

## **HMO (Houses in Multiple Occupation)**

### **Article 4 Direction: Frequently Asked Questions**

#### **What is an Article 4 Direction?**

An Article 4 Direction is a legal tool used by local planning authorities to remove permitted development rights relevant certain developments or changes of use.

Permitted development rights allow certain types of work or changes of use to happen without needing planning permission.

#### **Article 4 Direction on small scale Houses in Multiple Occupation (HMO)**

On the 2 October 2025 Tameside Council introduced a Borough Wide Article 4 Direction to remove "permitted development" rights relevant to the conversion of dwelling houses. It means landlords and developers can no longer convert single-family homes (Class C3) into small HMOs (Class C4, typically 3–6 unrelated occupants) without applying for full planning permission. This means that all HMO accommodation within the Borough now required planning permission.

The Article 4 direction will help the Council to manage community impacts like imbalanced housing and pressures on parking by controlling the density and type of development within our towns.

#### **What is Use Class C4?**

Class C4 (HMO) is the "Use of a dwellinghouse by not more than six residents as a "house in multiple occupation".

For the purposes of Class C4, a "house in multiple occupation" does not include a converted block of flats to which section 257 of the Housing Act 2004 applies but otherwise has the same meaning as in section 254 of the Housing Act 2004.

In broad terms, class C4 (HMO) covers tenanted property used as a dwellinghouse by between three and six unrelated people who form two or more households and share one or more basic amenity such as a bathroom and kitchen. Unrelated means that the occupants do not have a relationship by blood, marriage or cohabitation.

To fall within the definition of an HMO, a property must be occupied as the main residence. Students, migrants and asylum seekers who do not occupy the property all year are considered as occupying the property as their main residence.

To be classed as an HMO the property does not have to be physically converted or adapted in anyway.

#### **Why has Tameside served an Article 4 direction?**

By making an Article 4 Direction Tameside Council can:

- Control the concentration of HMOs in certain areas
- Preserve community character and housing mix

- Address concerns around anti-social behaviour, parking, and infrastructure strain

#### Article 4 Direction & Planning Permission

Any development that involves the conversions from a dwelling to a small HMO will now require planning permission. Details of how to submit a planning application can be found from the Councils dedicated webpage which can be access from [here](#)

#### What is the fee for an application for a small HMO?

Applications for small HMO's are classified as a change of use of a building. The fee for such application is currently £588 but please check the Planning Portal [Planning Portal](#) as this may vary in certain instances.

#### What are the submission requirements for a small HMO planning application?

The following information is required as a minimum:

- Completed Application Form
- Site Location Plan
- Site/Block Plan (Showing parking & refuse storage arrangements)
- Existing & Proposed Floor Plans
- Existing & Proposed Elevations

You may also want to include a planning statement which addresses matters relevant to the change of use including the property management arrangements.

There is potential for other technical reports may also be required, please see the Councils [Local Validation List](#) for further details

#### Converted (occupied) properties prior to the Article 4 Direction

Any conversions which had taken place using permitted development rights prior to the date the Article 4 Direction was introduced, will not retrospectively require planning permission and therefore can continue to operate.

If you have any queries about the status of the property you can apply to the Local Planning Authority for a Lawful Development Certificate (LDC). A LDC is a legal document that confirms a specific use or development is lawful under planning law. It serves as proof that the development is immune from enforcement action, providing peace of mind for the owner. Further details on LDC's can be accessed from the planning link above.

#### Property in the midst of conversion ?

If the conversion was completed before the 2 October 2025 you will not need to apply for retrospective planning permission. If works have significantly advanced by 2 October 2025 but are yet to be completed, you should apply for a Lawful Development Certificate – Existing Use to prove it was lawful at the time the Article 4 Direction came into effect.

If you are intending to convert a property (even if previously advised planning permission wasn't required), you will need to apply for planning permission.

#### **What about Large HMOs?**

The Article 4 Direction is specifically in relation to smaller HMOs (3-6 occupants). Large HMOs (7+ occupants) already require planning permission and that will continue to be the case.

#### **Do I Still need a HMO Licence?**

Yes. Licensing requirements remain unchanged as they are covered by separate legislation. Any HMO with five or more occupants must be licensed under housing legislation, regardless of planning status. Please see the Tameside [HMO Licensing](#) webpage for more information.

#### **Can planning permission be granted for new HMOs?**

Yes, but it's not guaranteed. Each application will be reviewed on its merits against the planning policy framework with regard to local housing needs, community and environmental impact.

#### **Where can I find more information?**

You can contact Tameside Council's planning department directly for guidance via the Duty Planning Officer [Service](#)

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The End