

2025/0668

Mr Will Rodgers

6 Market Street, Penistone, S36 6BZ

Demolition of existing derelict outbuildings and extension and conversion of vacant building into Class E (shops or retail) to ground floor with Class C3 (flats) to upper floors

Site Description

The site is situated within the historic core of the Penistone Conservation Area, in close proximity to several grade II listed buildings. The site is to the rear of the Old Crown public house and can be directly accessed via a small alleyway off St Marys Street. Regent Court car park is to the rear (north) of the site.

Planning History

86/0616 – Extension and Alterations to public house – Granted

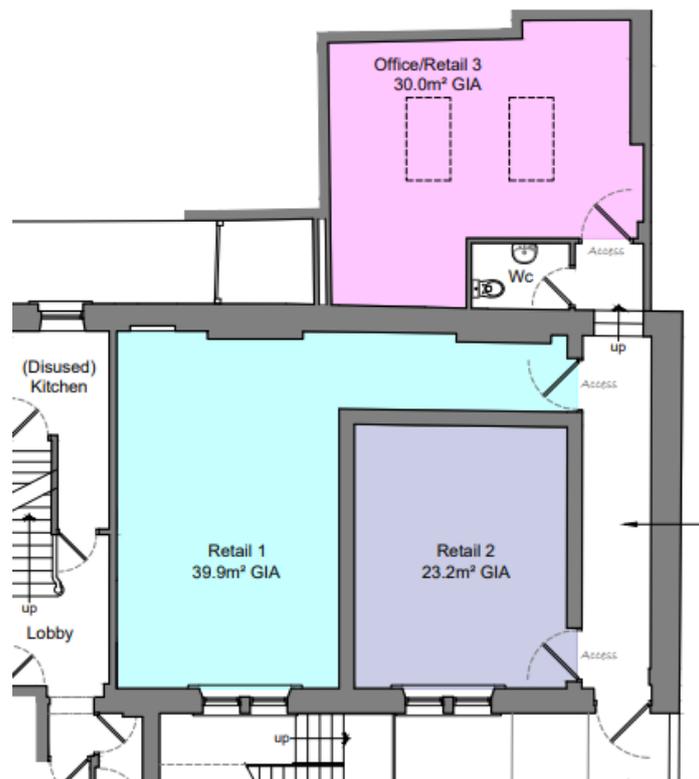
95/0411 – Erection of fire escape to rear of public house – granted

98/0738 – Convert second floor of public house to four bedrooms and bathroom (residential – granted).

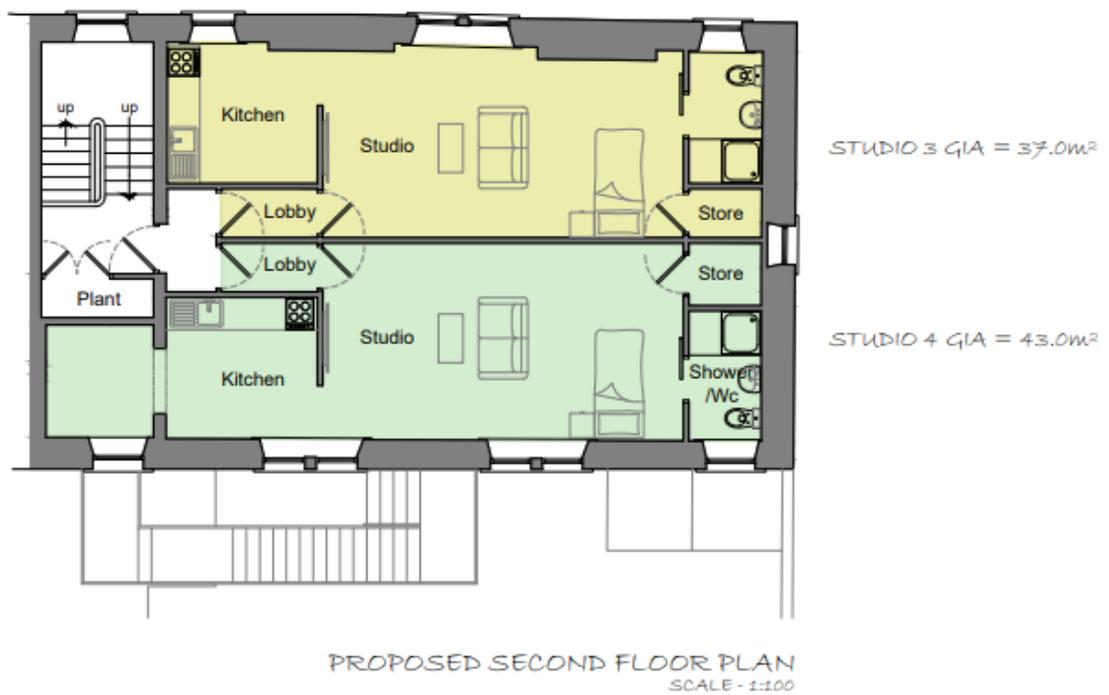
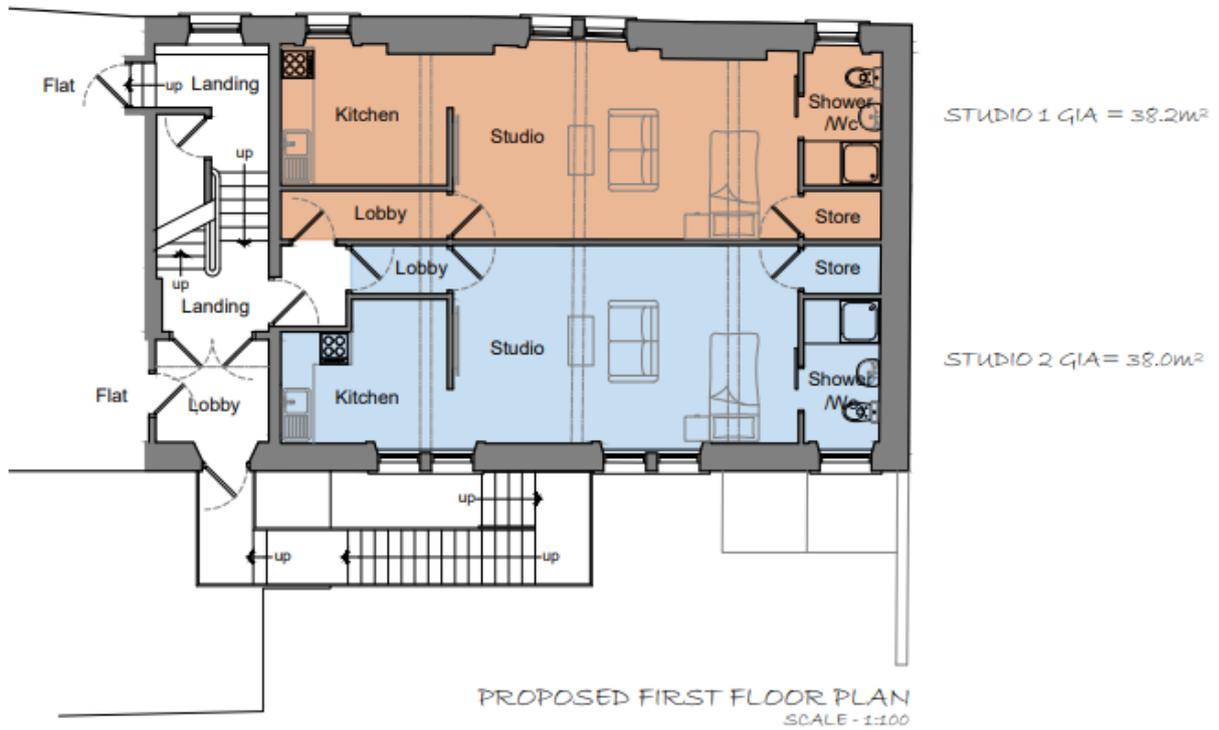
Proposed Development

The applicant is seeking permission for the demolition of existing derelict outbuildings and extension and conversion of vacant building into Class E (shops/retail) to ground floor with Class C3 (flats) to upper floors: Below is an extract of the proposed floor plans:

Ground floor:



First & Second floors:



Relevant Policies

National Planning Policy Framework

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 policies include:

- Section 6: Building a strong, competitive economy
- Section 12: Achieving well designed places
- Section 16: Conserving and enhancing the historic environment

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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 the full Council meeting on 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 Allocation – Penistone District Centre, Primary Shopping Area and Conservation Area

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

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 HE1: The Historic Environment – We will support proposals which preserve or enhance the character or appearance of a conservation area.

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 T3: New Development and Sustainable Travel – New development is 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.

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.

Supplementary Planning Documents:

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 most pertinent SPD's in this case are:

- Design of housing development
- Parking
- Shop front designs
- Sustainable travel

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

Penistone Neighbourhood Development Plan

A referendum took place on 11 July 2019. We resolved to make the Penistone Neighbourhood Development Plan on 27 August 2019. The plan now forms part of our statutory development plan. Most relevant to this application is:

Policy LE1: Increase the vitality of Penistone town centre

Policy LE2: Encouraging small businesses

Consultations

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

Consultee	Summary of comments
Penistone Town Council	No comments received
Penistone West Ward Councillors	No comments received
Pollution Control	No objection subject to conditions
Highways DC	No objection
Conservation Officer	No objection

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was posted adjacent to the site. One representation has been received in support of the application.

Assessment

The main issues for consideration are as follows:

- The principle of the development

- The impact on the character of the conservation area
- The impact on neighbouring residential properties
- The impact on 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

The application seeks to demolish existing outbuildings and construct a single storey extension to facilitate the creation of three ground floor retail units (Use Class E), accessed via a shared entrance on the north elevation facing St Mary's Street.

Local Plan Policy TC1 supports new retail and town centre uses within Barnsley and its district centres. Similarly, Policies LE1 and LE2 of the Penistone Neighbourhood Development Plan encourage new commercial activity within Penistone town centre, particularly for retail uses and small businesses. On this basis, the introduction of new Class E units in this location is acceptable in principle.

The proposal also includes the conversion of the upper floors to four studio apartments. Mixed-use arrangements of ground floor commercial uses with residential accommodation above are common within town centre settings, and this approach reflects the established character of the area. The principle of this element is therefore acceptable and compliant with Local Plan Policy TC1 and Policies LE1 and LE2 of the Neighbourhood Development Plan.

Impact on the Character of the Conservation Area and Visual Amenity

The site lies within the historic core of the Penistone Conservation Area and is close to several Grade II listed buildings, including 8 Market Street, which adjoins the outbuildings proposed for demolition.

The majority of the proposed works relate to internal alterations, including lightweight partitioning to form the retail units and residential accommodation. Compared to the existing situation, external alterations are minimal including the conversion of one ground floor window on the southwest elevation into a door. As the development is located to the rear of properties along Market Street and St Mary's Street, it is well screened and will have only a limited impact on the character and appearance of the conservation area or the setting of nearby listed buildings. The proposal has not received any objections from the Council's Conservation Officer.

The proposal is therefore considered acceptable with regard to visual amenity and heritage impacts, in accordance with Policies HE1, GD1 and D1 of the Local Plan. This weighs moderately in favour of the scheme.

Residential Amenity

A Noise Impact Assessment (NIA) has been submitted with the application and concludes that the ambient noise levels at the site are relatively low. Standard double/triple glazing and standard trickle vents (supported by partially open windows to address overheating) are deemed sufficient to mitigate noise. Pollution Control has reviewed the assessment and raised no objections. On this basis, the commercial element of the proposal is unlikely to generate unacceptable noise impacts on neighbouring properties.

The proposed extension would replace existing outbuildings and, being single storey, would not materially change the site's built form or introduce further overshadowing or loss of light. No additional windows are proposed, limiting opportunities for overlooking, especially given the area to the rear is a car park.

The proposed studio apartments meet the internal space standards set out in the South Yorkshire Residential Design Guide and provide suitable accommodation for future occupiers. While no private amenity space is proposed, this is typical for residential units in town centre locations. The site is within walking distance of the TransPennine Trail and several green spaces (Shrewsbury Green Space, Penistone Recreation Ground, and Wentworth Crescent Head), which compensates for the lack of on-site provision.

Overall, the proposal accords with Local Plan Policy GD1 in respect of residential amenity, and this weighs significantly in favour of the development.

Highway Safety

Market Street is within the heart of the recognised centre of Penistone and off-street parking is therefore not required for a development of this scale and size. Nearby roads are protected by waiting restrictions, there are public car parks nearby, and the site is within easy walking distance of both bus and rail services.

The introduction of four dwellings and a retail unit would significantly increase the number of bins required to be stored on site and presented on collection day. The bin storage area has been added to the site layout plan and agreed with the Council's Waste Management department.

A condition will be attached to the decision to ensure cycle storage is provided for the residential units.

As such, the proposal is not considered to cause harm to highways safety in accordance with policies T3 and T4 of the Local Plan. This carries moderate weight in favour of the proposed development.

Conclusion

Having balanced all material planning considerations, the proposal will not be significantly harmful to residential and visual amenity, nor will it negatively impact upon highway safety. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval.

Recommendation

Approve with conditions