

APPENDIX 7

Responsible Authority 1 – Development Control (Planning)

From: Sophie Ward <Sophie.Ward@rotherham.gov.uk>

Sent: 05 February 2026 10:37

To: Diane Kraus <Diane.Kraus@rotherham.gov.uk>

Subject: Re: Variation Application - Wigtox Lounge, 33 South Street, Rotherham S62 5RF

As you are aware, planning permission has been granted for the use of the premises and I attach the decision notice and approved layout plan for your information.

You will note that the permission restricts hours of opening until 11pm, and the licence application wants to extend these further. If such a licence is granted, planning permission would be required before operating to any later hours. Indeed, we have received complaints that the premises are operating after the 11pm period required under the permission and have served a Breach of Condition Notice requiring the operators to abide by the approved hours, though this has now been breached and we are considering formal prosecution.

There are several other conditions that need to be complied with, irrespective of whether any licence is in place, and I have copied them below:

05

There shall be no deliveries/refuse collection to the premises outside the hours of 08.30 until 20:00 Mondays to Sundays.

06

The outdoor seating area to the rear of the building at first floor as shown on drawing 002 F shall only be used by customers between the hours of 10:00 and 21:00.

07

There shall be no consumption of alcohol outside of the premises (including the external seating area).

08

No amplified music or audio shall be played in the outdoor areas (including the external seating area).

09

The 1.8m high screen around the perimeter of the roof of the single-storey off-shot to be used as an outdoor seating area shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 4 obscured glazing. The screen shall be implemented before the area is brought into use and shall be permanently retained in that condition thereafter.

In addition, I note that the layout internally shown on the submitted plans for the Licence are different to those approved under the planning permission. At first floor I note that the rooftop seating area has been linked to an area shown on the planning permission as 'Storage for Existing Club Only', with it shown as 'Bar area 84.2m²' and associated toilets.

These alterations would need to be regularised by way of an amendment to Condition 2 (approved plans) of the planning permission.

At ground floor level I note that the layout of the flats and bedsits is also different to that approved, along with the parking provision. I understand this is not related to the Licence application, but the

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applicant should be aware that these differences also need to be regularised by way of an amendment to Condition 2 (approved plans) of the planning permission.

Kind regards,

Sophie Ward

Assistant Planning Enforcement Officer

Planning, Regeneration and Transport, Regeneration & Environment, Rotherham Borough Council

Copy of current Planning Consent

Rotherham Metropolitan Borough Council Town and Country Planning Act 1990

Reference
RB2025/0598

Decision Date

17 October 2025

Fenton Interiors

Mr Coopland, Wesley Centre, Blyth Road, Maltby

Rotherham S66 8JD

Description and Location

Use of building for a social club, including drinking establishment and cafe, beauty treatment rooms and sun bed pods (Use Class Sui Generis) and two self-contained flats and two bed sits (Use Class C3 Dwellinghouses) and external alterations to building including replacement external staircase and 1.8m high screen to outdoor seating area at first floor to the rear at 33 South Street Rawmarsh Rotherham.

You are hereby notified that your application for Planning Permission for the above development was GRANTED CONDITIONALLY on 17 October 2025.

Condition(s) imposed:

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

002 F – Proposed Plans

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.

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04

The social club use hereby permitted shall only be open to customers or for deliveries between the hours of 10:00 to 23:00 Mondays to Sundays.

Reason

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

05

There shall be no deliveries/refuse collection to the premises outside the hours of 08.30 until 20:00 Mondays to Sundays.

Reason

To safeguard the amenities of the occupiers of nearby properties.

06

The outdoor seating area to the rear of the building at first floor as shown on drawing 002 F shall only be used by customers between the hours of 10:00 and 21:00.

Reason

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

07

There shall be no consumption of alcohol outside of the premises (including the external seating area).

Reason

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

08

No amplified music or audio shall be played in the outdoor areas (including the external seating area).

Reason

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

09

The 1.8m high screen around the perimeter of the roof of the single-storey off-shot to be used as an outdoor seating area shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 4 obscured glazing. The screen shall be implemented before the area is brought into use and shall be permanently retained in that condition thereafter.

Reason

In the interests of the amenities of the occupiers of adjoining properties.

Informative(s)

01

The applicant should contact the Housing Licensing Team, Community Protection Unit as detailed below:

Housing Licensing, Community Protection Unit , Regeneration & Environment Services

Riverside House, Main Street, Rotherham S60 1AE . Tel: 01709 823118

Email: landlordlicensing@rotherham.gov.uk

02

Drainage Informatives:

- Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.
- Surface Water Discharge from Brownfield Site:
- There should be no increase in surface water discharge from the site to existing sewers / watercourses. On site surface water attenuation will therefore be required if drained areas to existing sewers / watercourses are to be increased.

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- A 30% net reduction to existing peak discharge (up to a 1/100 yr storm + 40% CC) will be required if the site is being re-developed. A full justification will be required where the development cannot achieve the 30% betterment on the existing run-off rate.
- On Site Surface Water Management:
- 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.
- Guidance on flood pathways can be found in BS EN 752.
- If the development is proposing to make a new highway drainage connection to an existing highway drainage system, detailed CCTV surveys and modelling of the existing highway drainage system will be required to determine the capability to accept additional flow. Discharge will be limited to greenfield run-off rates.

03

You should note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust which may arise during the construction phase. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 RB2025/0598(Continued)

upon conviction in the Magistrates' Court. It is therefore recommended that you give serious consideration to reducing general disturbance by restricting the hours that operations and deliveries take place, minimising dust and preventing mud, dust and other materials being deposited on the highway.

04

The granting of this planning permission does not authorise any signage to be erected related to the development. Such signage is controlled by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and a separate application for advertisement consent may be required.

05

The planning permission granted does not override the necessity to obtain the appropriate licence from the relevant licencing authority, such as where alcoholic drinks are to be sold from the site or hot food and / or drink are provided after 11pm.

If you do not have the required license(s) in place then you must not carry out the activities specified on this planning permission. In addition, if any of the conditions attached to your planning permission conflict with the activities allowed under the license (or the times during which they can take place) then the most stringent requirements will take precedence. For example, if this planning permission permits an activity until 11pm, but your license only allows the activity until 9pm then you must cease the activity at 9pm even though you have a planning permission that would permit the activity until 11pm.

For more information in this respect please contact licensing@rotherham.gov.uk

POSITIVE AND PROACTIVE STATEMENT

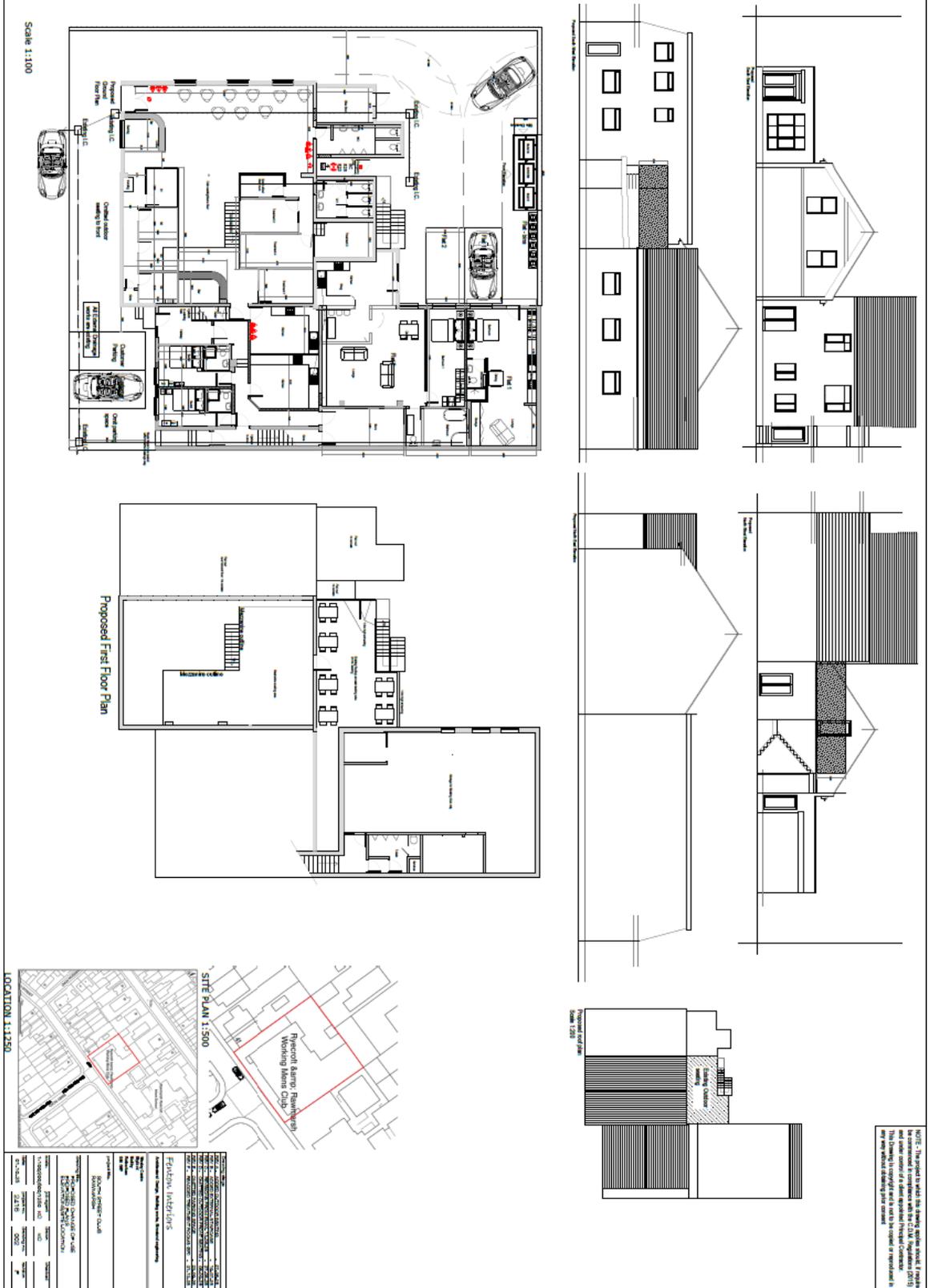
The applicant and the Local Planning Authority engaged in pre application discussions to consider the development before the submission of the planning application. The application was submitted

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on the basis of these discussions or was amended to accord with them. It was considered to be in accordance with the principles of the National Planning Policy Framework.

N Hancock
Head of Planning and Building Control

Copy of Approved Plan attached to Planning Consent



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Responsible Authority 2 – Public Health

From: Publichealthadmin <GCMail-Publichealthadmin@rotherham.gov.uk>

Sent: 16 February 2026 16:01

To: Licensing <Licensing@rotherham.gov.uk>

Subject: Variation Application - Wigtox Lounge, 33 South Street, Rotherham S62 5RF

Dear Licensing,

Public Health have a few concerns regarding the variation of the license requested by Wigtox Lounge. Many of the variations were already requested and not approved when the licence was first applied for, following concerns raised by nearby residents.

Here are the considerations for each proposed license variation:

Variation a – Public Health have no issues with extending the earliest hour of alcohol sales to 9am although this premise is next to a school and these new hours would coincide with school drop off time so it may be worth compromising to 9:30 or 10am.

Variation b – The latest hour of authorised sale of alcohol is already 12:30 so we see no reason why this should be extended to 1am in a built-up residential area. It is already open later than other premises in the area.

Variation c – The latest admission time was put in place to stop lots of people attending the Wigtox premises after other pubs in the areas have closed. Public Health still have issues with this and would like the 11pm latest entry time to remain in place to reduce any issues associated with larger crowds at the venue after 11pm. I assume local residents will raise concerns about this as well

Variation d – I would expect the same response from the local Cllrs and residents again particularly in relation to the use of the roof top terrace and late-night entry into the premises. The roof top terrace overlooks resident properties which was not accepted by licensing the first time round in 2025 and I would expect that this decision remains the case, particularly for the later hours.

Variation e – Public Health have no issues with condition e and are happy for the function room to be included in the licensed area.

Best wishes,
Public Health

Public Health
Adult Care, Housing and Public Health
Rotherham Borough Council

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Responsible Authority 3 – Licensing Authority

Community Safety and Street Scene
Licensing, Riverside House, Main Street, Rotherham, S60 1AE
Direct Line: 01709 807827
Email: oliver.ashton@rotherham.gov.uk



My Reference:
P1225

Your Reference:

Please ask for:
Oliver Ashton

Date:
19th February 2026

To: Diane Kraus

diane.kraus@rotherham.gov.uk

Copy to: Audrey Bailey

audrey.bailey@rotherham.gov.uk

Dear Mrs Kraus,

Wigtox Lounge, 33 South Street, Rawmarsh, Rotherham, S62 5RF

I write on behalf of Rotherham MBC acting in the role of a Responsible Authority and with reference to the application to vary the Premises Licence issued in respect of the above premises.

The application seeks consent to vary the Premises Licence so as to:

- a. Extend the earliest authorised hour to allow the sale of alcohol, playing of recorded music, performance of dance and exhibition of films on every day of the week at 9am.
- b. Extend the latest authorised hour to allow the sale of alcohol, playing of recorded music, performance of dance, exhibition of films and provision of late-night refreshment on Friday & Saturday to 1am on the following day.
- c. Remove the condition restricts admission to the premises after 11pm.
- d. Remove the condition that prohibits the use of the roof top terrace and replace it with a condition that allows it to be used for the consumption of food and drink between 9am and 11pm on every day of the week; and for the purpose of smoking or vaping between 9am until the premises closes.
- e. Include the first-floor function room (accessed via the roof top terrace) as part of the area authorised for the provision of licensable activities.

Having reviewed the application to vary the premises, the Licensing Authority is opposed to the grant of this application as it believes the proposed changes will have significant impacts on the following licensing objective.

- The prevention of public nuisance

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- a) I have no objections to that part of the application that seek to extend the earliest authorised hour to allow the sale of alcohol, playing of recorded music, performance of dance and exhibition of films on every day of the week at 9am.
- b) The proposal to extend the opening hours on Friday and Saturday is not suitable, customers leaving the venue at 12:30 PM on Fridays and Saturdays cause significant noise, including shouting, taxi doors slamming, and music, which disturbs local residents. This has been evidenced by work completed by the environmental health team, extending this until 1:00 AM will severely impact the quality of life for local residents. Considering that the premise has only been open a short time and has already evidenced problems emanating from this.
- c) The proposal to remove the condition that restricts access to customers after 11pm, is in place to reduce the impact of noise nuisances to local residents. Therefore, I don't see it being suitable for this condition to be removed.
- d) I object to the request to remove the condition that prohibits the use of the roof top terrace and replace it with a condition that allows it to be used for the consumption of food and drink between 9am and 11pm on every day of the week; and for the purpose of smoking or vaping between 9am until the premises closes. The use of the roof terrace is likely to cause a noise nuisance to residents that are facing the back and sides of the premise as well as privacy concerns to residents that have windows and gardens facing the back and sides of the premise. The roof terrace is not a suitable area for outdoor consumption of food and drink or smoking as large groups congregating will likely cause a public nuisance to local residents.
- e) With regard to the request to include the first-floor function room (accessed via the roof top terrace) as part of the area authorised for the provision of licensable activities. I object to it being included under the licensable areas due to concerns of noise escape and the potential for public nuisance. Whilst the installation of an acoustic corridor to allow exit to and from the function room partway mitigates my concerns, the effectiveness of this corridor could be undermined if doors to the function room or mezzanine level were propped open. However, if the applicant was to add the following conditions that the entrance doors to the first floor function room and mezzanine level were fitted with a self-closing device and that additional management conditions were added that these doors were not to be propped open then I would be minded to remove my representation on this part of the application.

Suggested Conditions:

If the committee is minded to grant a variation, I strongly request that two conditions be added to restrict the function room.

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- That the access and egress doors to the function room including the mezzanine level are to be fitted with self-closing devices on the doors to mitigate noise breakouts.
- That the access and egress doors to the function room including the mezzanine level are not to be propped open at any time during operational hours.

Yours sincerely,



Licensing Enforcement Officer

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Responsible Authority 4 – Community Protection Unit – Noise Team

memorandum

Neighbourhoods



To:
LICENSING SERVICES

Date: 24 February 2026

For the attention of Diane Kraus

Subject: Licensing

Premises Licence Variation Application
The Lounge LTD, 33 South Street, Rawmarsh, Rotherham, S62 5RF

Contact:
Kirsty Leonard

Ref:
063799

Extension:
01709 255013

I write with reference to the above application to which I received consultation papers on 28 January 2026 and would report as follows:

I have read the application document and have visited the premises to which it relates.

The application seeks consent to vary the Premises Licence so as to:

- a. Extend the earliest authorised hour to allow the sale of alcohol, playing of recorded music, performance of dance and exhibition of films on every day of the week at 9am.
- b. Extend the latest authorised hour to allow the sale of alcohol, playing of recorded music, performance of dance, exhibition of films and provision of late-night refreshment on Friday & Saturday to 1am on the following day.
- c. Remove the condition restricts admission to the premises after 11pm.
- d. Remove the condition that prohibits the use of the roof top terrace and replace it with a condition that allows it to be used for the consumption of food and drink between 9am and 11pm on every day of the week; and for the purpose of smoking or vaping between 9am until the premises closes.
- e. Include the first-floor function room (accessed via the roof top terrace) as part of the area authorised for the provision of licensable activities.

The premises currently have a license that allows the sale of alcohol, playing of recorded music, performance of dance, exhibition of films and provision of late-night refreshment on Friday & Saturday to 12:30am on the following day.

Since the premises opened, we have received a number of complaints regarding noise associated with persons leaving the premises late at night.

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As part of our investigation into this issue, we have gathered evidence that shows a clear problem with this type of noise after 11pm. It is our opinion that this is creating a public nuisance.

We are concerned that the premises does not appear to have taken effective action address this noise, despite the fact that they maintain a Noise Management Plan – agreed with this department - which specifically details the control of this type of noise. There has been a recent agreement from the licence holder that there will be door staff managing patrons on Friday and Saturday nights, however the information we are receiving suggests that the door staff are intermittent.

In addition, officers have witnessed noise from music escaping from the premises when the doors are opened. While we have not yet identified that this meets the threshold for nuisance, it further raises concerns about the management of the premises.

Whilst we acknowledge that an updated plan to include a corridor between the mezzanine and the function room has been provided, we are not satisfied that this alone will be sufficient to prevent a nuisance. We would be looking for the premises to create and document (for the licensing authority's approval) a system that seeks to prevent issues. This may include, for example a mechanism to prevent internal and external doors being opened at the same time, a noise limiter within the function room and an acoustic report to show that noise sensitive locations have been taken into account when assessing effectiveness of barriers. We would also object to any requests to play amplified or live music on the roof terrace.

We do not object to the request to extend the earliest authorised hour to allow the sale of alcohol, playing of recorded music, performance of dance and exhibition of films on every day of the week at 9am, based on our understanding that this will facilitate breakfast and brunch style events.

At this time, due to the ongoing complaints, the evidence we have gathered and our concerns about existing management, we object to all other requests in the variation.

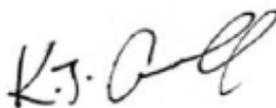
We would expect systems to be implemented prior to use, if we were to lift our objection to the roof terrace or function room. However, our objection to the later opening hours will remain in any event.

Therefore, it is the recommendation of this department that, other than the request to provide licensable activities from 9am onwards, the Licence Variation Application is refused.

I have spoken to the License holder and outlined our concerns and our intention to object. I have also advised that should the noise continue to cause a problem we may look to review the licence and request a reduction in the allowed opening hours to 11pm.

Finally, I would observe that operation beyond 11pm is a breach of the planning consent for the premises. While this is not a licensing matter, we would bring it to the attention of the applicant as a matter that may result in wider enforcement action if it is not addressed.

Should you require any further information regarding this application, please do not hesitate to contact me.



Signature