

Application Reference Number:		2025/1077	
Application Type:		Change of Use.	
Proposal Description:		Change of use from dwellinghouse (Class C3) to 4-bed 4-person HMO (Class C4).	
Location:		329 Midland Road, Royston, Barnsley, S71 4AZ.	
Applicant:		Blueprint Housing & Investment Ltd.	
Third-party representations:	X17 Objections.	Parish:	
		Ward:	Royston.

Summary:

The applicant is seeking planning permission for the change of use from a dwellinghouse (Class C3) to a 4-bedroom 4-person House of Multiple Occupation (HMO) (Class C4) with associated parking provision for bicycles. The proposed development would be facilitated by internal alterations, and no external alterations are proposed.

Having balanced all material planning considerations, while there are some positive elements to this proposal in that it would contribute to the local housing mix in accordance with paragraph 61 of the NPPF and Local Plan Policy H6, that the proposal, on balance, would accord with the HMO-specific design guidance within the adopted Design of Housing Development SPD, and that the proposal is considered acceptable regarding its impact on overshadowing, privacy, reduced outlook, noise and disturbance, highway safety, visual amenity and biodiversity and geodiversity, according with Local Plan Policies GD1, POLL1, T3, T4, D1 and BIO1, the proposal is considered unacceptable regarding its impact on flood risk due to insufficient details to determine the impact contrary to paragraphs 173 and footnote 63 of the NPPF and Local Plan Policy CC3, and it is evident given the extent of objection to this proposal from residents, a Local Ward Councillor and South Yorkshire Police that previous anti-social and serious crime incidents have had a negative impact on the local community and that there appears to be genuine concern and fear that further potential incidents could occur from similar types of development should they be allowed resulting in a clear risk of significantly undermining the quality of life or community cohesion and resilience prejudicing existing residents and potential future occupants contrary to paragraphs 96(b) and 135(f) of the NPPF. While the acceptable and positive elements of this proposal are attributed modest and moderate weight in favour, the impact on flood risk and the risk of significantly undermining the quality of life or community cohesion and resilience are attributed significant weight against the proposal. While the flood risk issues could be overcome it is not considered that the anti-social behaviour and crime and disorder concerns can be overcome either through possible amendments or through appropriate conditions and therefore, these positive elements of this proposal are considered to be outweighed by other material considerations in this instance, and the proposal is considered unacceptable and should be refused.

Recommendation: **REFUSE.**

Site Description

This application relates to a modest-sized plot located on the north side of Midland Road and located within an area that is a mix of residential and commercial uses that comprises two-storey detached, semi-detached and terraced dwellinghouses, a block of several apartments in a former public house, semi-detached bungalows, Royston Railway Sports Club and metal products storage business. The development site is located approximately 460 metres to the east of the Royston District Centre and is served by regular eastbound and westbound public transport links with bus stops nearby. Barnsley Canal is located to the west, Monkton Playing Field to the southeast, and Rabbit Ings Country Park to the east. The section of Midland Road fronting the development site is not subject to any on-street parking restrictions. Consequently, there is the occurrence of some on-street parking particularly on the eastbound side of the road.

This application relates to a two-storey mid-terraced dwellinghouse constructed of red brickwork with a concrete pantile pitched roof. The dwellinghouse features an element of under-build and basement level. The dwellinghouse is fronted by a public footpath and a modest-sized garden is located to the rear. The development site does not benefit from off-street parking provision. The development site lies in Environment Agency Flood Zone 3.



Planning History

B/91/1395/RO	Erection of private double garage and erection of first floor extension.	Approved.
2007/0048	Erection of brick and railing and stone and railing front boundary walls.	Approved.

Proposed Development

The applicant is seeking planning permission for the change of use from a dwellinghouse (Class C3) to a 4-bedroom 4-person House of Multiple Occupation (HMO) (Class C4) with associated parking provision for bicycles. The proposed development would be facilitated by internal alterations, and no external alterations are proposed.

During the application process, the proposal was amended to address internal layout concerns from the Council's Case Management Officer and to meet the relevant licensing requirements.

Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy H6: Housing Mix and Efficient Use of Land.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy CC3: Flood Risk.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy D1: High quality design and place making.*
- *Policy BIO1: Biodiversity and Geodiversity.*

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 5: Delivering a sufficient supply of homes.*

- *Section 8: Promoting healthy and safe communities.*
- *Section 9: Promoting sustainable transport.*
- *Section 11: Making effective use of land.*
- *Section 12: Achieving well designed places.*
- *Section 14: Meeting the challenge of climate change, flooding and coastal change.*
- *Section 15: Conserving and enhancing the natural environment.*

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take this guidance into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The following SPDs are relevant in this case:

- *Design of Housing Development (Adopted July 2023).*
- *Parking (Adopted November 2019).*

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Other Material Considerations

- *South Yorkshire Residential Design Guide 2011 (SYRDG).*

Representations

This planning application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

A petition was received containing 12no. signatures from 9no. addresses.

A further 5no. objections were received from 4no. addresses (of which two also signed the petition).

The material planning concerns raised in the petition and representations are summarised as follows:

- Cumulative impacts and concentration of HMOs.
- Heightened sensitivity to property management, safety, and enforcement regarding HMOs.
- Impact on the residential character of the area.
- Impact on residential amenity through increased noise and disturbance.
- Impact on waste management and ongoing maintenance.
- Impact on highway infrastructure, parking and vehicular access to nearby businesses.
- Potential anti-social behaviour issues.

The non-material planning concerns raised are summarised as follows:

- Existing drainage problems.
- Impact on drainage capacity and associated disturbance to residents as any increased pressure would risk further blockages, maintenance works, and repeated access

requirements, causing ongoing inconvenience, disturbance and loss of amenity for affected households.

- Concerns relating to an existing HMO.
- High tenant turnover.
- Impact on house prices.
- Impact on house sales.
- Impact on rental income if tenancy agreements are not renewed.
- Concerns of who would be housed in an HMO.
- Existing issues related to a scrap metal business.

While all concerns raised are acknowledged, only those that are material planning concerns can be considered. Non-material planning concerns are attributed no weight.

It is acknowledged that several representations reference an existing HMO close to the development site. However, it is understood the concerns refer to a former public house. Planning permission was granted for a conversion of a nearby public house to seven residential apartments under application 2015/0762. This property is therefore not an HMO and instead comprises bedsits and self-contained apartments. Notwithstanding this, the local planning authority (LPA) cannot take into account issues raised in relation to the existing apartments because this application is entirely separate and should be considered on its own merits. Nevertheless, the LPA can take into account anti-social behaviour and crime and disorder issues more generally where they are relevant.

It is acknowledged that several representations reference existing drainage issues. However, such issues cannot be taken into account by the LPA. While it is not anticipated that the proposed use will contribute to significantly increased drainage capacity compared with the existing dwellinghouse use (Class C3) of the application property. Nevertheless, drainage considerations would be a matter for future regulatory stages in this instance.

Consultations

Case Management Officer	<i>No objection(s).</i>
Highways Development Control	<i>No objection(s) subject to condition(s).</i>
Pollution Control	<i>No objection(s).</i>
South Yorkshire Police	<i>Objection(s).</i>
Environment Agency	<i>Objection(s).</i>
Local Ward Councillors	<i>Objection(s).</i>

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

Paragraph 61 of the NPPF states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed and that

land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need with an appropriate mix of housing types for the local community.

Paragraph 128 of the NPPF states Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans.

Local Plan Policy H6: Housing mix and efficient use of land states that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Paragraph 9.17 of the adopted Local Plan supports Policy H6. It establishes that various housing types capable of accommodating a range of needs are required across the borough such as family housing and older persons accommodation. In addition, supported housing is required for vulnerable households for example those with physical or mental disabilities and young people with support needs. Proposals will be supported where they are consistent with this policy and other policies in the development plan, or where robust supporting evidence can be provided that would be a material consideration of sufficient weight to take precedence.

The Design of Housing Development SPD establishes specific guidance in relation to the conversion of buildings to Houses in Multiple Occupation (HMOs), studio apartments or bedsits.

Paragraph 28.1 of the Design of Housing Development SPD sets out that following guidance applies to proposals for the conversion of non-residential buildings or small dwellings. Such proposals would be allowed where the following criteria are satisfied:

- HMOs, studio apartments or bedsits account for less than 10% of the residential properties located on the street in question.
- HMOs, studio apartments or bedsits account for less than 10% of the residential properties within a 50-metre radius of the development site.
- The proposal would not result in three or more HMOs being located immediately adjacent to each other, or the sandwiching of a dwellinghouse between two HMOs.
- The building and curtilage are of sufficient size to provide suitable facilities for residents.
- HMOs should have a shared lounge and dining room, and garden sizes should be comparable with the general criteria for dwellings (i.e., a minimum of 60 square metres).
- Amenity space, external and internal spacing standards, and separation distances should adhere to the requirements within the general criteria.
- No unacceptable noise nuisance for existing neighbouring residents or occupant(s) of the proposed residential unit(s).
- Satisfactory provision should be made for off-street car parking, or, exceptionally, the development is considered unlikely to give rise to unacceptable conditions of congestion or safety on the adjoining public highway(s) by reason of inadequate off-street car parking.
- The external appearance of the building or its curtilage would not be altered to the detriment of the visual amenities of the area.

This proposal would not result in more than 10% of the existing residential properties located along Midland Road being HMOs, studio apartments or bedsits. The Council is aware of six existing HMOs in the Royston area three of which are located on Midland Road (Nos. 100-102, 242 and 275). There is a converted former public house now comprising seven apartments located in a 50-metre radius of the development site. The proposal would not result in three or more HMOs being located adjacent to each other, nor would it result in the sandwiching of a dwellinghouse in-between two HMOs. While there are several existing HMOs, studio apartments and bedsits in the broader locality, the proposal would not give rise to an over concentration of such uses in this locality and is therefore considered to be in accordance with the Council's adopted guidance established within the Design of Housing Development SPD.

Notwithstanding the above, the proposal would contribute to the local housing mix reflecting the aims of paragraph 61 of the NPPF and Local Plan Policy H6.

On balance, the proposal could therefore prove to be acceptable in principle subject to consideration of the following matters.

Impact on Residential Amenity, Health and Safety, and Pollution Control

During the application process, concerns were raised regarding the potential impacts from increased noise and disturbance, waste management, ongoing maintenance and anti-social behaviour and the potential for this to worsen.

During the application process, the proposal was amended to address internal layout concerns from the Council's Case Management Officer and to meet the relevant licensing requirements.

The amended internal layout shows basement store areas to be accessed by the Landlord only and a bedroom, kitchen and living and dining area at ground level. The internal layout at first floor level would remain unchanged with three bedrooms and a shower room. All bedrooms and the bathroom would comply with the minimum internal space standards set out by Table 4A.1 within the SYRDG. While other shared spaces would fall short of the minimum standards in the SYRDG, the proposal would comply with the Council's Amenities Standards for Licensable and Non-Licensable HMOs. As such, on balance, the achievable internal spacing is considered acceptable. Moreover, all habitable rooms would benefit from windows with reasonable access to natural light. The Council's Case Management Officer was consulted, and no objections were raised to the amended internal layout if the communal living and dining room would be retained for such purposes and provided that occupancy levels would not exceed four people. Conditions could also be used to ensure the basement level is not used for habitable accommodation.

The proposal does not include any extension or other external alterations and would utilise existing window openings. As such, it is not considered that the proposal results in significant overshadowing, overlooking and loss of privacy or reduced outlook that may otherwise be detrimental to the amenity of existing residents and potential future occupants.

Potential occupants would have access to a small garden area (approximately 34.4 sqm) located to the rear which would fall short of the minimum of 60 sqm required contrary to the adopted guidance set out by paragraph 28.1 of the Design of Housing Development SPD. However, the existing garden reflects the existing development pattern with adjoining and nearby properties benefiting from similar sized gardens. Moreover, the development site is located approximately 460 metres to the east of the Royston District Centre and is served by regular eastbound and westbound public transport links with bus stops nearby. Barnsley Canal is located to the west, Monkton Playing Field to the southeast, and Rabbit Ings Country Park to the east. As such, the shortfall in the garden size could be mitigated by access to nearby greenspaces in this instance and therefore, non-compliance with the Design of Housing Development SPD regarding garden sizes is attributed limited weight against this proposal and on balance, the proposal is considered acceptable in this regard.

Paragraph 187(e) of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

While concerns were raised regarding the potential impacts from increased noise and disturbance it is unlikely that the proposal would contribute to significant increased levels when compared with the existing lawful use of the application dwellinghouse should it become fully occupied. Some nuisance from increased comings and goings may be possible but this is not anticipated to be materially more harmful, especially within the context of nearby commercial uses and passing traffic. The Council's Environmental Health Officer (Pollution Control) was consulted, and no objections were received as it was stated that the proposal would likely have a low potential to have an adverse impact on health and the quality of life of those living and/or working in the local area due to being unlikely to produce unreasonable levels of noise. The local planning authority (LPA) has no reason to disagree with the professional opinions of Environmental Health colleagues in this instance. The proposal is therefore considered acceptable regarding Local Plan Policy POLL1.

Paragraph 96(b) of the NPPF establishes that planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible so that crime and disorder and the fear of crime do not undermine the quality of life or community cohesion.

Paragraph 135(f) of the NPPF says planning policies and decisions should ensure that development creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

During the application process, several concerns were raised from local residents and a Local Ward Councillor citing previous anti-social and serious crime incidents at a nearby converted former public house that has contributed to heightened local sensitivity regarding property management and safety and enforcement in relation to HMOs within such close proximity to long-established residential uses. Consequently, the LPA sought comments from South Yorkshire Police.

South Yorkshire Police were consulted, and objections were raised because Publicly available Crime Statistics (ONS) and confidential Police records reveal that this area of Barnsley, and in particular this Postcode area have a significantly high level of crime and anti-social behaviour when compared with adjoining areas.

Considering the above, whilst the concerns raised regarding previous anti-social and serious crime incidents at a nearby addresses are acknowledged they are attributed no weight against the proposal which is entirely separate and should be considered on its own merits. However, it is evident given the extent of objection to the proposal from residents, a Local Ward Councillor and South Yorkshire Police that previous anti-social and serious crime incidents have had a negative impact on the local community and that there appears to be a genuine concern and fear that further potential incidents could occur from similar types of development. Consequently, there is a clear risk that allowing this proposal could significantly undermine the quality of life or community cohesion and resilience to the detriment of existing residents and any potential future occupants, and therefore, this proposal does not accord with paragraphs 96(b) and 135(f) of the NPPF in this instance and is attributed significant weight against the proposal.

While the proposal is considered acceptable regarding its other residential amenity impacts such as from overshadowing, overlooking and loss of privacy and reduced outlook, minimum internal space standards, garden size and access to local greenspaces, and noise and disturbance, the issues that relate to crime and disorder and the fear of crime are unlikely to be resolved either through possible amendments or through appropriate conditions and therefore, the positive elements of this proposal are considered to be outweighed by other material considerations in this instance and the proposal is considered unacceptable.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection but is considered contrary to paragraphs 96(b) and 135(f) of the NPPF and is therefore considered, on balance, unacceptable regarding residential amenity.

Impact on Flood Risk

The development site is located within Flood Zone 3 and is therefore at an increased risk of flooding. Paragraph 176 of the NPPF establishes that applications for some minor development and changes of use should not be subject to the sequential test, nor the exception test, but should still meet the requirements for site-specific flood risk assessments set out in footnote 63. Footnote 63 establishes that a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. This application is not supported by the required site-specific flood risk assessment and as such, it is considered that there is insufficient information to accurately consider potential flood risks impacts. Moreover, the Environment Agency were consulted, and it was noted that while there is no change to the existing footprint of the building, the proposal would introduce ground floor sleeping in Flood Zone 3 and is therefore classed as more vulnerable.

The Environment Agency's objection was relayed to the applicant. The applicant confirmed by email on 9th February 2026 that they had now instructed a Flood Risk Assessment (FRA). The LPA set out its position on the same date by return email. No response has been received at the time of writing this report and therefore, it has been judged that there would be no reasonable prospect of the FRA being provided in the near-term, and given that the FRA could overcome the specific concerns from the Environment Agency but would not address the LPA's underlying reason(s) for refusal, the LPA has decided to progress to determination.

Considering the above, this is considered to weigh significantly against the proposal.

The proposal is therefore considered to be contrary to paragraph 176 and footnote 63 of the NPPF, Local Plan Policy CC3: Flood Risk and is considered unacceptable regarding impact on flood risk.

Impact on Highways

During the application process, objections were raised regarding the potential impact on highway infrastructure, parking and vehicular access to nearby businesses.

Paragraph 116 of the NPPF states development should only be prevented and refused on highways grounds if there would be an unacceptable impact on highway safety or the cumulative impacts on the road network, following mitigation, would be severe, considering all reasonable future scenarios.

The development site is located on the north side of Midland Road (B6428) which provides a route through Royston and its District Centre. The section of road to the front of the development site falls gradually west-to-east and is not subject to on-street parking restrictions. During a site visit, the road appeared moderately trafficked with minimal on-street parking particularly on the eastbound side of the road. The development site is well-served by regular public transport links with bus stops within the immediate vicinity in both eastbound and westbound directions. The development site does not benefit from any existing off-street parking provision, and none is proposed.

Highways Development Control were consulted, and it was stated that the development site benefits from no off-street parking provision, and none is proposed. There are also no parking restrictions on the highway network within the vicinity of the development site which enables on-street parking along Midland Road if required and the proposal does not result in an increased requirement for off-street parking provision. There are bus stops within proximity of the development site providing access to regular bus services to/from Barnsley Town Centre. There are also many amenities within the District Centre located nearby. The development site is readily accessible for both pedestrians and cyclists.

As such, subject to the provision of cycle parking facilities in accordance with the Parking SPD, the development site is considered to be in a sustainable location. It is therefore considered that potential impacts from the proposal would be negligible from a highway perspective and no objection(s) were raised.

The LPA has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance. The proposal represents an increase of one bedroom with a maximum of four potential tenants. The level of occupancy proposed would be similar to the existing lawful use of the application property as a dwellinghouse (Class C3) should it be occupied by an average-sized family. The potential impacts of the proposal in respect of on-street parking and traffic volumes are therefore not considered to represent a material increase in adverse cumulative impacts on the road network and would likely be maintained at similar levels to what is likely experienced at present when compared with the application property being occupied by an average-sized family. In addition, the development site is located within a sustainable location with good levels of access to walking and alternative transport options.

Notwithstanding the above, it is the responsibility of individual drivers to park considerately. Potential obstructive parking issues that could arise should this application be approved can be raised to the Council online.

Consequently, it is not considered that there would be an unacceptable impact on highway safety to otherwise justify the refusal of this application on highways grounds in line with paragraph 116 of the NPPF. The proposal is considered acceptable subject to a condition securing cycle parking facilities. As such, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T3: New Development and Sustainable Travel and Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety. Nevertheless, a scheme that is considered acceptable regarding highway safety does not justify the approval of a scheme that is considered unacceptable regarding residential amenity, health and safety, and pollution control, and flood risk.

Impact on Visual Amenity

During the application process, concerns were raised regarding potential impact on the residential character of the area.

This application relates to a modest-sized plot located on the north side of Midland Road and located within an area that is a mix of residential and commercial uses that comprises two-storey detached, semi-detached and terraced dwellinghouses, a block of several apartments in a former public house, semi-detached bungalows, Royston Railway Sports Club and metal products storage business.

The proposal would retain a residential use at the application property, albeit in the form of a HMO, and no extensions or other external alterations are proposed. As such, it is not considered that the proposal would significantly alter or detract from the character of the street scene or broader locality.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policies D1: High Quality Design and Placemaking and is acceptable regarding visual amenity. Nevertheless, a scheme that is considered acceptable regarding visual amenity does not justify the approval of a scheme that is considered unacceptable regarding residential amenity, health and safety, and pollution control, and flood risk.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule

7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal is exempt from BNG under the de minimis exemption.

Considering the above, this is considered to weigh modestly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable. Nevertheless, a scheme that is considered acceptable regarding biodiversity and geodiversity does not justify the approval of a scheme that is considered unacceptable regarding residential amenity, health and safety, and pollution control, and flood risk.

Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development.

Having balanced all material planning considerations, while there are some positive elements to this proposal in that it would contribute to the local housing mix in accordance with paragraph 61 of the NPPF and Local Plan Policy H6, that the proposal, on balance, would accord with the HMO-specific design guidance within the adopted Design of Housing Development SPD, and that the proposal is considered acceptable regarding its impact on overshadowing, privacy, reduced outlook, noise and disturbance, highway safety, visual amenity and biodiversity and geodiversity, according with Local Plan Policies GD1, POLL1, T3, T4, D1 and BIO1,

However, the proposal is considered unacceptable regarding flood risk due to insufficient details to determine the impact contrary to paragraphs 173 and footnote 63 of the NPPF and Local Plan Policy CC3, and it is evident given the extent of objection to this proposal from residents, a Local Ward Councillor and South Yorkshire Police that previous anti-social and serious crime incidents have had a negative impact on the local community and that there appears to be genuine concern and fear that further potential incidents could occur from similar types of development should they be allowed resulting in a clear risk of significantly undermining the quality of life or community cohesion and resilience prejudicing existing residents and potential future occupants contrary to paragraphs 96(b) and 135(f) of the NPPF.

While the acceptable and positive elements of this proposal are attributed modest and moderate weight in favour, the impact on flood risk and the risk of significantly undermining the quality of life or community cohesion and resilience are attributed significant weight against the proposal. While the flood risk issues could be overcome it is not considered that the anti-social behaviour and crime and disorder concerns can be overcome either through possible amendments or through appropriate conditions and therefore, these positive elements of this proposal are considered to be outweighed by other material considerations in this instance, and the proposal is considered unacceptable and should be refused.

RECOMMENDATION: Refuse.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Reason(s) for refusal –

1. In the opinion of the local planning authority, it is evident given the extent of objection to this proposal from residents, a Local Ward Councillor and South Yorkshire Police that previous anti-social and serious crime incidents have had a negative impact on the local community and that there appears to be a genuine concern and fear that further potential incidents could occur from similar types of development should they be allowed. Consequently, there is a clear risk that allowing this proposal could significantly undermine the quality of life or community cohesion and resilience to the detriment of existing residents and any potential future occupants, and therefore, this proposal does not accord with paragraphs 96(b) and 135(f) of the NPPF.
2. In the opinion of the local planning authority, this application is not supported by the required site-specific flood risk assessment and therefore, it is considered that there is insufficient information to accurately consider potential flood risks impacts contrary to paragraph 176 and footnote 63 of the NPPF and Local Plan Policy CC3: Flood Risk.