

## **Follow-Up Note – Teams Meeting with Bradley Sargeson (Planning Officer) – 16 Oct 2025**

Ref: Planning Application 2025/0761 – 29 Agnes Road Change of Use from C3 to C4

Dear Bradley,

Thank you for taking the time to speak with me on Thursday 16th October concerning the application for 29 Agnes Road for a retrospective change of use from C3 to C4.

We covered a range of matters in our discussion concerning the application and your initial thoughts as set out in your email of 13<sup>th</sup> October. Further, you have kindly subsequently shared the responses from consultation with the neighbours, which is helpful.

To aid further deliberation with your seniors on the application, I would set out below the key points we discussed and the responses I presented in way of mitigating any concerns to support the application moving forward positively from both a practical and policy perspective.

### **1. Planning History, Concentration of HMO's, Residential Amenity and Noise Nuisance & Disturbance:**

#### a) Planning History and Refusal of Previous Application 2020/1186

Your comments on the recent planning history were noted, particularly the refusal for the application 2020/1186 for a Mixed Use Shop and 5 No. Bedroom HMO (Class Sui Generis).

In response, I would add that the above application was presented without any merit as no supporting planning information was provided to give any context, address policy and planning requirements, set out the demand case and address any other concerns that could arise. Naturally, with Article 4 in place and an HMO (Sui Generis) application presented in this way, refusal by the Planning Authority is understandable. However, that should not in itself prejudice future applications where full information on all aspects to demonstrate compliance is then presented. As is the case with the current application, where substantial supporting information, contextual evidence and assessment of need has been presented formally to address all associated aspects. To assist, I would highlight the key points from this supporting information we discussed in reference to your deliberations and the email points you raised.

#### b) Concentration of HMO's

*“Proposed House of Multiple Occupation (HMO) would make a further negative contribution to the concentration of HMO's and bedsits within the immediate area to the detriment of the areas character.”*

In the supporting information presented, an analysis was undertaken for current HMO's within the Kingstone Ward based on the Barnsley HMO Public Register, which found the following evidence:

- There are 59 registered HMO's in the Kingstone Ward with a few notable clusters but nothing significant in the vicinity of 29 Agnes Road.
- Based on available public data, Kingstone Ward has 4,985 households, which equates to an HMO density of 1.20%, which is very significantly below the Council's adopted and comparative intervention threshold of 10%.
- Further disaggregation of this public data is then presented to align with guidance from Barnsley Supplementary Planning Document (SPD) – Design of Housing Development May 2019, Section 26: Conversions of buildings to residential accommodation.
- This reveals that there are only 8 HMO's within a 250m radius of 29 Agnes Road, only 1 HMO within 100m and most significantly 0 HMO's within 50m of the property, which is the test adopted by the Council. This is as compared to the adopted SPD criteria that *“HMOs and bedsits account for less than 10% of the residential properties within a 50m radius of the site”*.
- This data and conclusion is further supported by the consultation response from the Council's Licencing Team:
  - o *I have viewed the proposed plans for this application and confirm it would meet mandatory licensing requirements under Part 2 of the Housing Act 2004.*
  - o *The property does comply with licensing requirements and the changes to the rear yard to provide additional parking facilities remove any concerns around parking facilities.*
  - o *In terms of other HMOs within the area, I can state that numbers 32 & 58 Agnes Road are both four bed HMOs. Princess Street has 4 x known HMOs, one is licenced & the remainder are four bed HMOs. Park Grove has a higher number with 6 x licensed HMOs & one four bed.*
  - o *All of these are situated a greater distance than 100 metres from 29 Agnes Road.*
  - o *I do not believe this particular property is within a high-density area of HMOs, therefore I would support the application.*

**It is therefore concluded that the Council's test is 100% satisfied, the data confirms there is no local concentration of HMO's in the immediate area and this is independently verified and confirmed by the Council's Licencing Team, who support the application on its merits.**

c) Residential Amenity – Space Standards and External Amenity Needs

*“Furthermore, given the substandard shared living spaces and external amenity space, the future residents would be subject to an inadequate standard of residential amenity.”*

As part of the supporting information, details including maps and walking distances were presented for access to local amenity spaces, which demonstrated adequate local provision existed. We discussed and agreed that the external amenity space has already been clarified and accepted as adequate through previous applications with local amenity and leisure facilities being in close proximity and is therefore not a material consideration.

In the supporting information we have presented details of the proposed HMO layout and provision of spaces within, which are in line with the minimum space standards required for such a facility. Furthermore, the Council’s Licencing Team have undertaken a detailed assessment of all HMO related requirements and provisions through on-site inspection and survey, including space standards, in line with Barnsley Council’s adopted ‘*Amenities Standards for Licensable and Non-Licensable Houses in Multiple Occupation, September 2022*’. They found the property met all required standards, including space standards, and issued a temporary one year licence accordingly.

**29 Agnes Road is therefore compliant, as per the Council’s Licencing Team detailed review and inspection, with all requirements for the proposed HMO in terms of layout and shared living spaces. Further, the matter of external amenity space is not a material consideration as it is already accepted as adequate through due process based on its planning history.**

d) Noise Nuisance & Disturbance

*“In addition, the HMO use, in combination with the retained commercial use, would increase noise and disturbance through increased activity and be detrimental to the amenity of neighbouring residents.”*

As presented in the supporting information for the application, there is no previous history of noise nuisance or disturbance with respect to rental of 29 Agnes Road or commercial property at 31 Agnes Road, including over the last year or so of occupation. The comments and concerns of the 4 local residents, as presented through the consultation process, are noted and respected. However, as presented in our supporting information and also highlighted through many Council reports and area based literature published, Agnes Road is in very close proximity to Barnsley Town Centre. It therefore attracts a greater level of noise nuisance, disturbance and other local issues through overspill from the local night clubs and social amenities it bounds and this is the main source of such issues in the area. It is also highlighted that a local pub is situated opposite 29 Agnes Road and this is another source of potential issues.

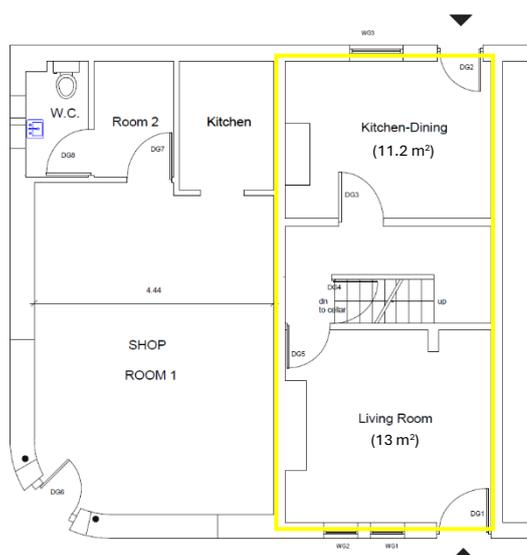
Furthermore, the property is managed on behalf of the current owner by Yorkshire Accommodation Bureau (YAB) Ltd, who are a very prominent and highly regarded property lettings and management company. YAB has strict standards and procedures, all the occupants at the property are professional working people and employed, as employment is one of the conditions for rental, which helps with a level of assurance on behaviour and life focus. YAB also has regular inspection regimes and oversight of the property and will action any issues, of whatever nature, with speed and diligence should they arise with the firm expectation communicated to renters that they must abide in a respectful, considerate and lawful manner at all times.

In summary, whilst there have undoubtedly been incidents of noise nuisance and disturbance historically in the Kingstone Ward, particularly with its proximity to the Town Centre, there is no specific significant history of such in the vicinity of 29 Agnes Road. Further, a strong management regime through a very reputable agency is in place for management of the property and tenants, who are all professionally employed people as a requirement of the tenancy. **Thus, it is concluded that this single, well managed HOM, will not be detrimental to the amenity of neighbouring residents.**

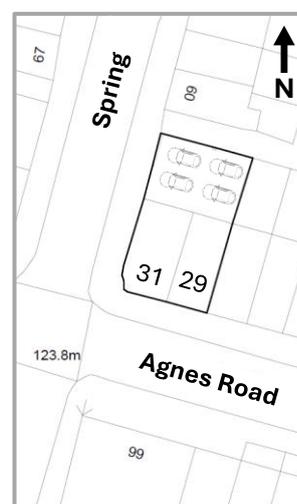
## 2. Local Plan Policy H9

*“In the opinion of the Local Planning Authority the proposal to change the use of the building to a House of Multiple Occupation is contrary to the aims of Local Plan Policy H9, which seeks the re-establishment of single family sized houses. The application property is within a predominantly residential area and is capable of becoming a larger home again without significant adaption.”*

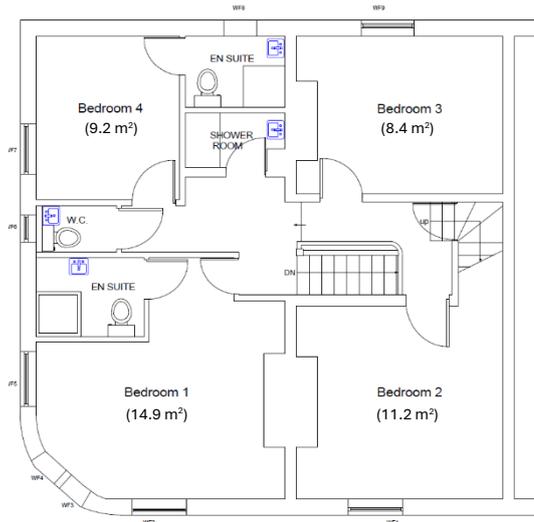
As presented in the application supporting information, I would highlight again that 29 Agnes Road is not a traditional large family home and it was not built to be so. It is actually two terrace properties which have been merged at the first floor level to provide extra bedroom space and to facilitate a ground floor commercial unit at 31 Agnes Road.



**Existing & Proposed Ground Floor**



**Location Plan**



**Existing & Proposed First Floor**



**Existing & Proposed Second Floor**

The living, dining and kitchen space situated on the ground floor in only 29 Agnes Road is definitely non-standard and does not reflect the normal expectations for a large 5-bedroom residential family home and the range of amenities that would be expected (as highlighted in yellow on the above layout plans). There is no easy remedy to this situation, possibilities include building an extension to the rear to extend the kitchen/dining room and create extra living space or alternatively to convert one of the first floor bedrooms into an extra living space. Both of these scenarios involve considerable time, cost and effort, they are not easy adaptations and such changes are complicated to implement.

Further, whilst pursuance of Policy H9 - Protection of Existing Larger Dwellings, is a laudable endeavour by the Council to assure future provision of larger family homes, it is not a unilateral direction. Each planning application must be judged on its individual merits and also the needs of the area overall in line with other policies that pertain and in particular Policy H6 - Housing Mix and Efficient Use of Land. As part of the supporting information submitted, Section 7 – Local Housing policy and HMO Demand (Page 16), a review of the local housing context for Kingstone Ward was presented to aid understanding of the local need, demand for HMO's and compliance with Policy H6. A summary of the findings and conclusions are presented ahead:

- **Barnsley Policy Context:**

Barnsley Housing Strategy 2024–2028 identifies a shortage of smaller affordable homes, with demand for one- and two-bed properties exceeding supply across the borough. It also seeks to improve quality standards in the private rented sector (PRS).

- **Kingstone Ward Local Context:**

Our review found that for the Kingstone Ward area 23.9% of homes are privately rented (double the borough average), 37.4% of households are one-person and 41.1% of adults are single, significantly higher than borough and national levels. These factors indicate

sustained demand for smaller, flexible accommodation, including shared housing options.

A geospatial analysis of licensed HMOs shows that only a small number are located within 250 metres of 29 Agnes Road and none within 50m of the property. The proposal would not result in an over-concentration of HMOs in the immediate area and would be consistent with the Council's aim of managing, rather than prohibiting, provision.

Utilising data collected from live listings for the S70 area, room rents are typically £410 - £605 per calendar month (pcm) and one-bed flats are typically £600 - £700 pcm. Local Housing Allowance (LHA), Sheffield Broad Rental Market Area (BRMA), typically, show shared accommodation at £315 pcm and one-bed flat at £414 pcm. This demonstrates that market rents for one-bed flats exceed LHA, meaning HMOs remain one of the few viable options for under-35s and low-income tenants with the backdrop of Barnsley rents rising 7.7% year-on-year.

Agnes Road is a mixed-residential street close to Barnsley town centre, services, and public transport. The addition of one licensed, well-managed HMO will not materially alter the character of the area given the modest existing HMO presence. Off-Street car parking provision also mitigates concerns over the potential local impact. Further, as stated, the applicant will ensure compliance with licence conditions, space standards, refuse storage, and anti-social behaviour management measures, in line with the Council's strategic emphasis on improving PRS quality.

- Conclusion of Analysis and Evidence:

There is a clear and evidenced demand for HMOs in Kingstone Ward due to:

- High levels of single-person households and private renting.
- Rising rents outpacing LHA, leaving shared housing as a critical affordable option.
- Short supply of one-bed homes across the borough.

The proposed HMO at 29 Agnes Road would:

- Provide affordable, good-quality accommodation aligned with local need.
- Avoid creating an over-concentration of HMOs in the immediate vicinity.
- Support Barnsley's housing strategy by expanding choice while ensuring quality and proper management in line with Policy H6.

Accordingly, the application is consistent with and supports local policy H6 with housing need evidence to address a clear local demand and in compliance with the council's wider guidance for HMO's, without prejudicing policy H9.

### **3. Residential Amenity of Occupants – Light and Outlook**

The property at 29-31 Angus Road has been maintained as per its original design and local vernacular with the exception of the commercial unit which was formerly a chemist for many years and now a salon. The only recent change has been the refurbishment of the commercial unit into a local salon with new signage and decoration to present the business

in the best light, which has also improved the amenity of the area. All individual rooms in 29 Angus Road benefit from the same original windows and nothing has been changed to impact light and amenity of the property for present or future occupants.

Photographs have been presented in the supporting information to demonstrate that both 29 and 31 Angus road are consistent with the local street scene and every feature including façade, windows, roof, chimney stacks and overall look of the property blend in seamlessly with the local setting. The only other change has been the recent complete renovation of the rear yard by the current owner, which was very unsightly and poorly maintained. It now provides off-street parking provision, bin storage and cycle parking within a clean and secure environment which has added to the amenity of the area.

**In summary, we would respectfully present that there is no change to the building that impacts from a light or outlook perspective.**

#### **4. Highways Development Control Comments**

The comments from Highways DC are noted but I would add a little context to aid understanding that these matters were not ignored in the application and due consideration was given. The supporting information to the application states that the renovations to the rear yard include for secure car parking, bin storage and cycle parking, albeit not with any specific cycle stand or shade. Further, it should be noted that the open yard exit in part and drop kerb onto Spring Street were already existing features before the renovation of the rear yard and therefore water historically did flow outwards onto the highway drop kerb area. However, we appreciate the guidance from Highways DC that further improvements can be made for both cycling provision and water egress, which are relatively easy fixes and agreeable to the owner but minor considerations in terms of the overall application.

With regard to the off-street parking provision, we note Highways DC comments on the viability of 4 larger cars being able to park. We also concur that two larger cars can readily park securely but would also confirm that 4 smaller size vehicles can be accommodated in the area with the gates let open. I would also confirm that the new steel gates only open inwards and no obstruction of the highway will be incurred.

We discussed and agreed that Highways DC have formally confirmed that the main issue of car parking provision through a combination of on and off street parking is adequate for the planning proposal. Further, that the comments on improved cycle provision and water egress onto the highway are minor matters that the owner can readily address and can be proposed as conditions if deemed necessary.

**Overall conclusion is that there are no significant objections from Highways DC.**

## 5. Consultation Responses

We also discussed the consultation responses received from various parties and I would summarise my responses and comments:

### a) Council Licencing Team

- Confirmed the proposed application plans meet mandatory licensing requirements under Part 2 of the Housing Act 2004.
- Confirmed that licence number ML731 was issued for one year on 22nd April 2025 due to the property already being occupied as a HMO.
- Confirmed the property does comply with licensing requirements and the changes to the rear yard to provide additional parking facilities remove any concerns around parking facilities.
- Commented on a number of HMO's licenced and unlicenced HMO's in the wider area but confirmed that all were situated a greater distance than 100 metres from 29 Agnes Road.
- Concluded that they did not believe this particular property is within a high-density area of HMOs, therefore would support the application.

### b) Highways Development Control

As already presented above, no major objection to the application and confirmed that with the additional off-street car parking now provided it met the car parking standards. Two minor issues around covered cycle parking and water egress on to the highway were mentioned and the owner agrees to deal with these matters and if deemed necessary they can also be conditioned if the application is supported.

### c) South Yorkshire Police

Standard response with no major issues or objections presented.

### d) Local Councillor's

It is noted that no direct objections were presented in the response but a series of questions were posed to the planning officer so that the Councillor's could respond to local concerned residents queries.

### e) Local Residents

We did not discuss the local resident responses, except confirmation that a number of objections had been raised, as they were not communicated in the original email. They have kindly been subsequently shared and I would offer the following observations.

- Local residents views are of course important but they must also be based in reality and specific to the case in point as it is noted many generalities were presented that painted all HMO's in the same light.
- Specific concerns centre around parking, noise, possible ASB and criminality, plus general impact on perception of local area. These matters have already been dealt with in the supporting information submitted for the application. I found no available public records for the Agnes Road area that suggested adverse levels of ASB or criminality above the norm for Barnsley and parking matters have already been addressed.
- Further, as articulated in the supporting information presented, the property is being managed for the owner by Yorkshire Accommodation Bureau (YAB) Ltd who are a very prominent and highly regarded property lettings and management company. They have strict standards and policies for all lettings with a regular inspection regime and clear expectations set out to the tenants on behaviour and how they will live in the property. It is also a requirement that all tenants have to be professional working people in employment. This aspect provides a more focussed perspective from the tenants on work life balance, routine and how they manage their daily lives helping to mitigate many of the concerns, real or perceived, that some local residents may hold.

**In summary, whilst we respect the local concerns raised by neighbours, the comments presented do not constitute any new significant issue and all the items raised have been addressed through the supporting information for the application and this summary note.**

I trust the above note reflects the nature of our positive discussions and the issues/items we covered in respect of the application, along with further explaining how the application is compliant on its own specific merits with the planning requirements for the proposed change of use from C3 to C4. Happy to receive any corrections or additions should I have missed anything or maybe not covered any points fully.

Best

Zafran Khan  
Planning Consultant