ROSSENDALE BOROUGH COUNCIL

ITEM NO. D1

Subject:	Consultation on Draft Supplementary Planning Guidance for Houses in Multiple Occupation (HMO)	**Status:**	For Publication
Report to:	O&S	**Date:**	10 November 2025
Report of:	Head of Planning	**Lead Member:**	Leader of the Council and Lead Member for Planning
Key Decision: ☐	Forward Plan ☒	General Exception ☐	Special Urgency ☐
Equality Impact Assessment:	Required: **Yes**	Attached: **Yes**	
Biodiversity Impact Assessment:	Required: **Yes**	Attached: **Yes**	
Contact Officer:	Anne Storah	**Telephone:**	01706 252418
Email:	annestorah@rossendalebc.gov.uk;		

1. RECOMMENDATION(S)

1.1. To note that consultation will be starting on Supplementary Planning Guidance for Houses in Multiple Occupation, for a period of 4 weeks. Following the consultation, and appropriate amendments, the SPG will be taken to by Cabinet for approval with a recommendation that it will be used in the determination of all planning applications for Houses in Multiple Occupation.

2. EXECUTIVE SUMMARY

2.1. Rossendale Borough Council issued an Immediate Article 4 Direction on 19 September 2025, covering the entire borough. This means that planning permission is required for all Houses in Multiple Occupation. It affects all properties which are being changed to small HMOs (i.e. with 3 to 6 unrelated individuals who share facilities, such as a kitchen), as they no longer benefit from permitted development rights. Conversion to a large HMO still requires consent.

2.2. In accordance with the Regulations (Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 2015), consultation on the Article 4 Direction took place for 6-weeks, ending 31 October 2025. Should no amendments be necessary, the Article 4 Direction will need to be formally confirmed within 6 months of being introduced, otherwise it will expire.

2.3. The Secretary of State was notified on introducing the Article 4 Direction. Whilst not required to approve it, they can revoke or amend the Article 4 Direction.

2.4. To assist in determining planning applications for HMOs (both small and large), it is considered necessary to issue specific planning guidance in order to manage their quality, spread and location. This Supplementary Planning Guidance for Houses in Multiple Occupation has been drafted for consultation and is attached to this Report.

2.5. It is not the purpose of this supplementary guidance (SPG) to stop all HMOs being created but to ensure that HMOs brought forward are suitable for their occupants, and do not create amenity issues for neighbouring properties and/or upset the balance of local housing markets.

2.6. The Council will consult on this planning guidance for a period of 4 weeks. The consultation is expected to start w/c 10 November, ending w/c 8 December 2025.

3. BACKGROUND

3.1 For planning purposes, a small HMO (use class C4) is defined as a property occupied by between 3 and 6 unrelated individuals who share basic amenities such as, kitchen, bathroom etc. A large HMO (termed sui generis) is occupied by 7 or more unrelated tenants.

3.7 As in other districts, there have been concerns raised about the number of HMOs, including:

- adverse impacts on an area's character
- negative impacts on the amenity of neighbouring properties, especially when they are clustered in particular areas
- pressure on parking
- waste storage (with bins cluttering pavements) and increased litter
- negative impacts on the street-scape
- inadequate living accommodation (mainly too cramped) for occupiers.

3.8 Research by other authorities has noted the following:

- Disproportionate impact on vulnerable groups; people from minority ethnic backgrounds, disabled individuals, and those with mental health conditions, are more likely to live in HMOs due to affordability constraints.
- Quality and safety issues with many HMOs being older properties with poor insulation, damp, overcrowding, and inadequate fire safety.
- Stigma and exclusion as HMO tenants, especially in areas with high concentrations of such properties, are unable to be involved in community life
- Unplanned increase in pressure on social, health and other public services

3.9 HMOs have an important role to play in the housing market, providing cheaper and more flexible accommodation for people whose housing options are more limited. They are suitable for students, young professionals and migrant workers. But not all properties are suitable for multiple occupation, either for the residents themselves, or because of where they are located. Particularly where there is an over-concentration of HMOs, there may be amenity issues, relating to parking, noise or waste collection, or the housing market can become less balanced with a more transient population and absent landlords.

3.10 It is difficult to quantify the actual number of HMOs, because small HMOs previously did not need planning permission, and only those with 5 or more occupants need to be licensed. However, the Council has identified an increase since the 2021 Census, when it was recorded that there were 17 HMOs. Of these 15 were 'small' HMOs, and did not need planning permission. The latest figures suggest at least 79 confirmed HMOs and an additional 31 possible HMOs; these are mainly small HMOs. The data sources used to estimate current numbers are listed below:

- 2021 Census and ONS data
- decisions on planning applications and lawful development certificates
- entries on the public register of current licensed HMOs in Rossendale
- data from Building Control and Council Tax
- complaints to Environmental Health
- search of websites such as Spare Room
- the Council's Housing Department

4. DETAILS

4.1 There is no specific policy 'hook' in the Local Plan to link to Houses in Multiple Occupation, so it is not possible to give this policy the status of a Supplementary Planning Document (SPD). Nevertheless, as it is necessary to guide the establishment of HMOs in Rossendale, it is considered appropriate to introduce supplementary planning policy (SPG). It is intended that the SPG will be consulted on, prepared in line with the Regulations covering Supplementary Planning Documents (SPDs)[1] and that the Local Planning Authority will be able to give the policy weight in making planning decisions.

4.2 The criteria included in the policy are summarised in the table below:

	Criteria	Explanation
1.	The HMO is not within 50m (radius) distance of an existing known HMO;	This is to avoid clustering and adverse cumulative impacts on neighbouring properties
2.	The development should be within walking distance (within 250m) of a town centre;	To be sustainable. Occupants are more likely to be reliant on public transport to access services.
3.	There is sufficient off-street car-parking parking (unless the property is located in a very sustainable location with excellent access to public transport) and the development will not increase highway safety concerns;	Where it can be expected that occupants are likely to have cars, there should be adequate parking so as not to impact on highway safety, in accordance with the Local Plan's parking standards.
4.	There is sufficient space within the curtilage for the provision of sufficient secure cycle parking;	Occupants are more likely to rely on cycles and these need to be stored so as not to clutter streets or be stored inappropriately indoors
5.	There is sufficient space storage provision for waste and recycling containers in a suitable enclosure area within the curtilage of the property.	To ensure the amenity of the locality is not adversely affected by waste and recycling containers or litter
6.	On submission of a planning application the condition of the property must be of a high standard, and contribute positively to the character of the immediate locality with assurances that the condition of the property will be maintained following the change of use to HMO[2]	To ensure the amenity for the residents is not adversely affected by poorly converted properties and that the amenity for neighbouring properties is maintained following the conversion. Please refer to Appendix 1 – Property Condition Standards Checklist of RBC's Standards for Houses in Multiple Occupation (2020) see 12th February 2020: Cabinet | Rossendale Borough Council
7.	The increase in the number of residents will not have an adverse impact on the level of amenity neighbouring residents can reasonably expect to enjoy.	To ensure that issues such as excessive noise or increased access to services are addressed.
8.	The development accords with the Council's latest version of Standards for Houses in Multiple Occupation, published by the Environmental Health team[3]	To ensure the HMO is suitable for people living in the property the policy addresses: • Legal standards – free from unnecessary hazards • Management Regulations • Space standards / useable space • Washing facilities and toilets • Kitchens • Fire Safety • Waste disposal.

Other HMO Policies

[1] The Town and Country Planning (Local Planning) (England) Regulations 2012
[2] 12th February 2020: Cabinet | Rossendale Borough Council
[3] 12th February 2020: Cabinet | Rossendale Borough Council

4.3 Other Councils use different thresholds and criteria. Hyndburn's policy (Supplementary Planning Guidance) is similar to the policy that Rossendale BC is proposing. This requires the proposed HMO to not be within 100m distance of an existing HMO. Additionally, the development should be within walking distance (250m) of a town centre and additionally requires all bedrooms to possess at least one window and have sufficient natural light.

4.4 Southampton CC will not grant consent for new HMOs where the proportion of HMOs within a 40metre radius was above 10% (unless exceptional circumstances apply) to prevent new concentrations of HMOs and encourage a more even distribution. It also includes a policy to prevent the 'sandwiching' of residential properties between two HMOs.

4.5 Bury MBC does not have an Article 4 Direction to restrict small HMOs in place but the draft Local Plan contains a policy that will affect large HMOs (and potentially in future small HMOs). This proposes that any house that is in use as a single dwelling should not be immediately adjacent to more than one house in multiple occupation (directly behind, as well as to either side). Also, proposals which would result in more than 10% of properties (residential and commercial) being classed as HMOs within a 50m radius of the application property will not be considered acceptable.

4.6 Pendle BC refers to HMOs not representing more than 10% of the housing stock within a 75-metre radius of a proposed development, or that would result in any residential property (C3 use) being sited between two HMOs.

5. RISK

5.1 This policy is to be consulted on widely with stakeholders, statutory consultees and local residents. On adoption, the SPG will be open to challenge in the period immediately post adoption. Planning decisions that are made using this policy as a reason for refusal can be appealed and so this policy could be scrutinised by Planning Inspectors. Nevertheless, the risk associated is considered to be outweighed by the need to issue further guidance to ensure the amenity for both the occupiers of the HMOs and neighbouring properties is maintained. Undertaking consultation on the draft version will also minimise such risks.

6. FINANCE

6.1 Other than the cost of the consultation itself, agreeing to the recommendations in this report will not create any additional financial implications. Adopting the SPG in due course will likely require additional resources from the Planning and Environmental Health teams in determining these planning applications.

7. LEGAL

7.1 Legal implications are covered in the body of the report. If Supplementary Planning Guidance is to be prepared and consulted on then it will be appropriate to undertake consultation for a period of at least four weeks. Comments received will need to be considered and the final document taken to Cabinet for adoption.

8.0 POLICY AND EQUALITIES IMPLICATIONS

8.1 The SPG will be subject to public consultation which will allow any concerns to be identified and dealt with through a subsequent decision on the adoption (or otherwise) of the policy. An Equality Impact Assessment accompanies this Report. It is not the purpose of the policy to refuse houses in multiple occupation but to ensure they are located in suitable locations with appropriate facilities and do not affect the character or amenity of the area.

9.0 REASON FOR DECISION

9.1 Given the concern raised by residents and the evidence showing a rapid increase in the number of HMOs over the past four years (since the 2021 Census), it was considered appropriate to introduce an Article 4 Direction to ensure that all proposals to convert a house to an HMO will require planning consent. This will help ensure that future HMOs will be delivered in a more controlled and manged way, particularly as planning conditions may be imposed regarding management arrangements etc.

9.2 Consulting on this SPG will highlight any concerns and give stakeholders the opportunity to comment on the policy. The Supplementary Planning Guidance for Houses in Multiple Occupation will help planning officers and Development Control Committee determine planning applications for HMOs. It will also help prospective developers by setting out planning requirements.

Background Papers	
Document	**Place of Inspection**
Supplementary Planning Guidance for Houses in Multiple Occupation	Attached
Equality Impact Assessment	Attached
Biodiversity Impact Assessment	Attached
Immediate Article 4 Direction – Notice and other related documents	https://www.rossendale.gov.uk/planning-building-control/planning/6
Rossendale Borough Council's Standards for Houses in Multiple Occupation, January 2020 (adopted 12 February 2020)	https://www.rossendale.gov.uk/downloads/file/18511/hmo-property-standards

ROSSENDALE BOROUGH COUNCIL

CONSULTATION DRAFT

Supplementary Planning Guidance for Houses in Multiple Occupation (HMOs)

November 2025

A High Quality Environment

Contents

1. Introduction

1.1 Houses in multiple occupation (HMOs) form a vital part of the private rented sector, providing cheaper, flexible, communal accommodation for people whose housing options are often limited. Previously popular for students, there is now also a growing number of young professionals and migrant workers who choose to share. HMOs provide flexible accommodation for people with short-term housing needs, including people in-between properties, those employed on short-term contracts, and others who are saving to purchase a home.

1.2 However, not all properties are suitable for multiple occupation, and the risk of overcrowding and fire can be greater than with other types of accommodation. Some HMOs are occupied by the most vulnerable people in our society.

1.3 The relatively cheaper housing attracts businesses specialising in delivering HMOs. Unchecked, an over-concentration of HMOs may cause adverse impacts, out-pricing families in need of housing, and changing the character of neighbourhoods. Properties should be suitable for occupation by multiple households, with no adverse impacts for occupiers or neighbouring properties.

1.4 The Council introduced an Immediate Article 4 Direction across the whole of Rossendale on 19 September 2025. This means that from then all properties operating as an HMO in Rossendale will require planning permission.

1.5 This Supplementary Planning Guidance (SPG) has been produced to manage the provision of all new HMOs in Rossendale and ensure high standards of accommodation, whilst maintaining the amenity and character of local communities. It is intended to ensure that applicants, communities and other interested parties can gain further detail on what is likely to be permitted.

1.6 The policy will not affect existing HMOs, but it will be an important material consideration in the determination of planning applications for all new HMOs.

1.7 Although this planning policy links closely to the Council's Housing Standards for HMOs, (the most recent version of which was adopted by Cabinet in 2020), it will be necessary for applicants/owners to check compliance with other legislation, such as licensing and building regulations.

What is an HMO?

1.8 Houses in multiple occupation (HMOs)[1] are properties occupied by unrelated individuals, who share basic amenities such as a kitchen and/or bathroom. For planning, HMOs can be large (with more than 6 occupants in the dwelling) or small (for 3 to 6 occupants). Please see Appendix 1 for definition.

[1] UK Government Guidance. House in multiple occupation and residential property licensing reform: guidance for local housing authorities, October 2019. Available at: [Houses in multiple occupation and residential property licensing reform: guidance for local housing authorities - GOV.UK]

2. Policy and Legal Context

2.1 This section outlines the national and local policy context at the time of writing.

The National Planning Policy Framework (NPPF), 2025

2.2 The NPPF sets out the Government's planning policies for England. To achieve sustainable development, it expects the planning system to support strong, vibrant and healthy communities. There is no specific reference to HMOs but local planning authorities are required to make provision for size, type and tenure of housing needs for different groups in the community, including those who require affordable housing, families, and people who rent their homes.

2.3 Chapter 11 of the NPPF promotes making effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Chapter 12 emphasises the importance of creating high quality, beautiful and sustainable buildings and places to promote health and well-being, with a high standard of amenity for existing and future use.

2.4 This SPG will support HMO developments to ensure mixed and balanced communities with a high standard of accommodation and amenity.

<u>Local Policies in Rossendale</u>

Our Place, Our Plan

2.5 The Council Valley Plan 2021-2025 (Our Place, Our Plan), has a vision that is supported by four strategic priority areas:

"To have a thriving economy, built around our changing town centres, creating a quality environment for all and improving the life chances of all those living and working in our borough"

Thriving Local Economy Our Future	**High Quality Environment** Our Valley	**Healthy and Proud Communities** Our People	**Effective and Efficient Council** Our Hearts

2.6 Under Healthy and Proud Communities, the Council emphasises that "having access to a good quality home to either rent or buy plays a fundamental part in our residents' quality of life." In order to achieve this, measures include:

- boosting the numbers of homes which are affordable for local people to rent or buy;
- having good access to facilities and services to improve both physical and mental wellbeing;
- support communities to be vibrant, sustainable and for people to be proud of where they live.

2.7 One of the Strategic Priorities is to increase the number of good quality new homes and associated infrastructure built through both direct provision and by working with Registered Social Landlords and private sector developers.

Rossendale Local Plan (2019 – 2036)

2.8 The Rossendale Local Plan 2019 to 2036, adopted December 2021, designates land and buildings for future uses to meet the Borough's needs and sets out how new development should look like and how it should fit with its surrounding.

2.9 The Local Plan's Vision states that

"housing and employment growth and a range of policies designed to enhance the built, natural and social environment, will boost the economic potential of the Borough and improve health and well-being of residents. The special character will be maintained whilst supporting and accommodating sustainable growth for the Borough, its residents and businesses"

2.10 The strategic objectives of the Rossendale Local Plan are to provide a greater choice and quality of housing by:

- Meeting housing and employment land needs in line with national policy whilst protecting the borough's natural and built environment, and;

- Improving housing choice and meeting housing needs for all groups, including specialist and affordable housing

2.11 Whilst there is no specific policy within the Local Plan relating to the development of HMOs, there is a concern that the recent rise in the number of HMOs in the Borough has the potential to impact the quality and choice of housing available. As a result, the Council introduced the Article 4 Direction requiring consent for all small HMOs and this supplementary planning guidance note is intended to help in the determination of such planning applications to ensure that suitable HMOs are delivered in the right places.

2.12 Policy HS5 of The Rossendale Local Plan requires that new housing development of more than 5 dwellings should have at least 20% specifically tailored to meet the needs of elderly or disabled residents or be easily adaptable in line with the Optional Standards M4(2) of the Building Regulations.

2.13 The Parking Standards set out in Appendix 1 requires new development to provide 2 parking spaces for new development with 3 bedrooms and 3 parking spaces for new development with 4 or more bedrooms. As HMOs contain individuals living independently of each other it is considered these standards could be applied, subject to any comments from LCC Highways.

Article 4 Direction

2.14 Although a large HMO always requires planning consent, a small HMO can be permitted development, unless these rights have been removed through the introduction of an Article 4 Direction[2]. Rossendale Borough Council issued an Immediate Borough-wide Article 4 Direction on 19 September 2025.

2.15 The Article 4 Direction removes the permitted development rights for the change of use from Class C3 residential dwelling to HMOs for 3 to 6 occupants (Class C4). By requiring planning consent, the Council can ensure that this accommodation is established in appropriate properties in suitable locations.

2.16 This does not apply retrospectively. Any small HMOs that were in operation prior to the introduction of the Article 4 Direction will not need planning permission. HMO owners can apply to the Council for a Lawful Development Certificate to confirm this, providing evidence.

2.17 Rossendale has recently seen a notable increase in HMOs across the Borough. These areas include on the main road networks and in established residential areas, with the potential to cause transport issues and change the character of the housing stock. Several HMOs clustered in one area can have an unacceptable impact on the local amenity and upset balanced communities.

Licensing

2.18 This SPG relates to planning applications. All property owners, agents etc who let houses in multiple occupation may also need to apply separately for an HMO licence. Please view the up-to-date licensing requirements on the Council's website. (Please see HMO application form | Rossendale Borough Council)[3]

Planning Service

2.19 The Council offers a paid pre-application service for applicants prior to the submission of a planning application. Further details are available on the Council's website at https://www.rossendale.gov.uk/planning-building-control/planning/4 This webpage also explains how you can apply for planning permission.

[2] Article 4 Direction requiring planning permission for small HMOs, introduced by Rossendale BC on 19 September 2025, Article 4 Directions | Planning | Rossendale Borough Council

[3] https://www.rossendale.gov.uk/downloads/download/11076/hmo-application-form

3. SPG for Houses in Multiple Occupation

Purpose and Scope of the SPG

3.1 The Council wants to ensure the delivery of good quality accommodation in appropriate premises and locations to meet accommodation needs, without resulting in undue harm to the character and amenity of local communities.

3.3 Rossendale's stock of HMOs forms part of the private rented sector, providing much needed homes and contributing to people's housing choice. Generally, HMOs are more affordable, flexible, and suitable for younger people and other households that are not living as families. As well as reducing housing costs for individuals, sharing homes can have positive social benefits for occupiers.

3.4 Trends in the housing market make it difficult, especially for low-income and single person households, to find suitable accommodation to meet and suit their needs and preferences. Hence there is a role for HMOs in the housing mix.

3.5 Whilst contributing to meeting housing needs, the increase in the number of HMOs can have the potential to create harmful impacts. Concentrations within neighbourhoods can lead to imbalanced and unsustainable communities and can damage the residential amenity and character of surrounding areas.

3.6 Harmful impacts associated with high numbers of HMOs can include:

- Reduced social cohesion resulting from demographic imbalance
- Reduced housing choice resulting from housing type/tenure imbalance (e.g. from permanent family housing to more transient accommodation)
- Reduced community engagement from residents resulting from an increase in the transient population of an area
- Noise and disturbance resulting from intensification of the residential use;
- Detriment to visual amenity resulting from poor or accumulative external alterations to properties and/or poor waste management
- Highway safety and air pollution concerns resulting from congested on-street parking.

3.7 The increase in HMOs is not specific to Rossendale. Many communities across the UK have seen similar trends and councils are using a range of policy tools and housing and planning powers to tackle high concentrations of HMOs. One of the most typical has been through adoption of additional planning guidance.

3.8 The following principles underly this policy:

- to ensure that new HMOs are delivered in suitable locations;
- to prevent over-concentration of HMOs order to safeguard communities, for example by ensuring a supply of housing for families,
- to protect the local character and amenity,
- to ensure the occupants of HMOs have satisfactory amenity, and
- to ensure that the development of HMOs does not impact on local character or the amenity of neighbours.

Policy 1 – Houses in Multiple Occupation

Houses in Multiple Occupation will be considered suitable where all the following criteria are met:

(1) The HMO is not within 50m radius distance of an existing known HMO;

(2) The development is within walking distance (within 250m) of a town centre;

(3) There is sufficient off-street car-parking (unless the property is located in a very sustainable location with excellent access to public transport) development will not increase highway safety concerns

(4) There is sufficient space within the curtilage for the provision of sufficient secure cycle parking;

(5) There is sufficient space storage provision for waste and recycling containers in a suitable enclosure area within the curtilage of the property;

(6) On submission of a planning application, the condition of the property must be of a high standard, and contributes positively to the character of the immediate locality with assurances that the condition of the property will be maintained following the change of use to HMO;

(7) The increase in the number of residents will not have an adverse impact on the level of amenity neighbouring residents can reasonably expect to enjoy;

(8) The development accords with the Council's latest version of Standards for Houses in Multiple Occupation[4]

[4] https://www.rossendale.gov.uk/downloads/file/18511/hmo-property-standards

Explanation

3.9 The table below provides an explanation for each of the criterion listed above:

	Criteria	Explanation
1.	The HMO is not within 50m (radius) distance of an existing known HMO;	This is to avoid clustering and adverse cumulative impacts on neighbouring properties
2.	The development should be within walking distance (within 250m) of a town centre;	To be sustainable. Occupants are more likely to be reliant on public transport to access services.
3.	There is sufficient off-street car-parking parking (unless the property is located in a very sustainable location with excellent access to public transport) and the development will not increase highway safety concerns;	Where it can be expected that occupants are likely to have cars, there should be adequate parking so as not to impact on highway safety, in accordance with the Local Plan's parking standards and comments from the Highway Authority.
4.	There is sufficient space within the curtilage for the provision of sufficient secure cycle parking;	Occupants are more likely to rely on cycles, which need to be stored so as not to clutter streets or be stored inappropriately indoors
5.	There is sufficient space storage provision for waste and recycling containers in a suitable enclosure area within the curtilage of the property.	To ensure the amenity of the locality is not adversely affected by waste and recycling containers or litter
6.	On submission of a planning application, the condition of the property must be of a high standard, and contribute positively to the character of the immediate locality with assurances that the condition of the property will be maintained following the change of use to HMO[5]	To ensure the amenity for residents is not adversely affected by poorly converted properties and that the amenity for neighbouring properties is maintained following the conversion. Please refer to Appendix 1 – Property Condition Standards Checklist of RBC's Standards for Houses in Multiple Occupation (2020) see 12th February 2020: Cabinet | Rossendale Borough Council
7.	The increase in the number of residents will not have an adverse impact on the level of amenity neighbouring residents can reasonably expect to enjoy.	To ensure that issues such as excessive noise or increased access to services are addressed.
8.	The development accords with the Council's latest version of Standards for Houses in Multiple Occupation, published by the Environmental Health team[6]	To ensure the HMO is suitable for people living in the property the policy addresses: • Legal standards – free from hazards • Management Regulations • Space standards / useable space • Washing facilities and toilets • Kitchens • Fire Safety • Waste disposal.

[5] 12th February 2020: Cabinet | Rossendale Borough Council
[6] 12th February 2020: Cabinet | Rossendale Borough Council

3.10 Policies from the adopted Rossendale Local Plan 2019-2036 (adopted December 2021) as well as other material planning considerations may also relevant to the determination of a planning application for a house in multiple occupation.

Please visit the Council's website for details of the Local Plan https://www.rossendale.gov.uk/local-plan/adopted-local-plan

For details of other planning policies which may be relevant please visit https://www.rossendale.gov.uk/local-plan/supplementary-planning-documents-spds-guidance

APPENDIX 1 – Definition of an HMO

The full legal definition of an House in Multiple Occupation is given under s.254 of the Housing Act 2004.

The Housing Act 2004 clarifies the definition of a house in multiple occupation (HMO), replacing the definition under the Housing Act 1985.

The definition of an HMO is found in Part 7 of the 2004 Act.

To be defined as an HMO, a building, or part thereof, must fall within one of the following categories[7]:

- a building or flat in which two or more households share a basic amenity, such as bathroom, toilet or cooking facilities: this is known as the 'standard test' or the 'self-contained flat test'
- a building that has been converted and does not entirely comprise of self-contained flats: this is known as the 'converted building test'
- a building that is declared an HMO by the local authority
- a converted block of flats where the standard of the conversion does not meet the relevant building standards and fewer than two-thirds of the flats are owner-occupied: this is known as a section 257 HMO

---

7 https://england.shelter.org.uk/professional_resources/legal/housing_conditions/hmo_standards/house_in_multiple_occupation_hmo_definition#reference-1

ROSSENDALE BOROUGH COUNCIL

BIODIVERSITY IMPACT ASSESSMENT

Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)	Draft Supplementary Planning Guidance (SPG) for Houses in Multiple Occupation	
Lead Officer Name(s) & Job Title(s) :	Anne Storah – Principal Planning Officer	
Department/Service Area:	Planning	
Telephone & E-mail Contact:	01706 252418	
Date Assessment:	**Commenced:** 15/07/2025	**Completed:** 27/10/2025

The Council has a duty to protect and enhance biodiversity under the Environment Act 2021. This assessment must be completed for all key decisions included in the Forward Plan to analyse the effects of our decisions, policies or practices.

Stage 1 This stage determines whether a full assessment is required

1.1 Description of the proposed decision

Given the increase in the number of Houses in Multiple Occupation (HMOs) that have been seen in Rossendale since the last Census in 2021, and concerns raised by residents, an Immediate Article 4 Direction was introduced on 19 September 2025. This means that permitted development rights have been removed for small HMOs and so anyone wanting to convert a house into a small HMO (for between 3 and 6 separate households/individuals who share facilities) as of that date now needs to apply for planning permission. Large HMOs for 7 or more occupants will still need planning permission.

The Council wants to introduce specific planning policy to determine how planning applications for HMOs are determined. Of particular concern is the need to ensure that the new accommodation provides suitable accommodation for the occupants, as well as ensuring that HMOs do not cluster in certain locations. Clustering can have detrimental impacts on the local amenity and character, affecting the delivery of wider housing objectives.

The policy itself will not have any implications as it will be a material consideration in the determination of planning applications relating to housing.

1.2 Will the proposed decision have any impacts on the type, area (or length) or conditions of natural habitats within the Borough?

Yes ☐ No ☒

If no, proceed no further if yes continue to stage 2

Stage 2 This stage helps understand whether any impact on biodiversity is positive or negative.

2.1 Will the proposed decision have a positive or negative impact on biodiversity? (A positive impact would increase the range of species or habitats or increase the protection of existing habitats, a negative impact would do the opposite.)

☐ Positive ☐ Negative

2.2 **Describe the impact, in particular drawing attention to scale. Also please state if the impact will affect a Habitat or Species of Principal Importance, Irreplaceable Habitat (it is possible to check for those on PlanWeb or Magic map) or it the project will affect a habitat or specie identified on Lancashire's Biodiversity Action Plans (please visit https://www.lbap.org.uk/home.htm for more information).**

.

2.3 If the impact is positive you need go no further.

Stage 3 This stage allows any negative impact to be balanced against the other positive benefits of the proposed decision using the framework created by the wellbeing power set out in the Local Government Act 2000

3.1 **Indicate the benefits which will be delivered by this decision under the following headings. As far as possible quantify benefits (eg by jobs created).**

Economic
Environmental
Social

3.2 Are there steps which are planned or could be taken to mitigate the impact on biodiversity (eg relocating certain species during building work, improving a natural habitat somewhere else to offset the impact of this project).

Stage 4 This stage sets out the balance between the negative impacts on biodiversity and the other positive impacts so that Councillors can make an informed decision.

Positive impacts (eg X jobs created)	**Negative Impacts** (eg acres of habitat lost)

Biodiversity Impact Assessment
(under the Biodiversity duty contained in the Natural Environment and Rural Communities Act 2006 (as amended) and the Environment Act 2021)

ROSSENDALE BOROUGH COUNCIL

Updated from original BIA Template in April 2024

Equality Impact Assessment

The council carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices.
Throughout this document, policy refers to any policy, strategy, project, procedure, function, decision or delivery or service.
The EIA should be undertaken/started at the beginning of the policy development process before any decisions are made.
Policies are developed and reviewed using a consultative approach involving relevant internal and external stakeholders. Officers must consider what action needs to be taken to help overcome or minimise any disadvantages that people who share a protected characteristic will experience in compliance with the Equality Act 2010.

Name of policy:	Supplementary Planning Guidance for Houses in Multiple Occupation (HMOs)
Lead officer name	Anne Storah
Job title	Principal Planning Officer (Forward Planning)
Service area	Planning
Telephone contact	01706 252418
Email contact	annestorah@rossendalebc.gov.uk
Date Assessment commenced	15/07/25
Date assessment completed	27/10/25

The main aims/objectives of this policy are:

Given the increase in the number of Houses in Multiple Occupation (HMOs) that have been seen in Rossendale since the last Census in 2021, and concerns raised by residents, an Immediate Article 4 Direction was introduced on 19 September 2025. This means that permitted development rights have been removed for small HMOs and so anyone wanting to convert a house into a small HMO (for between 3 and 6 separate households/individuals who share facilities) as of that date now needs to apply for planning permission. Large HMOs for 7 or more occupants will still need planning permission.

The Council wants to introduce specific planning policy to determine how planning applications for HMOs are determined. Of particular concern is the need to ensure that the new accommodation provides suitable accommodation for the occupants, as well as ensuring that HMOs do not cluster in certain locations. Clustering can have detrimental impacts on the local amenity and character, affecting the delivery of wider housing objectives.

These impacts were discussed in earlier research and include[1]:

- anti-social behaviour, crime, noise and nuisance
- imbalanced and unsustainable communities

[1] Houses in multiple occupation & planning restrictions (2017)

- negative impacts on the physical environment and streetscape
- pressures upon parking provision
- growth in private rented sector at the expenses of owner-occupation
- pressure upon local community facilities and
- restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population

Although the report is a little dated, it is considered that these problems can still exist and in particular can be more severe if HMOs are formed in smaller dwellings as appears to be the recent trend in Rossendale.

It is recognised that HMOs make an important contribution to the private rented sector by catering for the housing needs of specific groups/households and by making a contribution to the overall provision of affordable or private rented stock. However, this needs to be balanced with the potential harm identified above. The best way of balancing the need against possible harm and to ensure that suitable accommodation will be provided would be through determination of a planning application. In order to support this, and address the concerns that HMOs may pose, the Council wants to issue specific planning guidance.

Indicate the status of the policy or decision

New/proposed ☒ Modified/adapted ☐ Existing ☐

Indicate protected characteristics have been assessed

Age	☒	Disability	☒	Gender reassignment	☒
Religion/belief	☒	Sexual orientation	☒	Sex	☒
Pregnancy/maternity	☒	Race	☒	Marriage or civil partnership	☒

1. State any positive or negative impact on the protected characteristic(s) (added additional rows if needed)

Protected characteristic	Positive/Negative	How does it impact?
Age	Neutral	The impacts of the policy will apply equally across all groups
Disability	Neutral	The impacts of the policy will apply equally across all groups
Religion/belief	Neutral	The impacts of the policy will apply equally across all groups
Race	Neutral	The impacts of the policy will apply equally across all groups
Pregnancy/maternity	Neutral	The impacts of the policy will apply equally across all groups

Sexual orientation	Neutral	The impacts of the policy will apply equally across all groups
Gender reassignment	Neutral	The impacts of the policy will apply equally across all groups
Sex	Neutral	The impacts of the policy will apply equally across all groups
Marriage or civil partnership	Neutral	The impacts of the policy will apply equally across all groups

2. Explain and give examples of any evidence/data used (add additional rows if needed)

Evidence	**How does this have an impact on the protected characteristic?**
	HMOs have historically provided student occupation in towns with Higher Education provision. However, they now provide accommodation for more groups, for people who want the flexibility that this accommodation provides or are unable to afford, or are saving for, accommodation with private facilities.

3. Outcome of EIA

What course of action does this EIA suggest you take?	**Please indicate**
Outcome 1- The EIA has not identified any potential for negative impact on the protected characteristics. Progress to **EIA approval – section 5**	☒
Outcome 2- The EIA has identified a possibility for negative impact on the protected characteristics. **An EIA Action Plan must be completed to mitigate the negative impact – section 4 before approval section 5**	☐

4. EIA action plan

Based on the above impact assessment, findings/evidence and outcomes identified, please complete the Action Plan below. The action plan should address:

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential impacts
- How you will address any gaps
- What practical changes/action that will help reduce any negative impacts identified
- What practical changes/action that will help enhance any positive contributions to equality

Negative impact identified	**Action required**	**Lead officer**	**To be completed**
N/A			

Monitoring and reviewing the effect of the policy Please state how you will monitor the impact and effect of this policy
The SPG will be monitored for effectiveness as part of the annual Authority Monitoring Report (AMR), this will cover how many HMOs have been determined and the outcome. The need for a review of the policy will be determined as part of the AMR process and the Local Plan review.

5. EIA approval (to be completed by the relevant Head of Service/Director)

- Outcome of EIA agreed/approved by Management Team: (date)
- Published on council website: (date)

Signed: …………………………… (Head of Service/Director) (date)