or intensification of HMOs within the HMO Management Area (which comprises parts of Uplands and Castle wards) where HMO levels are already very high, whilst also allowing some limited opportunities for future HMO provision to be more sustainably dispersed to</p>	<p>concentration test takes into account the impact of the additional (proposed) HMO and all properties within the radius irrespective of land use.</p>
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	<p>namely that the concentrations should be calculated taking into account the impact of the proposed additional HMO.</p> <p>It was queried whether adopting a criteria approach for decision making around HMOs is a more subjective approach compared to exercising a more scientific approach.</p> <p>Some specific queries were made about the HMO Management Area Boundary. Its western boundary was queried, it was felt that it includes some streets that comprise predominantly owner occupied family homes. Some comments felt that the Boundary should be extended to incorporate more areas with larger houses which it was felt do not lend themselves to family homes including areas north of Sketty Road.</p> <p>.</p>	<p>other areas in a managed manner.</p> <p>Appendix 4 of the SPG includes a map which shows the current concentration of licenced HMOs on a Lower Super Output Area (LSOA) scale. Whilst this scale is obviously larger than the radius to be used in calculating the threshold, it serves to demonstrate that the majority of the proposed HMO Management Area includes current concentrations of 10.1-20.0%, 20.1 - 30.0% and &gt;30.0%. A 30% threshold was consulted upon for this area.</p> <p>On reflection and following further sampling and analysis it has been concluded that, having regard to the representations received, the SPG should be amended and that the threshold should be reduced to 25% in light of this further analysis in order to encourage future provision to be more dispersed. The 25% figure strikes an appropriate balance between responding to the evidence on demographic patterns and character areas, alongside the desire to support balanced communities, which in certain areas will include family housing, shared living, and other uses such as commercial use. The analysis undertaken to evidence the SPG has highlighted that, given the relative size</p>	
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		<p>of the proposed HMO Management Area, the existing location of HMOs, and the needs of the County in respect of providing affordable accommodation for shared users, a figure lower than 25% would not achieve an appropriate balance as described above. The research undertaken to evidence the SPG highlighted that other Authorities have used a range of threshold figures, however it is imperative that Swansea applies a figure that is appropriate for this Authority. In the case of Cardiff for example, the 20% figure that is identified for a 'Management Area' applies to an area much larger than that proposed for Swansea, thereby allowing scope for a higher volume of growth. The cordon for Swansea is drawn tighter having regard to the specific issues that apply in Swansea as described in the SPG.</p> <p>The 10% threshold that is proposed in the SPG for all areas outside of the HMO Management Area is based on the so called 'tipping point' identified in National Research referenced in the SPG. A reduction to 5% was not considered appropriate or justifiable in light of this evidence, and such a reduction could not be sustained at appeal. This also applies to the proposal by consultees to apply 5% as</p>	
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		<p>a 'buffer' at the edge of the HMO Management Area i.e. individual applications for HMOs must be considered having regard to their particular impact and, again, there is no evidence to support the application of 5% as being a justifiable figure above which any adverse impact would be sustained to the character or balance of a community. Furthermore, the notion of a 'buffer' is likely to have the effect of increasing pressure either side of any delineated area of this nature, leading to a less disbursed pattern at the fringes.</p> <p>In applying the concentration test – the calculation will take into account the impact of the proposed additional HMO property. The calculation will include all properties (individual planning units) of all uses located within the radius, not just residential uses.</p> <p>Proposals for conversion to a HMO will be expected to meet all of the criteria specified within UDP Policy HC5 'Houses in Multiple Occupation'. The threshold is therefore only one test that the HMO must meet, and all other criteria also apply, such as impact on residential amenity, character, parking etc.</p>	
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		<p>The boundary was defined following analysis of the existing concentrations of HMOs and other factors. Within much of the defined boundary there are already high concentrations of HMOs and as such the 25% threshold will limit any further harmful concentration or intensification within this area, to the extent that proposals for a HMO will normally be resisted where it would result in more than one in four properties being HMOs with the radius. The effect of applying the threshold will be to significantly limit the opportunity for further HMOs within this defined HMO Management Area, therefore the boundary has been drawn to include some limited opportunities for establishment of HMOs to sustainably satisfy demand and future needs for affordable housing, at sustainable locations within attractive walking distance to the University. The boundary takes into account the character of properties (e.g. detached dwellings are generally omitted as they are not typically converted to HMOs), and extends only as far as Sketty Road in the north to create a clear and defensible boundary.</p>	
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<p>5.HMO  Exceptions</p>	<p>Comments were received in relation to the paragraphs in the SPG which allow for flexibility in the application of the threshold test in exceptional circumstances in the case of ‘very high’ concentrations. The majority felt there should be no flexibility.</p> <p>It was considered that the 80% threshold proposed should be reduced to 50%.</p> <p>It was considered that the exceptions should not apply if the concentration threshold is breached. It was felt that a flexible approach to applications need not be applied to larger dwellings in areas of high HMO concentration as the draft SPG suggests, although conversely it was considered that the SPG needs to encourage larger (empty) houses to be converted to HMOs and concerns were raised about whether people would be able to sell large homes in these areas.</p> <p>It was raised that many purchasers are discouraged from buying a house in areas with high HMO levels therefore it was queried whether including an exception clause seeking properties to be placed on the market for over 6 months prior to being converted was appropriate.</p>	<p>It is considered appropriate to take a flexible approach to HMO proposals, in exceptional circumstances, to ensure the sustainable use of properties rather than have properties stand vacant for long periods – which in themselves can have negative impacts.</p> <p>The test for exceptional case is rigorous and applicants will be required to submit robust evidence to demonstrate why an exceptional case is justified.</p> <p>It is not considered appropriate to reduce the threshold level from 80% to 50% as the Council considers this flexibility should only apply in exceptional circumstances.</p> <p>Exceptional test no. 3 specifically references any particular characteristics of the property (e.g. scale or layout) which make it suited to HMO use and unsuitable for other uses such as C3.</p> <p>Normally, planning permission will only be required to increase the number of bedrooms in a property, if the increase results in the change of use of the property from a C4 HMO to a Sui Generis HMO, or if physical alterations are required to the property to facilitate</p>	<p>After careful consideration of these comments it was felt that no changes to the SPG were necessary for the reasons set out in the response.</p>
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	<p>It was perceived that an additional clause was needed to state that planning applications seeking permission to increase the number of bedrooms in a property should be resisted, unless evidence is submitted to demonstrate that the property has been unsuccessfully marketed for a 6 month period.</p>	<p>the increase in number of bedrooms. In such circumstances, the planning application will be determined in accordance with adopted planning policies. As such, it is not considered appropriate to apply a clause which seeks to resist the increase in number of bedrooms unless evidence has been submitted to demonstrate that the property has been unsuccessfully marketed for a 6 month period, as other policies apply to ensure that the proposal is acceptable.</p>	
<p>6. HMO Radius approach</p>	<p>It was considered that a street by street methodology should be applied, rather than a radius approach.</p> <p>There was agreement with the principle of a radius approach but that the radius should be decreased to 50m.</p> <p>It was suggested that a method be used which considers concentration on a radius basis in parallel with an analysis of concentration by street.</p> <p>HMO properties with less than 50% of its frontage should be counted within the radius.</p>	<p>Further analysis has confirmed that, in most instances, a radius approach, rather than street approach, is considered to more accurately reflect the spatial extent of the likely impacts of a HMO by considering adjacent properties to the rear, or properties on adjacent streets. Furthermore, streets will vary considerably in length, thereby being likely to produce non-representative outcomes in terms of identifying concentrations, whereas a radius approach provides a more consistent, meaningful approach.</p> <p>In response to concerns raised during the consultation however, the SPG has been amended to ensure the guidance does take account of instances where 'small streets' (which can include distinct small sub-sections of long</p>	<p>The HMO radius has been changed from 65m to 50m.</p> <p>With regard to the evidence, the SPG has been amended to state that:</p> <p>in instances where a HMO proposal outside the Management Area is on a small street (definition provided), no more than 10% of the total number of all properties on that street will be permitted to be HMOs.</p> <p>in instances where a HMO proposal inside the Management Area is on a small street (definition provided), no more than 25% of the total number of all properties on that street will be permitted to be HMOs</p>

		<p>streets) fall within the defined 50m radius area. Sampling undertaken to evidence the SPG has demonstrated that there could be occasions where there is a disproportionate concentration of HMOs in a single small street, where there are few or even no other HMOs in other streets within the radius area. This could result in the scenario where a proposal would pass the radius threshold test despite creating a harmful concentration of HMOs in the small street. As such, having regard to the evidence, the SPG has been amended to state that: in instances where a HMO is on a small street (definition provided), no more than 10%/25% of the total number of all properties on that street will be permitted to be HMOs, depending on whether the proposal is within or outside the Management Area.</p> <p>A 65m radius was consulted upon originally, however as a result of comments received in this public consultation further analysis has been undertaken on the merits of using a 50m radius. On balance it has been concluded that a 50m radius would take appropriate account of the direct impacts of a HMO and the radius has been amended accordingly.</p>	
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<p>7. Impact of high concentrations of HMOs on residential amenity.</p>	<p>A large number of comments received on the SPG referenced the impacts concentrations of HMOs are considered to have on general residential amenity e.g. litter, poor maintenance and disrepair of some properties, to-let signs, anti-social behaviour, crime, noise, general community cohesion etc.</p> <p>More mention needs to be made of the negative impact of high concentrations of HMOs on schools.</p> <p>The appearance of letting boards is negative and should be recognised in the SPG.</p> <p>Specifically in relation to refuse, it was considered the issue of vermin control needs to be referenced in the SPG.</p> <p>It was considered that bin storage was potentially appropriate to the front of properties, if kept tidy.</p> <p>Sound insulation should be required for all C4 HMOs as well as larger ones. SPG needs to be more specific about what is meant by noise insulation "may be required" in the SPG.</p> <p>The SPG should consider the impact of fire doors - in relation to resultant noise</p>	<p>Section 4 of the SPG includes analysis of the impacts of HMO concentrations. This includes the recognition of the impact on the viability of schools through falling rolls, increased litter, and the reduction in the quality of the local environment, including high numbers of letting signs. Section 4 is considered to adequately summarise the key impacts.</p> <p>Specifically in relation to letting boards, the Council has a Voluntary Code for landlords and their agents (adopted in December 2013). The code aims to control visual impact of 'To Let' boards whilst allowing landlords to legitimately advertise their properties. This SPG does not seek to duplicate these wider measures in place.</p> <p>UDP Policy HC5 'Houses in Multiple Occupation', criterion 'v' requires all proposals for HMOs to provide appropriate refuse storage arrangement. Paragraphs 5.44 to 5.46 provide further detail on what appropriate refuse storage would be. Paragraph 5.46 notes that refuse storage areas should be located to the rear of properties. However, recognising that this may not always be possible, the paragraph goes onto say that proposals for refuse storage to the</p>	<p>Additional background information has been provided in the SPG on the Council's Voluntary Code for Letting Boards. After careful consideration of the comments received, no further changes to the SPG were felt to be necessary for the reasons set out in the response.</p>
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	<p>impacts of doors slamming.</p> <p>Ensure through the SPG that HMOs do not alter the front external appearance of properties to the detriment of the street.</p> <p>The loss of front gardens to make way for parking should be avoided.</p> <p>It was queried whether there is a means by which landlords can be made more responsible for their tenant's refuse and the property appearance e.g. licence clauses, fines and/or enforcement</p> <p>The SPG needs to recognise that well-managed HMOs do not cause problems.</p>	<p>front of properties will not be permitted, if they detract from the local street scene. The SPG does not therefore prevent refuse storage to the front. It further notes that details of the proposed refuse storage arrangements must be provided with the planning application, and as such each application will be assessed on its own merit.</p> <p>The SPG considers it appropriate to consider noise insulation when converting existing properties into larger HMOs (more than 6 persons – Sui Generis Use Class). However the Council considers it is not reasonable to apply this requirement to C4 HMOs since the scale of C4 HMOs is similar to family housing in terms of the number of bedrooms and on this basis, noise insulation conditions cannot be justified as reasonable on planning grounds.</p> <p>UDP Policy HC5 ‘Houses in Multiple Occupation’ notes at criterion ‘iii’ that proposals for conversion of properties to HMO will only be permitted where there would be no adverse effect upon the external appearance of the property and the character of the locality. Paragraph 5.36 makes it clear that the acceptability of any physical alterations</p>	
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		<p>on HMO properties will be considered against guidance included in 'A Design Guide for Householder Development SPG'. Any changes to the front external appearance will therefore be considered in accordance with the Council's adopted guidance, and must not have an adverse effect on the external appearance of the property and the character of the locality.</p> <p>Inclusion of a reference to not permitting the loss of front gardens for hardstanding was not considered appropriate. Permitted Development Rights can exist for this type of development.</p> <p>Once planning permission is granted, development must be carried out in accordance with the planning conditions included on the decision notice. If these conditions are not adhered to, then the LPA would be able to take enforcement action. The LPA is only able to apply planning conditions that meet the 6 tests, as set out within Circular 016/2014 'The Use of Planning Conditions for Development Management'. The tests require planning conditions to be necessary, not duplicate other controls, be relevant to planning, relevant to the development, enforceable, precise and</p>	
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		<p>reasonable. The LPA does therefore have some power to control the management of HMOs once planning permission is granted, provided that the planning conditions meet the 6 tests. For example, planning conditions may relate to sound insulation, bicycle storage and/or refuse storage being retained thereafter. A planning condition can be applied which requires the development to be carried out in accordance with the approved plans.</p> <p>UDP Policy HC5 ‘Houses in Multiple Occupation’ allows for the conversion of dwellings or non-residential properties to HMOs subject to the proposal meeting all of the 5 criteria. The SPG provides further guidance in relation to how these criteria will be used in assessing planning applications. The SPG therefore recognises that HMOs that satisfactorily meet UDP policy requirements will be permitted.</p>	
<p>8. Impact of HMOs on car parking, highway safety, and cycling</p>	<p>It was considered that concentrations of HMOs are a key cause of parking problems in some areas and that parking in Uplands and Brynmill has reached saturation point.</p> <p>It was queried, is there a way landlords can contribute financially towards the</p>	<p>The SPG must be read in conjunction with the Council’s SPG Parking Standards. Whilst it is recognised that the adopted Parking Standards pre-date the introduction of use Class C4 for HMOs they remain relevant to decisions on individual planning applications. These are maximum</p>	<p>After careful consideration of these comments, some clarification has been added to the SPG wording in paragraphs 5.39 and 5.40.</p>

	<p>provision of off-street car parking.</p> <p>Concern was raised over the absence of parking permit policing and general policing of traffic. Conversely it was stated that there are too many resident parking areas and not enough unrestricted areas which is causing parking problems.</p> <p>Concern was raised with the current parking standards. These were not considered fit for purpose. The standards should differentiate between wards - with St Thomas Ward (along with Castle and Uplands) allowing no more than 3 or 4 cars per household.</p> <p>There was disagreement with the logic of allowing 3 parking spaces for up to 6 occupants and an extra space for every extra occupant above. Instead it was suggested that the main consideration should be given to the amount of space available within or immediately within the curtilage of a dwelling, not to the number of occupants. Where levels of street parking have reached a point of saturation and no other space is available, further HMOs should be refused.</p> <p>Car parking requirements were considered to reduce for students and</p>	<p>parking standards and each application will be considered on its own merit based on the evidence submitted as part of the planning application.</p> <p>The SPG at paragraph 5.40 notes that LPA's may also seek to apply planning conditions which remove the opportunity for occupants to apply for a parking permit where there is evidence that there is an issue that needs to be addressed. The Council's policing of traffic is outside the scope of this SPG.</p> <p>Paragraph 5.41 makes clear that cycle storage should be provided in a dedicated cycle storage area, and that all storage areas that are visible from the public realm should be well integrated into the streetscene and visually unobtrusive. Paragraph 5.43 notes that where rear access arrangements allow, cycles should be stored to the rear of properties rather than in front gardens. The LPA encourages sustainable modes of transport, such as cycling, and it is considered unreasonable to request that rear access <i>must</i> be provided for cycling, as this is not always possible and therefore unduly restrictive.</p> <p>The request for weekend parking surveys falls outside the scope of this</p>	
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	<p>other HMO residents, as car ownership levels were considered to be lower.</p> <p>It was considered that the Council and the University need to work together so that students are discouraged from bringing cars to University.</p> <p>The SPG should include reference to rear access being required for bicycles and bike storage needs to be secure, sheltered and have lit access.</p> <p>It was asked if weekend parking surveys will be undertaken.</p> <p>It was considered that the SPG needs to clarify the circumstances in which permit restrictions may be imposed on planning permissions and this should be based on research and consultation.</p>	<p>SPG. However, paragraph 5.39 recognises that evidence regarding the particular parking issues in the locality, including whether there are any particular land uses that generate high levels of traffic and car parking, will be treated as a material planning consideration.</p> <p>Any planning obligations required by the Council from applicants need to be justified in accordance with Planning Policy Wales, Community Infrastructure Levy Regulations 2010 (as amended) and Welsh Office Circular 13/97 'Planning Obligations' (or subsequent versions) (necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related and reasonable in all other respects). These will need to be considered on a case-by-case basis. This could in theory relate to off-street parking provision provided the obligation meets the Circular tests and therefore does not necessarily warrant specific mention in this SPG.</p> <p>Referring to the encouragement of the Council and the University to work together to reduce car ownership is outside the scope the SPG.</p>	
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<p>9. Purpose Built Student Accommodation (PBSA)</p>	<p>General comments received were largely supportive of the PBSA element of the SPG however it was highlighted that 2nd and 3rd year students do not necessarily want to live in PBSA often due to the high cost but also due to student personal preference.</p> <p>Support for the provision of PBSA particularly in city centre locations.</p> <p>Support only for PBSA on the University campus.</p> <p>Concern that PBSA would make the city centre a 'ghost town'.</p> <p>It was considered, in relation to the criteria which requires applicants to demonstrate there are no available and suitable sites in the City Centre, that this could potentially benefit from excluding areas to the north-west of the University Wales Trinity St David's Swansea Waterfront Innovation Quarter.</p> <p>The SPG needs to allow for PSBA at alternative locations, outside the city centre.</p> <p>Support for the proposed approach to parking standards in respect of PBSA.</p>	<p>Reference is made in paras. 4.69-70 in relation to student preferences and price differences between PBSA and HMOs.</p> <p>The development of PBSA in city-centre locations is considered to dovetail with the Council's regeneration aims for the city-centre, for example in terms of generating an increase in footfall and vibrancy. Therefore the Council does not consider it is appropriate to support PBSA in alternative locations, other than within University campuses.</p> <p>The proposal's impact on amenity will be one of the considerations informing the LPA's decision. This will consider impacts relating to any concentrations of PBSA in a given area and impact on local amenity.</p> <p>Suggested specific references to the exclusion of areas such as the areas to the north-west of the University of Wales Trinity St David's Swansea Waterfront Innovation Quarter are considered superfluous. Consideration in relation to location and accessibility as well as the availability and suitability of other sites are likely to more robustly demonstrate the appropriateness of a PSBA scheme, rather than applying</p>	<p>After careful consideration of these comments, no changes were felt to be necessary to address the issues raised, for the reasons set out in the response.</p>
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	<p>It was perceived that there is low provision of PBSA in Swansea and that the University needs to build more.</p>	<p>specific area exclusions.</p> <p>The SPG does not prevent PBSA outside the city centre. It states that the Council will favour city centre sites in the first instance, unless the proposed site is within a Higher Education Campus. The Council will consider PBSA proposals on edge of city-centre locations subject to a number of tests. This approach is considered appropriate and underpins the Council's regeneration objectives for the city centre.</p> <p>The SPG is not able to stipulate who PBSA developers or applicants are or should be.</p>	
<p>10. Other Matters</p>	<p>A non-'sandwich' policy should be included in the SPG - preventing HMOs being located either side of a non-HMO property.</p> <p>Building Regulation consent should be given prior to a planning application being submitted to the authority for a HMO.</p> <p>Development should adhere to fire safety regulations, but ensure the house can be returned in the future to family use without excessive expenditure.</p>	<p>A 'non-sandwich' approach has been researched further. However, it is considered that this approach is too restrictive, particularly within the HMO Management Area. Furthermore, this approach is considered to protect the interests of an individual property, rather than the wider public interest. National planning guidance contained in Planning Policy Wales makes it clear that it is not the role of the planning system to protect the private interests of one person against the activities of another. It further notes that development should be considered with regards to its effect on the amenity</p>	<p>After careful consideration of these comments, no changes were felt to be necessary for the reasons set out in the response.</p>

	<p>Comments were made in relation to tax exemptions and the scope for amending current tax regimes.</p> <p>Requests were made for minimum room sizes (similar to the Cardiff approach) to be specified in the SPG.</p> <p>It was highlighted that many small-scale properties in Swansea were not suitable for conversion and that they should be excluded from being permitted as a HMO.</p> <p>More support should be included in the SPG for bringing empty properties back into use.</p> <p>Is there scope to include HMOs with 10+ occupiers where the current position exempts those managed by educational establishments from licensing.</p> <p>The SPG should recognise the role the Council could play in helping to ensure properties of poor standard are upgraded.</p> <p>It should be ensured that community cohesion is a top priority and that if HMOs are to be discouraged what replaces them.</p>	<p>and existing use of land and buildings based on general principles reflecting the wider public interest, rather than the concerns of the individual.</p> <p>Matters relating to Building Regulations and fire safety regulations compliance fall outside the (planning) remit of this SPG.</p> <p>Matters relating to tax exemption fall outside the (planning) remit of this SPG.</p> <p>The Council has adopted guidance for minimum floor areas for certain types of bedrooms in licensed HMOs. It is not legally possible to introduce minimum room sizes in other circumstances under Housing legislation although assessments are made for space and overcrowding purposes using the Housing Health and Safety Rating System. This matter is considered to be covered by Housing Legislation and it is not therefore considered necessary or possible to specify minimum room sizes within the SPG.</p> <p>It is recognised that small-scale properties in Swansea may not be suitable for conversion. It may not be reasonable to automatically preclude the conversion of all small-scale</p>	
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	<p>Additional licencing powers should be applied to the whole of Swansea - and not just specific wards.</p> <p>The University has an important role to play by working with students to ensure they are aware of their responsibilities to the community.</p> <p>Landlords should be held more accountable.</p>	<p>properties from being permitted as HMO. Each application will be considered on its own individual merits in terms of its suitability for HMO.</p> <p>Matters relating to licensing exemptions and amendments are outside the (planning) remit of this SPG.</p> <p>It is considered that this SPG strikes a balance between allowing for sustainable growth in HMOs and managing HMO concentrations to better effect for all.</p> <p>As explained above the SPG takes a flexible approach to HMO proposals, in exceptional circumstances, to ensure the sustainable use of properties rather than have properties stand vacant for long periods – which in themselves can have negative impacts.</p> <p>The test for exceptional case is rigorous and applicants will be required to submit robust evidence to demonstrate why an exceptional case is justified. This could include details relating to property condition.</p> <p>The Council already works closely with the Universities. This is outside the (planning) remit of the SPG.</p>	
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