

# Retrospective Planning Application Design and Access Statement

The retrospective planning application is a result of the Barnsley Council inspection (Ref: 494997) conducted on 10 July 2025, under Section 239 of the Housing Act 2004. The property at 108 Hough Lane, Wombwell, S73 0EF, originally served as a single-family dwelling (Use Class C3). However, following the tenancy changes in early 2024, the property transitioned into a small, shared house accommodating four tenants, falling under Use Class C4 (small HMO).

Due to the Article 4 Direction implemented in Barnsley in 2021, permitted development rights for such conversions were removed. The owners were unaware that formal planning consent was required for a small HMO in this area.

During the Council's inspection, it was confirmed that the property functioned as a small HMO, prompting advice to regularise the planning status retrospectively. This application, therefore, seeks to regularise the use and ensure the property fully complies with all HMO management, fire safety, and amenity standards set out by Barnsley Council, demonstrating our commitment to safety and regulatory compliance.

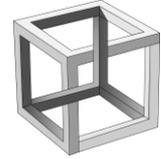
## Council Inspection Findings

The inspection identified several points of disrepair and safety compliance issues, primarily related to fire protection, ventilation, and required documentation.

## Response Summary from investor (MKDS Property Ltd)

MKDS Property Ltd response confirms full cooperation and compliance with all requests, including:

- All fire safety upgrades in progress (FD30/FD60 doors, fire blanket, thumb-turn locks, intumescent seals).
- Window and ventilation improvements are scheduled for completion by the follow-up visit.
- Gas, electrical, and fire alarm certification in progress.
- Commitment to apply for retrospective planning consent to regularise the C4 use. (see appendix)



# Design and Access Statement (Retrospective Application)

Retrospective Application for Change of Use from C3 to C4 (Small HMO)

AT 108 Hough Lane, Wombwell, Barnsley S73 0EF

## Introduction

This statement supports a retrospective planning application following a council inspection under the Housing Act 2004 (Ref. 494997). The application seeks to regularise the lawful use of 108 Hough Lane, which currently operates as a small House in Multiple Occupation (Use Class C4) accommodating four tenants.

The property had previously been used as a single dwelling (C3). Due to the Article 4 Direction in Wombwell, planning permission is required for this change of use. The owner, MKDS Property Ltd, now applies retrospectively to bring the property into full planning and regulatory compliance.

## Site Description

The property is a three-storey semi-detached dwelling with an attic room, located on Hough Lane within a predominantly residential area. It includes:

- A side driveway and single garage
- Private to the rear garden
- Direct access to public transport links and local shops

## 3. Existing and Proposed Use

- Previous Use (C3): Single-family dwelling
- Current Use (C4): Four tenants in shared accommodation
  - Shared kitchen/dining area and bathrooms
  - Separate lockable bedrooms

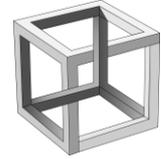
The use falls within the C4 class definition (3–6 unrelated individuals sharing amenities). No external alterations have been made to the property.

## Design and Proposed Upgrades

The property layout remains unchanged except for internal safety and compliance upgrades:

- Installation of FD30/FD60 fire doors with intumescent strips and self-closers
- Emergency escape lighting to all storeys
- Fire detection extended to circulation areas
- Upgraded window escape compliance (Room 3)
- Additional mechanical ventilation (Room 1, as required)
- Fire blankets and safety signage

All works will comply with Building Regulations Parts B, K, and M, as well as BS 5266 and LACORS Fire Safety Guidance.



### Access and Inclusive Design

Access remains as existing, via the main entrance on Hough Lane. The rear garden is accessible from internal circulation routes. No external or level changes are proposed.

### Sustainable Transport and Parking Statement

(Integrating the previously drafted section)

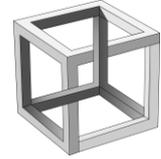
- The site is located within 100 meters of bus stops and 1 kilometre of Wombwell Station, providing sustainable travel options.
- Due to the sustainable location and low car ownership among tenants, parking demand is minimal.
- Tenancy agreements typically prohibit car ownership and parking, which the landlord enforces.
- Cycle storage for four bicycles is provided within the garage.
- A Travel Information Pack will be issued to each tenant promoting public transport and cycling.
- The proposal fully complies with Barnsley Local Plan Policies T3 and T4.

### 7. Conclusion

This retrospective application reaffirms our commitment to regularise the property's lawful use as a small HMO (C4) and confirm that it meets all relevant safety, amenity, and management standards. We believe that this application is a step towards transparency and compliance with the regulations set by the Barnsley Council.

All repair and compliance work identified by the Council have been addressed or scheduled for completion before the next inspection.

The development represents a sustainable, safe, and policy-compliant use of existing housing stock, contributing to local housing supply without adverse impacts on neighbouring amenity or parking.



Appendix: Proposed Repairs and Alterations

| Area                | Required Works  | Compliance Reference            |
|---------------------|---|---------------------------------|
| Kitchen             | Install FD60 fire door with vision panel, thumb-turn lock, fire blanket       | Housing Act 2004 / LACORS       |
| Cellar              | Install fire detection, clear combustible waste                               | HMO Management Regs 2006        |
| Room 1              | Assess window ventilation; fit mechanical ventilation if below 1/20th area    | Barnsley Amenity Standards §3.7 |
| Room 3              | Adjust/replace window to meet 0.33 m <sup>2</sup> openable escape requirement | Building Regs Part B            |
| Bedrooms (All)      | Fit self-closers and intumescent strips to solid doors                        | LACORS / BS 476                 |
| First Floor TV Room | Fit FD30 fire door with self-closer and strips                                | BS 476                          |
| General             | Install keyless restrictors on low windows; "Mind your head" sign             | Part K / Part M                 |
| Common Areas        | Emergency lighting on all storeys   | BS 5266                         |
| Certificates        | Gas, EICR, Fire Alarm   | HMO Licensing standards         |