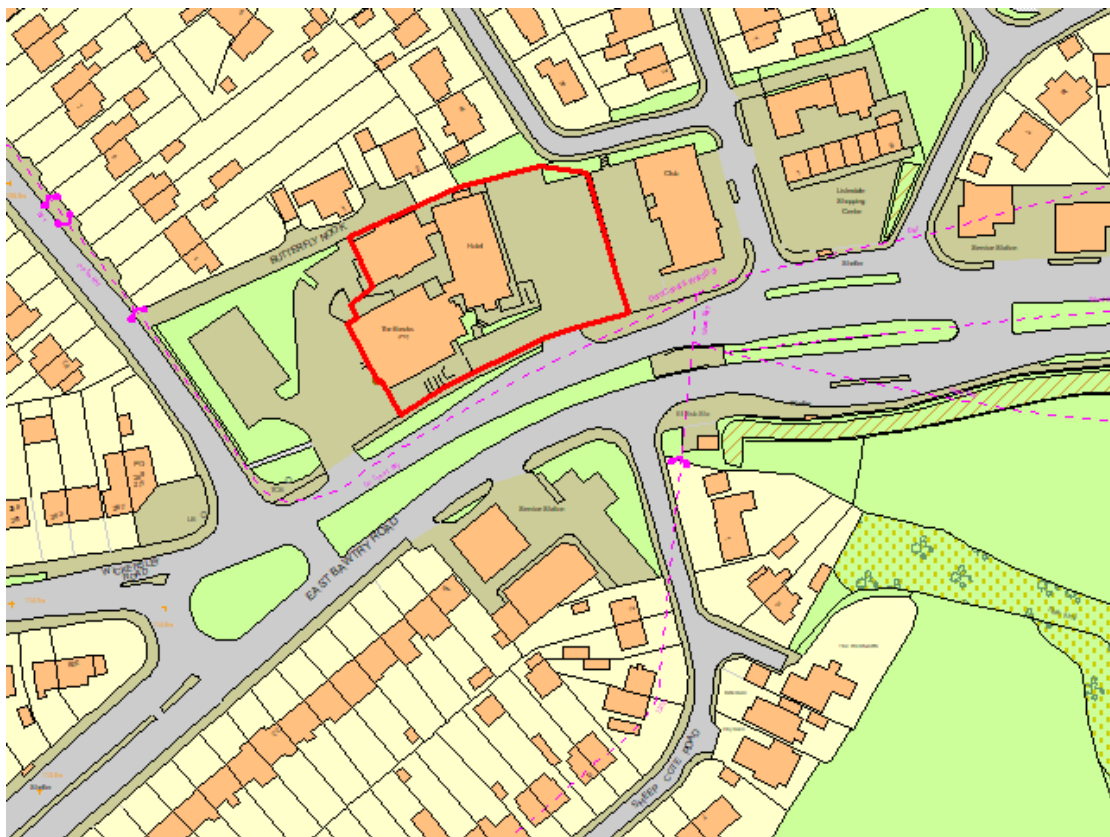


REPORT TO THE PLANNING BOARD TO BE HELD ON THE 3 July 2025

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	RB2024/1358 https://rotherham.planportal.co.uk/?id=RB2024/1358
Proposal and Location	Two storey side extension with alterations to car park and associated works at Premier Inn Hotel, East Bawtry Road, Broom
Recommendation	Granted Conditionally

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



Site Description & Location

The site comprises a Premier Inn hotel and a Beefeater restaurant with associated car parking and landscaping.

The hotel is a three-storey building and provides 62 bedrooms. The Beefeater restaurant is linked to the west of the hotel.

The hotel and restaurant are served by 98 car parking spaces, including 12 disabled bays, to the east and west of the buildings. These spaces are accessed from the site. Vehicular access to the site is taken from Bawtry

Road via two points from the south. Pedestrian access can be achieved via a footpath from Brecks Avenue, and from the adjacent site to the east.

In terms of the surrounding area, a Sainsbury's Local store and snooker club / sports bar occupy the building to the east of the site. Beyond Bawtry Road, to the south, is a petrol filling station. There are three bungalows located to the north of the site, and beyond this is an area comprising housing.

Background

There have a number of applications relating to this site the most relevant of which are:

RB1990/1697 – Erection of a 36 bedroom travel inn add. car parking & re-siting of play area – Granted Conditionally

RB1991/1308 – Erection of 27no.bed.travel inn (amendment to planning permission r90/1697p) – Granted Conditionally

RB2006/1304 – Three storey extension to form additional bedrooms and alterations to car park – Granted Conditionally

RB2016/0901 – Three storey side extension with associated alterations to car parking & landscaping – Granted Conditionally

The 2016 permission was not implemented and has now lapsed.

The hotel and restaurant have been the subject of other applications for minor forms of development including external alterations, small extensions and signage.

Proposal

The proposal is to erect a two-storey extension to the east of the hotel to provide a net additional 14 bedrooms on the site. The extension will provide an additional 16 bedrooms, but two existing bedrooms will be lost to accommodate an internal corridor. The extended hotel will provide a total of 76 bedrooms.

As a consequence of the extension, the car park to the east of the hotel will be reconfigured. The extended hotel and restaurant will be served by a total of 83 car parking spaces including 12 disabled bays. This excludes the 18 spaces which are allocated to the Sainsbury's Local store.

The hotel's servicing arrangements will remain unchanged, and no alterations are proposed to the site's access points.

The extension will be served by air source heat pump (ASHP) technology.

In order to facilitate the proposed development, there will be the partial removal of one Category C hedge group.

In regard to the extension's foul drainage arrangements, it is proposed to install a gravity system which will fall into a pump chamber, with foul water being pumped to the nearest manhole. For surface water, a new soakaway system using geo-cellular storage tanks will be installed.

In support of the application the following documents have been submitted:

Drainage Statement

The statement provides details of the existing drainage networks and the proposed site drainage proposals.

Arboricultural Method Statement

The report concludes that the overall quality and longevity of the amenity contribution provided for by the trees and groups of trees within and adjacent to the site will not be adversely affected as a result of the local planning authority consenting to the proposed development.

Arboricultural Survey

In terms of vegetation, the submitted Tree Survey identifies a total of 22 individual trees, 6 shrub groups 4 hedges across the site.

Energy Strategy

The proposed Premier Inn Rotherham East Bedroom Extension has followed the GLA's energy hierarchy to qualify the carbon emissions reduction targets have been met. This process has involved calculation of carbon emissions at each stage of the hierarchy using building simulation software.

The carbon reductions detailed in this Energy Strategy have been calculated using Part L accredited compliance dynamic simulation modelling software IES VE Compliance DSM. This ensures that the proposed development's carbon emissions have been calculated using a more sophisticated carbon calculations methodology, as opposed to the more simplistic SBEM methodology.

The energy hierarchy carbon reduction methodology has minimised energy usage and carbon emissions of the proposed Premier Inn Rotherham East Bedroom Extension to provide a sustainable low energy building.

Preliminary Ecology Appraisal and Roost Assessment

The building has low suitability for roosting bats but will require further surveys to determine presence or absence of bats on site will be required.

Protective measures are recommended for retained and nearby habitats, and precautionary methods for vegetation clearance and tree felling should be followed.

Bat Emergence and Re-entry Surveys

The report notes that no bats were observed emerging from the building.

No bats were heard or seen during the survey.

No further surveys are required.

Transport Statement

The survey makes the following conclusions from the information and assessments:

- The existing site could generate in the order of 20 two-way movements across the AM peak, 35 across the PM peak and a total of 387 across the course of a typical day.
- The site post-development could generate in the order of 23 two-way movements across the AM peak, 38 across the PM peak and a total of 417 across the course of a typical day.
- In light of the assessments undertaken, the proposed 83 parking spaces would be sufficient to accommodate the likely parking demand to be generated post-development.
- The internal site layout would continue to provide sufficient space for delivery vehicles to manoeuvre, and vehicles to enter and egress parking spaces.
- The size and frequency of delivery vehicles to the site would not increase post-development.

BNG Assessment

Area Based Habitat Units

The baseline habitat value of the site is 1.51 units, comprising developed land (hard standing and buildings), other neutral grassland and urban trees. The post development habitat value of the site is 1.7 units, comprising the:

- creation of buildings and hardstanding, additional scattered trees and mixed scrub;
- retention of scattered trees, buildings, hard standing and grassland;

Enhancement of grassland from poor to moderate This results in a net change in biodiversity of 12.43% (i.e. a net gain).

Linear-Based Habitat Units

The baseline linear-based habitat value of the site is 0.76 units, comprised of native and non-native ornamental hedgerow. The post development habitat value of the site is 0.88 units, comprising the:

- creation of new native hedgerow
- retention of existing native and non-native ornamental hedgerow

This results in a net change in biodiversity of 16.1%% (i.e. a net gain).

The current proposed plan results in a 12.43% net gain in habitat units and a 16.1%% net gain in hedgerow units. This is more than the 10% target of biodiversity net gain.

A Biodiversity Net Gain (BNG) Management Plan must be produced for the site. This should include recommendations for the implementation, management and monitoring of the site for at least 30 years to ensure that biodiversity net gain is delivered.

Arboricultural Method Statement

The report provides an assessment of the trees, hedges and major shrub groups growing on and within influencing distance of the site and includes a Schedule of trees, Tree Constraints Plan, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan.

A total of 22 individual trees, 6 shrub groups and 4 hedges were surveyed.

A total of 5 trees, 2 hedges and 2 partial shrub groups requires removal to facilitate the proposed scheme, these fall within either category “U” or category “C”.

Car Parking Study

The purpose of this study is to demonstrate the operation of the existing car park and surrounding streets, in order to establish any potential impact associated with the proposed 14-bedroom extension at the site.

This study is informed by a series of detailed car parking surveys carried out by an independent traffic survey company in accordance with the scope agreed with the Council’s highway officers. In summary, this was agreed and completed as follows:

- Completed on Thursday 20th, Friday 21st and Saturday 22nd March 2025.
- On-site & off-site car parking observed over full 24-hours.
- Destination of vehicle occupants recorded.
- Details included time of arrival & departure, plus duration of stay

The survey results are analysed within the study and the following conclusions were arrived at:

- There is currently no hotel guest car parking occurring on local streets.
- There is currently and would continue to be ample spare on-site parking capacity overnight when the demand for hotel guest parking would be greatest.
- There is typically a high-level of spare capacity within the on-site car park, although the accumulation peaked on the Thursday evening at 19:30 during which time there was high usage from the convenience store, dance school and snooker club.
- Following the proposals, there would be a maximum of 5 cars displaced onto local streets for a 1-hour period between 7pm and 8pm. There is ample availability of appropriate on-street parking locations for this to be safely accommodated.

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 retail 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):

CS11 'Tourism and the Visitor Economy'
 CS14 'Accessible Places and Managing Demand for Travel'
 CS20 'Biodiversity and Geodiversity'
 CS28 'Sustainable Design'
 CS30 'Low Carbon & Renewable Energy Generation'
 SP19 'Development within Town, District and Local Centres'
 SP26 'Sustainable Transport for Development'
 SP33 'Conserving and Enhancing the Natural Environment'
 SP52 'Pollution Control'
 SP55 'Design Principles'
 SP56 'Car Parking Layout'
 SP57 'Sustainable Construction'

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 following adopted Supplementary Planning Documents are relevant:

- Town Centre Uses and Development
- Transport Assessments, Travel Plans and Parking Standards

Publicity

The application has been advertised by way of site notice along with individual neighbour notification letters to adjacent properties. 144 letters of representation have been received, all objecting to the proposals.

The issues raised are summarised below:

- There is insufficient parking already and the proposed extension will take up what is the hotels existing car parking facility.
- The remaining car park is used by Sainsbury, the snooker hall, the dance studio, this proposal will further limit parking spaces to the detriment of the road safety of neighbouring streets.
- Where will the extra hotel customer's park?
- The reduced number of allocated parking spaces will impact on the private parking area at Listerdale Shopping Centre. I have a business there and since the parking restriction at Brecks came into force we have noticed an increase in vehicles parking in our car park.
- The lane is busy and dangerous already, cars parking all over the place and the homes built at the bottom of Brecks Lane have already created more traffic and danger with larger lorries speeding up and down.
- More buildings, more people means more noise and more rubbish.
- The car park is already busy at times and losing spaces would only make this more problematic.
- I attend classes at the dance studio and on occasions can not get park even now. Cars then end up parking on residential streets causing narrowing of the roads and potential risk.
- Removing some car parking spaces would have a detrimental effect on business who also use the car park.
- It is no wonder that premier recently imposed a 7 pound charge on the car park presumably to deter people from parking in there during this application.
- There isn't enough parking for the hotel as it is.
- This will cause huge safety concerns for children and adults leaving the dancing school opposite and cause more parking outside bays, this happens already but with further reduction in spaces it will be even worse than currently.
- General safety of dance children in already overused car park.
- There are never enough spaces as it currently is with the car park being used by people with many young children.
- The issue which already exists is going to get even worse and at the detriment of many other small businesses.

- As a result of the data and evidence presented the development proposals are satisfactory on highway and transport grounds.
- There has been a hotel built in Rotherham Town Centre, surely this would impact on potential use of this hotel.
- There are already issues with parking and vehicles being parked in neighbouring car parks by customers using businesses elsewhere. This then impacts on our customers being able to park in our car park.
- These proposed works will mean 16 less car parking spaces which will have a negative impact on the small businesses and surrounding residential areas making it extremely unsafe for shoppers, local residents and clientele of the local businesses such as the dance school.

On receipt of additional documents, a further consultation exercise was carried out giving residents and those who had previously objected a further 21 days to comment. One additional response was received from the owner of a local business who had previously commented. The issues raised are summarised below:

- The trees / bushes between the area of parking between that owned by Sainsburys and that owned by Premier Inn. Which have been confirmed as being acceptable by the Tree Service.
- When looking at the revised plan it looks to us as if there will be access to spaces allocated to Sainsburys from left and right and not from just the right hand side as now.
- According to the plans on the right hand side of the development there will be room for 26 vehicles for Premier Inn and 18 for Sainsburys. This is a reduction of 20 for Premier Inn Guests despite the addition of 16 bedrooms. This has been partially alleviated by adding 6 parking spaces on the left hand side of the development. Our view is that this will encourage Premier Inn customers to park in the Sainsburys area especially since Premier Inn have now introduced a parking charge for their spaces.
- We were encouraged by Nigel Davey's memorandum of the 12th February when he felt that he was unable to support the application on highway grounds due to the introduction of car parking charges, in conjunction with 14 (its 16!!) additional bedrooms and removal of car parking spaces. He felt that this would result in additional vehicles parking on adjacent side roads having a detrimental effect on road safety and the amenity of nearby residents.
- This memorandum prompted the applicants to commission a Parking survey from Thursday 20th March to Saturday 22nd March.
- The results of this survey persuaded Mr Davey to reverse his decision of the 12th February as the survey conveniently demonstrated that there would be minimal displacement of vehicles.
- We put it to you that the survey was fundamentally flawed on 2 counts. One, that contractors who use the hotel frequently would only be stopping at the hotel on one of the days surveyed. Two, that the

number of vehicles did not take into account large vans, flat bed lorries and even buses that take up more than one parking space.

- This application, if granted, will cause significant problems for all the users of the site. We are particularly concerned about the safety of our students when attending class.

5 Right to Speak requests have been received from objectors and the applicant.

Consultations

RMBC Transportation Infrastructure Service: No objections subject to conditions.

RMBC Environmental Health: No objections subject to conditions.

RMBC Trees and Woodlands: No objections.

RMBC Drainage: No objections.

RMBC Ecology: No objections subject to conditions.

RMBC Energy and Climate Change: 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 main issues in the determination of the application are:

- Principle
- Design and Residential Impact
- Highways
- Biodiversity Net Gain
- General Amenity
- Landscapes and Trees

Principle

The site relates to an established hotel and has previously been extended in the past, most recently in 2006.

The NPPF defines hotel accommodation as being an appropriate use within a town local or district centre. Given the site is allocated for retail purposes within the Local Plan the principle is acceptable from a land use perspective and complies with the requirements set out in adopted Local Plan policy SP19 'Development within Town, District and Local Centres'.

Further to the above the increase in the hotel accommodation would be in compliance with the requirements of policy CS11 'Tourism and the Visitor Economy', which states the Council will support development proposals for hotels in appropriate locations.

Design and residential impact

The NPPG notes that: *"Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations."*

The NPPG further goes on to advise that: *"Local planning authorities are required to take design into consideration and should refuse permission for development of poor design."*

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"*.

This approach is echoed in National Planning Policy in the NPPF.

Paragraph 131 of the NPPF states: *"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 states *"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.”*

Furthermore, CS28 ‘Sustainable Design’ indicates that proposals for development should respect and enhance the distinctive features of Rotherham and design should take all opportunities to improve the character and quality of an area and the way it functions.

The design of the extension is in keeping with the architectural appearance, style and materials of the existing hotel. The footprint and massing of the extension is considered to be relatively small when compared to the size of the existing hotel complex and is well suited for its locality.

In addition, the extension is of a similar size, scale, form, design and siting to that previously approved in 2016.

Overall, the proposal is considered to be of a good design, scale and appearance that reflects the character of the existing hotel and meets the general design advice within the NPPF and the aforementioned adopted Local Plan documents.

In terms of spacing standards, the nearest residential properties are located to the north of the site in a long established residential area which is a mix of single storey and two storey dwellings.

In this instance the northerly facing windows are approximately 13.5m from the edge of the application site and approximately 22m to the nearest point of the side garden area with no. 34 Winlea Avenue. The proposal is therefore in excess of the spacing standards that would normally be expected between principal elevations on new residential extensions. The proposal is well in excess of the 12 metre recommendation between a principal elevation and a side elevation and is well below an indicative 25 degree vertical alignment from 34 Winlea Avenue.

These distances confirm that the proposal would not harm the living conditions of the occupiers of neighbouring properties and are in accordance with recommendations within SYRDG and provisions contained within adopted Local Plan policies referred to above.

Highways

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, following mitigation, would be severe, taking into account all reasonable future scenarios.”*

CS14 'Accessible Places and Managing Demand for Travel' states the Council will work on making places more accessible and that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by, amongst other things, locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel.

SP26 'Sustainable Transport for Development' states development proposals will be supported where it can be demonstrated that the proposals make adequate arrangements for sustainable transport infrastructure; local traffic circulation, existing parking and servicing arrangements are not adversely affected; the highway network is, or can be made, suitable to cope with traffic generated, during construction and after occupation; and the scheme takes into account good practice guidance.

Policies CS14 and SP26 are supported by paragraphs 115 and 117 of the NPPF.

SP56 'Car Parking Layout' states that layouts should be designed to reduce the visual impact of parking on the street-scene; discourage the obstruction of footways and ensure in-curtilage parking does not result in streets dominated by parking platforms to the front of properties.

The applicant has submitted a number of documents relating to highway matters including a Transport Statement and a technical note, which sets out the results of a parking survey that has been undertaken to establish the vehicle use associated with both the Premier Inn / public house and the adjacent units (convenience store, dance hall and snooker club). The survey also identifies vehicles parking on the adjacent road network with the exception of the A classified Bawtry Road, which is subject to a clearway order preventing vehicles stopping / parking on Bawtry Road.

The survey was requested as a result of Transportation Officers concerns with regard to the current parking that takes place on the adjacent road network, with particular regard to the junction of Brecks Lane and Bawtry Road, and the potential that this parking, is a result of recently introduced parking charges for Premier Inn guests, and whether the potential increase in bedrooms at the Premier Inn and subsequent loss of parking spaces, would exacerbate the current situation.

The survey dates / times and locations of the extents of the survey, were agreed between the applicant's transport agent and colleagues within Transportation with the survey being undertake over three consecutive days, Thursday 20th March - Saturday 22nd March, with both on-site and off-site parking observed over 24hr periods. The destination of vehicle occupants was recorded, including time of arrival and departure, plus duration of stay.

On-street parking accumulation

The results of the survey and the submitted report demonstrates that with regard to the total length / volume of on-street parking that was available i.e. approximately 62 car lengths:

1. That 80% of those vehicles parking on street in the identified areas, were residents or their visitors.
2. 20% were visitors to either the application site, convenience store, dance school or snooker club.

Of the 20% (110 vehicles) it was noted that 94 were parked for less than 1 hour, 14 were parked no longer than 1 hour and 2 vehicles were parked overnight, with both of these vehicles being parked on Brecks Crescent.

The figure of 110 vehicles was recorded over a 72-hour period (3-day survey period) and relates to vehicles parked on Brecks Lane, Brecks Crescent and Winlea Avenue.

On-site parking accumulation

There are currently 116 car park spaces within the site, which includes 18 spaces that are 'allocated' to the convenience store, dance hall and snooker club.

The parking survey demonstrated that:

1. The highest recorded number of vehicles parked within the site was reached on the Thursday evening, with 101 vehicles parked within the car park.
2. Of these 101 vehicles, 73 were associated with the Premier Inn and public house, with the remaining vehicles associated with the store, dance club or snooker hall.

There was a similar application at this site (RB2016/0901) was granted conditionally in October 2016, though that application, was for slightly more rooms than the current application. Since the 2016 permission, the owners of the hotel and public house have introduced time limited restrictions on the car park(s) for those visitors to the adjacent public house, and additionally, there is now a car park charge for visitors to the hotel. The adjacent roads to the application site have varying degrees of parking restrictions, with the exception of Brecks Lane, that has no restrictions.

The applicant's agent has confirmed that there is no intention to amend the existing parking restrictions / charges imposed when using the car park.

In summary, the current Premier Inn has 62 bedrooms. The application is for 14 additional bedrooms to provide 76 bedrooms in total, with the loss of 15 car parking spaces, which will result in a car park with 101 spaces in total with 83 spaces being for the use of the hotel and restaurant and the 18 spaces

allocated to the convenience store, dance studio and snooker hall being unaffected as these sit outside of the application site boundary.

The applicant has demonstrated that should the application be approved, then the completed hotel and the new car park layout, will be able to accommodate the customers of the Premier Inn and its attached public house. The car parking survey also indicates that based on the survey's undertaken, that there is the potential for some displaced parking to on-street parking to take place, for a short time period in the evening, though this is as a result of the activities of the adjoining convenience store, snooker hall and dance hall, where patronage exceeds their 18 allocated car parking spaces.

In respect of the above, the Council's parking standards detailed in the adopted SPD 'Transport Assessments, Travel Plans and Parking Standards' for commercial development is based on maximum requirements and the site is in a sustainable location in terms of access by public transport. Therefore, in these circumstances, there are no highway reasons to refuse the application subject to conditions.

It is noted that the vast amount of objections raised in respect of the application relate to highway matters and the loss of parking spaces which would affect the neighbouring businesses. These comments are noted but as set out above the proposals are considered to be acceptable from a highway perspective both in terms of the level of parking provision for the hotel but also in regard to highway safety.

Specifically in respect of the issue raised about the scope of the car parking survey and that it was done on a Thursday, Friday and Saturday. The Council's Transportation Unit have responded by stating: *"Thursday, Friday and Saturday usually capture the busiest days of the week for Hotels and hospitality venues and therefore are what we usually agree for the purposes of a TA. This is standard practise and avoids skewing the data by using less busy days as part of an average"*.

Furthermore, in response to the objection that the parking survey does not account for contractor parking at the hotel or for large vans, lorries and buses which could use multiple parking spaces, the applicant has confirmed that the survey identifies the classification of each vehicle within the car park, including light goods vehicle (LGV), heavy goods vehicles (HGV) and buses. LGVs typically comprise of vans up to 3.5t, with HGVs being larger than this.

Over the full survey period (Thursday to Saturday, inclusive) 90% of vehicles were recorded as cars, 9% as LGV and 1% as HGV. This relates to all vehicle activity, including delivery and servicing. Buses were recorded as 0%. This demonstrates the proportion of large vehicles using the car park is very low.

The results show that LGV and HGV proportions were only marginally higher on the Thursday at 11% and 2% respectively.

A high proportion of these LGVs were observed in the western parking area (identified in the survey as 'Zone A') around the breakfast and evening mealtimes. In fact, at 7pm on the Thursday evening, Zone A momentarily reached full capacity with 47 vehicles parked in the 47 parking spaces available. Of these 47 vehicles, 7 were categorised as LGV. This therefore demonstrates that LGVs were only occupying a single parking bay each and that any instances of large vehicles occupying multiple bays is extremely rare (and was not evidenced within the survey).

Objections have also been received in relation to the fact that they do not perceive the analysis reflects the actual increase in bedrooms proposed and car parking changes could encourage hotel guest to park within the Sainsbury's parking area. The applicant has confirmed that the survey results show that at present, the opposite is actually true and that a proportion of visitors associated with the convenience store, snooker club and dance school are occupying spaces in the Whitbread car parking areas. Notwithstanding this, it is expected that appropriate signage and delineation could be put in place to demarcate the Sainsburys parking area if this is considered necessary in due course.

Accordingly, the objections raised would not outweigh the judgement that the development would not cause unacceptable impact on highway safety, or a severe impact on the road network and thus as set out in paragraph 116 of the NPPF the development cannot be refused on highway grounds.

Ecology and BNG

Paragraph 187 of the NPPF states planning decisions should contribute to and enhance the natural and local environment by (amongst other things) minimising impacts on and providing net gains for biodiversity.

Policy CS20 'Biodiversity and Geodiversity' states: *"The Council will conserve and enhance Rotherham's natural environment. Biodiversity and geodiversity resources will be protected, and measures will be taken to enhance these resources ..."*

Policy SP33 'Conserving the Natural Environment' states: *"Development will be expected to enhance biodiversity and geodiversity on-site with the aim of contributing to wider biodiversity and geodiversity delivery..."*

Policy SP35 'Protected and Priority Species' states: *"Planning permission for development likely to have a direct or indirect adverse impact on the following will only be granted if they can demonstrate that there are no alternative sites with less or no harmful impacts that could be developed and that mitigation and / or compensation measures can be put in place that enable the status of the species to be conserved or enhanced."*

Ecological Reports and Biodiversity Net Gain reports and surveys have been submitted in support of the application. These have been assessed by the Council's Ecologist.

Bats

The preliminary ecological appraisal identified that the development had some potential roosting features, so a further bat emergent survey was carried out; this recorded no bats emerging from the buildings.

Biodiversity Enhancements

The site will require some biodiversity enhancements on-site in the form of bat roosting features, bird nesting boxes and hedgehog holes. This is in line with the National Planning Policy Framework Paragraph 180 (d) stating that opportunities to improve biodiversity in and around development should be integrated as part of their design.

This should include one of each of the below:

- 1 bird box integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Schwegler Brick Box Type 24, Woodstone Sparrow Nest Box or an equivalent suitable for tits, sparrows or starlings. The boxes should be located between two to four metres high, ideally at the gable apex or at eaves. The box can be installed flush with the outside wall and can be rendered or covered so that only the entrance hole is visible.
- 1 swift box integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Manthorpe 'GSWB' Swift brick or the Vivara Pro Cambridge Brick Faced Swift Nest Box. Alternatively, RSPB Swift Box may be more suitable for the development. The box(es) should be located high within the gable wall, ideally above 5m high, below the overhang of the verge and barge board.
- 1 bat box should be integrated into buildings on a southerly aspect / orientation (south, southwest, and south-east). Boxes should be located a minimum of 2 metres, but ideally 5-7 metres above ground, in a position near the eaves or gable apex. Placement should avoid windows, doors and wall climbing plants.
- Hedgehog holes between any fencing, railings, wall and gates to ensure the development is permeable to hedgehogs. These can be created by 13cmX13cm holes at ground level within fences or by leaving a sufficient gap beneath gates and/or leaving brick spaces at the base of brick walls. To ensure holes are kept open 'Hedgehog Highway' signage should be provided and secured above the holes.

The above will be conditioned.

Biodiversity Net Gain

The applicant has changed the development plans so a biodiversity net gain metric is now required.

The Biodiversity Net Gain Assessment (Arbtech, October 2024). The report and metric outline that the development is achieving a net gain in biodiversity gain units of 12.43% habitat units and 16.1% hedgerow units.

The application will be subject to a general biodiversity gain condition to secure the biodiversity gain objection. This condition is a pre-commencement condition; once planning permission has been submitted and approved a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of development. A finalised biodiversity net gain metric must also be submitted alongside this.

To ensure that the biodiversity gain objective is met and the condition can be discharged successfully it is important that biodiversity net gain is considered through the planning process.

The plan is the mechanism to ensure that the biodiversity gain objective is met and in particular:

- The post development biodiversity value of the developments on-site habitat is accurate based on the approved plans and drawings for the development;
- Any off-site biodiversity gains have been registered and allocated to the development and;
- Biodiversity credits, if they are necessary for the development, have been purchased.

General Amenity

Paragraph 135(f) of the NPPF states planning decisions should ensure that developments 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.

Local Plan policy CS27 'Community Health and Safety' states: *"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."

The premises are located in close proximity to existing residential dwellings on Butterfly Nook and Winlea Avenue.

There is the potential for disturbance to the occupiers of nearby residential dwellings as a result of noise and dust during the demolition and construction phase. There is also the potential for accumulations of mud on the highway.

In light of the above, it is recommended that the standard condition requiring the submission of a Construction Environment Management Plan before works commence is appended to any approval. Therefore, subject to the recommended condition the impact of the construction phase should be in line with normal disturbance experienced during construction works and should not have a permanent or long lasting adverse impact of neighbouring residents and businesses.

Further to the above, once complete the development of the additional hotel rooms would not cause any amenity issues to neighbouring residents by way of noise or general disturbance from within the extended premises.

Landscapes and Trees

CS19 'Green Infrastructure' states: *"Rotherham's network of Green Infrastructure assets, including the Strategic Green Infrastructure Corridors will be conserved, extended, enhanced, managed and maintained throughout the borough. Green Infrastructure will permeate from the core of the built environment out into the rural areas... Proposals will be supported which make an overall contribution to the Green Infrastructure."*

Policy CS21 'Landscape' states: *"New development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough's landscapes..."*

Policy SP32 'Green Infrastructure and Landscape' states: *"The Council will require proposals for all new development to support the protection, enhancement, creation and management of multi-functional green infrastructure assets and networks including landscape, proportionate to the scale and impact of the development..."*

The submitted Arboricultural report reveals there are 7 tree removals and partial removals necessary for the development, of which there are 1 category U tree and 4 category C trees and 2 category C groups, comprising hedges and shrubs.

All necessary tree protection measures and other concessions to protect the remaining retained trees on the site have been submitted and are deemed to be acceptable and robust.

In light of the above subject to conditions ensuring the existing trees are suitable protected in line with the submitted details during the construction phase and the replacement planting is in accordance with the submitted details, there would be no adverse impact on trees or landscape matters.

Other issues raised by objectors

The dominant concerns raised by the objectors have been considered and assessed in the prevailing sections of the report insofar as they relate to

matters of highway safety and parking concerns, as well as traffic congestion and impact on local residents.

The concerns raised regarding the impact on existing businesses is noted, however the development is on land owned by the applicant and wouldn't result in the loss of parking available to other neighbouring businesses.

It is further noted that an objection raises the issue of the number of bedrooms being created and they believe there is some discrepancy in the comments by highways. Whilst the extension itself will provide 16 new bedrooms, 2 of the existing bedrooms in the existing hotel will be lost to allow access to the extension internally, as such there is a net increase of 14 bedrooms on the current number available at the premises.

It is considered that whilst the objections are noted, the proposed development has potential benefits to the local area which include increased hotel capacity to support tourism and business travel and potential job creation, which will form part of the planning balance.

Conclusion

Having regard to the above and notwithstanding the objections raised in respect of highway impact, loss of parking and safety matters, it is considered that the extension hereby proposed is an acceptable addition to this existing hotel in this location which is allocated for retail in the local plan. Furthermore, the addition of the extension would ensure that the level of car parking for the hotel remains acceptable and does not impact on the parking spaces outside of the applicant's ownership for the neighbouring businesses (Sainsbury's, Dance School and Snooker Club).

It is therefore concluded that the objectors raised do not tip the planning balance in favour of a refusal due to the proposal complying with the relevant adopted Local Plan policies and sections of the NPPF. Therefore, for the reasons set out above the application is recommended for approval subject to conditions.

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. Condition numbered 04 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 number 04 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.'

General

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 location plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans

Location Plan dated 15th January 2025

AP104 Rev A – Proposed Site Plan

AP105 – Proposed Floor Plans

AP106 Rev B – Proposed Elevations

1137-SW-01 rev B – Landscape Proposals Sheet 1

1137-SW-02 rev B – Landscape Proposals Sheet 2

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.

Construction Environment Management Plan

04

Prior to any works commencing on site a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction and demolition related activities - Contractors and site staff are expected to use the best

practical means to minimise noise on site. Regard shall be had to the guidance detailed in BS5228 2009: 'Noise and Vibration Control on Construction Sites'.

- Dust arising from all construction and demolition related activities - Contractors and site staff are expected to use the best practical means to minimise dust on site. Regard shall be had to the guidance detailed in Institute of Air Quality Management- Guidance of the assessment of dust from demolition and construction 2014.
- Artificial lighting used in connection with all construction related activities and security of the construction site - Contractors and site staff are expected to use the best practical means to minimise light nuisance on site. Regard shall be had to the guidance detailed in the Institute of Lighting Professionals - Guidance Note 01/21 – Reduction of Obtrusive Light.

The CEMP to be submitted shall be in report format and as a minimum is to include the following details as specified in the subheadings below:

- Program and Phasing Details
 - Site layout
 - Operational hours
 - Expected duration of demolition and construction work phases
- Site Management
 - Contact details of site manager for public liaison purposes
 - Complaints procedure - Roles and responsibilities
- Routes for Construction Traffic
 - Routes to be used for access onto site and egress
 - One way systems
 - Haul routes (onsite and delivery)
- Site Access, Storage and Movement of Materials
 - Delivery access point details
 - Location details of storage / loading / unloading of materials / plant areas
 - Parking / turning facilities for construction staff / deliveries
 - Location of site compound
 - Delivery times of materials and plant
 - Car parking facilities for construction staff
- Dust, Debris and Mud
 - Screening and hoarding
 - Preventative measures
 - Dust suppression measures
 - General and machinery
 - Wheel wash facilities
 - Road sweeping facilities
 - Covering of dusty stockpiles
 - Vehicles carrying dusty loads
 - Dust monitoring
 - Boundary checks
 - Monitoring of weather including wind speed and direction, dry conditions etc

- Noise and Vibration Control
 - Silencing of vehicles, plant and machinery
 - Mitigation measures for noisy operations
 - Operational hours
 - One way systems
 - Vehicle reverse alarms
 - Leaflet drops to noise sensitive premises
- Artificial Lighting
 - Hours of operation of the lighting
 - Location and specification of all of the luminaires
 - Level of maintained average horizontal illuminance for the areas that needs to be illuminated
 - Predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity
 - Measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- Waste Management
 - Waste storage
 - Waste collection
 - Recycling
 - Waste removal

Reason

To safeguard the amenities of the occupiers of nearby properties and promote sustainable development.

Highways

05

Before the development is brought into use, 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.

06

Before the development is brought into use the car parking area shown on the submitted plan shall be provided, marked out and thereafter maintained for car parking.

Reason

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

07

Before the proposed development is brought into use, a Travel Plan shall have been submitted to and approved by the Local Planning Authority. The plan shall include clear and unambiguous objectives, modal split targets together with a time bound programme of implementation, monitoring and regular review and improvement. The Local Planning Authority shall be informed of and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan following submission of progress performance reports as timetabled in the programme of implementation.

Reason

In order to promote sustainable transport choices.

Ecology

09

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), hedgehog holes and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason

In the interests of biodiversity enhancement.

General Amenity

10

All Air Source Heat Pumps to be provided on the site shall be in compliance with all relevant limitations and conditions in Class G, Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and shall comply with the MCS Planning Standards.

Reason

To safeguard the amenities of the existing occupiers of nearby properties and future occupiers of the site.

Trees and Landscapes

11

No work or storage on the site shall commence until all the trees/shrubs to be retained have been protected by the erection of a strong durable 2 metre high barrier fence in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. This shall be positioned in accordance with details as shown on drawing Arbtech TPP 01 rev B. The protective fencing shall be properly maintained and shall not be removed without the written approval of the Local Planning Authority until the development is completed. There shall be no alterations in ground levels, fires, use of plant, storage, mixing or stockpiling of materials within the fenced areas.

Reason

To ensure the trees/shrubs are protected during the construction of the development in the interests of amenity.

12

All tree works shall be carried out in accordance with the detail contained within the submitted Arboricultural Method Statement prepared by Arbtech dated 27 September 2024. In addition, no tree work shall commence until the applicant, or his contractor has given at least seven days' notice of the intended starting date to the Local Planning Authority. The authorised works should be completed within 2 years of the decision notice otherwise a new application for consent to carry out any tree work will be required.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area.

13

Before the development is brought into use, the approved Landscape scheme as indicated on Dwg Nos 1137-SW-01 rev B and 1137-SW-02 rev B shall be implemented in accordance with RMBC Landscape Design Guide (April 2014) in the next available planting season and maintained to ensure healthy

establishment. Any plants dying, removed or destroyed within five years of planting shall be replaced the following planting season.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity.

Informatives

01

Biodiversity Net Gain

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that **development may not begin** unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rotherham MBC. Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan

was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

1. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
2. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

- Listed exemptions from Statutory BNG and transitional arrangements can be found at Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)
- The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>
- Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=para%20graph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=para%20graph%2015).-,Biodiversity%20gain%20plan,-14)
- Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>
- Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>
- Where a Habitat Management and Monitoring Plan is required: <https://publications.naturalengland.org.uk/publication/5813530037846016>

02

Nature conservation protection under UK and EU legislation is irrespective of the planning system and the applicant should therefore ensure that any activity undertaken, regardless of the need for any planning consent, complies with the appropriate wildlife legislation. If any protected species are found on the site then work should halt immediately and an appropriately qualified ecologist should be consulted. For definitive information primary legislative sources should be consulted.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

03

Except in case of emergency, no operations shall take place on site other than between the hours of 0800 to 1800 hours Monday to Friday and between 0900 to 1300 hours on Saturdays. There shall be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities, shall be minimised in accordance with the guidance provided in British Standard 5228 Code of Practice: 'Noise Control on Construction and Open Sites'.

At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsters, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

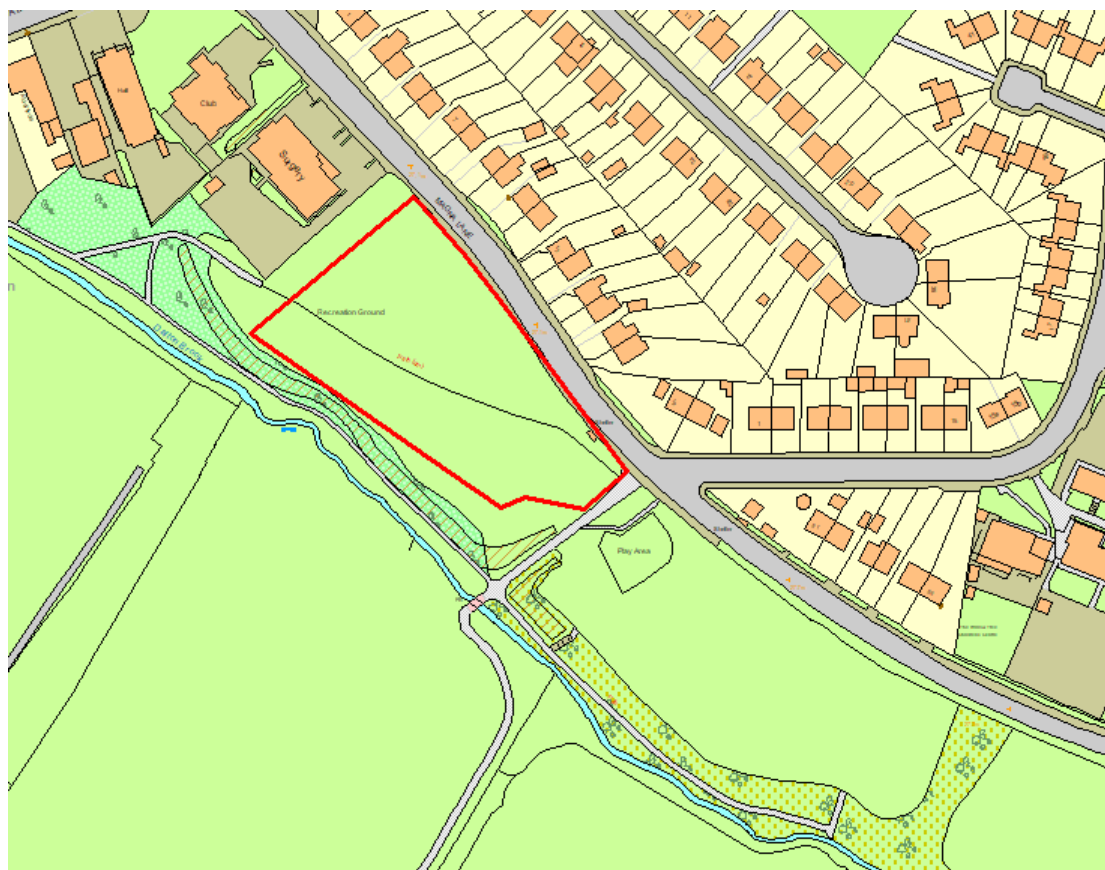
Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

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.

Application Number	RB2025/0526 https://rotherham.planportal.co.uk/?id=RB2025/0526
Proposal and Location	Creation of all wheels bike track at grassland park area, Magna Lane, Dalton
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 is an open area of land with a hedge along its northern-eastern boundary, adjacent to the highway at Magna Lane.

The site is known as the recreation ground and is situated in the eastern part of Dalton. To the northwest of the site is the Dalton Parish Hall along with a number of commercial properties. To the north and east of the site is the established residential area of Dalton. To the south and south east is an equipped children's play area and beyond this is open land.

The application site comprises an area of land approximately 0.6 hectares in total.

Background

The site does not have any recent previous planning history.

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.

Proposal

The application seeks full planning permission to create a new All Wheels Pump Track on the recreation ground. This is a circuit-based facility suitable for use by bicycles, scooters, skateboards and roller blades.

The engineering operations involve the following:

Off road cycling elements included in the layout:

- Beginner pump track – aimed at the smallest of users from balance bikes and scooters upwards learning initial skills required to control wheeled equipment over specific features.
- All wheel's pump track – this will comprise of an intermediate to advanced level pump track.

Additional advanced transfers will be possible for skilled users adding further interest and ownership.

The engineering works will be located 10m away from the surrounding boundaries and 20m away from the Dalton Brook to the south.

The applicant indicates the proposed development is not expected to generate a need for increased parking.

Planning Statement

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

- The proposed development is designed to enhance recreational opportunities for residents of all ages and abilities, while preserving the openness and character of the Green Belt.
- The proposal involves the installation of an All Wheels Pump Track, a low-impact, circuit-based facility suitable for use by bicycles, scooters, skateboards, and roller blades. The track will be constructed using compacted aggregate with tarmac surfacing, and will include features such as rollers and berms to allow users to navigate the course using momentum rather than pedalling.
- The design is compact and sensitive to the landscape, ensuring minimal disruption to existing vegetation and topography. There are no permanent buildings associated with the development, and boundary treatments will be limited to ensure continued visual permeability.

- The revised NPPF continues to give great weight to the protection of Green Belt land but also recognises the importance of providing accessible open spaces and promoting healthy, inclusive communities. Key relevant paragraphs include:
 - Para 152: States that the Green Belt serves five purposes, including safeguarding the countryside from encroachment and preserving its openness.
 - Para 158: Allows for certain forms of development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes “provision of appropriate facilities (in connection with the existing use of land) for outdoor recreation”.
 - Para 100: Emphasises the need for high-quality open spaces and opportunities for sport and physical activity, particularly where this would address health and well-being needs.
 - Para 103: Encourages local authorities and applicants to consider improvements to the quality, accessibility, and value of green infrastructure and public open space.
 - This proposal qualifies as “not inappropriate” development under NPPF para 158(b) – the provision of appropriate facilities for outdoor sport and recreation. The pump track:
 - Maintains the openness of the Green Belt through its low-lying, non-intrusive design.
 - Supports the recreational use of the land.
 - Enhances the existing green space for wider and more inclusive community use.
 - Does not lead to encroachment or coalescence of settlements.

Justification and Benefits

- Public Health & Well-being: The facility promotes physical activity, mental well-being, and intergenerational engagement.
- Accessibility: Open to all, including users of wheeled mobility devices, fostering inclusivity.
- Low Impact: No permanent structures, no loss of existing green space, and no detriment to landscape character or biodiversity.
- Community Demand: Responds to increasing local interest in cycling, skating, and alternative wheeled sports.
- Green Infrastructure Enhancement: Improves the quality and recreational value of existing green space in line with NPPF objectives

The Planning Statement concludes that this is appropriate in the context of Green Belt policy (NPPF Para 158). Is supportive of national aims to enhance public health and community cohesion. Is sensitive to local context, landscape, and environmental constraints.

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'.
 SP26 'Sustainable Transport for Development'
 SP32 'Green Infrastructure and Landscape'
 SP39 'Design and Location of Green Space, Sport and Recreation'
 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. A total of 17 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 will improve people's physical health
- Good facility for the young people of the area.
- Other similar facilities have been popular.
- Are there any plans to stop the use of motorbikes on the track.

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

- The car parking problems at the site
- Insufficient regard
- Potential dangers to users of the existing recreational facility
- Loss of a well used public open space.
- Increase in noise and anti-social behaviour.
- Will there be extra policing available to stop the site being abused by off-road bikes.
- Magna Lane is already a busy, fast road and this development will add additional traffic.
- There has previously been a fatality on this road
- There is no traffic management or calming for the site

The representations are split roughly 50/50 in support for and objection to the scheme. The majority of the representations come from local residents with residents along Magna Lane in close proximity to the site are both in support of and objecting to the proposal.

Consultations

RMBC Transportation Infrastructure Service – no objections, subject to conditions

Environmental Health – no objections

Ecologist – no objections, subject to BNG condition

Drainage Officer – no objections

Public Rights of Way – 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
- Visual Impact on the Green Belt
- Noise and impact on the surroundings
- Transportation 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, and this is discussed within the National Planning Policy Framework.

SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt'. They are summarised as follows:

- 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;*
- b. they are sited and designed so as to avoid any adverse impact on identified landscape character, heritage, nature conservation or agricultural interests;*
- c. the proposals would not pollute surface and groundwater;*

Policy SP 39 'Design and Location of Green Space, Sport and Recreation' states that:

"Proposals for Green Space, sport and recreation and children's play space within new and existing developments should be designed to incorporate the following principles: a. able to deliver Green Space to the recommended accessibility standards and typical characteristics set out in Policy SP 37 'New and Improvements to Existing Green Space'; b. landscaped and sited on land suitable for the purpose; c. located away from busy roads and car-parks, or separated from them by suitable boundary treatments; d. attractive and sited in open locations, easily observed by non-users; e. the facilities are

accessible to as many potential users as possible; f. easily accessed by pedestrians and cyclists; g. linked to other green spaces either directly or via green infrastructure corridors; h. ensures ease of maintenance, operational sustainability (repair and replacements), and affordable quality management for the lifetime of the equipment. Additionally in the case of Play Spaces: i. provides for risk and challenge, without putting users in danger of serious harm; j. provides appropriate buffer zones; k. accounts for industry standards and practice. Developments that provide private sports and recreation facilities should enter into a Community Use Agreement to promote and allow access by local communities.”

The proposal is considered to meet the criteria highlighted in SP39 and would provide an additional recreational facility which would be easily accessible to the public, adjacent to an existing recreational playground.

The use of Green Belt land for recreational purposes can be considered to be an appropriate use in 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 this instance the change of use does not propose any new buildings of a permanent or substantial construction. No fencing is proposed though the bike track would involve re-grading and engineering of existing ground levels within the site to create jumps and slopes along with new areas of hardstanding.

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 subject to the proposal not having a detrimental impact on the openness of the Green Belt. The design and impact upon the openness of the Green Belt will be considered in more detail below.

Visual Impact on the Green Belt and its openness

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”.*

Openness can be considered as meaning an absence of built or otherwise urbanising development. The courts have also identified other matters in terms of assessing the impact on openness and have confirmed that the concept of 'openness of the Green Belt' is not narrowly limited to the volumetric approach. The word 'openness' is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Openness is considered to be capable of having both spatial and visual impacts.

The site is relatively well screened to surrounding land areas with a mature boundary fence along the Magna Lane elevation, and no additional screening is proposed to the boundaries of the site over and above that already installed. The western side of the site already has fencing with a weldmesh design which is see-through from a distance and is green in colour. Beyond this is a collection of permanent brick commercial buildings. When viewed as a whole, the character of the immediate surroundings is considered to assist in reducing the potential detrimental impact on openness of the Green Belt.

The development itself consists of predominantly engineering operations which result in ramps and bumps in the site to create a pump track for bikes, scooters and skaters. The appearance of the engineering operations is low level with the maximum height being 2 metres. It will be softened by landscaping including turf/grass to the slopes although there are hard surfaces proposed as part of the track.

Overall it is considered that the structures would have a limited impact on the openness of the Green Belt from a spatial perspective.

In terms of the visual impact on openness, it is acknowledged that an existing track runs along the Southern boundary of the site and that the site is elevated from this position but other than this, limited public vantage points of the site are available which do not result in the site being viewed against the backdrop of other buildings. The site is screened by way of a mature hedge to the adjacent highway and mature trees to the Southern boundary. On this basis, it is considered that the structures/operational development that has been undertaken at the site results in a low impact on the openness of the Green Belt from a visual perspective.

In summary, it is considered that the use of the land as a pump track comprises an essential/appropriate facility for outdoor sport/outdoor recreation and it is considered that the operational development formed at the site in terms of grassed mounds and ramps are of a form, size and height that result in a low or limited impact on the openness of the Green Belt and would not conflict with the purposes of including land within it. As such, the proposal is not considered to comprise inappropriate development within the Green Belt, Local Plan Policies SP2 'Green Belt' and SP55 'Design Principles' and the advice contained within the NPPF.

Noise and impact on the surroundings

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.

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."*

In terms of noise, this is an established recreation area with a park directly adjacent to the application site. The nearest residential properties are on the opposite side of Magna Lane which is a relatively busy highway and the site is screened by mature hedging and trees which will assist in screening the proposed pump track and lessening noise from the facility. The track is intended to be used by push bikes, skaters and scooters and as such the noise will be limited. Overall, the noise likely to emanate from the site is not likely to be significantly in excess of existing noise levels or to such an extent that would result in a significant impact on residential amenity of neighbouring properties..

There is no proposal to install floodlighting and no noise generating equipment to be installed.

A number of the objections have raised concerns about anti-social behaviour, a condition is recommended to require submission of information relating to reducing the accessibility of motorbikes to the site in relation to reducing potential for this type of ASB.

Overall Environmental Health have raised no objections to the application from a noise or general pedestrian safety perspective, subject to standard conditions. It is recommended that the standard condition requiring the

submission of a Construction Environment Management Plan before works commence is appended to any approval to minimise dust and general disturbance.

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

SP26 'Sustainable Transport for Development' states development proposals will be supported where it can be demonstrated that the proposals make adequate arrangements for sustainable transport infrastructure; local traffic circulation, existing parking and servicing arrangements are not adversely affected; the highway network is, or can be made, suitable to cope with traffic generated, during construction and after occupation; and the scheme takes into account good practice guidance.

A number of the objections highlight existing traffic problems occurring at the site. These include concerns that the proposal may generate additional traffic.

The Transportation Unit initially queried if there would be any improvements to the road safety environment, including pedestrian crossing provision along the site frontage, due to the increase in pedestrian / cycle movements to the site.

The applicant indicated that no formal improvements are proposed. However, the Transportation Unit note that the site will be accessed from an existing bridleway. The applicant will need to own or control all the land immediately adjacent to the Bridleway in order that access can be achieved as the Bridleway will be a prescribed width which may not be the total width of the area. The Transportation Unit also note that where the Bridleway meets Magna Lane there is an existing uncontrolled pedestrian crossing.

RMBC Highways are of the opinion that the proposed scheme if implemented will be mainly used by local children and will be accessed on foot / bike as per similar facilities located throughout the borough. Accordingly, it is not considered that any formal road improvement works will be necessary and there are no objections to the granting of planning permission in a highway context subject to the conditioning of a Construction Traffic Management Plan.

RMBC's Public Rights of Way Service have not raised any objections as the existing rights of way do not appear to be affected by the proposals.

Overall the proposal is considered to meet the requirements of policy SP26 'Sustainable Transport for Development'.

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'.*

Biodiversity Net Gain

The Biodiversity Net Gain Assessment (Armstrong Ecology, November 2024). The report and metric outline that the development is achieving a net gain in biodiversity gain of 0.2060 (10.60%) increase in habitat units on-site.

The application will be subject to a general biodiversity gain condition to secure the biodiversity gain objection. This condition is a pre-commencement condition; once planning permission has been submitted and approved a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of development. A finalised biodiversity net gain metric must also be submitted alongside this.

To ensure that the biodiversity gain objective is met and the condition can be discharged successfully it is important that biodiversity net gain is considered through the planning process.

Landscapes and Trees

CS19 'Green Infrastructure' states: *"Rotherham's network of Green Infrastructure assets, including the Strategic Green Infrastructure Corridors will be conserved, extended, enhanced, managed and maintained throughout the borough. Green Infrastructure will permeate from the core of the built environment out into the rural areas... Proposals will be supported which make an overall contribution to the Green Infrastructure."*

There are no trees within or directly adjacent to the site area. There are existing trees along the boundary with Magna Lane, though these are considered to be a sufficient distance away so as not to have any adverse impact on trees or landscape matters.

Conclusion

Overall the principle of a recreational use for pump track facility in this Green Belt location is considered appropriate in land use terms. The size and siting

of the facility is considered to be of an appropriate scale to not have a harmful impact on the openness of the Green Belt.

The Transportation Unit have accepted the plans and consider that there is unlikely to be any significant increase in parking demand, as this will be a local facility.

The use is not considered to generate any significant noise issues over and above the existing recreational area.

It is therefore concluded for the reasons set out above the application is recommended for approval subject to conditions.

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 04 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 A4, site plan SK1, proposed elevations SK0, proposed projection image)(received 16 April 2025).

Reason

To define the permission and for the avoidance of doubt.

Surfacing materials

03

No above ground development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Local Plan Policies and the NPPF.

Highways/Environmental Health

04

Prior to any works commencing on site a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP to be submitted shall be in report format and as a minimum is to include the following details as specified in the subheadings below:

- Program and Phasing Details
 - Site layout
 - Operational hours
 - Expected duration of demolition and construction work phases
- Site Management
 - Contact details of site manager for public liaison purposes
 - Complaints procedure - Roles and responsibilities
- Routes for Construction Traffic
 - Routes to be used for access onto site and egress
 - One way systems
 - Haul routes (onsite and delivery)
- Site Access, Storage and Movement of Materials
 - Delivery access point details
 - Location details of storage / loading / unloading of materials / plant areas
 - Parking / turning facilities for construction staff / deliveries
 - Location of site compound
 - Delivery times of materials and plant
 - Car parking facilities for construction staff
- Dust, Debris and Mud
 - Screening and hoarding
 - Preventative measures
 - Dust suppression measures
 - General and machinery
 - Wheel wash facilities

- Road sweeping facilities
- Covering of dusty stockpiles
- Vehicles carrying dusty loads
- Dust monitoring
- Boundary checks
- Monitoring of weather including wind speed and direction, dry conditions etc
- Noise and Vibration Control
 - Silencing of vehicles, plant and machinery
 - Mitigation measures for noisy operations
 - Operational hours
 - One way systems
 - Vehicle reverse alarms
 - Leaflet drops to noise sensitive premises
- Artificial Lighting
 - Hours of operation of the lighting
 - Location and specification of all of the luminaires
 - Level of maintained average horizontal illuminance for the areas that needs to be illuminated
 - Predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity
 - Measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- Waste Management
 - Waste storage
 - Waste collection
 - Recycling
 - Waste removal

Reason

To safeguard the amenities of the occupiers of nearby properties and promote sustainable development.

Drainage

05

Above ground development shall not be begun until details of the foul and surface water and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

Reason

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin and in accordance with Policy CS25 of the Local Plan.

Landscaping

06

Before the development is brought into use, a Landscape scheme along with final boundary treatment, showing location and types of landscape and boundary treatment, shall be submitted for approval by the Local Planning Authority. The Landscape scheme should be prepared in accordance with RMBC Landscape Design Guide (April 2014) and shall be implemented in the next available planting season and maintained to ensure healthy establishment. Any plants dying, removed or destroyed within five years of planting shall be replaced the following planting season.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with the Local Plan.

07

Prior to any above ground works, details of measures to be incorporated to discourage access to the site by off road vehicles and motorbikes shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first use of the site.

Reason

To reduce the opportunities for anti-social behaviour on site and limit the impact on amenity of neighbouring properties in accordance with Local Plan Policy SP52.

Informatives

01

Biodiversity Net Gain

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that **development may not begin** unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rotherham MBC. Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

1. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
2. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

- Listed exemptions from Statutory BNG and transitional arrangements can be found at Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)
- The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>
- Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=para%20graph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=para%20graph%2015).-,Biodiversity%20gain%20plan,-14)
- Irreplaceable habitats for the purposed of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

- Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/ukxi/2015/595#:~:text=Additional%20content%20of%20plan>
- Where a Habitat Management and Monitoring Plan is required: <https://publications.naturalengland.org.uk/publication/5813530037846016>

02

Nature conservation protection under UK and EU legislation is irrespective of the planning system and the applicant should therefore ensure that any activity undertaken, regardless of the need for any planning consent, complies with the appropriate wildlife legislation. If any protected species are found on the site then work should halt immediately and an appropriately qualified ecologist should be consulted. For definitive information primary legislative sources should be consulted.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

03

Except in case of emergency, no operations shall take place on site other than between the hours of 0800 to 1800 hours Monday to Friday and between 0900 to 1300 hours on Saturdays. There shall be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Drainage

04

Surface Water Discharge From Greenfield Site:

The total surface water discharge from greenfield sites should be limited to green field run- off rates - up to 1 in 100 years storm + climate change. On site surface water attenuation will be required.

If the greenfield run-off for a site is calculated at less than 2 l/s/ha then a minimum of 2l/s can be used (subject to approval from the LPA)

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc. to demonstrate how the 100 year + 40% CC rainfall volumes will be controlled and accommodated.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

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.