



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2025/0914

To Redef1ne Design Consultancy
Bartle House
9 Oxford Court
Manchester
M2 3WQ

Proposal Change of use from former Community Hall/Church (Use Class F1/F2) at ground floor to 2x commercial units comprising a hot food takeaway (Use Class Sui Generis) and a flexible commercial unit (Use Class E); including internal alterations, installation of two new shop fronts to front elevation, extraction unit to side elevation and associated alterations.

At 5 Warren Quarry Lane, Worsbrough Common, Barnsley, S70 4NF

Permission is **refused** for the proposals which were the subject of the Application and Plans registered by the Council on 29/10/2025 and described above.

The reason(s) for the Council's decision to refuse planning permission is/are:

- 1 The proposed development includes a hot food takeaway within walking distance of an equipped play area, a community centre and a satellite college building, all locations where children and young people will congregate and outside of a designated town centre. This is contrary to policy at National Planning Policy Framework paragraph 97(a) and the adopted Hot Food Takeaways Planning Advice Note
- 2 The application lacks evidence in the form of a parking survey to demonstrate that the proposal would not cause a parking problem. The proposal would be likely to result in additional traffic movements and parking on a street where parking is already at a premium, especially in the evening hours when the proposed businesses are most likely to be operating and busy. This parking would be likely to result in parking and delivery activity in close proximity to a bus stop, obstructing sightlines and impeding the free flow of traffic and compromise the safe and efficient operation of the highway, contrary to Local Plan Policy T3 New Development and Sustainable Travel, the Parking SPD and National Planning Policy Framework paragraph 116.

- 3 The proposal will result in the operation of businesses in a predominantly residential area that will be likely to cause unreasonable levels of noise and disturbance to local residents arising from customers and delivery services arriving on foot and by car/motorbike, as well as from the operation of the businesses late into the evening. In addition, the application lacks evidence to demonstrate that noise and odour from the proposed hot food takeaway and its extraction unit and ducting will not cause harm to the amenity of local residents. For these reasons the proposal is contrary to Local Plan Policy Poll1 and GD1 and the adopted Hot Food Takeaways SPD
- 4 The proposal lacks a retail sequential assessment to demonstrate that there is not a sequentially preferable location for the proposed uses as required by Local Plan Policy TC1 and policy at National Planning Policy Framework paragraph 91, or any submission that the proposed uses would confirm to Local Plan policy TC5 Small Local Shops. In the absence of this evidence, the proposal is contrary to these policies.

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 18 December 2025



Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.