

# POLICY DM20 HOUSES IN MULTIPLE OCCUPATION GUIDANCE DOCUMENT

21 August 2024



## PURPOSE OF THIS DOCUMENT

On June 1, 2024, Ipswich Borough Council implemented an [Article 4 Direction for Small Houses in Multiple Occupation \(HMOs\)](#), which removes permitted development rights for converting dwellinghouses (Use Class C3) into small Houses in Multiple Occupation (HMOs) (Use Class C4) within parts of 12 wards in Ipswich Borough.

The confirmed Article 4 Direction results in the requirement for applicants to make a planning application for changes of use from dwelling houses to small houses of multiple occupation, in order for them to be formally assessed by the Local Planning Authority.

Such planning applications will be evaluated according to Policy DM20 Houses in Multiple Occupation, which addresses the concentration of HMOs in specific areas to prevent potential negative impacts on local amenity.

Until the Article 4 was in place, officers took the approach of only assessing the large, registered/licensed HMOs. The rationale being that smaller HMOs did not require planning permission. In areas where the Article 4 does not apply it is considered to continue this approach. However, in areas where the Article 4 now applies officers will need to consider small, unlicensed HMOs.

This guidance document has been developed to aid in the identification of small and unlicensed HMOs in Ipswich. The guidance outlines procedures for planning officers, including the use of various data sources, conducting site inspections, and collaborating with other internal departments such as Environmental Health. The aim of the guidance is to support the effective implementation of Policy DM20, seeking to ensure that there will not be an overconcentration of HMOs in any one area.

## STATUS OF THIS DOCUMENT

It is important to note that this guidance document does not hold any formal status and is intended solely as a practical resource for planning officers. Decisions on planning applications will continue to be made in accordance with the relevant adopted local plan policies.

## POLICY DM20 HOUSES IN MULTIPLE OCCUPATION

[Policy DM20 Houses in Multiple Occupation](#) states that:

*“Proposals for the development of Houses in Multiple Occupation (HMO), including through the change of use of existing non-residential buildings, will be supported where they:*

- a) *demonstrate that they meet the nationally required minimum room standards for HMOs;*
- b) *would not adversely affect the amenity of nearby residents in terms of noise and disturbance or loss of privacy;*
- c) *do not have an adverse impact on local employment uses – such as reducing the availability of office accommodation in strategically identified locations for office use;*
- d) ***would not adversely impact on the amenity of the local area through the over-concentration of HMOs, or cumulatively adding to an area already subject to an over-concentration;***
- e) *provide an acceptable living environment for future occupants, including adequate outdoor amenity space, car parking (in accordance with the standards), secure and covered cycle parking and refuse storage; and*
- f) *are well-served by local services and accessible by sustainable transport modes.”*

***“Proposals for HMOs will not be approved where they will result in an over-concentration of HMOs. An over-concentration is defined as:***

- i) ***more than two HMOs side by side;***
- ii) ***the sandwiching of a single self-contained house or flat between two HMOs;***
- iii) ***more than two HMOs within a run of twenty properties on one side of the road; or***
- iv) ***more than one HMO in a road of fewer than twenty properties on one side of the road.”***

## **IDENTIFICATION OF SMALL HMOS**

The following text sets out the steps which officers may follow to support the identification of small / unlicensed HMOs.

**Step 1: HMO definition. Establish if the property is a collection of self-contained flats or an HMO by applying the “Standard Test” for HMOs from the Housing Act 2004:**

According to the Housing Act 2004, a House in Multiple Occupation, or HMO, is a building, or part of a building, that is occupied by persons who do not form a single household - in other words, they are not family members. For example:

- (a) it consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
- (b) the living accommodation is occupied by persons who do not form a single household;
- (c) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it;
- (d) their occupation of the living accommodation constitutes the only use of that accommodation;

(e) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and

(f) two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

## **Step 2: HMO identification. How officers should assess these points when an application is received.**

**Conduct a planning history search:** Begin by performing a planning history search on the street where the property is located to check for existing HMOs. This should include a review of planning enforcement records and building control records that may indicate internal alterations, such as the addition of fire doors, fire alarms, or extra bathrooms, which are common in properties converted to HMOs.

**Check GIS mapping layer:** Officers should check the Development Management Area on the GIS mapping layer in Uniform. All registered HMOs have been mapped using Environmental Health's [list](#) and land charges data.

Review mapping of accommodation used for Suffolk children in care, as provided by Suffolk County Council Children and Young People's Services.

**Consult relevant departments:** Engage with relevant council departments for additional information. Environmental Health can provide details on any known unlicensed HMOs. Council Tax records can be checked to identify properties registered as HMOs. The Elections Team may have records of multiple registered voters at a single address, which could indicate a HMO. Suffolk County Council Children and Young People's services may be able to provide additional information to that shown on their mapping. Additionally, consulting with the Local Councillor may help to identify properties that are suspected to be unlicensed HMOs.

**Conduct a site visit:** As part of standard procedure, officers should carry out a site visit. During these visits, officers should look for obvious indicators to identify properties that may be functioning as HMOs. A detailed list of potential identifying features to look for is provided below.

## **Step 3: HMO identification. Officer site visit observations.**

When conducting site visits, planning officers should rely on a range of visual cues that can indicate whether a property is being used as a HMO. These indicators, observable from street level, help to identify properties that may be functioning as HMOs, even if they are not officially registered or licensed.

Key visual indicators noted by planning appeals inspectors:

- Increased resident activity: A higher frequency of comings and goings compared to typical residential properties is an indicator of a HMO. This increased foot traffic is often due to multiple occupants living independently within the same property, each with their own schedules and routines. Such activity is particularly noticeable during peak times, such as mornings and

evenings, and may differ significantly from the more stable patterns observed in single-family homes.

- Higher density of ancillary elements such as refuse disposal facilities: The presence of additional refuse disposal facilities, such as extra bins or recycling containers, can signal a higher number of occupants than usual for a standard residential property. HMOs typically generate more waste due to the number of residents, leading to a higher density of ancillary elements.
- Multiple door entrance buzzers: Properties that have been converted into HMOs can feature multiple door entrance buzzers, one for each tenant or household. This is a practical adaptation for managing access for multiple independent residents.
- Poor maintenance of waste storage: Poorly maintained waste and recycling storage areas can be a byproduct of overcrowding. When the number of occupants exceeds what the property was originally designed for, waste management can become an issue.
- Additional parking provision: The need for additional parking is a common consequence of higher occupancy levels within HMOs. Properties that were originally designed for a single household may struggle to accommodate the parking needs of multiple independent residents. This can result in increased demand for on-street parking, additional vehicles parked in driveways, or the conversion of garden spaces into parking areas.

Other potential indicators of HMO use identifiable at street level:

- Multiple doorbells, key safes, and mailboxes: The presence of several doorbells, key safes, or mailboxes is a strong indication that the property is divided into multiple units or is being occupied by different households.
- Signage indicating letting of rooms: Properties used as HMOs may display signage advertising rooms for rent.
- Presence of storage units and clutter: The existence of storage units or lockers outside the property, along with general clutter, may suggest overcrowding. Overcrowded properties often lack sufficient indoor storage space, leading to the overflow of personal belongings into outdoor areas.
- Excessive wear and tear: Signs of excessive wear and tear, such as overgrown gardens or other signs of neglect, can indicate a property that is not being maintained to a high standard. HMOs often experience higher tenant turnover, which can lead to less investment in long-term maintenance.
- Visible signs of property modifications: Modifications such as additional entrances, extensions, or internal reconfigurations that are visible from the exterior can indicate that a property has been adapted to accommodate more tenants. These changes might include new doors, window arrangements, or other structural alterations that suggest the property has been reconfigured from its original design to increase capacity.
- Varied window coverings: A variety of window coverings, such as different styles of curtains, blinds, or shades in different rooms, can indicate that the property is divided into multiple living spaces, occupied by different tenants. Additionally, the use of blackout curtains or makeshift coverings in rooms that were not originally intended as bedrooms can suggest that living areas are being repurposed to accommodate additional residents.

While any single one of these visual checks may not be conclusive evidence of a property being used as a House in Multiple Occupation (HMO), the presence of multiple indicators increases the likelihood that the property is operating as an HMO and suggests that officers should undertake further investigations.

#### **Step 4: Further investigation if necessary.**

If disputes arise during the application process regarding the property's status, officers should undertake further investigations. This can include reaching out to lettings agents or searching for information on lettings websites to gather additional evidence about the property's use.

Examples of letting websites and property platforms which list Houses in Multiple Occupation (HMOs):

- Rightmove – Rightmove includes a range of property types, including HMOs. It is possible to filter search results to find HMOs specifically. Website: [Rightmove](#)
- Zoopla – Zoopla lists various property types, including HMOs. Users can search by property type and refine results to include HMOs. Website: [Zoopla](#).
- OnTheMarket - This site offers a range of property listings, including HMOs. Users can search for HMOs by filtering property type. Website: [OnTheMarket](#)
- SpareRoom - Specialising in room rentals and shared accommodation. Website: [SpareRoom](#)
- Gumtree - While not exclusively for HMOs, Gumtree features listings for various property types, including shared houses and HMOs. Website: [Gumtree](#)
- OpenRent - This site provides a range of property listings, including HMOs, with direct listings from landlords and agents. Website: [OpenRent](#)
- Rentify - Rentify lists various property types, including HMOs, and provides tools for landlords and tenants. Website: [Rentify](#)

#### **CONCLUSION**

Overall, the new Article 4 Direction and Policy DM20 aim to enhance the management of HMOs in Ipswich, ensuring that their distribution supports sustainable community development and preserves local amenity. This guidance document provides a useful resource for planning officers by outlining practical procedures for identifying and assessing both small and unlicensed HMOs.

Any HMOs identified during this process that require planning permission will be referred to the Planning Enforcement Team.

The guidance document was endorsed by Ipswich Borough Council's Planning and Development Committee on the 21 August 2024.