

Application reference number	2026/0368
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Application Type	Section 73 Application (Variation of Condition)
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Proposal Description:	Variation of condition 2 of planning application 2025/0161 which relates to '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)' to make alterations to the proposed design and materials of the office and light industrial units (Amended Plans)
Location:	Penistone Coal Drops, Regency House, Land at St Mary's Street, Penistone, Sheffield, S36 6DT

Applicant	Mr Antony Green
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Number of Third Party Reps	1	Parish:	Penistone
		Ward:	Penistone West

SUMMARY

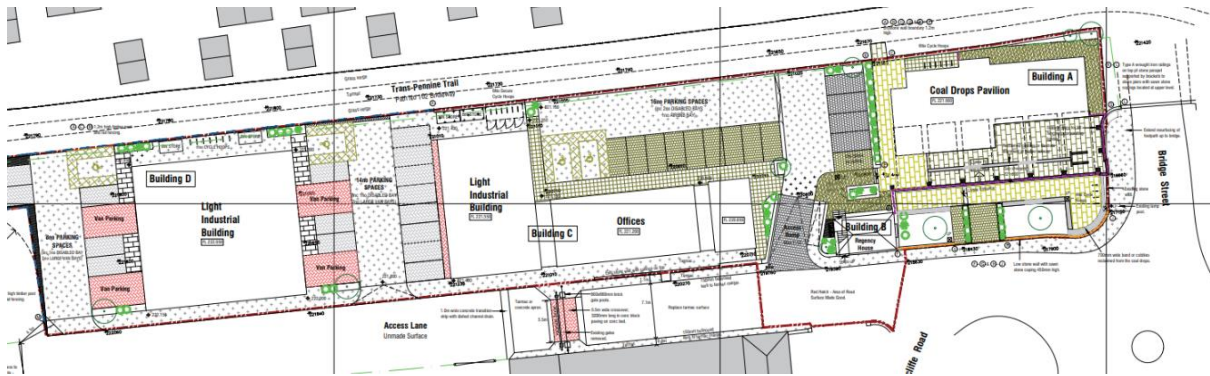
The application seeks permission to vary condition 2 of planning application 2025/0161 which relates to 'Mixed use scheme consisting of: Conversion of Grade II listed Coal Drops into Class E retail; new build extension to Coal Drops with Class E restaurant unit: Conversion of existing Regency House into Air BnB unit; and new build office and light industrial units (Class E)' to make alterations to the proposed design and materials of the office and light industrial units.

There are no outstanding consultee objections or concerns.

The proposal will have no adverse impact on the nearby listed buildings, conservation area, residential or visual amenity and is considered to be acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2026).

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

Site Layout Plan (same as previously approved)



Previously Approved Elevations

Light industrial block (Building D)

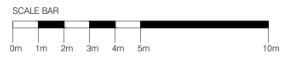


Office & light industrial block (Building C)





NORTH ELEVATION



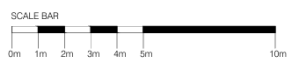
EAST ELEVATION



EAST ELEVATION

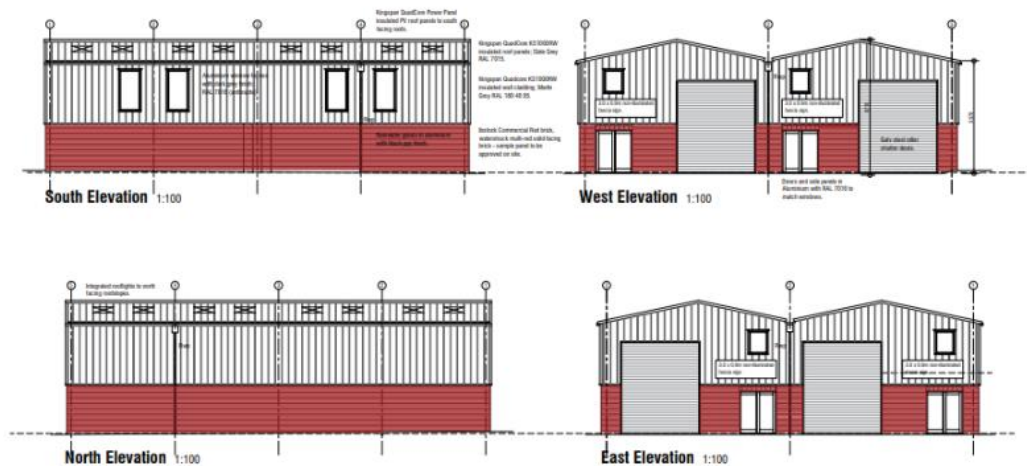


WEST ELEVATION

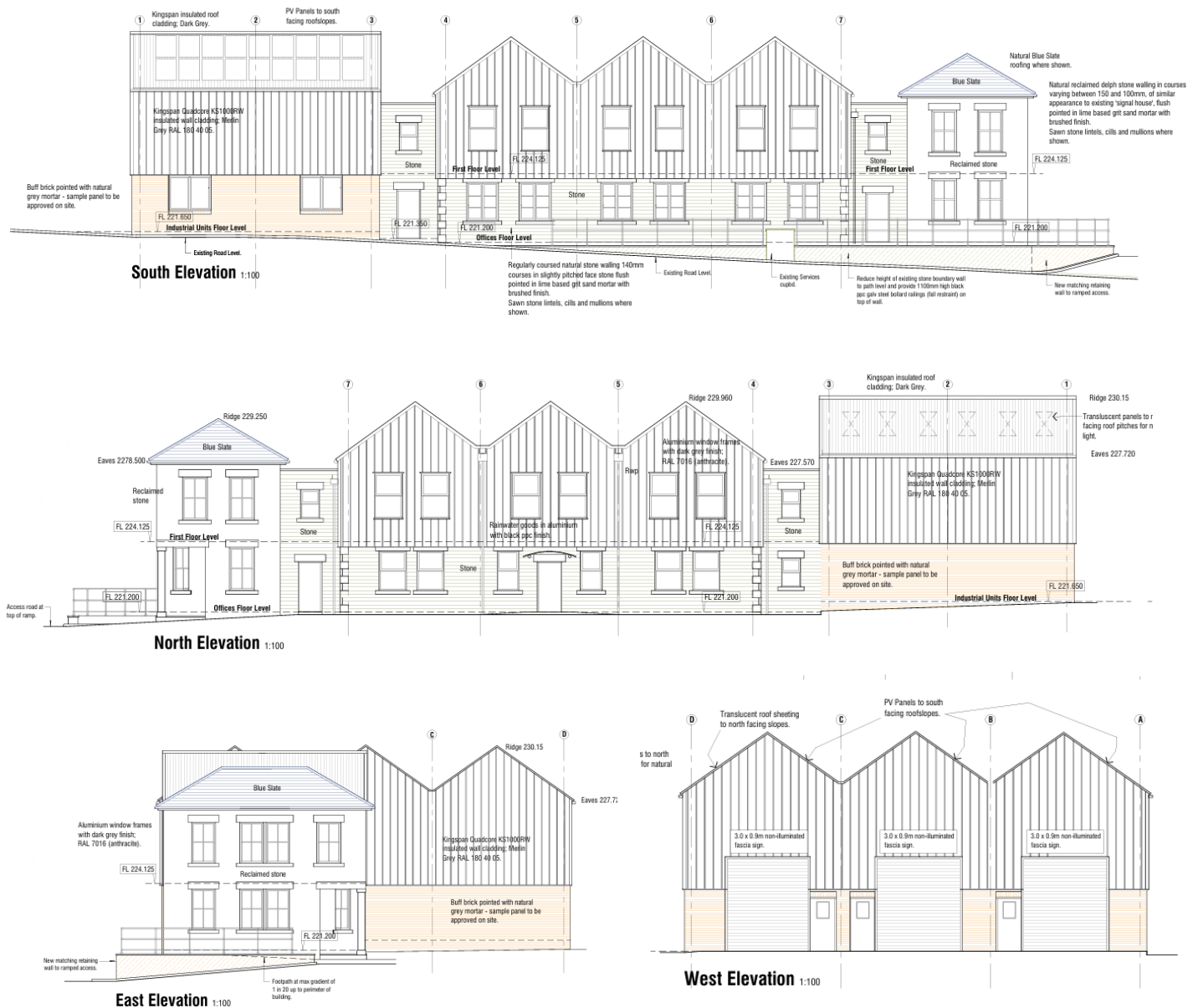


New Proposed Elevations

Light industrial block (Building D)



Office & light industrial block (Building C)



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.

Relevant Site 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

2025/0161 – 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) – Approved

2025/0244 - 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) (Listed Building Consent) - Approved

Detailed Description of Proposal

The applicant seeks permission to vary condition 2 of planning application 2025/0161. Condition 2 is the approved plans condition. The proposal here retains the same general layout and scale of development of that which was previously approved, the alterations to the plans relate to the design and materials used for the light industrial building (building D) and industrial/office building (building C).

Policy Context

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 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 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

Adopted Supplementary Planning Document(s)

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:

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)

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

National Planning Policy Framework (NPPF) (2026)

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2026 sets out the overarching planning framework for England. It has replaced the previous version published in December 2024 and introduced a revised structure comprising national decision-making policies organised by policy code rather than paragraph number. Paragraph 1 confirms that the NPPF is a material consideration of critical importance for making decisions on development proposals in England.

Paragraph 15 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and NPPF Policy S3 sets out a presumption in favour of sustainable development, with paragraph 17 setting out the three overarching objectives of sustainable development: economic, social and environmental. Relevant policies have been taken into account throughout the assessment of this application according to the issues raised by the proposal.

The most relevant sections are:-

Section 3 - Decision making policies

Section 4 - Achieving sustainable development

Section 7 – Building a strong, effective economy

Section 12 – Making effective use of land

Section 14- Achieving well designed places

Section 15 – Promoting sustainable transport

Section 17 – Pollution, public protection and security

Section 19 – Conserving and enhancing the natural environment

Section 20 – Conserving and enhancing the historic environment

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

Relevant Consultations:

Consultee	Summary of comments
Conservation Officer	Some initial concerns were raised with regard to the quality of materials proposed and the simplified redesign. Following amendments, no objection is raised from a conservation or heritage perspective.
Penistone Town Council	No comments received.
Local Ward Councillors	No comments received.
Sustainability	No comments received.

Representations

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

Neighbour notification letters were sent to surrounding properties, a site notice was placed nearby and a press notice placed in a local newspaper and the application has been advertised on the Council website.

One representation was received. The representation raised the following material planning issues:

- Overlooking/loss of privacy
- Light spill
- Noise and disturbance
- Waste and drainage
- Impact on the conservation area/heritage

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (2026) at paragraph 3 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The principle of the development
- The impact on conservation / heritage
- The impact on neighbouring residential properties
- Consideration of representations

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 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.

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 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. This application primarily seeks to make amendments to the design and materials of some of the buildings which were previously approved under application 2025/0161. Given that planning permission has previously been granted for development on the site, the principle of development has already been established. As such, this assessment focuses solely on the proposed amendments and their acceptability in terms of their impact on the character and appearance of the Penistone Conservation Area and impacts on residential amenity.

Impact upon Character and Appearance of the Penistone Conservation Area

During the course of the application, amendments have been made to improve the design and appearance of Buildings C and D.

Whilst the unit located at the western end of the site (Building D) lies outside the Conservation Area, the office building and attached light industrial unit (Building C) are situated within it. The originally submitted proposals did not achieve the same level of design quality, architectural detailing or visual interest as the extant approved scheme and, as a result, represented a decline in the overall quality of the buildings.

Similarly, the detached industrial unit at the western end of the site had been simplified to an extent that reduced its architectural quality when compared with the previously approved development.

These concerns were raised by the Conservation Officer with the applicant's architect, resulting in the submission of revised proposals for further consideration. Particular attention was given to Building C, which is located within the Penistone Conservation Area and occupies a more prominent position in relation to the listed Coal Drops and Regency House.

The amended plans have responded positively to these comments. Whilst the revised design still departs from the previously approved scheme in some respects, it reinstates a greater degree of architectural quality and articulation and is considered to represent a notable improvement over the original submission.

Building D, which is positioned outside the Conservation Area, will be largely screened from wider views by the late nineteenth-century red brick building located to the north of Stottercliffe Road. Given its limited visual prominence and the design amendments proposed, the Conservation Officer considers the revised form of this building to be acceptable.

In reaching this conclusion, significant weight has been afforded to the wider heritage benefits associated with securing the restoration and long-term viable use of the listed former station building, whilst facilitating a development that preserves and enhances the

character and appearance of the Conservation Area. Notwithstanding this, it is considered that any further value engineering measures or substantial design revisions which materially erode the quality of the approved design approach would be unlikely to be supported.

On balance, however, the amended scheme is considered acceptable and provides an appropriate basis upon which the wider regeneration and heritage benefits of the development can be delivered in accordance with Local Plan Policy HE3.

Residential Amenity

An objection has been raised regarding potential overlooking and loss of privacy in relation to nearby residential properties to the north of the site on Talbot Road. However, the application seeks only amendments to the design and materials of Buildings C and D and does not alter their siting, orientation, footprint or overall relationship with surrounding properties. The separation distances between the proposed buildings and neighbouring dwellings therefore remain unchanged from those previously assessed and approved under application 2025/0161.

Furthermore, the amended plans do not introduce any additional windows within the north-facing elevations that would result in new opportunities for overlooking. Whilst some alterations to the fenestration arrangement are proposed as part of the redesign, these do not materially increase views towards neighbouring residential properties. Given that the siting of the buildings remains unchanged and no additional north-facing openings are proposed, it is not considered that the amendments would give rise to any greater level of overlooking or loss of privacy.

The proposal is therefore considered to accord with Local Plan Policy D1 and the Council's Residential Amenity and the Siting of Buildings SPD. This carries moderate weight in favour of the proposal.

Consideration of Representations

One representation has been received from a neighbouring property on Talbot Road.

The concerns raised in relation to overlooking and loss of privacy are noted. However, the proposed amendments do not introduce any new windows directly facing the residential properties on Talbot Road, nor do they alter the established relationship between the development and neighbouring dwellings. The separation distances between the proposed buildings and surrounding residential properties remain consistent with those approved under planning permission 2025/0161. As set out within the Residential Amenity section of this report, the development would not result in any materially greater opportunity for overlooking or loss of privacy than the scheme already considered acceptable through the extant planning permission.

With regard to lighting, the applicant has not proposed any changes that would fundamentally alter the conclusions of the previously approved ecological assessment. The original permission requires all external lighting to be implemented in accordance with the Ecological Impact Assessment to ensure the protection of bats and the maintenance of dark corridors along the adjacent Trans-Pennine Trail. Any lighting is required to be in accordance with this document which states external lighting should be low level (less than 4 m), low power, downwards facing and a warm white colour. These requirements remain applicable to the development and continue to provide adequate safeguards in ecological and residential amenity terms.

Concerns regarding noise, disturbance, servicing, drainage, waste management and operational impacts are acknowledged. However, the current application seeks approval for amendments to the design and appearance of buildings previously granted planning permission rather than changes to the nature or intensity of the approved uses. The planning conditions attached to permission 2025/0161, including those controlling noise, hours of operation, servicing and other operational matters, remain in force unless specifically varied and therefore continue to provide appropriate protection for neighbouring occupiers.

The representations also raise concerns regarding the impact of the revised design on the character of the area and heritage assets. Following submission of amended plans, the Council's Conservation Officer has confirmed that the revised proposals are acceptable and raises no objection. It is therefore considered that the amended design preserves the character and appearance of the conservation area and the setting of nearby heritage assets.

Consequently, the matters raised do not warrant refusal of the application.

PLANNING BALANCE & CONCLUSION

In accordance with National decision making policy S3 of the NPPF (2026) the proposal is considered in the context of the presumption in favour of sustainable development.

The proposal is considered to be located within a sustainable location and would not harmfully impact on the character of the conservation area, setting of list highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS