

## **PLANNING BOARD**

**Date and Time:-** Thursday 25 September 2025 at 9.00 a.m.

**Venue:-** Rotherham Town Hall, The Crofts, Moorgate Street, Rotherham. S60 2TH

**Membership:-** Councillors Mault (Chair), Jackson (Vice-Chair), Adair, Ahmed, Allen, Bacon, Cowen, Currie, Duncan, Elliott, Fisher, Hussain, Sutton, Tarmey and Thorp.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

### **AGENDA**

1. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
2. To determine any items which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence (substitution)
4. Declarations of Interest (Page 5)  
*(A form is attached and spares will be available at the meeting)*
5. Minutes of the previous meeting held on 14th August, 2025 (Pages 7 - 9)
6. Deferments/Site Visits (information attached) (Pages 11 - 12)
7. Development Proposals (Pages 13 - 80)
8. Updates

**The next meeting of the Planning Board will be held on  
Thursday 16 October 2025 commencing at 9.00 a.m.  
in Rotherham Town Hall.**

A handwritten signature in black ink, appearing to read 'John Edwards', with a stylized, cursive script.

JOHN EDWARDS,  
**Chief Executive.**

## Planning Regulatory Board 'Public Right To Speak'

### REGISTERING TO SPEAK

The Council has a "Right to Speak" policy, under which you may speak in the Planning Board meeting about an application. If you wish to do this, it is important that you complete a tear-off slip and return it with any written comments, within 21 days of the date of the notification letter back to the Planning Department.

Your comments will be made known to the Planning Board when it considers the application and you will be written to advising of the date and time of the Planning Board meeting to exercise your right to speak

If you wish to speak in the meeting, please try to arrive at the venue **ten minutes** before the meeting starts. The reception staff will direct you to the Council Chamber.

In the Council Chamber, please give your name to the Board clerk (who will have a checklist of names derived from the agenda). The clerk will direct you to the seating reserved for people who wish to speak.

The agenda is available online at least 5 days prior to the meeting, and a few copies will be made available at the meeting, so you can read the report relating to the application which concerns you and see where it comes in the agenda.

The **Council Chamber** is equipped with microphones and a hearing loop.

Take time to familiarise yourself with the layout of the Chamber and the procedure of the meeting, before 'your' application is reached.

Please note that applications can sometimes be withdrawn or deferred at short notice. **The Council will do its best to notify the public in advance**, but on occasions this may not be possible.

The meeting is being filmed for live or subsequent broadcast via the Council's website and can be found at:-

<https://rotherham.public-i.tv/core/portal/home>

If anyone present or members of the public in the public galleries do not wish to have their image captured they should make themselves known to Democratic Services before the start of the meeting.

### **YOUR RIGHT TO SPEAK**

The 'right to speak' applies equally to the applicant and to the general public.

You will be invited to speak by the Chairman at the correct interval.

Each speaker will be allowed three minutes to state his/her case. The applicant does not have a "right to reply" to the objector(s) comments.

Only planning related comments can be taken into consideration during the decision process.

### **CONDUCT OF COMMITTEE MEETINGS**

Speakers should not be allowed to engage in discussion with members of the Committee during public speaking or the Committee deliberations, to avoid any risk of accusation of bias or personal interest.

All attendees are reminded of the importance to remain calm, courteous and respectful during the meeting. Please refrain from shouting out and allow people to speak. Any person causing a disruption will be asked to leave the meeting.

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

**PLANNING BOARD**

**MEMBERS' DECLARATION OF INTEREST**

Your Name (Please PRINT):-

Meeting at which declaration made:-

Item/Application in which you have an interest:-

Date of Meeting:-

Time Meeting Started:-

*Please tick ( ✓ ) which type of interest you have in the appropriate box below:-*

**1. Disclosable Pecuniary**

☐

**2. Personal**

☐

Please give your reason(s) for you Declaring an Interest:-

*(Please continue overleaf if necessary)*

N.B. It is up to a Member to determine whether to make a Declaration. However, if you should require any assistance, please consult the Legal Adviser or Governance Adviser prior to the meeting.

Signed:- .....

*(When you have completed this form, please hand it to the Governance Adviser.)*

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**PLANNING BOARD**  
**14th August, 2025**

Present:- Councillor Mault (in the Chair); Councillors Ahmed, Allen, Bacon, A. Carter, Cowen, Currie, Duncan, Elliott, Hussain, Jackson, Sutton and Thorp.

Apologies for absence:- Apologies were received from Councillors Adair, Fisher and Tarmey.

The webcast of the Planning Meeting can be viewed at:-  
<https://rotherham.public-i.tv/core/portal/home>

**25. EXCLUSION OF THE PRESS AND PUBLIC**

There were no items on the agenda to warrant exclusion of the press and public.

**26. MATTERS OF URGENCY**

There were no matters of urgency for consideration.

**27. DECLARATIONS OF INTEREST**

Councillor Elliott declared a personal interest in application RB2024/1362 (erection of three dwellings at 17 Green Street, Greasbrough for Mr. M. Millar) on the grounds of having had previous involvement in the plans for this site. He left the room during the consideration of this application and did not observe the vote.

**28. MINUTES OF THE PREVIOUS MEETING HELD ON 24TH JULY, 2025**

**Resolved:-** That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 24<sup>th</sup> July, 2025, be approved as a correct record of the meeting and signed by the Chair.

**29. DEFERMENTS/SITE VISITS**

There were no site visits or deferments recommended.

**30. DEVELOPMENT PROPOSALS**

**Resolved:-** (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure the following people attended the meeting and spoke about the applications below:-

- Erection of three dwellings at 17 Green Street, Greasbrough for Mr. M. Millar (RB2024/1362)

Two statements on behalf of objectors were read out.

- Demolition of existing dwelling and erection of two storey detached dwelling with detached dormer bungalow to rear including installation of flue and alterations to existing vehicular access at 9 Moat Lane, Wickersley for Mr. T. Townend (RB2025/0083)

Mr. T. Townend (Applicant)

Mr. T. Jeffries (Objector)

Mr. S. Dainty (Objector)

A statement on behalf of Mr. D. Bailey (Objector) was read out.

- Change of use from bank (Use Class E) to House in Multiple Occupation (HMO) for up to 8 people (Use Class Sui Generis) with boundary wall/railings to front and bin/cycle store and parking area to rear at 43 High Street, Swallownest for Bilham Developments Ltd. (RB2025/0426)

A statement on behalf of the Applicant was read out.

- Erection of 3 storey building comprising of 9 No. Residential Flats, including alterations to the existing first and second floor front elevation and storage rooms in roof space at 17A Shelley Road, Herringthorpe for Mr. S. Hussain (RB2025/0525)

Dr. E. Young (Objector)

Mrs. A. Mace (Objector)

A statement on behalf of Ms. C. A. Young (Objector) was read out.

(2) That application RB2024/1362 be refused for the reasons adopted by Members at the meeting and as listed in the submitted report.

(3) That in relation to application RB2025/0083:-

(a) The applicant enter into a Unilateral Undertaking to ensure that Dwelling 1 is constructed within five years of the occupation of Dwelling 2.

(b) That subject to the signing of the Unilateral Undertaking, planning permission be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.



(4) That application RB2025/0426 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(5) That the Planning Board declare that it was not favourably disposed towards application RB2025/0525 and that it be refused on the grounds that the development had an impact on residential amenity of local residents and on the character of the local area and that the detail for the reasons for refusal be agreed by officers in consultation with the Chair and Vice-Chair of the Planning Board.

Councillor Elliott declared a personal interest in application RB2024/1362 (erection of three dwellings at 17 Green Street, Greasbrough for Mr. M. Millar) on the grounds of having had previous involvement in the plans for this site. He left the room during the consideration of this application and did not observe the vote.

**31. UPDATES**

There were no updates to report.

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**ROTHERHAM METROPOLITAN BOROUGH COUNCIL****PLANNING BOARD****DEFERMENTS**

- Planning applications which have been reported on the Planning Board Agenda should not be deferred on request without justification.
- Justification for deferring a decision can arise from a number of matters:-
  - (a) Members may require further information which has not previously been obtained.
  - (b) Members may require further discussions between the applicant and officers over a specific issue.
  - (c) Members may require a visit to the site.
  - (d) Members may delegate to the Assistant Director of the Service the detailed wording of a reason for refusal or a planning condition.
  - (e) Members may wish to ensure that an applicant or objector is not denied the opportunity to exercise the “Right to Speak”.
- Any requests for deferments from Members must be justified in Planning terms and approved by the Board. The reason for deferring must be clearly set out by the Proposing Member and be recorded in the minutes.
- The Assistant Director of Planning, Regeneration and Transport or the applicant may also request the deferment of an application, which must be justified in planning terms and approved by the Board.

## **SITE VISITS**

- Requests for the Planning Board to visit a site come from a variety of sources:- the applicant, objectors, the Parish Council, local Ward Councillors, Board Members or sometimes from the Assistant Director of Planning, Regeneration and Transport.
- Site visits should only be considered necessary if the impact of the proposed development is difficult to assess from the application plans and supporting information provided with the officer's written report; if the application is particularly contentious or the application has an element that cannot be adequately expressed in writing by the applicant or objector. Site visits can cause delay and additional cost to a project or development and should only be used where fully justified.
- The reasons why a site visit is called should be specified by the Board and recorded.
- Normally the visit will be programmed by Democratic Services to precede the next Board meeting (i.e. within three weeks) to minimise any delay.
- The visit will normally comprise of the Members of the Planning Board and appropriate officers. Ward Members are notified of visits within their Ward.
- All applicants and representees are notified of the date and approximate time of the visit. As far as possible Members should keep to the schedule of visits set out by Committee Services on the Board meeting agenda.
- Normally the visit will be accessed by coach. Members and officers are required to observe the site directly when making the visit, although the item will be occasioned by a short presentation by officers as an introduction on the coach before alighting. Ward Members present will be invited on the coach for this introduction.
- On site the Chair and Vice-Chair will be made known to the applicant and representees and will lead the visit allowing questions, views and discussions. The applicant and representees are free to make points on the nature and impact of the development proposal as well as factual matters in relation to the site, however, the purpose of the visit is not to promote a full debate of all the issues involved with the application. Members must conduct the visit as a group in a manner which is open, impartial and equitable and should endeavour to ensure that they hear all points made by the applicant and representees.
- At the conclusion of the visit the Chair should explain the next steps. The applicant and representees should be informed that the decision on the application will normally be made later that day at the Board meeting subject to the normal procedure and that they will be welcome to attend and exercise their "Right to Speak" as appropriate.

**REPORT TO THE PLANNING REGULATORY BOARD TO BE HELD ON THE  
25<sup>th</sup> September 2025**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

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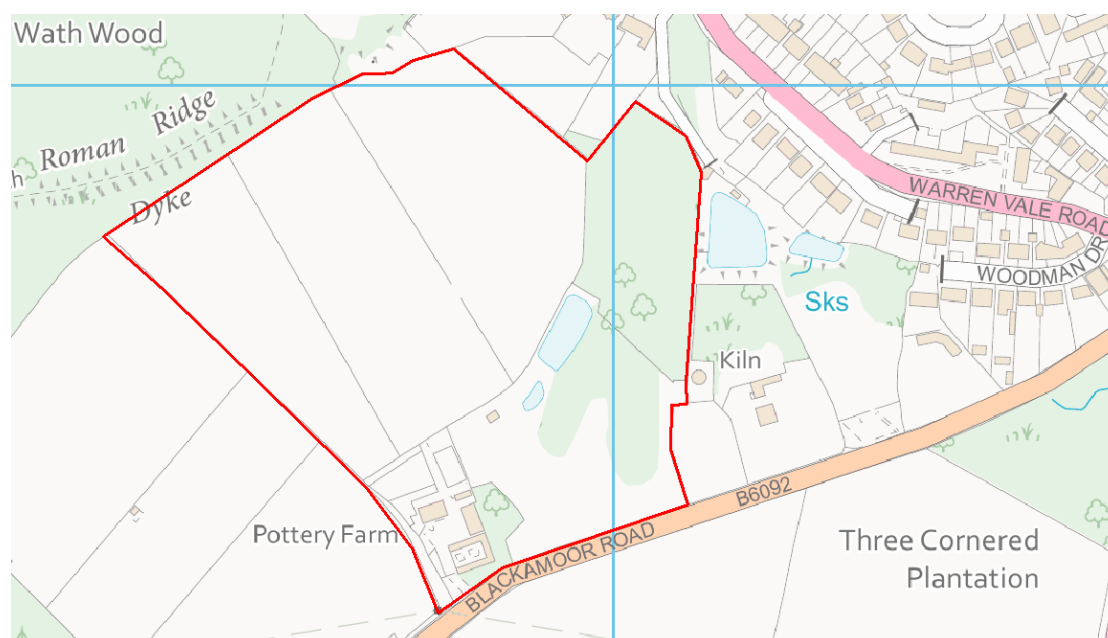
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# REPORT TO THE PLANNING BOARD TO BE HELD ON THE 25<sup>th</sup> September 2025

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

Application Number	RB2023/0283 <a href="https://rotherham.planportal.co.uk/?id=RB2023/0283">https://rotherham.planportal.co.uk/?id=RB2023/0283</a>
Proposal and Location	Change of use of land to dog walking paddocks and training facility including extended car parking area, 4 Blackamoor Road, Swinton
Recommendation	Grant subject to conditions

This application is being presented to Planning Board due to the number of objections received.



## Site Description & Location

The application site is allocated Green Belt in the Local Plan and comprises of a property known as Strawberry Cottage on Blackamoor Road in Swinton and land surrounding the property. In particular, the application relates to an area of woodland to the rear of the property and an open area of land with a hedge along the highway to the west.

The site is situated along the northern side of Blackamoor Road in the southern part of Swinton. To the north of the site are a number of mature trees and beyond this is the southern edge of the Swinton residential area.

The application site comprises an area of land approximately 0.9 hectares in total that surrounds Strawberry Cottage.

There are also heritage assets in the northern area of the site and these include the former Swinton Kiln which is both a Listed Building and an Ancient Monument.

The site does not share any direct boundaries with other residential properties with the nearest boundaries being between 40m to 45m from the boundary of the “walking paddock” in the northern area of the site.

### **Background**

The site has previous planning history dating back to the 1980s. This includes an extension to the original property in 1988.

In 1997 a conversion of the property into a licenced bar and restaurant was refused.

In 2016 an application for a first floor balcony extension was refused.

A screening opinion is not required for this development as it does not meet the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

This application has been submitted following earlier enforcement complaints. These have been investigated over several years and initially the level of use taking place was considered to be ancillary to the residential character of the property, not requiring planning permission. In more recent times however, it is considered that the use had intensified to a scale where it now represents a material change of use of the site for use as a dog walking paddock and dog training facility.

### **Proposal**

The application seeks full planning permission to regularise the existing use of the site as a dog walking paddock and dog training facility. The application does not propose any new formal or permanent building works.

The application proposes to continue use of the existing access from Blackamoor Road in the east of the site. It is proposed to utilise an existing area of parking to the east of the existing building and also create a new area of overspill parking (utilising the existing access from Blackamoor Road) to the south of the building and adjacent to the highway behind a stone wall. It is proposed that the new area of overspill parking will not be formally surfaced but will utilise a grasscrete type surface.

Following queries and objections raised during the determination of the application, the applicant has provided additional information within a planning statement to clarify and address these which can be summarised below:

### **Planning Statement**



The objections primarily highlight noise from the “walking paddock”, namely from groups of dogs and for prolonged periods, throughout the day and into the evening. Whilst it is appreciated that dogs bark, it is not to the degree stated.

To understand the day-to-day workings of the business, the services offered are as follows:

Monday, Wednesday and Friday (all services completed by 2pm)

- We have two walking rounds, one in the morning and one in the afternoon.
- Each round has a maximum of 10 dogs; however, many rounds are less than this.
- The dogs are collected from their homes in our van, transported to our site and exercised for 1 hour. They are then returned to their homes.
- During this period, no client attends the site for such services and therefore no parking is utilised. Dogs are therefore only upon the “walking paddock” for two hours in total.

Tuesday and Thursday (all services completed by 2.30pm)

- In addition to the above, we offer a “stay and play” service. This is a 2-hour session and limited to a maximum of 15 dogs, however numbers are often below this. During this period, owners attend to drop off and collect their dogs only. They do not stay and therefore parking spaces are only utilised for a short period.
- Dogs are therefore only upon the “walking paddock” for two hours in total.

Sunday (last Sunday of each month; services completed by 2pm):

- On the last Sunday of each month, we host Yorkshire Rottweilers and Yorkshire Labradors. Each session lasts 1 hour and has a maximum of 15 dogs.
- Owners do attend these sessions and parking is therefore required. All further services do not relate to group sessions. The proposed opening times merely allow for training to take place thereafter, where, as outlined in the proposal, would be a maximum of two dogs per session.

Overall the following supporting information has confirmed that the use will include:

- When not being used by the owner for dog walking rounds, the dog walking paddock is to be utilised for private hire. This is operated via a booking system only and will not allow clients to turn up speculatively at the site.
- There will be a maximum of 30 dogs on site at any one time (i.e. 15 in the dog walking paddock’ and 15 in the second paddock). The

maximum of 30 dogs will be aimed at organised events or the odd spontaneous session dependent on user demand/ requests.

- Events will be once a quarter, our weekly sessions have attracted a maximum of 24 dogs this year, which was a session over the summer.
- Events and sessions will be within the proposed business hours, we do not open during the evenings.
- Inclement weather generally always dilutes numbers.

### Responses to objections

- The opening times also relate to the “Dog Park” as outlined within the proposal. The minimum distance for the same would be circa 120 to 125 meters from the top corner of the paddock to 46 Warren Vale Road.
- An issue which will require addressing in relation to noise, is the fact that located between the property and those of any residents within the 45 meters, is council land known as “Pottery Ponds”. This land is open to the public at any time of day or night and is commonly used by the public to exercise their dogs, families and other dog walkers and trainers. As such, the following pertinent question arises; How have the residents confirmed or differentiated any noise or purported barking from dogs utilising “Pottery Ponds” in addition to any purported noise arising from Invictus Squad?
- In addition to the above, it is noted that several residents of both Warren Vale Road and Woodman Drive are dog owners. It is commonplace during various times of day and night that their dogs bark. Again, has this been differentiated or outlined?
- It is also noted that we own five of our own dogs which are exercised on our land once the business is closed. As such, any barking from our own dogs does not arise from business use or this proposal.
- The council will be aware that noise complaints have previously been investigated (Ref: B24060) and on 10 May 2022 the council closed the case having concluded that there was no statutory nuisance from dog barking or noise generally from the business premises.

Barking – as mentioned within the preamble other dogs utilise pottery ponds and unfortunately not all dogs are well managed, as such many dogs run up to the fence barking. This is outside of our control.

Small children – The safety of children around dogs is of paramount importance given that we have 3 of our own children but specifically, one of which is a toddler. We are aware of two small children attending such a group event. Dependent upon the period of time of observation, the author of the objection will have also witnessed that the family were asked to remove their children from the group scenario due to their age. Our policy is that no child under 10 are allowed within group sessions with a responsible adult and no children under 16 are allowed without an adult. Further, we often see and speak to the local nursery who specifically come and visit to see the dog's play and speak to many children about dog safety.

Pottery Ponds – this area has been used a handful of times to provide clients with real life experience of situations and to progress training. Again, no authority or complaint has been received as to the same. Should the council wish for this to cease, it will cease with immediate effect.

Parking – Clients are informed that parking is available within the grounds of 4 Blackamoor Rd and this is utilised. Whilst clients do park within Pottery Ponds car park, the applicant cannot restrict this given that the same is for public use. The car park generally is used sparsely by locals or others. We are unaware of any traffic issues and note that South Yorkshire Police often use the car park for briefings with their traffic officers. No issues have been raised by them or any other authority. It is noted that no complaint is made of when the car park has been used by local ramblers or local events when the same has been full, all overspill of cars have in fact parked upon the main road grass verges.

Close Proximity to residential properties – the closest properties boundary is circa 40m to 45m to the land in question. Proximity of matters is subjective and whilst it is appreciated that one may deem the same to be “close”, a minimum distance of 40m places a dilution upon the same.

Ancient Monument – as outlined within the proposal we are actively involved with the upkeep of the Kiln and access to the Kiln for any works is required via our land given that the path leading to the same is too narrow to allow access. As such, when access is required, we have previously closed our business and allowed access for works to be carried out. As such, we appreciate the important history of the area and have managed the business with the same in mind.

Lighting – This is not used for business purposes and does not form part of this application. there will not be any utilisation of classes or the business after dusk and therefore any lighting is not business related. Sometimes external lighting is used during darker days, but this is for a private family use.

No alterations to the boundary treatments along the edge of the site or the surroundings.

The Planning Statement concludes that the site has operated without planning permission, as permission has not been sought previously following the advice of the planning department who were of the initial view that no material change had taken place.

Following initial concerns raised by consultees, additional supporting information was submitted including a noise survey and a Transport Survey. These can be summarised below:

#### Noise Impact Assessment

The objectives of the noise impact assessment were to:

- Assess the potential impact of the development on the nearest noise sensitive receptors (residential dwellings) with reference to pertinent guidelines.
- Provide recommendations for structural management controls, as necessary, to ensure that the nearest noise sensitive receptors do not experience a loss of amenity due to noise.

The submitted statement can be summarised as follows:

- The site has been in operation as a dog walking and training facility for 4 years.
- The nearest noise sensitive receptors are considered to be the residential dwellings at Warren Vale Road (circa 50m distant at the closest point) to the north-east and Pottery Farm (circa 130m distant) to the south west.
- A noise survey was undertaken to assess noise levels at noise sensitive receptors proximate to the development, where the noise climate is controlled by distant and local road traffic noise.
- Noise from dogs barking was also audible from the public land to the north of the site throughout the survey period.
- Noise from the development itself was occasionally audible at the measurement positions, with up to 2 numbers of dog barks per hour. Up to 13 off-site barking dogs were observed per hour during the survey period on public land.

#### Highway survey

- Blackamoor Road is subject to a national speed limit (60mph), however, due to the nature of the road, close to a roundabout, and its alignment within the vicinity of the property, vehicle speeds are lower than the posted speed limit.
- Sanderson Associates conducted a manual speed survey of vehicles travelling westbound along Blackamoor Road on the 19th April between 11.26 and 12.46.
- The speeds recorded ranged between 25 to 47mph.
- The average recorded speeds was 33.3mph with 37mph representing the 85<sup>th</sup> percentile of all speeds.

#### **Development Plan Allocation and Policy**

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for Green Belt purposes in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

CS3 'Location of New Development'

CS4 'Green Belt'

CS19 'Green Infrastructure'

CS20 'Biodiversity and Geodiversity'

CS21 'Landscapes'

CS28 'Sustainable Design'

SP2 'Development in the Green Belt'

SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt'.

SP32 'Green Infrastructure and Landscape'

SP42 'Archaeology and Scheduled Ancient Monuments'

SP43 'Conserving and Recording the Historic Environment'.

SP52 'Pollution Control'

SP55 'Design Principles'

### **Other Material Considerations**

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched. It was last updated on 17th September 2018.

The NPPF states that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

The revised NPPF came into effect in December 2024. It states that “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.”

The Local Plan Policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

### **Publicity**

The application has been advertised by way of press notice, site notice and individual letters to neighbouring properties. More than 300 representations in support and against the application have been received and these can be summarised as follows:

The representations in support of the plans can be summarised as follows:

- This is an excellent facility that assists dog lovers in the local community.
- A variety of needs such as day care and training are provided.
- Invictus squad provides a friendly, professional and essential service which assists in the training of dogs.
- This is an appropriate use of the land.

- No noise issues are experienced.
- The majority of the dog barking is from unrelated members of the public, not associated with the facility.

The representations objecting of the plans can be summarised as follows:

- The car parking problems at the site
- Insufficient regard has been had to the management of inbound and outbound vehicles.
- The noise survey is based on a one day survey which is only relevant to that day.
- The report is inadequate and is not representative of the typical levels of noise that emanates from the site.
- The noise survey does not take into account the sporadic nature and unpredictability of barking occurrences.
- The business is disruptive to residents.
- Other people also use Pottery Field, these include natures walks, heritage viewing, dog walling, bird watching as well as general recreation.
- The site is too close to residential properties.
- Potential dangers to small children walking past.
- Concern about insufficient consultation with the most affected neighbours.

The majority of the representations are in support of the scheme and a number are from customers using the facility, though some local residents on Woodman Drive have also expressed support.

The objections received (approximately 9 in total) have generally been received from local residents to the north and east of the site.

### **Consultations**

RMBC Transportation Infrastructure Service – no objections, subject to conditions

Environmental Health – no objections to subject to conditions with a maximum of 30 dogs

Historic England – no objections to the use subject to conditions

Drainage Officer – no objections

### **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of the application are:

- The principle of the development
- Noise and impact on the surroundings
- Transportation issues
- Design, layout and scale
- Heritage and other issues
- Landscape matters

#### The principle of the development

The application site is allocated for Green Belt in the Local Plan.

Policy CS 4 'Green Belt' states Land within the Rotherham Green Belt will be protected from inappropriate development as set out in national planning policy. Burial grounds are one of the exceptions to Inappropriate Development, and this is discussed within the National Planning Policy Framework section below.

Policy CS 20 'Biodiversity and Geodiversity' states The Council will conserve and enhance Rotherham's natural environment.

SP2 'Development in the Green Belt' indicates that recreational development, amongst other things, are one of the exceptions to Inappropriate Development as long as it does not impact on the openness, and this is discussed within the National Planning Policy Framework.

Policy SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt' states that "Provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, will be acceptable as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it providing that: (amongst others) a. proposals will not give rise to undue disturbance caused by an increase in noise, the attraction of significant numbers of additional people into the area, or an increase beyond current levels of traffic at any one time.

The use of Green Belt land for dog training and dog walking is considered to form an outdoor recreation and is not considered to be inappropriate development as long as it does not materially harm the openness of the

Green Belt. Paragraph 155 of the NPPF allows for a change of use of land within the Green Belt providing it preserves the openness.

In terms of the impact on the openness, in this instance the change of use does not propose any new buildings of a permanent or substantial construction. No fencing is proposed over and above the existing fencing, and no new areas of hardstanding. The dog walking and training takes place within existing fields and woodland which forms part of the land around the existing dwelling. There is a proposal to create a new area of car parking to the front of the building and adjacent to Blackamoor Road. However, this area is not to be formally surfaced or laid out as a car park and will be used as an overspill area, accessed from an existing vehicular access and will include no additional substantial boundary treatment. The land which is to be used as overflow car parking is sited to the front of the existing dwelling and is behind existing boundary treatment fronting Blackamoor Road. Given the screening of the site, lack of hardsurfacing and low scale use, it is not considered that this element would result in a detrimental impact on the openness of the Green Belt.

Having considered all of the above, there will be no significant impact upon the openness of the Green Belt. As such the proposal represents not inappropriate development and the principle of having this form of development within the Green Belt is acceptable in land use and policy terms.

#### Noise and impact on the surroundings including Residential Amenity

SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt' states that:

*a. proposals will not give rise to undue disturbance caused by an increase in noise, the attraction of significant numbers of additional people into the area, or an increase beyond current levels of traffic at any one time...*

SP52 'Pollution Control' indicates that development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to the detrimental impact on the amenity of the local area.

The NPPG in relation to noise states that: *"Noise needs to be considered when new developments may create additional noise" It adds that: "The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation. These factors include:*

- the source and absolute level of the noise together with the time of day it occurs. Some types and level of noise will cause a greater adverse effect at night than if they occurred during the day – this is because people tend to be more sensitive to noise at night as they are trying to sleep. The adverse effect can also be greater simply because there is less background noise at night; -*



*for non-continuous sources of noise, the number of noise events, and the frequency and pattern of occurrence of the noise; - the spectral content of the noise (ie whether or not the noise contains particular high or low frequency content) and the general character of the noise (ie whether or not the noise contains particular tonal characteristics or other particular features). The local topology and topography should also be taken into account along with the existing and, where appropriate, the planned character of the area."*

A number of the objections have raised concerns about noise emanating from barking dogs at the site, and the difficulties in satisfactorily being able to regulate or control this. The objections have also queried the accuracy of any noise report.

Environmental Health have assessed the noise impact assessment carried out by Environmental Noise Solutions Ltd (ENS) (ref: NIA-10866-23-11023-v1 Invictus Squad, Swinton).

They note that the noise assessment "...takes into consideration the use of both Paddock 1 and 2 with the maximum number of dogs and times it will be used for.

The report indicates that dog barking has been measured as an average of a specified period of time (LAeq) but it can be seen on page 9 that a single dog barking event is 73dB at 10m. Taking into consideration distance attenuation of an additional 40m to the nearest noise sensitive receptor this equates to 59dB which will be audible over the measured background 46dB LA90,1hr. It is noted that background noise levels have not been taken for the evening and weekend periods when levels are likely to be lower and barking is likely to be more distinguishable.

As with any intermittent noise source above background, this has the potential to cause disturbance if it occurs frequently as it can be highly distinguishable. LAeq levels can easily be "smoothed" out over longer duration measurements so it is therefore important to manage the noise from the site to keep the barking to a minimum. It is acknowledged that most of the high- level barking that occurred during the 12-minute period in figure 1.3 emanated from the public dog walking area. However, it can reasonably be assumed, that given the proposed use of the site (as a dog training facility) that dogs will bark from time to time. If the dogs are not adequately controlled when visiting the applicant's site this could result in complaints due to the single dog barking events which will significantly exceed the background noise level (when not averaged out as an LAeq).

The applicant has indicated how they intend to reduce the dog barking from the site. This proposal needs to be incorporated into a noise management plan that can be approved via a planning condition so as to ensure all necessary measures are put in place to reduce noise as far as reasonably practicable."

The area of the site to be used for dog training is mainly the southern area of the site to the front of Strawberry Cottage, closest to Blackamoor Road and this area of the site is the furthest away from any neighbouring residents. The majority of the nearest residential properties are in excess of 100m to the training and recreation area. The supporting documents indicate *“...The number of dogs will also be limited and kept under supervision at all times. As such different dogs will not interact, reducing barking etc...”*.

It is considered necessary to limit the maximum number of dogs across the site, and in particular in the areas in the north eastern part of the site (referred to as “paddock A”), which is the most sensitive being the closest to residential properties. The condition indicates that there should be a maximum of 30 no. dogs at any one time and 15no. dogs (group sessions at Paddock A). It is also noted that the maximum number of dogs on the site is not a regular occurrence and is generally around once per quarter.

Overall Environmental Health have raised no objections to the application from a noise or general pedestrian safety perspective. It is acknowledged that the hours of operation are limited to 09:00hrs until 17:00hrs during British Wintertime and from 09:00hrs until 20:00hrs during British Summertime. This is considered to be acceptable given the distances to existing residential properties and subject to the use being carried out in accordance with an approved noise management plan. These hours are considered to be an acceptable compromise which would allow for the full use of the daylight hours available, whilst not considered to be into the more sensitive later evening periods. In addition to the condition restricting the hours of use of the site, it is also considered necessary to prevent any illumination of the site, which could be significantly more disruptive to the surroundings.

Overall, and when taking into account noise levels it is acknowledged that the barking of dogs is an intermittent noise which is not necessarily be easy to measure within a standard noise survey. In addition, there will be instances of dog barking from unrelated members of the public. However, when taking into account average noise levels along with restrictive conditions, overall noise levels are not considered to be of an excessively high level.

Environmental Health Officers have concluded that from a noise and amenity perspective, subject to conditions, the use can operate without a detrimental impact on the nearest residential properties.

This element of the application is considered to be in conformity with policies SP10 ‘Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt’ and SP52 ‘Pollution Control’.

### Transportation issues

A number of the objections highlight existing problems occurring at the site. These include concerns that insufficient regard has been had to the management of inbound and outbound vehicles, particularly when numerous people are either entering or leaving the site at the same time.

The highway element of the proposals has been subject to several alterations and clarifications to the layout.

No highway safety concerns have been identified by the Transportation Unit. They note that the applicant's agent has submitted a revised car park layout that provides 2no car parks, both taken from the same vehicle access on Blackamoor Road. The Transportation Unit are satisfied that the visibility splay at this existing vehicle access is acceptable.

With regard to the two car parks that are proposed, the Highway Officer notes that the car park adjacent to the 'main' dwelling can accommodate 16no spaces, and the 'new' car park will accommodate 13no car park spaces, giving a total of 29no car park spaces. The proposal is below the maximum permitted.

With regard to the operation of the business, the Transportation Unit note that there are 2 No. paddocks that could be used, and clients will not be able to 'turn up' speculatively. I also note that there is a 15-minute window between bookings which will be conditioned.

Overall the Transportation Unit have confirmed that they have no objection to the granting of planning permission in a highway context subject to conditions.

#### Design, layout and scale

Policy CS28 'Sustainable Design' states, in part, that: *"Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well-designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping..... Design should take all opportunities to improve the character and quality of an area and the way it functions."* This seeks to ensure that all developments make a positive contribution to the environment by achieving an appropriate standard of design.

Policy SP55 'Design Principles', states, in part, that: *"All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings"*.

The NPPF at paragraph 131 states, in part, that: *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 130 adds, in part, that: *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local*

*design standards or style guides in plans or supplementary planning documents."*

In this instance the specific design issues are not considered relevant as no further built development, or permanent structures are being proposed in this application. Previously fencing has been erected up to an approximate height of 1.8m though this would in its own right constitute permitted development.

The site is relatively well screened to surrounding land areas, and no additional screening is proposed to the boundaries of the site over and above that already installed. The fencing already erected to surround the paddocks is a weldmesh design which is see-through from a distance and is green in colour. Both of these features are considered to assist in reducing the potential detrimental impact on openness of the Green Belt.

From a design perspective the proposal is considered to be acceptable and in conformity with policies SP2 'Green Belt' and SP55 'Design Principles' along with the general design advice within the NPPF.

#### Heritage and other issues

SP42 'Archaeology and Scheduled Ancient Monuments' indicates *"Development proposals that may impact upon archaeology, whether designated as a Scheduled Ancient Monument or undesignated, will be considered against the following principles:*

*a. development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted;*

*b. the preservation of other archaeological sites will be an important consideration. When development affecting such sites is acceptable in principle, the Council will seek preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for archaeological recording to ensure an understanding of the remains is gained before they are lost or damaged..."*

SP43 'Conserving and Recording the Historic Environment' indicates that all proposals affecting a heritage asset will require careful assessment as to the impact and appropriateness of development to ensure that the historic, architectural, natural history, or landscape value of the asset and / or its setting are safeguarded and conserved, and any conflict avoided or minimised...*Development proposals that affect known or potential heritage assets will need to provide supporting information in sufficient detail that the impact of the proposed scheme on those heritage assets...*

Rockingham Kiln which lies outside of the site area, but directly to the north west of the site is both an Ancient Monument (since 2001) and a grade 2\* Listed Building (since 1953).

There are no proposal to alter the assets, nor carry out any development or excavation works adjacent to this heritage asset.

Historic England have reviewed the proposals and have no concerns regarding the proposed change of use of the land to dog walking paddocks and training. They did however, originally raise concerns regarding the creation of a new car parking area within the scheduled area (the overspill car park labelled no. 2). The applicant has confirmed that this element would be of a grasscrete or similar material which, it is not considered would require any significant below ground excavations or engineering and would be a permeable material. This is also considered to be the most appropriate form of development to minimise visual impact on the Green Belt as well as on the adjacent heritage asset. Subject to a condition confirming these details, along with a 'no dig' pre-commencement condition prior to agreement of Historic England this element is considered satisfactory.

### Ecology and Biodiversity

SP33 'Conserving and Enhancing the Natural Environment' indicates that:

*Development should conserve and enhance existing and create new features of biodiversity and geodiversity value. Where it is not possible to avoid negative impact on a feature of biodiversity or geodiversity value through use of an alternate site, development proposals will be expected to minimise impact through careful consideration of the design, layout, construction or operation of the development and by the incorporation of suitable mitigation measures....or provide an adequate level of compensation. The aim of mitigation and compensation should be to respond to impact or loss with something of greater value; the minimum requirement will be to maintain 'no net loss'.*

In this case the application site is not required to deliver 10% biodiversity net gain as the application was submitted before April 2024.

The change of use does not involve in any loss of existing ecology, pruning of trees or loss of landscaping and is not considered to result in any ecological concerns. It is also noted that the access path does not enter the nearby Woodland Local Wildlife Site and that the number of dogs is to be restricted prevent damage to the paddock from overuse.

### Other issues

Safety has been identified by several of the objectors with particular concern around the potential for children walking outside of the facility to be bitten by dogs. The applicant subsequently submitted a risk assessment and management plan which has been reviewed by the Health and Safety department within Environmental Health. Overall and the application is not considered to have a detrimental impact on safety of non-users of the site.

## **Conclusion**

Overall the principle of a recreational use for dog training/walking in this Green Belt location is considered appropriate in land use terms.

Environmental Health conclude that subject to conditions restricting numbers of dogs and hours of use, the site can operate without a detrimental impact on the nearest residential properties.

The Transportation Unit have accepted the amended plans and consider that there is sufficient onsite overspill parking to accommodate all potential staff and customers. The finished parking materials proposed do not involve any tarmac or gravelled surfacing are considered to be appropriate in a green belt location.

The use or car parking are not considered to generate any detrimental impact on heritage assets, subject to a final condition on materials.

## **Conditions**

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 03 of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

- i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.
- ii. The details required under condition numbers 03 are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in

accordance with the submitted details and specifications as shown on the approved plans (as set out below)

(Drawing numbers location plan, site plan, Dog Walking paddock, parking areas finalised (1) and (2), detailed overspill parking area 2)(received 01 March 2023, 31 May 2024, 12 June 2024).

Reason

To define the permission and for the avoidance of doubt.

Car parking surfacing materials

03

No development of the overspill parking area (car park 2), including any ground excavations, shall take place until a written scheme of development has been agreed in writing with Historic England detailing all excavation methods required along with agreed final surfacing materials. The development shall then be completed in accordance with the approved details and methods.

Reason

To minimise any future impact of the overspill parking area on any archaeological remains, the visual appearance on the nearby heritage assets and to protect the openness and character of the Green Belt in accordance with Local Plan Policies SP2 'Development in the Green Belt' and SP42 'Archaeology and Scheduled Ancient Monuments'.

04

The car parking area for car park 2 shall not be hard surfaced and full details of the proposed materials to be used in its surface construction and any knee rail boundary demarcation shall be submitted to and approved in writing by the Local Planning Authority prior to its use.

Reason:

In the interest of the visual amenity of the locality and to protect the openness and character of the Green Belt in accordance with Local Plan Policies SP2 'Development in the Green Belt'

05

Within 3 months of the date of this permission, the car parking area shown on the submitted plan (ref parking areas finalised (1) and (2), detailed overspill parking area 2) shall be provided, marked out (car park one) and thereafter maintained for car parking.

Reason

To ensure the provision of satisfactory garage/parking space and avoid the necessity for the parking of vehicles on the highway in the interests of road safety.

06

The site shall not be used for dog exercise and training other than between the hours 09:00hrs until 17:00hrs during British Wintertime and from 09:00hrs until 20:00hrs during British Summertime.

Reason

In the interest of neighbouring amenity.

Maximum number of dogs

07

The approved dog training and exercise ground hereby approved shall be operated with a maximum of 15 No. dogs within either Paddock at any one time. The overall application site shall be used by no more than 30 No. dogs at any one time. All use of the paddocks shall be through a pre-booked/ pre-arranged slot(s) with no speculative use by the public.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 and 15 of the NPPF.

Management Plan

08

All operations on site shall be carried out in accordance with the Risk Assessment & Management Plan (ref March 2024). This document shall be complied with in full throughout the lifetime of the consent and shall be regularly reviewed and if necessary updated (with the written approval of the Local Planning Authority) to ensure it remains relevant and current. Where the Local Authority receives a complaint in relation to noise, then all documentation as required by the Risk Assessment & Management Plan shall be made available to authorised officers of the Authority for review.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 and 15 of the NPPF.

09

There shall be no external illumination of the site or any lighting columns installed.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 and 15 of the NPPF.

Informatives

The applicant is reminded that the proposed overspill car parking area no. 2 will also require scheduled monument consent along with this planning approval. The applicant is recommended to contact Historic England to apply for this through Yorkshire ePlanning [e-yorks@HistoricEngland.org.uk](mailto:e-yorks@HistoricEngland.org.uk); [andrew.burn@historicengland.org.uk](mailto:andrew.burn@historicengland.org.uk)



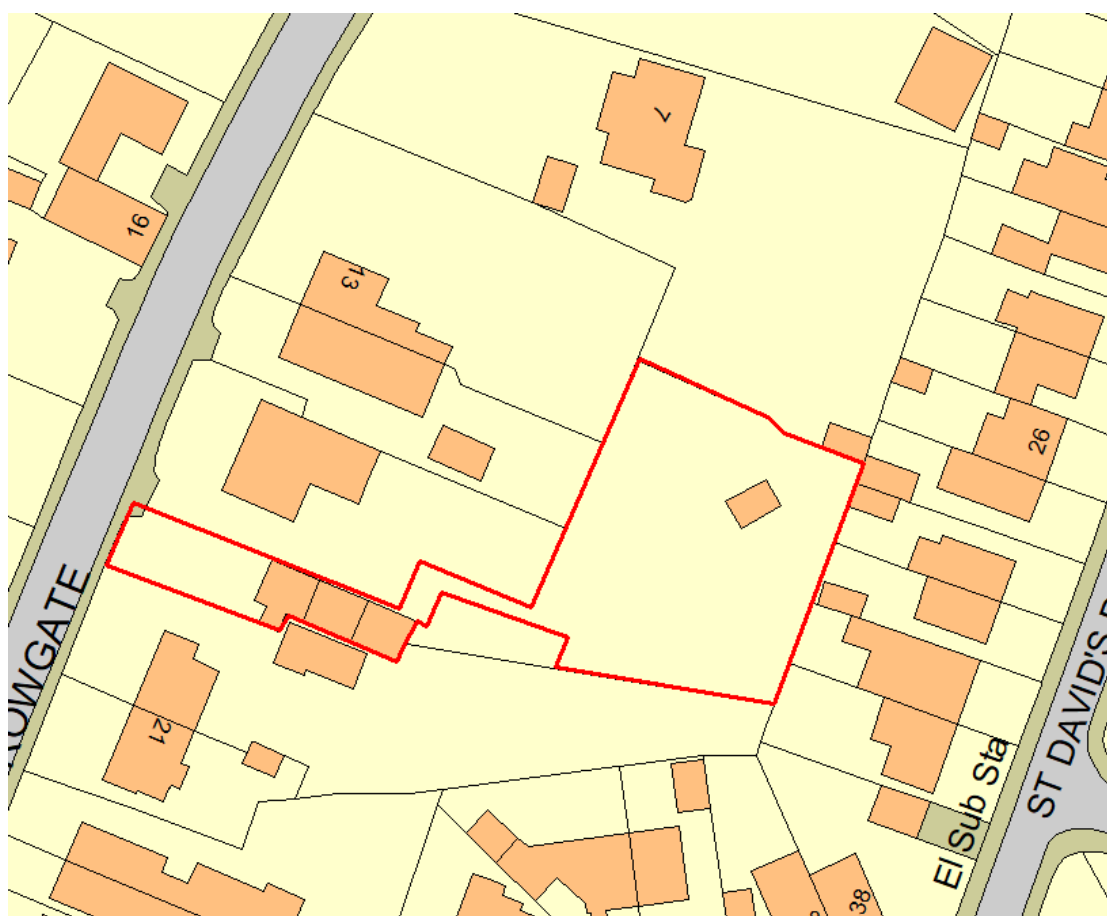
The applicant is advised that car park two should be surfaced with a permeable and sensitive surface and shall not be hard surfaced. Full details of the proposed material must be submitted as required by condition 4.

#### POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.

<b>Application Number</b>	<b>RB2025/0493</b> <a href="https://rotherham.planportal.co.uk/?id=RB2025/0493">https://rotherham.planportal.co.uk/?id=RB2025/0493</a>
<b>Proposal and Location</b>	<b>Change of use from residential building annexe (use Class C3) to children's care home (Use Class C2) with widening to vehicular access including demolition and rebuild of section of front boundary wall and alterations to entrance gates at 17 Crowgate South Anston</b>
<b>Recommendation</b>	<b>Grant with conditions</b>

This application is being presented to Planning Board due to the number of objections received.



### Site Description & Location

The application relates to an existing outbuilding/annexe located in the grounds of a detached dwellinghouse on Crowgate at South Anston. The property and the annexe are set back from the classified highway on Crowgate. The site is relatively large with substantial rear garden areas, off road parking to the front and a detached garage to the rear of the annexe.

Crowgate is the main classified road that links South Anston to Kiveton Park and in this location there are dwellings to either side of the highway before it runs through open countryside to the south leading into Kiveton Park.

The area is characterised by dwellings of varying size and design, many of which have vehicular access onto the highway.

The single storey annexe is located to the eastern side of the main dwellinghouse and is a rectangular building constructed in stone with a pitched roof over and a gable elevation facing the highway.

## **Background**

There have been several applications relating to the dwelling and the annexe, including the following:

RB1997/0016      Change of use of veterinary building to form additional living accommodation and erection of conservatory with alterations – Granted conditionally

RB2019/1568      Roof alterations including 2 No. increased dormers to front and formation of new dormer window to rear – Granted conditionally

RB2020/1157      Erection of single storey detached triple garage – Granted conditionally

RB2021/1686      Demolition of existing conservatory and erection of replacement conservatory – Granted conditionally

RB2023/1045      Erection of single storey detached garden building to rear – Granted conditionally

## **Proposal**

This application seeks full planning permission for the change of use of the existing detached residential annexe (Use Class C3) to a children's home (Use Class C2) for 1 child. The submitted information indicates that the child will be aged from 11 to 17 years.

No external changes to the building itself are proposed. Internally the building will provide two bedrooms, one for the child and one for the carer, a shower room and a combined living and kitchen area. The majority of the habitable room windows will face the applicant's rear garden with only utility room windows adjacent to the neighbour's boundary.

The site has parking for three cars to the front with additional spaces to the side of the annexe. The existing vehicular access has high remote-controlled gates and stone pillars either side with planting across the front boundary.

The existing access is proposed to be widened to a minimum of 5m from the existing width of approximately 3.3m and the adjacent front boundary wall reduced in height to 0.9m retaining the stone pillars with the shrubs altered to create greater visibility. New entrance gates to match the widened access are also proposed.

The applicant has submitted a supporting statement with regard to the proposed operation of the children's home, which can be summarised as follows:

- Shift Duration: Each staff member works 48 hours straight. This is a classic rota model in children's homes which is proven effective.
- Shift Change: Happens after 10:00 AM to avoid peak traffic and unsociable hours.
- Staff Presence: Always two staff members on-site, providing 24-hour support.
- Sleeping Arrangements: Staff sleep at the home to maintain a familiar and safe environment for the young person.
- Parking System: One staff member departs the site, shortly after the relief support worker arrives, ensuring a maximum of two cars are present at any one time. The third car parking space will be used for short periods, 2 to 3 times per week by the registered manager.
- There will be a total of 4 employed support workers providing care for the child. It is worth noting that 2 of the 4 staff members reside at the main home, directly adjacent to the care home. As such, the car parking requirement drops to one car for external support workers, as the main home has use of an additional car park space, not allocated for the care home.
- Departure Time: Leaving staff exit at 10:30 AM, unless working the next day (in which case they remain).
- Sleeping Shifts: Staff sleep 11:00 PM - 7:00 AM, ensuring continuous presence in the home.
- Parking System: With only two vehicles on-site at any time, the transition is smooth and prevents overcrowding. It is important to note that not all staff will be drivers as this is not a requirement of our company. We promote public transport to create independence skills for the young person with vision of them eventually travelling places independently as they transition into adulthood. This includes going to and from school.
- As detailed, the above model creates less traffic than a standard two parent, two car household where two occupants leave for work and arrive home daily. Go shopping, school drop off etc.

Further information has also been provided by the applicant which can be summarised as follows;

- The business is called Bravehearts and applicant and his wife are two of the shareholders and reside in the main dwelling and will be involved in the day to day care of the child.

- The applicant is a former Royal Marine, Police Officer and business owner.
- The intention is to provide a high quality children's care home.
- The Lodge (annexe) has previously been in use as a residence.

A Design and Access Statement (DAS) has also been submitted with regard to the proposed alterations to the boundary walls and gates. The DAS states that: "The existing front boundary comprises a stone wall with established planting and a vehicular entrance. The design approach has been to retain the character of the frontage while making modest adjustments to improve access."

It further adds that "The proposal includes:

- Demolition and rebuilding of a section of the front boundary wall in matching stonework to create a slightly wider vehicular access.
- Installation of new entrance gates, designed to reflect the traditional style and scale of the existing frontage.
- Cutting back of the hedge adjacent to the access to improve visibility while retaining the majority of the planting.
- Relocation of a secondary internal wall within the site to increase manoeuvring space and improve on-site parking layout.

The alterations are intended to improve the access, enhance visibility and provide a safer and more efficient manoeuvring space within the site."

The application is also supported by a Transport Technical Note which states that, based on the submitted rota system, the theoretical maximum demand for staff parking will be two cars.

It also states that:

- Some staff may commute via public transport of which there is a bus on the half hour, the company has also signed up to the Cycle to Work scheme and the residents of the existing dwelling on site will also be involved in the care of the child.
- Visitors will attend by prior appointment to ensure parking is available.
- The parking for the existing dwelling is in addition to the parking for the care home giving 5 spaces overall.
- The number of trips will not be dissimilar to a typically owned family home.
- The swept path analysis shows that vehicles will be able to enter and exit in forward gear without the need to wait in the highway.

### **Development Plan Allocation and Policy**

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is located within an area identified as 'Residential' and is in the South Anston Conservation Area, for the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS23 'Valuing the historic Environment'

CS27 'Community Health and Safety'

CS28 'Sustainable Design'

SP11 'Development in Residential Areas'

SP41 Conservation Areas

SP52 'Pollution Control'

SP55 'Design Principles'

## **Other Material Considerations**

National Planning Policy Framework: The revised NPPF sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise" and that it is "a material consideration in planning decisions".

Written Ministerial Statement on planning for accommodation for looked after children.

National Planning Practice Guidance (NPPG).

The Local Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Rotherham Adopted SPDs:

SPD12 Transport Assessments Travel Plans and Parking Standards

## **Publicity**

The application has been advertised by way of site notices along with individual neighbour notification letters to adjacent properties. 41 letters of representation have been received from local residents. The concerns raised can be summarised as follows:

- Noise and disturbance from children playing and general activity at different times.
- Impact on neighbours working from home.
- Loss of privacy to adjacent occupiers.
- Impact due to increase traffic and road safety and inadequate on site parking for carers and other visitors.
- Crowgate is a busy road and many properties along the road have poor visibility splays.

- Change to character of the area, inappropriate setting for a non residential property.
- Devaluation of property and hindering of property sales.
- Concerns regarding anti-social behaviour and drug use.
- Security and boundary issues.
- Lack of information on the background of the children or their needs or reason for care.
- Change of use not appropriate in a Conservation Area.
- Safety of children if the front gate is left open.
- Discrepancies within the application with regard to transporting children and staff using own cars or travel by bike.
- No plans for additional waste storage and disposal.
- Trees on the property could prove a danger to the care home resident.
- Future plans may include the conversion of the garage or the main dwelling to provide further accommodation.
- Potential to build further large structures within the rear garden that would impact on neighbours.
- Having read studies regarding the moving and protection of Children to out-of-area placements it's possible that they are made vulnerable to abuse to County Lines Drugs activity and sexual exploiters.
- Many placements are reported to be unregulated and not inspected by authorities such as OFSTED.
- Demand for residential places apparently outstrips available places and maybe leading to hasty planning decisions and area selection.
- Is the planning permission sought one of pure investment or an altruistic statement. Is it a private venture or a council run facility?
- Unsuitable use of public funds to purchase this property.
- Inadequate local infrastructure for vulnerable children.
- Lack of community engagement.
- No clear boundaries regarding the role of the owner occupiers raising safe-guarding issues.
- Staff already employed suggesting that applicant expects the application to be passed.
- Employing ex police officers suggests that it will be very challenging cared for children that will be housed there.
- Applicant already has a business in administration/liquidation.
- Have the members of the household had the correct DBS checks.
- Lack of communication to residents.
- Online comments process discourages honest feedback as it states that comments are not confidential.
- Vague details and inconsistencies provided by the application.
- The widening of the access will affect the appearance of the property within the Conservation Area.
- Letter in support from an employee should not be accepted.
- Applicant appears to be able to do whatever he wants with no consequences; skip on highway, fires in garden, delivery, maintenance and worker drivers parking on road.

One observation has been received which notes that if visitors used the nearby car park when the on site parking is full rather than on the highway it would be beneficial to road safety.

Anston Parish Council have submitted the following objections:

- Crowgate is a narrow road heavily used by articulated lorries at peak times. Increased vehicle movements from staff shift changes and visitors would worsen existing danger.
- Sharing a narrow access between a private dwelling and a children's care home raises serious safeguarding concerns for vulnerable residents and is wholly unsuitable.
- A children's care home introduces an institutional use into a peaceful residential street, causing harm to the established character of Crowgate.
- Part of the site lies within a designated Conservation Area. The increased traffic, change of use, and site intensification would fail to preserve or enhance the area's historic character, contrary to local and national planning policy.
- Previous attempts to split plots in this area have been resisted. Approval would undermine those decisions and risk further inappropriate development.

One letter of support has been received which states;

- As a resident of Crowgate we support the application, Crowgate is a busy road the addition of two vehicles will not contribute to congestion or disruption.
- Over recent years properties in the area have had extensive renovation, the proposed internal renovation of the annexe poses no disruption to the local area.
- The applicants are offering a provision to support a child in need addressing gaps in the social care system.
- Is opposition to this inadvertently suggesting limiting the growth of families or car ownership on Crowgate?

In response to the objections received the following comments have been submitted by the applicant from the proposed care home manager:

"In my professional view, the proposal demonstrates a well-considered, sensitive, and sustainable approach to residential childcare provision, aligned and considering both local needs and national priorities in social care." It adds further that:

- The proposal seeks to provide a high-quality, full-time residential care placement for one young person aged 11–17. This 2:1 care, small-scale individualised model is in direct response to a growing national and local demand for therapeutic, community-based placements that reduce the need for institutional care or out-of-area placements.



- I will personally oversee that the environment is fully prepared, appropriate training is delivered to staff, and robust care plans are in place to support their well-being and development.
- I bring over 15 years of extensive experience in the social care sector, having managed multiple residential homes for both children and adults.
- A key part of my daily responsibilities involves the design and management of staff rotas. I do not view rota planning as a simple scheduling task, but rather as a strategic function that ensures continuity of care, staff well-being, and minimal disruption to the neighbourhood.
- Each rota is developed to balance several critical considerations:  
Consistency and stability for the young person, ensuring they build trusted relationships with staff and receive uninterrupted support;  
Respect for local residents, by avoiding shift changeovers at unsociable hours and maintaining a discreet, calm presence in the area;  
Efficient traffic and community impact management, by aligning shift timings outside peak travel times and reducing unnecessary comings and goings; Staff welfare and compliance, ensuring workers have appropriate breaks, supervision, and support while upholding all regulatory guidelines.
- The care home's commitment to minimal traffic generation and eco-conscious transport policies is commendable.
- The planned care model replicates the dynamics of a family home, an approach known to foster emotional security, resilience, and personal growth in looked-after children.
- The access and parking arrangements are practical and well-suited to the proposed use.
- The proposal aligns strongly with both national planning policy (NPPF) and local development frameworks.
- The adaptive reuse of an existing building minimises environmental impact, contributes to urban sustainability goals, and makes prudent use of local housing infrastructure.
- By minimising disruption, encouraging environmentally friendly practices, and maintaining a domestic scale, the home will operate with discretion and integrity in its setting, key expectations under planning and inspection frameworks.

Two right to speak requests have been received from the applicant and the proposed provider, as well as one from an objector.

## **Consultations**

RMBC – Transportation Infrastructure Service: Highways officers initially raised concerns that the vehicular access was not wide enough to accommodate 2 vehicles being able to safely pass each other. They also requested confirmation of the number of children to reside there and details of the proposed rota system.

Following receipt of the amended plans they note that only one child is to reside there, with 4 carers on a shift pattern which ensured that only 2 carers would be there at any one time and that visitors would be attending by appointment. With regard to the amended access plans, they state that the entrance will be widened to 5m with a reduction in the adjacent garden walls to 0.9m with some shrub removal to increase visibility. Based on the amended plans they raise no objections in highway terms subject to the recommended conditions set out below.

RMBC – Environmental Health: Do not foresee any issues with regard to this application.

South Yorkshire Police Liaison Officer: Initial concerns regarding the lack of information provided regarding the use of the property have subsequently been allayed following receipt of further details regarding the proposal. Recommendations made for improvements to door security and lighting as per Secured by Design standards.

### **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of the application are:

- Principle of the development
- Impact on residential amenity
- Highway/Parking considerations
- Design and impact on character and appearance of the Conservation Area
- Children's Safety
- Other matters raised by local residents

### **Principle**

The site is allocated for Residential Use within the Local Plan and Local Plan policy SP11 'Development in residential Areas' states: "Residential areas identified on the Policies Map shall be retained primarily for residential uses. All residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies."

The National Planning Policy Framework (NPPF) at paragraph 63 notes that: “Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes”

The ‘Written Ministerial Statement on planning for accommodation for looked after children’ relates to the Government’s commitment to support the development of accommodation for looked after children, and its delivery through the planning system. It states that: “The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children’s communities. These need to be the right homes, in the right places with access to good schools and community support. It is not acceptable that some children are living far from where they would call home (without a clear child protection reason for this), separated from the people they know and love.”

The proposed use would fall within class C2 ‘Residential Institutions’ (use for the provision of residential accommodation and care to people in need of care). This proposal is considered to meet the needs for a home for cared for children within an existing community in line with Government advice and is considered to be acceptable in principle.

#### Impact on general amenity

Policy CS27 ‘Community Health and Safety’ states that: “Development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities.”

Policy SP52 ‘Pollution Control’ states: “Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to:

- a. the detrimental impact on the amenity of the local area, including an assessment of the risks to public health.
- b. the presence of noise generating uses close to the site, and the potential noise likely to be generated by the proposed development.
- e. The impact of artificial lighting. Artificial lighting has the potential to cause unacceptable light pollution in the form of sky-glow, glare or intrusion onto other property and land.”

The NPPF at paragraph 135 (f) states planning decisions should ensure that development “create places that are safe, inclusive and accessible and which

promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

There is no current national guidance in relation to children’s homes, therefore, the land-use planning considerations that local planning authorities need to concern themselves with are mainly the impact of a proposed institution on amenity and the environment and highways issues.

Concerns have been raised by local residents that the proposed use could result in noise and disturbance from children playing and general activity at different times, impact on neighbours working from home and lead to loss of privacy to adjacent occupiers.

The proposal is for the use of the existing annexe as a children’s home for one child with two carers at any one time working a rota system, additionally the occupiers of the main dwelling will also be involved in the care of the child.

In regard to the potential impact on existing residents in the area, the proposal would result in the change of use of the building from a residential annexe ancillary to the main residential dwelling to a children’s home for 1 child with 24-hour care, the impact of which in terms of noise and disturbance is not likely to be any different than that which could result from the annexe being used for residential accommodation for members of the applicants own family.

In terms of privacy the site is well screened by mature trees and hedges and the majority of the habitable room windows in the annexe will face the applicant’s rear garden with only utility room windows adjacent to the neighbour’s boundary.

The property would be accessed by the child and staff members. These comings and goings and associated vehicle movements are not considered to differ significantly from the level of activity beyond that which would normally be associated with a dwelling house. It is not considered that a small children’s home that would be accommodated in a building of this size for only one child would be of a level which would create a significant impact on the residential amenity of the nearby neighbours.

The applicant has confirmed that the support staff will mainly work a 48hr shift with the changeover time for staff being between 10am and 11am, and so it is not considered that the increase in activity at the property would give rise to an increased level of noise and disturbance during unsociable hours.

Whilst activity may increase during daytime hours, it is considered that the level of noise associated with increased vehicular movements would not lead to a significant impact on the residential amenity of existing nearby residents.

Additionally, the Council’s Environmental Health department have been consulted and have not raised any objections to the proposal from a residential amenity perspective.

The level of additional noise and disturbance that may be expected is not considered to be of a scale that would conflict with Policy SP52 'Pollution Control' and as such would not justify refusing the planning application on these grounds.

Concerns have also been raised that the proposed use may result in anti-social behaviour and drug use and lead to issues with security and boundary issues. The child accommodated within the property will be supervised on a 24 hour basis and as such, it is not considered that this issue would create any significant impact on the residential amenity of existing residents or the wider community as a whole.

In an appeal decision for a similar development (Bromley 02/12/1994 DCS No [033-844-797](#)) an inspector felt that the frequency of bad behaviour would be difficult to predict and would depend on individual children and the supervision they received. These were personal matters not concerned with the use of the property, and the appeal was allowed.

Whilst the numerous concerns raised by residents have been noted in terms of the potential impact on residential amenity it is considered that the proposal would be considered to have a character akin to that of a residential dwelling, and as such is considered acceptable in terms of residential amenity in a residential area.

Concerns have been raised that this proposal introduces an institutional use in a residential area which would harm the character of the area. Whilst this proposal is a change of use it is still a 'residential' use and the use of the property is not considered to differ from a traditional residential dwelling to such an extent as to affect the character of the area.

#### Highways/Parking issues

Paragraph 116 of the NPPF states: "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."

The adopted SPD 12 'Transport assessments travel plans and parking standards' states that with respect to residential developments the Council expects the minimum parking standards to be provided.

Objections to the proposals include concerns that Crowgate is a busy road and many properties along the road have poor visibility splays and that cars parking in the highway would pose a threat to highway safety and the safety of pedestrians.

The Transportation officers also raised some concerns initially in this respect and the applicant has submitted Transport data to address this and amended plans to widen the access and increase the visibility splay to improve the access arrangements to enhance road safety in this location.

The amended plans have been assessed by the Transportation officer who notes that whilst the improvements to visibility do not fully meet industry standards, they are a significant improvement on the current situation and, given that the application will potentially result in only a modest intensification of the existing vehicle access, it is considered that the improvements made to the vehicle access provide appropriate visibility in this instance.

Subject to the recommended conditions set out below the Transportation Officer raises no objections to the proposal in relation to Highway Safety concerns and is happy with the level of parking available on the site based on the submitted rota times.

#### Design and impact on character and appearance of the Conservation Area

In respect of design considerations policy SP55 'Design Principles' states: *"All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions"*.

Furthermore, CS28 'Sustainable Design' indicates that proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well-designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping. Moreover it states design should take all opportunities to improve the character and quality of an area and the way it functions.

The NPPF at paragraph 131 states: *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

In terms of the impact on the Conservation Area, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest.

Development within the Conservation Area is controlled following the advice and guidance contained in Local Plan Policies CS23 and SP41 and the NPPF, the aim of these being to promote high standards of design within Conservation Areas so that development fits the locality in terms of vernacular style, materials, scale, fenestration and other matters relevant to the preservation or enhancement of their character and to prevent detrimental incremental change.

Policy CS23 'Valuing the Historic Environment' the Core Strategy seeks to ensure that heritage assets are safeguarded or enhanced for the future both for their own heritage merits and for the wider benefits they bring.

Sites and Policies SP41 states that Development proposals within or likely to affect the setting of a Conservation Area will be considered against the following principles: (amongst others)

- a. developments are required to ensure the preservation or enhancement of the special character or appearance of Rotherham's Conservation Areas and their settings.

The policy further states that "Rotherham's Conservation Areas vary considerably. Whilst some have similarities of form and design, others get their character from diversity. The policy is particularly relevant as this means that the bulk, form and height of development within the area should conform to that character by reflecting the uniformity or diversity of the locality of the Conservation Area in question. Where uniformity forms part of the character of a street, it will not normally be appropriate to vary from it, while in other areas, where diversity exists, irregular building heights or form might be more appropriate."

The NPPF states that "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. ....

Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance."

The NPPG states that "A conservation area is an area which has been designated because of its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance."

No alterations are proposed externally to the existing building and the proposed alterations to the front boundary wall and gates are considered to be sympathetic to the existing design and are not considered to be harmful to the visual appearance of the dwelling or the streetscene.

The property is located in the South Anston Conservation Area and whilst the change of use would not impact on the character and appearance of the Conservation Area the proposed alterations to the boundary wall and gates to the front needs to be assessed in this respect.

Objections to the proposal include concerns with regard to the potential impact on the character of the designated Conservation Area. Objectors consider that the intensification of the use of the site would fail to preserve or enhance the areas historic character and the alterations to the boundary wall will affect the appearance of the property.

The submitted Design and Access Statement notes that the design approach has been to retain the character of the frontage while making modest

adjustments to improve access by demolishing and rebuilding a section of the front boundary wall in matching stonework to create a slightly wider vehicular access, installing new entrance gates, designed to reflect the traditional style and scale of the existing frontage and cutting back of the hedge adjacent to the access to improve visibility while retaining the majority of the planting.

In terms of the appearance of the wall and the impact on the character and appearance of the Conservation Area, whilst a section of the front boundary wall is to be removed to widen the vehicular access, the existing wall is not a traditional stone wall, as are most of the adjacent boundaries, but a more modern addition, not in character with the boundary walls on nearby properties in terms of materials used and it is to be altered to reflect the style of the existing wall. As such is not considered to have a detrimental impact on the character and appearance of the Conservation Area.

In terms of the intensification of the use within the Conservation Areas the NPPF at paragraph 215 states that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The Conservation Officer notes that the existing splayed walls appear to have been constructed in recent decades and do not look to be historic and considers that the proposals for the re-built access look acceptable and largely retain the existing character.

Conservation Areas include a variety of uses within their settings and the provision of care for a child in need is not considered to harm the designation of the Conservation Area.

#### Children's Safety/Safeguarding Considerations

Several concerns have been raised by residents that the site is not in a suitable location in terms of ensuring the safety of the children, particularly in respect to the busy main road, a lack of facilities in the area but also in relation to them being vulnerable to abuse from illegal activity in the area.

As previously stated, the 'Written Ministerial Statement on planning for accommodation for looked after children' (May 2023) states that the planning system should not be a barrier to providing homes for the most vulnerable children in society and that it is important that the care system provides stable, loving homes close to children's communities. It advised councils to support applications, where appropriate, for accommodation for looked-after children and to consider whether it is appropriate to include accommodation for children in need of care as part of their assessment of housing need.

Whilst the Council's adopted local plan does not include any policies directly relating to looked after children, the application property is located within a residential area and Policy SP11 states that all residential uses are to be considered appropriate in such areas. This includes use as a children's care home. In this instance, the children's care home will be very well located as



far as its proximity to the community and to all available local facilities are concerned.

Furthermore, the children will have 24 hr supervision and ultimately the safety of the children under their care is the responsibility of the carers and would be regulated by OFSTED and would not differ from other children residing in the area.

Other issues have been raised in terms of safeguarding with regard to the role of the owner/occupiers and whether the appropriate checks have been made regarding staff employed by the care home. The Parish Council also considers that the sharing of the access between the care home and the dwelling may lead to safeguarding issues.

These issues are not planning considerations and would be addressed by other services involved in the care of looked after children.

#### Other matters raised by local residents

Several other matters have been raised by local residents and are addressed below:

- *Impact on property values and hindering property sales*  
This is not a material planning consideration and cannot be taken into account in the assessment of this application
- *Meeting Ofsted requirements*  
This is separate legislation and is the responsibility of the applicants and other services. Accordingly, it does not have any impact on planning decisions.
- *Concerns that the property could be used house additional children*  
Any permission hereby granted would be for the annexe only and any further changes of use would be assessed to decide whether further planning permission was required.
- *Lack of public consultation*  
The planning application has been advertised in accordance with government legislation by individual letters to adjacent occupiers and the display of site and press notices to inform the wider population.
- *Lack of facilities in the area*  
The property is located within an existing community, notwithstanding this, the use would not be any different to a family with children living in the area.
- *Lack of information on the background of the child*  
There is no requirement from a planning perspective to provide this type of information.
- *Is the proposal purely for profit*

The applicant has stated his desire to prove high quality care for children in need, however this is not a planning consideration.

- *Unsuitable use of public funds to purchase this property.*  
The property is in the applicant's ownership.
- *Online comments process discourages honest feedback as it states that comments are not confidential.*  
Whilst planning application are public records and all representations received are published on the Council website, prior to publication all personal details are redacted from the comments so that the sender cannot be identified. Confidential information can be submitted and can be considered as part of the application process, without necessarily being published.
- *Discrepancies within the application with regard to transporting children and staff using own cars or travel by bike.*  
Only one child is to be accommodated at the property and whilst the applicant has suggested various modes of transport the number of cars to be accommodated at the property has been assessed by the Transportation officers as being acceptable.
- *Applicant's experience*  
The care of the children will be overseen by Ofsted and Local Authority Social workers and it is not within the scope of the Planning Authority to check into the background of applicants

## **Conclusion**

The principle of a residential use in this residential area is acceptable. Taking account of the location of the building and the nature of the proposed use it is considered that any noise and disturbance generated would be similar to a traditional family dwelling and whilst there could be an increase in comings and goings, especially at shift change over times, this would be within daytime hours so would not create such a significant impact on the amenity of neighbouring residents that would justify refusing planning permission on these grounds.

Furthermore, the presence of several carers at any one time will ensure that the child/young person in care is suitably supervised, minimising any impact on the amenity of neighbours or the wider community, as well as the child themselves.

It is further considered that the proposed alterations to the boundary wall to increase the width of the vehicular access will be appropriate in highway terms and would not adversely impact the character and appearance of the South Anston Conservation Area

In view of the above, it is recommended that planning permission be granted.

**Conditions**

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans (as set out below).

Drawing nos:

3373-CDA-00-ZZ-DR-A-0401 Received 31 March 2025

3373-CDA-00-ZZ-DR-A-0402 Rev A Received 9 September 2025

3373-CDA-00-ZZ-DR-A-0001 Rev B Received 9 September 2025

3373-CDA-00-ZZ-DR-A-0400 Rev B Received 9 September 2025

3373-CDA-00-ZZ-DR-A-0403 Rev B Received 21 August 2025

3373-CDA-00-ZZ-DR-A-0404 Rev A Received 9 September 2025

ITY210112-GA- 009 Received 20 August 2025

25335-25-01 Received 20 August 2025

Reason

To define the permission and for the avoidance of doubt.

03

The premises shall be used as a residential care home for 1 child only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or any Order revoking and re-enacting that Order with or without modification)).

Reason

The premises are not considered suitable for general use within the Class quoted for amenity and highway reasons.

04

Before the development is brought into use the sight lines indicated on plan ITY210112\_GA-009 shall be rendered effective by removing or reducing the height of anything existing on the land between the sight line and the highway which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the adjacent carriageway and the visibility thus provided shall be maintained.

Reason

In the interest of highway safety

05

Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;

a/ a permeable surface and associated water retention/collection drainage, or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

#### Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity.

06

The use hereby permitted shall be restricted to no more than one child with two visiting carers in accordance with the rota details as set out in the submitted Appendix B Rota Summary received 4 June 2025.

#### Reason

In the interests of the amenities of the occupiers of nearby dwellings

#### Informative

01

The property would benefit greatly from being refurbished to Secured by Design standards, to create a better standard of security.

Surveillance: Any landscaping and front boundaries should be kept low at no more than 1 metre high to enable greater informal surveillance into and out from the property.

Lighting: All external paths and car parking areas should be well lit with an LED lighting scheme to standard BS5489 with no dark areas. All front and rear doors should be lit with a wall mounted luminaire to provide lighting in line with standard BS5489 which should operate on a dusk to dawn sensor and spread the light downward.

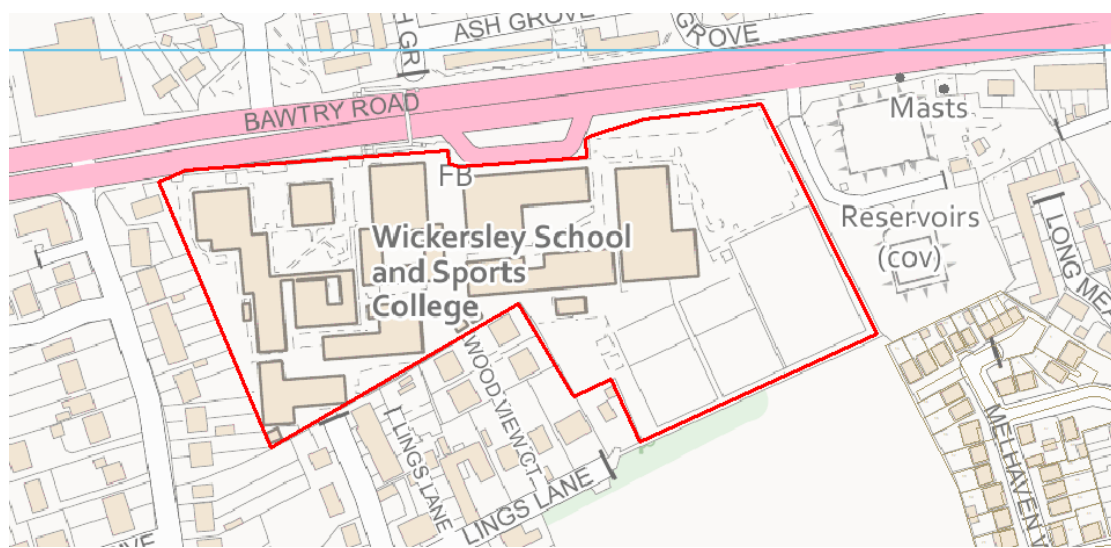
Security of Dwellings: In line with SBD standards, all front / rear doors and ground floor windows should comply with PAS 24:2022.

#### POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.

<b>Application Number</b>	<b>RB2025/0923</b> <a href="https://rotherham.planportal.co.uk/?id=RB2025/0923">https://rotherham.planportal.co.uk/?id=RB2025/0923</a>
<b>Proposal and Location</b>	<b>Alterations to existing heating pipework and ancillary pipework bridges at Wickersley School And Sports College, Bawtry Road, Wickersley, Rotherham, S66 1JL</b>
<b>Recommendation</b>	<b>Grant with conditions</b>

This application is being presented to Planning Board due to an earlier presentation to the Chair and Vice Chair of the Planning Board where concerns were raised regarding the visual appearance of the proposal. Additional information has now been submitted and on balance it was considered for reasons of transparency that Planning Board should determine the application.



### Site Description & Location

This application relates to the site of Wickersley School And Sports College located on Bawtry Road at Wickersley. To the south of the application site are relatively new dwellings granted conditionally under RB2021/0624. With residential gardens and garages to the south and west.

### Background

Relevant Planning History:

- RB2022/0440 - Erection of 2.4m high fence – granted conditionally
- RB2021/2207 - Install 2 no. external signs within the school grounds – granted
- RB2013/0603 - Installation of 2 No. modular units with associated ramps – granted conditionally
- RB2008/0111 - Retrospective application for installation of 2 no. access ramps & steps to Block C, new fire escape ramp to Block B, new escape path and reduction in size of extension to Block D, alterations to Block F, relocation of pedestrian entrance, alteration to Wickersley Comprehensive School –

granted conditionally  
RB2005/2373 - Erection of 6m high floodlighting columns (Application under Regulations 3 and 9A of The Town & Country Planning General Regulations 1992) – granted conditionally  
RB2002/1981 - Extensions and alterations to school buildings including new caretakers dwelling (application under regulation 3 and 9A of the Town and Country Planning General Regulations 1992) – granted conditionally  
RB1980/2847 - Temporary classrooms – granted  
RB1974/1547- mobile classrooms – granted  
RH1973/8157 – Extn - TREATED AS WITHDRAWN  
RH1972/7402 – Extn – granted  
RH1971/7132 - Outline for 6 classrooms – granted

### CIL

The development is Community Infrastructure Levy (CIL) liable. CIL is generally payable on the commencement of development though there are certain exemptions. The payment of CIL is not material to the determination of the planning application. Accordingly, this information is presented simply for information.

### Biodiversity Net Gain (BNG)

The proposal is considered to be exempt from the BNG plus 10% requirement as the proposal is de minimis.

### **Proposal**

This application seeks retrospective planning permission for the erection of heating pipework and ancillary pipework bridges at Wickersley School And Sports College. The pipe work acts as a direct heating system that operates block A, B and H.

Parts of the heating system are located underground, however, the proposal relates to the visible bridges which extend from the boiler house on the southern boundary across to Block B. These can be seen to the south of the site at the residential properties along Wood View Court. The pipe bridge located between Block B and the boiler house to the south of the application site has a total height of 4.08m from ground level to the top of the pipe. A faux green foliage is wrapped around the pipe work.

Following queries and objections raised during the determination of the application, the applicant has provided additional information within a planning statement to try and clarify and address these which can be summarised below:

- *Need for the pipework bridges*
- *Reasons for the location*
- *Impact on the school of a Planning refusal*

### *Need for the pipework bridges*

- *The original heating pipework to A Block, B Block and H Block at Wickersley was corroding due to it's location underground and failure of its protective insulation.*
- *It was pulling soil into the boilers, which would have damaged them irreparably if allowed to continue.*
- *There was not room to install replacement pipework in the original duct, as this was needed to be pre-insulated to a better standard, and hence much larger in area. The old pipework also had to be left operational, meaning it couldn't be removed.*
- *An above ground solution to the replacement pipework for these three blocks was therefore required.*

### *Reasons for the location*

- *The ideal would have been to fully remove the old pipework, then widen the trench and use the original alignment, but due to the time constraints of the project, there wasn't enough time to complete this process. No work would have been possible within the heating season or during term time, and the holiday period was not long enough to carry out this serious amount of work. The risk to the function of the school was too great.*
- *It was also agreed that to prevent as much as possible the pipework rotting moving forward, as much of the alignment should be ran above ground, to prevent further issues in the future.*
- *The location of the boiler room means that a bridge would be required, and the location chosen is one that is as short a bridge as possible. A longer bridge would not have been possible, due to the max span of the materials and risk to structural integrity of any new bridge.*
- *The pipework bridge is set at a height to allow fire engines underneath if required and also to prevent anyone jumping from ground level and swinging on it, or potentially disturbing the system. Running it any lower is not operationally possible and the school/trust would not allow it.*
- *There was also a risk that if the new pipework didn't work correctly on commissioning and the old had been removed, that there would be no heating whatsoever to 3 blocks of the school, housing hundreds of children. The pipe bridge option left the original pipework in-situ just in case.*

### *Impact on School of a Planning Refusal*

- *The school has approx. 2,300 pupils and the pipework acts as a district heating system, that operates A Block, B Block & H Block, for which I've attached a building layout plan for.*
- *The heating season generally starts on October 1<sup>st</sup>, but can vary, as it's based on output spec and outside/inside temperature, so could be required earlier than October 1<sup>st</sup>, should the temperatures not meet the required output specification.*

- *Any works to potentially re-locate the pipework would come both at a massive cost and also would be restrictive to when they could be completed, due to heating season dates and access for works. The school wouldn't allow us access to the roof during term time and the area where the bridge is can't be segregated, as it's a through route for pupils during lesson changes and also an emergency route to a muster point.*
- *The pipework can't just be re-located as easily as suggested, there are many considerations when looking into a job as such, which is why the route was installed as it is originally. Safeguarding and potential damage to the pipework by the children are a major consideration. The pipework can't be allowed to provide any potential to climb upon, nor access the roof, nor get damaged, if access to it isn't restricted. Any re-alignment would have to be run right alongside the boundary, then a longer bridge be installed, which as advised above, may not be possible, due to the max span of the materials and risk to structural integrity of any new bridge.*

### **Development Plan Allocation and Policy**

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on 27th June 2018.

The application site is allocated for Community Facility purposes in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):  
CS28 'Sustainable Design'  
SP55 'Design Principles'

### **Other Material Considerations**

The NPPF (as revised) states that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise."

The Local Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

The Wickersley Neighbourhood Plan (adopted 2022)

### **Publicity**

The application has been advertised by way of press along with individual neighbour notification letters to adjacent properties. One letters of representation has been received. Comments are summarised below:

- Bought property hoping for a quiet, secure and calm environment.



- Pipework is an ugly feature covered in plastic trellis, visible over neighbours fence
- Pipework overshadows neighbours garden.
- Comments made that if the proposal was a neighbour building a garage or gazebo this close to the boundary they would not have got planning permission due to the height and distance restrictions.
- Could have been located further down the yard where nobody is affected.

## **Consultations**

RMBC - Transportation Infrastructure Service – No objection

## **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of the application are:

- Principle
- Visual Amenity and Impact on Residential Amenity

### Principle

The application site forms part of Wickersley Community School and the site is allocated as Community Facility.

Local Plan Policy SP62 relates to safeguarding Community Facilities states that:

“Those areas allocated on the Policies Map for Community Facilities will be retained or developed for such purposes. In addition, land or buildings currently used or last used for community purposes, including sport and recreational facilities but not identified as such on the Policies Map will be similarly safeguarded.”

The works are relate directly to providing heating to the existing school and supports the use of the site as the school. In terms of alternatives to the

current proposal, supporting information demonstrates that any alternatives could impact the function of the school and are not feasible.

#### Impact on Visual Amenity

Core Strategy Policy CS28 – Sustainable Design states that: *“Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping.”*

Local Plan Policy SP55 ‘Design Principles’ states: *“All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings.”*

It also states: *“the use of appropriate materials and landscaping and utilisation of natural features, such as topography, watercourses, trees, boundary treatments, planting and biodiversity to create visually attractive high quality development;”*

Wickersley Local Plan policy GP1 ‘high quality design’ states: *“All new dwellings and commercial development should take account of, and comply with the guidance set out in the Wickersley Design Code. Development proposals must demonstrate how they respond to local character through submission of a local character appraisal that is commensurate to the size and detail of the proposal.”*

The NPPF makes clear in paragraph 131 that:

*“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 139 adds that:

*“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”*

The NPPG also advises that permission should be refused for development of poor design.

The pipework located in an area which is not visible to the public domain, set back from the main frontage of the school facing Bawtry Road.

Parts of the heating system is located underground. However, the proposal relates to the visible bridges which can be seen to the south of the site at the residential properties along Wood View Court. The pipe bridge located between Block B and the boiler house to the south of the application site has a total height of 4.08m from ground level to the top of the pipe. A faux green foliage is wrapped around the pipe work to lessen the utilitarian appearance.

In terms of the general appearance of the pipework it is functional within the school setting and is considered acceptable.

#### Impact on Residential Amenity

The NPPF at Paragraph 135 states that:

“....create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

The pipework is close to the southern boundary of the site where there are residential properties. The boundary treatment is characterised by high close boarded boundary screening, however the pipework exceeds the height of the boundary treatments that exist at neighbouring dwellings by approximately 2m.

Whilst the pipework bridge is higher than surrounding boundary treatment it is significantly lower than surrounding buildings within the school site against which it is viewed. Whilst it is visible, it is considered that the pipe work ties into the setting of a school and does not look out of place when viewed as a whole with the school from neighbouring properties.

The agent has supplied a supporting email following initial discussions regarding reducing the height of the pipework to a level which would not be visible to neighboring dwellings. However this is not possible due to access requirements.

Regardless, the pipework bridge setting and appearance, the faux green trellis improves the visual appearance of the pipework and it is not considered that it would be overdominant to neighbouring properties given the presence of other buildings within the site.

In terms of overshadowing, adjacent properties on Wood View Court are potentially most affected by the development. A separation of 1metre would be achieved from the end of the pipe work bridge and the neighbour no. 2 Wood View Court.

In view of the separation distances and the orientation of the site, it is considered that additional overshadowing would be marginal and on its own would not be sufficient to warrant refusal of planning permission..

As such, overall it is not considered that the pipework bridge would have a significant impact on the amenity of neighbouring residents to the south, in particular No. 2 Wood View Court.

## **Conclusion**

Overall the principle of the pipe work is considered appropriate in land use terms.

Having regard to the above, by virtue of its siting and appearance, the pipework bridge in this case is considered to comply with the Local Plan Policies CS28 'Sustainable Development', and SP55 'Design Principles', Wickersley Neighbourhood Plan and the National Planning Policy Framework, and is recommended for approval subject to conditions.

## **Conditions**

01

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

Drawing No. P1252-10-01 and P1252-05-01 (Received 15 September 2025).

Reason

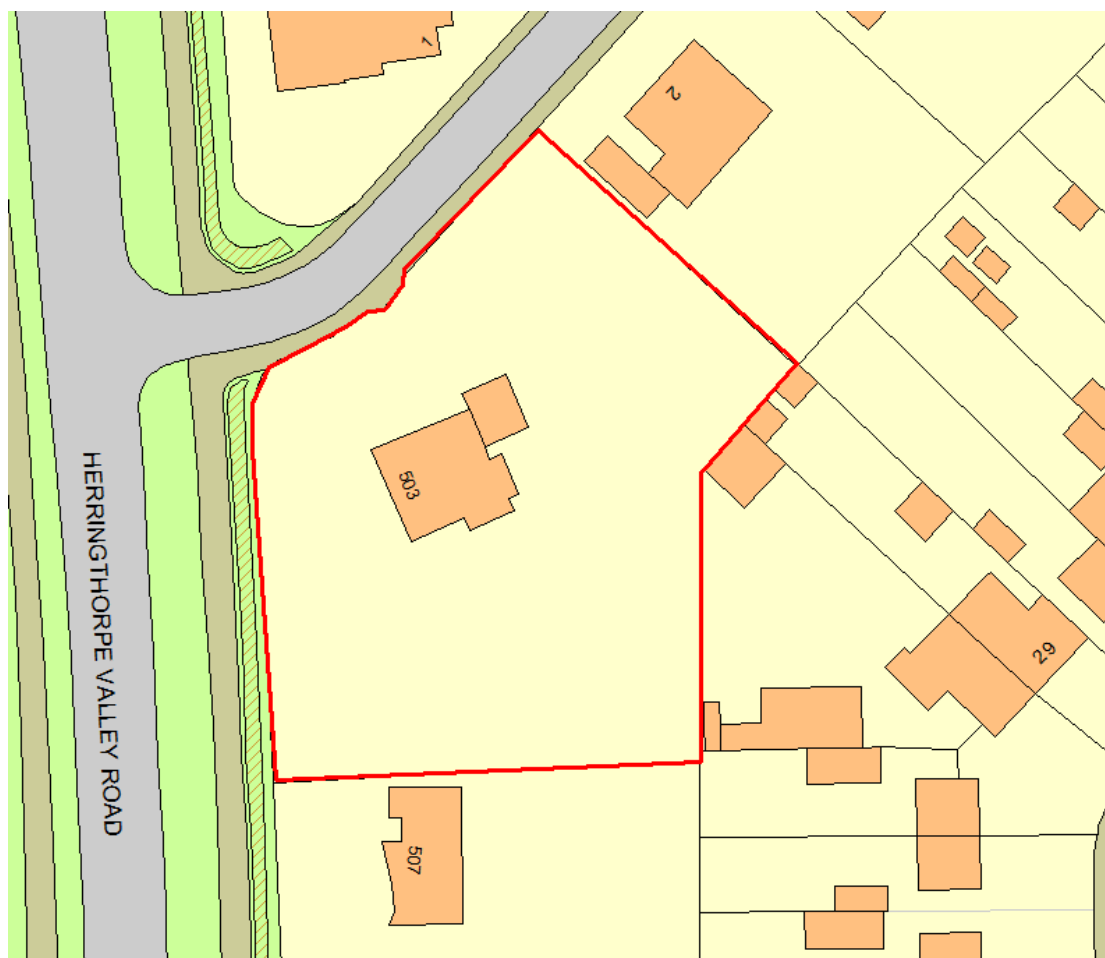
To define the permission and for the avoidance of doubt.

## **POSITIVE AND PROACTIVE STATEMENT**

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.

<b>Application Number</b>	<b>RB2025/0930</b> <a href="https://rotherham.planportal.co.uk/?id=RB2025/0930">https://rotherham.planportal.co.uk/?id=RB2025/0930</a>
<b>Proposal and Location</b>	<b>Change of use from C3 dwellinghouse to Sui Generis holiday let including first floor balcony at 503 Herringthorpe Valley Road, Broom, S60 4LD</b>
<b>Recommendation</b>	<b>Grant subject to conditions</b>

This application is being presented to Planning Board due to the number of objections received.



### Site Description & Location

The site comprises of a residential property (Use Class C3) which has recently been converted into a holiday let (Use Class Sui Generis).

The site lies at the corner of Herringthorpe Valley Road and Bentfield Avenue. The site comprises of a large residential property, approximately 2850sq metres in area. The application property is a detached two storey domestic dwelling with associated vehicle hardstanding, landscaped lawns and extensive boundary planting and mature trees.

The area surrounding the site is predominantly residential and represents a long established estate. A sizeable proportion of the adjacent properties along

Herringthorpe Valley Road and Bentfield Avenue are detached with the majority of properties along Bent Lathes Ave being semi-detached properties.

## **Background**

In terms of the previous site history, the only previous application on the site as follows:

RC1953/0374 – Extension to garage – GRANTED

## **Proposal**

This application is retrospective and is to change the use of the property from C3 dwellinghouse to a holiday let (Use Class Sui Generis) which is currently operational.

This also includes the retrospective use of an existing flat roof above the garage area as a first floor balcony. Other than the installation of new railings around the perimeter of the balcony and a new access door, no layout or external alterations have been created.

The balcony railings are constructed from steel balusters and handrails all painted black.

## **Planning Statement**

The application has been submitted by a short Planning Supporting Statement which can be summarised below:

- It is envisaged that the amount of development on this site will not adversely affect the surrounding area as it is limited to a well screened balcony and a single occupancy short term holiday let.
- The balcony railings have been painted black and do not adversely affect the existing appearance of the property.
- The Planning Statement concludes that this is appropriate in the context of the surroundings.

Following comments from Environmental Health additional documents have been submitted which can be summarised as follows:

## **Noise Management Plan**

- Details of our local responders can be made available on request
- Airbnb and Sykes inform bookers of anti-social and noise management policies through the booking process, house rules, and their official policies, which ban disruptive parties.
- Noise Monitoring Devices: Airbnb hosts can sign up for free noise sensors that remotely alert them if noise levels exceed a certain threshold, which helps prevent parties.

- Good Neighbour Guides: In partnership with Neighbourhood Watch Airbnb and Sykes distributes guides with tips for hosts and guests on how to be considerate neighbours and follow house rules, such as quiet hours.
- House Rules: Hosts are encouraged to set explicit house rules, including quiet hours and rules against parties, which are then communicated to guests.
- Guest Standards: Guests are required to comply with both Sykes and Airbnb community Policy that outlines expectations for good neighbour behaviour, preventing disruptive actions like excessive noise or littering.
- Community Disturbance policies: These policy's outline actions Airbnb or Sykes may take, including suspension or removal of users if the policy is breached.
- Neighbourhood Support: Community members can report disturbances through Airbnb's Neighbourhood Support tool.
- Both Airbnb and Sykes use automated screening technology to identify and block bookings that show a higher risk of resulting in an unauthorized party

### **Development Plan Allocation and Policy**

The site is allocated residential in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policies

CS28 'Sustainable Design'

CS33 'Presumption in Favour of Sustainable Development'

SP11 'Development in Residential Areas'

SP26 'Sustainable Transport for Development'

SP52 'Pollution Control'

SP55 'Design Principles'

In addition the advice within the NPPF is also relevant.

### **Other Material Considerations**

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched. It was last updated on 17th September 2018.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The revised NPPF came into effect in December 2024. It states that “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.”

The Local Plan Policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

### **Publicity**

The application has been advertised by way of a site notice along with individual neighbour notification letters to adjacent properties. A total of 7 objections have been received and the following concerns have been raised:

- Transient nature of visitors who do not have the same concerns of noise and disturbance that would generally be expected from long term neighbours.
- High noise impact that is occurring from visitors.
- The property lies behind a high fencing, though this is not sufficient to contain the noise, as was evidenced recently.
- The use of the balcony further exacerbates the intrusion and disturbance to surrounding properties.
- This is a commercial use within a long established residential area.
- Increased traffic congestion at the junction between Benfield Avenue and Herringthorpe Valley Road.

A total of 3 No. Right to Speak requests have been received which include two from objectors and one from the applicant.

### **Consultations**

RMBC Transportation Infrastructure Service – no objections, subject to conditions

Environmental Health – no objections, subject to Noise Management Plan and Refuse and Recycling Management Plan.

Police Architectural Liaison Officer – overall no objections

### **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.



If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of the application are:

- The principle of the development
- Impact on neighbouring properties
- Transportation issues
- Design and Appearance

#### The principle of the development

The proposal has a residential allocation in the Local Plan.

From a land use perspective a holiday let is a similar use to a typical C3 residential property in this. The principle of this use type is therefore considered acceptable in this location. The noise and amenity issues will be considered in more detail below.

#### Impact on neighbouring properties

Policy SP11 'Development in Residential Areas' states areas identified for residential shall be primarily retained for residential uses and all residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies.

Policy SP52 'Pollution Control' indicates that development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to the detrimental impact on the amenity of the local area.

The NPPG in relation to noise states that: *"Noise needs to be considered when new developments may create additional noise" It adds that: "The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation. These factors include: - the source and absolute level of the noise together with the time of day it occurs. Some types and level of noise will cause a greater adverse effect at night than if they occurred during the day – this is because people tend to be more sensitive to noise at night as they are trying to sleep."*

The main issue with the change to a holiday let is that this has the potential to generate more noise and disturbance from comings and goings, than might be anticipated from a more standard C3 residential property. The above

objections have indicated that there has been an increase in noise issues since the use to a holiday let has occurred.

The Councils Neighbourhoods Unit (Environmental Health) note that “...given that the proposed use of the premises would be as a holiday let, there is the potential for nuisance to nearby sensitive receptors as a result of noise. This may include general noise from vehicles and raised voices as customers arrive and depart site and make use of the amenities including the garden area and balcony. However, there is also the potential for unruly/inconsiderate holidaymakers to accommodate the premises resulting in anti-social behaviour, loud parties, amplified music, shouting, swearing, barking dogs etc. There is also the possibility of waste being incorrectly disposed of resulting in accumulations and possibly pest issues.

*Whilst it is unlikely that there would be issues in circumstances where holidaymakers are respectful and considerate of neighbours, there will likely be instances where this will not be the case and noise and anti-social behaviour could become a problem.*

*In order to protect nearby sensitive receptors from adverse impact, it would be necessary to ensure that an effective Noise Management Plan and a Refuse and Recycling Management Plan is in place.”*

Overall the Councils Neighbourhoods Unit (Environmental Health) have not raised any objections from a residential amenity perspective, subject to conditions to minimise the risk of the above circumstances and events resulting in harm to the amenity of neighbouring properties. A noise management plan has been submitted in support of the application and can be conditioned. The proposed use is not therefore considered to have significant new impact on residential amenity and is considered to be in conformity with policy SP52 Pollution Control.

The South Yorkshire Police have not raised any objections to this change of use, though they note the many objections from the neighbours and residents of the area.

They have registered the potential concern that an increase in calls can be envisaged, regarding anti-social behaviour and general noise complaints. However, subject to the details in the Noise Management Plan this is not considered to be in conflict with policy SP52 ‘Pollution Control’.

A number of the objections have raised privacy issues in terms of overlooking from the new balcony, it is noted that this is located approximately 22m from the nearest boundary at no. 2 Bentfield Avenue, along with Nos. 27 and 29 Bent Lathes Avenue.

There is also substantial screening, though it is noted that this could potentially be pruned or removed without planning permission. Even in the absence of the mature plants and trees around the site, it is considered that adequate separation distances are achieved to prevent a material impact of

overlooking from the balcony. However, this aspect is considered to have adequate regard to the advice within policy SP55 'Design Principles'.

It is not considered that hours of operation could be restricted or conditioned in this case, as this would not be enforceable. This element of the application is considered to be in conformity with policies SP11 'Development in Residential Areas' and SP52 'Pollution Control'.

### Design and Appearance

Policy SP55 'Design Principles', states, in part, that: *"All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings"*.

There are minimal internal external changes to the property and the external changes relate to the new doorway to use the balcony and the installation of a balustrade/balcony railing on the eastern elevation.

In summary, it is considered that the use of the Local Plan Policies and SP55 'Design Principles' and the advice contained within the NPPF.

### Transportation issues

The Transportation Unit note from the submitted details that vehicle access is taken from Bentfield Avenue, and there is sufficient room within the site curtilage for off street, car parking provisions. There are no objections from a highway safety perspective.

### Other issues

#### Landscaping and Biodiversity Net Gain

In terms of Biodiversity Net Gain, the application being a change of use does not have the statutory requirement to provide +10%. However, the development still needs to demonstrate no net loss, in accordance with Policy SP33 'Conserving and Enhancing the natural Environment'. There are no proposals to extend the built form or building footprint of the existing site and therefore no loss of biodiversity.

#### Drainage

There are no changes being proposed to the external building or drainage systems.

### **Conclusion**

Overall it is considered that the use of this residential property into a holiday let is acceptable in this location.

The only change in design is the use of the garage as a balcony with new access door which is acceptable from a visual alteration and privacy perspective.

The application is recommended for approval subject to conditions.

**Conditions**

01

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

(Drawing numbers location plan 25/3819/006/A, site plan 25/3819/007/A, Floor plan 25/3819/003/A, elevations 25/3819/004/A)(received 11/07/25).

Reason

To define the permission and for the avoidance of doubt.

Noise Management Plan

02

The development shall operate in accordance with the approved Noise Management Plan (ref Christopher Welling, amended plan received 15<sup>th</sup> September 2025). All documentation required to be kept under the Noise Management Plan shall be promptly made available to the Local Planning Authority upon request.

Reason

To safeguard the amenities of the occupiers of the proposed development in accordance with RMBC Policy SP52 and part 15 of the NPPF.

Waste

03

The development will operate in accordance with the approved Refuse and Recycling Management Plan (ref Christopher Welling, received 15<sup>th</sup> September 2025). The approved plan shall be implemented in full thereafter.

Reason

To safeguard the amenities of the occupiers of the proposed development in accordance with RMBC Policy SP52 and part 15 of the NPPF.

04

Within 3 months of this permission, that part of the site to be used by vehicles shall be properly constructed with either

a/ a permeable surface and associated water retention/collection drainage, or  
b/ an impermeable surface with water collected and taken to a separately constructed water retention / discharge system within the site.

All to the satisfaction of the Local Planning Authority and shall thereafter be maintained in a working condition.

Reason

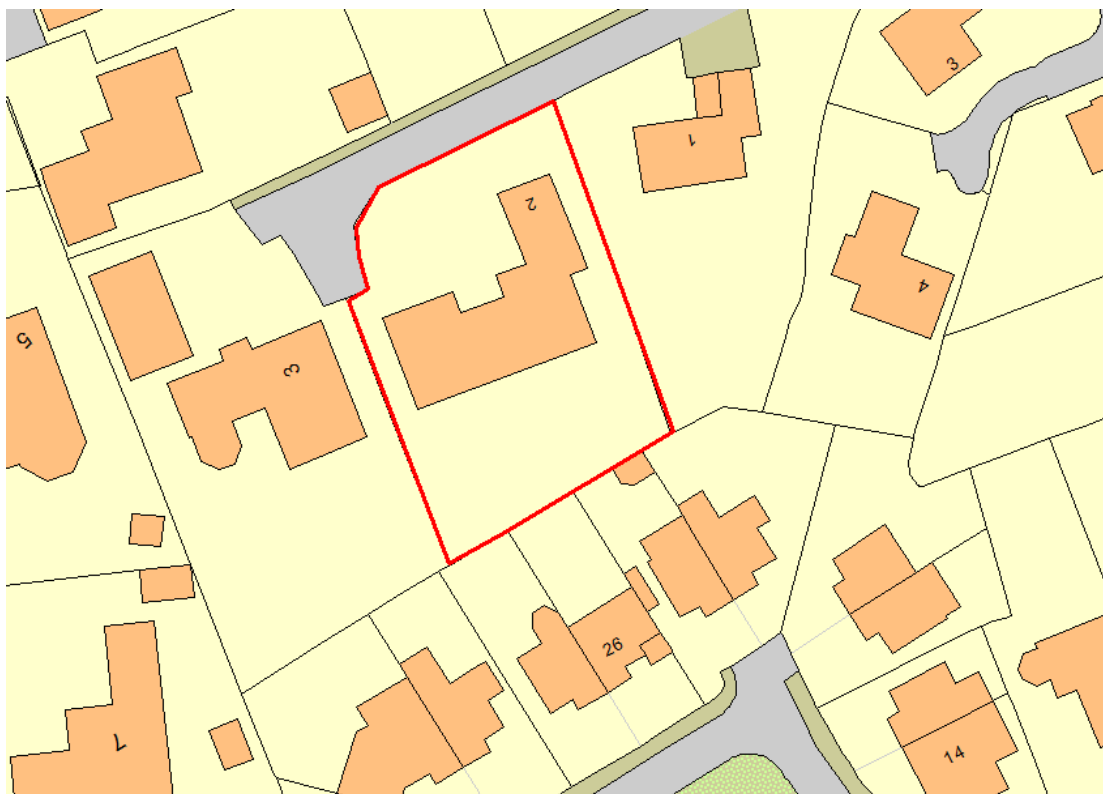
To ensure that surface water can adequately be drained and to encourage drivers to make use of the parking spaces and to ensure that the use of the land for this purpose will not give rise to the deposit of mud and other extraneous material on the public highway in the interests of the adequate drainage of the site and road safety.

**POSITIVE AND PROACTIVE STATEMENT**

Whilst the applicant did not enter into any formal pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and following the additional supporting details did not require any further alterations or modification.

<b>Application Number</b>	<b>RB2025/1054</b> <a href="https://rotherham.planportal.co.uk/?id=RB2025/1054">https://rotherham.planportal.co.uk/?id=RB2025/1054</a>
<b>Proposal and Location</b>	<b>Increase in roof height including dormer windows to front &amp; rear and extensions to front, side and rear at 2 Almond Glade, Wickersley Rotherham S66 1JZ</b>
<b>Recommendation</b>	<b>Granted Conditionally</b>

This application is being presented to Planning Board due to the number of objections received.



### Site Description & Location

The application site relates to No. 2 Almond Glade within an established residential area at Wickersley where the surrounding properties vary in design, size and layout. Almond Glade is an unadopted road serving 3 dwellinghouses. No. 2 Almond Glade is a detached single storey dwelling constructed in brick with a pitched tiled roof. The dwellinghouse has an integral garage at front with an area of hardstanding providing for off street. A low brick wall with wooden fencing behind lies along the front boundary, wooden fencing encloses the site at the rear and there were several trees within the boundary of the site although many of these have been felled subsequent to the submission of the application after a Tree Survey was requested to assess the impact of the proposed development.

### Background

There has been two previous applications:

RB2022/1387- Conversion of bungalow into a two storey house including front/side/rear extensions and first floor balcony – Refused on 11/11/2022 for the following reasons:

*01 The Council considers that the proposed increase in height and first floor addition together with substantial extensions to the bungalow by virtue of its modern design, materials and position would appear visually intrusive, over dominant and significantly out of character in this area which is characterised by more traditional properties in a sylvan setting. As such, the proposal would be significantly detrimental to the character and visual amenity of the street scene and wider area contrary to the National Planning Policy Framework, Local Plan policies CS28 and SP55, the Wickersley Neighbourhood Plan and the Supplementary Planning Document Householder Design Guide.*

*02 The Council further considers that the proposed floor to ceiling windows in the rear and side elevations at first floor level in close proximity to the boundary would result in direct and perceived overlooking to the rear garden areas of No's 1 & 3 Almond Glade. As such, the proposed development is detrimental to residential amenity contrary to the National Planning Policy Framework and the Supplementary Planning Document Householder Design Guide.*

RB2023/0182 - Conversion of bungalow into a two-storey house including front/side/rear extensions, dormer windows and Juliet balconies to rear – Refused on 20/04/2023 for the following reasons:

*01 The Council considers that the proposed increase in height and first floor addition together with substantial extensions to a bungalow by virtue of its design, position, bulk and massing and render finish would appear visually intrusive, over dominant and significantly out of character in this area which is characterised by more traditional properties in a sylvan setting. As such, the proposal would be significantly detrimental to the character and visual amenity of the street scene and wider area contrary to the National Planning Policy Framework, Local Plan policies CS28 and SP55, the Wickersley Neighbourhood Plan and the Supplementary Planning Document Householder Design Guide.*

*02 The Council further considers that the proposed first floor Juliet balconies in the rear elevation in this elevated position would result in direct and perceived overlooking to the rear garden areas of properties on Springvale Close. As such, the proposed development is detrimental to residential amenity contrary to the National Planning Policy Framework and the Supplementary Planning Document Householder Design Guide.*

RB2023/1714 - Prior Notification for an enlargement of a dwellinghouse of an additional storey to overall height of 8 metres – Refused

01

*The proposed development does not comply with the conditions, limitations or restrictions applicable to development permitted by Class AA of the Town and Country Planning (General Permitted Development Order) 2015 as amended which exceeds the limits in paragraph AA.1 (i)*

02

*It is considered that the development does not satisfy the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as permitted development stated under Class AA.2 regarding the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation of the dwellinghouse. The external appearance of the proposal would have an adverse impact on the character and appearance of the area and result in a bulky, incongruous and visual unsatisfactory form of development. The upward extension would be visually dominant and oppressive form that would also result harm to the amenity of No.1 Almond Glade contrary to the NPPF.*

## **Proposal**

The applicant seeks to gain planning permission to increase in roof height including dormer windows to front & rear and extensions to front, side and rear.

The front two storey gable extension will be positioned centrally to the dwelling. The rear two storey gable extension will also be positioned centrally to the dwelling and will project 0.98m from the rear elevation. The side extension will be modest and adjoin the raised ridge height.

The ridge height of the dwelling will be increased from 5.4m to 7.8m. The proposal will incorporate a dutch hipped roof design which is considered to be suitable for a dormer bungalow.

The dormer windows will be set centrally in the roof slope to the front and rear elevations and will utilise tiles to the cheeks to match the proposed roof. The proposal intends to utilise brick work and tiles to match the host dwelling.

## **Development Plan Allocation and Policy**

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for residential purposes in the Local Plan, (For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):  
CS28 'Sustainable Design'



Sites and Policies Document policy(s):  
SP55 'Design Principles

### **Other Material Considerations**

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched.

National Planning Policy Framework: The revised NPPF sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise" and that it is "a material consideration in planning decisions".

The Local Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Supplementary Planning Document - 'Householder Design Guide' adopted by the Council in June 2020

The Wickersley Neighbourhood Plan (adopted 2022)

### **Publicity**

The application has been advertised by way of individual neighbour notification letters to adjacent properties. 8 letters of representation have been received from 6 separate households/individuals. The objections can be summarised as follows;

- Previous applications have been refused
- Concerned the additional floor will directly overlook neighbouring properties to the rear causing an invasion of privacy.
- Bungalow is elevated from Springvale Close
- Excessive size and not in keeping with the street scene
- Loss of privacy to neighbours on all aspects of the proposed dwelling
- Concerns in terms of overbearing nature.
- Comments in regards to pre application advice sought out by the applicant/agent before submitting this application. Why is this information not visible to the public queries if the planning department properly addressed the issues/ the neighbours could not comment.
- The proposal if implemented would have impact on neighbouring residents well being and potentially their mental health.
- External materials not mentioned.
- Loss of natural vegetation and potential harm to wildlife in their habitats

- Other than the minimal reduction in the roof height, this is still an application for a house rather than a dormer bungalow.
- The planning inspectorate has REJECTED and REFUSED an application for this site as any increase in size is a gross over development of it.
- The proposed is not in keeping within the area and completely goes against the Wickersley Neighbourhood Plan
- Overdevelopment of the site
- The proposal is totally out of proportion with the other dwellings in the street scene.
- Raising the ridge height to facilitate another floor is and eyesore and unfitting of the local area.

### **Consultations**

RMBC – Transportation Infrastructure Service has no objections to the proposal.

### **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of the application are:

- Principle
- Visual Amenity and
- Impact on Residential Amenity

### **Principle**

The property is located in an area identified for residential use in the Local Plan. The principle of extending a residential dwelling is acceptable subject to other material considerations which are detailed below.

### **Visual Amenity**

Core Strategy CS28 'Sustainable Design' requires development to make a positive contribution to the environment by achieving an acceptable standard of design.

Sites and Policies Document Policy SP55 'Design Principles' states: "All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings." It adds that: "Proportionate to the scale, nature, location and sensitivity of development, regard will be had to the following when considering development proposals (amongst others):

- a. the setting of the site, including the size, scale, mass, volume, height, orientation, form, and grain of surrounding development"

This approach is also echoed in National Planning Policy in the NPPF. The NPPF states: "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities." Paragraph 135 adds: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

The NPPF further adds at Paragraph 139;

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The Wickersley Neighbourhood Plan seeks to ensure that the village evolves in a way that respects its particular character and continues to respond to local needs and aspirations and includes the Wickersley Design Guide.

The design guide in the Wickersley Neighbourhood Plan sets out key principles and requirements for extensions and alterations to dwellings. Amongst the key principles are the creation of high-quality design and development in keeping with surrounding properties and streets, including the

use of natural materials, and minimising any opportunity for over development which may affect surrounding residents.

Additionally, the recommendations in the design guide of the Wickersley Neighbourhood Plan regarding the form, proportion, size and scale of extensions and alterations are consistent with the Supplementary Planning Document, Householder Design Guide.

The supporting text to Policy SP55 'Design Principles' at paragraph 4.330 states: "Supplementary Planning Document: Householder Design Guide (June 2020) provides information to households wishing to alter or extend their property."

The Council's SPD Householder Design Guidance, June 2020, states that "Single storey rear extensions are generally an acceptable and extensions on or close to a boundary, should project no more than 4m from a neighbouring property's existing rear elevation."

In relation to front extensions, the SPD states that:

"Front extensions are eye catching and can significantly alter the appearance of a building. In general, bay windows should be retained and on terraced and semi detached properties single storey extensions that extend across the entire frontage and two storey front extensions will normally be refused. Front extensions should not harm the character and appearance of the host property or be of a design out of keeping with others in the street. The impact on the amenities of the neighbouring property should also be considered and any front extension should project no more than 2 metres, or 1 metre where it is within 2 metres of a neighbouring window. Porches should be individually designed to follow the character of the existing building and the introduction of features such as classical columns, pediments and rustic timbers etc will not be accepted unless they are a feature of the original house."

In relation to two storey side extensions, it states that: "Two storey side extensions should generally be set back by a minimum of 0.3 metre at first floor level on the front elevation, with the roof set down and back from the main body of the house. This is in order to create a subservient extension and to prevent it unbalancing a pair of semi-detached properties. In addition the roof style of the extension should match that of the host property and parapet walls should be avoided. Where the semi is hipped, the extension should have a hipped roof and likewise with a gable roof. The Council will be critical of two storey side extensions of excessive width. Any such extension should not exceed more than half the width of the original house. Where the existing house is narrow or this would result in an impractical extension it may be acceptable to have an extension slightly more than half the width of the house but this should be offset with a greater set back at the first floor to a minimum of 0.5 metre."

While "Single storey side extensions are generally an acceptable feature on domestic properties and the current permitted development rights allow an

extension to be constructed without planning permission up to half the width of the original house. The Council will be critical of side extensions of excessive width and for a single storey extension this should not exceed more than 2/3 the width of the original house.”

The Supplementary Planning Document, Householder Design Guide gives the following advice: The size and design of extensions should be subsidiary to the existing dwelling and allow the original building to remain dominant. Matching roof styles should be used in any new extension proposals. It is not the Council’s usual practice to support bungalows being altered to two storey houses, as in most cases this would have a serious effect on neighbours’ amenity and on the appearance of residential areas or support the raising of the roof of an existing semi-detached or terraced house/bungalow. Where the raising the roof or an upward extension is considered acceptable in principle, it is essential that it be designed to minimise the effect on neighbours’ properties by overshadowing and overlooking and not appear out of place in the street-scene. Furthermore, the most appropriate design solution will depend on the design of the property and neighbouring properties. It may be appropriate to create a “dormer bungalow”, by building a more steeply pitched roof with dormer windows in it.

No. 2 Almond Glade is a detached single storey dwelling constructed in brick with a pitched roof positioned between a two storey & single storey dwelling in a sylvan setting. Access to the properties is served from a unadopted road (Almond Glade) via Morthen Road.

The surrounding area consists of two storey and single storey dwellinghouses which vary in terms of design, however, the prevailing character is pitched roof properties finished in brick & stone.

The application proposes an upward extension along with additions to the original front, side and rear elevations to create a two-storey dormer bungalow style dwelling including two dormer windows to the principal elevation and three dormer windows the rear elevation. The dwelling would have a total ridge height of 7.8m and utilise brick work and roof tiles to match the existing dwelling and other properties along Almond Glade.

Firstly, the current proposal differs from the previously refused proposal as the total ridge height has been reduced to 7.8m and is not considered to be full two storey property. The design as a whole has been scaled back, the roof design has been altered to dutch hipped roof dormer bungalow design which is offers a smaller scale development than that previously proposed. The materials proposed reflect the existing dwelling. The proposal no longer incorporates a larger garage to the front as such massing is further reduced.

Whilst the extensions are not considered to be subsidiary to the original dwelling, the front gable provides visual interest to the front elevation and is considered to improve the design of the proposal. The increase in height to form a dormer style bungalow will allow for first floor accommodation without prejudicing the street scene or resulting in a development which would be

entirely out of character with the street scene. The reduction of the extent of first floor additions which is now limited to the footprint of the main dwelling and not the forward projecting garage and the small scale nature of the side and rear extensions are considered to be appropriate additions. It is considered that its design, size and height would not appear unduly prominent and alien when viewed in comparison to adjacent properties due to the dormer bungalow style. Whilst it is noted there is some variation to the dwelling types in the immediate locality, the predominant character is pitched roof properties finished in brick & stone. The proposal would be sympathetic to the character and visual amenity of the area and this sylvan location.

Overall, the proposed extensions are considered to be acceptable additions in design terms and would not be detrimental to the appearance of the property or the street scene. The host dwelling is set back considerable from the highway and neighbouring dwellings differ in built form. The proposal will utilise brick work to match the host dwelling. The street scene offers a mixture of materials. As such the proposal extensions would not impact the existing character of the area or street scene.

### **Residential Amenity**

The NPPF notes that planning policies and decisions should ensure that developments (amongst others), should maintain a high standard of amenity for existing and future users. The Supplementary Planning Document, Householder Design Guide states: Where the raising the roof or an upward extension is considered acceptable in principle, it is essential that it be designed to minimise the effect on neighbours' properties by overshadowing and overlooking. New habitable room windows at first-floor level and above should be more than 21 metres from habitable room windows of existing dwellings to the front, side or rear and more than 10 metres away from a neighbour's boundary. Floor to ceiling windows and french / patio doors can increase the effect of overlooking and will usually be resisted if they are proposed in elevations above ground floor where they would be near to the boundary of an adjacent residential property.

The existing bungalow contains no first floor windows and stands in an elevated position in relationship to properties at the rear on Springvale Close. The agent supplied a cross section plan to show the vertical relationship and the difference in levels of the properties and separation distance measurements.

The proposed rear elevation includes three dormer windows and two regular windows which would serve three bedrooms and a study. From the submitted site plan it appears there is a distance of approx. 13.5 from the proposed rear elevation and the rear boundary with no. 26 Springvale Close and 25m from the proposed rear elevation and the rear elevation of no. 26 Springvale Close. The minimum distance from the proposed rear elevation to neighbouring properties is 21 metres. Currently there are no windows would result in direct and perceived overlooking to the private garden areas of properties at the rear on Springvale Close. However it is considered due to the distances

maintained, the proposal would not cause harmful levels of overlooking or overbearing and that the development would not be significantly detrimental to neighbouring amenity contrary to Local and National Policy.

## **Conclusion**

In this instance it is considered that the proposed alterations and extensions are acceptable in terms of their design and would not impact negatively on the visual amenity of the street scene or the character of the area

## **Conditions**

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

Proposed Plan, 02, received 04/08/2025

Location Plan, 03, received 04/08/2025

Site Survey with Proposal, 05, received 04/08/2025

Site Sections, 06, received 04/08/2025

Reason

To define the permission and for the avoidance of doubt.

03

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity

04

There shall be no additional windows inserted at first floor without prior written consent of the Local Planning Authority.

Reason

In the interest of preventing loss of privacy to neighbouring properties

## **POSITIVE AND PROACTIVE STATEMENT**

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.