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| Application reference number | 2025/0778 |
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| Application Type | Full Planning Application |
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| Proposal Description: | Change of use of part of the existing Town Hall to create an expansion to the existing Paramount cinema by creating an additional screen, new café bar and box office and other external alterations including relocating of the current cinema access, creation of level access, new fire escapes, ac units to the existing flat roof and external plant to the rear. |
| Location: | Penistone Town Hall, Shrewsbury Road, Penistone, S36 6DY |

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| Applicant | Mr Ben Taylor (BMBC) |
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| Number of Third Party Reps | 1 representation has been received | Parish: | Penistone |
| | | Ward: | Penistone West Ward |

SUMMARY

This application is before Members as the Council is the applicant.

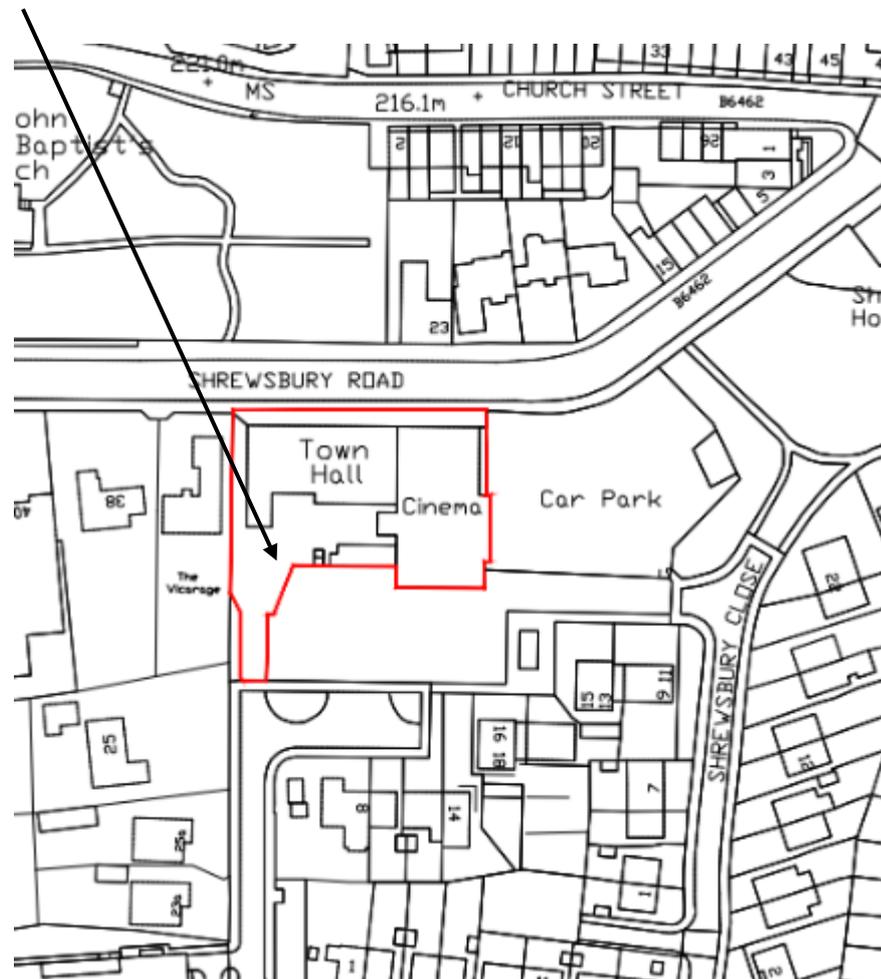
The proposal seeks full planning permission for the change of use of part of the existing Town Hall to create an expansion to the Paramount Cinema by creating an additional screen, new café bar and box office. Other external alterations are also proposed such as relocating the current access/entrance, creation of a level access, new fire escapes and a/c / plant units. The proposal is considered to be acceptable in policy terms as the primary use of the building will be remain the same and the proposals will better utilise the space internally. As such the proposal is considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2023).

The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the highway network or character of the conservation area subject to suitably worded conditions.

Recommendation: **GRANT Planning Permission subject to conditions.**

Site Location

Application
site

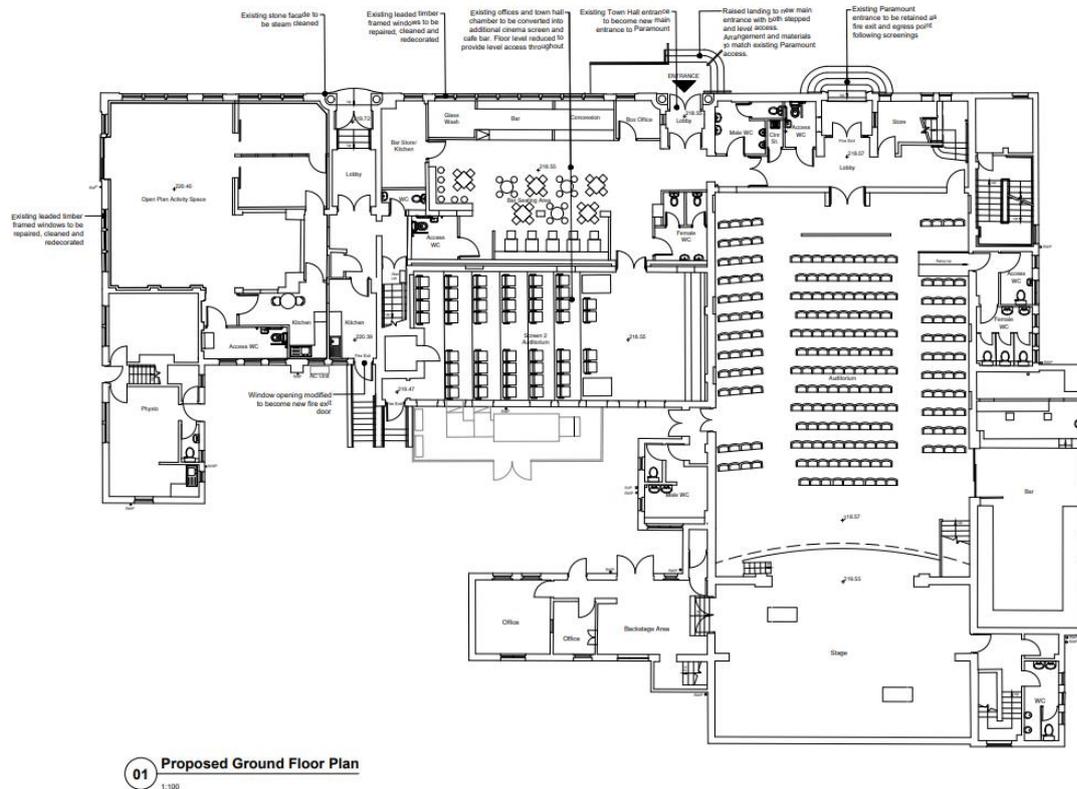


Site Description

Penistone Town Hall is located on Shrewsbury Road in the Town of Penistone, which sits approximately 7.5 miles west of Barnsley town centre. The building is surrounded by residential properties, a public car park and sits opposite St John's church. The building started out as a library, commissioned and funded by Andrew Carnegie. This is evident by the inscription on the stone above the top entrance door. The library opened in June 1913. Shortly after, the Town Hall was constructed, which was completed in October 1914. Finally, the cinema was completed and opened on 19th November 1915. The site also lies within the Penistone Conservation Area.

The building is currently split into four primary uses which includes the Paramount Cinema, Town Hall, Mason's Lodge and a fitness studio.

Proposed Floor Plan



Relevant Site History

| <i>Application Reference</i> | <i>Application description</i> | <i>Status</i> |
|------------------------------|--|---------------------|
| 2005/1994 | Formation of new door opening for level access to Council offices. | Approved 12.01.2006 |
| 2021/1658 | Conversion of some of the office space to allow for a new small cinema room with adjacent bar; cafe/community room space; kitchen; exhibition space; reconfigured toilet facilities; retained Council Chambers and an office; improved accessibility | Approved 28.06.2022 |
| 2024/0476 | Re-roofing of all existing pitched and flat roof coverings, replacement of 3no. windows and removal of existing roof cowl. | Approved 27.08.2024 |

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 the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering 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. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan

The site is located within the Penistone District Centre within the Local Plan and also falls within the Penistone Conservation Area, as such the following policies are considered to be relevant to this application:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy T3: New Development and Sustainable Travel – New Development is expected to provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

Policy T4: New Development and Transport Safety - New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Policy TC1: Town Centres - All retail and town centre developments will be expected to be appropriate to the scale, role, function and character of the centres in which they are proposed.

Policy HE1: The Historic Environment – 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 POLL1: Pollution Control and Protection - Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. NPPF policy of relevance to this application includes:

Paragraph 8 of the NPPF states that:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 39 of the NPPF states that:

Local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 96 of the NPPF states that:

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and

reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 115 of the NPPF states that:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

Paragraph 116 of the NPPF states that:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Paragraph 131 of the NPPF states that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF goes on to state that:

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create 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.

Paragraph 210 of the NPPF states that:

In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 219 states that:

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Relevant Consultations:

Highways DC:

A parking survey was submitted at the request of the Highways Officer. Following a review of this the Highways Officer raised no concerns with the proposed change of use and considers there to be sufficient parking capacity within the existing public car parks and on-street provision to support the proposed use.

Conservation Officer:

No objections or concerns with regard to the proposal.

Pollution Control:

No objection subject to conditions.

Ward Councillors:

No comments received.

Penistone Town Council:

No comments received.

Representations

Neighbour notification letters were sent to the surrounding properties, a site notice was placed nearby and a press notice placed in a local newspaper.

1 representation has been received. The representation raised the following issues:

- Inconsiderate parking

Assessment

The main issues for consideration are as follows:

- The acceptability of the proposal in principle
- The impact on the character of the Conservation area
- The impact on neighbouring residential properties
- The impact on the highway network and highways safety

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

Penistone Town Hall is located within the District Centre of Penistone and the proposed and existing uses are in line with the NPPF and Local Plan Policy TC1. The Council is rationalising its space and facilities across its assets, including the refurbishment of Penistone Library which in turn will free up space for some of the services currently run from the Town Hall. The scheme will allow a more multi-functional use of the space and improved access and facilities, which complies with the aims set out within the Local Plan and the Neighbourhood Plan for the future of Penistone, to improve the availability of leisure, cultural and entertainment activities, and to improve car parking and movement for pedestrians, cyclists and the disabled.

As such, the proposals are acceptable in principle, subject to meeting other development plan policies in relation to the design and impact on the conservation area, residential amenity, and highway safety.. This weights significantly in favour of the development.

Visual amenity and impact on the character of the Conservation Area

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 D1 states that Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley including heritage and town scape.

The building is set within the Penistone Conservation Area. The proposed external alterations are fairly limited to the relocation of the main entranceway with the formation of a level access ramp, an external fire door to the rear and A/C/plant units.

These elements are designed to match the materials, profile, and detailing of the existing Paramount entrance to ensure consistency and sympathetic integration with the historic character of the property.

The application also proposes a variety of changes to internal rooms to accommodate new uses including a new cinema screen/room, a bar and café area and new box office.

Overall, there is some very minor harm to the building to allow the conversion. This includes the loss of the chamber and its features, the adjacent corridor and alteration of the plan form / layout. However, this minor harm is restricted to the internal spaces, with the external changes being sympathetic that raise no concerns. Given the building is unlisted, and the harm is very minor, the proposal is justified by the new / extended use, which will ensure the building remains in use.

The Conservation Officer has no objection to the change of use or to the minor external alterations proposed.

Whilst the proposed alterations will not significantly improve the character and appearance of the Conservation Area nor will it cause harm as such the Conservation Area will be protected in accordance with policy HE1 and D1 of the Local Plan. Overall, the proposal will have a neutral impact which weighs moderately in favour of the development.

Residential Amenity

Policy GD1 states that proposals for development will be approved if:

- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;

Although the site is within the district centre there are some residential properties nearby. The nearest noise sensitive properties are the houses on Vicarage Walk, immediately to the west of the site, with more to the south and on Shrewsbury Close to the south-east. On the opposite side of Shrewsbury Road are more houses, a dance school and the church of St. John the Baptist.

The Noise Impact Assessment concludes that with solid steel doors, solid core timber internal door with acoustic seals and sound insulation the noise levels would be to an acceptable level that would not cause harm to the neighbouring properties. The Pollution Control Officer is content that the noise levels would not be harmful subject to these mitigation measures being implemented, this will be secured via condition.

The Noise Impact Assessment also includes the assessment of sound levels from external plant and while it includes a +3dB correction for intermittency, it does not include any corrections for tonality which would be expected from the external plant. A verification report will be required in order to ensure sound levels from the plant, at the nearest noise sensitive

receptor are acceptable, this will be secured via condition and be required for details to be submitted prior to being brought into use.

The Pollution Control Officer has no overall objections to the proposal subject to a conditions as noted above.

In summary, the proposals are not considered to harm residential amenity and are compliant with Policies GD1 and POLL1. This carries significant weight in favour of the development.

Highway Safety

Policy T3 of the Local Plan states that new development will be expected to be designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

Policy T4 of the Local Plan states that new development will be expected to be designed and built to provide all transport users within and surrounding the development safe, secure and convenient access and movement.

Although the site has no off-street parking provision of its own, there is a free public car park adjacent to the site as well as free on-street parking within a demarcated area on the opposite side of the road where the length of stay is restricted to one hour between 8am and 6pm Monday to Saturday with no restrictions outside these times.

Highways DC requested further information with regard to capacity within these car parks and in rebuttal a Highways Technical Note was submitted.

The parking survey results show that one of the peak times of occupancy of the adjacent car park occurs between the hours of 7pm to 8pm on a Saturday night. At this time, the occupancy level reaches 82% with a total of 8 of the 45 spaces remaining. However, it is worth noting that 8 of the 45 spaces are either disabled spaces or EV charging bays and the Highways Officer's own observations confirm that these spaces often remain unoccupied. This would suggest that the car park was likely at or very near to 100% capacity for the parking of regular vehicles during the survey. It is therefore likely that either some or all of the additional 11 spaces would need to be accommodated on-street.

The parking survey identified a total of 107 on-street parking spaces within a four minute walk of the site; the survey results showed that peak demand occurred during a weekday at 11am with approx. 80% of spaces being occupied. The results for Saturday show that there is no particular peak in demand and that over 40 spaces remained available at any given time. It is also acknowledged that any potential reduction in parking demand as a result of the loss of the office and town hall chambers has not been taken into account within the analysis so as to provide a robust assessment.

It can therefore be concluded that the additional parking demand as a result of the development can be accommodated either within the adjacent free public car park or on-street within the vicinity of the site.

In view of all of the above, it is considered that the proposals would not result in an unacceptable impact on highway safety, nor would the residual cumulative impact on the road network be severe and meets the requirements set out in policies T3 and T4 of the Local Plan. The Council's Highways Section have therefore not objected to the scheme. This weighs moderately in favour of the development proposals.

Representations

One representation has been received, raising concerns primarily in relation to parking provision and the potential for inconsiderate parking in the surrounding area. As outlined in the highways assessment above, there is sufficient capacity within nearby public car parks and available on-street spaces to accommodate visitors to the cinema without resulting in an unacceptable impact on highway safety.

While concerns about inconsiderate parking are noted, these matters fall outside the scope of the planning process and are managed through existing civil enforcement powers. They cannot be controlled or prevented through the determination of a planning application.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposed external alterations and layout changes to Penistone Library have been assessed against relevant policies of the Barnsley Local Plan and NPPF and are considered to be in full accordance.

In terms of design and heritage impact, the proposals will retain the existing form and character of the building, with minor alterations that will not detract from the significance of the Penistone Conservation Area.

The proposals are not considered to result in any significant harm to residential amenity.

From a highways perspective, there is sufficient capacity within nearby public car parks and available on-street spaces to accommodate visitors to the cinema without resulting in an unacceptable impact on highway safety.

Overall, the development is considered to be in accordance with the relevant policies of the Local Plan. The benefits of the scheme, including improved accessibility and enhanced facilities outweigh the limited/neutral impacts.

Having balanced all material planning considerations, and noting that the objections have been addressed within this report, the proposal is considered to represent a sustainable form of development and is recommended approval, subject to conditions.

RECCOMENDATION

GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

CONDITIONS/REASONS

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

REASON: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

02. The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission:

- Proposed Site Plan – Drawing Ref P06 Rev P1
- Proposed Floor Plans and Roof Plan – Drawing Ref P05 Rev P2
- Proposed Elevations – Drawing Ref P07 Rev P1

REASON: To ensure that the development is carried out in accordance with the application as approved.

03. The premises hereby permitted shall only be open to customers and/or operate within the following hours:

Monday to Sunday (incl bank holidays) – 9am – 11pm.

REASON: To protect the amenity of nearby residents and other occupiers, and to ensure that the development does not result in unacceptable levels of noise or disturbance outside of reasonable hours, in accordance with Policy POLL1 of the Local Plan.

04. Before use of the development commences, the mitigation measures described in report 'Penistone Town Hall Remodelling Environmental Noise Impact Assessment' produced by Acoustic Design Technology, dated 07 August 2025, ref: ADT 3851/ENIA, shall be implemented. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

05. Before use of any external plant, a report shall be provided to the Local Planning Authority which verifies the rating levels from the external plant, measured at the boundary of the nearest noise sensitive receptor, do not exceed those levels stated in report 'Penistone Town Hall Remodelling Environmental Noise Impact Assessment' produced by Acoustic Design Technology, dated 07 August 2025, ref: ADT 3851/ENIA. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and follow the principles contained in BS 4142:2014 Methods for rating and assessing industrial and commercial sound.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

06. During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.