

Article 4 Planning Direction and Additional Licensing Draft Impact Assessment

Overview

Article 4 Planning Direction and Additional licensing are tools to help regulate the provision of houses of multiple occupancy (HMO), their proliferation and quality, within an area. In this case the proposal is for these provisions to cover the Borough of Telford and Wrekin.

Article 4 Planning Direction

This planning direction can restrict or remove the permitted development rights within a specific area.

In this case the proposal is to remove permitted development rights for smaller HMOs (fewer than 6 people) to address the concentration of HMOs that are having a detrimental effect on areas of the borough.

It will allow the local planning authority to assess applications based on local planning policies, including local parking arrangements and the HMO density, within a specified area.

Planning permission for all new HMOs will be required regardless of size. Importantly the application of this direction would not affect existing HMOs, only those that would be established after the relevant implementation period.

As this provision is made under the Town and Country Planning (General Permitted Development) (England) Order 2015 a consultation will be conducted under the framework of the existing Telford & Wrekin Statement of Community involvement - www.telford.gov.uk/sci

Additional Licensing

This regulation allows for the implementation of a licensing regime that affects HMOs that are not covered by the mandatory licensing scheme (fewer than 5 occupants).

If implemented it applies retrospectively and is used to address a range of issues including quality of accommodation, antisocial behaviour, safety and to increase landlord accountability.

The licensing regime will implement conditions that landlords must comply with for the property to be let.

A consultation will be run to gather the views of stakeholders including the likely impact on them.

These proposals are different and whilst having some shared stakeholders who may share protected characteristics for clarity 2 matrices will be populated to demonstrate considerations of the impact of the proposals in relation to the Equality Act 2010.

Impact Assessment – Article 4 Planning Direction

Consider how people who share protected characteristics are affected by these proposed changes in relation to the General Equality Duty;

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations between different groups

Protected Characteristic	Impact (X limited, XX High impact)				Who is affected?	How are they affected?	Comment
	Positive	Negative	Neutral	No data			
Age	X	X	-	-	Young people under the age of 35 have proportionately higher representation in HMOs	Positive - improvement of HMO quality in future with suitable amenity space, parking, etc. Negative - potential temporary reduction of available properties post implementation whilst the regime comes into effect.	HMOs include student accommodation and for people under the age of 35 who where they are accessing benefits restricted through Local Housing Allowance (LHA) rules to the Single Room Rates
Disability	-	-	-	X	-	-	No data to indicate that disabled people are disproportionately represented in HMOs.
Gender	X	X	-	-	Men have a proportionately higher representation in HMOs	Positive - improvement of HMO quality in future with suitable amenity space, parking, etc.	Not applicable

						Negative - potential temporary reduction of available properties post implementation whilst the regime is brought into operation.	
Marriage or civil partnership	-	-	-	-	-	-	Not applicable.
Pregnancy or maternity	-	-	-	-	-	-	Not applicable.
Race, nationality and ethnic origin	X	X	-	-	Transitional temporary workers who are more likely to have a range of different nationalities and ethnicities have a proportionately higher representation in HMOs	Positive - improvement of HMO quality in future with suitable amenity space, parking, etc. Negative - potential temporary reduction of available properties post implementation whilst the regime is brought into operation.	We have limited data on HMO occupants, but some evidence indicates that HMOs in some areas are occupied by overseas nationals including from the EU and South Asia.
Religion or belief	-	-	-	X	-	-	No data to indicate that people who share different religion or beliefs are disproportionately represented in HMOs.
Sexual orientation	-	-	-	-	-	-	Not applicable.
Transgender status	-	-	-	-	-	-	Not applicable.
Care experience	X	X	-	-	Those leaving care may not have the supporting framework	Positive - improvement of HMO quality in future with	Not applicable

					to stay in a household after the age of 18 so may transition into single room accommodation including HMOs.	suitable amenity space, parking, etc. Negative - potential temporary reduction of available properties post implementation whilst the regime comes into operation	
Armed Forces	X	X	-		Ex-armed forces personnel have slightly higher representation in homelessness presentations nationally.	Positive - improvement of HMO quality in future with suitable amenity space, parking, etc. Negative - potential temporary reduction of available properties post implementation whilst the regime is brought into effect.	HMOs are often the first step in supporting the homeless veterans into to secure sustainable accommodation.
Deprivation	X	X	-	-	People on low income particularly individuals in receipt of means tested benefits.	Positive - improvement of HMO quality in future with suitable amenity space, parking, etc. Negative - potential temporary reduction of available properties post implementation whilst the regime is brought into operation.	LHA designed to pay for housing needs of people on means tested benefits is set by government at 40% of market rent meaning that HMOs are the only affordable accommodation for some people.

Impact Assessment – Additional Licensing

Consider how people who share protected characteristics are affected by these proposed changes in relation to the General Equality Duty;

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations between different groups

Protected Characteristic	Impact (X limited, XX High impact)				Who is affected?	How are they affected?	Comment
	Positive	Negative	Neutral	No data			
Age	XX	X	-	-	Young people under the age of 35 have proportionately higher representation in HMOs	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents who will be more easily removed from the market. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	The retrospective application of the licensing scheme will have a transformative improvement on the rental landscape of Telford and Wrekin benefiting younger people, men, veterans, care experienced individuals, people from different nationalities and ethnicities and people on lower incomes. The potential disruption to the rental market will be time limited whilst undergoing adjustment.

Disability	-	-	-	X	-	-	Not applicable.
Gender	XX	X	-	-	Men have a proportionately higher representation in HMOs	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents who will be more easily removed from the market. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	The retrospective application of the licensing scheme will have a transformative improvement on the rental landscape of Telford and Wrekin benefiting younger people, men, veterans, care experienced individuals, people from different nationalities and ethnicities and people on lower incomes. The potential disruption to the rental market will be time limited whilst undergoing adjustment.
Marriage or civil partnership	-	-	-	-	-	-	Not applicable.
Pregnancy or maternity	-	-	-	-	-	-	Not applicable.
Race, nationality and ethnic origin	XX	X	-	-	Transitional temporary workers who are more likely to have a range of different nationalities and ethnicities have a	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation	The retrospective application of the licensing scheme will have a transformative

					proportionately higher representation in HMOs	by unscrupulous landlords/managing agents who will be more easily removed from the market. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation	improvement on the rental landscape of Telford and Wrekin benefiting younger people, men, veterans, care experienced individuals, people from different nationalities and ethnicities and people on lower incomes. The potential disruption to the rental market will be time limited whilst undergoing adjustment.
Religion or belief	-	-	-	-	-	-	In some cases, HMOs occupied by members of religious communities are exempted from licencing.
Sexual orientation	-	-	-	-	-	-	Not applicable.
Transgender status	-	-	-	-	-	-	Not applicable.
Care experience	XX	X	-	-	Those leaving care may not have the supporting framework to stay in a household after the age of	High Positive - improvement of HMO quality, safety and management. Less likely	The retrospective application of the licensing scheme will have a

					18 so may transition into single room accommodation including HMOs.	to experience exploitation by unscrupulous landlords/managing agents who will be more easily removed from the market. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation	transformative improvement on the rental landscape of Telford and Wrekin benefiting younger people, men, veterans, care experienced individuals, people from different nationalities and ethnicities and people on lower incomes. The potential disruption to the rental market will be time limited whilst undergoing adjustment.
Armed Forces	XX	X	-	-	Ex-armed forces personnel have slightly higher representation in homelessness presentations nationally.		
Deprivation	XX	X	-	-	People on low income particularly individuals in receipt of means tested benefits.		

Evidence and data

The Background & Evidence Base Article 4 & Additional Licensing Houses in Multiple Occupation (HMO) document lays out the evidence base for the implementation of these schemes.

The data we have is high level based on demographic information sources such as the Census 2021 and estimates derived from these sources modified by service data that has been collected by ourselves and partners, such as West Mercia Police.

Consultation and engagement will take place on both schemes with stakeholders from across the borough including but not limited to;

- Landlords – both HMO and non-HMO
- Private tenants
- Social housing tenants
- Lettings agents
- Owner-occupiers
- Local housing organisations and partners
- Community groups
- Employers that may have temporary/transitional employees and employees recruited from overseas
- Town and parish councils
- Staff, including housing and planning
- Harper Adams University including Student Unions.
- General public

This process will follow two streams reflecting the nature of the legislation that permits their implementation.

Article 4 Planning directive will in line with the Telford & Wrekin Statement of Community Involvement (SCI)

Additional Licensing will be a differentiated consultation using digital, paper and physical engagement techniques distributed across the borough to enable access and the opportunity for full and meaningful engagement with all stakeholders.

Both activities will be supported by a joint communication plan and a consultation as they will run concurrently and seek to address similar core issues.

Mitigation

Mitigation to lessen or remove negative impacts will be developed at the end of the consultation period to address any specific concerns raised during its delivery.

To enable full engagement, we will use our communication support tools, for example translation and interpretation, to make sure that all relevant stakeholders are able to engage effectively.

Review

Regular project management meetings will review the progress and effectiveness of the consultation and engagement.

The proposals and impact assessment will be reviewed at the end of the consultation and engagement. The updated version will be included in decision-making documents.

This Impact assessment was completed by

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