



**Exemptions for
change from
Dwelling House to
Home in Multiple
Occupation**

DLP BRIEFING NOTE 146

Prepared by
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Exemptions for change from Dwelling House to home in multiple occupation

On 1 October 2010 the Government introduced permitted development rights for changes of use from Use Class C3 (Dwelling House) to C4 (House in Multiple Occupation). This means that planning permission is no longer required to convert a dwelling house into a small home in multiple occupation (HMO). However most Local Planning Authorities have withdrawn this permitted development rights through an Article 4 Direction where they would undermine local objectives to create or maintain mixed communities.

As much of your focus is on Hillingdon, Barnet, Brent and Enfield, please be advised of their individual positions:

- Hillingdon – The council are using Article 4 Direction to remove the permitted change from C3 to C4
- Barnet – The council are using Article 4 Direction to remove the permitted change from C3 to C4
- Brent – The council don't use Article 4 Direction to remove the permitted change from C3 to C4
- Enfield – The council are using Article 4 Direction to remove the permitted change from C3 to C4

However, it is advised that specific advice should be sought from us in respect of other Council areas.

Any proposals for large HMOs (more than 6 occupiers) need planning permission and will be assessed against Local Development Framework policies that tend to resist the loss of family housing. It is advised that all local authorities must licence properties that are at least three or more storeys high, with five or more persons, who form two or more households. This is known as mandatory HMO licensing.

If converting your property into a HMO without planning permission (6 or less occupiers) you will still need to comply with HMO legalisation to be issued with a HMO Licence.

To comply with the requirements of a HMO Licence you must meet the following:

- Regarding washing facilities (including Baths/showers, toilets and wash hand basins) where all or some of the units of living accommodation do not contain bathing and toilet facilities for the exclusive use of each individual household the following shared facilities must be provided.

Where there are four or fewer occupiers - There must be at least one bathroom with a fixed bath or shower.

Where there are five or more occupiers - There must be at least one bathroom (which may contain a toilet) with a fixed bath or shower for every 5 sharing occupiers. (Ratio of 1: 5)

There must be at least one separate toilet with wash hand basin with appropriate splash back for every 5 sharing occupiers. (Ratio of 1: 5)

- Where all or some of the units of accommodation share kitchen facilities shall be provided as a minimum for every 5 people sharing one set of facilities.

A summary of are minimum HMO room sizes can be seen in the table below:

	Number of persons				
Where the room is for the sole use of occupier(s)	1	2			
Kitchen	4m ²	5m ²			
Bedroom	6.5m ²	10m ²			
Combined kitchen and living room	11m ²	15m ²			
Combined bedroom and living room*	9m ²	14m ²			
Combined bedroom, living room & kitchen	13m ²	19m ²			
	Number of persons				
Where the room is shared by occupiers	1-3	4	5	6	7-10
Kitchen	5m ²	6m ²	7m ²	9m ²	11m ²
Total communal living space**	13.5m ²	17m ²	18m ²	20m ²	27.5m ²

The London Borough of Ealing has provided some useful information on the facilities that need to be provided throughout a HMO property and this can be accessed using the link http://www.ealing.gov.uk/info/100007/housing/393/multiple_occupancy_housing.

If you require more information or would like to discuss the issues mentioned in further detail please contact:

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