

Policy and Resources Committee	
Meeting Date	11 th March 2026
Report Title	Houses In Multiple Occupation (HMO) Supplementary Planning Document (SPD) - Consultation Launch
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson Head of Place
Lead Officer	Ian Harrison Planning Manager (Planning Applications)
Classification	Open
Recommendations	1. That members note the new time constraints for the adoption of Supplementary Planning Documents; 2. That members note the importance of this SPD to the Council motion; 3. That members approve the draft Houses in Multiple Occupation SPD (Appendix I) for consultation purposes; and 4. That members delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group Chair, the making of minor amendments and corrections to the draft HMO SPD document prior to the start of the consultation period.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the background to the recommendations made by the Planning and Transportation Policy Working Group (PTPWG) during its meeting on 22nd January 2026.
- 1.2 Prior to that, at the Full Council Meeting on 1st October 2025, a motion was brought relating to the “Management and Regulation of HMOs in Swale”. At that Council meeting it was resolved to, amongst other things, refer this matter to the relevant Committee to develop a Supplementary Planning Document (SPD) addressing the four core principles that are set out below:
- *A maximum threshold for HMO’s within defined areas or individual streets to avoid over concentration*
 - *Minimum off-street parking requirements for HMO’s to reduce pressure on local roads*
 - *Proper waste and recycling storage and management for all HMO’s*
 - *Minimum room sizes and standards in line with national guidelines*

1.3 To address that motion, the recommendations of the report that was presented to PTPWG were:

1. *That members note the new time constraints for the adoption of Supplementary Planning Documents;*
2. *That members note the importance of this SPD to the Council motion; and*
3. *That members recommend to Policy and Resources Committee (P&R) that it approves a consultation draft based on the core principles of the motion and the parameters as set out in the report (without Planning and Transportation Policy Working Group (PTPWG) formally reviewing the draft).*

1.4 Members discussed the report at the PTPWG meeting on 22nd January 2026 and voted in favour of all recommendations.

1.5 An important reason for the approach that was recommended to PTPWG is that there are new, tight time constraints for the production and adoption of SPD documents as a result of the transitional arrangements that government has introduced with respect to the preparation and adoption of local plans and SPDs.

1.6 Consequently, and considering the usual timescales required for pre-consultation review, consultation itself, and post consultation approval by PTPWG, Policy and Resources Committee (and for the latter, also Full Council) PTPWG agreed to recommend to P&R Committee that a draft SPD, based on the Full Council motion and the parameters set out in the supporting report be approved for consultation. Removing the usual role of PTPWG in reviewing the full draft document was critical in enabling the SPD to be adopted before the opportunity to do so was removed by government.

1.7 A draft HMO SPD has now been prepared and is included at Appendix I.

1.8 The purpose of this report is to seek the approval of the draft HMO SPD for consultation purposes, thereby enabling it to be the subject of a 4 week period of public consultation.

1.9 It is requested that delegation be given to the Head of Service, in consultation with the PTPWG Chair, to make any minor amendments and corrections to the document prior to the start of the consultation period.

2 Background

2.1 The PTPWG report set out the full background to the matter, including providing a link to the applicable minutes of the Full Council meeting of 1st October 2025.

- 2.2 Along with seeking the relevant committee to make an Article 4 direction to restrict permitted development rights related to the formation of HMOs, the Council resolved at that meeting to seek the appropriate committee to develop a SPD relating to the Management and Regulation of HMOs in Swale.
- 2.3 The report to PTPWG then went on to provide a commentary of the scope of an SPD and the requirement for the SPD to build-on existing development plan policies. To reflect that, a commentary of the applicable policies within Swale's Local Plan was then provided and an indication was given of how it would be appropriate for the forthcoming SPD to provide guidance specific to HMOs in relation to the application of those policies. This had the effect of clarifying the scope of the proposed SPD, in alignment with the Full Council motion, and building upon that motion by indicating how the objectives of the motion aligned with policies of the development plan.
- 2.4 Within the PTPWG report, it was acknowledged that the evidence base relating to the existing HMO stock was limited. In the intervening period, work has been undertaken, including consultation with colleagues, to develop a full picture of the number and location of HMOs within the Borough. The evidence that has been identified at this stage is detailed within the draft HMO SPD.
- 2.5 As set out above and within the PTPWG report, the timeline for the adoption of an SPD is constrained as a result of an incoming restriction on the use of SPDs and the existence of a deadline for the adoption of SPDs. To that end, the following timetable was provided within the PTPWG report:

Stage	Date
Presentation of this report to the Planning and Transportation Policy Working Group.	22 January 2026
Circulation of Draft HMO SPD to Members of the Planning and Transportation Policy Working Group for comment.	Late February 2026
Seek approval from the Policy and Resources Committee to consult on the Draft HMO SPD.	11 March 2026
Undertake a four week consultation in respect of the Draft HMO SPD.	23 March 2026 to 20th April 2026
Extraordinary meeting of the Planning and Transportation Policy Working Group to recommend post-consultation draft for adoption.	Mid / Late May 2026
Policy and Resources Committee Meeting to recommend post-consultation draft for adoption.	Mid June 2026
Urgent Decision Committee for adoption.	Late June 2026

- 2.6 By preparing this report and presenting the matter to the P&R committee on 11th March 2026, the above programme is on course. A draft of the HMO SPD was circulated to Members of the Planning and Transportation Policy Working Group on 26th February 2026 in accordance with the above timeline.

3 Proposals

- 3.1 That members note the new time constraints for the adoption of Supplementary Planning Documents;
- 3.2 That members note the importance of this SPD to the Council motion;
- 3.3 That members approve the draft House in Multiple Occupation SPD (Appendix I) for consultation purposes; and
- 3.4 That members delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group Chair, the making of minor amendments and corrections to the draft HMO SPD document prior to the start of the consultation period.

4 Alternative Options Considered and Rejected

- 4.1 There are a number of alternative options to progressing the HMO SPD which have been considered. Some of these are were assessed in the Planning and Transportation Policy Working Group report of 22nd January 2026, including the following:
 - **Alternative Option 1:** Members could suggest the consultation draft is revised prior to consultation. Whilst officers consider the draft optimally reflective of the circumstances and evidence available, they can advise on the night of the applicability of suggestions and how these could be tested via consultation.
 - **Alternative Option 2:** Prepare a Draft HMO SPD with a narrower or wider scope than set out above. This has been rejected on the basis that the scope aligns with the Full Council motion and the preparation of an alternative HMO SPD would fall outside the timeline for adoption.
 - **Alternative Option 3:** Prepare a form of guidance note other than an SPD. This has been rejected on the basis that the approach would not align with the Full Council motion and the resultant guidance would not have the same status as an SPD.
 - **Alternative Option 4:** Prepare a supplementary plan under the new Local Plan system. This has been rejected on the basis that there would be a considerable time period until such a plan would be able to be adopted and so this would be ineffective in respect of any applications received in the interim period.
 - **Alternative Option 5:** Do not prepare or seek to adopt a HMO SPD. This has been rejected on the basis that the approach would not align with the Full Council motion.

- 4.2 For the same reasons as set out before, it is recommended that those options are rejected.

5 Consultation Undertaken or Proposed

- 5.1 As set out above, the draft HMO SPD has been circulated to members of the PTPWG with a small window of opportunity to comment being provided. The document has also been shared with internal colleagues, including all Heads of Service.
- 5.2 The recommendation set out above is for the draft HMO SPD be approved for consultation purposes. The consultation envisaged to take place would accord with the Council's Statement of Community Involvement, including:
- The publication of the draft HMO SPD on the Council's website.
 - The provision of paper copy at the Council Offices.
 - Emailing people on the consultation database to highlight the consultation opportunity.
 - Notification of the draft HMO SPD to Town and Parish Councils.
 - Publicity comprising the use of social media, a press release and the inclusion of details within other updates and bulletins.
 - Consultation with internal and external stakeholders including the Council's Housing and Community Service, Private Sector Housing, Parking and Environmental Services teams and the Highway Authority (Kent County Council).

6 Implications

Issue	Implications
Corporate Plan	The HMO SPD would support the delivery of all of the Corporate Plan priorities: • Community • Economy • Environment • Health and housing • Running the Council The Plan contains a specific objective to 'progress a Local Plan with local needs and capacity at its heart.'
Financial, Resource and Property	There are financial and resource implications associated with preparing the Draft HMO SPD, undertaking public consultation in relation to it and as a result of due process. This is within the base budget.
Legal, Statutory and Procurement	Preparation of an SPD is carried out under a national legislative and regulatory framework.

Crime and Disorder	There are no direct crime and disorder impacts arising from this recommendation.
Environment and Climate/Ecological Emergency	There are no environment and climate/ecological emergency impacts arising from this decision. However, an HMO SPD would be likely to address matters that affect the local environment including car parking, refuse storage and living conditions.
Health and Wellbeing	There are no direct health and wellbeing impacts arising from this decision. However, once drafted there will be guidance within the SPD that will positively affect the health and wellbeing of local residents.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	A risk could be that the HMO SPD goes beyond what is justified by evidence, goes beyond what can reasonably be the scope of a SPD or duplicates other legislation such that it is not found to be a sound or reasonable tool for the determination of planning applications. A further risk is that the HMO SPD is not able to be adopted before the deadline that is referred to at paragraph 2.5 above. There are no known health and safety risks.
Equality and Diversity	None at this stage.
Privacy and Data Protection	None at this stage.
Local Government Reorganisation	Local Government Reorganisation

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

4.2 Appendix I: Draft HMO SPD

8 Background Documents

8.1 Agenda item 365 - Motion - Management and Regulation of HMO's in Swale. Minutes of Full Council Meeting of 1st October 2025:

(<https://services.swale.gov.uk/meetings/mgAi.aspx?ID=20955>)

- 8.2 Item 5 - Planning and Transportation Policy Working Group 22 January 2026 - Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD) – Consultation Launch:

(<https://services.swale.gov.uk/meetings/documents/s32844/HMO%20SPD%20Consultation%20Launch.pdf>)