

**Houses in Multiple Occupation in Bath
Supplementary Planning Document
Consultation Report**

November 2017

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in Multiple
Occupation
in Bath**

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Planning Document

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Appendix Draft SPD consultation responses in full
1-5

1. Statement of Compliance of overall consultation with the Neighbourhood Planning Protocol

- 1.1 In line with the SCI, a formal 6 weeks consultation was undertaken and a full schedule of comments together with a consultation report and statement of compliance is included here.
- 1.2 The key target groups focused on in this consultation were residents of Bath, in particular within the wards of Oldfield, Westmoreland and Widcombe. Additional efforts to communicate with Bath’s universities, Student Unions, estate agents and landlords were undertaken including the workshop and targeted informational consultation (see below).

2. Earlier Consultation

- 2.1 Prior to the consultation on the draft Houses in Multiple Occupation SPD (4th September to 13th October) two previous stages of consultation were undertaken. These are summarised in **Table 1** below.

Table 1: Summary of earlier consultation

<p>Stakeholder workshop -</p>	<p>Early stage consultation workshop with key stakeholders to explore options in relation to managing the growth in HMOs (14th November 2016).</p> <p>The workshop established that there is broad support from stakeholders in Bath for a reduction in the 25% HMO threshold set by the current SPD. It also drew attention to the difficulties in accurately capturing the distribution and demand for HMOs to inform such policy. Finally, the workshop presented a range of other policy interventions that could be considered as part of a future strategy for HMOs in Bath.</p> <p>Full details of the consultation workshop are included in the Arup report (April 2017).</p>
<p>Informal Consultation</p>	<p>The Arup Report was sent to all stakeholders invited to the workshop along with specific questions regarding the threshold and introduction of the sandwich policy. The informal consultation document was put on the Council website for wider consultation between 25th April – 15th May 2017</p> <ul style="list-style-type: none"> • A majority (98%) of consultees supported that the current threshold should be reduced, of which 49% supported to reduce down to 10% threshold. • Local residents also raised concern that areas have lost their community feel due to the influx of residents living in HMOs (in particular Oldfield Park). • The current 25% threshold has inevitably created increased demand from HMO investors in the borders around the current Stage 1 area (HMO over 25% area) which is adversely affecting the balance of the community in these areas. A number of consultees raised concern about noise, rubbish, parking and untreated gardens by absent landlords, it was felt that these properties bring the attractiveness of an

	<p>area and community feel down.</p> <ul style="list-style-type: none"> • Landlords with a HMO permits should be responsible for not only the upkeep of the house but also ensuring that tenants uphold community standards for rubbish and recycling. Landlords should be fined where this does not happen. • Many HMO properties are inhabited by students and this results in dwellings remaining empty for months at a time, additionally many students spend a few years living in an area and don't contribute to the local community. • The general consensus is that the city should have a reduced threshold, as a result this would encourage a much greater spread of HMOs across the city, resulting in less 'studentification' in specific areas, and appropriately balanced and mixed local communities. • 28 agreed with the introduction of the sandwich policy. Those who agreed with the sandwich policy stated that continuous terrace of HMOs exacerbates negative social situations for residents and can leave residents feeling isolated. It was suggested that if a property has a HMO at either side then a family would not be interested in purchasing the property and it would only appeal to a landlord. HMO sandwich policy should be introduced in the interests of keeping streets and neighbourhoods more balanced. • 5 disagreed with the introduction of the sandwich policy. Main reasons against the policy was that it was a 'knee jerk' reaction to the problems associated with student properties. It would be impossible to implement, put neighbour against neighbour, unduly restrictive to HMOs, serve as a barrier and the policy would push HMOs to the outskirts. • 11 consultees were supportive of applying threshold to Purpose Built Student Accommodation (PBSA) Limit PBSA development within areas of current high HMO density. PBSAs in these areas do not decrease the number of existing HMOs, they simply add to the problems already experienced. Many of the issues around community feel resulting from a high proportion of HMO's would still be present from PBSA. • Some support on including design criteria to control PBSA development • 2 consultees were supportive of Street level thresholds (assess HMO % within 100 meters of street length either side of the application site instead of the current two stage approach).
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3. Committee Meeting

- 3.1 The issue of planning controls for HMOs in Bath was considered at the Policy Development & Scrutiny Panel on 4th July 2017. All of the minutes can be found on the democratic services webpage <https://democracy.bathnes.gov.uk/documents/s47142/HMO.pdf>

4. Public consultation on the Draft SPD

- 4.1 A public consultation on the draft SPD was held between 4th September and 13th October 2017. During this period the following activities were undertaken:
- A notification letter with information about the consultation was sent by email.
 - A series of press releases were issued which were picked up in local media.
 - A specific webpage was set up to include a copy of the draft SPD, how to comment and details about the consultation events as well as other information including Frequently Asked Questions. www.bathnes.gov.uk/hmo
 - Hard copies of the Supplementary Planning Document and details of the consultation were made available in all libraries and the Council's one stop shop in Bath.

5. Summary of responses to the consultation and Council response to key issues raised

- 5.1 A total of 341 comments were received during the consultation period, respondents had the option of submitting representations either online form via the Council website, e-mail or post.

Table 2 No. of responses

	No. of responses	
Online or e-mail	207	Appendix 1
Paper comments	134	Appendix 2 - 5
Total	341	

Table 3 Type of respondent

Type of respondent	No. of responses
Residents Groups/Associations	3
Local residents including students	325
Landlords/Landlord Association	3
Universities /University Unions	4
Councillors, Parish Councils and Political Groups	5
Community Groups	1
Total	341

- 5.2 The key issues raised in the consultation comments and the Council's response to these issues are summarised in Table 5. A full record of the consultation comments received is included as Appendix 1-5 to this report.

Table 4 Consultation Responses

Questions asked through the draft SPD consultation	Agree	Disagree
Question 1 Do you agree with the general approach of the SPD to manage the concentration of HMOs in parts in Bath?	286 (84%)	53 (16%)
Question 2 Do you agree with the Sandwich Policy proposed in the draft SPD?	287(84%)	48(14%)
Question 3 Do you agree with lowering the HMO threshold to 10% from 25%?	282 (83%)	52(15%)
Question 4 Any other comments		

Table 5: Summary of key issues raised

Key Comments and Issues	Discussion and Recommendations
<p>Overall approach The area affected by the combined effect of 10% threshold and sandwich policy becomes unacceptably large driving HMOs to areas with poor public transport. (inc. Bath University Student Union and Bath Spa University Student Union)</p>	<p>The aims of the SPD is to encourage a sustainable community in Bath, by encouraging an appropriately balanced housing mix across Bath, supporting a wide variety of households in all areas. Public transport should be available to all residents not just HMO residents. Also there are still some areas relatively well served by public transport outside the HMO 10% threshold area.</p> <p>Recommendation No change</p>
<p>Overall approach Universities and students are a very important part of the Bath community. The proposed approach will make it even harder for students to find accommodation. HMOs present an important component of the student housing market. (inc. Bath Spa University, Bath University Student Union and Bath Spa University Student Union)</p>	<p>HMO residents and students are a very important part of the Bath community, but the Policy is seeking to achieve & retain balanced communities. It is acknowledged that restricting future growth of HMOs may have an impact on the availability and cost of rental properties, but this needs to be considered in a wider context and the substantial number of existing HMOs which will not be affected by the SPD. Therefore the Council is reviewing the strategic approach to manage universities' growth and accommodation requirements through the new Local Plan process.</p> <p>Recommendation No change</p>
<p>Overall approach Keep family housing together to create a stronger community and allow other areas to have more HMOs to create hubs of similar people.</p> <p>It makes it difficult to sell properties in the 10% area. The Article 4 would prevent home owners getting the best value for their property and would increase the cost of renting.</p>	<p>The aims of the SPD is to encourage a sustainable community in Bath, by encouraging an appropriately balanced housing mix across Bath, supporting a wide variety of households in all areas.</p> <p>Recommendation No change</p>
<p>Overall approach Universities' growth should be capped.</p>	<p>The Council is engaging with Bath' universities and the issue regarding the relationship between universities' growth and accommodation requirements will be considered through the new Local Plan process.</p> <p>Recommendation No change</p>
<p>Overall approach The revised SPD will not address issues of HMOs or stop permanent residents</p>	<p>The SPD cannot be applied retrospectively to remove extant planning permissions. Some amenity issues from HMOs such as noise or waste</p>

<p>leaving affected areas.</p>	<p>management should be dealt with through Licensing and working closely with the universities' Accommodation Department.</p> <p>Recommendation No change</p>
<p>Overall approach Rather than reducing HMOs, standards and management of HMOs should be improved and putting more onus on landlords working with the Student Community Partnership (inc. Bath University Student Union)</p>	<p>The Planning Team is working closely with the Licensing Team to improve the flow of information and ensure both teams are aware of the approach taken on issues and any changes proposed.</p> <p>Recommendation No change</p>
<p>Sandwich Policy The proposed sandwich policy will limit the number of existing and future HMOs and unduly restrictive. The appropriateness of the use can be considered through the planning application process. (inc. Bath Spa University)</p>	<p>Over 80% of respondents supported the sandwich policy based on reasons including;</p> <ul style="list-style-type: none"> • Maintaining affordable family homes and owner occupiers in Bath. • Protecting the areas where many residents draw support from friends, families and neighbours in the communities. • Protecting community feel and atmosphere. <p>The new policy will manage the number of future HMOs but cannot be applied retrospectively.</p> <p>Recommendation No change</p>
<p>Sandwich Policy Sandwiching should be extended to flats. Residents should not be sandwiched between 2 floors of HMOs or between HMOs on each side of their flats.</p>	<p>The potential impact to be sandwiched in flats is understood. This will be dealt with on a case by case basis in applying the SPD.</p> <p>Recommendation No change</p>
<p>10% Threshold Proposed 10 % threshold included in the SPD is too low or too late. Current 25% provides a good balance</p> <ul style="list-style-type: none"> • Restricting the number of HMOs will make the housing situation worse impacting young people, students, key workers. This only benefits landlords enabling them to set higher rent levels. • Severe impact on people who cannot afford to buy their own properties or to pay higher rent. • The flexibility and affordability of HMOs benefits the local economy and should be recognised. 	<p>Over 80% of respondents supported the proposal to lower the threshold from current 25% based on reasons including;</p> <ul style="list-style-type: none"> • the high percentage of HMOs would result in the loss of affordable family homes within the city and decrease in owner occupiers. • helping prevent both the loss of community mix/feel and more unbalanced communities forming with seasonal residents living in the area. • reducing pressure on street parking. <p>It is acknowledged that there will be continued demand for HMO accommodation in the city. The revised SPD does not prevent new HMOs where the local area is below the 10% threshold, even</p>

<ul style="list-style-type: none"> • Some streets are already at over 50% concentration, and this does not help these areas. • Concern that changes to the approach would make housing issues worse as there is a need for affordable housing such as bedsits and it is important that occupiers on low incomes are in accessible locations in and near the city centre <p>(inc. Bath Spa University, Bath University, Bath Spa University Student Union and Bath University Student Union)</p>	<p>within individual wards that are above the threshold. There is a need for a range of HMO accommodation to fulfil a variety of roles and a more even distribution within local areas.</p> <p>Recommendation No change</p>
<p>10% Threshold Need to take into account PBSAs as part of the assessment due to their impact on the demographics of an area and its character.</p> <p>Population density should be considered in addition to the number of HMOs. No consideration of the size of residential to HMO conversion. i.e. whether the HMO is a small 2 bedroom flat or a large HMO with 6-8 people.</p>	<p>The threshold approach assesses the residential properties in the immediate surroundings of the application site in order to prevent the loss of family homes.</p> <p>The HMO SPD is supplementing Placemaking Plan H2 which deals with a change of use from dwellinghouse (use class C3) to HMO (use class C4) and does not apply to the PBSAs.</p> <p>Through the preparation of the new Local Plan the Council is currently reviewing its strategic planning policy for addressing the academic space and student accommodation requirements. The issue regarding the provision of PBSAs will be considered through this new Local Plan process.</p> <p>Recommendation No change</p>
<p>10% Threshold Proposed 10% threshold without alternative accommodation will have significant adverse impact.</p> <ul style="list-style-type: none"> • Rather than restricting HMOs, the emphasis should be reducing the demand for HMOs working with the universities and RUH. • Need to build more Purpose Built Student accommodation • Affordability of PBSA is a major issue. More cluster type accommodation should be built rather than expensive studio type accommodation. <p>(inc, Bath University, Bath Spa University,</p>	<p>It is acknowledged that the right type of PBSA with competitive rental level as an alternative to HMOs would help to take the pressure off the general housing market. The issue regarding the provision of PBSAs and appropriate policy approach will be considered through the new Local Plan process.</p> <p>Recommendation No change</p>