

## Report of the Head of Planning and City Regeneration to

Planning Committee – 3<sup>rd</sup> September 2019

### Draft Supplementary Planning Guidance: Houses in Multiple Occupation and Purpose Built Student Accommodation

<b>Purpose:</b>	To provide Members with an overview of draft Supplementary Planning Guidance relating to Houses in Multiple Occupation and Purpose Built Student Accommodation, and seek authorisation to undertake public consultation on the draft document
<b>Policy Framework:</b>	Planning and Compulsory Purchase Act 2004; City & County of Swansea Local Development Plan (Adopted February 2019); Well-being of Future Generations (Wales) Act 2015; Planning (Wales) Act 2015; Planning Policy Wales (2018) and related Guidance; Use Classes Amendment Order 2016.
<b>Reason for Decision:</b>	To approve the draft SPG as a basis for public and stakeholder consultation.
<b>Consultation:</b>	Legal, Finance, Access to Services, Housing & Public Health.
<b>Recommendation(s):</b>	Approve the draft SPG (as attached at Appendix A) for the purpose of consultation.
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#### 1.0 Overview

- 1.1 This report seeks authority to undertake a 6 week public and stakeholder consultation exercise on a draft version of Supplementary Planning Guidance (SPG) relating to Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation (PBSA). A copy of the document (herein referred to as 'the draft SPG') is attached as Appendix A to this report.
- 1.2 The Council undertook a consultation exercise in 2017 on a previously produced draft SPG relating to HMO development, which was prepared in support of the

now superseded Unitary Development Plan (UDP). Following that consultation exercise, it was subsequently resolved by the Planning Committee that the previous version of the SPG should not be adopted.

1.3 In February 2018, a Ministerial Letter was sent to all Councils in Wales to emphasise that Local Development Plans (LDPs) are the appropriate document to set out robust, evidenced based policies relating to HMOs, against which HMO planning applications should be assessed. The letter also highlighted that the appropriate role for SPGs is to augment LDP policies rather than stipulate policy itself. Having regard to the Ministerial Letter, the policy relating to HMOs in the Deposit (i.e. draft) Swansea LDP was proposed to be amended. These amendments significantly increased the degree of prescriptive detail in the LDP by bringing in elements that were previously contained within the abovementioned draft SPG. The new LDP policy was formulated on the basis of a significant amount of evidence accumulated, and included details on 'maximum thresholds' for the proportions of HMOs permissible within defined areas. The policy was subject to independent review by the Planning Inspectors appointed by Welsh Ministers to undertake the Examination in Public of the LDP.

1.4 The Swansea LDP (available at [www.swansea.gov.uk/ldp](http://www.swansea.gov.uk/ldp)) was adopted in February 2019 as the Council's new statutory development plan. The LDP highlights that there remains an intention to produce SPG to augment LDP policies, in order to provide appropriate clarifications, definitions and working examples to assist the interpretation of the LDP policies.

1.5 The draft SPG is primarily supplemental to the following topic specific policies in the adopted Swansea LDP:

- H9 'Houses in Multiple Occupation'; and
- H11 'Purpose Built Student Accommodation'

The draft SPG also provides supporting guidance to the following adopted policies:

- Policy PS 2 'Placemaking and Place Management'
- Policy T2 'Active Travel'
- Policy T6 'Parking'
- Policy SI 8 'Community Safety'
- Policy RP 10 'Sustainable Waste Management for New Development'

## **2.0 Planning Context**

2.1 The draft SPG has been formulated having regard to Planning Policy Wales (PPW, December 2018), which provides the national policy context for making planning decisions. PPW states that planning decisions must seek to promote sustainable development and support the well-being of people and communities across Wales. It states this should be done by addressing seven 'well-being goals', one of which is to foster cohesive communities, with an emphasis on the promotion of accessible, well connected development and appropriate combinations of land uses. PPW states that good placemaking should consider the context, function and relationships between a development site and its surroundings, including the need to consider: the amenity impact of development

on neighbouring properties and people; the balance and distribution of land uses and densities; and the need to create places where people want to be and can happily interact with others.

- 2.2 Under national legislation, the requirement to obtain planning permission covers not only new building work but also the change of use of buildings. Planning uses are categorised into 'Use Classes' and HMOs come under two, dependent on their size:
- (i) Small HMOs - 'C4' Use Class: shared dwelling houses that can accommodate between 3-6 unrelated persons who share basic amenities; and
  - (ii) Large HMOs - 'Unique' Use' Class (formerly known as Sui Generis Use): shared dwelling houses with more than 6 unrelated persons sharing basic amenities.
- 2.3 Following the most recent changes to the Use Class Order in Wales, changing the use of a property to either a 'C4' or 'Unique Use' HMO requires planning permission. This includes the intensification of an existing C4 HMO to an Unique Use HMO, and any proposal to increase the number of occupants that are consented to live in an Unique Use HMO.
- 2.4 Swansea LDP Policy H 9 'Houses in Multiple Occupation' provides a detailed, evidenced based policy that will be used to manage the anticipated future demand for new HMO development over the Plan period. A key policy aim is to control the future provision of HMOs in a sustainable manner, thereby helping to foster cohesive communities and avoid instances of over-concentration that can be to the detriment of residential amenity and community balance. Any proposal for the conversion of a dwelling or non-residential property to a HMO, or the intensification of use of a C4 property to an Unique Use HMO, will be determined against Policy H 9. The key requirements of Policy H 9 are that:
- A 2-tier 'maximum threshold' approach will be applied to defined geographical areas, above which further HMO concentrations in those areas will be deemed harmful based on a calculation of the proportion of HMOs within a 50m radius of a proposal
  - 'No sandwiching' of Class C3 residential properties between HMOs will be permitted
  - Specific protection will be afforded to 'small streets' that are characteristic of certain residential areas of Swansea
  - Criteria will be applied to ensure proposed HMOs are suitable for their intended use and will not result in unacceptable adverse impacts caused by noise and general disturbance
  - Sufficient flexibility will be applied in the case of exceptional circumstances, or overriding material considerations, where these demonstrably outweigh concerns regarding harmful concentration or intensification.
- 2.5 PBSA developments have increasingly become a key feature of University cities across the UK, including Swansea. Such development can be described as large-scale residential accommodation that is specifically designed for occupation by students attending higher or further education institutions. This may include new build development or the conversion of existing premises such

as office blocks. It includes accommodation developed by education institutions and also by others for the use of students. PBSA generally does not fall within any specific use class, and so such development is categorised as an Unique Use. Internal layouts of PBSA developments can take varying forms, including dormitory, cluster or individual room arrangements.

- 2.6 Swansea LDP Policy H 11 'Purpose Built Student Accommodation', states that proposals for PBSA should be located within the defined Swansea Central Area, and must in the first instance assess the availability and suitability of potential sites and premises at this location, unless:
- The site is within a Higher Education Campus and is in accordance with an approved masterplan for the site; or
  - In the case of the Swansea University Bay Campus, the development would not give rise to an additional number of residential units at the Campus than the number permitted by any extant planning permission; or
  - The development would give rise to an overall benefit to the vitality and viability of the Swansea Central Area.

### **3.0 Summary of Draft SPG – HMO Proposals**

- 3.1 The following paragraphs briefly summarise the content of the SPG in so far as it relates to proposals for HMOs.

#### ***Radius Test***

- 3.2 Guidance and worked examples are provided to assist in the undertaking of the 50 metre radius concentration calculation. This includes guidance on how to draw the radius, such as confirming it should be scribed from the centre-point of the proposed HMO property's frontage where it meets the street. It also states the centre point will always be defined in relation to the property's principal elevation, regardless of where the front entrance to the property is located<sup>1</sup>.
- 3.3 Clarification is provided that in the case of flats and/or residential units on upper floors, these will be counted as separate units if the majority of the street fronting principal elevation of the building within which the unit is located is contained within the radius. That is, a building containing four flats will be counted as four residential units.

#### ***Small Streets Test***

- 3.4 Guidance is provided to assist in the undertaking of the small streets test, including clarification that 'small streets' will sometimes be created where they are subsections of a longer street in terms of street name. A number of examples of scenarios are provided that would, and would not, be classed as small streets, including an example of a scenario where a long street is subdivided by intersecting streets forming a 'small street'.

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<sup>1</sup> *Principal elevation* is defined in Welsh Government Technical Guidance.

## **Data Sources**

- 3.5 Clarification is provided on the information that the Council will consider when calculating HMO concentrations as a percentage/proportion of all residential units under the radius and small streets tests.
- 3.6 To determine the total number of residential properties to be considered as part of any calculations, the draft SPG states that the Council will use the most up to date Local Land and Property Gazetteer (LLPG)<sup>2</sup> information that is available to the LPA at the time of determination of the planning application.
- 3.7 To determine the number of HMOs, the draft SPG refers to the use of the Council's Register of Licensed HMOs (the 'Licensing Database') as a primary data source. This register is regularly updated to provide an up to date record of the latest licensed properties. The SPG notes that due to differences in Licensing (Housing Act) and Planning legislation, not all small HMOs in Swansea will be licensed outside of the Council's Additional Licensing Areas<sup>3</sup>. Outside these Wards, Mandatory Licensing requires only large HMOs (of three or more storeys with five or more occupiers) to be licensed. Therefore, reference to the Licensing Database will not always identify the full number of HMOs located within the defined radius. The draft SPG therefore confirms that decision makers should refer to any records of properties that have obtained planning permission to become HMOs since the C4 Use Class came into operation (February 2016).
- 3.8 The draft SPG states that properties with a lawful use as a HMO will be counted as such, irrespective of whether a relevant planning consent has actually been implemented at the time of determination. Some properties have become lawful for use as a HMO by virtue of the time they have been in operation for such a use, even though there is no planning permission or Lawful Development Certificate (LDC) for HMO use on record. This is reflective of the previous provisions of the Planning Act and Use Class Order, which did not require the use of residential properties as small HMOs to be subject to any planning control. Where the LPA considers there is substantive evidence available to demonstrate that a property within the area was being used as a HMO prior to the implementation of the new C4 Use Class in February 2016 and has not reverted to other uses, notwithstanding the lack of any relevant planning permission or LDC, such a property will be considered lawful for such a use i.e. it will be counted as a HMO property in the appraisal.
- 3.9 The draft SPG confirms that regularly updated information on licensed HMOs, and the records of planning consents issued by the Planning Authority for HMOs, will be a public register available for use (at [www.swansea.gov.uk/hmos](http://www.swansea.gov.uk/hmos)) by potential applicants and any other interested party.
- 3.10 The draft SPG also states that where information is available to indicate a property may be a HMO but is not recorded as such on the records that are highlighted above, the LPA will carry out all reasonable checks using publically available information and/or any submitted evidence. These checks can sometimes help ascertain whether such a property should be considered a HMO

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<sup>2</sup> The *Local Land and Property Gazetteer (LLPG)* is a comprehensive address database maintained by the Council.

<sup>3</sup> The current Additional Licensing Area for HMOs comprises the Castle and Uplands wards

for the purpose of the calculation. It is important that the SPG emphasises that the LPA will be required to act within the requirements of the General Data Protection Regulation (GDPR) relating to maintaining the privacy of personal data, when seeking to access information.

### ***Non-sandwiching test***

- 3.11 Guidance is provided in the draft SPG to illustrate how Policy H 9 should be applied in terms of the non-sandwiching test, including worked examples of the circumstances where sandwiching will be deemed to occur, and conversely to highlight that where properties do not share the same frontage (e.g. the properties are separated by an intersecting road or where properties have a back to back relationship on different streets) then sandwiching does not apply.
- 3.12 Consistent with the principle of preventing sandwiching to safeguard amenity, the draft SPG also states that proposals for 'family homes' that are already 'sandwiched' between two existing HMOs to become HMOs will potentially be considered as an exceptional circumstance to consider favourably, even where this would lead to the threshold being exceeded.

### ***Property Suitability for HMO Use***

- 3.13 Guidance is provided in the draft SPG on what will be expected to satisfy the requirements of LDP Policies H9 and PS2 in respect of providing satisfactory design, layouts, private amenity space and appropriate room sizes. This includes requiring scale plans (defined as existing and proposed site plan, block plan and floor plans) to be submitted with the planning application to demonstrate that satisfactory provision will be made.
- 3.14 The draft SPG clarifies that all HMO proposals should accord with the guidance set out in the Council's adopted HMO Licensing Policy<sup>4</sup>, regarding minimum floor areas for bedrooms and kitchens, regardless of whether the property is located within the Additional or Mandatory Licensing Area and whether the property requires a Licence under the Housing Act. These standards offer an appropriate and consistent benchmark for the determination of planning applications and represent the minimum room sizes that will be expected. They are set out below:
- Single bedroom - 6.5 m<sup>2</sup>
  - Double bedroom – 10.2 m<sup>2</sup>
  - Kitchen (used by 1-5 persons) – minimum 7 m<sup>2</sup>
  - Kitchen (used by 6-10 persons) – minimum 10.5 m<sup>2</sup>
- 3.15 In planning terms, a lounge area for occupiers to congregate is considered an important aspect of providing satisfactory private amenity space for HMO occupiers to ensure suitable living conditions. The lack of any communal lounge can lead to occupants being reliant entirely on a bedroom for relaxation and leisure time, which is not conducive to the objective of promoting good health and wellbeing. The size of the lounge provision must be appropriate for the number of occupants proposed within the HMO, and should be capable of

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<sup>4</sup> HMO Amenity Standards – A Guide for Landlords of Bedsits, Shared Housing, and Other Housing in Multiple Occupation. Appendix A, HMO Licensing Policy 2016, City & County of Swansea. January 2016.

accommodating sufficient areas for seating and socialising, and must not give rise to cramped living conditions.

- 3.16 As part of satisfactory private amenity space, the draft SPG clarifies that occupants should have access to usable, private outdoor amenity space, which includes 'functional' areas necessary for refuse storage, bicycle and car parking, as well as more generally to provide satisfactory living conditions. The requirement can be met through the provision of a communal area (such as a rear garden or roof terrace), so long as it is of sufficient size and layout to provide for every occupant of the property that it serves. It can also include a private balcony, or a combination of these. Areas to the front of a building that are not private will not be considered to fulfil the requirement. Extensions to existing HMOs to increase accommodation will not be permitted if this would result in an inadequate amount of outdoor private amenity space

### ***Other Technical Areas***

- 3.17 The draft SPG also provides information that confirms what the Local Planning Authority will consider in respect of:
- Safeguarding satisfactory living conditions;
  - The need for planning conditions to be applied to any permission and/or for 'Permitted Development' Rights to be removed;
  - Safeguarding against disturbance, including from noise;
  - Ensuring appropriate refuse storage areas are available; and
  - Requiring Vehicle Parking and Bicycle Storage

### ***Exceptional Circumstances and Material Considerations***

- 3.18 The draft SPG provides examples of what are regarded as instances when certain material considerations and/or exceptional circumstances demonstrably outweigh the outcome of the concentration 'tests' in the planning balance. It is important for the SPG to cover this aspect, since compliance with the 50m radius threshold test will not on every single occasion be the final determining factor as to whether planning permission for a HMO should be approved or refused. In some instances a **HMO proposal may be considered by the LPA to be unacceptable development at variance with LDP Policy, even if it would not give rise to the defined threshold limit being exceeded.** Whether or not a material consideration would on balance render a proposal unacceptable, notwithstanding the 'threshold test' being satisfied, will depend on consideration of the particular circumstances pertaining to the application and whether evidence exists that a significant adverse effect would arise.
- 3.19 The draft SPG states that within the HMO Management Area, whilst the LPA will normally seek to resist HMO proposals that would breach the harmful concentration and intensification thresholds, in the case of 'very high' concentrations, the LPA will consider whether any additional supporting evidence and information submitted to accompany the planning application sufficiently demonstrates that exceptional circumstances justify a departure from the threshold test. This approach takes account of those exceptional circumstances where evidence indicates the market for certain C3 residential properties is demonstrably weaker and/or the application property is more

suited to a HMO use than non-shared accommodation, particularly in the case of certain larger dwellings or properties requiring significant repair works within a very high concentration of other HMO uses. In these exceptional instances, it may be more appropriate to take a flexible approach to ensure the sustainable use of these properties rather than have C3 properties standing vacant for long periods.

- 3.20 The draft SPG emphasises that where there is a very high concentration of HMOs within a 50m radius of a proposed HMO (well in excess of the threshold), any further HMO proposals must be accompanied by a comprehensive assessment that must consider all relevant criteria to assess whether any exceptional circumstances justify a departure from the threshold test.
- 3.21 The draft SPG sets out another potential exceptional circumstance where there are properties in C3 residential use that are already ‘sandwiched’ between two HMOs. It states that exceeding the threshold in an area may be considered permissible if the applicant of a ‘family home’ is experiencing adverse amenity impacts from such a scenario. This is considered a logical extension of the policy objective to safeguard against the amenity impacts of ‘sandwiching’ between HMOs. The SPG states that sufficient information must be submitted with the planning application in order for the LPA to determine whether, on balance, a proposal for an additional HMO is acceptable even though the proposal would self-evidently further breach the threshold. In such cases the proposal must otherwise accord with Policy H 9 and other LDP policy.

#### **4.0 Summary of SPG – PBSA Development**

- 4.1 The following paragraphs briefly summarise the content of the draft SPG in so far as it relates to proposals for PBSA.

##### ***General***

- 4.2 The draft SPG clarifies that, for the purposes of LDP Policy H 11, a proposal will be considered to fall under the definition of PBSA if it is more than 20 units. This applies to proposals for both new build and the conversion of existing properties.

##### ***Assessing Sites in the Central Area***

- 4.3 Guidance is provided on how the availability and suitability of sites within the Swansea Central Area should be assessed as the priority location for PBSA, having regard to its excellent access to services, facilities and public transport and to the University buildings. PBSA development in this area accords with City Centre living aims and would increase footfall, and so contribute towards enhancement of City Centre vitality and viability. The draft SPG emphasises that the Council wishes to avoid development of student accommodation that is unsustainable (including in terms of access to services, facilities and public transport) or to the detriment of the regeneration aims for the Central Area.
- 4.4 The LDP policy requires applicants proposing PBSA to in the first instance assess potential sites and premises in the Central Area, unless the proposed site is within a Higher Education Campus and in accordance with the exception

criteria (i), (ii) and (iii). The draft SPG provides guidance on what information will be necessary to demonstrate a robust assessment has been undertaken into site/premises availability and sets out some of the considerations which should be drawn upon to demonstrate a robust assessment has been undertaken into the suitability of sites/premises for PBSA.

### ***Design and Amenity***

- 4.5 Guidance on placemaking and design in relation to PBSA development is provided further to the requirements of Policy PS 2 Placemaking and Place Management. Specifically all new PBSA development should be designed so it responds to its local context and wherever possible seeks to improve the built environment. PBSA proposals, by their nature, are usually high-density developments. The draft SPG states that the LPA supports the principle of high density living and energy efficient design provided it is carefully designed and integrated with surrounding areas, but will expect evidence within the planning application to show how the applicant has arrived at the design and how this positively relates to its context. This may require a Townscape and Visual Impact Assessment and/or Heritage Impact Assessment – dependant on the location of the site. Proposals for new development should have regard to the desirability of preserving the setting of any listed building, which is often an essential part of its character.
- 4.6 Although provision of PBSA will be encouraged within the Central Area, the draft SPG emphasises that careful consideration will be given to the potential impact on the amenity of, or potential for conflicts with, surrounding uses. The LPA will resist inappropriate development where it would be detrimental to the amenity of occupants within neighbouring development and within the proposed development itself. This may be due to overlooking, overshadowing or adverse micro-climatic conditions (particularly relevant for a tall building proposal). Proposed buildings should be designed to maximise the living conditions of its inhabitants. All habitable rooms should benefit from natural light, a means of outlook, ventilation, and a level of privacy. The Council may apply a condition to restrict occupation of the development to students.
- 4.7 The guidance sets out how landscaping plays an important part in helping to integrate new development into the surroundings and PBSA developments will be expected to include appropriate levels of landscaping for aesthetic and functional purposes. PBSA development should be designed to encourage the prevention of crime through thoughtful design, layout and lighting in-line with Policy SI 8 and the Council's adopted 'Planning for Community Safety' SPG. Access routes should be designed to be over-looked by building frontages, wherever possible, and security lighting used to minimise the risk of crime whilst avoiding unnecessary light pollution.

### ***Refuse and Recycling Storage***

- 4.8 The draft SPG emphasises that all PBSA proposals will be required to incorporate adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel in-line with Policy RP 10: Sustainable Waste Management for New Development.

4.9 The draft SPG sets out that the following information should be provided as part of the planning application, to demonstrate how waste will be managed:

- Scale plans demonstrating an adequate footprint for the internal and external on-site waste, recycling, composting, separation and storage facilities; and
- Details of proposed access routes for 26 tonne recycling and refuse collection vehicles, including adequately sized access pathways and service roads with suitable dropped kerbs and crossovers. These requirements will need to be considered in accordance with the User Hierarchy as featured in Manual for Streets.

### ***Parking Standards – Cars and Cycles***

4.10 The draft SPG clarifies that parking provision for PBSA will be assessed against the adopted maximum parking standards set out within the Council’s SPG relating to Parking Standards. The current maximum standards for PBSA, as stated in those Standards, are as follows:

**Figure 1: Current Maximum Parking Standards for PBSA**

PBSA – Maximum Car Parking Standards		
	Residents	Visitors
ZONE 1	1 space per 25 beds for servicing, wardens and drop-off areas	Nil
ZONE 2 TO 6		1 space per 10 beds (for students & or visitors)

Source: Swansea Council SPG Parking Standards

4.11 It is clarified that the notes 1-8 included on page 17 of the Parking Standards SPG will still be applied. It sets out maximum standards and confirms flexibility can be justified in appropriate circumstances in accordance with the ‘sustainability matrix’ (Appendix 5 of the Car Parking Standards SPG). Other than for Zone 1 locations in the Central Area, a reduction shall not be applied unless an acceptable travel plan is also submitted. In addition to this, a condition requiring a legal tenancy agreement to prevent students parking on neighbouring streets within a 3 mile radius of the accommodation building may also be applied to some developments. Additional car parking management details will need to be included within a submitted Management Plan to demonstrate, for example, how tenancy agreements and car parking will be managed to avoid highway issues arising etc.

4.12 In terms of cycle parking, the following standards will be required for PBSA as set out in the Parking Standards SPG.

**Figure 2: Bicycle parking standards for PBSA**

PBSA – Cycle Parking		
	Long Stay	Short Stay
All Zones	1 stand per 2 bedrooms	No requirement

Source: Swansea Council SPG Parking Standards

- 4.13 In some instances, increased bicycle provision may be included as part of a case to justify a reduction in car parking. The LPA will consider the appropriateness of this approach on a case-by-case basis.

### ***Planning Controls***

- 4.14 The draft SPG clarifies that a management plan will be required to be submitted as part of any PBSA planning application detailing how it will be ensured that the development will conform to LDP policy and continue to do so once in operation. It sets out the issues that the management plan should include.
- 4.15 The draft SPG also states that the Council may apply a condition to restrict occupation of the development to students so that the development continues to be occupied in a manner that is in accordance with the approved details.

## **5.0 Consultation Process and Next Steps**

- 5.1 The draft SPG document will be subject to a 6 week period of consultation, which is an integral part of the process towards its adoption as formal planning guidance to inform decisions. It is anticipated that the consultation will be carried out from September to November 2019. The consultation will allow Councillors, the public, stakeholders and other interested parties to make their views public, and contribute to the final version of the guidance. The aim is to ensure that there is a broad consensus of support for its objectives. It will be important to emphasise during the consultation that planning legislation precludes SPG from introducing new policy, but is instead an opportunity to augment what is already contained in adopted LDP policies.
- 5.2 The public and stakeholder consultation process will make use of a variety of consultation methods to raise awareness and maximise the involvement of the community, including: articles in the local media; a public drop-in consultation afternoon/evening event at the Civic Centre for the public and stakeholders to attend (where Officers will be available to explain the draft document and invite feedback); and a targeted e-consultation that will be made available to known stakeholders, including representatives of residents groups and local planning agents. All information will also be readily available in hard copy at the Civic Centre and libraries serving the Sketty, Uplands, Castle and St Thomas Wards. The consultation will be hosted on a Council web page where consultation forms will be available for those who wish to comment.
- 5.3 All comments received will be recorded, evaluated and, where appropriate, will feed into the revised final version of the SPG document. A full detailed schedule of representations will be published. A report setting out the public consultation comments received, and any amendments made to the SPG as a result of these, will be presented to Members as soon as possible after the consultation period ends, at which time Members will be asked to approve the final amended version as adopted SPG.

## **6.0 Financial Implications**

- 6.1 There are no significant financial implications arising from the publication of this SPG, with the cost of the public consultation process and document production being accommodated within existing budgets and staff resources. The consultation will, as far as possible, utilise electronic communication (email and Internet). The final adopted document will be made available electronically, so there are no anticipated printing costs.

## **7.0 Legal Implications**

- 7.1 The SPG will provide planning guidance to the adopted Swansea LDP and will be a material consideration in evaluating future planning applications.
- 7.2 The Council has a duty to seek to continually improve in the exercise of its functions (which include where appropriate powers) in terms of strategic effectiveness, service quality and availability, sustainability, efficiency and innovation pursuant to the Local Government (Wales) Measure 2009.

## **8.0 Equality & Engagement Implications**

- 8.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 8.2 Section 5 of this report outlines equalities considerations in respect of consultation activity. An Equality Impact Assessment (EIA) screening has been carried out and this indicates that a full EIA is not necessary.

### **Background Papers:**

None

### **Appendices:**

Appendix A: Consultation Draft SPG - Houses in Multiple Occupation and Purpose Built Student Accommodation

Appendix B: Equality Impact Assessment (EIA) Screening Form