



Appeal Decision

Site visit made on 19 February 2026

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th February 2026

Appeal Ref: 6001903

33 Hoyle Mill Road, Stairfoot, Barnsley S70 3EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Estelle Avia against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref is 2025/0750.
 - The development proposed is subdivision of existing dwellinghouse to create 2x 1-bedroom flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have utilised the description of development as provided on the decision notice as opposed to the application form as this provides a comprehensive description of the proposal overall.

Main Issues

3. The main issues are:
 - the effect of the subdivision of the property; and,
 - whether appropriate living conditions would be secured for the occupiers of the proposal, with particular regard to internal floor space and the provision of external amenity space.

Reasons

The sub-division of the property

4. The appeal relates to a three-bedroom end terraced property which fronts Hoyle Mill Road and Victoria Street. The proposed development seeks for the subdivision of the property into two units, which would be split across its ground and first floor.
5. Policy H6 of the Barnsley Local Plan 2019 (LP) requires that proposals altering the size or type of existing housing stock maintain an appropriate mix of homes to meet local needs. The evidence before me indicates that the Barnsley Metropolitan Borough Council's Strategic Housing Market Assessment 2021 identifies one-bedroom flats as the least sought-after property type within the borough, while three-bedroom properties are in comparatively higher demand. The assessment further suggests that demand for one-bedroom units is lower than the current level of available stock.
6. Accordingly, the current provision of one-bedroom properties in Barnsley appears to meet, and potentially exceed, existing demand. The loss of a three-bedroom

dwelling from the housing stock in this location would therefore conflict with Policy H6, which seeks to maintain an appropriate mix of homes that reflect identified local needs. There is no compelling evidence before me to indicate otherwise.

7. Policy H9 of the LP states that the loss of existing larger dwellings will be resisted. Although it is only guidance, the Barnsley Design of Housing Development Supplementary Planning Document 2023 (SPD) suggests that larger dwellings are considered as those with four or five bedrooms or could accommodate that number of bedrooms without significant change. When taking the three-bedroom nature of the existing property into account, I do not immediately consider that the proposed development would indeed conflict with Policy H9.
8. Policy H4 notes that proposals for residential development on sites below a certain size will be allowed where the proposal complies with other relevant policies within the LP. As I have found conflict with Policy H6 of the LP, I must therefore conclude that the proposed development would conflict with Policy H4 of the LP too.
9. It is asserted that the scheme would deliver two affordable housing units. However, the application form identifies the proposed units as market housing, and no credible mechanism has been provided to demonstrate that they would, in fact, be secured as affordable homes. It is further argued that the subdivision of the property would not result in the loss of family housing to HMO use. Crucially, the description of development makes no reference to HMO use, and the proposal has therefore been assessed against the relevant policies for residential subdivision. It is suggested that a condition restricting occupancy would overcome this main issue. The use of such a condition would not overcome a fundamental issue in that the proposal would still result in the loss of a three-bedroom dwelling that contributes to meeting an identified local need.
10. To conclude, the proposed development would conflict with the requirements of Policies H4 and H6 of the LP, the requirements of which have been set out above.

Living conditions of occupiers

11. Policy GD1 of the LP require development to have no significant adverse effect on the living conditions of residents. The South Yorkshire Residential Design Guide 2011 (RDG) notes that a one-bedroom unit should provide 46m² of space for a one-person unit. Overall, the proposed subdivision would comply with this specific requirement. However, the RDG further details the room sizes which must be achieved as a minimum. It states that a one-bedroom flat should have a bedroom which is 12m² and a kitchen that is 13m². The proposed ground floor flat would fall short of these minimum standards.
12. It is argued that the shortfalls identified within individual rooms are minor and could be addressed through a revised layout secured by condition, or by imposing a condition requiring full compliance with the RDG minimum space standards. However, the application was submitted in full and must be determined on the basis of the information provided at the time of submission. Compliance with the minimum space standards set out in the RDG is a fundamental consideration that should be demonstrated as part of the proposal itself, rather than deferred to a condition.
13. With regard to private amenity space, the SPD notes that shared private space for flats must be a minimum of 50m², plus an additional 10m² per unit as balcony

space or added to shared private space. A small area is located to the rear of the property. I cannot ascertain the overall numerical size of this space, however, given its notably confined area, it would not provide the minimum shared area of space and the additional 10m² as required by the SPD. It would not offer any private space for any of the individual units. In this configuration, occupiers will not be able to utilise a private space for their own personal outdoor relaxation or to undertake recreational activities away from the other resident. As such, the development fails to meet the standards set out in the SPD.

14. The SPD does note that the amount of shared private space to be provided will also depend on the quality, quantity and accessibility of local public open space. It is contended that public parks and green spaces are within walking distance and therefore a relaxation of the shared private space to be provided should be applied. However, this is not substantiated by robust and convincing evidence which provides an analysis of these alleged spaces.
15. It is further submitted that the appellant would be willing to accept a condition requiring the clear delineation and management of the shared amenity space. However, given the extremely limited size of the existing amenity area, I am not persuaded that it could be delineated or managed in a manner that would meet the requirements of the SPD. The constraints of the site are such that an acceptable arrangement could not realistically be achieved through the imposition of a condition.
16. To conclude, the proposed development would fail to provide adequate living conditions for its future occupants. It would conflict with Policy GD1 of the LP and the guidance found within the SPD and RDG. These policies and guidance require development to have no significant adverse effect on the living conditions of residents and to create development which is of a high-quality design.

Conclusion

17. The scheme would conflict with the Development Plan when taken as a whole. There are no material considerations that indicate that the decision should be made other than in accordance with the Development Plan. Therefore, for the reasons given above the appeal should be dismissed.

J Smith

INSPECTOR