

Carl Sargeant AC / AM  
Y Gweinidog Cyfoeth Naturiol  
Minister for Natural Resources




Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: CS/00342/16

William Powell AM  
Assembly Member for Mid & West Wales  
Chair - Petitions Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
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 February 2016

Dear William Powell AM,

Thank you for your letter of 3 February regarding a petition about Houses in Multiple Occupation (HMOs) that the Petitions Committee has received from Mr Nortridge Perrot.

I have recently introduced new legislation giving local planning authorities the opportunity to take action to manage the impact of HMOs and I consider that this will address the matters that Mr Perrot raises in his petition in a positive way. This legislation is due to come into force on 25 February.

The Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2016 introduces a new use class (C4) for HMOs occupied by not more than six residents, with an HMO being defined as in section 254 of the Housing Act 2004, as Mr Perrot requests. This change to the Use Classes Order will mean that anyone wanting to create an HMO for between three and six unrelated individuals who share basic amenities such as a kitchen or bathroom would have to apply for planning permission. This will allow planning authorities to consider the impact HMOs may have on the local area before deciding whether to approve a planning application for a change to a C4 use.

The position regarding HMOs with seven or more unrelated occupiers remains unchanged; they will continue to be considered 'sui generis' (of its own class). This is because the introduction of a separate use class would give more latitude for intensification of use without needing to obtain planning permission; once planning permission had been granted, the number of persons living at the property could be increased without requiring further planning permission.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

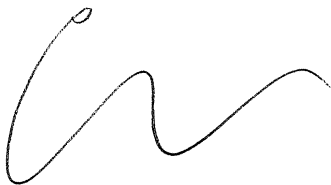
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Regarding the reversion of HMOs to use as a family dwelling, the related Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2016 will enable HMOs under use class C4 to revert to use as a family dwelling (class C3) without requiring planning permission. Planning permission would then be required should the property owner subsequently wish to re-create an HMO.

This new legislation will also enable planning authorities to adopt local policies to control the density and spread of HMOs. Planning applications would then be assessed against these local policies, allowing authorities to have greater control over new HMOs. It will be for individual planning authorities to consider the balance of costs and benefits in their particular area in deciding whether or not to have such local policies to use in assessing relevant planning applications.

In addition, I will be publishing Practice Guidance which highlights good practice from across the UK in the management and control of HMOs and summarises the relevant legislation. The aim of this guidance, which will also issue on 25 February, is to enable local authorities in Wales to make informed decisions on what is best suited to their area, taking into account local circumstances.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Carl Sargeant', written in a cursive style.

**Carl Sargeant AC / AM**  
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