

A Guide to Planning, Licensing and Building Regulations for Houses in Multiple Occupation

1. Introduction

Houses in Multiple Occupation (HMOs) are regulated through three separate regimes: **planning, licensing, and building regulations**. These regimes often overlap but each deal with different aspects of HMOs. It is common for applicants, landlords, and residents to be unsure which rules apply to which issues.

This short guide sets out, in clear terms, the role of each regulatory regime and the issues they cover, supported by a summary table of responsibilities.

2. Planning

Planning regulates land use, development, and the impact of HMOs on their surroundings. It focuses on the *impacts* of an HMO, not its day-to-day management or specifics regarding the identity of occupiers (only the use of land/property and its *nature of occupation*).

Planning covers:

- **Change of use** to an HMO (e.g., C3 (dwellinghouse) → C4 (House in multiple occupation), large HMO sui generis (uses that do not fall within any other use class)).
- **Planning applications for new-build HMOs.**
- **Impact on local character:** avoiding over-concentrations of HMOs, amenity, community balance, intensity of use.
- **Impact on neighbours (residential amenity):** including the potential for noise and disturbance (*not* noise complaint management).
- **Physical extensions or alterations** requiring planning permission.
- **External design and appearance.**
- **Amenity standards** (planning level): communal spaces, bin storage, clothes drying area, etc. (if specified in Local Development Plan policy).
- **Location-related issues:** i.e. access, parking pressure, cycle storage.

3. Licensing

Licensing focuses on the safe and proper management of HMOs and the suitability of landlords and agents. It is concerned with health, safety and the welfare of occupiers. While issued by Shared Regulatory Services' (SRS) Licensing team, licensing standards are enforced by Environmental Health.

Licensing covers:

- **Mandatory HMO licensing:** properties with 5 or more residents forming more than one household; comprising three or more storeys; and sharing basic amenities.

- **Additional or selective licensing schemes** for smaller HMOs (not applied by Bridgend County Borough Council).
- **Sets minimum room sizes and ensures there are sufficient facilities**
- **Suitability of the landlord/agent**
- **Management standards**, including:
 - Providing information to occupiers;
 - Taking fire and general safety measures;
 - Maintaining water, gas, electricity supplies;
 - Keeping common parts, fittings, and appliances in good order;
 - Maintaining living accommodation; and
 - Providing proper waste disposal.
- **Assesses housing standards under the Housing Health and Safety Rating System**
- **Overcrowding and maximum occupancy**
- **Conditions requiring ongoing compliance**

4. Building Regulations

Building Regulations ensure HMO development meets minimum safety / quality standards.

Building regulations cover:

- Ensure compliance with standards relating to:
 - Fire safety (means of escape, fire doors, protected corridors, signage, etc.);
 - Emergency lighting;
 - Structural safety;
 - Sound performance standards;
 - Drainage, sanitation, ventilation; and
 - Thermal performance and energy efficiency.
- Apply when a property is converted, extended, or altered for use as an HMO.
Houses/Flats converted to HMOs that are occupied by people who share a tenancy, share bills and where the property does not have individual locks on doors would *not* be required to apply for building regulations approval.

5. Summary: Who covers what?

Issue/Requirement	Planning	Licensing	Building Regs
Change of use to an HMO	✓	✗	✗
Neighbour/Amenity impacts*	✓	✗	✗
Parking, access, waste storage	✓	✗	✗
Room sizes	✗	✓	✗
Occupancy levels	✗	✓	✗
Fire safety systems	✗	✓	✓
Thermal performance	✗	✗	✓
Gas/Electrical safety checks	✗	✓	Partial coverage
Condition & management	✗	✓	✗

*Planning considers only potential amenity impacts, not noise-complaint enforcement.