



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2026/0014

To Enhanced Building Management LTD
95
Church Villas
South Kirkby
Pontefract
WF9 3QR
United Kingdom

Proposal Proposed steel containers to be converted into a private bar with car sales offices above. (Retrospective)

At Unit 2, Park Springs Spring Hill Road, Grimethorpe, Barnsley, S72 7BQ

Permission is **refused** for the proposals which were the subject of the Application and Plans registered by the Council on 21/05/2026 and described above.

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

- 1 In the opinion of the Local Planning Authority, the siting of two steel shipping containers for use as a car sales office and private bar would, by virtue of their design and appearance, appear as incongruous and visually intrusive features that fail to respect the established character and appearance of the area. This harm is compounded by the extensive hardstanding and loss of woodland character across the site. The development would therefore result in unacceptable harm to visual amenity and local character, contrary to Local Plan Policy D1 and Section 12 of the National Planning Policy Framework.
- 2 The applicant has not submitted sufficient details to enable an adequate assessment to demonstrate that the development provides safe and suitable access for all users. In particular, the applicant has failed to provide adequate details regarding parking provision, vehicle manoeuvring arrangements, traffic generation associated with the proposed uses, visibility splays, access construction and drainage. The available information indicates that visibility at the site access falls significantly below accepted standards, resulting in an unacceptable risk to highway safety. The proposal is therefore contrary to Local Plan Policy T4 and Paragraph 116 of the National Planning Policy Framework.

- 3 The applicant has not submitted sufficient details to enable an adequate assessment to be made in regard to the sites land stability which could be affected by recorded mine shafts and associated zones of influence. In the absence of a comprehensive Coal Mining Risk Assessment and supporting technical evidence, insufficient information has been provided to demonstrate that the site is safe and stable for the proposed development or that the risks arising from former mining activities can be satisfactorily mitigated. The proposal is therefore contrary to Local Plan Policy CL1 and Paragraph 196 of the National Planning Policy Framework.
- 4 In the opinion of the Local Planning Authority the development has resulted in the removal of a significant number of trees and areas of native scrub habitat which contributed positively to the character of the area and provided ecological value. The loss has occurred without adequate arboricultural or ecological assessment and insufficient mitigation has been proposed to compensate for the harm caused. The development therefore fails to conserve and enhance biodiversity and landscape features and is contrary to Local Plan Policies D1 and BIO1 and Section 15 of the National Planning Policy Framework.

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: 8 July 2026

A handwritten signature in black ink, consisting of a stylized 'G' followed by a horizontal line.

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.