

This is one of a series of guidance notes providing information to help you understand our procedures and improve design standards.

5. Houses in Multiple Occupation

This guidance note sets out how the Council will assess proposals for Houses in Multiple Occupation both in terms of how it intends to manage concentrations of HMOs in Wrexham as well as other standards that proposed HMO developments will be expected to meet. In doing so it amplifies relevant Unitary Development Plan (UDP) policies and will be a material consideration in the determination of planning applications.

This guidance note was subject to external consultation between 4 December 2017 and 19 February 2018 and was formally adopted for use by the Executive Board on 8 May 2018.

Planning Policy Context

National Planning Policy in relation to housing is set out in Chapter 9 of Planning Policy Wales. The following policies of the Wrexham Unitary Development Plan (UDP) (1996 – 2011) adopted February 2005 are relevant to proposals for the conversion of dwellings to HMOs:

Policy GDP1: Development Objectives
Policy H4: Subdivision of dwellings
Policy T8: Parking

Houses in Multiple Occupation (HMO)

Planning Controls

For Planning purposes Houses in Multiple Occupation fall within two different categories:

- **A small HMO:** A tenanted property occupied by 3-6 unrelated persons who live in a property and share one or more basic amenities, which falls within Use Class C4.
- **A large HMO:** A tenanted property occupied by 7 or more unrelated persons who live in a property and share one or more basic amenities, which is a 'Sui Generis' (meaning 'of their own kind') use.

Planning permission is required to:

- Change the use of any building to a small HMO or to a large HMO;
- Change the use of a small HMO to a large HMO;
- Change the use of a large HMO to a small HMO or to any other use;

Planning permission is **not** normally required to change the use of a small HMO to a single dwelling i.e. to move from a Class C4 use to a Class C3 (dwelling house) use.

Houses in Multiple Occupation can be of benefit to an area by providing low cost housing solutions for those who may otherwise have difficulty finding a place to live as well as accommodation for students, young professionals and health care workers. In fact, the Wrexham County Borough Council Housing Market Assessment (HMA, 2015)¹ recognises that there is likely to be a need in the future for smaller units of accommodation in the County Borough. HMO's can go some way towards meeting this identified need. Planning Policy Wales, Chapter 9 paragraph 9.1.2 also requires local planning authorities to promote mixed tenure communities.

The Housing In Multiple Occupation: Review and Evidence Gathering report published by the Welsh Government in 2015² acknowledged that large concentrations of HMO can result in problems, including;

- Damage to social cohesion, with higher levels of transient residents and fewer long term households and established families;

- Greater difficulties for owner occupiers and first time buyers because of competition from landlords and a reduction in the number of family homes;
- Increases in noise, crime and anti-social behavior; and
- Increase pressure for parking.

Planning policy H4 allows for dwellings to be converted to HMOs provided it does not result in the overconcentration of such properties. It also requires the provision of adequate private open space and compliance with policy GDP1. The purpose of this guidance note is to set out criteria for how concentrations of HMOs will be assessed and to establish minimum design standards that proposed HMOs will be required to meet.

How concentrations of HMOs will be assessed

Planning Policy H4 allows for dwellings to be subdivided provided the proposals do not result in an over-concentration of HMOs to the detriment of crime levels, the social fabric of the area and the amenity of existing residents.

The Housing In Multiple Occupation: Review and Evidence Gathering report found that concerns regarding the number of HMOs increases once concentrations of HMO households rise above 10%³

Most Houses in Multiple Occupation in the County Borough are found in Wrexham Town and are predominately located within the wards of Offa, Smithfield, Erddig, Brynyffynnon and Grosvenor⁴ as detailed figure 1.

Figure 1: Distribution of Multi-Person Households (MPH) in Offa, Smithfield, Erddig and Grosvenor Wards of Wrexham⁵

Ward	Total Households	Private Rented	Student MPH	Other MPH	Total MPH	% MPH	% PR
Offa	1,137	502	30	92	122	11%	44%
Smithfield	1,260	387	21	77	98	8%	31%
Erddig	822	138	15	40	55	7%	17%
Brynyffynnon	1,556	443	41	46	87	6%	28%
Grosvenor	1,125	347	10	47	57	5%	31%
Total	32,059	4,227	146	483	629	2%	13%

¹ Wrexham County Bough Council Housing Market Assessment, Final Report, March 2015, p79

² <http://gov.wales/docs/desh/research/150505houses-in-multiple-occupation-hmo-final-report-en.pdf>

³ Houses in Multiple Occupations HMO's Review & Evidence Gathering - Report of Findings April 2015 p75, paragraph 4.29

⁴ <http://gov.wales/docs/desh/research/150505houses-in-multiple-occupation-hmo-final-report-en.pdf>

⁵ Houses in Multiple Occupations HMO's Review & Evidence Gathering - Report of Findings April 2015 p32. Figures from 2011 census.

⁶ <http://gov.wales/docs/desh/research/150505houses-in-multiple-occupation-hmo-final-report-en.pdf>

The Housing In Multiple Occupation: Review and Evidence Gathering report found that although the actual proportions of HMOs at ward level are relatively low (compared to areas within some other towns and cities in Wales) there are local concentrations within wards at street level.

To enable HMO developments to take place so that smaller/more affordable units of accommodation can continue to be provided whilst at the same time as trying to avoid over concentrations of HMOs the Council will seek to ensure that proposals for new HMOs do not result in the number of residential buildings in use as a HMOs exceeding 10% (rounded to the nearest whole number) within a 50 metre radius of the boundaries of the application site. Where the concentration exceeds 10%, planning permission will not normally be granted unless there are relevant material planning considerations to justify doing so.



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Figure 4: Assessing HMOs within 50 metres of an application site

A property will be taken into account if in the case of dwellings, **any** part of the building or its curtilage lies within the 50 metre radius. Buildings containing flats will be taken into account if any part of that building is situated within the 50m radius. This is illustrated in figure 4. Properties will be counted as a HMO if it is subject to a licence to be used for that purpose and/or if it benefits from an extant planning permission for use as a HMO **regardless of whether the planning permission has been implemented.**

Whilst it would be possible to assess the number of HMOs on a street by street basics, individual streets in Wrexham vary considerably in length as does the distribution of existing HMOs. The use of a 50 metre radius is considered to be the most appropriate way to assess HMO concentrations because it can be applied consistently to each proposal. It is also considered that this constitutes the immediate locality surrounding a property and enables an assessment to be made of the cumulative impact of HMOs upon the character of the area in the vicinity of an application site.

In addition to complying with the above requirements, to avoid concentrations of HMOs developing within individual streets there will normally be a requirement for there to be a gap of at least 2 dwellings or other buildings not in use as a HMO between a proposed HMO and any existing HMOs. This is illustrated in figure 5.

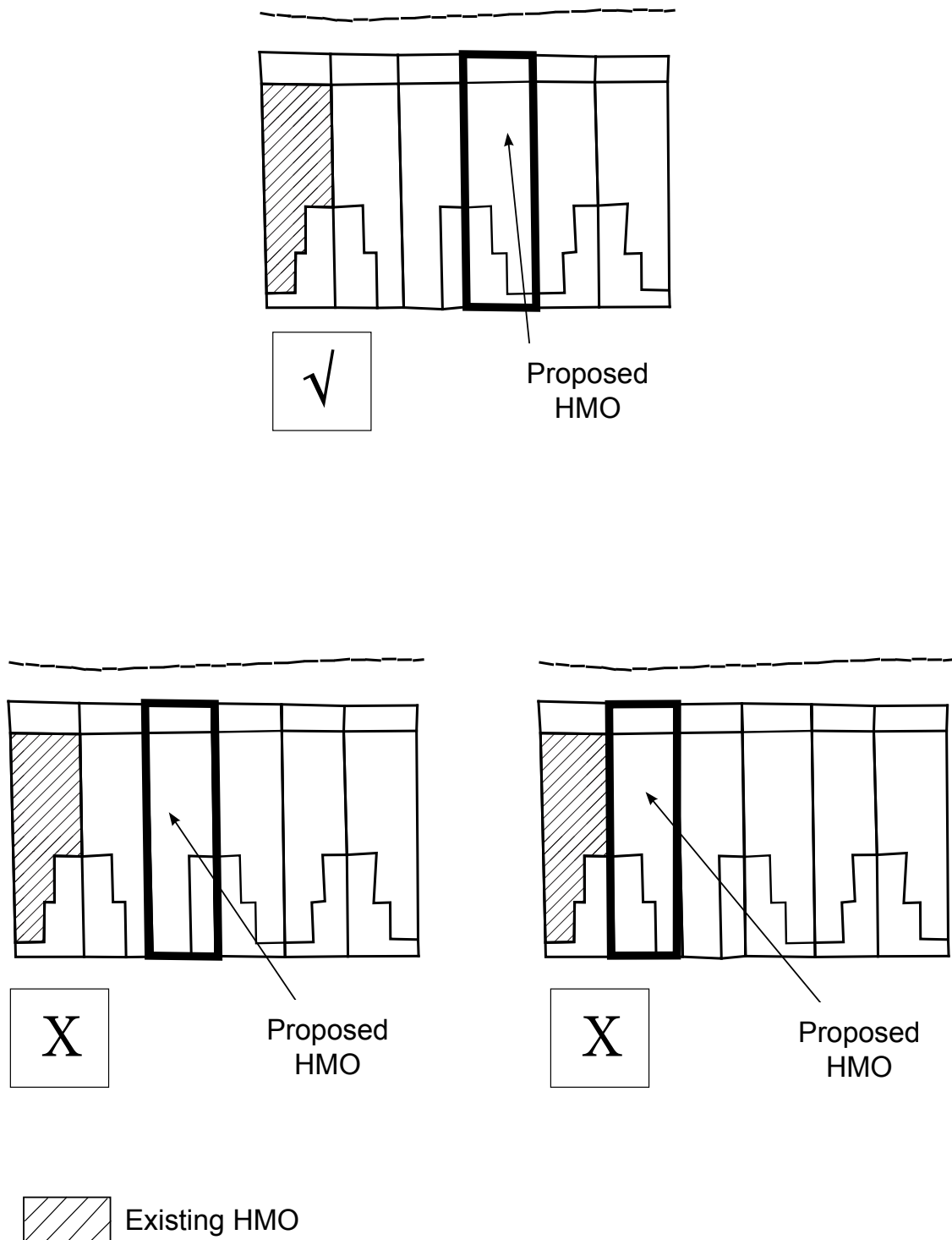


Figure 5: Distribution of HMOs within streets

Extensions and alterations

Policy H4 states that the sub-division of dwelling should be possible without major alterations, extensions, or additional new buildings which would significantly alter the character of the original dwelling.

Where proposals to convert dwellings to HMOs include extensions and/or extension alterations or where extensions to existing HMOs are proposed, the works should be clearly subsidiary in size to the existing building, be in keeping with the existing form and character of the building and preserve the character of the wider street scene. The proposals should also be designed to avoid adverse impacts upon the occupiers of neighboring dwellings by way of loss of light, privacy or by being visually overbearing. To ensure this is the case, the Council will apply the guidance set out in Local Planning Guidance Note 20: House Extensions to proposals that involve extensions or external alterations to existing or proposed HMOs, particularly in respect of separation distances and daylight standards.

Proposals to convert non-residential buildings to HMOs that include extensions and/or external alterations will be considered on their own merits. Such proposals should however be in keeping with the existing form and character of the building and preserve the character of the wider street



scene. Proposals for the conversion of non-residential buildings to HMOs should also comply with the separation distance standards set out in Local Planning Guidance Note 21: Space around Dwellings.

Other Planning Requirements

Parking

The vehicle and cycle parking requirements for HMOs are set out in Local Planning Guidance Note 16: Parking.

Where an off-street vehicle parking area for two or more spaces is provided for a HMO, tandem parking spaces will not normally be acceptable. A vehicle should be able to enter or leave each parking space even if other parking spaces within the parking area are occupied.

Outdoor Space and Bin Storage

Houses in Multiple Occupation should have a large enough private outdoor area to provide external drying areas, cycle parking, bin storage and to provide for the amenity of the occupiers the property. The facilities should be secure and made available for use by all residents. Where existing dwellings are to be converted to HMOs falling within use class C4 then it is likely that they will already have a curtilage that will adequately fulfill this function.



Number of bedrooms /occupiers	General Waste Bin	Garden Waste Bin	Recycling - plastics and cans	Recycling glass	Recycling paper	Food waste
5	1 x 240 litre	1 x 240 litre	1 x 55 litre box	1 x 40 litre box	1 x 40 litre bag	1 x 23 litre caddy
5 to 10	1 x 240 litre	1 x 240 litre	2 x 55 litre box	2 x 40 litre box	1 x 40 litre bag	2 x 23 litre caddy
More than 10	2 x 240 litre	1 x 240 litre	3 x 55 litre box	3 x 40 litre box	2 x 40 litre bag	3 x 23 litre caddy

For non-residential buildings being converted to HMOs (regardless of the number of tenants) and for dwellings being converted to HMOs that are to accommodate 7 or more tenants the Council will normally seek a minimum private external area of 30 square metres plus 2m² for every additional tenant in excess of 7. The outdoor area must be suitable for use as an amenity area, drying area, for cycle parking and for bin storage.

Where part of a non-residential building being converted into a HMO remains in use for commercial purposes or where there are adjoining commercial premises, it must be possible to provide outdoor space without adversely impacting upon the servicing and security of neighboring business properties.

The outdoor space provided for HMOs should contain an area large enough to accommodate the following minimum number of bins:

Licensing

In addition to requiring planning permission, most HMOs will also need a separate licence from Public Protection.

Licensed HMOs are subject to conditions that require landlords to take all reasonable steps for the satisfactory management and maintenance of good physical standards of HMOs. These include mandatory conditions requiring certificated inspections for gas, electrical and fire safety, as well as specifying maximum occupancy numbers. There are also conditions requiring the licence holder to prevent anti-social behaviour. Breaching licence conditions can ultimately result in landlords being prosecuted and their licence being revoked.

Licensing requirements are entirely separate to the requirement for planning permission and it is made explicitly clear in national planning policy⁶ that the planning system must not duplicate the controls of other regulations in making decisions on planning applications.

⁶ Paragraph 1.2.4, Chapter 1, Planning Policy Wales, (Edition 9, November 2016)
<http://gov.wales/docs/desh/publications/161117ppw-chapter-1-en.pdf>



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