

Planning Statement in Support of Lawful Development – House in Multiple Occupation (HMO)

Property Address: 12 School Street, Barnsley, S72 0AE

Applicant: Sarah Dunwell, Arena Partners Property Limited

On Behalf of: Mr. Vincent Bossel, SwissXtreme Properties Limited

Date: 25th July 2025

1. Introduction

This statement supports a planning application for the continued use of the above property as a House in Multiple Occupation (HMO), under established lawful use rights, commonly referred to as “grandfather rights.” The application is submitted by Sarah Dunwell of Arena Partners Property Limited, acting on behalf of the landlord, Mr. Vincent Bossel of SwissXtreme Properties Limited.

This application is made in light of the Article 4 Direction introduced by Barnsley Metropolitan Borough Council, which removed permitted development rights for changes of use from C3 (dwellinghouses) to C4 (HMOs) without planning permission on the 24th June 2021.

2. Background & Policy Context

The property at 12 School Street, Barnsley, S72 0AE has been in continuous use as an HMO prior to the implementation of the Article 4 Direction in Barnsley. This Direction came into effect on 24th June 2021. Properties in use as HMOs before this date, without any material change or cessation, may qualify for continued lawful use and should be granted planning permission on this basis.

3. Evidence of Existing Use

To demonstrate the long-standing use of the property as an HMO, the following evidence is enclosed:

- Tenancy Agreements dating back to May 2020, confirming multiple unrelated tenants occupying the property.
- Council Tax records, showing payment by the landlord not the tenants.
- Photographic evidence of room layouts and facilities consistent with HMO use.
- The license issued by Barnsley Council under the HMO licensing scheme.

This evidence shows the property has been used as an HMO prior to the Article 4 Direction and has remained in consistent use as an HMO since then, with the exception

of a six month period of significant renovation, required after the tenant in room 3 was evicted. Unfortunately, due to this tenants drug use and anti-social behaviour, all other residents vacated the premises and so when the troublesome tenant eventually left, the landlord made the decision to renovate and redecorate, to improve the standard of the accommodation, before the property was relet again in April 2024.

4. Summary and Conclusion

Based on the continuous use of the property as an HMO prior to the introduction of the Article 4 Direction on 24th June 2021, we respectfully submit that planning permission should be granted on the grounds of established lawful use. The evidence provided confirms that the HMO use is not new, and as such, falls outside the scope of the Article 4 Direction intended to regulate new HMOs.

We look forward to confirmation of lawful continued use and the approval of this application.