

Detailed Planning Application, Listed Building Consent, Conservation Area Consent submitted to Barnsley Metropolitan Borough Council by Reliant Building Contractors Ltd.

Proposal : The conversion of the Coal Drops to Shops / Office falling within Use Classes A1 to A5 inclusive. Erection of Combined A1 Shop and A3 Cafe to the rear of the Coal drops. Conversion of Regency House to consulting rooms falling within Class D1, the demolition of the former workshop and erection of 13 dwellings and 2 live work units Use Class B1/C3 at the Former Coal Drops St. Mary's Street Penistone South Yorkshire S36 6DT

Planning Statement of

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1.0 Introduction

1.1 These applications seek planning permission, listed building consent and Conservation Area Consent for:

- The conversion of the Coal Drops to Shops / Office falling within Use Classes A1 to A5 inclusive.
- Erection of Combined A1 Shop and A3 Cafe to the rear of the Coal drops.
- Conversion of Regency House to consulting rooms falling within Class D1
- and the demolition of the former workshop and erection of 13 dwellings and 2 live work units falling within Use Class B1/C3.

1.2 The proposal seeks to secure planning permission, Conservation Area Consent and listed building consent in accordance with the adopted Core Strategy (CS) and the remaining saved policies of the Unitary Development Plan (UDP).

1.3 The site lies within the defined Shopping and Commercial Area, Policy S1, and the defined Town Centre Comprehensive Development area, Policy PE17, of the Saved policies of the UDP. The policies direct retail development, town centre business uses and housing to sites such as this. The proposal is fully in accordance with these adopted policies and

fundamental CS Policies relating to the location of growth, housing, economy, transport strategy, local character, town centre and green infrastructure.

2.0 Site Description and Planning History

2.1 The application site is situated on the north west of Penistone Town Centre. It is accessed from an unadopted and un-named private road which joins Stottercliffe Road leading from a new roundabout junction with the B6462 St Mary's Street. The road provides access to a further industrial / retail/ cafe uses to the west of the application site. The Applicant has a right of way over the access road. To the rear of the site is the Trans Pennine Trail (TPT) granted permission in November 1994. The site gradually drops from west to east, its lowest part being in front of the Coal drops. Adjoining the TPT is Talbot Road and detached houses backing on to the Trail. To the East is the Town Centre of Penistone. To the South is a Garage with terraced housing beyond. Within the site there are the listed grade II Coal Drops. The building was listed in November 1988. Planning and listed building consent was granted for conversion of the Coal Drops to shops and offices in June 1995. This permission was not implemented.

The List Description reads:

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Coal drops. Mid C19 (date of line 1845). Rock-faced stone, ashlar imposts cornice and blocking course. Six segmental-arched openings with raised keystones. Later boarded doors to 5th. Wooden supporting beams for shutters extant across each opening”.

2.2 Regency House falls immediately to the west of the Coal Drops. This is a two storey stone building. It is likely that in 1974, planning permission was granted for use of this building for offices. It is understood in recent times to have had a low key retail use. In pre application discussions Officers took the view that the building, by attachment with the Coal drops is listed. To the west is one empty stone workshop, formerly a railways authority storage unit, which appears to have had uses including the maintenance of motor vehicles, storage repair and retail of agricultural machinery. These permissions were granted between 1974 and 1995. This part of the site has also been used for the rental of machinery. All uses on the site have now ceased, and some of the most recent uses of the site have transferred, in part, to a new unit to the west.

3.0 Proposal

3.1 There are five parts to the development of the site. Firstly, the conversion of the Coal Drops to Shops Classes A1 to A5. Secondly erection of Combined A1 Shop and A3 Cafe to the rear of the Coal drops. Thirdly, conversion of Regency House to consulting rooms Class D1. Fourthly the demolition of the former workshop and erection of 13 dwellings and 2 live work units Use Class B1/C3. Associated with the proposals is the vehicle parking provision, including cars, bicycles, powered two wheel vehicles and disabled spaces. These are all fully dealt with in the Transport Statement along with the onsite and limited offsite highway works.

3.2 The Coal Drops are proposed to be converted to 5 units for commercial use as set out in the description. The sixth arch to the west is shown to be used as a refuse store. As well as being specifically listed, they fall within the Penistone Conservation Area. The Architect has provided detailed drawings of the layout and detailing of the proposed Coal Drops including how they will be accessed by vehicle and on foot. A separate plan also shows the proposed details of the shop front.

3.3 Above and behind the Coal Drops, a single modern glazed building is proposed to be constructed of glass and stone with a green roof. Again this is within the Conservation Area. Access to the roofs and former railway line is available in front of this building and this area is proposed as a roof garden

associated with its use as a shop/cafe. The building, like the Coal Drops, will be serviced from the access and vehicle parking area immediately to the west.

3.4 Regency House, an impressive two storey high, former Station Manager's House, falls within the Conservation Area. The proposal is to convert this building from its former retail use to use as consulting rooms, non residential institution, falling within Class D1. The proposed works seek to return the building, as far as is possible, to its former state in terms of materials and detailing. These details are set out in drawing RBC02/09.

3.5 To the west of Regency House is a low pitched stone former shed and beyond a more modern low profile warehouse type building. Both are proposed to be demolished. The Conservation Area Plan 2007 and UDP Proposals Map shows the former stone shed as falling within the Conservation Area, but it is not listed. The replacement buildings proposed are two terraces of traditional pitch roof stone cottages and at the end of the eastern terrace two live work units, plots 14 and 15, for a B1 office use at ground floor and residential use at first and second floor level.

3.6 The scheme is also described, within the submitted Design and Access Statement and Transport Statement.

3.7 Submitted with the application as evidence in support are reports from two commercial land and property advisors, contamination desk top study,

Acoustic report, Design and Access Statement, Drainage Impact Assessment, Phase 1 Habitat Survey, Transport Statement, Site Survey, Structural Survey and the submitted plans.

4.0 The legal framework

4.1 The application is required to be determined in accordance with the Development Plan. The legal position is set out in Section 38 of the Planning and Compulsory Purchase Act 2004 which requires “*if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise*”.

5.0 Development Plan and Planning Considerations

5.1 In this case the Development Plan includes the adopted Core Strategy (CS) and the remaining saved policies of the Unitary Development Plan (UDP). The application should be considered on the basis of the following key CS policies:

CSP 8 The Location of Growth

CSP 9 New Homes to be Built

CSP 10 The Distribution of New Homes

CSP 14 Housing Mix and Efficient Use of Land

CSP 19 Protecting Existing Employment Land

CSP 20 Promoting Tourism and encouraging Cultural Provision

CSP 25 New Development and Sustainable Travel

CSP 26 New Development and Highway Improvement

CSP 29 Design

CSP 30 The Historic Environment

CSP 31 Town Centres

CSP 33 Green Infrastructure

Within the saved Policies of the UDP the following policies are relevant:

S1 Shopping/Commercial Centres

PE14 Conservation Areas

PE17 Penistone Town Centre Comprehensive Development Area

5.2 Having regard to the Development Plan, and the pre application discussions the main issues to be assessed in the determination of this application are:

- How well does the development accord with the Development Plan policies relating to the Principle of development?
- Will the scheme provide a viable and deliverable development to support the local economy?
- Is the Design and impact upon the fabric and setting of the Listed Building and Conservation Area acceptable?
- How well will the proposal integrate with other adjoining land uses?

Employment/ Comprehensive Development/ Shopping and Environmental Enhancement

5.3 Extensive pre application discussions have taken place with Barnsley Metropolitan Borough Council, Barnsley Urban Renaissance Design Advisory Panel and local residents and businesses. Two letters and plans have been sent to Penistone Town Council consulting them and seeking their views, but no reply has been received. Enclosed as Appendix 1 is the Preliminary Enquiry response letter of the Development Control Manager dated 23rd June 2010. This followed on from a meeting of the Barnsley Urban Renaissance Design Advisory Panel on the 16th June 2009 and meeting with Officers of the Council and a representative of the Barnsley Urban Renaissance Design Advisory Panel on the 9th June 2010. Since this time the site has now become unoccupied and one of the buildings has been demolished.

5.4 Leaflets were provided to residents and businesses during the latter part of 2011 and the plans have been adjusted following the receipt of these comments. In total, two businesses and one resident commented. The businesses were concerned about access and the effect of residential properties located close to their business operations. The one resident who commented was very supportive.

5.5 The application site falls within the Penistone Town Centre Comprehensive Development Area and the Shopping and Commercial Centre. The comprehensive development area designation, saved policy PE 17, states that with regard to this site and other vacant town centre sites that

the area is suitable for comprehensive development / refurbishment for shopping including small scale shops, businesses uses and housing subject to certain caveats. These cover the need to enhance the shopping environment, to improve off street car parking, to ensure access and environmental improvements are secured and the protection of existing residential amenity. This proposal fully accords with the objectives of this policy.

5.6 The Coal Drops will be converted to five thoroughly modern and attractive shops. The listed building will be repaired and restored and the details of its conversion have been very carefully executed so that the full historic merit of the arches and drops can be appreciated but executed with a very modern approach with fully glazed shop fronts. In front, facing the road, is a dedicated area for the public to safely access the shops and for cafe users to sit outside within the small courtyard. It is anticipated that around 10 people will be directly employed within the shop units, and additional people indirectly employed to support the businesses.

5.7 To the rear of the Coal Drops there is sufficient space to provide a modern green roofed, glass and stone building of 132 square metres floor space with associated seating area and curtilage. It is proposed to use this building as a combined shop, bicycle hire and cafe. The building adjoins the TPT which will provide excellent access for this use and will potentially be a real asset to the town supporting policy CSP 20 and CSP33 of the Core Strategy as well as supporting Policy CSP 19. If successful as a cafe / tea shop with bicycle hire repair and retail use, the building has the potential of accommodating 8- 12

employees in a business use.

5.8 Regency House is proposed to be converted to consulting rooms. To the west of this building two new live work units are proposed to be situated within the area of the former stone workshop. Again the proposal is fully in accordance with the Council's Core Strategy of focussing economic prosperity within Penistone and supporting environmental improvements to historic buildings. These buildings are capable of continuing to provide employment and ensuring job creation. The modern approach of the commercial scheme will create an extremely attractive environment which will make them desirable for businesses to set up and employees to come and work in them. It is estimated that Regency House, restored and converted, and the Live Work Units will be capable of accommodating upwards of a further 10 directly employed people.

5.9 Therefore the commercial elements of the development could easily provide employment for 30 people directly from the uses proposed and more people will be employed indirectly to support these businesses, shops, cafes and consulting rooms.

5.10 The site is now vacant, and only Regency House and the former stone workshop remain as buildings recently used for employment opportunities.

5.11 To provide advice on the proposals, the applicants have sought the advice of Powells Commercial Property Consultants, Mr Alan J Powell and a local estate agency, Butcher Residential, Mr Ian Butcher. Provided with the application is a Strategic report by Mr Powell which guided the applicant on the likely demand for different types of Commercial operations which assisted

in the drafting of the proposed uses and aided in seeking to ensure that the scheme is deliverable and viable. Mr Powell attended a meeting with Officers in 2010 and presented his findings at the meeting. Officers expressed, at the meeting, that the applicant would need to demonstrate what opportunities there are for existing businesses to be relocated in the locality and the potential success of the development. The level of employment is estimated and is set out above in the preceding paragraphs.

5.12 Mr Butcher assisted in providing an up to date assessment on the proposed uses and what availability existed in the town for potential occupiers of the stone workshop to relocate within the town. His letter, which accompanies this application, advises that properties capable of accommodating similar industrial type activities to the stone workshop are available within the town. He remarks on available commercial properties at Mar Tree Business Park which have three separate warehouse / industrial units available for let. Mr Butcher advises that these are the most suitable and desirable units of their type within the locality. As at the end of last year they had all been vacant in excess of 6 months and the marketing agents indicated that there had been very little interest in them during this time.

5.13 Further, formerly on the site there was a more modern small warehouse building. This was occupied by 'Its for Hire'. This company has relocated to the site immediately to the west of the applicant's site, and has re erected a warehouse building and the proprietor's business now operates again from these premises.

5.14 This proposal has the capacity to significantly increase the direct and indirect employment that the site is currently able to provide. The main business operator from the site has successfully relocated next door and there are suitable units within the town which have stood empty for a considerable period of time that could have been operated from. The two reports, and the evidence from agents active within Penistone, demonstrates that at this time there is no material justification to retain the existing workshop, which would, if retained severely undermine the scheme and the viability of the overall scheme. The proposal therefore fully accords with the Council's policies relating to employment, comprehensive development and enhancement of the urban environment and the Council's shopping policies.

Preservation and Enhancement of the Conservation Area and affect upon the setting and fabric of the Listed Building

5.15 The application site falls partly within the Penistone Conservation Area and contains the listed Coal Drops. The Act defines Conservation Areas as an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Planning Policy Statement 5 advises, amongst other matters, that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment.

5.16 I have set out in earlier paragraphs the pre application discussions that have taken place with Officers and the Barnsley Urban Renaissance Design Advisory Panel. This involved the input of Conservation Advisors from the Council and the Panel, Urban Designers from the Panel and Architects all of whom provided opinion and advice on the scheme. The scheme which was developed following these meetings to include layout form and design is very similar to that presented with this application. Officers advised that when comparing the modern scheme with the traditional approach, that the more traditional residential and live work terraced scheme represented the best way forward for the site. It was considered by the Council Officers and Design Panel representative, that this approach would “best adapt to the constraints of the site whilst providing a strong visual frontage and a design that would likely appeal greater to residents and Members ..”

5.17 Officers further advised that materials are important and the approach to materials being taken by the scheme was “along the right lines to fit in with this location”. Further Officers confirmed that the increase in greenery on the site was also welcome. Requests were also made to ensure safe access to the TPT for the public and particularly school children who use it. The scheme has been amended to fully reflect the advice given.

5.18 There has therefore been a high level of expert advice sought and input into the scheme to ensure that the fabric and setting of the listed Coal Drops are preserved and that the remaining parts of the scheme are of the highest quality in terms of design, scale, massing and detailing to preserve and

enhance the Conservation Area. Further consideration of this issue has been addressed in the Design and Access Statement. I am of the view that the scheme fully accords with Core Strategy Policies CSP 29, CSP 30, CSP 31, CSP 33 and saved policy PE17 of the UDP.

Will the Scheme fit in with the Immediate Area and respect the Private Amenities of Residents and respect, as far as is possible, the Commercial Interests of local Businesses.

5.19 The proposal is split between commercial and residential development.. The eastern portion contains all the historic former railway buildings which have had limited commercial use over many years. The western portion of the site is adjoined in part by the stone terraced residential properties of Stottercliffe and the detached houses of Talbot Street backing onto the TPT. Residents were consulted on the draft proposals by leaflet with little response. However one resident of Talbot Road advised that “the whole project is very exciting” and that “the idea of the cafe and bike hire will be fantastic”. The resident advised of the need for a careful approach, particularly relating to materials, access and the heritage of the area.

5.20 The letters and contact from the two local commercial operators emphasised the need to ensure that commercial access was not impeded, that rights of way are respected, and the need to carefully design the access and parking arrangements to prevent conflict.

5.21 The position of the houses, window openings, orientation of the principal facades and design and detailing, all seek to replicate the traditional stone terraced streets of the more historic quality buildings of Penistone. Hence they will enhance the area and respect the housing on Stottercliffe and Talbot Road. No change is proposed to the main unadopted access which will provide access for the existing and proposed commercial and residential developments. As the applicants, have a right of way over the access and are permitted to undertake limited works in this area the ability to improve the road is at this time is constrained. Within the site the vehicle parking is in full accordance with the standards and the accesses into the development have been limited and positioned to cause the least likely conflict with existing users.

5.22 All of the development, in terms of size, massing, and bulk respects the general scale of adjoining historic development. No element of the scheme is above two storeys high. The spans of the houses and live work units are of a traditional depth and the pitch of the roofs is also reflective of the local vernacular. The modern elements of the scheme are single storey and with the diminutive massing of these buildings and their green roofs no harm will result.

5.23 It is considered that the scheme fully respects the character and form of surrounding development and no harm will result by way of loss of light, overbearing or overshadowing and the scheme has been designed to respect and protect existing land uses in accordance with the Core Strategy and saved policies of the UDP.

Planning Obligations / Conditions

5.24 As set out above there are a number of reports supporting the applications. Some of the reports were prepared and consulted on at pre application stage dealing with contamination and water discharge. No specific objections were raised in the responses provided by Officers. I confirm, on behalf of the applicant, that we will respond to the consultation responses as they are received, and if more time is required beyond the 13 weeks to address these issues the applicants would be willing to agree to an extension of time for the determination of the application. No planning obligations have been previously required and the scheme falls below the threshold for affordable housing.

6.0 Conclusion

6.1 The proposal is contained in three applications. A detailed planning application, listed building Consent application and Conservation Area Consent Application.

6.2 The proposed mixed use development is fully in accordance with the area specific policy Penistone Town Centre Comprehensive Development Area PE 17. The scheme is also fully in accordance with Policy S1 Shopping/ Commercial Centres. The details of the scheme positively square with the Development Plan and its objectives. The proposal is fully in line with Core Strategy policies dealing with the location of growth, the building of new homes and efficient use of land as well as promoting economic growth and prosperity and job creation in the town.

6.3 Environmental Impact and the need to preserve and enhance the Conservation Area and the listed building are fully addressed by careful development of a scheme that in scale, massing, detail and appearance accords with the provisions of the Act, PPS 5 and Core Strategy Policies CSP 26, CSP 29, CSP 30 and CSP 33.

6.4 Extensive pre application discussions have been undertaken with Officers of the Local Planning Authority and the experts of the Urban Renaissance Panel, allowing the proposal to develop and evolve whilst ensuring that the development is viable and the heritage asset retained in an appropriate form

that ensures its long term retention as a public asset. The impact upon the setting and fabric of the listed building has also been tested to ensure that the proposed changes are appropriate and respectful of the building's heritage.

6.5 On the basis of the technical evidence presented, the positive pre application process, the consultation with the general public and the planning and architectural evidence presented with these applications, the Authority is respectfully asked to find that the proposals fully accords with the Development Plan and no material harm to interests of acknowledged importance will be caused and therefore Planning Permission, Listed Building Consent and Conservation Area consent be granted.

6.6 The evidence which I have prepared and provide for the applications in this statement is true to the best of my knowledge and belief and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

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9 March 2012

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Appendix 1 Pre Application Consultation Response Letter