

REPORT TO THE PLANNING BOARD TO BE HELD ON THE 29TH OCTOBER 2029

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	RB2026/0958 https://rotherham.planportal.co.uk/?id=RB2026/0958
Proposal and Location	Change of use of existing outbuilding to Nail Salon at Beech House, 3 Foxcroft Meadows, Maltby, Rotherham.
Recommendation	Grant subject to conditions

This application is being presented to Planning Board due to the number of objections that have been received in accordance with the Council's adopted Scheme of Delegation.



Site Description & Location

The application site is located within an established residential area of Maltby and is accessed from Foxcroft Meadows, a residential cul-de-sac which connects to Blyth Road. The surrounding area is predominantly residential in character and comprises detached dwellinghouses set within generous plots with private gardens and off-street parking.

The site comprises a detached dwellinghouse, together with two attached garages located within the same residential curtilage. Positioned to the rear of

the garages is a timber summerhouse which is currently used in connection with a nail treatment business. The plot also contains 2 mature trees and benefits from a spacious driveway area.

There are approximately four on-site parking spaces available within the site, including parking associated with the garages and driveway areas. The site benefits from two separate vehicular accesses which provide convenient access and manoeuvring space within the curtilage.

To the front of the site lies Sycamores. To the west is a two-storey detached dwelling enclosed by a red brick boundary wall. To the east is Mahalakshmi House, a residential dwellinghouse. To the rear of the site is an extensive area of open green space which extends towards Helms Wood.

Background

RB1993/0681 – Outline application for the erection of 5 dwellings – Land at Meadows Lane – Granted conditionally

RB1994/0925 – Construction of adoptable highway & foul sewer – Land fronting and rear of gables – Granted conditionally

RB1994/1582 – Detailed of the erection of a detached house and detached garage being matters reserved by outline application R93/681P – Granted conditionally

The timber summerhouse outbuilding has been located within the residential curtilage of Beech House since the occupiers moved to the property more than 10 years ago and was initially used for incidental domestic storage purposes.

Proposal

The application seeks retrospective planning permission for the use of the outbuilding as a small-scale nail treatment business operated by the occupiers' granddaughter. The applicant advises that, in addition to operating the business, the arrangement enables her to provide companionship and support to her elderly grandparents who reside at the property.

The outbuilding is positioned to the rear of two attached garages and forms part of the established residential curtilage of the site. The building has been present for in excess of 10 years and was originally erected for domestic storage purposes.

A Supporting Statement and parking layout plan have been submitted in support of the application and can be summarised as follows:

Planning Statement

- The proposal relates to the use of an existing domestic outbuilding as a small-scale nail treatment business.
- No internal or external alterations, extensions, signage, lighting, plant, extraction equipment or other operational development are proposed.
- The principal dwelling would remain in residential use and the proposal would result in a mixed residential and business use of the site.
- The business is operated by the granddaughter of the property owners from the existing timber outbuilding situated within the residential curtilage.
- The applicant advises that the arrangement also enables the operator to provide companionship and assistance to the elderly occupiers of the dwelling.
- The outbuilding is an existing structure and the proposed use would not alter the appearance, character or layout of the site.
- The proposal is presented as a modest, low-impact home-based business operating alongside the continued residential use of the property.

Proposed Use and Operation

- The business would be operated by a single self-employed individual.
- The use would be conducted on a strictly appointment-only basis.
- No walk-in customers are proposed.
- There would be no employees other than the applicant.
- A maximum of one client would be present at the premises at any one time.
- The applicant proposes a maximum of 15 client appointments per week.
- The proposed operating hours are 09:00 to 19:00 Monday to Friday.

Parking and Highway Considerations

- A parking layout plan has been submitted demonstrating vehicle access, parking and turning arrangements within the site.
- The site benefits from two separate driveway areas together with two garages.
- The submitted arrangements indicate that the occupiers' vehicles would be accommodated within the garages, with a dedicated on-site parking space available for the business operator (using the separate entrance to the west) and a separate on-site parking space available for visiting clients, being at the side of the garages so as not to block them.
- The proposal is based upon a maximum of one client attending the site at any one time.
- The submitted plan demonstrates that vehicles can enter, manoeuvre and leave the site without reliance upon on-street parking within Foxcroft Meadows.

- The Highway Authority notes that the site benefits from sufficient off-street parking provision to accommodate the residential occupiers, the business operator and visiting clients.
- Subject to the business operating on an appointment-only basis and customers parking within the site, the Highway Authority raises no objection to the proposal.

Development Plan Allocation and Policy

The Rotherham Core Strategy 2013-2028 was adopted by the Council on 10 September 2014 and forms part of the statutory Development Plan for the Borough. The Core Strategy is supplemented by the Rotherham Sites and Policies Document, which was adopted on 27 June 2018. Together, these documents comprise the Rotherham Local Plan

The application site is allocated for 'Residential Use' purposes in the Local Plan and for the purposes of determining this application the following policies are relevant:

Core Strategy

CS3: Location of New Development

CS14 'Accessible Places and Managing Demand for Travel'

CS28 'Sustainable Design'

CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies Document

SP11 'Development in Residential Areas'

SP29 'Sustainable Transport for Development'

SP52 'Pollution Control'

SP55 'Design Principles'

Together, these policies seek to ensure that development is appropriately located and designed, does not result in unacceptable harm to residential amenity, and does not adversely affect the health, safety or environmental quality of the surrounding area.

Other Material Considerations

The NPPF (August 2026) states that: *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in this Framework are a material consideration in making these decisions and should be read alongside the policies in the development plan. Planning decisions must also reflect relevant international obligations and statutory requirements, as must the preparation of development plans."*

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

National Planning Practice Guidance (NPPG)

Rotherham Adopted SPDs:

Equal and Healthy Communities SPD (June 2020)

Transport Assessments, Travel Plans and Parking Standards SPD (June 2021)

Air Quality and Emissions (June 2020)

Natural Environment (June 2021)

Publicity

The application has been advertised by way of a site notice outside of the building as well as individual notification letters to the immediate adjacent residential properties.

9 representations have been received, 7 objecting and 2 in support.

The representations objecting to the proposal are summarised below:

Highway Safety and Parking Issues

- Concern that the proposal would result in increased traffic and vehicle movements within Foxcroft Meadows, a small residential cul-de-sac.
- Concern that customer vehicles have regularly parked on the public highway, turning area and pavements rather than within the application site, obstructing access to neighbouring properties and restricting pedestrian movement.
- Concern that visibility for vehicles entering and leaving Foxcroft Meadows is reduced by customer parking, creating highway safety concerns.
- Concern that larger vehicles, delivery vehicles and emergency service vehicles may experience difficulty accessing the cul-de-sac.
- Concern that elderly and mobility-impaired residents may experience difficulties moving safely around the area due to parked vehicles.
- Concern that the parking arrangements shown within the application do not reflect the way the business has previously operated.
- Concern that the parking provision identified within the application may not be practically available to customers due to the parking requirements of the occupiers and business operator.
- Concern that customers may arrive before previous appointments have concluded, resulting in multiple business-related vehicles being present at the same time.
- Concern that a one-client-at-a-time appointment system would not necessarily prevent parking overlap or waiting vehicles within the cul-de-sac.
- Concern that customer parking cannot be adequately controlled or enforced.
- Request for a Planning Board site visit to assess the practical parking arrangements and relationship between the site and surrounding highway.

Residential Amenity Issues

- Concern that the proposal has resulted in increased activity, vehicle movements and customer visits within a previously quiet residential area altered the previously quiet and peaceful residential environment enjoyed by local residents, adversely affected neighbouring residents' enjoyment of their homes and gardens.
- Concern regarding noise and disturbance associated with customer arrivals and departures, vehicle movements, engines, car doors and customers waiting for appointments.
- Concern that customers waiting for appointments have contributed to disturbance within the cul-de-sac.
- Concern that the frequency and intensity of the use is greater than that indicated within the application documents.
- Concern that the planning assessment should have regard to how the business has operated in practice rather than solely how it is proposed to operate in the future.

Principle of Development and Character of the Area

- Concern that the proposal introduces a customer-facing commercial business into a residential cul-de-sac, which is incompatible with the established residential character and function of the area.
- Concern that the operator does not reside at the application property and that the business therefore functions independently of the residential use of the dwelling and not as a typical home-working arrangement or incidental residential use.
- Concern that the proposal would result in an erosion of the residential character of the area.
- Concern that approval could establish a precedent for other commercial uses within residential areas.
- Concern regarding potential future expansion or intensification of the business, including increased customer numbers or the introduction of additional staff.

Other Matters

- Concern that alternative commercial premises are available within Maltby which would be more appropriate for the proposed use.
- Concern regarding the suitability of the outbuilding for a commercial nail treatment business.
- Reference was made to potential restrictive covenants affecting the property.
- Concern regarding the effect of the proposal on the attractiveness of neighbouring properties.
- Concern that the applicant's supporting statement does not accurately reflect neighbouring residents' experience of the operation of the business.
- Concern that some supporting representations contain factual inaccuracies relating to neighbouring properties and activities.

Those in support of the proposal are summarised below:

- The proposed use is a small-scale nail treatment business operated by a single individual on an appointment-only basis.
- The business does not generate a continuous flow of customers or vehicle movements throughout the day.
- Appointments are spaced apart, and supporters state that they have not experienced multiple clients attending simultaneously.
- The proposal relates to the use of an existing outbuilding and does not involve extensions, alterations or other external changes to the site.
- The business is operated on a one-to-one basis and is considered by supporters to be compatible with the residential character of the area.
- Supporters state that they have not experienced significant noise, disturbance, congestion or highway safety issues associated with the operation of the business.
- The site benefits from off-street parking, and supporters indicate that customers are generally directed to park within the application site.
- Supporters state that the applicant provides clear guidance regarding parking and seeks to minimise any inconvenience to neighbouring residents.
- Some customers do not travel by car and some appointments are undertaken on a mobile basis away from the property, reducing the number of visits to the site.
- Supporters consider that the level of activity associated with the business is significantly lower than suggested within the objections.
- Supporters describe the applicant as operating the business in a considerate, responsible and professional manner.
- Supporters consider the proposal to represent an appropriately managed, low-impact business use that would not adversely affect neighbouring amenity.
- Supporters state that they have attended appointments at the premises over a prolonged period and have not experienced parking difficulties or access problems.
- Supporters indicate that they have generally been able to park on the driveway when attending appointments.
- Supporters state that the applicant remains willing to comply with reasonable planning conditions controlling the operation of the use.

A total of 5 Rights to Speak have been received, being the applicant/business operator, two in support, and two objecting.

Consultations

RMBC

Transportation and Highways Design – Note that the proposed nail treatment business would operate on a strictly appointment-only basis, with a maximum of one client attending the premises at any one time, with no more than 15 client appointments proposed per week. Further note that no walk-in customers are proposed and the business would be operated by a single self-employed individual with no additional employees.

In addition, a parking layout plan has been submitted demonstrating that the site can accommodate the occupiers' vehicles, the operator's vehicle and a visiting client's vehicle entirely within the site curtilage. The parking layout demonstrates adequate manoeuvring space for vehicles to enter, turn and leave the site without adversely affecting the operation of Foxcroft Meadows.

In any event, Transportation and Highways Design considers that sufficient off-street parking provision exists to accommodate the residential occupiers, business operator and visiting clients, and further notes that Blyth Road, which serves Foxcroft Meadows, is subject to waiting restrictions in the vicinity of the junction, helping to maintain highway safety and visibility.

Subject to the business operating on an appointment-only basis, they raise no objection to the proposal in highway safety terms.

Environmental Health – Notes that there is potential for limited disturbance associated with clients arriving at and departing from the premises. It is recommended that any planning permission granted should include conditions restricting operating hours and limiting the number of clients attending the premises. Further notes that no fixed plant, mechanical ventilation, air conditioning, refrigeration equipment, extraction systems or similar noise-generating equipment is installed at the site.

Subject to recommended conditions, Environmental Health considers that the amenities of neighbouring occupiers can be adequately protected and raises no objection to the proposed use.

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) Town and Country Planning Act 1990)

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) Planning and Compulsory Purchase Act 2004)

It is established that some low key businesses can operate from residential properties without the need for planning permission, as no material change of use has occurred – the main use of the property is for residential purposes. The relatively low level of 15 clients per working week (3 per day on average_) could be considered ancillary and not at a level constituting a material change of use.

However, in this instance, the operator of the business, whilst being a relative of the owners of the property, does not live at the property herself. As such, the operations are not ancillary to the residential use of the site, and a material change of use has, therefore, occurred requiring planning permission.

The nail treatment business operating from the existing timber outbuilding commenced prior to the submission of this application and therefore the application is retrospective in nature. The application does not seek permission for the outbuilding itself, which is an existing structure within the residential curtilage of Beech House, but rather for its use as a nail treatment business.

The main issues to take into consideration in the determination of the application are:

- The principle of development;
- Highway safety and parking;
- Impact on neighbouring residential amenity;
- Impact on the character of the area; and
- Other matters.

Principle of Development

The application site is located within an established residential area and is allocated for Residential Use within the adopted Sites and Policies Document. Policy SP11 'Development in Residential Areas' states that non-residential uses will normally only be permitted where they are ancillary and complementary to the residential nature and function of the area, are of an appropriate scale, do not result in unacceptable impacts on residential amenity and are compatible with the surrounding area.

Policy CS33 'Presumption in Favour of Sustainable Development' states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

Policy S4: 'Principle of development within settlements' of the NPPF states:

"1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

Policy TC3: 'Main town centre uses outside town centres' states that a sequential test should be applied to proposals for main town centre uses for which planning permission is required, where these are neither in an existing centre nor in accordance with an allocation for that purpose in an up-to-date development plan.

It is not considered that a nail bar constitutes a main town centre use, as defined in the NPPF, so this Policy does not apply.

A number of objections have been received expressing concern that the proposal would introduce a commercial use into a quiet residential cul-de-sac and that the operator does not reside at the application property. It has also been suggested that the proposal should not be regarded as a typical home-working arrangement and would be incompatible with the established residential character of the area.

These concerns are acknowledged. However, the proposal relates to the use of an existing outbuilding within the curtilage of a detached dwellinghouse as a small-scale nail treatment business operated by a single individual. The principal use of the site would remain residential and no physical extension, alteration or external changes to the outbuilding are proposed.

Such forms of development are not uncommon and can provide opportunities for self-employment whilst making efficient use of existing buildings. The applicant has also advised that operating from this location enables the business operator to provide companionship and support to her elderly grandparents who reside at the property.

The submitted information indicates that the business would operate on a strictly appointment-only basis, with no more than one customer attending the premises at any one time and no more than 15 appointments per week. The proposal would not involve additional employees, walk-in customers, external displays, advertisements, external lighting or other features commonly associated with larger commercial premises.

Issues relating to the impact on neighbours and parking are addressed in more detail below. Subject to no significant impacts as a result of the development on these issues, it is considered that the proposal would remain consistent with the residential nature and function of the surrounding area. Accordingly, the proposal is considered acceptable in principle and complies with Policies SP11 and CS3 of the Local Plan.

Highway Safety and Parking

Policy CS14 'Accessible Places and Managing Demand for Travel' seeks to ensure that development is appropriately located and that impacts on the transport network are satisfactorily addressed.

Policy SP29 'Sustainable Transport for Development' states that development proposals will be supported where satisfactory arrangements are made for access, circulation and parking and where existing highway conditions would not be adversely affected.

Policy TR3: 'Locating development in sustainable locations' of the NPPF states that: "1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into

account the vision for the site, the type of development and its location: (amongst other things)

a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical.”

Policy TR6: ‘Assessing transport impacts’ of the NPPF states: “Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.”

A significant proportion of the objections received relate to parking and highway safety. Residents have raised concerns regarding customer parking within Foxcroft Meadows, increased traffic movements, obstruction of access to neighbouring properties, impacts on vulnerable residents and the practical availability of parking spaces within the application site.

The application was accompanied by a parking layout plan identifying the proposed parking arrangements. The submitted information indicates that the occupiers’ vehicles would be accommodated within the existing garages, whilst separate spaces would be available within the curtilage for the business operator and a visiting client.

The proposal would operate strictly on an appointment-only basis with a maximum of one client attending at any one time. Whilst objectors have expressed concerns that customers may arrive before previous appointments have concluded, the proposed use must be assessed on the basis of the development sought and any planning conditions capable of being imposed.

The Council's Transportation and Highways Design team has reviewed the submitted information, including the parking layout and access arrangements, and raises no objection to the proposal. They are satisfied that sufficient off-street parking and manoeuvring space exists within the site to serve the residential use and proposed business use without reliance upon on-street parking. Furthermore, conditions are recommended requiring the business to operate on an appointment-only basis and for customer parking to be provided and retained within the site.

The proposal is therefore considered to comply with Policies CS14 and SP29 of the Local Plan, and the guidance contained within the National Planning Policy Framework.

Impact on Neighbouring Residential Amenity

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."

Policy P3: 'Living conditions and pollution' of the NPPF states that; "...development proposals should: (b) Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree."

Concerns have been raised that customers may arrive before previous appointments have concluded, resulting in more than one business-related vehicle being present within the cul-de-sac at any one time, with the associated noise and general disturbance.

The application proposes that the business would operate on a strictly appointment-only basis, with no more than one customer attending the premises at any one time and no more than 15 customer appointments per week. Conditions are recommended restricting the number of appointments, customer attendance and the overall scale of the use. In addition, a condition is recommended restricting the hours of operation.

Environmental Health Service raise no objections to the proposals, subject to these conditions, and the proposal is not considered to result in an unacceptable impact upon local amenity and is therefore considered to comply with Policy SP52 of the Local Plan and the guidance contained within the National Planning Policy Framework.

Impact on the Character of the Area

Policy CS28 'Sustainable Design' and Policy SP55 'Design Principles' require development to respond positively to local context and contribute positively to the character of an area.

A number of representations suggest that the proposal would erode the residential character of Foxcroft Meadows and introduce an inappropriate commercial activity into an established residential area.

The proposal relates solely to the use of an existing outbuilding. No extensions, alterations, external lighting, advertisements, extraction equipment or other operational development are proposed.

Consequently, there would be no material alteration to the appearance of either the outbuilding or the wider site. Whilst the proposal would introduce a

business use within the curtilage of the property, it would remain modest in scale and would continue to operate within an established residential setting. Having regard to the limited scale of the operation and the absence of any physical changes to the site, the proposal is not considered to result in harm to the character or appearance of the surrounding area and is therefore considered to comply with Policies CS28 and SP55.

Other Matters

A number of representations refer to restrictive covenants, property values, alternative commercial premises within Maltby, personal disputes between interested parties and matters relating to previous activities undertaken by neighbouring residents.

These matters have been carefully considered where relevant. However, restrictive covenants and property values are not material planning considerations, whilst personal disputes and allegations between third parties carry little weight in the determination of a planning application.

The application has been assessed on its planning merits having regard to the Development Plan, consultation responses and all other material planning considerations.

Conclusion

It is considered that the proposed use of the existing outbuilding as a nail treatment business is acceptable in principle, having regard to its modest scale, appointment-only operation and location within the curtilage of an existing residential property.

The proposal would utilise an existing building and would not involve any extensions, alterations, external advertisements, lighting, extraction equipment or other operational development that would materially affect the appearance or character of the site or surrounding area.

In addition, the proposal is not considered to result in an unacceptable impact on the amenities of neighbouring residential occupiers or on highway safety. Particular regard has been had to the recommended planning conditions restricting operating hours, and customer numbers, together with the consultation responses from Environmental Health and the Council's Transportation Infrastructure Service, both of which raise no objections subject to conditions.

Whilst the concerns raised within the representations are acknowledged, it is considered that the proposed use can be satisfactorily controlled through the imposition of planning conditions and would not result in unacceptable harm to residential amenity, highway safety or the character of the area.

Accordingly, the proposal is considered to accord with Policies CS3, CS14, CS27, CS28 and CS33 of the Core Strategy and Policies SP11, SP29, SP52

and SP55 of the Sites and Policies Document. The application is therefore recommended for approval subject to the conditions set out below.

Conditions

01

The permission hereby granted shall relate to the area shown outlined in red on the approved Location Plan and shall be carried out in accordance with the submitted details and approved plans.

Reason

To define the permission and for the avoidance of doubt.

02

The outbuilding shall only be used for the nail treatment services by the applicant, who shall not employ any additional staff or self-employed operatives, and by no other person, and once the use ceases it shall return to ancillary residential use.

Reason

Due to the family connection between the applicant and the separate owners of the property, and to ensure the business remains of an appropriate scale within this residential location.

03

The outbuilding shall be used solely for the provision of nail treatment services and for no other purpose (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason

To enable the Local Planning Authority to retain control over the future use of the premises in the interests of residential amenity and the character of the area.

04

The use hereby permitted shall operate only between the hours of 09:00 and 19:00 Monday to Friday and at no time on Saturdays, Sundays or Bank Holidays.

Reason

In the interests of the amenities of neighbouring residential occupiers in accordance with Policies CS27 and SP52 of the Rotherham Local Plan.

05

No more than one customer shall be present at the premises at any one time in connection with the approved use.

Reason

To safeguard residential amenity and minimise vehicle movements associated with the approved use.

06

The business hereby approved shall not accommodate more than three customer appointments in any one day and shall not exceed fifteen customer appointments in any calendar week.

Reason

To ensure the use remains of a scale compatible with the residential character of the area and to safeguard neighbouring amenity and highway safety.

07

The parking spaces identified on the approved Parking Layout Plan shall be retained and kept available for parking always associated with the residential use and approved business use. This shall include a car parking space for customers (identified as 'B' on the Parking Layout Plan) at all times when appointments are booked.

Reason

To ensure adequate off-street parking provision is maintained in the interests of highway safety.

08

No external lighting associated with the approved business use shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. Any approved lighting shall thereafter be installed and retained in accordance with the approved details.

Reason

To safeguard residential amenity and the character of the area.

09

No music, amplified sound, recorded entertainment or public address system associated with the approved business use shall be audible outside the application site.

Reason

To protect the amenities of neighbouring occupiers in this residential area.

Informatives:

01

Customers attending the premises in connection with the approved use shall be directed to utilise the off-street parking provision available within the application site.

02

It is likely that noise-generating plant, including extraction equipment, mechanical ventilation systems, air-conditioning units, refrigeration equipment or similar fixed plant, would require planning permission and should not be installed at the premises unless full details have first been submitted to and approved by the Local Planning Authority.

03

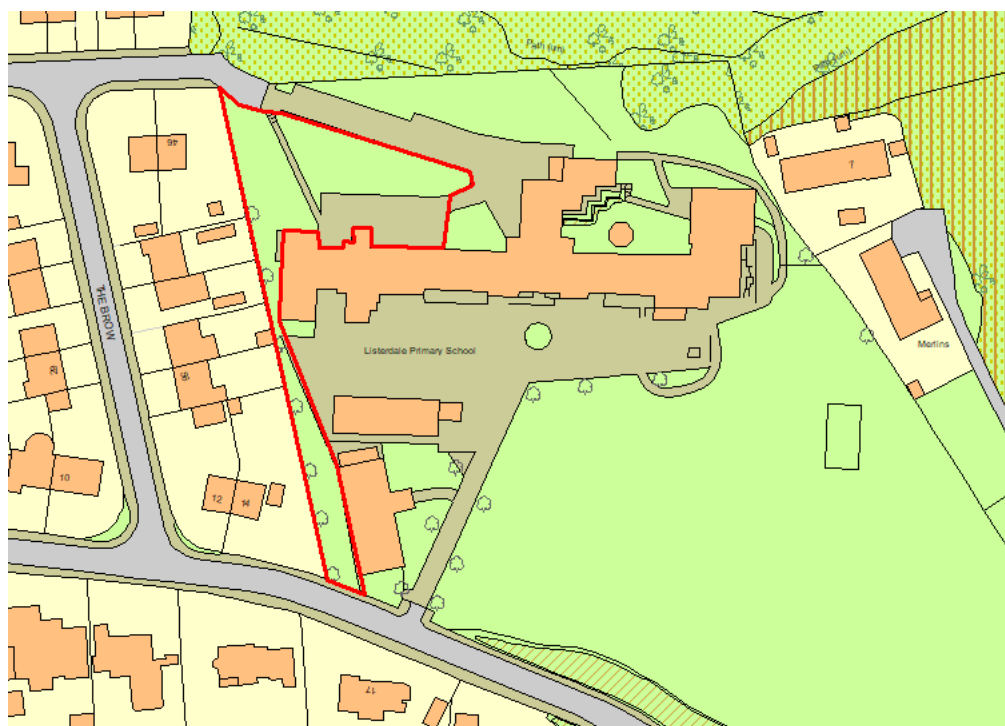
It is likely that advertisements, signs, banners, flags, notices or other promotional material associated with the approved business would require consent and should not be displayed on the site without the prior approval of the Local Planning Authority.

Positive and Proactive Statement

During the determination of the application, the Local Planning Authority worked positively and proactively with the applicant to identify and consider all relevant planning issues. The applicant provided the information necessary to enable a full assessment of the proposal and the development has been considered in accordance with the principles of the National Planning Policy Framework.

Application Number	RB2026/1144 https://rotherham.planportal.co.uk/?id=RB2026/1144
Proposal and Location	Single-storey school extension comprising of a new administrative entrance link and multi-use assembly hall, lower-ground undercroft car park, and associated landscaping and access works, Listerdale Junior Academy, Beech Avenue, Brecks
Recommendation	Grant subject to conditions

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



Site Description & Location

Listerdale Junior Academy is located within the Listerdale area, positioned between Whiston and Wickersley. The school is accessible from East Bawtry Road and serves as an important educational and community asset for the local area.

Access to the site is currently taken from Beech Avenue, with visitors entering via the southern pedestrian entrance. Staff access is maintained separately via The Brow, leading into the northern car park. These established access arrangements are intended to remain in place following the proposed development.

Background

RB2009/0432 - Single storey extension to form Surestart unit - GRANTED CONDITIONALLY

RB2013/0301 - Erection of modular building with canopy – WITHDRAWN

RB2013/1464 - Single storey extension, erection of ancillary building and provision of additional car parking - GRANTED CONDITIONALLY

Proposal

The proposal seeks approval for a northern extension to the existing school building, comprising a single-storey administrative entrance link leading through to a new multi-use school assembly hall.

In addition to the building extension, the scheme includes an increase in on-site parking provision through the creation of an undercroft car park accommodating six vehicles.

Associated landscaping works will integrate the new extension with the existing site, while revised pedestrian routes are designed to enhance student safety and improve overall site security.

The following documents have been submitted in support of the application:

Preliminary Ecological Appraisal

Suitable habitats are recorded within the site which birds could utilise, specifically the trees. Sparrow terraces are present just outside the site boundary, mounted onto the wall. It is predicted that works will disturb these features, despite them being located outside the development boundary.

If trees are to be removed or works disturbing the bird boxes are to be undertaken within the breeding bird season (typically March to September inclusive), a pre-works check, conducted by a suitably qualified ecologist, is required prior to removal/demolition to ensure that breeding birds are not impacted.

Should breeding birds be recorded, then a suitable buffer should be erected as advised by a suitably qualified ecologist. The buffer should be retained until breeding has ceased and the young have fledged.

A CEMP is recommended for this site in order to mitigate against any impacts that construction may have on Listerdale Woods LWS and the Priority Habitat Deciduous Woodland present to the north of the site boundary. This parcel of woodland is a Non-Statutory Designated Site. Potential impacts may arise through dust deposition, accidental pollution events and artificial lighting affecting adjacent woodland habitats and associated fauna, such as commuting and foraging bats.

Bat Survey Report

No evidence of roosting bats was recorded during the building inspection. Following the inspection, the bat roost suitability of the part of the school affected by the proposed extension was downgraded from high to moderate. No bats were recorded emerging from the building during either dusk emergence survey. Bat activity principally comprised low to moderate levels of common pipistrelle foraging and commuting, with occasional noctule activity and a single soprano pipistrelle record.

Measures should be implemented to minimise artificial lighting around Listerdale Woods Local Wildlife Site and the bat commuting route along the western edge of the site. Where new lighting is required, it should be carefully directed, controlled using appropriate fittings and timers, and have a warm-white colour temperature of 3000 K.

Development Plan Allocation and Policy

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

The application site is allocated for 'Community Facilities' purposes in the Local Plan and for the purposes of determining this application the following policies are relevant:

Core Strategy

CS14 'Accessible Places and Managing Demand for Travel'
CS28 'Sustainable Design'
CS29 'Community and Social Facilities'
CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies Document

SP29 'Sustainable Transport for Development'
SP52 'Pollution Control'
SP55 'Design Principles'
SP 62 Safeguarding Community Facilities

Other Material Considerations

National Planning Practice Guidance (NPPG)

The NPPG (August 2026) states that *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in this Framework are a material consideration in making these decisions and should be read alongside the policies in the development*

plan. Planning decisions must also reflect relevant international obligations and statutory requirements, as must the preparation of development plans."

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

Publicity

The application has been advertised by way of a site notice outside of the building as well as individual notification letters to the immediate adjacent residential properties.

13 letters of objection have been received

The representations objecting to the proposals are summarised below:

- Unclear and potentially unrestricted use of the hall, with concerns that references to "community use" could lead to evening and weekend events, classes, meetings and other activities unrelated to the school's core educational function.
- Traffic, parking and highway safety concerns, as existing school drop-off and pick-up periods already create congestion, inconsiderate parking, blocked driveways, restricted access for residents, delivery vehicles and emergency services, with fears that the development would worsen these problems.
- Noise and disturbance to nearby residents, particularly from potential out-of-hours community activities, increased visitor numbers, amplified music, and extended use of the site beyond the normal school day.
- Impact of the proposed pedestrian access from Beech Avenue, including concerns over privacy, overlooking, security, antisocial behaviour, lighting, increased activity close to rear gardens and the creation of a secluded route behind neighbouring properties.
- Construction impacts, including heavy vehicle movements on narrow roads, noise, dust, vibration, mud on the highway, parking by contractors and disruption to residents during the build period.
- Lack of supporting information and technical evidence, particularly in relation to traffic generation, parking demand, noise assessment, community use arrangements and construction management.
- Concerns over the effect on residential character and amenity, with residents stating that The Brow and Beech Avenue are quiet residential streets outside school hours and that the proposal could fundamentally alter this character.
- Questions regarding necessity and duplication of community facilities, as residents note that existing facilities such as the Brecks Community Centre already provide community space and parking provision nearby.
- Ecological and landscaping concerns, including the removal of trees, potential impacts on bats and wildlife, loss of screening and uncertainty over replacement planting and biodiversity effects.

A total of 5 Rights to Speak have been received. Including the applicant & local residents.

Consultations

RMBC

Transportation and Highways Design – no objections subject to conditions

Environmental Health – no objections subject to conditions

Drainage – no objections subject to conditions

Ecology – no objections following additional bat survey. Recommends conditions

Trees & Woodlands – No objections subject to condition

External

Yorkshire Water – No objections subject to condition

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 issues to take into consideration in the determination of the application are –

- The principle of development
- Highway safety issues;
- The appearance of the building;
- Impact on neighbouring properties;
- Other issues

Principle of development

Local Plan Policy CS29 'Community and Social Facilities' states that: *"The Council will support the retention, provision and enhancement of a range of community and social facilities in locations accessible by public transport, cycling or on foot which enhance the quality of life, improve health and well-being and serve the changing needs of all of Rotherham's communities; particularly in areas of housing growth or identified deficiency."*

The Council will seek to enable provision through a variety of local authorities, private sector and local community partnerships, wherever appropriate, and support the co-location of community and social facilities wherever feasible".

Local Plan Policy SP62 'Safeguarding Community Facilities' states that:

"Those areas allocated on the Policies Map for Community Facilities will be retained or developed for such purposes."

The proposal is a school-related development within existing school grounds. This development is considered acceptable in principle in land use terms and would accord with Local Plan Policy CS29 'Community and Social Facilities' and SP62 'Safeguarding Community Facilities'.

Highway safety issues

Policy SP26 'Sustainable Transport for Development' indicates that: *"...development proposals will be supported where it can be demonstrated that...the proposals make adequate arrangements for sustainable transport infrastructure...and local traffic circulation, existing parking and servicing arrangements are not adversely affected."*

Policy SP56 'Car Parking Layout' indicates that layouts must be designed to:

*"a. reduce the visual impacts of parking on the street-scene and provide defined visitor parking on-street;
b. discourage the obstruction of footways by kerb parking, and parking that compromises the operation of the highway; and
c. ensure in-curtilage / on plot parking does not result in streets dominated by parking platforms to the front of the property or large expanses of garage doors fronting the street."*

The August 2026 National Planning Policy Framework contains national decision-making policies relating to sustainable transport within Chapter 15 'Promoting Sustainable Transport'. These policies require transport impacts to be appropriately assessed and support development in accessible locations whilst ensuring that impacts on the transport network and highway safety are satisfactorily addressed.

A large number of objections have been received against the development and the biggest concern raised is on highway safety grounds along with

congestion and lack of parking in the vicinity of the site. These concerns include the disruption and inconvenience to local residents from offsite parking in the highway of nearby housing areas.

The proposal involves no additional staff or an increase in school children, as such the proposal will not result in an increase in school traffic. The number of parking spaces will be maintained at 32, with electric charging provision also being provided.

The Transportation Unit have confirmed that they have no objection to the granting of planning permission in a highway context subject to conditions. these include a Travel Plan, appropriate hardstanding and the new parking spaces being marked out.

The proposal therefore complies with Local Plan Policies SP26 and SP56 and the NPPF, subject to conditions.

The appearance of the proposal

Local Plan Policy SP55 'Design Principles' states *"All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environment, and positively contribute to the local character and distinctiveness of an area and the way it functions."*

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

The August 2026 National Planning Policy Framework places significant emphasis on achieving high quality, sustainable and well-designed places through the policies contained within Chapter 14 'Achieving Well-Designed Places'. Policy DP3 requires development proposals to create high quality, healthy, inclusive and sustainable places that respond positively to local character and context, whilst Policy DP4 confirms that substantial weight should be given to good design in decision making.

The host school is a pleasant 1930s school building consisting of red brickwork and hipped roofs. To the front of the school is modern modular building with a curved roof and bright aluminium cladding, deliberately designed to contrast with the host school and appeal to younger children.

The proposed assembly hall includes a high mono-pitched roof, grey brickwork, yellow aluminium windows and off white render. The height is required for sports, and the mono pitched roof allows for optimum positioning

of the solar panels. Heating will be through a heat pump, powered from the solar panels, achieving a level of sustainability.

Whilst the grey brickwork and render are at odds with the more traditional red brick school, the extension is intended to make a visual statement and read a separate new addition to the school complex. The use of light render will also help to reduce the visual bulk and massing of the building.

Taking account of this, the proposals are therefore considered to be in accordance with Policy SP55 'Design Principles' of the Sites and Policies Document, CS28 'Sustainable Design' of the Core Strategy and the guidance set out within the NPPF and NPPG.

Impact on neighbouring properties:

Policy SP52 'Pollution Control' of the Local Plan 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 the levels that protect health, environmental quality and amenity."*

The August 2026 National Planning Policy Framework promotes the creation of healthy, inclusive and safe places through the national decision-making policies contained within Chapters 14 and 16. These policies seek to ensure that development provides a high standard of amenity for existing and future users and supports community health, wellbeing and safety.

The proposed sports hall will be for indoor sport and will be fully enclosed, ensuring noise and disturbance is retained within the building and therefore will not result in undue noise or disturbance, beyond that of an active primary school.

The Council's Environmental Health Officer has recommended that a construction management plan is undertaken to minimise disturbance to neighbour's during the construction process. In addition, details of the exact heat pump proposed has been conditioned, to ensure that it does not result in undue noise to nearby residents.

Turning the impact of the building in terms of overlooking and appearing overbearing, whilst the building is high the building is single storey only, except for a basement parking area. The high level windows are intended for light purposes only and as such will not result in any overlooking.

Finally in terms of the extension appearing overbearing, it is to be set 8.5m off the nearest neighbour's boundary with tree planting softening an otherwise largely blank two storey elevation. The nearest dwelling is also set a further 10m off the site boundary.

It is therefore considered that the proposed development would comply with the requirements of Policy SP52 of the Sites and Policies Document.

Trees

The NPPF seeks to ensure that development conserves and enhances the natural environment and appropriately incorporates and maintains trees within development proposals. The Framework places importance on the retention and integration of trees within the design of development and on securing their long-term protection and management.

The application is accompanied by a Pre-development Arboricultural Report which assesses the tree resource within and adjacent to the site and the implications of the proposed development. The report identifies a number of trees and groups of trees around the school boundaries, the majority of which are to be retained. It concludes that the development can be accommodated without resulting in unacceptable harm to the retained tree stock, subject to appropriate tree protection measures being implemented during construction. The report also identifies the need for a specialist no-dig footpath construction in proximity to Tree T7 in order to avoid adverse impacts on its root protection area.

The Council's Tree Service has reviewed the submitted arboricultural information and raises no objection to the proposed development in principle. The consultee is satisfied that the development can proceed without significant detriment to retained trees, subject to the implementation of tree protection measures and adherence to arboricultural best practice throughout the construction period. Particular attention is drawn to the requirement for works within the vicinity of retained trees to be undertaken in accordance with the recommendations contained within the submitted arboricultural documentation.

Having regard to the submitted Arboricultural Report and the comments of the Tree Service, it is considered that the proposed development would not result in unacceptable harm to trees of amenity value. Subject to conditions requiring compliance with the approved arboricultural protection measures and methodology, the proposal would safeguard retained trees during construction and operation. The development is therefore considered to accord with the objectives of the NPPF in respect of the protection and retention of existing trees and would not give rise to any significant arboricultural concerns.

BNG

The August 2026 National Planning Policy Framework seeks to conserve and enhance the natural environment through the national decision-making policies contained within Chapter 19 'Conserving and Enhancing the Natural Environment'. These policies support nature recovery, the protection of habitats and species, and biodiversity enhancement as part of sustainable development. However, in this case the site is completely hard surfaced with no identified ecology constraints. The site is exempt from the requirement of BNG +10%.

Ecology

The National Planning Policy Framework seeks to conserve and enhance the natural environment through the policies contained within Chapter 19, requiring planning decisions to protect habitats and species and secure appropriate biodiversity enhancements. Local Plan Policies CS20, SP33, SP34 and SP35 are also relevant to the assessment of ecological impacts.

The application is supported by a Preliminary Ecological Appraisal and subsequent Bat Survey. The site itself is predominantly hard surfaced and comprises areas of existing school buildings, hardstanding, amenity grassland and planted trees. No statutory ecological designations are affected by the proposals, and no priority habitats are present within the application site. However, Listerdale Woods Local Wildlife Site lies immediately to the north and comprises Priority Habitat Deciduous Woodland. The ecological assessments therefore considered the potential for indirect impacts arising from construction activities, including lighting, dust and pollution.

The submitted bat surveys included an internal inspection and two dusk emergence surveys of the school buildings. No evidence of roosting bats was identified, and no bats were recorded emerging from the building during the surveys. The surveys concluded that the proposed development would not result in the loss of a bat roost and that no further bat survey work is required. Bat activity in the vicinity of the site was limited to low to moderate levels of foraging and commuting activity, principally by common pipistrelle, together with occasional noctule activity and a single soprano pipistrelle record. A hedgehog was also recorded during survey work. The reports recommend precautionary working methods during construction together with biodiversity enhancements, including integrated bat and bird boxes and appropriate controls over external lighting.

The Council's Ecologist has reviewed the submitted information and raises no objection to the proposed development. The Ecologist confirms that sufficient information has been provided to assess impacts on designated sites, protected species and priority habitats and advises that mitigation and enhancement measures contained within the ecological reports should be secured by condition. Conditions are also recommended requiring a Construction Environmental Management Plan for Biodiversity, a Biodiversity Enhancement Strategy and, should external lighting be proposed, a Wildlife Sensitive Lighting Strategy. Subject to these measures, it is considered that the proposal would conserve and enhance biodiversity and would accord with the objectives of the NPPF and the relevant policies of the Development Plan.

Other issues

Objectors have raised concerns that the school hall may be used by external groups for out-of-school time activities, which could give rise to undue disturbance. It is not unusual for school halls to be used out of hours for school plays etc. or by external groups. These activities tend to be limited and

appropriate for school setting and forms part of its community purpose. It is not considered appropriate or necessary to restrict hours of use or who can use the facility.

No objections have been raised from RMBC Drainage, subject to conditions.

Conclusion

The proposed extension would provide improved facilities for Listerdale Junior Academy, including a new assembly hall, entrance area and enhanced parking provision, supporting the ongoing operation of this important educational and community facility. The development is acceptable in principle and accords with the relevant policies of the adopted development plan.

Having regard to all representations received and the consultation responses, it is considered that the proposal would not result in unacceptable impacts on highway safety, residential amenity, visual appearance or ecology. Subject to the recommended conditions, the development complies with the relevant policies of the Rotherham Local Plan and the National Planning Policy Framework, and planning permission is therefore recommended for approval.

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 08, 09 & 11 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 08, 09 & 11 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 site plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans (as set out below)

Proposed Roof Plan – 0102 P02

Proposed Site Plan – 0505 Rev P01

Proposed Floor Plans – 0101 Rev P02

Proposed Section – 0300 Rev P01

Proposed Elevations – 0201 Rev P03

Hard Landscaping Plan – 0535 Rev P01

Soft Landscaping Plan – 0530 Rev P01

Boundary Treatment – 0550 Rev P01

Drainage Strategy' 300950 prepared by AMA

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 be in accordance with the details shown on the approved plans. The development shall thereafter be carried out in accordance with these details.

Reason

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

Highways

04

Before the development is brought into use the car parking area to the building shall be provided and thereafter maintained for car parking.

Reason

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

05

Before the 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 programme of implementation, monitoring, validation 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 time

tabled in the monitoring programme. For further information please contact the Transportation Unit (01709) 822186.

Reason

In order to promote sustainable transport choices.

06

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.

Environmental Health

07

No noise generating plant including mechanical ventilation/air conditioning, refrigeration or extraction plant shall be installed in any part of the development until full and precise details have been submitted to and approved in writing by the Local Planning Authority. The details shall include a BS4142:2014 +A1:2019 noise assessment and 1/3 octave frequency analysis with appropriate corrections for acoustic features and shall detail any mitigation measures, physical or operational to achieve no more than 3dB(A) below the prevailing background levels, outside the boundary of the nearest noise sensitive property.

Reason

To safeguard the amenities of the occupiers of nearby properties.

08

Prior to the commencement of any works (including demolition) on site, a Construction Environmental Management Plan (CEMP) shall be provided to the Local Planning Authority for approval. The plan 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 BS5228-1:2009+A1:2014: '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 Institution 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 areas Delivery times of materials and plant
- 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.

Trees

09

No development, including site clearance, demolition, excavation or other preparatory works, shall commence until a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared in accordance with BS5837:2012, have been submitted to and approved in writing by the Local Planning Authority.

The AMS and TPP shall include:

- Details of tree protection fencing, construction exclusion zones and temporary ground protection measures.
- Detailed construction specifications for the proposed no-dig pathway within the Root Protection Area of T7, together with measures to protect T2 and T3 where existing hardstanding is retained or modified.
- Methodologies for any excavation, level changes, service installation or other construction activities within the Root Protection Areas of retained trees.
- The proposed sequencing and phasing of works, including the timing of tree protection installation and removal.
- A programme of arboricultural supervision and monitoring by a suitably qualified arboriculturist, including an initial inspection of installed tree protection measures, supervision of works within Root Protection Areas and periodic inspections during construction.
- Arrangements for recording and submitting arboricultural monitoring reports, including dated photographs and details of any remedial actions required.

All approved tree protection measures shall be installed prior to commencement of development and retained for the duration of construction unless otherwise agreed in writing by the Local Planning Authority.

The development shall thereafter be undertaken in strict accordance with the approved AMS and TPP. Records of arboricultural supervision and monitoring shall be made available to the Local Planning Authority upon request, with a final compliance report submitted following completion of the relevant works.

Reason

To ensure the adequate protection of retained trees during construction and safeguard their long-term health and amenity value, in accordance with BS5837:2012 and relevant policies of the Rotherham Local Plan.

Ecology

10

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Estrada Ecology, June 2026) and Bat Survey Report (Middleton Bell Ecology, September 2026) already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason

To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, and s40 of the NERC Act 2006.

11

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, and s40 of the NERC Act 2006 (Priority habitats & species)

12

Prior to commencement of construction works above ground level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason

To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF (August 2026) and s40 of the NERC Act 2006 (Priority habitats & species).

13

Prior to construction works above ground level, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme before the extension is brought into use and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

Drainage

14

Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason

To ensure that no foul or surface water discharge take place until proper provision has been made for their disposal in accordance with CS24 of the Local Plan

Informative

01

Any after school use of the hall should remain ancillary to main school use.

POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what additional information was necessary to make the scheme acceptable. The applicant agreed to provide the additional information and the scheme is in accordance with the principles of the National Planning Policy Framework.