

Private Sector Housing Space and Amenity Standards

Houses in Multiple Occupation





Introduction

This document has been produced by Portsmouth City Council to provide guidance on some of the requirements for privately rented houses in multiple occupation (HMO). The purpose of this document is to outline the minimum standards we apply when assessing a property's suitability and safety.

This document aims to provide an overview of standards and legislation applicable to certain types of accommodation to assist landlords, property managers and other stakeholders in performing their duties. This document will also provide tenants with information regarding adequate space and amenity standards in their home.

To assess residential dwellings, including health and safety implications of crowding and space, as a first step, local authorities use the housing health and safety rating system (HHSRS). The HHSRS was introduced by the Housing Act 2004 (Part 1). The underlying principle of the HHSRS is that "any residential premises should provide a safe and healthy environment for any potential occupier or visitor".

Statutory overcrowding is based on the number of occupiers, and the number and size of rooms available as sleeping accommodation. Statutory overcrowding is a criminal offence unless it falls within one of the exception categories (**Housing Act 1985**¹ (legislation.gov.uk)).

The Housing Act 2004 (Part 2) covers licensing of houses in multiple occupation. It is used as an initial step for determining suitability of HMOs for occupation by a specified number of occupiers. In most cases, implications of crowding and space in an HMO would be addressed during the licence application process.

A property that is shared by five or more occupiers who do not form one household requires a mandatory HMO licence. This includes converted building HMOs that may contain self-contained flats. Councils can also introduce other discretionary licensing controls for smaller HMOs with three or four occupants through additional licensing schemes.

¹ [https://www.legislation.gov.uk/ukpga/1985/68/part/X/crossheading/definition-of-overcrowding#:~:text=\(1\)The%20space%20standard%20is,dwelling%20available%20as%20sleeping%20accommodation](https://www.legislation.gov.uk/ukpga/1985/68/part/X/crossheading/definition-of-overcrowding#:~:text=(1)The%20space%20standard%20is,dwelling%20available%20as%20sleeping%20accommodation)

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House in Multiple Occupation

HMO definition

The Housing Act 2004 Section 254 and Section 257 provides the legal definition of an HMO. HMOs can be classed into three main types, as explained below.

HMOs with shared facilities

An HMO is a house or flat in which three or more unrelated persons live, who form two or more households, and they share an amenity such as a bathroom, toilet or cooking facilities. There must also be an obligation to pay rent (or other consideration) and it is their main or only residence. This is an HMO defined under the Housing Act 2004 Section 254. This includes shared houses (let on joint or separate agreements) and bedsits, where occupants share kitchen(s) or bathroom(s). A 'house' also includes a flat that is in multiple occupation.

HMOs with non-self-contained units

This is an HMO defined under the Housing Act 2004 Section 254. An HMO is also a converted building which has one or more, non-self-contained units. A non-self-contained unit is where a toilet, washing or cooking facilities are not within the occupant's room. This applies even if the facility is for the exclusive use of the occupant. This means where the kitchen, bathroom or WC (toilet) is not within the occupant's room.

HMOs that are converted blocks of flats

An HMO is also a building that has been converted into self-contained flats, of which fewer than two-thirds are owner-occupied and the conversion does not meet the appropriate building regulations. Simply put, these are 'poorly converted blocks of flats' because they do not comply with building regulations. These HMOs are defined under the Housing Act 2004 Section 257.

Definition of a household/ family/married and co-habiting couples

Under the Housing Act 2004, a 'household' is defined as either a single person or members of the same family who are living together. A 'family' is defined as:

1. Married or living together as husband or wife (or equivalent including same-sex couples)
2. Parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin. Half-blood and stepchildren are classed as the same family

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Space standards

Space standards for all HMOs

Legal requirements

All HMO licences issued on or after 1 October 2018 must include conditions relating to minimum bedroom floor areas as follows:

- 6.51m² for one person over ten years of age
- 10.22m² for two persons over ten years of age
- 4.64m² for one child under the age of ten years
- Any room of less than 4.64m² must not be used as sleeping accommodation
- The licence holder will need to notify the council of any room in the HMO with a floor area of less than 4.64m²
- Any floor area of the room in which the ceiling height is less than 1.5m cannot be counted towards the minimum room size requirement
- The maximum number of persons over ten years of age and/or persons under ten years of age who may occupy specified rooms provided in HMOs for sleeping accommodation

This requirement is set out in the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 SI 616, which amends the Housing Act 2004 Schedule 4 Mandatory Conditions.

Portsmouth City Council requirements

Portsmouth City Council sets different room size requirements and sets requirements for the provision of appropriate communal space.

When assessing the size of any room attention must be paid to the 'usability' of the space, along with the height and shape of the room. Council officers will assess each property individually, but the following acts as a guide for the minimum space requirements expected. These standards are arranged over two separate sections:

- Space standards for new HMOs, for increase of occupancy to existing HMOs, or where an application for planning permission is made in relation to the use or physical enlargement of an HMO
- Space standards for HMOs in existing use where no alterations to the size of property or number of occupants are being made



All landlords are encouraged to meet the minimum space standards outlined on page 11. However, Portsmouth City Council acknowledge that there are a high proportion of existing HMOs in the city for which meeting these requirements may not be practicable. Each HMO will be assessed for suitability taking into account their size, layout, occupancy levels, and other relevant factors. Pages 12-14 act as a guide for the maximum departure from the standards that will be acceptable on assessing the suitability of HMOs in existing use where no alterations to the size or number of occupants are being made.

General requirements for all HMOs

All bedrooms must have means of ventilation directly to the exterior of the property. All habitable spaces in communal areas should be provided with means of controllable ventilation.

Trickle vents should ideally be positioned at minimum 1.7m above the finished floor level to avoid discomfort through cold drafts. Means of purge ventilation such as external doors and windows should be controllable.

Limited and restrictive natural light and lack of view and outlook can negatively impact on the living environment and restrict usability of rooms. All bedrooms should have adequate means of lighting, view and outlook.

The communal space required to provide an adequate living environment is determined based on the number of occupiers and size of the bedrooms.

A conservatory will not be used as a bedroom, lounge, dining room or kitchen.

See the technical guidance (p30) for more detail.

Space standards for new HMOs, for increase of occupancy to existing HMOs, or where an application for planning permission is made in relation to the use or physical enlargement of an HMO

Where landlords are seeking to convert an existing property to an HMO, build a new HMO, increase the occupancy number of an existing HMO, or where an application for planning permission is made in relation to the use or physical enlargement of an HMO, the council will require the following standards as a minimum.

A floor to ceiling height of 2.3m over at least 75% of the usable room area is expected in any habitable room.

Single bedrooms must have a minimum gross internal floor area (GIA) of 7.5m² (10m² is required where no separate living space is provided).

Double bedrooms or twin bedrooms must have a minimum GIA of at least 11.5m² (14m² is required where no separate living space is provided).

A minimum bedroom width of 2.15m is required.

The following table outlines the minimum space required.

Room	Metric
Dining room (3 to 5 persons)	11m ²
Dining room (6 to 10 persons)	14m ²
Dining room (11 or more persons)	15m ²
Living room (3 to 5 persons)	11m ²
Living room (6 to 10 persons)	14m ²
Living room (11 or more persons)	15m ²
Kitchen (3 to 5 persons)	7m ²
Kitchen (6 or more persons)	11m ²
Combined living space (3 to 5 persons) ¹	24m ²
Combined living space (6 to 10 persons) ¹	34m ²
Combined living space (11 or more persons)	36.5m ²
Bathroom ²	3.74m ²
1-4 persons	At least 1 bathroom and 1 WC (can be combined)
5 persons	1 bathroom; and 1 separate WC with wash hand basin (WHB) (WC could be contained in second bathroom)
6-10 persons	2 separate bathrooms; and 2 separate WCs with WHB (1 of WCs can be contained with 1 bathroom)
11-15 persons	3 bathrooms; and 3 separate WCs and WHB (2 of WCs can be contained within 2 bathrooms)

Notes:

1. Combined living space is defined as a single, typically open plan space, usually containing a kitchen, dining area and living area, laundry and utility space.

2. Shower rooms to be a minimum of 2.74m². A pod bathroom which complies with the current building regulation will be accepted.

Space standards for HMOs in existing use where no alterations to the size or number of occupants are being made

All landlords are encouraged to meet the space requirements as set out on page 11.

However, on assessing the suitability of HMOs in existing use where no alterations to the size or number of occupants are being made (for example, those with three or four bedrooms which will be brought into the additional licensing scheme), officers will assess the suitability of each property individually. The following acts as a guide for the minimum space that will be considered acceptable under those circumstances only.

Communal areas (kitchens, lounges and dining rooms)

General

The communal space required to provide an adequate living environment is determined based on the number of occupiers and size of the bedrooms.

A conservatory will not be used as a bedroom, lounge, dining room or kitchen.

The tables below show the size of required communal space based on the occupancy levels and size of the bedrooms.

Combined kitchen and communal living space

This is defined as a single, typically open plan space, usually containing a kitchen, dining area and living area, laundry and utility space.

Number of bedrooms over 10m ²	Occupancy level								
	3	4	5	6	7	8	9	10	11+
0	20	22	24	26	28	30	32	34	36.5
1	18	20.5	22	24.5	27	29	31	33	35.5
2	16	18.5	20.5	23	25.5	27.5	29.5	32	34.5
3	13.5	16.5	19	22	24	26	28	30.5	33
4		14.5	17	20	23	25	27	29.5	32
5			15.5	19	21	23.5	25.5	28	31
6				17.5	20	22	24	27	30
7					18.5	21	23	26	28.5
8						19.5	22	24.5	27.5
9							20.5	23.5	26
10								22.5	25
11									24

Separate kitchen and communal living space

Where communal areas are in separate rooms, the following minimum requirements should be met:

Kitchen size

Number of occupiers sharing the kitchen	Size (m ²)
3	6
4	6.5
5	7
6	9
7	9.5
8	10
9	10.5
10+	11

Communal living space

Number of bedrooms over 10m ²	Occupancy level								
	3	4	5	6	7	8	9	10	11+
0	16.5	17.5	19.5	21	22	23	24.5	25.5	27
1	14	16	18	19.5	20.5	22	23	24	26
2	12	14.5	16.5	18	19	20.5	22	23	25
3	11	13	15	16.5	18	19	20.5	22	24
4		11	13	15	16	18	19.5	21	23
5			11	13.5	15	17	18	20	22
6				12	13.5	15.5	17	19	21
7					12	14	16	17.5	20
8						13	14.5	16	19
9							13	15	17.5
10								14	16
11									15

Where the communal living space is split into separate rooms (for example lounge and separate dining room) the minimum required space for each of those rooms is shown below:

Occupancy level	Minimum size (m ²)
3	11
4	11
5	11
6	12
7	12
8	13
9	13
10	14
11+	15

1.1.1.

Examples

Below are two examples of these requirements

Example one:

For five people sharing, where all the bedrooms are below 10m², the minimum communal space required is as follows:

- One room consisting of a kitchen and communal living space of at least 24m²
OR
- Two rooms consisting of a communal living space of at least 19.5m², plus a kitchen in a separate room of at least 7m²
OR
- Three rooms consisting of two separate communal living spaces in rooms of at least 11m² each, plus a kitchen in a separate room of at least 7m²

Example two:

For five people sharing, where all of the bedrooms are 10m² or larger, the minimum communal space required is as follows:

- One room consisting of a kitchen and communal living space of at least 15.5m²
OR
- Two rooms consisting of a communal living space of at least 11m², plus a kitchen in a separate room of at least 7m²

Space standards for bedsit HMOs

A bedsit is a room usually consisting of sleeping accommodation and cooking facilities, however, actual facilities provided within bedsits may vary from property to property. In some cases, cooking facilities for the exclusive use of the tenant are provided in a separate room accessible from a communal passage, although on occasion those might be shared with other occupiers. Bedsitting HMOs often have a mixture of self-contained units and bedsits sharing some facilities such as shower rooms/bathrooms.

The room shall be of a convenient and usable shape and should ideally be able to provide a degree of separation between sleeping space and living space.

Rooms such as conservatories and lean-tos will be disregarded unless sufficient level of thermal insulation is provided.

Bedsit HMOs within new HMOs, for increase of occupancy to existing HMOs, or where an application for planning permission is made in relation to the use or physical enlargement of an HMO

A floor to ceiling height of 2.3m over at least 75% of the usable room area is expected in any habitable room. Any areas with a ceiling height of 1.5m and less, chimney breasts and in some cases circulation spaces behind doorways and around staircases will not be counted.

Where no communal living rooms or lounges are available elsewhere in the building, the following minimum standards should be met:

- 17m² for a single occupancy bedsit located within an HMO
- 21m² for a double occupancy bedsit
- 20m² for a single occupancy self-contained unit located within an HMO
- 24m² for a double occupancy self-contained unit located within an HMO

All kitchen areas within bedsits must be a minimum width of 1.7m for 'single wall kitchens' and 2.3m for 'galley' style kitchens.

In all cases, in addition to cooking facilities outlined on pages 16 and 17, the space available for any occupier should be capable of accommodating the furniture required in the furniture schedule (see page 41).

Bedsit HMOs in existing use where no alterations to the size or number of occupants are being made to the property

Any areas with a ceiling height of 1.5m and less, chimney breasts and in some cases circulation spaces behind doorways and around staircases will not be counted.

Where no communal living rooms or lounges are available elsewhere in the building, the following minimum standards should be met:

- 13m² for a single occupancy bedsit
- 17m² for a double occupancy bedsit
- 16m² for a single occupancy self-contained unit located within an HMO
- 20m² for a double occupancy self-contained unit located within an HMO

Kitchens for exclusive use (bedsit kitchen/kitchenettes)

Legal requirements


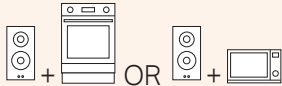





The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 requires that where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with:

- adequate appliances and equipment for the cooking of food
- a sink with an adequate supply of cold and constant hot water
- a worktop for the preparation of food
- sufficient electrical sockets
- a cupboard for the storage of kitchen utensils and crockery; and
- a refrigerator




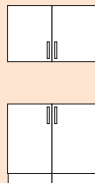


Portsmouth City Council requirements

All kitchens and kitchen areas in bedsits shall have a safe and practical layout, and meet the following minimum requirements:

Single occupancy

Category	Requirement	
Sinks	1 single bowl sink and drainer	
Cooking appliances	2 ring hob and oven (microwave oven is acceptable)	
Electrics	2 double sockets	
Worktops	1000mm x 600mm	
Dry goods storage	1 x 500mm base and 2 x 500mm wall units with doors or equivalent	 
Refrigerated storage	1 under-counter fridge freezer	
Refuse	Yes (600mm x 300mm space)	
Fire safety (SEE P27)	1 fire blanket	

Double occupancy

Category	Requirement	
Sinks	1 single bowl sink and drainer	
Cooking appliances	2 ring hob and oven	
Electrics	2 double sockets	
Worktops	1000mm x 600mm	
Dry goods storage	2 x 500mm base and 2 x 500mm wall units with doors or equivalent	
Refrigerated storage	1 under-counter fridge freezer	
Refuse	Yes (600mm x 300mm space)	
Fire safety (SEE P27)	1 fire blanket	

The requirements for electrics in the table above are in addition to the power needed for white goods and cooking appliances.

- Cooking appliances should have an adjacent work surface of at least 300mm
- No soft furnishings are to be located within 600mm of the cooker rings or hotplates
- The minimum clearance between the cooker rings or hotplates and any cupboard or extractor above must comply with the manufacturer's instructions
- Slip resistant, impermeable and easily cleanable flooring sealed at all edges must be provided
- Mechanical ventilation to the outside air at a minimum extraction rate of 30 litres/second if the fan is sited within 300mm of the center of the hob or a rate of 60 litres/second is sited elsewhere in the kitchen. This is in addition to any windows

Sinks

- Space within the unit under the sink must not be included as storage space
- Each sink must be set on a suitable base and provide hot and cold water and be properly connected to the drainage system
- Easily cleanable and impervious splashback (such as tiles) must be provided to all abutting walls and extend to 300mm height

Cooking appliances

- All appliances must be connected correctly by a suitably qualified and competent person to the gas or electricity supply
- Cooking appliances must be connected as instructed by the manufacturer

- Hobs should be set at the same height as adjacent worktop
- Each cooker should have a full width splashback of impervious and durable material to at least 300mm height

Electrics

- The requirements in the table above are in addition to power needed for white goods and cooking appliances

Worktops

- The requirements in the table above are in addition to space needed to house cooking appliances
- The worktop should be of easily cleanable and impervious material, securely fixed and sealed at all edges
- Easily cleanable and impervious splashback (such as tiles) must be provided to all abutting walls and extend to 300mm height

Dry goods storage

- The requirements in the table above are in addition to units underneath the sink and drainer

Refuse

- Suitable refuse facilities must be provided for the number of occupiers

Kitchens for shared use

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 require:

1. A kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.
2. The kitchen must be equipped with the following equipment, which must be fit for purpose and supplied in a sufficient quantity for the number of those sharing the facilities:
 - i. sinks with draining boards
 - ii. an adequate supply of cold and constant hot water to each sink supplied
 - iii. installations or equipment for the cooking of food
 - iv. electrical sockets
 - v. worktops for the preparation of food
 - vi. cupboards for the storage of food or kitchen and cooking utensils
 - vii. refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers)
 - viii. appropriate refuse disposal facilities; and (ix) appropriate extractor fans, fire blankets and fire doors.


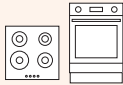

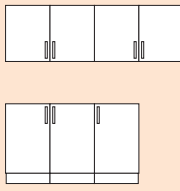
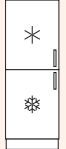

Portsmouth City Council requirements

All kitchens and kitchen areas shall have a safe and practical layout






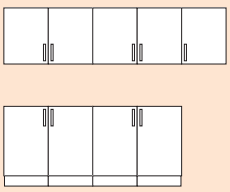
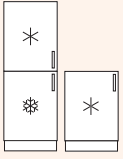

- Kitchens should be located not more than one floor distant from the bedrooms unless a kitchen with dining space is provided or a communal room is available not more than one floor distant from the kitchen. This is to ensure that tenants are able to prepare and eat meals without having to transport them two or more floors away from the kitchen
- Cooking appliances should have an adjacent work surface of at least 300mm
- No soft furnishings are to be located within 600mm of the cooker rings or hotplates
- The minimum clearance between the cooker rings or hotplates and any cupboard or extractor above must comply with the manufacturer's instructions
- Slip resistant, impermeable and easily cleanable flooring sealed at all edges must be provided
- Mechanical ventilation to the outside air at a minimum extraction rate of 30 litres/second if the fan is sited within 300mm of the centre of the hob or a rate of 60 litres/second is sited elsewhere in the kitchen. This is in addition to any windows

The table below provides an overview of required kitchen amenities based on the number of sharing occupiers:

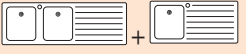

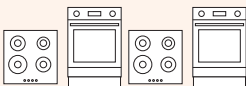

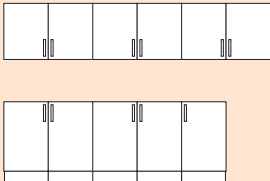
3 to 5 people sharing

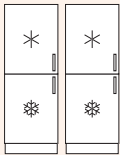

Category	Requirement	
Sinks	1 single bowl sink and drainer	
Cooking appliances	1 conventional cooker*	
Electrics	2 double sockets	
Worktops	2000mm x 600mm	
Dry goods storage	3 x 500mm base and 4 x 500mm wall units with doors or equivalent	
Refrigerated storage	1 fridge freezer (or 1 fridge with a separate freezer)	
Fire safety (SEE P27)	1 fire blanket	

6 to 7 people sharing


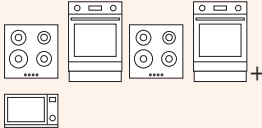
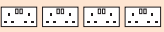
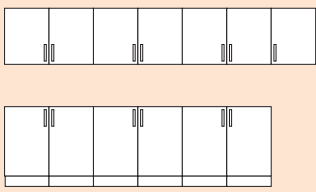
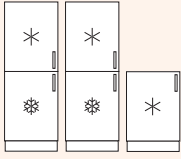

Category	Requirement	
Sinks	1 double bowl sink with drainer or 1 single bowl sink with drainer and a dishwasher	 OR 
Cooking appliances	2 conventional cookers** or 1 conventional cooker** and a microwave	 OR 
Electrics	3 double sockets	
Worktops	2500mm x 600mm	
Dry goods storage	4 x 500mm base and 5 x 500mm wall units with doors or equivalent	
Refrigerated storage	1 fridge freezer and 1 fridge (or 2 fridges with a separate freezer)	
Fire safety (SEE P27)	1 fire blanket	

8 to 9 people sharing

Category	Requirement	
Sinks	1 double bowl sink with drainer and 1 single bowl sink with drainer (a dishwasher in lieu of a single bowl sink is also accepted)	 OR 
Cooking appliances	2 conventional cookers ***	
Electrics	3 double sockets and 1 single socket	
Worktops	3000mm x 600mm	
Dry goods storage	5 x 500mm base and 6 x 500 wall units with doors or equivalent	

Category	Requirement	
Refrigerated storage	2 fridge freezers (or 2 fridges with 2 separate freezers)	
Fire safety (SEE P27)	2 fire blankets	

10 to 11 people sharing

Category	Requirement	
Sinks	2 double bowl sinks with drainers	
Cooking appliances	2 conventional cookers and a microwave ***	
Electrics	4 double sockets	
Worktops	3500mm x 600mm	
Dry goods storage	6 x 500mm base and 7 x 500 wall units with doors or equivalent	
Refrigerated storage	2 fridge freezers and 1 fridge (or 3 fridges with 2 separate freezers)	
Fire safety (SEE P27)	2 fire blankets	

Notes:

* Any combination of fridges and freezers that satisfy the requirement.

** Conventional cooker to include 4-ring hob, an oven and grill.

*** Where 2 cookers are required a suitable alternative would be a 6-ring hob with a double oven and grill.

Appropriate refuse disposal facilities must be provided in all kitchens.

Sinks

- Space within the unit under the sink must not be included as storage space
- Each sink must be set on a suitable base and provide hot and cold water and be properly connected to the drainage system
- Easily cleanable and impervious splashback (such as tiles) must be provided to all abutting walls and extend to 300mm height

Cooking appliances

- All appliances must be connected correctly by a suitably qualified and competent person to the gas or electricity supply
- Cooking appliances must be connected as instructed by the manufacturer
- Hobs should be set at the same height as adjacent worktop
- Each cooker should have a full width splashback of impervious and durable material to at least 300mm height
- If two sets of facilities are provided the layout must allow them to be used safely at the same time

Electrics

- The requirements in the table above are in addition to power needed for white goods and cooking appliances

Worktops

- The requirements in the table above are in addition to space needed to house cooking appliances
- The worktop should be of easily cleanable and impervious material, securely fixed and sealed at all edges
- Easily cleanable and impervious splashback (such as tiles) must be provided to all abutting walls and extend to 300mm height

Dry goods storage

- The requirements in the table above are in addition to units underneath the sink and drainer

Refrigerated storage

- Fridge dimension: 84cm(h) x 60cm(w) x 60cm(d) 100-litre capacity
- Freezer dimension: 84cm(h) x 60cm(w) x 60cm(d) 100-litre capacity
- Fridge/freezer dimension: Upright 175cm(h) x 60cm(w) x 65cm(d) 150-litre capacity fresh/85-litre frozen

Refuse

- Appropriate refuse facilities must be provided for the number of occupiers

Personal washing facilities/sanitary conveniences

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 sets standards for washing facilities and sanitary conveniences asset out below:

1. Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household:

- a. where there are four or fewer occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom)
 - b. where there are five or more occupiers sharing those facilities there must be:
 - i. one separate toilet with a wash hand basin with appropriate splash-back for every five sharing occupiers; and
 - ii. at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers
2. All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water
 3. All bathrooms in an HMO must be suitably and adequately heated and ventilated
 4. All bathrooms and toilets in an HMO must be of an adequate size and layout
 5. All baths, toilets and wash hand basins in an HMO must be fit for the purpose
 6. All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO

Portsmouth City Council requirements

All bathrooms/shower rooms and toilets must have a suitable layout, providing appropriate drying and changing space, and must be constructed to ensure privacy with locks/bolts fitted to ensure privacy. Obscured glazing/film should be fitted to windows or doors as necessary to ensure privacy.

All baths, showers and wash hand basins must provide constant hot and cold water and be connected to a drainage system. All installations should comply with relevant building regulations.

Where bathing and toilet facilities are shared between occupiers, a certain number of toilets, wash hand basin (WHB) and baths/showers are required. Any shared facilities should be in a lockable room. No bedroom should be more than two floors away from a bathroom/shower room or WC. Example: Facilities provided on the ground floor are suitably located to be used by the occupiers of the second floor bedrooms.

Number of people sharing	Number of bathrooms or shower rooms	Number of toilets	Additional notes
3 to 4	1	1	Toilet can be located within a bathroom/shower room
5	1	1	Toilet must be separate*
6	2	2	Toilet can be located within a bathroom/shower room
7 to 10	2	2	1 toilet must be separate*
11 to 15	3	3	1 toilet must be separate*

Notes:

Number of sharing occupiers does not include occupiers having exclusive use of facilities such as en-suites. Where additional bathrooms/shower rooms containing a WC are provided in addition to minimum requirements, or additional washing facilities elsewhere in the property are being provided, the requirement for separate toilet may be relaxed.

WC

- Separate WC must be a minimum of 1300mm x 900mm and include a basin for hand washing located in the same compartment as the toilet
- 300mm tile or alternative easily cleanable and impervious splash back to all abutting walls

Bathroom

- Guide bathtub dimensions of 1700mm x 700mm
- Activity space of 900mm x 700mm next to a bathtub is required
- 450mm tile or alternative easily cleanable and impervious splash back to all abutting walls
- Well-fitted screen or curtain must be provided where over-bath showers are used

Shower room

- Guide shower tray dimensions 800mm x 800mm
- Activity space of 900mm x 700mm next to a shower cubicle is required
- Fully tiled walls within the cubicle (alternative easily cleanable and impervious materials are also acceptable)

Wash hand basins

- WHBs must be provided in all bathrooms/shower rooms
- Basins should be of a practicable size, as a guide WHB dimensions 400mm x 300mm internal bowl for shared bedrooms or 350mm x 350mm for en-suites
- Activity space of 800mm x 700mm next to a WHB
- 300mm tile or alternative easily cleanable and impervious splash back to all abutting walls

General

- Slip resistant, impermeable and easily cleanable flooring sealed at all edges
- Fixed heating equipment must be provided in all bathrooms, shower rooms or toilets and be capable of maintaining temperature of 21 °C when the outdoor temperature is -1 °C
- Bathrooms and shower rooms must have mechanical ventilation to the outside air at a minimum extraction rate of 15 litres per second in addition to any window(s). The system is to be either coupled to the light switch and incorporate a suitable over-run period of at least 15 minutes or an appropriately set humidistat. Continuous mechanical ventilation systems are also acceptable
- Each toilet in a separate compartment is required to have a window equivalent to 1/20th of the floor area or mechanical ventilation to the outside air at a minimum extraction rate of six litres/second. Continuous ventilation systems are also acceptable
- Lighting should be provided in all bathrooms, shower rooms and toilets to provide good visibility

Heating

Legal requirements

For shared house HMOs, the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 requires:

- adequate space heating in each unit of living accommodation, and
- all bathrooms in an HMO must be suitably and adequately heated

For the above, living accommodation means a bedroom.

For Section 257 HMOs, space heating is not listed as a prescribed standard. However, the Portsmouth City Council standards as listed below should be used as a guide to mitigate a possible Category One hazard for excess cold (however, additional work may also be required to mitigate a Category One hazard).

Portsmouth City Council requirements

The heating system must be of appropriate design and layout to efficiently heat the whole property, capable of maintaining a room temperature of 21°C when the outside temperature is -1°C.

Bedrooms and bath/shower rooms must be equipped with heating.

Heating must be available at all times and be under the control of the occupants for timings and temperature settings.

A fixed heating system must be provided.

All bedrooms must be provided with fixed heating equipment where the occupying tenant should be able to control the heating and temperature in their bedroom without the need to adjust central controls. This may be through the provision of thermostatic radiator valves for gas central heating systems (note: As one radiator in the system must be left without a thermostatic valve this should be located in a bathroom or communal space rather than a bedroom), or time controls and thermostatic controls for electric heating systems or panel heaters.

Electrical heating installations (electric storage heating systems or fixed electric panel heaters) must be capable of being run on economy tariffs.

The property may require additional work under the Housing Act 2004 Housing Health and Safety Rating System to remedy an excess cold hazard. Additional work could include: Heating to kitchens, living/dining rooms and separate toilets, improved insulation to loft and walls, improved glazing, or draught-proofing.

3



Fire safety

General requirements

Assessments of residential dwellings for fire safety cover a wide range of fire risks and fire precautions to mitigate those risks. The property is usually assessed on the following aspects:

- Type, size and layout of the premises
- Tenure type and lifestyle of the occupiers
- Type of fire detection system and firefighting equipment
- Deficiencies of structure, fixtures and fittings

The minimum fire detection requirements for residential dwellings are set in **The Smoke and Carbon Monoxide Alarm (England) Regulations 2015²**. Private residential landlords are required to:

- Provide at least one smoke alarm installed on every floor of their rental property which is used as living accommodation (including floors with bathroom and toilet facilities)
- Provide a carbon monoxide alarm in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers)
- Ensure the alarms are in working order and are repaired or replaced once informed and/or found to be faulty

The above minimum requirements are usually sufficient for most single household residential dwellings; however, this may not always be the case. All HMOs will require additional fire safety features. The table below provides an overview of minimum fire safety requirements for different types of accommodation.

Lower risk HMOs are usually lower occupancy HMOs (up to four people) rented out on a joint tenancy to an identifiable social group. For example, a small group of students that are likely to know each other and have a higher social interaction level.

Higher risk HMOs include all bedsitting HMOs, most HMOs rented out on separate 'room' contracts and, in some cases, HMOs rented out to vulnerable tenants.

Fire safety requirements for different types of accommodation are set in the tables below.

² <https://www.legislation.gov.uk/uksi/2015/1693/contents/made>

1-2 storey lower risk HMO

Fire safety feature	Requirement
Fire alarm system	Interlinked mains wired with tamper proof backup supply (Grade D1) smoke alarms located in the escape route at all levels and the lounge/dining area with additional interlinked heat alarm in the kitchen area are required. Smoke alarms in bedrooms are recommended
Fire doors	Sound, well-constructed and close-fitting doors such as solid wood are acceptable. FD30S door separating higher risk rooms and fire escape route are recommended
Protected escape route	Sound and conventional construction route with adequate compartmentation. Must not pass through high-risk rooms
Firefighting equipment	Fire blanket in the kitchen is required
Emergency lighting	No requirement for emergency lighting
Fire safety signs	Not required unless the route is long and complex

3-4 storey lower risk HMO

Fire safety feature	Requirement
Fire alarm system	Interlinked mains wired with tamper proof backup supply (Grade D1) smoke alarms located in the escape route at all levels and the lounge/dining area with additional interlinked heat alarm in the kitchen area are required. Smoke alarms in bedrooms are recommended
Fire doors	FD30 doors to all bedrooms, FD30S doors separating higher risk rooms from the fire escape route are required
Protected escape route	30-minute protected fire escape route is required. The travel distance must not be excessive and must not pass through a risk room
Firefighting equipment	Fire blanket in the kitchen is required
Emergency lighting	Emergency lighting required if the route is long and complex
Fire safety signs	Required if the route is long and complex

1-2 storey higher risk HMO

Fire safety feature	Requirement
Fire alarm system	Interlinked mains wired smoke alarms with tamper proof backup supply (Grade D1) located in the escape route on each level, interlinked heat detectors in each kitchen including bedsitting kitchens, interlinked (Grade D1) smoke alarms in any communal areas such as lounges or dining rooms with stand-alone (non-interlinked) smoke alarms in each bedsitting sleeping/living area
Fire doors	FD30S doors to all bedsitting rooms and any shared communal lounges, dining rooms and kitchens that open onto fire escape route
Protected escape route	30-minute protected fire escape route is required
Firefighting equipment	Fire blanket in each kitchen including bedsits containing kitchen facilities
Emergency lighting	Emergency lighting is required if the route is long and complex
Fire safety signs	Required if the route is long and complex

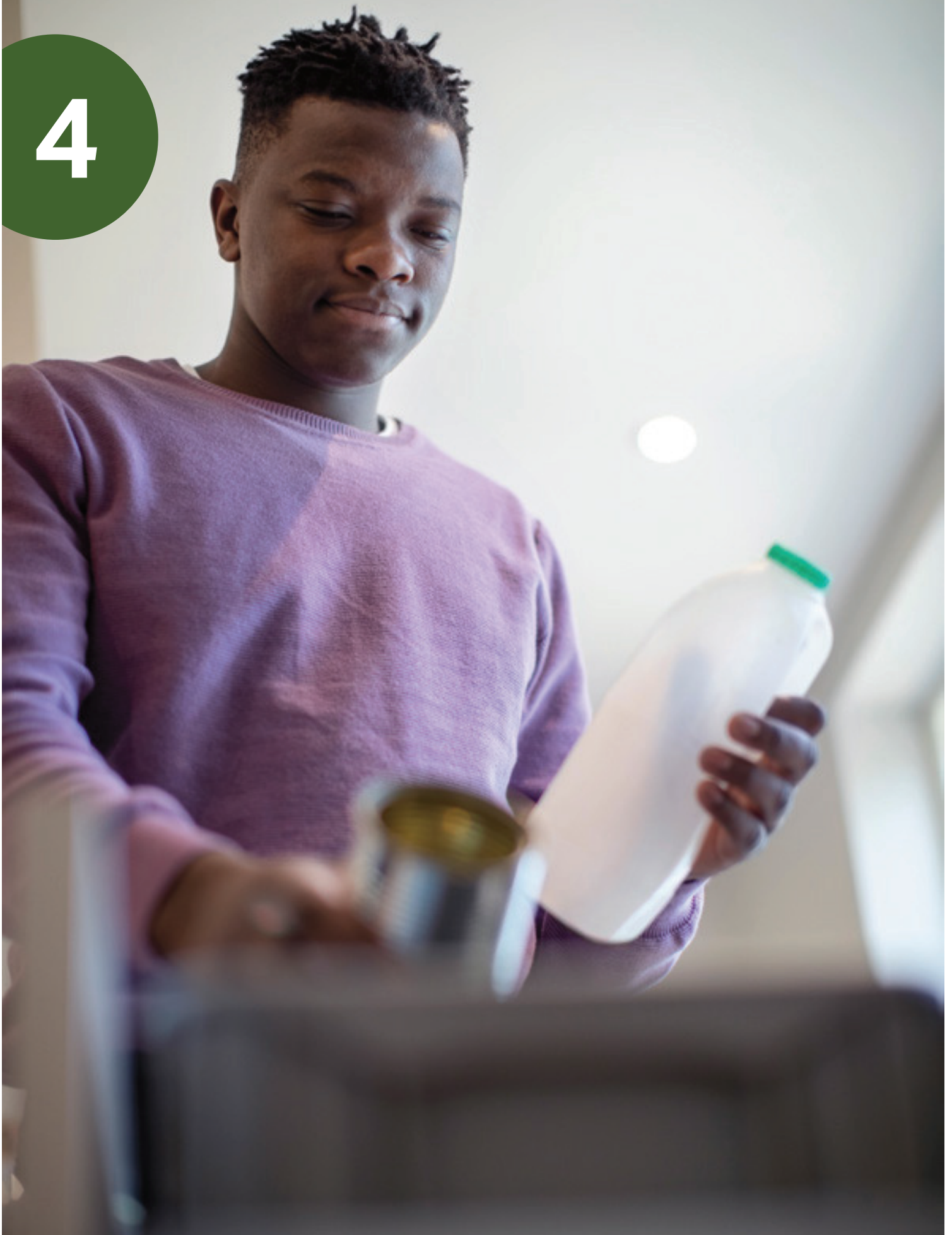
3-4 storey higher risk HMO

Fire safety feature	Requirement
Fire alarm system	Grade A alarm system comprising of a central control panel, interlinked mains wired smoke alarms located in the escape route on each level, interlinked heat detectors in each kitchen including bedsitting kitchens, interlinked smoke alarms in any communal areas such as lounges and dining rooms with additional stand-alone smoke alarms in each bedsitting sleeping area/living area
Fire doors	FD30S doors to all bedsitting rooms and any shared communal lounges, dining rooms and kitchens that open onto fire escape route
Protected escape route	30-minute protected fire escape route is required. The travel distance must not be excessive
Firefighting equipment	Fire blanket in each kitchen including bedsits containing kitchen facilities
Emergency lighting	Emergency lighting is required if the route is long and complex and recommended in all cases
Fire safety signs	Final exit sign and signage along escape route required if the route is long and complex and recommended in all cases

Notes:

- Living accommodation of single occupancy buildings includes floors includes containing bathroom and toilet facilities
- Higher risk rooms include communal kitchens, lounges, dining rooms etc
- FD30 doors are fire doors (including door leaf, door frame and hardware) providing a minimum of 30-minute fire resistance)
- FD30S doors are FD30 doors with smoke seals preventing a passage of smoke. Any reference to FD30S doors in the above table includes self-closing devices
- Risk room is the room with higher eventuality of fire starting such as kitchens, dining rooms and lounges
- 30-minute protected fire escape route is a route out of the building to a place of safety that provides 30-minute protection from fire originating from rooms opening onto it

4



Recycling and waste management

General requirements

As the owner or managing agent of the building, it is your responsibility to ensure tenants have the correct information, suitable bins and waste storage facilities and to contact your tenants if concerns are raised regarding their waste storage or presentation of waste.

Legal requirements

The Management of Houses in Multiple Occupation (England) Regulations 2006 require landlords to provide adequate bins for the storage of refuse, having regard to the disposal services provided by the local authority. These regulations also require landlords to make arrangements for the disposal and storage of waste, as necessary, to comply with the service provided by the local authority.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 require “appropriate refuse disposal facilities” for HMOs.

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 require licences under Part 2 must include conditions requiring the licence holder to comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection.

Portsmouth City Council requirements

Giving tenants the information on the right way to dispose of their waste is particularly important if they come from outside of Portsmouth. You should provide them with the following information:

- Which bins to use (see below)
- **How/where to put them out for collection³**
- **When they are collected⁴**
- **What can be recycled at home⁵**
- **What can be recycled locally at bring banks around Portsmouth⁶**

³ <https://www.portsmouth.gov.uk/services/recycling-and-rubbish/how-to-put-bins-out-for-collection/>

⁴ https://my.portsmouth.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-26e27e70-f771-47b1-a34d-af276075cede/AF-Stage-cd7cc291-2e59-42cc-8c3f-1f93e132a2c9/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen

⁵ <https://www.portsmouth.gov.uk/services/recycling-and-rubbish/recycling/>

⁶ <https://www.recyclenow.com/local-recycling>

The council can also provide leaflets and bin stickers.

Portsmouth City Council will not collect recycling or refuse material unless correctly presented at the correct collection times and in the manner specified by the council.

The occupants are normally responsible for presenting bins for collection. However, the landlord or agent is still responsible for ensuring this is completed. Where tenants are failing to present waste correctly, the council will require the landlord or agent to take action to resolve this problem. Where rubbish is not presented correctly, the council can issue penalty fines to the occupant or owners.

Property owners and managing agents should have particular regard to periods of time at the beginning or end of tenancies to ensure that waste and recycling are presented in the correct way and at the correct times, or to make alternative arrangements for the disposal of excess waste.

If you need to dispose of bulky waste or a build-up of rubbish, you must ensure it is done in a legal manner via a licensed waste carrier. You can run a licence check for your chosen waste carrier on the **DEFRA website**⁷.

The council runs a bulky waste collection service in partnership with our waste collection contractor Biffa. Contact the council if you would like a quote.

Another option is to use the trade waste chargeable service at the Household Waste Recycling Centre (HWRC). If the waste is not produced by yourself, it is regarded as trade waste and cannot be disposed of at the HWRC for free.

To use this option, you will first need to **register as a waste carrier**⁸. Once you have your waste carrier licence, you can **book a slot at the HWRC**⁹ and notify the staff on arrival that you have trade waste to dispose of. They will take your details (including your waste carrier licence details) and payment whilst on site. For more information, visit **Business, commercial and trade waste | Hampshire County Council**¹⁰

For further information on correct bin presentation, refuse and recycling collections and details of other services, visit the **recycling and rubbish pages**¹¹ of our website.

Landlords as well as residents can contact the council on 023 9284 1105 or recyclingandrubbish@portsmouthcc.gov.uk

⁷ <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>

⁸ <https://www.gov.uk/register-renew-waste-carrier-broker-dealer-england>

⁹ <https://www.hants.gov.uk/wasteandrecycling/recyclingcentres/book-appointment>

¹⁰ <https://www.hants.gov.uk/wasteandrecycling/commercialwaste>

¹¹ <https://www.portsmouth.gov.uk/services/recycling-and-rubbish>

Providing the correct waste storage bins



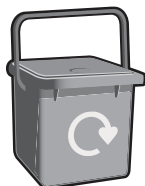
Rubbish bins containers (black):

The standard container provided is a 140L bin. However, there are different allowances for larger households and HMOs, so be sure to check with the council if what you have seems unsuitable. Flat fronted properties also have the option to present their rubbish in bags. The standard allowance is three bags per household. The council can provide stickers if the household qualifies for a bigger allowance.



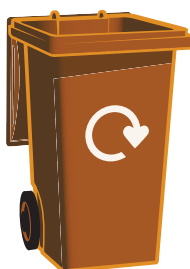
Recycling containers (green):

every household should have at least a recycling box or bin. Residents should be encouraged to recycle everything they can, so the Council is happy to provide larger/additional recycling containers if required. If the recycling bins at a property are heavily contaminated on a regular basis, it is the landlord's responsibility to find alternative methods of dealing with the waste. **Request a recycling bin¹²**



Food waste caddy (grey):

If the property is in one of the **food waste trial areas¹³**, please check that tenants have a small caddy for their kitchen and a bigger caddy to keep outside for collection.



Garden waste bin (brown):

This is an optional service provided by our partner Biffa for a monthly fee. **Contact the Green Waste Club¹⁴** if you would like to set up the service.

IMPORTANT:

Bins cannot be stored on the pavement outside of collection days. You must ensure your tenants have a place on your property/land to store their waste.

¹² https://my.portsmouth.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-2439a9e4-0147-4d24-856d-b52d78dcfae5/AF-Stage-a735e4cb-a554-4038-bd2f-691aa11be5bb/definition.json&redirectlink=%2F&cancelRedirectLink=%2F&_ga=2.115498502.147714311.15193

¹³ <https://www.portsmouth.gov.uk/services/recycling-and-rubbish/food-waste/roads-in-food-waste-trial/>

¹⁴ <https://www.greenwasteclub.co.uk/contact>



Planning permission

General requirements

In Portsmouth, under the Town and Country Planning Act 1990, all HMOs require planning permission for use as an HMO except section 257 HMOs, which need permission as flats.

HMOs with three to six persons

HMOs occupied by between three and six unrelated individuals are defined as Use Class C4 by the Town and Country Planning (Use Classes) Order 1987 (as amended). Dwellings occupied by families or fewer than three unrelated people are defined as Use Class C3.

The government has granted planning permission in the form of permitted development rights for changes of use between these two use classes. Because of the potential implications of large numbers of properties changing to Class 4, the council has removed the permitted development right to change between Use Class C3 and Use Class C4.

Dwellings with Use Class C4, however, still have permitted development to change back to a dwelling (Use Class C3).

This change came into effect on 1 November 2011 and means that planning permission is now required from the council to change the use of a dwelling to an HMO in Use Class C4. Any property already in Use Class C4 before this date does not need planning permission to continue as an HMO.

HMOs with seven or more occupiers

HMOs with seven or more occupiers require planning permission under 'sui generis' use class. This has always required planning permission. When increasing occupation from C4 (3 to 6 person HMO) to 'sui generis' (seven or more persons), this may require planning permission. This is not a permitted development.

Further information

Portsmouth City Council has a local plan containing planning policies in relation to HMOs.

An owner may wish to apply for a 'certificate of lawful use' to demonstrate the property is compliant with planning law where there has been no express planning permission granted.

Planning services can be contacted on: 023 9283 4334 or planning@portsmouthcc.gov.uk

Planning permission and HMO licensing are two separate and distinct legal requirements.

Planning permission controls the number of HMOs in a defined area. The removal of permitted development rights aims to prevent oversaturation of HMOs in areas of Portsmouth. Planning permission must be obtained before the property is occupied as an HMO. Planning permission stays with the property. Once obtained, there is no requirement to reapply for planning permission unless the house falls back into C3 (family) use or the permission was not enacted within the timeframe given.

HMO licensing is to ensure the property meets minimum standards and is not over-crowded and the property is well managed. A licence is granted to a named person for a specific period of time and must be renewed on expiry, or if the ownership or management of the property changes.

Both must be obtained for an HMO to operate legally in Portsmouth. Granting of one does not give tacit consent for the other.

6



Technical guidance

Statutory overcrowding

To calculate the size of the household, the following rules should be applied:

- Anyone 10 years of age and above counts as 1 person
- Children under 10 years of age count as ½ person
- Small children under the age of 1 should not be included in the calculation

To calculate the number of rooms available as sleeping accommodation, the following rules should be applied:

- Include rooms such as living rooms, studies etc
- Do not include any rooms smaller than 4.6m² (50 square feet)

To meet the space standard, the requirements in the tables below should be met:

Number of rooms	Number of persons
1	2
2	3
3	5
4	7.5
5 or more	2 for each room

Min size of the room (m2)	Max number of persons
10.2	2
8.4	1.5
6.5	1
4.6	0.5

Ventilation

To provide adequate purge ventilation, the following criteria should be met (**Approved Document – Part F¹⁵**):

For external doors, hinged or pivot window that open 30° or more or for parallel sliding windows (eg, vertical sliding sash windows), the height multiplied by the width of the opening part should be at least 1/20th of the floor area of the room.

- For a hinged or pivot window that opens between 15° and 30°, the height multiplied by the width of the opening part should be at least 1/10th of the floor area of the room
- If the window opens less than 15° it is not suitable to provide purge ventilation
- The areas of all window openings might be added to achieve the required proportion of the floor area

¹⁵ <https://www.gov.uk/government/publications/ventilation-approved-document-f>

7



Furniture schedule

Space available should be capable of accommodating the furniture in the below schedule:

Living room

Furniture	Typical size (mm)	Access/ activity zone (mm)	Number of items required (by sharing occupiers)							
			1	2	3	4	5	6	7	Plus 1
Armchair	850 x 850	300 directly in front	2	2	3	1	2	3	4	plus 1
3-seater sofa	850 x 1850	300 directly in front				1	1	1	1	1
TV			1	1	1	1	1	1	1	1
Coffee table	500 x 1050		1	1	1	1	1	1	1	1
Occasional table	450 x 450		1	1	1	1	1	1	1	1
Storage units	500 x length	500 directly in front	1000	1000	1000	1500	2000	2000	2000	
Walkthrough		750	1	1	1	1	1	1	1	1

Dining space

Furniture	Typical size (mm)	Access/ activity zone (mm)	Number of items required (by sharing occupiers)							
			1	2	3	4	5	6	7	Plus 1
Dining chair	450 x 450		2	2	3	4	5	6	7	plus 1
Dining table	800 x length		800	800	1000	1200	1350	1500	1650	plus 150

Bedroom

Furniture	Typical size (mm)	Access/ activity zone (mm)	Number of items required (by sharing occupiers)							
			1	2	3	4	5	6	7	Plus 1
Bed	1900 x width	400 at access sides	900	1350						
Bedside table	400 x 400	500 directly in front	1	2						
Chest of drawers	450 x 750	500 directly in front	1	1						
Desk and chair	500 x 1050 plus chair	700 in front of desk	1	1						
Wardrobe	600 x width	500 directly in front	600	1200						

Notes:

3-seater sofa requirements are in addition to armchair requirements; 750mm diameter coffee tables acceptable as an alternative to; wall mounted TV is acceptable. Twin bedroom requirements: Two single beds instead of a double bed.



You can get this information in large print, Braille, audio or in another language by calling 023 9268 8369

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