

## MOTION FOR FULL COUNCIL 1<sup>st</sup> OCTOBER 2025

### Motion Title: Management and Regulation of HMOs in Swale

#### 1. That this Council notes that:

1.1. since 2010 the conversion of a dwelling house into a House in Multiple Occupation (HMO) for up to six residents has been permitted development. This means that full planning permission is not required to undertake these conversions and the council, as the Local Planning Authority, has no control over the numbers or locations where these occur, and local communities are denied the opportunity to comment.

1.2. HMOs, while a valuable element in the overall housing supply offering affordable accommodation, can have significant impacts on local amenity, including increased parking demand, refuse generation, local infrastructure, public services, housing balance and changes to the character of residential areas.

1.3. unregulated or concentrated growth of HMOs in specific neighbourhoods may lead to a lack of available properties for families and single occupiers.

1.4. several local authorities across England have implemented Article 4 Directions to require planning consent for all new HMOs, thereby allowing for better local oversight and policy application.

1.5. Article 4 Directions can either be non-immediate or immediate. A non-immediate Article 4 Direction does not take effect for a set period of time after it is introduced. This period of time can be any period from 28 days to 2 years, however it would normally be 12 months. An immediate Article 4 Direction takes effect as soon as it is introduced.

#### 2. This Council therefore resolves to:

**2.1. Commence the process of introducing a borough-wide Immediate Article 4 Direction under the Town and Country (General Permitted Development) (England) Order 2015** to remove the permitted development right allowing the conversion of a dwelling house (Use Class C3) into an HMO for up to six residents (Use Class C4), where the following types of property will be among those most likely be classed as an HMO:

2.1.1. an entire house or flat which is let to three or more tenants who form two or more households and who share a kitchen, bathroom or toilet

2.1.2. a house or flat which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to three or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities

2.1.3. a converted house which contains one or more flats which are not wholly self-contained (ie each flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by three or more tenants who form two or more households

2.1.4. a building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies

2.2. **Refer this matter to the relevant Committee** to develop a Supplementary Planning Document (SPD) addressing:

2.2.1. A maximum threshold for HMOs within defined areas or individual streets to avoid over concentration.

2.2.2. Minimum off-street parking requirements for HMOs to reduce pressure on local roads.

2.2.3. Proper waste and recycling storage and management for all HMOs.

2.2.4. Minimum room sizes and standards in line with national guidelines.

*(Note: This list is indicative and not exhaustive.)*

2.3. **Consult with residents, ward councillors, parish councils, area committees, and other stakeholders** to ensure the proposed Article 4 Direction and revised SPD are responsive to community concerns while supporting access to affordable housing.

Proposer: Cllr Mike Whiting

Seconder: Cllr Kieran Mishchuk