



PLANNING CONSULTATION RESPONSE

Application No	2026/0613
Proposal	Amalgamation of 2x existing flats and change of use to create 12 bedroom HMO (Use Class Sui Generis) with associated works.
Address	42 Doncaster Road, Barnsley, S70 1TL
Date of Consultation Reply	13.08.26
Consultee	Stacey Fieldsend – Case Management Officer

Consultation Assessment and Justification

I have reviewed the documents submitted in support of this application and make the following comments:

Our records indicate that the building was converted to shared accommodation as HMO/flats in 2016. Although shared kitchens were initially provided, it was later established that all bedsit rooms included cooking facilities and bathrooms. As a result, the property did not meet the requirements for mandatory licensing under Part 2 of the Housing Act 2004 at that time. A further visit in 2019 again established that the property remained occupied as self-contained flats.

The proposed 12-bedroom HMO includes second-floor/loft accommodation served by rooflights identified as escape windows. However, insufficient information has been provided to demonstrate that the proposed means of escape are adequate for a multi-storey HMO. In particular, details of the fire strategy, protected escape route, emergency lighting, fire alarm system and the specification of the proposed escape rooflights have not been submitted. As the HMO is also located above/adjacent to retained commercial premises, further information is required to demonstrate that suitable compartmentation, including 60-minute fire separation between the commercial and residential elements, can be achieved. A fire strategy and supporting fire risk assessment should therefore be provided, and South Yorkshire Fire and Rescue should be consulted, to confirm that appropriate fire safety measures, means of escape and fire separation are in place.

The submitted floor plans also appear to show communal soft furnishings within landing and hallway spaces. This is not considered acceptable, as these areas form part of the protected fire escape route and should remain clear of furniture, combustible materials and other obstructions. Every new HMO should be provided with suitable communal living accommodation, either as a separate living room or a combined living/dining room. For a 12-bedroom HMO of this scale, the communal living/dining room would be expected to have a minimum floor area of 17.5m². Two shared kitchens would also be expected for a building of this size, with a combined minimum floor area of 15m². The proposed plans appear to meet the kitchen provision requirements; however, amended plans should be provided to remove any proposed soft furnishings from the escape route and demonstrate that an appropriately sized communal living/dining room can be provided within the HMO accommodation.

The plans show a proposed rear bin store within the existing boundary wall, with provision for 4 x 360 litre grey bins, 4 x 240 litre brown bins and 4 x 240 litre blue bins.

Whilst the proposed bin capacity appears to have been considered within the submitted plans and supporting statement, further information is required regarding the practical collection arrangements. It is understood that BMBC has historically refused to empty bins from this location due to access issues to the rear of the property. This raises a material concern regarding whether the proposed refuse and recycling arrangement would be deliverable and capable of being maintained without causing accumulation of waste, obstruction, nuisance, or adverse impact on the amenity of occupiers and neighbouring land users.

It is therefore recommended that the application is deferred for amendments and/or further information. Waste Management should be consulted to establish their current position on whether



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domestic refuse and recycling collections can be undertaken from the proposed rear bin store/access arrangements. It is not possible for the tenants to take the bins to kerbside on Doncaster Road due to distance and steep uneven ground.

If Waste Management confirms that BMBC can collect the bins from the proposed arrangement, a planning condition should still secure a written waste management plan before occupation. If Waste Management confirms that BMBC will not collect from this location, an additional condition will be required requiring the owner/operator to enter into and maintain a commercial waste collection contract, with collections undertaken at least once per week or at such frequency as is necessary to prevent waste accumulation.

Overall, I recommend that the application is deferred pending the submission of amended plans and further information addressing fire safety, means of escape, compartmentation, communal living space and refuse collection arrangements.

Although Doncaster Road has a high density of HMOs, this property is located on the older section of Doncaster Road between Alhambra roundabout and Taylor Row, where there is currently only one other known HMO, at number 54. The next known HMOs after this are 105 and 107 Doncaster Road which are both licensed.

NO OBJECTION*

**Defer for amends/further
information***

OBJECT*

*Delete as applicable

Consultation Suggested Conditions:

1. Prior to first occupation of the HMO, a detailed Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of refuse and recycling storage capacity, bin store location, collection point, collection frequency, presentation and return arrangements, and management responsibilities. The approved Waste Management Plan shall thereafter be implemented and retained for the lifetime of the development.
2. If BMBC Waste Management confirms that local authority collections cannot be undertaken from the proposed arrangement, the owner/operator shall, prior to first occupation, provide written evidence to the Local Planning Authority of an ongoing commercial waste collection contract. The contract shall secure collection of general waste and recyclable materials at least once per week, or at such greater frequency as is necessary to prevent accumulation of waste. The commercial collection arrangement shall be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
3. The HMO shall not be occupied until the approved bin store and associated access arrangements have been provided in accordance with the approved details. The bin store shall be always retained and kept available for refuse and recycling storage for the lifetime of the development.
4. Prior to first occupation of the HMO, details demonstrating that appropriate fire separation has been provided between the retained commercial premises and the residential HMO accommodation shall be submitted to and approved in writing by the Local Planning Authority, following consultation with South Yorkshire Fire and Rescue and Building Control where appropriate. The approved fire separation measures shall be installed prior to occupation and retained thereafter.
5. Prior to first occupation of the HMO, amended plans shall be submitted to and approved in writing by the Local Planning Authority demonstrating that no soft furnishings, furniture or combustible items are located within the protected escape route, including hallway and landing areas. The amended plans shall also identify a suitable communal living room or combined living/dining room with a minimum floor area of 17.5m². The approved layout shall be implemented prior to occupation and retained thereafter.

Consultation Informative(s):

The applicant is advised that the property will require a mandatory HMO licence if occupied by five or more persons forming two or more households who share facilities. The applicant should contact the Council's Private Sector Housing/Shared Accommodation Team before occupation to discuss HMO licensing requirements and compliance with amenity and fire safety standards.



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The applicant is advised that tenants should be provided with written refuse and recycling collection information at the start of their tenancy, and that collection arrangements should be permanently displayed in a prominent position within the property.

The applicant is advised to liaise with South Yorkshire Fire and Rescue and Building Control to ensure that the proposed works achieve appropriate fire separation, means of escape, fire detection and compartmentation between the retained commercial premises and the HMO accommodation.

Planning Obligations required:

None identified at this stage.