

---

2025/0161

Mr Antony Green

Penistone Coal Drops/Regency House, St Mary's Street, Penistone S36 6DT

**Mixed use scheme consisting of: Conversion of Grade II listed Coal Drops into Class E retail; new build extension to Coal Drops with Class E restaurant unit; Conversion of existing Regency House into Air BnB unit; and new build office and light industrial units (Class E)**

---

### Site Description

The Site is located on the western edge of Penistone centre, partially within the Conservation Area. The Site has a prominent location adjacent the Trans Pennine Trail, and with the Grade 2 Listed Coal Drops fronting St Marys Street roundabout. The existing arches, and Signal House (Regency House) sit within the Penistone Conservation Area, and form a focal point to the site and surrounding area, which will be preserved. The site further comprises former industrial brownfield land, bordered by several working industrial units. Beyond the TPT, timber fencing screens the 2-storey houses stepping down along Talbot Road.

### Planning History

2013/0543 - Demolition of Former Workshop Building (Resubmission) – Approved

2013/0544 - 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 (Resubmission) - Approved

2013/0563 - 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 (Resubmission) (Listed Building Consent) – Approved

2012/0312 - Conversion of the Coal Drops to shop/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. – Refused

2012/0313 - Conservation Area Consent for demolition of former workshop building in connection with development of 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. – Refused

2012/0306 - 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. (Listed Building Consent) – Refused

## Proposed Development

The application seeks permission for the conversion of the former coal drop arches into retail units (Class E) as well as erect an extension to the top of the arches to create a restaurant unit. The application also proposes to convert the former signal house (Regency House) into a short term holiday let unit. The proposal also seeks permission for the erection of a new office building and new light industrial building. Below is an extract from the proposed site plan for reference:



## Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

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.

### Local Plan Allocation

The development site is within Barnsley's Urban Fabric as identified in the adopted Local Plan. The site is also identified as brownfield land and it is partially within the Penistone Conservation Area. There are also listed buildings/structures on the site. Therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GD1: General Development***
- ***Policy LG2: The Location of Growth.***
- ***Policy T3: New Development and Sustainable Travel***
- ***Policy T4: New Development and Transport Safety***

- **Policy T5: Reducing the Impact of Road Travel**
- **Policy D1: High Quality Design and Place Making**
- **Policy HE1: The Historic Environment**
- **Policy HE3: Developments affecting Historic Buildings**
- **Policy HE4: Development affecting historic areas or landscapes**
- **Policy BIO1: Biodiversity and Geodiversity**
- **Policy POLL1: Pollution Control and Protection.**
- **Policy CC1: Climate Change**
- **Policy CC2: Sustainable Design and Construction.**
- **Policy CC4: Sustainability Drainage Systems**
- **Policy RE1: Low Carbon and Renewable Energy**

#### Supplementary Planning Document(s)

- **Sustainable Travel (Adopted July 2022).**
- **Parking (Adopted November 2019).**
- **Sustainable construction and climate change adaptation (July 2023).**
- **Residential Amenity and the Siting of Buildings (May 2019)**
- **Biodiversity and Geodiversity (March 2024)**
- **Mortar mixes for pointing historic buildings (May 2019)**

#### Neighbourhood Plan

The site is identified in the Penistone Neighbourhood Development Plan as a site of opportunity for regeneration. Polic LE3 states that:

*Proposals for the mixed development of the derelict land adjacent to the mini roundabout between St Mary's Street and Stottercliffe Road from The Coal Drops leading up to "It's for Hire" as shown on map 2 will be supported where such a proposal provides for the needs of new and existing business and retail opportunities at this location, including car parking.*

#### National Planning Policy Framework (December 2024)

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant sections include:

- **Section 6: Building a Strong, Competitive Economy**
- **Section 7: Ensuring the Vitality of Town Centres**
- **Section 9: Promoting sustainable transport.**
- **Section 12: Achieving well designed places.**
- **Section 15: Conserving and Enhancing the Natural Environment**
- **Section 16: Conserving and Enhancing the Historic Environment**

#### Other Material Consideration(s)

- **South Yorkshire Residential Design Guide 2011.**
- **National Planning Practice Guidance (NPPG) (as amended).**

## Consultations

Highways Development Control	<i>Initial concerns were raised with regard to the level of parking provision. Amendments have been sought and the redesign of the layout has enabled a further 7 parking spaces to be provided along with cycle storage. On balance, given the sustainable location, highways raised no objection to the proposal.</i>
Pollution Control	<i>Pollution Control have no objection to the proposal subject to conditions regarding, construction hours, noise impact assessments, operating hours, and contaminated land assessments.</i>
Drainage	<i>No objection subject to condition</i>
Public Rights of Way	<i>No objection subject to an area being refrained from being developed or landscaped. The site plan has been updated to reflect this and will be taken into consideration during any discharge of condition applications.</i>
Ecology/Biodiversity	<i>No objections subject to compliance with the recommendations set out in the EclA and statutory biodiversity net gain condition.</i>
South Yorkshire Mining Advisory Service	<i>No objection and standing advice applies.</i>
Penistone Town Council	<i>Generally support the proposals and draw attention to policies in the Penistone Neighbourhood Plan.</i>
Design and Conservation Officer	<i>Overall, I have no objections and feel this is in accordance with S.16 &amp; 66 of the Act and policy HE1 and HE3 of the Local Plan</i>
Local Ward Councillors	<i>No comments have been received.</i>

## Representations

Three rounds of consultation have taken place. Neighbour notification letters were sent to surrounding properties and a site notice was placed at the site.

Over the three rounds of consultation 7 representations have been received from 4 different addresses.

The comments are primarily in support of the application with a few concerns raised which are as follows:

- Proximity of the buildings to the row of houses on Talbot Road
- The need for further tree planting along the TPT
- Noise impacts

## Assessment

The main issues for consideration are as follows:

- The principle of development
- The design/heritage impacts
- The impact on residential amenity
- The impact on highways safety
- The impact on ecology / biodiversity
- Other considerations

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

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

### Principle of the Development

The application site comprises a piece of land to the west of Penistone Centre and includes the Grade II listed former Coal Drops and associated structures, which are proposed to be brought back into active use through this mixed-use redevelopment scheme.

The proposal includes the conversion of the existing coal drop arches into small retail units, the erection of a new restaurant building above, the construction of an office and light industrial blocks, and the conversion of the former signal house into short-term visitor accommodation (Air bnb). The scheme represents a positive opportunity to regenerate a brownfield site while preserving and enhancing its heritage value.

Policy LE3 of the Penistone Neighbourhood Development Plan states that proposals for the mixed development of the derelict land adjacent to the mini roundabout between St Mary's Street and Stottercliffe Road from The Coal Drops leading up to "It's for Hire" as shown on map 2 will be supported where such a proposal provides for the needs of new and existing business and retail opportunities at this location, including car parking.

Policy LE4 relates to the need to increase tourism into the town and need to continue to develop the local economy.

The proposal here fully complies with the aspirations set out in Policy LE3 of the Neighbourhood Plan and also contribute towards increasing tourism and developing the economy as per policy LE4. As such, the principle of development is considered acceptable and complies with both national and local planning policy objectives, which support the re-use of previously developed land, the diversification of the local economy, and securing the use of local heritage assets. This carries significant weight in favour of the development proposals.

The proposed mix of uses is compatible with the nature of the site and its surroundings, and is expected to contribute to the vitality of the area by introducing employment, leisure, and tourism opportunities. Further consideration will be given to design, amenity, highways, and heritage impacts as set out below.

### Design/Heritage Impacts

Policy HE1 of the Local Plan states that development which affects the historic environment and Barnsley's heritage assets, and their settings will be expected to protect or improve the character and/or appearance of Conservation Areas and Listed Buildings. Policy HE3 of the Local Plan states that proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance. They should respect historic precedents of scale, form, massing, architectural detail and the use of materials that contribute to the special interest of the building.

### *Coal Drops*

The proposed restaurant building is a flat roofed horizontally emphasised pavilion with a terrace, this reflects the form and the overall scale / massing of the Coal Drops and will have a limited impact on

its setting. The design is contemporary and will alter the existing appearance of the Coal Drops to a degree, however the current condition of the building and the adjacent structures / retaining walls etc. will be greatly improved.

The new building uses high quality materials and detailing whose appearance will soften the impact and help it harmonise with its setting. On balance, the scheme for the new restaurant building on top of the Coal Drops is acceptable and will better reveal the significance, contribute towards their conservation and have a limited positive effect.

In regard to the conversion of the Coal Drop arches, there will be some loss of fabric - this primarily relates to the timber structure the rails sat on and the existing buffers which will need to be removed. Further, the Engineers report also indicates that some areas of masonry re-building are necessary, notably the eastern-most bay which has failed. This is justified due to the seriously deteriorated condition of the structure and the need to be able to bring the structures back into use and will have a limited impact on the heritage significance.

Overall, the proposals to the Coal Drops will not cause significant harm to the character or appearance of the conservation area or setting of the listed structure, this weighs moderately in favour of the development.

Further details of the materials, including samples, details of pointing and any boundary treatments will be secured via condition to ensure they are appropriate and will preserve and enhance the historic interests of the structure in accordance with policy HE3 of the Local Plan.

#### *Signal House (Regency House)*

The alterations proposed to regency house are minimal and would be sympathetic. Traditional materials will be used to repair the existing building and bring it into a habitable condition. The adjacent retaining wall and toilets will be removed and whilst this will introduce a change to the street scene the harm to the setting of Regency House will be minor. However, this will allow the ramped access to the rear / north of the site that also increases the breathing space between the new office development to the west.

Overall, the alterations proposed are sympathetic and limited harm would be caused to the setting of the listed building or conservation area. This weighs moderately in favour of the development and on balance, this element of the proposal is considered acceptable.

#### *New Office Building and Light Industrial Unit*

The proposed light industrial block to the very rear of the site sits just outside the Conservation Area and the office block is partially within it.

The proposed blocks are to have a fairly simple design, the light industrial block has a square footprint and is made up with two gables with a flat roof glazed link in the centre, and a single storey off shot to the northern side. This single storey element was previously a third gable however, to reduce the dominance on the adjacent residential properties it was necessary to amend this section to be limited to single storey. This section also includes a green roof. These units use buff brick, standing seam metal, and pitched roofs with a similar industrial appearance which is appropriate and will have limited impact on the character of the conservation area.

The office block sits in the centre of the site and is 'L' shaped. This has a similar design to the light industrial block in that it is made up of a number of gables and flat roofed glazed links. A hipped roof form is proposed on the eastern end which helps the design defer to and reflect the roof of Regency House. Buff brick is proposed on the western end of this block, but it is orientated at ninety degrees and further from the most sensitive part of the setting. This also helps to integrate and harmonise with the Industrial Block at the west end of the site. Elsewhere on the building, standing seam metal is used mixed with coursed stone, and ashlar to create a sympathetic but industrial aesthetic, which suits the character and historic nature of the site.

On balance, whilst the proposals are in a sensitive and prominent location close to an important gateway site into Penistone and any works will be highly visible, the proposals are considered sensitive to the setting of the listed buildings and will respect the character of the conservation area. The proposal strikes the right balance between the conservation of the listed building & Regency House whilst providing new office space and employment units that are designed to reflect but fit into the locality in accordance with policy HE3 of the Local Plan. This carries moderate weight in favour of the development.

### Residential Amenity

Policy GD1 of the Local Plan states that proposals for development will be approved if there will be no significant adverse effects on the living conditions and residential amenity of existing and future residents. The Residential Amenity and Siting of Buildings SPD sets out the guidelines for assessing non-residential proposal developments in relation to existing residential properties to ensure new development would not have an unacceptable impact on amenity.

The SPD states that any building at single or two storey height should be a minimum 25m from the windows of any habitable rooms in any nearby dwelling or the distance required by the 25 and 45 degree rules for access to daylight, whichever is the greater. The proposal as was originally submitted did not meet these separation distances. Amendments and alterations have been sought which significantly improve the separation distances between the properties along Talbot Road and the Office & Light Industrial blocks. The majority of the properties are at least 20m from the new units, with one property being 18m away. Whilst this is not strictly in accordance with the SPD, a plan has been provided showing the 25 degree rule is met meaning any loss of light would be minimal. In addition, the new units are limited to two storey and all windows have been removed from the elevations directly facing the properties on Talbot Road, thus overlooking will not occur.

In this instance, given the above and amendments to the layout, the proposal is considered to have limited impact on residential amenity and is considered acceptable. This carries modest weight in favour of the development.

In terms of noise impacts, pollution control have requested another noise impact assessment be submitted post decision when details of the extraction units have been decided. They do not anticipate that significant harm would be caused to neighbour amenity in terms of noise or disturbance provided the operating hours and use of the external seating area are limited.

Advice has been provided on the operating hours and that consideration should be given to the impacts further comings and goings may have on the amenity of the adjacent neighbours along Talbot Road. The applicant has stated that they intend to operate the following hours:

Coal Drops Retail Units – 8am – 8pm  
Restaurant – 8am – 11pm (external area 9am-8pm)  
Office Block – 8am – 8pm  
Light Industrial Unit – 8am – 8pm

These operating hours are in line with other similar uses within the area and particularly within the town centre and will be secured via condition. Deliveries will also be restricted to ensure that the operation of the site is not causing disruption to neighbouring occupiers during unsociable hours.

### Highways Safety

Local Plan Policy T3 states that new development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;

- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
- Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and
- Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. Travel plans will be secured through a planning obligation or a planning condition.

The site layout has been revised to provide additional parking provision. The revised site layout shows a total of 38 car parking spaces. The SPD requires 57 spaces based on the proposed uses and whilst the proposal falls short of the requirements the site benefits from a relatively central location in Penistone and good access to sustainable transport options, including the adjacent Trans Pennine Trail. Therefore, in this instance the minor deficit in parking is considered acceptable and is outweighed by other benefits the redevelopment of the site will bring.

Highways have some concerns with regard to overspill of parking in the nearby area, however there are public car parks in the vicinity as well as space for cycle parking as such, the proposal is considered to have a suitable level of parking provision for its location and a reduced number of vehicle parking spaces will encourage walking and cycling and the use of sustainable public transport in accordance with policy T4 of the Local Plan.

Highways DC have raised no concerns with regards to access or turning space. The swept path analysis demonstrates that manoeuvring into and out of the parallel bays can be achieved. Part of the access road which is proposed to be resurfaced has been included within the red line boundary and will be secured via condition to ensure this is surfaced before the development is brought into use.

On balance, the level of parking proposed for the site is considered acceptable given its sustainable location and whilst highways have raised some minor concerns, they have not raised an overall objection. In this instance the proposal is considered acceptable from a Highways perspective and this weighs moderately in favour of the development proposal.

### Ecology / Biodiversity

Policy BIO1 of the Local Plan seeks to ensure development conserves and enhances the biodiversity and geological features of the borough. Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest.

An Ecological Impact Assessment (EclA) has been submitted in support of the application. The EclA sets out the result of habitat surveys and species assessments, including specialist surveys for bats within the built structures on site. The EclA also considers potential impacts upon nature conservation sites within proximity of the site. The EclA concludes that there are no anticipated adverse impacts upon designated conservation sites and minimal impact upon habitats, with those on site being of limited value. Bat surveys undertaken identified a likely absence of bat roosts on site and where potential impacts upon protected/priority species have been anticipated, appropriate precautionary measures have been recommended.

The EclA also sets out recommendations for the provision of biodiversity benefits on site including landscaping to benefit a range of wildlife, sympathetic lighting, particularly along the northern boundary where the Trans Pennine Trail occurs adjacent to the site and the installation of a number of bat and swift boxes on proposed buildings, all of which are welcomed. The Biodiversity Officer has no objection to the content of the EclA report and recommends a condition is included to secure the recommendations set out within the EclA.

The statutory biodiversity metric indicates the baseline value of habitats on site and the potential change in value of biodiversity as a result of the proposals. Landscape proposals include the provision of a green roof on the proposed pavilion building and the planting of trees and vegetated garden habitats. The metric indicates that there will be a loss of 0.84 biodiversity units (-75.1%) as a result of the proposals and the EclA states that off-site biodiversity units will be obtained to achieve the required 10% net gain.

Purchase of off-site units/statutory credits will be detailed within the Biodiversity Gain Plan when coming to discharge the biodiversity gain condition. The applicant should refer to Defra's Biodiversity Gain Sites Register when purchasing offsite units, with preference ideally given to registered habitat banks within Barnsley. Habitats proposed on site are not deemed to be significant and a Habitat Management and Monitoring Plan is therefore not considered necessary and is not recommended as a condition.

Overall, the proposal is considered to have limited impact on the ecological value of the site and will achieve a minimum of 10% biodiversity net gain, as such the proposal is in accordance with policy BIO1 of the Local Plan. This weighs significantly in favour of the development proposals.

### Other Considerations

#### *Contaminated Land*

A Phase 1 contaminated land assessment has been submitted in support of the application. The assessment concludes that there is a possibility of contamination and that further investigations are required.

A condition will be included within the decision to ensure that the Local Planning Authority approves the phase 2 investigation and subsequent remedial strategy prior to works commencing on the site to ensure that the site is fully cleared of contamination and risk to human health is minimised in accordance with policy CL1 of the Local Plan. This carries moderate weight in favour of the development proposal.

#### *Sustainability*

Policy CC2 of the Local Plan states that All non-residential development will be expected, to achieve a minimum standard of BREEAM 'Very Good' (or any future national equivalent). This should be supported by preliminary assessments at planning application stage.

A number of BREEAM pre-assessments have been submitted for the various parts of the site, with the majority of them being expected to meet the 'Very Good' standard. Given the historic nature of the Coal Drops and Regency House it is unfeasible for the retail units to meet the BREEAM standards and therefore has not been included in the pre-assessments. Given that the conversion of the Coal Drops will make use of a heritage asset and contribute to the site as a whole being redeveloped, on balance, it was considered acceptable to discount these element from the BREEAM assessments provided the 'new build' elements meet the standards.

The pre-assessments have outlined that a BREEAM 'Very Good' rating is feasible for all three of the new buildings, and this will be secured via condition. Therefore, the development proposals broadly accord with policy CC2 of the Local Plan and this carries modest weight in favour of the proposal.

#### *Representations*

A number of representations have been received from owners/occupiers of the properties along Talbot Road. The main concern raised was in regard to the close proximity of the office and light industrial block to the houses.

The siting of buildings and residential amenity SPD states that non-residential buildings of two stories should be a minimum of 25m away from a residential property. As discussed above, the proposal has been amended to increase the separation distances and remove any windows from the elevations facing directly towards the properties along Talbot Road.

Whilst there are a couple of properties that sit slightly closer to the proposed buildings, given the removal of the windows, and the 25-degree plan submitted by the agent, it is not considered that these properties would cause harm by way of overlooking or overshadowing.

In the first instance these representations were fully considered and amendments have been made to address the concerns. The proposal as amended is considered acceptable and will not cause significant harm to residential amenity.

In terms of the comments with regard to the tree planting along the TPT boundary, the site plan has indicatively shown a number of trees along this stretch, however a full landscaping scheme will be required by condition and assessed at a later stage and therefore the full extent of planting is not yet confirmed. The LPA will take this into consideration when determining any future discharge of condition applications.

### Conclusion

The proposed mixed-use redevelopment of the Penistone Coal Drops site represents a well-considered scheme that seeks to regenerate a prominent brownfield site while preserving and enhancing its heritage assets. The development aligns with both national and local planning policy objectives, including the Penistone Neighbourhood Development Plan, which supports regeneration, economic diversification, and tourism growth. The scheme will bring many public benefits through the re-use of historic buildings, provision of employment and leisure uses, and enhancement of the town's vitality.

The design and heritage impacts have been carefully assessed, with the proposals demonstrating a sensitive approach to the setting of listed buildings and the conservation area. Amendments have been made to address concerns regarding residential amenity, and the scheme is now considered to safeguard neighbouring properties.

Highways concerns have been mitigated through layout revisions and sustainable transport links, and the proposal is considered acceptable in this regard. The scheme also achieves the required biodiversity net gain and includes measures to address contamination and sustainability.

On balance, the benefits of the proposal, particularly in terms of heritage conservation and economic regeneration outweigh any limited harm identified. The application is therefore recommended for approval, subject to conditions.

**Recommendation -  
Approve with Conditions**