



Houses in Multiple Occupation Supplementary Planning Document

March 2022

1 Introduction

- 1.1** Houses in Multiple Occupation (HMOs) are properties that are rented out by at least three people who are not from one household (such as a family) but share facilities like a bathroom and kitchen. They are sometimes known as ‘house shares’.
- 1.2** HMOs form part of the borough’s housing supply and contribute to housing choice. They provide low-cost and flexible housing for people whose housing options may be limited. They can be home to people on low-incomes, young professionals, students and those on short-term work contracts. HMOs can be purpose-built, but most in Wigan have been created through the conversion of existing properties that were in residential or other uses.
- 1.3** The majority of HMOs in Wigan are well managed and provide decent homes, but poorly managed or badly designed or located properties have the potential to lead to issues for both occupants and neighbours. Some of the most common concerns expressed in the borough in relation to HMOs relate to:
- Negative changes to the character of the area and the nature of the local community
 - Negative impacts on the amenity of neighbours through the greater intensity of use of HMOs
 - Pressure on parking provision
 - Waste storage and litter
 - Anti-social behaviour and crime
 - Negative impacts on the physical environment and streetscape
 - The provision of inadequate living accommodation for occupiers
- 1.4** This Supplementary Planning Document (SPD) has been produced to better manage the provision of HMOs throughout the borough, improve the standards of the accommodation that is provided and reduce detrimental impacts on neighbours. It assists in the interpretation of policies within the Wigan development plan and sets out guidance and good practice for planning applicants to enable the delivery of better planning outcomes. The SPD will not be able to address issues in relation to existing HMOs, but it is an important material consideration in the determination of planning applications for new and expanded HMOs and is applicable throughout the borough. It applies to planning applications for:
- HMOs created through conversions
 - Purpose-built HMOs
 - The expansion of existing HMOs

2 Context

Local Planning Policy

- 2.1** The development plan for Wigan includes a range of policies that are used in the determination of applications for HMOs. Key policies are set out below:

Wigan Local Plan Core Strategy (2013)

- SD1 Presumption in favour of sustainable development
- CP6 Housing
- CP7 Accessibility
- CP10 Design
- CP11 Historic Environment
- CP17 Environmental Protection

Wigan Replacement Unitary Development Plan (2006)

- A1S Parking in New Development
- EV4A Development and Design in Conservation Areas

Article 4 Direction

- 2.2** The change of use from a house (which is in planning use class C3) to a large HMO of more than 6 people requires planning permission.
- 2.3** However, the change of use from a house to a small HMO of between 3 and 6 people (planning use class C4) is classed as permitted development and does not require planning permission, unless permitted development rights have been removed through the introduction of an article 4 direction.
- 2.4** The greatest concentrations of HMOs in the borough are in Swinley and central Leigh. Based upon evidence about the impact of HMOs in these areas, the council introduced an article 4 direction in January 2020 that removed permitted development rights for changes of use from a single house to a small HMO in both of these locations. This means that all HMOs in Swinley and central Leigh now need planning permission, regardless of size. Full details of the article 4 direction, including maps of the areas it applies to can be viewed on the [Wigan Council website](#).

3 Planning requirements

Avoiding a concentration of HMOs

- 3.1** As well as forming part of the borough's housing supply and contributing towards meeting housing needs, HMO conversions can also enable the continued viable use of older housing and provide an effective use of land and buildings. However, HMOs typically intensify the use of properties, with more resident and visitor movements than a typical family home, and concentrations of them can impact on the amenity of neighbouring properties and the wider neighbourhood.
- 3.2** Therefore, in order to help ensure mixed and balanced communities and to ensure that new development does not have an unacceptable adverse impact on amenity and quality of life, this SPD sets out restrictions to limit the concentration of HMOs in small areas and to manage the siting of HMOs relative to other HMOs. This will contribute to retaining local character, help to ensure a mix of house types and tenures, and reduce potential residential amenity issues. To achieve this the council will apply three measures:
- A concentration threshold
 - Restricting the sandwiching of properties
 - Restricting three adjacent HMOs

Applying a concentration threshold

- 3.3** Planning permission will not normally be granted for new HMOs, or for proposals to extend existing HMOs, where the proportion of HMOs exceeds, or will exceed, 10% of the properties (residential and commercial) within a 50-metre radius of the application property.
- 3.4** The radius will be measured from the mid-point of the front boundary of the application property and calculated through the inclusion of properties that have a Land and Property Gazetteer address point within that radius. Existing properties that have been sub-divided into flats will be counted as single properties for the purposes of the calculation, as some of the issues that can be associated with HMOs can also be associated with flat conversions. However, purpose-built flats will be counted on an individual basis, as they are not subject to the same constraints as flat conversions and issues should have been fully addressed as part of the planning process.
- 3.5** In order to identify properties in HMO use, the council will utilise data held on the council's GIS HMO layer, which identifies HMOs from a variety of sources, including HMO licensing data, planning records and Council Tax data. However, this may not be an exhaustive record of all HMOs in an area, because some HMOs may not be known to the council, particularly if they are too small to have required planning permission or be subject to mandatory licensing. Further investigation may therefore be required as part of the planning application process in response to new or updated information about the presence of HMOs in the locality.
- 3.6** There are limited circumstances where permission could be granted for an HMO that results in the 10% threshold being exceeded. They might include where:
- There is a strong physical barrier, such as a railway line, between the application property and established HMOs,
 - There are a limited number of properties within the 50-metre radius, or
 - The nature of the application property means that impacts will be lessened e.g., the property could be detached and have a substantial curtilage.

3.7 An example of applying the concentration threshold is shown in Figure 3.1. A proposed HMO is shown in red and properties with an address point within 50 metres of the proposed HMO are identified. If the proportion of properties in use as an HMO exceeds, or will exceed, more than 10% of the properties within the 50-metre buffer zone, then permission will not normally be granted.

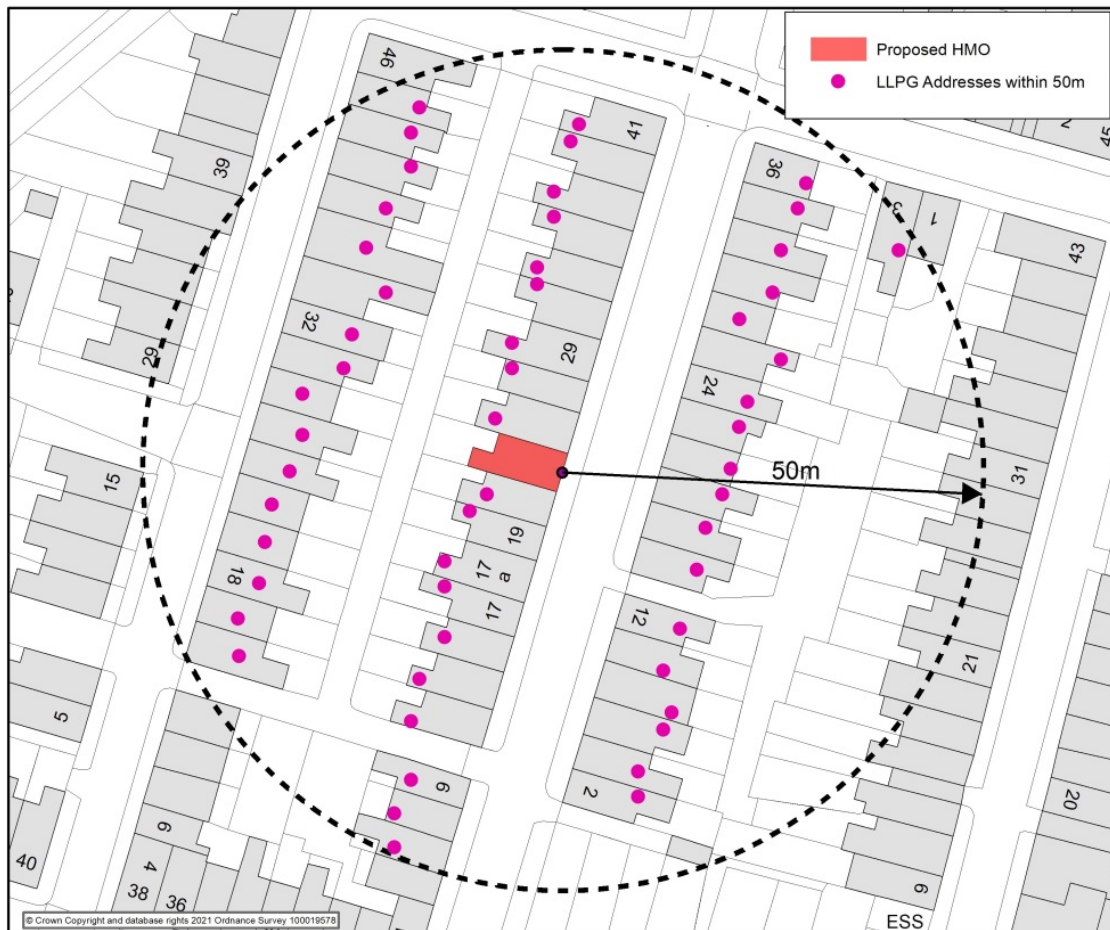


Figure 3.1 Applying a concentration threshold

Restricting the sandwiching of properties

- 3.8** Planning permission will not normally be granted for the development of HMOs that lead to the ‘sandwiching’ of residential properties. Sandwiching occurs when a non-HMO residential property has an HMO on either side. This has the potential to lead to amenity issues for the non-HMO property due to the greater intensity of use of the HMOs.
- 3.9** Circumstances where permission might be granted for an HMO that ‘sandwiches’ a non-HMO residential property are limited but could include where there is a significant gap between the curtilages of the properties, or where properties are set within large gardens or curtilages.
- 3.10** An example is shown in Figure 3.2. The proposed HMO (in red) would result in the residential property at No. 33 being sandwiched between two HMOs. This would not normally be granted planning permission.

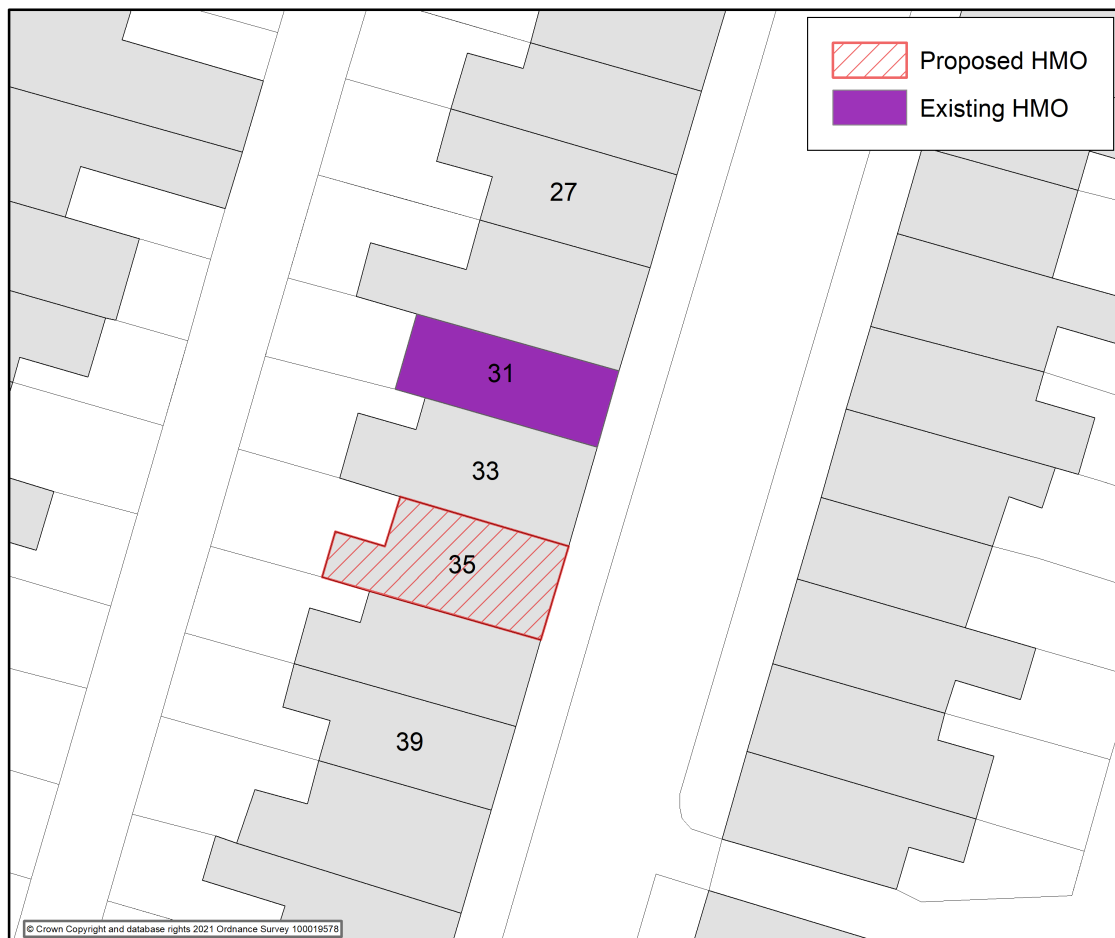


Figure 3.2 Restricting the sandwiching of properties

Restricting three adjacent HMOs

- 3.11** Planning permission will not normally be granted for proposals that would result in a block of three or more adjacent HMOs. Streets can sometimes become dominated by HMOs, which has the potential to lead to amenity issues for the non-HMO properties, particularly those opposite or adjacent, due to the greater intensity of use of the HMOs.
- 3.12** Circumstances where permission might be granted for a proposal that would result in a block of three or more adjacent HMOs are limited but might include where there is a significant gap between the curtilages of properties, or where properties are set within large gardens or curtilages.

Achieving a good standard of accommodation

- 3.13** It is important to ensure that HMOs provide a good standard of accommodation for their occupants.

HMO Management Regulations

- 3.14** HMOs must comply with statutory regulations on management. This legislation places certain duties on the individuals managing the property and non-compliance with these regulations may result in a prosecution and/or fine (including a civil penalty). Further information can be found at: [House in multiple occupation \(HMO\) licence \(wigan.gov.uk\)](https://www.wigan.gov.uk/hmo-licence).

HMO Licensing

- 3.15** All properties that are occupied by five or more people, from two or more households and sharing an amenity are subject to mandatory HMO licensing. Licenses are valid for five years and properties are subject to inspection during this period. If the council receives complaints regarding a property this will prompt further inspection and enforcement action is taken if necessary. Further information can be found at: [House in multiple occupation \(HMO\) licence \(wigan.gov.uk\)](https://www.wigan.gov.uk/hmo-licences).

Wigan Council's HMO Standards

- 3.16** HMOs should also adhere to the council's HMO standards, in relation to:
- Natural and artificial lighting
 - Ventilation
 - Heating
 - Water supply
 - Bathrooms, shower rooms and sanitary conveniences
 - Refuse
 - Kitchen facilities
- 3.17** The document also sets out space standards for bedrooms, communal rooms and combined bedrooms and provides information on the number of bathrooms, toilets and wash-hand basins required for the number of persons sharing those facilities. Information is also provided on fire precautionary measures, gas safety, electrical safety, fire safety and furniture safety.
- 3.18** HMOs must also be free of significant hazards under the Housing Health and Safety Rating System (HHSRS). This is used to identify and assess if hazards in residential accommodation could be a risk to occupants' health or safety.

Internal space

- 3.19** When assessing planning applications for HMOs, the council will require applicants to meet the HMO space standards in the [Wigan Council HMO Guidance on Space and Amenity Standards](#), or any revised standards set out nationally or on a local basis.
- 3.20** The internal space standards in the HMO Guidance on Space and Amenity Standards are reproduced in this SPD for ease of reference. The standards apply whatever the occupant's age. The floor area occupied by en-suite facilities or where the ceiling height is less than 1.5m is not included in the floor space calculation. It is assumed that the room will be a reasonable height and free of potential injurious obstructions.

Room type	Floorspace (sq. m)	
	Single bed accommodation	Double bed accommodation
For sleeping only	6.5	11.0
For sleeping and living	9.0	14.0
For sleeping, living and cooking (e.g. bedsit)	13.0	18.0

- 3.21** Room sizes for the following communal rooms are given as a guide only. Other room sizes may be acceptable if the council can be satisfied that the size, design and layout of the room will still allow the occupants to prepare, cook and serve food in a safe and hygienic manner.

Communal rooms	Floorspace (sq. m)	
	1-5 persons	6-10 persons
Kitchen only	7.0	10.0
Kitchen / diner	11.0	19.5
Living room / diner	11.0	16.5

3.22 Planning applications should provide existing and proposed floor plans to a suitable scale in accordance with the council's Validation Checklist for planning applications. Proposed floor plans should clearly identify proposed room uses, including bedrooms, communal spaces and the location of any opening windows. For bedrooms, the plans must also indicate the maximum number of occupants

3.23 Applicants are also asked to give careful consideration to the internal layout of HMOs, with particular attention given to the following:

- Planning applications should provide existing and proposed floor plans to a suitable scale. Proposed floor plans should clearly identify proposed room uses, including bedrooms, communal spaces and the location of any opening windows. For bedrooms, the plans must also indicate the maximum number of occupants.
- The location of bedrooms to ensure that residents have easy access to bathroom facilities, for example, residents in bedrooms on a 2nd floor should not have to go to the ground floor to access bathroom facilities.
- The location of bedrooms in relation to communal living space to ensure that residents have privacy and are not subject to unacceptable noise from communal areas, for example, communal living areas above bedrooms can have negative impacts on amenity.
- The provision of adequate storage space.

3.24 Applications that do not meet the identified standards are unlikely to be granted planning permission.

Outdoor amenity space

3.25 Provision should be made for outdoor amenity space as part of HMO proposals. This is important to help create a better-quality living environment and should be in addition to space used for functions such as drying clothes, refuse and recycling storage and cycle storage. HMOs are often created through the conversion of existing properties and are often located in, or near to, town centres where outdoor space may be limited, so all applications will be assessed on a case-by-case basis, but applicants should aim to provide useable outdoor amenity space with an area for drying clothes, wherever possible. This should be identified on the application site plan. All private external amenity space should normally be overlooked from within the property.

Cycle storage

3.26 HMO proposals should provide adequate provision for cycle storage, at the recommended level of one cycle space per bedroom. Storage should be secure, covered and shown on plans. Corridors or landings will not be considered as adequate provision for cycle storage and residents should not be expected to carry a cycle upstairs. Cycle stores will need to be sensitively designed and sited to reduce the impact on neighbouring residents or the streetscene. Cycle storage should be shown on a site plan as part of the planning application. Applications which do not provide adequate provision for cycles are unlikely to be granted planning permission.

Energy Efficiency

- 3.27** HMOs are also subject to the [Domestic Minimum Energy Efficiency Standard](#) relating to minimum energy performance ratings.
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Safeguarding the amenity of neighbouring residents

- 3.28** It is important to ensure that the development, or extension, of an HMO does not have an unacceptable impact on the amenity of neighbours. As stated, all HMOs are subject to statutory management regulations which place certain duties on the property managers and occupiers. Non-compliance may result in a prosecution and/or a fine. HMOs for five or more people are also subject to mandatory licensing. If the council receives complaints regarding a property this will prompt further inspection and enforcement action will be taken if necessary.

Management plans

- 3.29** The council will require the submission of a management plan as part of the planning application process. The agreed management plan will need to be adopted by the landlord, and the use of the property as an HMO implemented in accordance with the agreed details. The management plan will be expected to cover matters such as:
- The arrangements for the management and maintenance of all communal areas within the site and the building.
 - The methods to be deployed by the landlord to address and prohibit any potential nuisance or annoyance caused by tenants.
 - The management proposals for the servicing and the storage, transfer and collection of waste ensuring that appropriate arrangements are made.
- 3.30** This will ensure that there is a visible statement provided as part of the planning application process that provides greater clarity / detail about the arrangements in terms of the management of the property. This should not prove onerous for good landlords and will allow them to highlight good management practices.

Waste and recycling storage

- 3.31** HMOs may generate more waste than typical homes. When planning permission is sought for HMOs, provision will need to be made for appropriate waste and recycling storage and collection in accordance with the council's waste collection policy [Wigan Council Waste Collection Policy](#) .
- 3.32** It is important that the location, design and size of external bin storage areas are suitable and that they do not have a negative impact on the amenity of HMO occupants or their neighbours, and do not detract from the general amenity and character of the area. Bins stored at the front of properties can look unsightly and clutter the streetscene. Where possible they should be located to the side or rear of a property and screened from view to minimise their impact. Unless suitably screened, bins stored at the front of properties are unlikely to be acceptable.



- 3.33** The design and layout of HMOs should therefore be carefully considered to ensure that there are adequate facilities for waste storage and for collection. All waste and recycling storage areas should be clearly identified on plans submitted as part of the planning application.



Car parking

- 3.34** HMOs are typically home to more adults than a standard residential property, which could lead to increased pressure for car parking spaces. Many HMOs are conversions of existing properties and the level of parking provision that is possible within the property is often restricted. Therefore, it is not possible to have a 'one size fits all' approach to parking that is suitable for all HMOs.
- 3.35** To reduce parking pressures on the street, provision for parking within the property curtilage should be provided if possible and appropriate. However, any in-curtilage parking provision must complement the residential character of the area and not detract from the entrance and approach to the building. A balance must also be made between the provision of space for car parking and other needs, such as waste storage, cycle storage and the provision of outdoor amenity space.



3.36 All applicants for HMOs should set out the parking provision that is proposed as part of their scheme at the planning application stage. The appropriate level of parking provision will need to be agreed with the council based upon:

- The availability and suitability of parking within the curtilage of the property.
- The sustainability of the site in relation to services and amenities.
- The availability of public transport and access to bus stops and cycle routes.
- The availability of existing parking provision in the surrounding locality.
- Parking demand compared to the use of the building as a standard residential property.

External alterations

3.37 The conversion of properties from other uses must include appropriate proposals to establish residential character and maximise the residential amenity of the property.

3.38 Where appropriate, it is important that HMOs retain existing residential features, such as boundary walls and window openings, to contribute to a residential feel and create a defensible space for the occupiers.



- 3.39** Particular care and attention to detail is required if an HMO proposal is located within a conservation area and applicants will be required to ensure that proposals accord with policies on conserving and enhancing the historic environment. This may require features such as original timber windows and chimneys to be incorporated into conversion schemes.

Entrance and approach

- 3.40** The entrance and approach to an HMO is an important part of how it functions in relation to its surroundings. When HMO entrances are at the side or rear of a property, sometimes accessed by separate external stairs, they can cause a range of amenity issues for both neighbours and residents. Designing entrances to be visible from the street will mean that HMOs are more secure. HMOs should therefore normally be served by a main entrance at the front of the property.

4 Further information

4.1 Further useful information on HMO licensing, standards and the Article 4 Direction that covers Swinley and central Leigh can be found at:

- [House in multiple occupation \(HMO\) licence \(wigan.gov.uk\)](https://www.wigan.gov.uk/your-council/house-in-multiple-occupation-hmo-licence)
- [Wigan Council HMO Guidance on Space and Amenity Standards](#)
- [Article 4 direction - Changes to houses in multiple occupation \(wigan.gov.uk\)](https://www.wigan.gov.uk/your-council/article-4-direction-changes-to-houses-in-multiple-occupation)

