

---

**2025/0385**

BKUK Group Ltd and Tesco Stores Ltd

Erection of restaurant/drive-thru pod (Use Class E(b) and Sui Generis) with refuse area and landscaping, and alterations to existing car parking.

Tesco Supermarket Car Park Wombwell Lane Stairfoot Barnsley S70 3NS

---

## **Introduction**

This application seeks full planning permission for a Burger King restaurant with drive-thru, within the existing Tesco Extra supermarket car park. Planning permission for a Burger King restaurant (Use Class E(b)) was granted permission on 5<sup>th</sup> December 2024 at the same site, albeit the previous proposal did not include 'drive-thru' facilities (planning ref: 2024/0741).

During pre-application discussions the LPA advised that the development (including a drive-thru) would be contrary to national and local policy which seek to enable and support healthy lifestyles and therefore would be recommended for refusal.

## **Site Location & Description**

The application site consists of existing car park associated with the Tesco Extra supermarket at Wombwell Lane, Stairfoot, and the existing car park access. The application consists of the north-eastern section of car park which sits between the former bus lane entrance and the No.96 Wombwell Lane.

Wombwell Lane borders the north-eastern boundary, with the residential plot of No.96 to the north-west. The application site currently provides 102 car parking spaces, however given the site's position/distance to the supermarket building, this area of car park is sparsely used. The site consists of hardstanding with marked spaces; whilst a pedestrian footpath with zebra crossing defines the south-western boundary. There is an existing pedestrian link along the north-western boundary which runs along the side of No.96 and connects to Wombwell Lane.

To the immediate south-east is a bus lane entrance, though this has never been used for its intended purpose and the former bus shelters have been removed. A substation building sits to the north-east of the site, adjacent to No.96, albeit this lies outside the application site boundary.

The Tesco building is circa 115m to the south, with the PureGym building approximately 63m to the west. Customers for both of these uses typically utilise spaces closer to the retrospective buildings. The site boundary also includes the existing car park entrance which wraps around the petrol station and serves all the surrounding uses.

The wider site is an established retail park which includes a mixture of home retailers and small food outlets. Within the adjacent retail park there is an existing Costa Coffee drive thru and a Greggs outlet.

The application site boundary is identical to the previous application.



## Site History

The site has a complex planning history, relevant applications include:

2024/0741 - Erection of restaurant pod (Use Class E(b)) with associated car parking, refuse area and landscaping, GRANTED, 5/12/2024

2023/0660- Proposed new click and collect parking and canopy above, supported on steel posts and 5x new bollards, Existing Dotcom Parking Zone re-configured with 2x additional parking bays and access gate, Fence, Armco barriers with charging stations re-aligned as and 1x new pedestrian access gate, GRANTED, 6/7/2023

2007/0101 - Erection of single-storey extension and canopy to side, GRANTED, 28/2/2007

2006/1522 - Erection of extensions and installation of mezzanine floor to store, alterations to car park, access, servicing and landscaping and change of use to form park and ride facility, GRANTED, 9/1/2008

B/03/1074/BA- Erection of covered trolley bays within existing car park, GRANTED, 13/8/2003

B/98/0656/BA - Installation of 10 covered trolley bays within existing car park, GRANTED, 8/7/1998

B/96/1267/BA - Erection of extension to supermarket, GRANTED, 28/11/1996

B/87/0702/BA- Erection of food superstore, petrol filling station, associated car parking, GRANTED, 10/7/1987

B/86/1404/BA - Outline for erection of food superstore, petrol filling station, associated car parking and servicing, GRANTED, 4/2/1987

## **Proposed Development**

The application seeks full planning permission for the erection of a new restaurant (Use Class E(b)/hot-food takeaway (Use Class Sui Generis) building (also referred to as restaurant/drive-thru pod) with associated alterations to the car park arrangement and landscaping. The building would be occupied by Burger King.

The building would be sited at the north-eastern part of the existing car park, with the drive thru lane wrapping around the perimeter. The building would be a single storey structure, extending to circa 230sqm with an outdoor patio/seating area adjacent to the northern elevation. The proposal includes a bin store off the southern elevation, as well as associated equipment within the drive-thru.

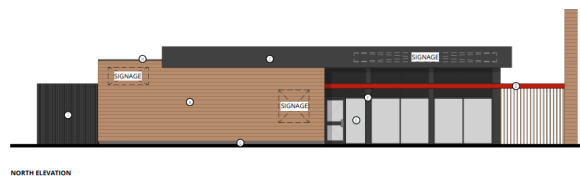
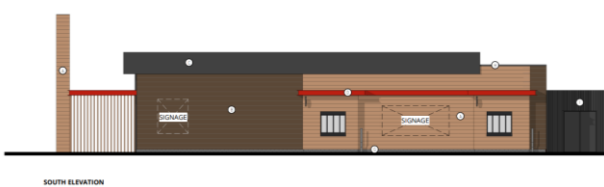
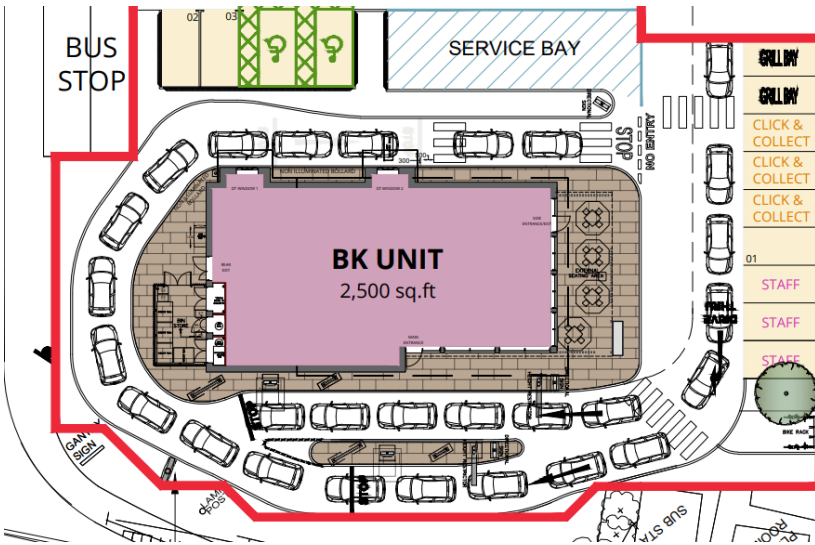
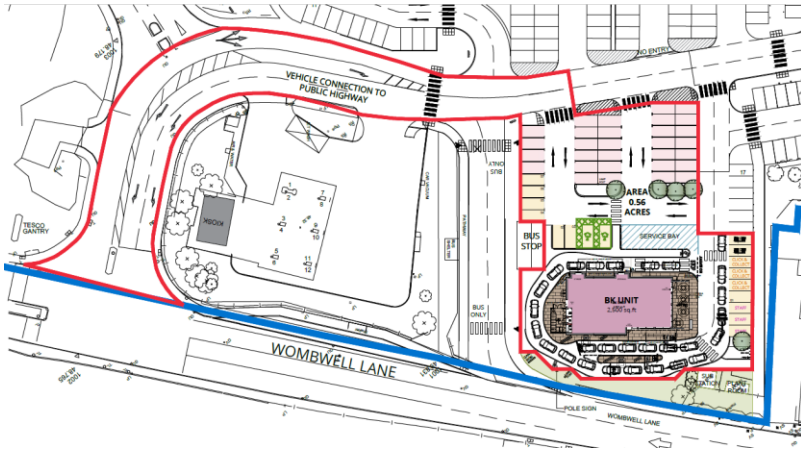
The eastern part of the existing Tesco car park would be rearranged to create a service bay; disabled parking bays; 3x click and collect bays and 2x waiting bays. Three spaces would be reserved for staff parking, in addition to a cycle parking area.

The works include the formation of kerbs/pathways and road markings, as well as small planting areas to define the vehicular and pedestrian routes. The development includes 37 standard parking bays, albeit these are not reserved and therefore it would be reasonable to assume that spaces could be shared with the adjacent Tesco/gym uses.

The building would have a flat roof and be finished in a mixture of cladding and grey fascia, with glazing. A canopy would project off the northern elevation to enclose the outdoor seating area, with a tall wall feature. The main glazed entrance to the internal restaurant is located on the north-eastern elevation, adjacent to the two-lane drive thru ordering area. A separate secondary entrance is on the northern elevation opening into the outdoor seating. The building includes two serving windows on the western elevation, facing towards the existing car park.

The application has not been supported by an internal floorplan document, though an extract in the planning statement states that 50 internal dining seats with 16 external seats will be accommodated for dine-in customers. The proposed elevations indicate the position of associated signage albeit this would be subject to a separate advertisement consent.

The site is accessed via the existing car park vehicular entrance off Wombwell Lane and the signalised junction.



## Policy Context

### Allocation/Designations

The site is a designated Retail Park (Wombwell Lane, Stairfoot) as defined in the adopted Local Plan.

The site lies within the Dearne Valley Green Heart Nature Improvement Area.

The site is within a low-risk development area as designated by the Mining Remediation Authority, and also within Flood Zone 1 (low risk) as per the Environment Agency maps.

Wombwell Lane is a designated 'Air Quality Link Road'.

### 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 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.

The following Local Plan policies are relevant in this case:

- Policy GD1: General Development
- Policy D1: High Quality Design and Place Making
- Policy SD1: Presumption in Favour of Sustainable Development
- Policy T4: New Development and Transport Safety
- Policy LC1: Landscape Character
- Policy POLL1: Pollution Control and Protection
- Policy TC1: Town Centres
- Policy TC4: Retail Parks
- Policy TC3: Thresholds for Impact Assessments

### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 7 – Ensuring the Vitality of Town Centre

Section 8 – Promoting Healthy and Safe Communities

Section 9- Promoting Sustainable Travel  
Section 11- Making Effective Use of Land  
Section 12- Achieving Well-designed Places

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.

#### Supplementary Planning Guidance

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:

- Parking, November 2019
- Sustainable Travel, July 2022
- Shop Front Designs, May 2019
- Hot Food Takeaways, May 2019
- Hot Food Takeaways (Planning Advice Note) May 2019

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

#### **Consultations**

Local Ward Cllrs – No response.

Biodiversity Officer – No objection to the proposal subject to a suitable landscaping scheme being secured.

BMBC Drainage – No objection, and no conditions requested.

Highways DC – Updated plans have been received which address earlier concerns regarding the swept path analysis. Based on the amended plans, there is no objection subject to a condition which requires all parking areas to be finished in a solid surfacing.

Planning Policy – **Objection**, the application site lies within 400m of a primary school, thus is discordant with NPPF Paragraph 97 and the objectives of the adopted Hot Food Takeaway Planning Advice Note (PAN).

Public Health – **Objection**, referring to combined 3 years data of Year 6 children in Stairfoot, the prevalence of overweight (including obesity) is 42.7%. This is significantly higher than the national (36.7%) and Barnsley (39.5) average. The proposal is therefore in conflict with the NPPF.

SYMCA – No response.

Pollution Control – Concerns regarding potential impact upon amenity, additional information required (via condition discharge) including noise details and assessment of fixed plant, and details of a noise barrier at the northern boundary. Hours of construction condition also proposed.

Yorkshire Water – Initially objected to the scheme due to planting being proposed over the public sewerage network. Amended plans have been received which indicate that no new trees are proposed within 5m of the public sewer. No objection on this basis subject to conditions relating to separate systems for foul and surface water; piped discharge of surface water and the absence of buildings and landscaping within 3m from the centre line of the public sewer.

## Representations

This application has been advertised in accordance with Article 15 of the Development Management Procedure Order (DMPO) 2015, as follows:

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 6/6/2025
- Site Notice (Public Interest) displayed adjacent to the site- consultation expiry date: 6/6/2025

1 representation has been received which raises the following concerns:

- Increased noise, litter, vermin and odours;
- Congregation of young people;

## Assessment

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/ Impact Upon Public Health

Section 7 of the NPPF relates to town centres and retail/leisure developments, emphasising the role which town centres play at the heart of local communities.

Local Plan Policy TC4 states that at retail parks, retail warehousing will be allowed. Uses other than retail warehouses will be allowed where the role, character and function of the retail park will not be adversely affected.

Local Plan Policy TC1 states that a sequential approach will be used to assess proposals for new retail and town centre development. This will help to achieve the spatial strategy for the borough and will focus development on identified centres in the first instance. Edge of centre and out of centre development will only be allowed where it meets the requirements of NPPF. Impact assessments will also be required as laid out in Policy TC3. These should comply with the requirements of the NPPF.

Paragraph 96(c) of the NPPF states planning decisions should enable and support healthy lives through promoting good health for example through the provision of healthier food.

Paragraph 97 states that local planning authorities should refuse applications for hot food takeaways and fast-food outlets:

- a) within walking distance of schools and other places where children and young people congregate unless the location is within a designated town centre; or
- b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.

The adopted Hot Food Takeaway Public Advice Note (PAN) states: *Outside District or Local Centres, proposals for Hot Food Takeaways within 400m of a secondary school or Advanced Learning Centre (ALC), will have regard to guidance from Public Health England on the link between childhood obesity and proximity to Hot Food Takeaways.... consideration will be given to*

*levels of excess weight of 10-11 year old pupils... Proposals for hot food takeaways within a ward where more than 32% of 10-11 year old pupils are classed as having excess weight are therefore more likely to be in conflict.'*

The application site lies within an established retail park. Local Plan Policy TC3 supports warehousing uses as well as other uses so long as they do not harm the function of the retail park. 2x small food/drink outlets (Costa Coffee and Greggs) are already located at the retail park, albeit these are located within the southern part of the park. The introduction of an additional food outlet is not considered to detrimentally harm the character or function of the retail park.

It is recognised that the principle of a restaurant (Use Class E(b)) has previously been found acceptable in this location, with application ref: 2024/0741 granting permission for the restaurant building and associated operations. Similar to the previous application, this proposal has been supported by a retail sequential test at Section 5 of the Planning and Retail Statement. The Policy Officer has reviewed this and agrees that the units available within Barnsley Town Centre are not suitable for the proposed occupier either in regard to the size or physical features. On this basis, the location of the proposed site is acceptable in terms of retail policy.

The development also falls below the threshold for an impact assessment as set out in Local Plan Policy TC3.

As summarised above, the key difference between this proposal and that granted in December 2024 is in the introduction of a drive-thru lane and the proposed hot-food takeaway operations (Use Class Sui Generis). There are also some notable design changes including the increased number of 'click and collect' parking bays and the orientation of the building.

The LPA recognise that an element of takeaway could occur if the previous permission was implemented. However, in the delegation report for the previous application, the LPA made it clear that the majority of the food and drink needs to be consumed on site in order to accord with the specified use class. In conclusion, the LPA considered the restaurant/Class E use to be acceptable, with the previous report stating: *'Given that no drive-thru provision is proposed and a sufficiently sized seating area will be facilitated, the LPA are accepting of the proposal falling within the described Use Class. An informative is proposed to this effect. On this basis, the requirements of the Hot Food Takeaway SPD do not apply.... In accordance with Local Plan Policy TC4, conditions will be attached which restrict the use of the building to Use Class E(b) only.'*

Since the previous permission was granted, the NPPF has been updated (published on 12<sup>th</sup> December 2024) which makes direct reference to hot food takeaways as quoted above. The applicant has stated that the drive-thru would comprise 25-36% of the total sales and describes the drive-thru as a *'supplementary collection lane'* (see paragraph 6.6 of the submitted statement). However at paragraph 5.11 (in reference to the sequential test) the applicant emphasises the need for the drive-thru lane stating that the operator is *'...specifically seeking a drive-thru restaurant with adequate parking facilities and good roadside visibility in order to meet an identified need... Additionally, the drive thru function is required to ensure the operation of the unit would remain viable..'*

This statement suggests that the restaurant use alone (as granted in application ref: 2024/0741) would be unviable and therefore the previous permission is not a feasible fall-back position. This would also suggest that the proposed number of drive-thru and/or takeaway sales is likely to be much higher than the percentage quoted above. It is also important to note that the applicant has not provided any evidence to support that figure, such as sales reports from other outlets.

The LPA agree with paragraph 6.8 of the submitted statement, which confirms that up to 49% of food and drink could be consumed off-site at the restaurant-only use (Use Class E(b)). Nevertheless, the development hereby proposed, which includes a drive-thru lane and increased click and collect facilities, would encourage even more food and drink to be taken away and consumed off-site. In terms of the design/layout of this proposal, this has also been amended (in comparison to the extant permission) to further encourage takeaway sales. The previously



approved plan included a building which faced towards the existing Tesco car park, with the entrance creating an active frontage. However, this proposal is absent of a clear frontage, with the pedestrian entrance shown at the rear of the building adjacent to the vehicular drive-thru, making the internal consumption of food and drink somewhat less inviting. There has been a reduction in the number of associated car parking spaces, with this current proposal including 37 standard customer spaces and the previous proposal having 47. The applicant states that the internal layout and dining arrangement for customers would be the same as that previously agreed. Although the previous application did not include a proposed floorplan or indicate the internal dining arrangement, it is reasonable to conclude that the previous layout could accommodate more internal seats due the absence of service/drive-thru windows.

Taking all this into account, the development hereby proposed clearly consists of a hot-food takeaway use and therefore needs to be assessed against NPPF Paragraph 97 and the adopted PAN in this regard.

The recently updated NPPF (December 2024) states that local planning authorities should refuse applications for hot food takeaways within walking distance of school. The PAN provides additional guidance in this regard defining walking distance as 400m from a secondary school. Oakhill Primary Academy is located 361m from the application site as shown on the measurement below.



Whilst the PAN specifically refers to secondary schools, the NPPF does not define whether Paragraph 97 applies to primary and/or secondary schools, and therefore the LPA consider it reasonable to apply the 400m walking distance. Additionally, the PAN also confirms that hot food takeaways which are proposed in wards where >32% of children have excess weight will be in conflict with the principles of the NPPF. The PAN confirms that the Stairfoot ward has 36.7% of excess weight 10-11 year olds, with recent evidence (obtained by the Council's Public Health department) suggesting that this figure has increased to 42.7%.

It is recognised that primary school aged children are unlikely to use the drive-thru lane themselves and therefore there may be no material change from the previously approved restaurant use in this regard. However, as stated above, the applicant has suggested that the restaurant use alone is an unviable fallback position and therefore not necessarily a justification to support this current proposal. As mentioned above, the site layout has also been updated so that the building entrance faces towards Wombwell Lane potentially making the site more visually inviting for school children walking past. Irrelevant of the distance to local schools, the PAN makes it clear that hot food takeaways should be resisted in this ward due to the percentage of overweight children, and the proposal is therefore discordant with the adopted guidance.

Taking all of the above into account, the LPA consider that the majority of the food and drink sold at the premises would be more than likely be consumed off-site, and accordingly the application is described as a mixed use falling within Use Class E(b)) and Use Class Sui Generis. The principle

of the restaurant use alone was considered to be acceptable subject to the majority of food and drink being consumed onsite (as clearly caveated in the previous report). However, when assessed as a whole, the introduction of a drive-thru lane, together with the increased click and collect bays, the development hereby proposed conflicts with the NPPF Paragraph 97 and the adopted Hot Food Takeaway PAN. The site is located within close proximity to a primary school and would be situated in a ward where a high proportion of children are already overweight. On this basis, the principle of hot food takeaway uses is resisted, and the proposal is therefore recommended for refusal. The failure to accord with adopted policies is afforded significant weight.

### Design, Appearance & Impact Upon Residential Amenity

NPPF Paragraph 135 relates to high quality design and states that developments should function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; maintain a strong sense of place whilst optimising the potential of the site and create places which are safe and inclusive and promote well-being.

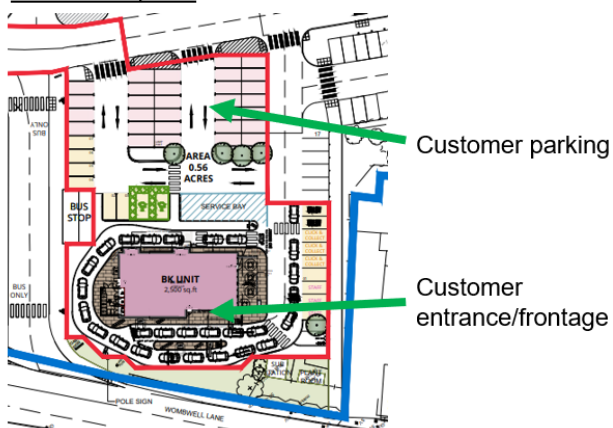
Local Plan Policy D1 states that development is expected to be of high-quality design and should respect and reinforce the distinctive, local character and features. Development should contribute to place making and make the best use of materials, as well as display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangements of materials, colours and details.

Local Plan Policy GD1 states that proposals for development will be approved if there are no significant adverse effect on the living conditions and residential amenity of existing and future residents. Proposals should be compatible with neighbouring land and should not significantly prejudice the current or future use of neighbouring land.

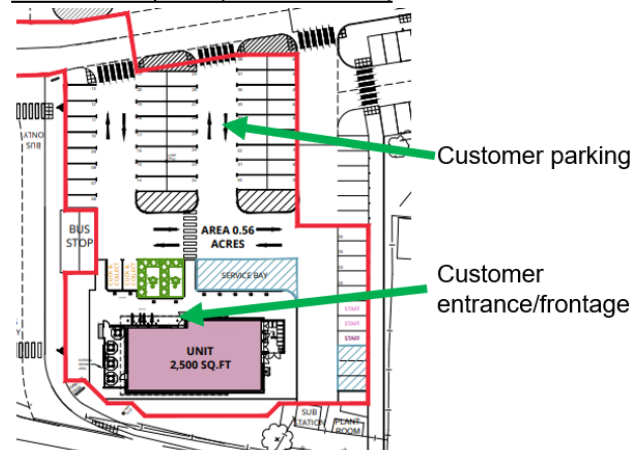
Local Plan Policy POLL1 states that development will be expected to demonstrate that there would be no unacceptable effect or cause a nuisance to the natural and built environment or to people.

As mentioned above, the proposed development lacks interest in terms of active frontage, particularly when compared to the previous proposal. The main frontage elevation (labelled as north elevation) would face away from the retail park/Tesco car park and approaching customers, and would instead front towards Wombwell Lane. Whereas the south facing elevation, is fairly blank and dominated by the drive-thru service windows. The site layout means that 'dine-in' customers would have to cross the drive thru lane and enter the building from the opposite side. This is considered to be poor design, which prioritises takeaway customers rather than those who wish to dine in the restaurant. Whereas the previous restaurant layout included a more obvious frontage, with the main doorway adjacent to the customer parking. This is demonstrated on the plan below:

Current Proposal



Previous Proposal (ref: 2024/0741)



The length of the drive-thru length dominates the site, wrapping around the full perimeter of the building. In comparison the nearby Costa Coffee outlet faces towards the car park and has a larger welcoming frontage, with a more discretely designed drive-thru which does not interrupt the appearance of the unit.

The introduction of a drive-thru is also more likely to cause disturbance upon adjacent neighbours by virtue of car engines running and the moving of vehicles. No.96 is located only 18.5m from the edge of the drive-thru lane, and the amenity of occupiers could be harmfully impacted.

As mentioned, the LPA recognise that there are existing food outlets within the vicinity in addition to the Tesco Supermarket. However, the Costa Coffee and Greggs buildings are located within the southern section of the retail park away from residential properties. Similarly, the Tesco building is set back circa 180m from the closest residential dwelling, thus much less harmful than the proposal.

Overall, the Burger King unit along with the drive-thru appear to be squeezed into the corner of the car park site. The length of the drive-thru appears dominating and should not encompass the entire unit. As per the assessment above, the applicant argues that the on-site consumption will be primary use with the drive-thru/takeaway element being secondary. However, the proposed site layout and appearance is not consistent with this argument, due to the fact that the pedestrian entrance is at the rear of the site (closer to Wombwell Lane) and the lack of obvious frontage.

Taking all this into account, the development is considered to be of poor design which fails to enhance the appearance of the retail park and would harmfully existing amenity due to the noise and fumes associated with queuing vehicles. The development is therefore in conflict with Local Plan Policy GD1, POLL1 and D1. This is afforded significant weight.

### Highway Considerations

NPPF Paragraph 116 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 would be severe.

Local Plan Policy T4 states that 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. It follows on state if a development is not suitably served by the existing highway or would add to problems of safety or the efficiency of the highway, developers will be expected to take mitigating action to make sure the necessary improvements go ahead.

Table 1 of the Parking SPD (November 2019) sets out the adopted parking standards for new developments.

The Highways DC Officer has reviewed the application submission. Initially concerns were raised because a 0.5m clearance could not be maintained when drivers were to use the drive-thru. However, amended plans have been received, and the concerns raised have been addressed. Parking surveys also demonstrate that the existing Tesco supermarket car park can adequately host the restaurant/hot food takeaway building without impacting the availability of spaces.

Overall, there is no objection in terms of highway safety, though this is afforded limited weight and does not outweigh the concerns summarised above.

### Drainage Considerations

Paragraph 171 of the NPPF states that advice from relevant flood risk management authorities such as lead local flood authorities and internal drainage boards should be taken into account.

Initially Yorkshire Water objected to the development due to landscaping/trees being sited above the existing public sewer which runs through the site. The comments provided state: *On the Statutory Sewer Map, there is a 600mm diameter public surface water sewer and a 225mm combined water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme.* In response to this, an updated drainage plan and landscaping details have been submitted, which show no new tree planting within 5m of the public sewer network. These plans have been reviewed by Yorkshire Water who confirm that the amended scheme is acceptable in this regard.

For completeness, the BMBC Drainage team have also been consulted on the amended plans and confirm that they have no objection. The proposal is therefore acceptable in terms of drainage, however this is afforded limited weight and does not outweigh the concerns summarised above.

### Conclusion

Planning permission for the restaurant (Use Class E(b)) was granted in December 2024 on the basis that the majority of food and drink would be consumed on site. This proposal looks to erect a restaurant (Use Class E(b)) with drive-thru facility (Use Class Sui Generis) which is to be operated by Burger King, along with associated changes to the existing car park.

Whilst the principle of a restaurant has previously been considered acceptable, the current development is materially different in that hot food takeaway uses are proposed. The NPPF has also been updated since the issuing of the previous permission, with Paragraph 97 referring to hot food takeaway uses and their proximity to schools.

In summary, the development is in conflict with Paragraph 97(a) of the NPPF, and the adopted Hot Food Takeaway Planning Advice Note due to being located within 400m of the primary school and within a ward with higher levels of excess weight children.

On this basis, the development is recommended for refusal.

### **RECOMMENDATION: Refuse.**

### **Justification**

### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

The proposed development constitutes hot food takeaway uses within less than 400m of a primary school and within a ward where data indicates a higher number of overweight children. The

development is therefore discordant with Paragraph 97 of the National Planning Policy Framework (December 2024) and the adopted Hot Food Takeaway Planning Advice Note (May 2019).

The proposed development would detract from appearance of the retail park due to an over-dominating drive-thru design and the lack of active frontage. The noise, vibration and fumes generated by queueing vehicles would also harmfully impact the amenity of existing neighbouring residents. The development conflicts with Barnsley Local Plan (January 2019) Policy GD1: General Development, Policy D1: High Quality Design and Place Making, and Policy POLL1: Pollution Control and Protection.