

Hartlepool Borough Council
Planning and Compulsory Purchase Act 2004
Town and Country Planning (Local Development) (England) Regulations
2012
Hartlepool Borough Local Development Framework
Adoption Statement

Houses in Multiple Occupation (HMO) Supplementary Planning Document June 2026

In accordance with Regulation 11 and Regulation 14 of the Town and Country Planning (Local Development) (England) Regulations 2012, notice is given that Hartlepool Borough Council formally adopted its Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD) on 29th June 2026.

A number of modifications were made to the SPD pursuant to section 23 of the Planning and Compulsory Purchase Act 2004 (the Act). These are set out within Appendix 1.

The document was considered by Full Council on 25th June 2026 and adopted on 29th June 2026. From the date of adoption, there is a period of three months in which any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for a judicial review of the decision. Any such application must be made promptly and, in any event, no later than 3 months after the date on which the SPD was adopted.

The SPD is available on request from the address below. The SPD, Adoption Statement and Statement of Consultation are also available to view and download from the web at www.hartlepool.gov.uk.

They are also viewable at Hartlepool Civic Centre.

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Appendix 1: Modification to the Houses in Multiple Occupation (HMO) SPD

Paragraphs 6.19 – 6.21 are new paragraphs and can be found in the final SPD.



Hartlepool
Borough Council



Houses in Multiple Occupation ('HMO') Supplementary Planning Document (SPD)

June 2026

www.hartlepool.gov.uk



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Consultation on this draft SPD runs from Monday 3rd November 2025 – Friday 16th January 2026.

Comments should be submitted via [XXX Your say web link](#), survey forms can be provided by contacting landusepolicy@hartlepool.gov.uk or telephoning 01429 284308

1. **PURPOSE OF THIS DOCUMENT**

Background

- 1.1. This Supplementary Planning Document has been prepared by Hartlepool Borough Council to provide planning guidance to inform decisions on planning applications for Houses in Multiple Occupation ('HMO'). The guidance is applicable across the whole of Hartlepool including the Hartlepool Development Corporation ('HDC') area.
- 1.2. This document is intended to ensure that applicants, agents and any other interested parties understand the approach to be taken towards applications for HMO development. This document seeks to build on the policies identified in the National Planning Policy Framework, the 2018 Hartlepool Local Plan and Supplementary Planning Documents.
- 1.3. This document will be a material consideration in the determination of planning applications for:
 - HMOs created through conversions.
 - Purpose-built HMOs.
 - The expansion of existing HMOs.

HMO Licensing

- 1.4. This document relates to planning applications only. The Council are the licensing authority, with respect to HMOs across the borough including within the Development Corporation area. In addition to this SPD the Council has a set of licensing standards.
- 1.5. The Council's current licensing standards are entirely separate to the planning requirements within this document. Further information on HMO licensing standards in Hartlepool can be found online here:
 - ~~https://www.hartlepool.gov.uk/info/20023/licences_and_permits/36/houses_in_multiple_occupation_hmo~~ <https://www.hartlepool.gov.uk/private-sector-housing/houses-multiple-occupation-hmo>
 - ~~https://www.hartlepool.gov.uk/download/downloads/id/4928/space_and_amenities_guidance_2019.pdf~~ https://www.hartlepool.gov.uk/download/downloads/id/4928/space_and_amenities_guidance_2019.pdf
- 1.6. All property owners, letting agents and property managing agents who let houses in multiple occupation are advised to speak with the council about the requirement for an HMO licence. (privatesectorhousing@hartlepool.gov.uk)

2. **INTRODUCTION**

What is a House in Multiple Occupation (HMO)?

- 2.1. In planning terms, Houses in Multiple Occupation ('HMOs') are defined as properties that are rented out by at least three or more unrelated individuals who do not form a single household (such as a family) but share one or more basic amenities such as a kitchen or toilet or personal washing facilities (comprising a shower and/or a bath). They are sometimes known as 'shared houses' and for those living in the HMO it should be their only or main form of residence, unlike those who live in serviced accommodation which is typically a short-term living arrangement and the occupier has a main residence elsewhere.
- 2.2. The Town and Country Planning (Use Classes) Order 1987 (as amended) classifies HMOs as either:
 - Use Class C4 – for properties accommodating between 3 and 6 unrelated individuals or;
 - Sui Generis – for properties accommodating 7 or more unrelated individuals.
- 2.3. The legal definition of an HMO is set out within Section 254 of the Housing Act 2004, which includes the following types of living accommodation:
 - One or more units of living accommodation within a building or part of a building not consisting of self-contained flats occupied by more than one household as their only or main residence with at least one person paying rent and two or more of the households sharing one or more basic amenities (or the building lacks an amenity) such as a bathroom, toilet or cooking facilities.
 - A self-contained flat within a building occupied by more than one household as their only or main residence with at least one person paying rent and two or more of the households sharing one or more basic amenities (or the building lacks an amenity) such as a bathroom, toilet or cooking facilities.
 - A converted building where new living accommodation has been created since its construction that is not a self-contained flat or flats and occupied by more than one household as their only or main residence with at least one person paying rent.
 - A building or part of a building which has been converted into self-contained flats where the conversion works did not comply with 1991 Building Regulations and more than one third of the flats are not owner-occupied.

Background to HMOs

- 2.4. HMOs form part of the housing supply and contribute to housing choice. They can 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 and students. HMOs can be purpose-built, but most in Hartlepool have been created through the conversion of existing properties that were in residential, commercial or other uses.
- 2.5. The majority of HMOs in Hartlepool are well managed and provide decent homes, but poorly managed or badly designed or poorly located properties have the potential to lead to issues for both occupants and neighbours. Some of the most common negative impacts 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
 - Inadequate waste storage resulting in littering

- Anti-social behaviour and crime
- Negative impacts on the physical environment and streetscape
- The provision of inadequate living accommodation for occupiers

2.6. This document has been produced by the council with the intention of improving the standards of new HMO accommodation¹ and reducing any potential detrimental impacts on HMO occupiers, neighbours and the local area.

¹ Where a planning application is required.

3. **PLANNING POLICY CONTEXT**

Local Planning Policy

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

Hartlepool Local Plan (May 2018)

- Policy SUS1: The Presumption in Favour of Sustainable Development
 - Policy QP1: Planning Obligations
 - Policy QP3: Location, Accessibility, Highway Safety and Parking
 - Policy QP4: Layout and Design of Development
 - Policy QP5: Safety and Security
 - Policy QP6: Technical Matters
 - Policy HSG11: Extensions and alterations to Existing Dwellings
- 3.2. The local plan can be downloaded using this link: [Hartlepool Local Planning Framework | Hartlepool Borough Council](#)
- 3.3. Applicants for planning permission should demonstrate through their applications that they have had regard to all relevant policies.
- 3.4. Supplementary Planning Documents, including this one and the [Planning Obligations SPD \(June 2026\)](#) ~~Residential Design Guide SPD (September 2019)~~, are also material considerations in the determination of applications.

Article 4 Direction - HMOs

- 3.5. The ~~C~~eouncil and the Development Corporation, as the Local Planning Authorities [for Hartlepool](#), have the power to remove permitted development rights. This can be done through what is known as an Article 4 Direction. The ~~C~~eouncil and Development Corporation are in the process of consulting on two separate non-immediate Directions under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the Direction').
- 3.6. The Directions relate to development comprising the change of use of a building from a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (houses in multiple occupation) of that Schedule being development compromised within Class L(b) of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 3.7. The Directions will apply to the whole of Hartlepool and Development Corporation area that spans the town centre area. ~~If it is decided that the orders should come into force then t~~The Development Corporation Direction [Article 4](#) should come into force in Autumn 2026, the ~~C~~eouncil's Direction should come into force in winter 2026, ~~if agreed.~~ The directions will remove permitted development rights for the change of use of a building from Class C3 (dwellinghouses) to Class C4 (houses in multiple occupation) meaning that planning permission will be required for all such development.
- 3.8. A copy of the Hartlepool Direction can be viewed at the Civic Centre, Victoria Road, Hartlepool, TS24 7BT, or on the council's web site <https://www.hartlepool.gov.uk/hmo-article-4-consultation>. ~~T~~and the HMDC Direction can be viewed at Hartlepool Development Corporation Office, Teesside Airport Business Suite, Teesside International Airport, Darlington DL2 1NJ from 9.00 a.m. to 4.30 p.m. on

weekdays (excluding Bank Holidays) or online at: <https://teesvalley-ca.gov.uk/about/hartlepool-development-corporation/>.

4. **PLANNING REQUIREMENTS - AVOIDING CONCENTRATIONS OF HMOS**

- 4.1. As well as forming part of the housing supply and contributing towards meeting housing needs, change of use to HMOs can enable the continued viable use or re-use of vacant residential or commercial buildings and provide an effective use of land and buildings. However, HMOs typically intensify the use of properties, often 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 character of the local area.
- 4.2. To ensure mixed and balanced communities and to ensure that new development does not have an unacceptable adverse impact on local amenity and quality of life, this document sets out guidelines to limit the concentration of HMOs and to manage their proximity to one another. 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 following measures should be applied when assessing planning applications for HMOs.

Restricting the ‘Sandwiching’ of Properties

- 4.3. 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.
- 4.4. Whilst generally, the ‘sandwiching’ of a C3 residential property is not acceptable, there may be some limited occasions, such as where there is a significant gap between the curtilages of the properties, or where properties are set within large gardens, where this may be acceptable. Examples are shown below.

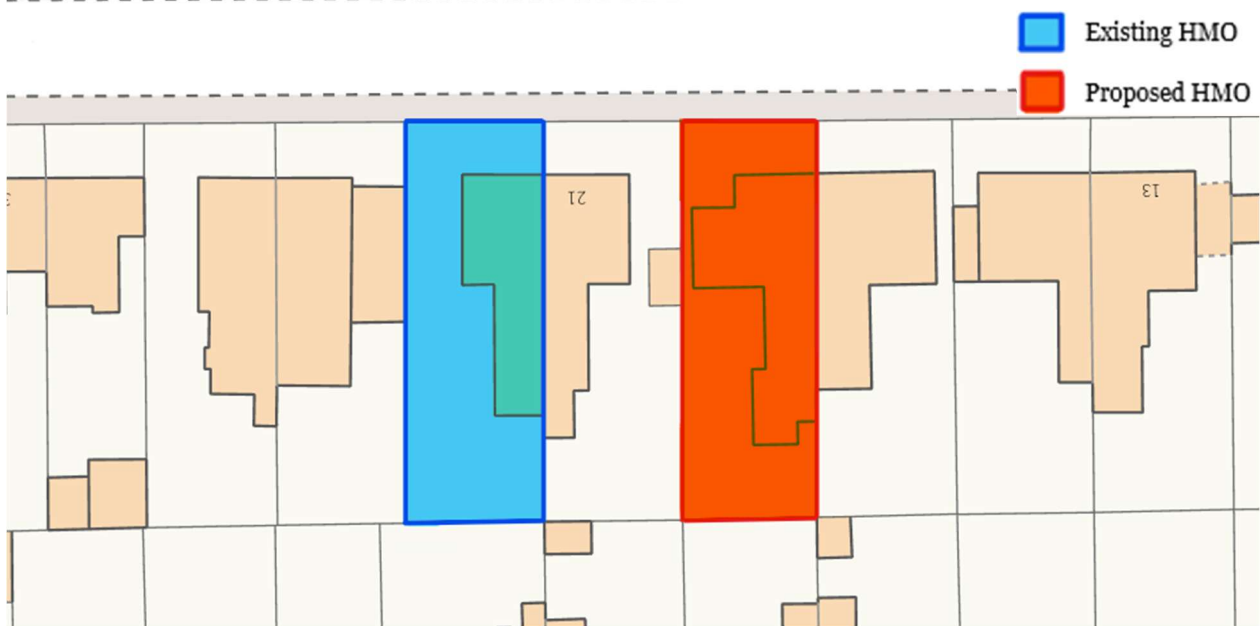
Example 1

In example 1, the proposed HMO (shown in red) would result in a residential property (Number 30) being sandwiched between two HMOs. This should be avoided.



Example 2

In example 2, the proposed HMO (shown in red) would result in a residential property (Number 21) being sandwiched between two HMOs but there is a gap between the properties. This is more likely to be acceptable subject to the submission of evidence with the application to demonstrate that there are no overlooking or privacy issues and that issues such as parking and noise and disturbance can be satisfactorily addressed.



Notwithstanding the desire to seek avoiding the sandwiching effect, the policies within the local plan that seek to protect the overall character of an area must also be considered. This can ensure that if the example shown in image 2 does occur the pattern is unlikely to be repeated within the street. The desire is to ensure that there is a balance between the number of HMOs and protecting the residential character of the area in which they are proposed.

Restricting 3 or More Adjacent HMOs

- 4.5. Planning permission is unlikely to 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 due to the greater intensity of use of the HMOs.
- 4.6. Where a proposed HMO would result in a block of 3 or more HMOs the proposal is likely to be looked upon less favourably. Examples are shown below.
- 4.7. In examples 3 and 4, the proposed HMO (shown in red) would result in a block of 3 HMOs being created. This should be avoided.

Example 3



Example 4



- 4.8 It is appreciated that some HMOs are currently operational and did not require planning permission and/or a licence and that the location of some HMOs will be unknown. The above can only apply where evidence shows that HMOs exist.

Upper Floor HMOs Above Commercial Units

- 4.9 The redevelopment of vacant upper floors above commercial units for residential uses, including HMOs, can enhance the vitality and vibrancy of centres and makes effective use of buildings which may no longer be suitable or needed for other uses such as offices or storage.
- 4.10 The additional resident population can help to animate centres outside of core office and retail trading hours. Increased residential development within centres supports a vibrant day time and nighttime economy, providing additional demand for bars, restaurants and leisure attractions, which can also help to establish a virtuous circle, creating more reasons for people to travel into the centre from elsewhere.
- 4.11 In addition to the guidelines set out above the following guidance will apply when assessing applications for HMOs within existing commercial units:
- Applications for the conversion of upper floors to HMOs above commercial units are likely to be supported, subject to achieving good accommodation standards, as outlined later within this document, and the retention of commercial ground floor uses.
 - Applications for the conversion of entire commercial buildings, [especially in retail and commercial areas](#), to HMOs are likely to be resisted, unless marketing information in the form of a written assessment is provided which demonstrates that the property has been [actively and appropriately](#) marketed unsuccessfully for sale or lease on the open market, for a period of at least [one 2 years](#), for appropriate commercial uses. This assessment should include details of the marketing, and any offers received (if applicable).

5. PLANNING REQUIREMENTS - DESIGN STANDARDS

- 5.1. All planning proposals for the creation of and/or extension to HMO accommodation will be expected to utilise good design and consider the constraints and opportunities presented by the site. All development should respond to the context, reinforcing or improving the wider appearance of the street on which it is located.
- 5.2. Where historic building frontages exist, these should be refurbished, this is because ~~as~~ original detailing can not only enhance the individual building but also contribute to the character of the area. In all cases the age and architecture of the building should be taken into consideration in any new design or alterations.
- 5.3. In considering applications for listed buildings the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the significance of a designated heritage asset and give, 'great weight' to the asset's conservation.
- 5.4. Policy HE4 of the local plan states the council will seek to "*conserve or enhance the town's listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration.*"
- 5.5. When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The NPPF goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area. It also looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.6. Further to this at a local level, Local Plan Policy HE3 states that the council will, "*seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.*"

6. PLANNING REQUIREMENTS - ACHIEVING GOOD ACCOMMODATION STANDARDS

6.1. The following planning principles should be satisfied to ensure all HMO developments meet the accommodation standards.

Separation Distances and Outlook

6.2. Developments should be designed to receive adequate levels of daylight, sunlight, ventilation, outlook and privacy, and must be protected from internal and external sources of noise, to ensure good-quality living conditions.

6.3. For all new build HMOs and/or applications involving an extension to a HMO and/or applications involving a change of use to a HMO with an extension element involved, separation distances set out in local plan policy QP4 should be adhered to, the separation distances are as follows:

- . Principal elevation to principal elevation 20 metres.
- . Gable to principal elevation 10 metres.

6.4. The use of obscure glazing should not be seen by developers as a way of justifying sub-standard privacy distances, which could be otherwise addressed through a more iterative and considered design or reducing the scale of development. Bedrooms without windows providing adequate access to natural light are unlikely to be acceptable.

6.5. Communal rooms should have a window for ventilation and to ensure persons using the facility receive adequate levels of daylight, sunlight, ventilation, outlook.

6.6. Shared kitchen facilities should be suitably located, and of such layout and size and equipped with such facilities so as to enable those sharing the facilities to store, prepare and cook food.

Car and Cycle Parking

6.7. Encouraging sustainable travel is vital, so as not to increase reliance upon the private car and exacerbate pressure for parking.

6.8. With regard to car parking, it is acknowledged that developments which are located in areas well served by public transport links and within walking/cycling distance to services and facilities may not need to provide dedicated on-site car parking.

6.9. With regards to cycle storage, the following standards should be adhered to:

- . 1 cycle storage space per bedroom;
- . Each cycle storage space should measure 0.5m x 1.8m and be fully enclosed, secure and weatherproof; and
- . Each cycle storage space should be located on the ground floor level and not require bicycles to be carried up or down stairs.

6.10 Applications will be considered on a case-by-case basis to determine the appropriate levels of car and cycle parking required. Access to services, the location of the site, the ability to provide car and cycle parking, the availability of publicly accessible car parking provision in the vicinity of the site, and the emphasis placed upon encouraging alternative and sustainable forms of travel will all be taken into account.

Waste and Recycling

- 6.11 Suitable waste provision is required as part of all planning applications. This includes, but is not limited to, provision for general waste (minimum of 240 litres per 5 residents), recycling (minimum of 240 litres per 5 residents) and food waste (minimum of 23 litres per 5 residents). ~~as outlined below:~~
- 6.12 Adequate refuse storage space must be provided either internally or within the site boundary to accommodate the above requirements. All waste must be stored within the property boundary and must only be placed out for collection on the day stated by the council. Waste must not be stored on the highway, including in a back street.
- 6.13 All applications will need to demonstrate that suitable waste storage space can be provided in line with the above standards.

Safety and Security

- 6.14 With regards to safety and security, applications should ensure the following design principles are incorporated:
- Access for residents is provided at the front of the building;
 - Appropriate lighting is available at the entrance to the building;
 - Entrances into the building benefit from passing and natural surveillance; and
 - Refuse storage containers should be secured away from the building line to prevent their use as a climbing aid.
- 6.15 Applicants are encouraged to work to the Secured by Design principles, taking into account appropriate standards for doors and windows, secure mail delivery, CCTV, and position of utility meters. Cleveland Police will be consulted on all planning applications for HMO accommodation.

Noise

- 6.16 As residential uses, HMOs are considered to be noise sensitive developments. Furthermore, given the greater intensity of their residential use, HMOs can also lead to potential negative impacts on the amenity of residents of neighbouring properties.
- 6.17 To protect the amenity of future residents and/or residents of neighbouring properties, a noise assessment should be undertaken by a suitably qualified acoustician and submitted with planning applications.
- 6.18 The noise assessment should outline the potential sources of noise generation, and how these may have a negative effect on local amenity and environmental receptors. The assessment should also outline how the developer intends to overcome these issues.

7 Application Submission Requirements

- 7.1. Applicants are advised to seek advice from the councils One Stop Shop service, this service allows for a comprehensive assessment for the proposal, setting out what consents are likely to be required and if elements of the scheme are or are not acceptable.
- 7.2. When preparing a planning application applicants must ensure that they satisfy all the relevant national and local validation requirements.
- 7.3. In addition, it is considered necessary for site and floor plans to include clear identification and denoting of bedroom and common room sizes (including furnished layouts and provision of obscure glazing), any spaces for waste (including indicative layout), and any spaces for waste storage and cycle parking (including indicative layout and denoting number of storage spaces to be provided).
- 7.4. All applications for HMOs should also include a Noise Assessment.