

Heritage Statement

Albert Mill, Newhey Road, Milnrow.

On Behalf Of Clarke Telecom Ltd

Date: 12/08/2022 | Pegasus Ref: P22-1337



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Contents.

1. Introduction.....	5
2. Proposed Development.....	7
3. Site Description and Planning History.....	8
4. Methodology.....	17
5. Policy Framework	19
6. The Built Historic Environment.....	20
7. Assessment of Impact.....	33
8. Conclusions.....	43

Appendices contents.

Appendix 1: Assessment Methodology	44
Appendix 2: Legislative Framework.....	50
Appendix 3: National Policy Guidance	51
Appendix 4: Relevant Development Plan Policies.....	57
Appendix 5: List Entries	59

Plates:

Plate 1: Site Location Plan.....	5
Plate 2: Albert Mill from the East.	8
Plate 3: Albert Mill as seen from the north.....	9
Plate 4: Albert Mill as seen from the east alongside the petrol station located to the north of the Site.....	9
Plate 5: Albert Mill as seen from the southeast.....	9
Plate 6: Extract from John Speed Map of Lancashire, 1610, with the location of 'Rochedale' and Milnrow highlighted in red.	10
Plate 7: Extract from the Ordnance Survey Map of 1844–1848 with the approximate location of the site identified by the red arrow.....	10
Plate 8: Extract from the Butterworth Tithe Map of 1846. The site is situated within 'Plot 501'.....	11
Plate 9: Extract from the Ordnance Survey Map of 1894.....	12
Plate 10: Extract from the Ordnance Survey Map of 1910.....	12
Plate 11: 1926 aerial photograph with the site identified by the red arrow (Britain from Above Ref. EPW016715).	12
Plate 12: 1926 aerial photograph with the site identified by the red arrow (Britain from Above Ref. EPW016718).	12
Plate 13: Extract from the Ordnance Survey Map of 1931.....	13
Plate 14: Extract from the Ordnance Survey Map of 1947.....	13
Plate 15: Aerial photograph of the site (red) and its environs, 2000.....	14
Plate 16 Aerial photograph of the site (red) and its environs, 2020.....	14
Plate 17: Albert Mill in July 2008 with various forms of telecommunications equipment visible atop of the building, in addition to other external changes (Source: Google Streetview).....	15
Plate 18: Modern signage and extraction at Albert Mill.....	21
Plate 19: Modern signage and extraction at Albert Mill.....	21
Plate 20: View north along Newhey Road (2022).	23
Plate 21: Early 20 th century view north along Newhey Road. NB – this viewpoint is further south along the route than the view shown at Plate 22.	23
Plate 22: View south along Newhey Road.....	23
Plate 23: Views of the Site from Lambourne Grove.....	24
Plate 24: The towards the Site from Victoria Terrace.....	24
Plate 25: Plan of the Butterworth Hall (Municipal Buildings) Conservation Area with Albert Mill identified by the red arrow.	25
Plate 26: View south along Newhey Road within the CA.....	26
Plate 27: View north along Newhey Road within the CA.....	26
Plate 28: The former Town Hall on Newhey Road.....	26
Plate 29: The former police station on Newhey Road.....	26
Plate 30: Plan of Butterworth Hall Conservation Area Map with Albert Mill identified by the red arrow.	28
Plate 31: Pre-20 th century-built form within the CA.....	28
Plate 32: Pre-20 th century-built form within the CA.....	29
Plate 33: Pre-20 th century-built form within the CA.....	29

Plate 34: The extent of the designation of the Library.....	30
Plate 35: The Milnrow Carnegie Library (red) as seen from Newhey Road, set amongst the town hall and police station.....	31
Plate 36: The rear of the Milnrow Carnegie Library (red) with modern development within the foreground.....	31
Plate 37: Existing (left) and proposed (right) from Newhey Road to the north.	37
Plate 38: Existing (left) and proposed (right) from Newhey Road to the south.....	38
Plate 39: Existing (left) and proposed (right) from Victoria Terrace to the south.	39
Plate 40: Existing (left) and proposed (right) from New Street to the east.....	40

1. Introduction

- 1.1. Pegasus Group have been commissioned by Clarke Telecoms Ltd to prepare a Built Heritage Statement to consider the proposed works at Albert Mill, Newhey Road, as shown on the Site Location Plan provided at Plate 1.



Plate 1: Site Location Plan.

- 1.2. Albert Mill is not a statutory designated building; however, it has been identified by the Local Authority during the determination of previous applications at the Site as a Non-Designated Heritage Asset (NDHA). In addition, the Site is located within the Butterworth (Municipal Buildings) Hall Conservation Area and adjacent to the Butterworth Hall Conservation Area.
- 1.3. Planning Permission is sought for the removal of existing telecommunications equipment atop of Albert Mill and the installation of replacement equipment. The equipment would be located across three locations, reflecting the location of the equipment which it is replacing, and positioned within GRP shrouds.
- 1.4. This Assessment provides information with regards to the significance of the built historic environment to fulfil the requirement given in paragraph 194 of the Government's *National Planning Policy Framework* (the *NPPF*) which requires:
- "...an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting".¹***
- 1.5. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the built historic environment, following paragraphs 199 to 203 of the *NPPF*, any harm to the built historic environment resulting from

¹ Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, July 2021), para. 194.

the proposed development is also described, including impacts on significance through changes to setting.

- 1.6. As required by paragraph 194 of the *NPPF*, the detail and assessment in this Report is considered to be "*proportionate to the assets' importance*".²

² DLUHC, *NPPF*, para. 194.

2. Proposed Development

- 2.1. Planning Permission is sought for the removal of existing telecommunications equipment located atop of Albert Mill and the installation of replacement equipment comprising, 2No. TEF & 2No. VF antennas plus 6No. TEF & 6No. VF pole mounted RRU's, 2No. TEF combiners, 1No. VF filter and 2No. VF/TEF BOBs. The equipment would be positioned across three locations, reflecting the location of the equipment which it is replacing.
- 2.2. The equipment would be positioned within GRP shrouds which have been designed to match the existing external fabric of the building and appear as chimney structures.
- 2.3. The proposals are detailed on the following plans which form the application package and which this assessment considers:
- Existing Site Plan – 200 A
 - Proposed Site Plan – 201 B
 - Existing Site Elevation – 300 A
 - Proposed Site Elevation – 301 B
 - Existing Antenna Plan – 400 A
 - Proposed Antenna Plan – 401 B
 - Equipment Layout – 402 A
- 2.4. **Section 7** of this Report presents an analysis of the impact of the proposed development on identified heritage assets discussed in **Section 6**.

3. Site Description and Planning History

Site Description

- 3.1. The Site comprises the built form of Albert Mill, located on the western side of Newhay Road within the Milnrow area of Rochdale, a large town in Greater Manchester, c.250m north of the M62.
- 3.2. Albert Mill dates to the late 19th century and comprises the only surviving element of the former Albert Mill complex. The three-storey building is constructed from sandstone and simple in its overall architectural style.
- 3.3. As detailed further below, the mill complex ceased operating by 1939 and the building is currently used as community space and commercial complex.
- 3.4. A variety of telecommunications equipment is currently located atop of Albert Mill and is visible in conjunction with the overall built form of the structure from all angles. Further detail on the Planning History associated with the existing telecommunications equipment is provided below.
- 3.5. In addition to the telecommunications equipment, various late 20th-century, and early 21st-century alterations are present to the exterior of the building, including modern extract/ventilation equipment and signage.
- 3.6. Newhay Road bounds the Site to the east, with the streetscape of this route made up of a mix of modern and historic buildings.
- 3.7. Areas of car parking are located to the immediate north and south of the building, beyond which is a modern petrol station and doctors surgery respectively. To the west is an area modern residential development. Such areas of modern development are largely located on the site of the former Albert Mill complex, with the removal and redevelopment of the former mill buildings having resulted in a notable change to the character and appearance of the surrounds of Albert Mill.



Plate 2: Albert Mill from the East.



Plate 3: Albert Mill as seen from the north.



Plate 5: Albert Mill as seen from the southeast.



Plate 4: Albert Mill as seen from the east alongside the petrol station located to the north of the Site.

Site Development / Map Regression

- 3.8. Rochdale was first recorded within the Domesday Book of 1086, under 'Recedham Manor' and fell within the historic boundaries of Lancashire. In John Speeds Map of Lancashire from 1610 (Plate 6), Rochdale can be seen included within the Salford Hundred.
- 3.9. The village of Milnrow was primarily an agrarian settlement during the medieval period, although growth came with the through association with the woollen trade in the 17th century.
- 3.10. 'Butterworth Hall' – the area of the modern extent of Milnrow within which the Site is located – comprised a hamlet to the south of the village during this period. The Butterworth Hall naming of the area originated from a Medieval house documented in 1420 which was later

rebuilt. The Butterworth Hall name was later transferred from the hall to the hamlet.



Plate 6: Extract from John Speed Map of Lancashire, 1610, with the location of 'Rochdale' and Milnrow highlighted in red.

- 3.11. Rochdale was a centre for textile manufacturing during the Industrial Revolution and amongst the first industrialised towns in the country, with a large mill presence. In connection with the growth and industrial activities at Rochdale, Milnrow grew from a small village into a thriving mill town in the 19th century owing to its cotton spinning mills, from which cotton goods were exported globally.
- 3.12. The 19th century also saw the expansion of the 'Butterworth Hall' settlement, and a number of mill buildings (including that within the Site) and mill workers

cottages were constructed. The hamlet was gradually subsequently subsumed into the Milnrow settlement.

- 3.13. A review of historic sources indicates that the Site remained undeveloped until the mid-late 19th century.
- 3.14. The Ordnance Survey Map of 1844-1848 (Plate 7) depicts the Site as comprising an undeveloped area of land situated within the western part of the settlement.



Plate 7: Extract from the Ordnance Survey Map of 1844-1848 with the approximate location of the site identified by the red arrow.

- 3.15. The industrial growth of the settlement is evident from the identified location of various mill complex (including Butterworth Hall Mill and Lady House Mill), alongside the settlement of Butterworth Hall itself – see further below.

- 3.16. The Tithe Map of the Parish of Butterworth, dating to 1846, also depicts the Site as undeveloped (Plate 8). The accompanying Apportionment details that Site, located within 'Plot 501' was owned this date by the Trustees of J H Beswick, S Lomax & J Crossley and 'occupied' by J Milne. The Apportionment simply details that the Site formed part of the wider complex associated with Butterworth Hall (now demolished) with no specific use identified.

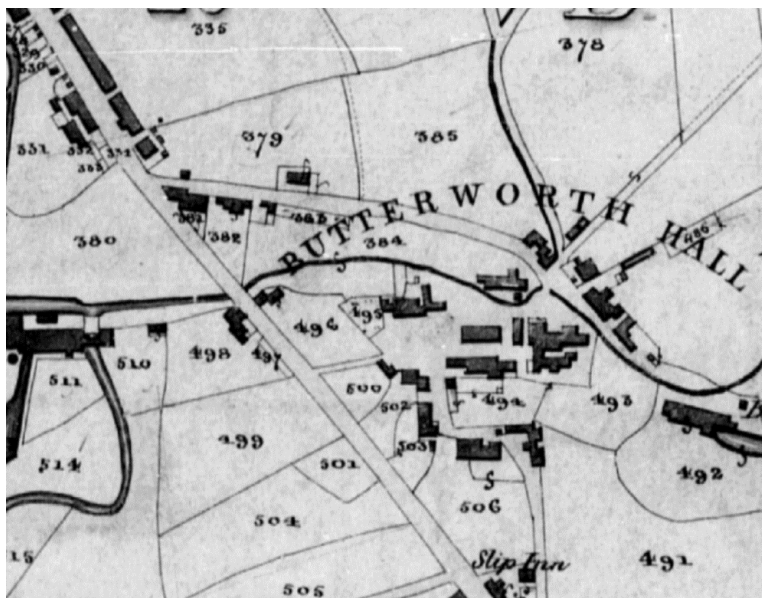


Plate 8: Extract from the Butterworth Tithe Map of 1846. The site is situated within 'Plot 501'.

- 3.17. The earliest source to depict the existing built form within the Site is the Ordnance Survey Map of 1894, with this detailing the building alongside the wider complex of Albert Mills complex to the west (Plate 9). The mill complex was located to the south of the earlier Lady

House Mills. The earliest 'directory' references to the Albert Mills complex date to 1891, with the mill identified as a 'cotton mill'. These sources would support an early 1890s date of construction for the built form within the Site and the remainder of the Albert Mills complex (now demolished).

- 3.18. The 1894 Ordnance Survey Map also details the further expansion of the settlements of Butterworth Hall and Milnrow during this period, in particular rows of terraced housing and municipal buildings such as the Town Hall and Police Station.
- 3.19. By 1910, as demonstrated by the Ordnance Survey Map of this date (Plate 10), the Albert Mills complex had been subject to expansion, including extension of the built form within the Site.
- 3.20. Aerial photographs dating from 1926 (Plate 11 & Plate 12) detail the built form of the mill complex and the surrounding area at this date. The Albert Mills complex, alongside other industrial buildings were prominent structures in the area at this date, situated amongst the lower scale-built form of the surrounding terraced housing.



Plate 9: Extract from the Ordnance Survey Map of 1894.



Plate 10: Extract from the Ordnance Survey Map of 1910.



Plate 11: 1926 aerial photograph with the site identified by the red arrow (Britain from Above Ref. EPW016715).



Plate 12: 1926 aerial photograph with the site identified by the red arrow (Britain from Above Ref. EPW016718).

- 3.21. The Ordnance Survey Map of 1931 (Plate 13) shows further development in the area with a significant number of new houses constructed. This includes a new housing estate north of Butterworth Hall. Little change appears, however, to have occurred within the Site or the wider Albert Mill complex.



Plate 13: Extract from the Ordnance Survey Map of 1931.

- 3.22. A review of historic newspaper articles, as available via the British Newspaper Archives, indicates that by the Second World War, the Albert Mill complex was no longer being used for milling purposes and that its various structures (including that within the Site) were used as social and community buildings in which dances were

held and wartime equipment was distributed. An article in the Rochdale Observer from 1939 also records the demolition of the mill chimney following the closure of the mill.

- 3.23. By 1947 (Plate 14), the wider settlement had been subject to further expansion and development, but no obvious change to the Albert Mills buildings has taken place. Notably, the southwest extension to the mill building within the Site remained. This extension, which appears to have comprised a single or two storey structure based upon the 1926 aerial photographs was removed during the late 20th century.

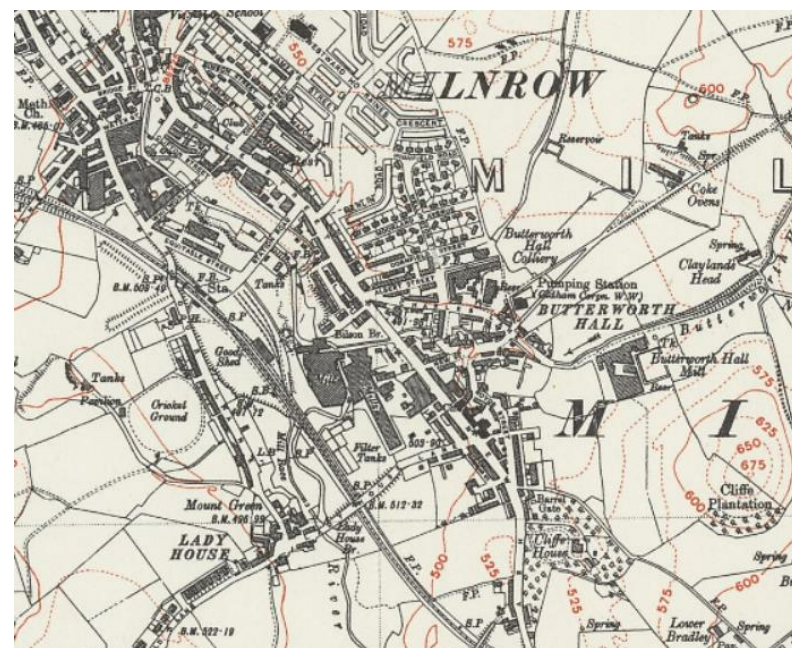


Plate 14: Extract from the Ordnance Survey Map of 1947.

- 3.24. The deindustrialisation of the area in the 20th century resulted in the loss of the majority of the once thriving 19th and early 21st century industrial sites and the demolition of their associated buildings. The industrial character of the area has been retained through the architectural style of the 19th and early 20th century-built form included terrace housing and remnant industrial buildings such as Albert Mill.
- 3.25. An aerial image from 2000 (Plate 15) demonstrates that by this date the mill building within the Site was the only surviving element of the Albert Mill complex. The remainder of the mill complex was largely redeveloped during the late 20th century, including the construction of the residential properties to the southwest of the Site and the petrol station to the north.
- 3.26. The opening of the M62 in 1971, improved transport connections to the settlement and made it more possible to commute to Manchester and West Yorkshire. This influenced the further expansion of the settlement, much as had been seen in the preceding centuries in association with the industrialisation of the area. The late 20th century expansion of the settlement within the surrounds of the Site, including the redevelopment of former industrial areas, is demonstrated at Plate 15 and Plate 16.



Plate 15: Aerial photograph of the site (red) and its environs, 2000.



Plate 16 Aerial photograph of the site (red) and its environs, 2020.

Planning History

- 3.27. A review of historic Google Streetview images demonstrates that telecommunications equipment has been present at the Site since at least 2008 (Plate 21).
- 3.28. It is thought that the equipment present in 2008 was most likely associated with proposed works approved in May 2001 (LPA Ref. 01/D38829) – see further below.



Plate 17: Albert Mill in July 2008 with various forms of telecommunications equipment visible atop of the building, in addition to other external changes (Source: Google Streetview).

- 3.29. In November 2021, Planning Permission was granted for "Removal of 3 no. antennas and installation of 3 no. replacement antennas on new antenna support poles attached to existing tripod support steelwork. Installation

of associated remote radio units on new freestanding frames and installation of 1 no. equipment cabinet."

- 3.30. The works relate to the antenna location within the northeast, northwest and southwest corners of the building as visible at Plates 2–5 and on the existing plans.
- 3.31. The LPA Conservation Officer, within their October 2021 consultation response, concluded that:

"The increased height and prominence would result in some harm to the visual appearance of the non-designated heritage asset and as a consequence the character and appearance of the wider Conservation Area (a designated heritage asset). Overall, the level of harm to the significance of the designated and non-designated heritage assets would be less than substantial."

- 3.32. The Conservation Area referenced is the Butterworth Hall (Municipal Buildings) Conservation Area, with no reference made by the Conservation Officer in relation to potential impacts on the Butterworth Hall Conservation Area nor Listed Buildings on Newhey Road, via a change in setting. Overall, it was the view of the LPA that the harm identified by the LPA Conservation Officer was outweighed by the public benefits of the scheme.
- 3.33. The following provides an overview of the approved application relating to the installation of telecommunications equipment at Albert Mill prior to the recent 2021 application.

- 0241/PDN- Proposed installation of EE telecommunications cabinet or apparatus. | Budget

Greeting Cards Ltd 34 Newhey Road Milnrow OL16 3NR. Notification acknowledged: 11/06/19.

- O242/PDN- Update of telecommunications apparatus. | Budget Greeting Cards Ltd 34 Newhey Road Milnrow OL16 3NR. Notification acknowledged: 14/06/19.
- O152/PDN- Replacing existing media cabinet with new. | 34 Newhey Road Milnrow OL16 3NR. Notification acknowledged: 14/04/16.
- O106/PDN- notification under the electronic communications code regulations 2003 to utilise permitted development rights | Vodafone Site Ref 23227A On Roof Of 34 Budget Greeting Cards Ltd 34 Newhey Road Milnrow. Notification acknowledged: 8/06/15.
- O1/D38829- Determination on Proposal to Erect 3 Frame Mounted Telecommunications Poles With 3 Antennae And 2 Microwave Dishes And 1 Equipment Cabin. | Roof Of Budget Greeting Cards, Newhey Road, Milnrow, Rochdale, Lancashire, OL16 3NR. Refused: 31/05/01.

4. Methodology

- 4.1. The aims of this Report are to assess the significance of the heritage resource within the Site/study area, to assess any contribution that the Site makes to the heritage significance of the identified built heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals,

Sources

- 4.2. The following key sources have been consulted as part of this assessment:
- The Historic England Research Records accessed via Heritage Gateway for information on the recorded heritage resource in the vicinity of the Site;
 - The National Heritage List for England for information on designated heritage assets;
 - Historic maps available online;
 - Aerial photographs available online via Historic England's Aerial Photo Explorer and Britain from Above;
 - The British Newspaper Archives online;
 - Old photographs accessible via the Historic England Architectural Red Box Collection; and
 - Google Earth satellite imagery.

Site Visit

- 4.3. A site visit was undertaken by a Heritage Consultant from Pegasus Group on 26.05.23 during which the Site and its surrounds were assessed.

Photographs

- 4.4. Photographs included in the body text of this Report are for illustrative purposes only to assist in the discussions of heritage assets, their settings, and views, where relevant. Unless explicitly stated, they are not accurate visual representations of the site or development proposals, nor do they conform to any standard or guidance i.e., the Landscape Institute Technical Guidance Note 06/19. However, the photographs included are intended to be an honest representation and are taken without the use of a zoom lens or edited, unless stated in the description or caption.

Assessment Methodology

- 4.5. Full details of the assessment methodology used in the preparation of this Report are provided within **Appendix 1**.

4.6. However, for clarity, this methodology has been informed by the following:

- Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment (hereafter GPA:2);³
- Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) – The Setting of Heritage Assets, the key guidance of assessing setting (hereafter GPA:3);⁴
- Historic England Advice Note 1 (Second Edition) – Conservation Area Appraisal, Designation and Management (hereafter HEAN:1).⁵
- Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (hereafter HEAN:12);⁶ and
- Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment.⁷

³ Historic England, *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment (GPA:2)* (2nd edition, Swindon, July 2015).

⁴ Historic England, *Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets (GPA:3)* (2nd edition, Swindon, December 2017).

⁵ Historic England, *Historic England Advice Note 1 – Conservation Area Appraisal, Designation and Management (HEAN:1)* (2nd edition, Swindon, February 2019).

⁶ Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (HEAN:12)* (Swindon, October 2019).

⁷ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

5. Policy Framework

Legislation

- 5.1. Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and their settings and Conservation Areas.⁸
- 5.2. In addition to the statutory obligations set out within the aforementioned Act, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.⁹
- 5.3. Full details of the relevant legislation are provided in **Appendix 2**.

National Planning Policy Guidance

- 5.4. National Planning Policy guidance relating to the historic environment is provided within Section 16 of the Government's *National Planning Policy Framework (NPPF)*, an updated version of which was published in July 2021. The *NPPF* is also supplemented by the national *Planning*

Policy Guidance (PPG) which comprises a full and consolidated review of planning practice guidance documents to be read alongside the *NPPF* and which contains a section related to the Historic Environment.¹⁰ The *PPG* also contains the *National Design Guide*.¹¹

- 5.5. Full details of the relevant national policy guidance is provided within **Appendix 3**.

The Development Plan

- 5.6. Applications for Planning Permission are currently considered against the policy and guidance set out within the Rochdale Borough Council Local Plan.
- 5.7. Details of the policy specific relevant to the application proposals are provided within **Appendix 4**.
- 5.8. Although the Local Plan and supporting documents were adopted after the inception of the *NPPF*, they do not allow for the balancing exercise to be undertaken. As such, the policies are not considered to reflect the guidance within the *NPPF* and thus the weight that can be attached to them in the decision-making process is limited.

⁸ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

⁹ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

¹⁰ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

¹¹ Department for Levelling Up, Housing and Communities (DLUHC), *National Design Guide* (London, January 2021).

6. The Built Historic Environment

- 6.1. The following Section provides an assessment of elements of the built historic environment that have the potential to be impacted upon by the proposed development and addresses the heritage planning issues that warrant consideration in the determination of the application for the works set out within **Section 3** of this Report
- 6.2. As set out in **Section 1**, Albert Mill has previously been identified by the Local Authority as a NDHA and the Site is located within the Butterworth Hall (Municipal Buildings) Conservation Area. Both of these assets are discussed further below.
- 6.3. With regards to other heritage assets within the surrounds of the Site, Step 1 of the methodology recommended by *GPA3* (see methodology), is to identify which heritage assets might be affected by a proposed development.¹²
- 6.4. Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a heritage asset, or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.
- 6.5. It is however widely accepted (paragraph 207 of the *NPPF*) that not all parts of a heritage asset will necessarily be of equal significance.¹³ In some cases, certain elements

of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.

- 6.6. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.
- 6.7. Consideration, based upon professional judgement and on-site analysis, was therefore made as to whether any of the heritage assets present within the surrounding area may include the site as part of their setting, whether the Site contributes to their overall heritage significance, and whether the assets may potentially be affected by the proposed scheme as a result.
- 6.8. It has been observed that the following heritage assets have the potential to be sensitive to the development proposals and thus these have been taken forward for further assessment below:
- Butterworth Hall Conservation Area
 - Grade II Listed Milnrow Carnegie Library
- 6.9. With regard to other heritage assets in the vicinity of the Site, assessment has concluded that the site does not form any part of setting that positively contributes to overall heritage significance due the nature of the asset and a lack of visual connections, spatial relationships or historic connections. Accordingly, the proposed

¹² Historic England, *GPA:3*, p. 4.

¹³ DLUHC, *NPPF*, para. 207.

development is not anticipated to result in a change that would impact upon the overall heritage significance of these assets. Other heritage assets have therefore been excluded from further assessment within this Report.

Albert Mill

- 6.10. As detailed in **Section 3**, Albert Mill dates to the late 19th century and comprises the only surviving element of the former Albert Mills complex.
- 6.11. The building is not, however, a relic of the 19th century townscape, and has been subject to change in the late 20th and early 21st century. This has included the consolidation of the footprint of the building and the addition of modern extraction equipment, signage and telecommunications equipment. Despite such changes the building remains understood as a historic industrial building by virtue of form and design.



Plate 18: Modern signage and extraction at Albert Mill.



Plate 19: Modern signage and extraction at Albert Mill.

6.12. Albert Mill is not statutory designated and not identified by the LPA on their list of NDHAs in Rochdale, as available online.¹⁴

6.13. The LPA describe NDHAs as follows:

‘Non-designated heritage assets are places we’ve identified as having some significance to the local heritage.

They make important contributions to the local distinctiveness, settlement formation, traditional character or history of the borough but don’t meet the criteria for listed buildings.

Non-designated heritage assets can be buildings, monuments, sites, places, areas and landscapes.¹⁵

6.14. The LPA specifies that their identification of NDHAs is based upon national policy guidance, including Historic England guidance on ‘Local Listing’, and is based upon the following criteria:

- ***Architectural significance – sites that demonstrate local architectural style and character or are associated with a local architect, designer or engineer of importance.***
- ***Historical significance – sites associated with a local historical event, that have importance as***

a community asset, are associated with local famous or notable people or appear on the First Edition of the Ordnance Survey Map.

- ***Positive contribution – such as a landmark or as part of a key view.***
- ***Designed landscape – asset is a component of a designed landscape.***¹⁶

6.15. Although not referenced on the LPA website, within their October 2021 consultation response in relation to LPA Ref: 21/O1114/FUL (see **Section 3**) the LPA Conservation Officer set out that:

“The building is an attractive three storey, sandstone structure, with fine detailing around the large windows. The building has undergone some external alterations and unfortunate signage, but still retains much of its original character. The building has been identified as a non-designated heritage asset due to its architectural and historic interest.”

6.16. Albert Mill is located on the western side of Newhey Road, and whilst the eastern building line reflects that of properties to the south, due to the height of the building and the undeveloped nature of areas to the immediate north and south, the property is prominent in views from this route within the immediate surrounds of the Site.

¹⁴ <https://www.rochdale.gov.uk/heritage-conservation/non-designated-heritage-assets/3>

¹⁵ <https://www.rochdale.gov.uk/heritage-conservation/non-designated-heritage-assets>

¹⁶ <https://www.rochdale.gov.uk/heritage-conservation/non-designated-heritage-assets/2>



Plate 20: View north along Newhey Road (2022).



Plate 21: Early 20th century view north along Newhey Road.

NB – this viewpoint is further south along the route than the view shown at Plate 22.



Plate 22: View south along Newhey Road.

- 6.17. Whilst 19th century development (residential and municipal) is visible along Newhey Road, and in conjunction with Albert Mill, due to the demolition of the remainder of the mill complex, the immediate surrounds of the building are not a relic of the historic townscape or that associated with the construction of the building. This has impacted upon the understanding, experience and appreciation of the building.
- 6.18. Furthermore, even where contemporary buildings remain visible in conjunction with Albert Mill in views along Newhey Road the building is also experienced alongside modern development within its vicinity.
- 6.19. Views of Albert Mill from the new areas of residential development to the west of the Site (on areas of the

former wider mill complex) were identified during the site visit; however, there are partly obscured by intervening vegetation. Views were also identified from Victoria Terrace to the south of the Site, with the properties on this route associated with the 19th century expansion of the settlement.

- 6.20. Such incidental views do not provide the same level of understanding, experience and appreciation of the building as those from Newhey Road, and in all such views the modern alterations to the building, including existing telecommunications equipment, are clearly visible.



Plate 23: Views of the Site from Lambourne Grove.



Plate 24: The towards the Site from Victoria Terrace.

Statement of Significance

- 6.21. The significance of Albert Mill is principally derived from the historic and architectural interest of its physical fabric as remnant of the late 19th century industrial development of the area. The overall appearance of the building is not, however, a relic of 19th century and has been subject to change during the 20th and 21st centuries.
- 6.22. The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that derived from its historic fabric. Based upon onsite assessment it is concluded that that the principal elements of the physical surrounds and experience of the asset (its "setting") which now contributes to its heritage significance

comprise the relationship with Newhey Road, and the experience and the appreciation of the building from this route.

Butterworth Hall (Municipal Buildings) Conservation Area

- 6.23. The Butterworth Hall (Municipal Buildings) Conservation Area was designated by the LPA in 2006, with the boundary of the asset principally focused upon the route of Newhey Road between New Street in the north and Heaton Street in the south. No Appraisal has currently been prepared by the Local Authority for the asset.
- 6.24. Within their October 2021 consultation response in relation to LPA Ref. 21/O114/UFL, the LPA Conservation Officer stated that the Conservation Area “was designated in 2006 due to its special historic and architectural interest. Butterworth was one of the four townships of Old Rochdale. It was an old hamlet that grew up around the medieval Hall of the Butterworth family. While the Hall was lost, the hamlet has survived largely intact. In Victorian times, Newhey Road grew quickly in a contrasting form to the earlier hamlet. Mills and mill workers cottages were constructed alongside Milnrow Municipal Offices, Fire Station and later the grade II listed Carnegie Library.”

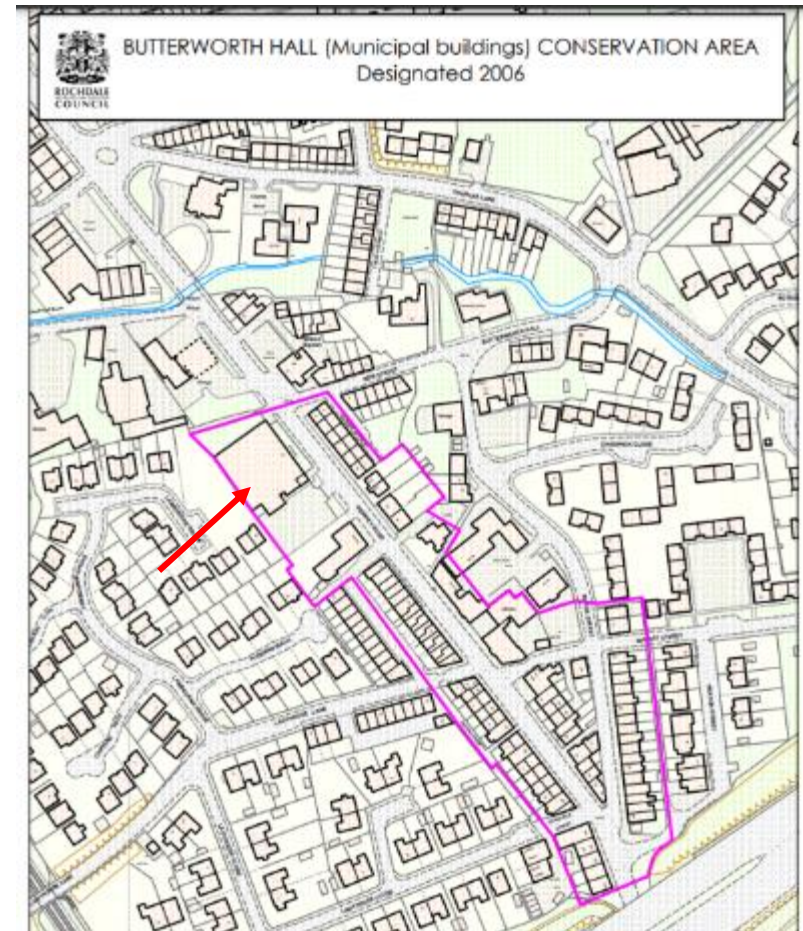


Plate 25: Plan of the Butterworth Hall (Municipal Buildings) Conservation Area with Albert Mill identified by the red arrow.



Plate 26: View south along Newhey Road within the CA.



Plate 28: The former Town Hall on Newhey Road.



Plate 27: View north along Newhey Road within the CA.



Plate 29: The former police station on Newhey Road.

Statement of Significance

- 6.25. The important elements of the character and appearance of the Butterworth Hall (Municipal Buildings) Conservation Area which contribute to its overall heritage significance is derived from the architectural detailing of the 19th- and early 20th-century built form which lines Newhey Road, and the contribution which this makes to the understanding as to the historic development of the area.
- 6.26. While there is currently no statutory protection for the settings of Conservation Areas, it is evident that elements of the surrounds of the Conservation Area make some contribution to its significance, albeit less than the structures and spaces within its boundaries. The principal element of the physical surrounds and experience of the asset (its setting) which are considered to contribute to its heritage significance comprise the experience and appreciation of the built form within the Conservation Area on the approach to, and exit from, the bounds of the asset along Newhey Road.
- 6.27. The spatial relationship with wider elements of the settlement associated with 19th century growth and industrialisation, as covered by the Butterworth Hall Conservation Area is also considered to contribute to the significance of the asset.

The Contribution Made by the Site

- 6.28. The built form of Albert Mill contributes to the overall character and appearance of Newhey Road within the vicinity of the Site by way of forming an intelligible part of the 19th century industrial townscape which influenced the development of the settlement as contained within the

Conservation Area. The building is also prominent on the approach into the Conservation Area from the north.

- 6.29. As previously discussed, however, changes to the building have also resulted in the external appearance of the building no longer being a relic of the 19th century, with this impact upon the level of contribution made by the building to the overall significance of the asset, with other buildings within the Conservation Area retaining a greater sense of their 19th and early 20th century appearance (i.e., the municipal buildings such as the former Town Hall and police station).
- 6.30. It is also highlighted that on the approach to the Conservation Area from the north, Albert Mills is most commonly experienced not with the 19th and early 20th century built form within the Conservation Area, but alongside the modern petrol station to the north of the Site.

Butterworth Hall Conservation Area

- 6.31. The Butterworth Hall Conservation Area was designated by the LPA in 2006, with the boundary closet to the Site following that of the Butterworth Hall (Municipal Buildings) Conservation Area. No Appraisal has currently been prepared by the Local Authority for the asset.
- 6.32. Analysis of areas within the bounds of the asset, alongside the historic development of the area (see **Section 3**), indicates that the Conservation Area is focused upon the historic hamlet associated with Butterworth Hall, which developed into an industrial settlement in the 19th century. The area designated under the Conservation Area sits alongside the wider development of the settlement during the 19th and early

20th century as covered by the Butterworth Hall (Municipal Buildings) Conservation Area.

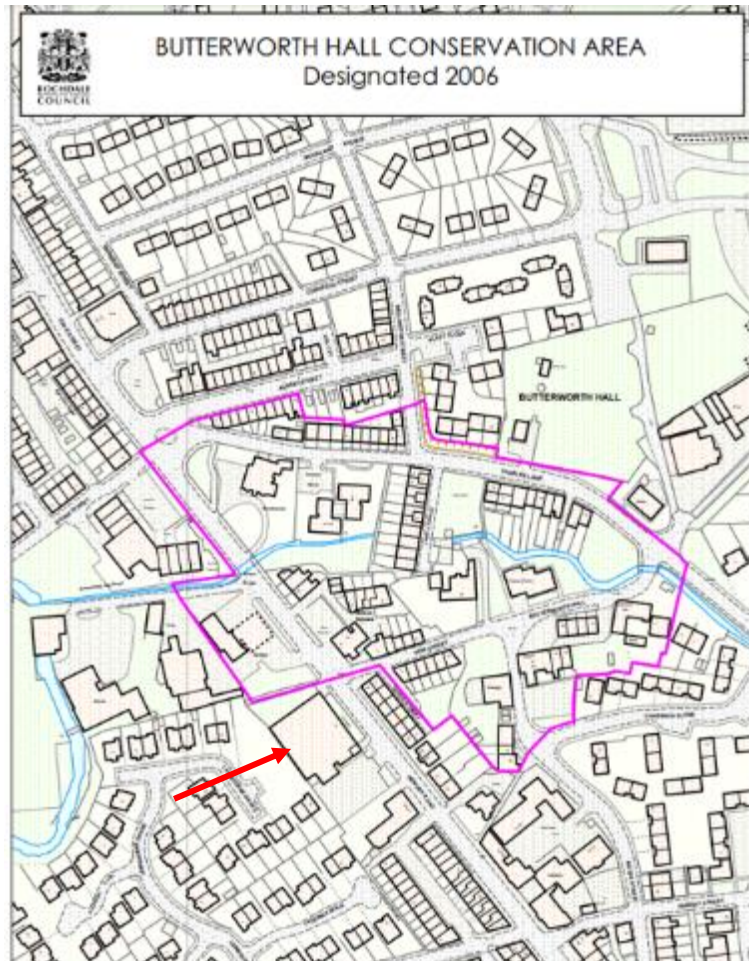


Plate 30: Plan of Butterworth Hall Conservation Area Map with Albert Mill identified by the red arrow.

- 6.33. Neither Butterworth Hall nor Butterworth Mill, the last operational cotton mill in Milnrow, remain extant and much of the area has been redeveloped for modern residential development. The Conservation Area thus focuses on surviving elements of the pre-20th century townscape associated with the historic settlement and its industrial growth.
- 6.34. That is not to say that the Conservation Area is void of the modern development, with the petrol station to the north of the Site located within the bounds of the asset alongside various examples of modern built form.



Plate 31: Pre-20th century-built form within the CA.



Plate 32: Pre-20th century-built form within the CA.



Plate 33: Pre-20th century-built form within the CA.

- 6.35. As demonstrated at Plate 30, the Conservation Area is situated amongst the wider expansion of the settlement of Milnrow, including aspects associated with the 19th and early 20th century as covered by the Butterworth Hall (Municipal Buildings) Conservation Area to the southwest, and modern development to the north, east, south and west.

Statement of Significance

- 6.36. The important elements of the character and appearance of the Butterworth Hall Conservation Area which contribute to its overall heritage significance is derived from the architectural detailing of the pre-20th century built form, and the contribution which this makes to the understanding as to the historic development of the area.
- 6.37. While there is currently no statutory protection for the settings of Conservation Areas, it is evident that elements of the surrounds of the Conservation Area make some contribution to its significance, albeit less than the structures and spaces within its boundaries. The principal element of the physical surrounds and experience of the asset (its setting) which are considered to contribute to its heritage significance comprise the experience and appreciation of contemporary built form present along Newhey Road (as covered by the adjacent Conservation Area) on the approach to, and exit from, the bounds of the asset.
- 6.38. The spatial relationship with wider elements of the settlement associated with 19th century growth and industrialisation, as covered by the Butterworth Hall Conservation Area is also considered to contribute to the significance of the asset

The Contribution Made by the Site

- 6.39. The built form of Albert Mill contributes to the overall experience and appreciation of the asset on the approach to, or exit from, the bounds of the asset along Newhey Road, and in outward views along New Street.
- 6.40. Within this context, Albert Mill forms an intelligible part of the 19th century industrial townscape which developed alongside surviving elements of the historic townscape contained within the Conservation Area.
- 6.41. In outward views along the New Street the building is viewed alongside 19th century residential dwellings, and forms a backdrop which contributes to the character and appearance of this route. The building is not, however, seen as a relic of the 19th century townscape, with existing telecommunications equipment clearly visible, and in views from Newhey Road the building is always viewed alongside the modern petrol station located to the north of the Site

Milnrow Carnegie Library and forecourt wall

- 6.42. The Milnrow Carnegie Library and forecourt was added to the National List at Grade II on 24TH November 2012 (NHLE 1410713). The List Entry provides the following summary of the built form:
- "Public library and forecourt wall. 1907 by architects' practice S Butterworth and WH Duncan of Rochdale. Sandstone ashlar, red brick to secondary elevations, slate roofs."***
- 6.43. A full copy of the List Entry is included at **Appendix 5**.



Plate 34: The extent of the designation of the Library.

- 6.44. The Milnrow Carnegie Library was built in 1907 by the architects S Butterworth and W H Duncan who also designed five other libraries for the area. The building is was one of 660 libraries constructed in the United Kingdom during the late 19th and early 20th century with funding from Andrew Carnegie, a Scottish-American businessman and philanthropist. In association with their connection to Carnegie, such libraries are often known as 'Carnegie libraries' with their principal purpose to provide a free library service accessible to all.
- 6.45. The two-storey structure is set back from Newhey Road with a forecourt to the front. The late 19th century Town Hall and Police Station are located to the north and south of the Library respectively, with the three buildings forming a grouping of municipal buildings within the settlement.



Plate 35: The Milnrow Carnegie Library (red) as seen from Newhey Road, set amongst the town hall and police station.

- 6.46. The rear of the Milnrow Carnegie Library backs onto an area of modern residential development, with this defined the character adjacent to the Listed Building in this location (Plate 36).



Plate 36: The rear of the Milnrow Carnegie Library (red) with modern development within the foreground.

Statement of Significance

- 6.47. The heritage significance of the Milnrow Carnegie Library is principally derived from the architectural and historic interest of its physical fabric.
- 6.48. The List Entry identifies that the building was designated for the following reasons:

“* Architectural Interest: local architects' practice of Butterworth and Duncan successfully combined an eclectic mix of Arts and Crafts and Art Nouveau with a touch of Mannerism in the attenuated entrance gable to produce a well-balanced and pleasing composition, enhanced by the use of high-quality materials and

craftsmanship in the relief lettering and intricate ornamentation, and the leaded and stained Art Nouveau glass.

**** Layout: the library retains its original distinctive plan form with a central, top-lit borrowers' hall and lending library from where the librarian could supervise the large interconnecting reading room and the open-fronted boys' room, as well as the more enclosed ladies' room, with a lecture hall on the first floor, originally shared with the adjacent town hall offices.***

**** Interior: the entrance hall and library rooms retain their highly-glazed, coloured dado tiles, with the staircase balustrade and the majority of original library and lecture hall fixtures and fittings remaining, including doors, framing with leaded glazed overlights to wider openings, and fixed oak bookcases in the parquet-floored, barrel-vaulted reading room, all of which combine to give a period character to the building."***

6.49. The connection with Carnegie is also considered to contribute to the historic interest of the asset.

6.50. The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance comprise:

- The relationship between the asset and the route of Newhey Road.

- The relationship of the built form between the library and the adjacent Town Hall and Police Station.
- The experience and appreciation of the asset from Newhey Road.

6.51. Due to the position of both assets, there is no intervisibility between the Albert Mill and Milnrow Carnegie Library. Albert Mill does form part of the character of the townscape of Newhey Road within which Milnrow Carnegie Library is experienced but, again due to positioning, the two buildings are not readily experienced alongside each other.

6.52. Even it is possible to view both structure from the same location (limited to the isolated section of the road immediate adjacent to the Milnrow Carnegie Library where one indeed has to turn their head as opposed to viewing the buildings in the same 'viewshed'), Albert Mills is seen set away from Milnrow Carnegie Library and modern alterations are clearly identifiable.

6.53. For this reasoning it is considered that Albert Mill forms part of the setting of the Grade II Listed Milnrow Carnegie Library which makes a neutral contribute to its overall heritage significance.

7. Assessment of Impact

- 7.1. This Section addresses the heritage planning issues that warrant consideration in the determination of the application in line with the proposals set out within **Section 3** of this Report.
- 7.2. As detailed above, the *Planning and Compulsory Purchase Act (2004)* requires that applications for Planning Permission are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process.
- 7.3. The statutory requirement set out in Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* confirms that special regard should be given to the preservation of the special historic and architectural interest of Listed Buildings and their settings. Section 72(1) of the Act confirms that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the asset, as well as the protection of the character and appearance of a Conservation Area.
- 7.4. In addition, the *NPPF* states that the impact of development proposals should be considered against the particular significance of heritage assets, such as Listed Buildings and Conservation Areas, and this needs to be

the primary consideration when determining the acceptability of the proposals.

- 7.5. It is also important to consider whether the proposals cause harm. If they do, then one must consider whether the harm represents "*substantial harm*" or "*less than substantial harm*" to the identified designated heritage assets, in the context of paragraphs 201 and 202 of the *NPPF*.¹⁷ With regard to non-designated heritage assets, potential harm should be considered within the context of paragraph 203 of the *NPPF*.¹⁸
- 7.6. The *PPG* clarifies that within each category of harm ("*less than substantial*" or "*substantial*"), the extent of the harm may vary and should be clearly articulated.¹⁹
- 7.7. The guidance set out within the *PPG* also clarifies that "*substantial harm*" is a high test, and that it may not arise in many cases. It makes it clear that it is the degree of harm to the significance of the asset, rather than the scale of development, which is to be assessed.²⁰

¹⁷ DLUHC, *NPPF*, paras. 201 and 202.

¹⁸ DLUHC, *NPPF*, para. 203.

¹⁹ DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

²⁰ DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

7.8. In addition, it has been clarified in a High Court Judgement of 2013 that substantial harm would be harm that would:

"...have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced."²¹

7.9. This Section will consider each of the heritage assets detailed above and assess the impact of the proposed development, whether that be harmful or beneficial to the significance identified above.

Albert Mill

7.10. Potential impacts to non-designated heritage assets should be considered within the context of Paragraph 203 of the *NPPF*.²² There is no basis in policy for describing harm to them as substantial or less than substantial, rather the *NPPF* requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset.

7.11. High Court Judgements have confirmed that when considering potential impacts on non-designated heritage assets within the decision-making process, the balanced judgement required is different from the public benefits exercise associated with designated heritage assets (as set out in Paragraphs 201 and 202 of the *NPPF*).²³

7.12. Within a High Court Judgment of 2017, Jarman HHJ confirmed that the only requirement of the *NPPF* in respect of non-designated heritage assets is *"that the effect of an application on the significance should be taken into account"*.²⁴

7.13. This was further expressed in the Bohm decision, which stated that:

[34] "Unsurprisingly, given that an NDHA [non-designated heritage asset] does not itself have statutory protection, the test in para 135 [Paragraph 203 of the 2021 NPPF] is different from that in paras 132-4 [Paragraphs 200-202 of the 2021 NPPF], which concern designated heritage assets. Paragraph 135 [Paragraph 203 of the 2021 NPPF] calls for weighing "applications" that affect an NDHA, in other words the consideration under that paragraph must be of the application as a whole, not merely the demolition but also the construction of the new building. It then requires a balanced judgement to be made by the decision maker. The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter."²⁵

7.14. When assessing potential impacts on non-designated heritage assets within a Conservation Area, a High Court Judgement has confirmed that a two-step assessment

²¹ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.

²² DLUHC, *NPPF*, para.203.

²³ DLUHC, *NPPF*, paras. 201 and 202.

²⁴ Travis Perkins (Properties) Limited v Westminster City Council [2017] EWHC 2738 (Admin), Paragraph 44.

²⁵ Bohm [2017] EWHC 3217 (Admin).

process should be undertaken.²⁶ First, the impact on, or loss of, the non-designated heritage asset should be considered individually under Paragraph 203 of the *NPPF* (and relevant local policies). Second, the impact of the change, or total loss, of the non-designated asset on the overall heritage significance of the designated heritage asset (the Conservation Area) should be considered separately within the context of Paragraphs 201 and 202 of the *NPPF*, see above.

- 7.15. The proposed development comprises the removal of existing telecommunications equipment atop of Albert Mill and the installation of replacement equipment. The equipment would be positioned across three locations, reflecting the position of the equipment which it is replacing. The equipment would be located within GRP shrouds which have been designed to match the existing external fabric of the building and appear as chimneys.
- 7.16. The proposals would be viewed alongside the existing telecommunications equipment in the northeast, northwest and southwest corners of the roof of the building, upgrades to which were approved in 2021. As detailed in **Section 3**, the LPA Conservation Officer was of the view that the works approved in 2021 would result in *“some harm to the visual appearance of the non-designated heritage asset”* with this categorised as ‘less than substantial’.
- 7.17. The LPA Conservation Officer advised under the 2021 application that the level of harm could be further reduced by setting the antennae further away from the

edge of the roof. In this context, it is highlighted that the current proposals are located further away from the edge of the building than the 2021 proposals – see DWG No. 401 B as included within the wider submission package.

- 7.18. For clarity, it should be noted that the equipment which is the subject of this application and that which was the subject of the 2021 application relate to different operators and thus operate independently of each other, i.e., upgrades to one set does not negate the need for, or upgrades to, the other.
- 7.19. The proposed shrouds will be visible in conjunction with the built form of Albert Mill from elements of the surrounding urban environment. By virtue of the shroud, the telecommunications equipment itself will not be visible. Within this context, it is important to take into account that the visual change resulting from development does not necessarily equate to harm. The key consideration from a heritage perspective is whether the change alters the heritage significance of the asset.
- 7.20. When viewed from Newhey Road (see Plates 37 and 38), the proposed GRP shrouds would project above the roofline of the Albert Mill and introducing projecting features which are greater in mass and height than the existing GRP shrouds which they replace. Although designed to appear as chimneys and reflect the external fabric of the building, the proposed massing, heights and design, are at odds with what would be proportionate or expected for a chimney structure on a building of this size and use. Furthermore, historic photographs do not

²⁶ *Spitfire Bespoke Homes Ltd v Secretary of State for Housing Communities And Local Government* [2020] EWHC 958 (Admin) (22 April 2020).

demonstrate that chimneys were historically sited atop of the building.

- 7.21. The same is also considered to be the case with regard to incidental views of the building from Victoria Terrace (see Plate 42) and the modern residential development to the west.
- 7.22. The resulting change will be viewed within the context of the other telecommunications equipment atop of the building (as existing and forthcoming), alongside other modern alterations to the exterior of the building and the modern character of its immediate surrounds. Within this context, the building will remain understood as a 19th century industrial building and a surviving element of the industrial growth of the settlement of Milnrow during this period.
- 7.23. When taking into account all relevant factors, whilst the proposals will result in a change to the experience and appreciation of Albert Mill, the impact on the overall heritage significance of the building is considered to be minor.



Plate 37: Existing (left) and proposed (right) from Newhey Road to the north.



Plate 38: Existing (left) and proposed (right) from Newhey Road to the south



Plate 39: Existing (left) and proposed (right) from Victoria Terrace to the south.



Plate 40: Existing (left) and proposed (right) from New Street to the east.

Butterworth Hall (Municipal Buildings) Conservation Area

- 7.24. When considering potential impacts on the Conservation Area, it is important to note that the site forms only one small part of the asset.
- 7.25. Paragraph 207 of the *NPPF* states that it is necessary to consider the relevant significance of the element of the Conservation Area which has the potential to be affected and its contribution to the significance of the designation as a whole, i.e., would the application proposals undermine the significance of the Conservation Area as a whole?²⁷
- 7.26. This approach, and its compliance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, is supported by Case Law, with a 2020 High Court Judgement confirming that:
- “Section 72 requires an overall assessment of the likely impact of a proposed development on the conservation area, and not just that part of it where the development site is located”.***²⁸ (my emphasis)
- 7.27. When considering potential impacts on the Butterworth Hall (Municipal Buildings) Conservation Area, the principal consideration is whether the proposals will alter the contribution which Albert Mill makes to the character and appearance of the asset.

- 7.28. As discussed above, the proposals will introduce projecting features to the roofscape of Albert Mill which would be at odds with what would be proportionate or expected for a chimney structure on a building of this size and use. This would alter the overall experience and appreciation of the asset, and the contribution which it makes to the character and appearance of the Conservation Area.
- 7.29. Whilst resulting in a change to the overall experience and appreciation of the asset, Albert Mills would remain understood as a 19th century industrial building and a surviving element of the industrial growth of the settlement of Milnrow during this period, and the proposals would be viewed within the context of modern changes of the building and the wider surrounds (Plates 37–39).
- 7.30. It is also highlighted that the proposals would not be of a scale that would impact upon the dominance or appreciation of the clocktower of the Town Hall building (the only other tall buildings within the Conservation Area and clearly deigned to be viewed from the surrounding area as part of the grouping of municipal buildings) on the approach along Newhey Road from the north.
- 7.31. For this reasoning and when viewed within the context of the Conservation Area as a whole, the change is considered to result in only a minor degree of harm to the overall heritage significance of the asset, with this

²⁷ DLUHC, *NPPF*, para. 207.

²⁸ *Spitfire Bespoke Homes Ltd v Secretary of State for Housing Communities And Local Government* [2020] EWHC 958 (Admin).

categorised as less than substantial harm, at the lower end of the spectrum.

Butterworth Hall Conservation Area

- 7.32. The proposals will not result in a physical change to the Conservation Area, with any potential impacts to the significance arising from a change to its setting. It is highlighted that duty of Section 72(1) does not apply in relation to Butterworth Hall Conservation Area.
- 7.33. For the same reasons as discussed above, the proposals would alter the overall experience and appreciation of the asset, and the contribution which it makes to the character and appearance of the Conservation Area when viewed from within the bounds, and on the approach to / exit from the asset (see Plates 37 and 40).
- 7.34. Whilst resulting in a change to the overall experience and appreciation of the asset, Albert Mills would remain understood as a 19th century industrial building and a surviving element of the industrial growth of the settlement of Milnrow during this period, and the proposals would be viewed within the context of modern changes to the building and the wider surrounds.
- 7.35. For this reasoning and when viewed within the context of the Conservation Area as a whole, the change is considered to result in only a very minor degree of harm to the overall heritage significance of the asset, with this categorised as less than substantial harm, at the lower end of the spectrum.

Milnrow Carnegie Library

- 7.36. Whilst the change resulting from the proposals would be visible from Newhey Road in proximity to the Grade II Listed Milnrow Carnegie Library, when taking into account the nature of the change, the distance between the asset and the contribution which Albert Mill currently makes to the significance of the asset, it is not considered that the change would impact upon the overall understanding, experience or appreciation asset. Accordingly, no harm is considered to arise to Milnrow Carnegie Library, via a change in setting.
- 7.37. It is highlighted that no harm to the Grade II Listed Library was identified by the LPA Conservation Area when changes proposed under the 2021 application, with these also visible from Newhey Road within the vicinity of the asset.

8. Conclusions

- 8.1. Albert Mill is not a statutory designated building; however, it has been identified by the Local Authority during the determination of previous applications at the Site as a Non-Designated Heritage Asset (NDHA). In addition, the Site is located within the Butterworth (Municipal Buildings) Hall Conservation Area and adjacent to the Butterworth Hall Conservation Area.
- 8.2. Overall, it is concluded that the proposals would result in a minor impact to the overall heritage significance of Albert Mills and less than substantial harm, at the lower end of the spectrum, to the Butterworth Hall (Municipal Buildings) Conservation Area. Less than substantial harm, at the lower end of the spectrum, is also identified in relation to the adjacent Butterworth Hall Conservation Area, due to a change in setting.
- 8.3. The harm identified to the non-designated heritage Albert Mill should be considered within the context of Paragraph 203 of the NPPF.
- 8.4. The harm identified to the two Conservation Areas should be considered in line with Paragraph 202 of the NPPF, and the less than substantial harm identified (at the lower end of the spectrum) should be considered alongside the public benefits of the development proposals.
- 8.5. In relation to the Butterworth Hall (Municipal Buildings) Conservation Area, it is acknowledged that Section 72(1) of the 1990 Act sets out that *“special attention shall be paid to the desirability of preserving or enhancing the character or appearance”* of a Conservation Area; however, this does not prevent the undertaken of the balance under Paragraphs 202 of the NPPF.
- 8.6. A judgement in the Court of Appeal (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular Paragraph 134 of the 2012 draft of the NPPF, the requirements of which are now given in Paragraph 202 of the July 2021 version of the NPPF), this is in keeping with the duties of the 1990 Act.²⁹ There is no reasoning as to why this approach should not also be relevant when considering Section 72(1) of the 1990 Act.
- 8.7. No further heritage assets are considered to be impacted upon by the proposals.

²⁹ *Jones v Mordue* [2015] EWCA Civ 1243 – Core Doc. 6.10.

Appendix 1: Assessment Methodology

Assessment of significance

In the *NPPF*, heritage significance is defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”³⁰

Historic England's *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.³¹

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.³² These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.³³

The *PPG* provides further information on the interests it identifies:

- **Archaeological interest:** As defined in the Glossary to the National Planning Policy Framework, there will

be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

- **Architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.
- **Historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.³⁴

Significance results from a combination of any, some, or all of the interests described above.

³⁰ DLUHC, *NPPF*, pp. 71–72.

³¹ Historic England, *GPA:2*.

³² Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values

are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

³³ DLUHC, *NPPF*, p. 71; DLUHC, *PPG*, Annex 2.

³⁴ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

The most-recently issued Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.³⁵

Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

As defined in the *NPPF*:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”³⁶

Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”³⁷

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of “*what matters and why*”.³⁸

In *GPA:3*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at

³⁵ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019).

³⁶ DLUHC, *NPPF*, p. 72.

³⁷ DLUHC, *NPPF*, p. 71.

³⁸ Historic England, *GPA:3*, pp. 8, 11.

paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a–013–20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”³⁹

Levels of significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

- **Designated heritage assets of the highest significance**, as identified in paragraph 200 of the *NPPF*, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 68 of the *NPPF*;⁴⁰
- **Designated heritage assets of less than the highest significance**, as identified in paragraph 200 of the *NPPF*, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);⁴¹ and

³⁹ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, paras. 25 and 26.

⁴⁰ *DLUHC, NPPF*, para. 200 and fn. 68.

⁴¹ *DLUHC, NPPF*, para. 200.

- **Non-designated heritage assets.** Non-designated heritage assets are defined within the PPG as “buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.⁴²

Additionally, it is of course possible that sites, buildings or areas have no heritage significance.

Assessment of harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”,⁴³ and

- **Less than substantial harm.** Harm of a lesser level than that defined above.

With regards to these two categories, the PPG states:

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”⁴⁴

Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle, and upper end of the less than substantial harm spectrum/scale.

With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm to their overall significance, using descriptors such as minor, moderate and major harm.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, “*preserving*” means doing “*no harm*”.⁴⁵

⁴² DLUHC, PPG, paragraph 039, reference ID: 18a-039-20190723.

⁴³ Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

⁴⁴ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

⁴⁵ R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

Preservation does not mean no change, it specifically means no harm. GPA:2 states that *“Change to heritage assets is inevitable but it is only harmful when significance is damaged”*.⁴⁶ Thus, change is accepted in Historic England’s guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in GPA:3, described above. Fundamental to this methodology is a consideration of *“what matters and why”*.⁴⁷ Of particular relevance is the checklist given on page 13 of GPA:3.⁴⁸

It should be noted that this key document also states:

“Setting is not itself a heritage asset, nor a heritage designation...”⁴⁹

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, GPA:3 states that:

“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.⁵⁰

⁴⁶ Historic England, GPA:2, p. 9.

⁴⁷ Historic England, GPA:3, p. 8.

⁴⁸ Historic England, GPA:3, p. 13.

⁴⁹ Historic England, GPA:3, p. 4.

⁵⁰ Historic England, GPA 3., p. 8.

Additionally, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused. This point has been clarified in the Court of Appeal.⁵¹

Benefits

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

As detailed further in **Appendix 3**, the NPPF (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.⁵²

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 201 to 203.⁵³

The PPG provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8).

⁵¹ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.

⁵² DLUHC, NPPF, paras. 201 and 202.

⁵³ Including – Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor [2020] EWHC 2292 (Admin); DLUHC, NPPF, paras. 201 and 203.

Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- ***sustaining or enhancing the significance of a heritage asset and the contribution of its setting***
- ***reducing or removing risks to a heritage asset***
- ***securing the optimum viable use of a heritage asset in support of its long term conservation.***⁵⁴

Any "heritage benefits" arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

⁵⁴ MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

Appendix 2: Legislative Framework

Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and Conservation Areas.⁵⁵ It does not provide statutory protection for non-designated or Locally Listed heritage assets.

With regards to development within Conservation Areas, Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states:

“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”⁵⁶

Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.

In addition to the statutory obligations set out within the *Planning (Listed Buildings and Conservations Area) Act 1990*, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications are determined in accordance with the

Development Plan unless material considerations indicate otherwise.⁵⁷

⁵⁵ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

⁵⁶ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1).

⁵⁷ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

Appendix 3: National Policy Guidance

The National Planning Policy Framework (July 2021)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in July 2021. This replaced and updated the previous *NPPF* 2019. The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

...

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or***
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:***
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or***

- ii. **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.**⁵⁸

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.”⁵⁹ (our emphasis)

The NPPF continues to recognise that the planning system is planned and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in the NPPF as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”⁶⁰

The NPPF goes on to define a Designated Heritage Asset as a:

“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”⁶¹

As set out above, significance is also defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”⁶²

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 195 that:

⁵⁸ DLUHC, NPPF, para. 11.

⁵⁹ DLUHC, NPPF, para. 11, fn. 7.

⁶⁰ DLUHC, NPPF, p. 67.

⁶¹ DLUHC, NPPF, p. 66.

⁶² DLUHC, NPPF, pp. 71–72.

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”⁶³

Paragraph 197 goes on to state that:

“In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;***
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and***
- c. the desirability of new development making a positive contribution to local character and distinctiveness.”⁶⁴***

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”⁶⁵

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;***
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”⁶⁶***

Section b) of paragraph 200, which describes assets of the highest significance, also includes footnote 68 of the NPPF, which states that non-designated heritage assets of archaeological interest

⁶³ DLUHC, NPPF, para. 195.

⁶⁴ DLUHC, NPPF, para. 197.

⁶⁵ DLUHC, NPPF, para. 199.

⁶⁶ DLUHC, NPPF, para. 200.

which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

In the context of the above, it should be noted that paragraph 201 reads as follows:

“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and***
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and***
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and***
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.”⁶⁷***

⁶⁷ DLUHC, NPPF, para. 201.

⁶⁸ DLUHC, NPPF, para. 202.

Paragraph 202 goes on to state:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”⁶⁸

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”⁶⁹

Paragraph 207 goes on to recognise that “not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance” and with regard to the potential harm from a proposed development states:

“Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph

⁶⁹ DLUHC, NPPF, para 206.

201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.⁷⁰ (our emphasis)

With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”⁷¹

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement

which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of ‘significance’ in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”⁷²

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of

⁷⁰ DLUHC, NPPF, para. 207.

⁷¹ DLUHC, NPPF, para. 203.

⁷² DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.

harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.⁷³ (our emphasis)

National Design Guide:

Section C2 relates to valuing heritage, local history and culture and states:

"When determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape."⁷⁴

"Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of

activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way."⁷⁵

It goes on to state that:

"Well-designed places and buildings are influenced positively by:

- ***the history and heritage of the site, its surroundings and the wider area, including cultural influences;***
- ***the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;***
- ***the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details – see Identity.***

Today's new developments extend the history of the context. The best of them will become valued as tomorrow's heritage, representing the architecture and placemaking of the early 21st century."⁷⁶

⁷³ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

⁷⁴ DLUHC, NDG, para. 46.

⁷⁵ DLUHC, NDG, para. 47.

⁷⁶ DLUHC, NDG, paras. 48–49.

Appendix 4: Relevant Development Plan Policies

Applications for Planning Permission within Milnrow are currently considered against the policy and guidance set out within the Rochdale Borough Council Local Plan which is formed of the Core Strategy (2016), Greater Manchester Joint Waste Development Plan, Greater Manchester Joint Minerals Development Plan and Unitary Development Plan from the 1996–2016 Local Plan.

Policy P2 of the Core Strategy pertains to 'Protecting and enhancing character, landscape and heritage'. Part 2 of the policy relates to the historic environment and states:

2. We will protect the borough's heritage by:

a. Conserving, enhancing and promoting key heritage assets, both statutory and non statutory, including consideration of their wider settings. Key heritage assets of the borough include:

i. Four outstanding conservation areas: Central Rochdale, Middleton and Littleborough town centres and Rock Nook / Summit;

ii. Other designated assets such as listed buildings, conservation areas, registered parks and scheduled ancient monuments;

iii. The heritage of the Co-operative movement, the Rochdale Pioneers and the Labour movement;

iv. The Edgar Wood and J. H. Sellers cultural heritage;

v. The heritage of the seventeenth and eighteenth century vernacular tradition; and

vi. The engineering heritage, including mills, canals and railways.

b. Conserving, enhancing and utilising other non-statutory heritage assets of local interest, be they buildings, parks, gardens or archaeological sites, including promoting their sensitive restoration;

c. Using heritage assets positively and intelligently to strengthen identity and image and support the visitor economy, particularly in development and regeneration schemes; and

d. Prioritising the conservation of heritage assets at risk from decay, giving special attention to designated heritage assets in this regard.

The following policies from the Unitary Development Plan relate to the historic environment:

- **G/BE/9 (Part One Policy)– Conservation of the built Heritage**

Priority will be given to the practical conservation and enhancement of those features of the built environment which are the most valuable, in particular: conservation areas; listed buildings and their settings; scheduled ancient monuments; parks and gardens of special historic interest; and archaeological remains. Such buildings, areas and features of architectural and historic merit will be protected from adverse development or demolition and positive measures will be taken or supported, wherever possible, to facilitate their

continued upkeep and beneficial use. Particular emphasis will be placed on securing new uses for existing buildings to ensure their future, and on promoting conservation activities which provide a stimulus for the regeneration of town centres, older urban and rural areas, including historic and cultural landscapes.

- **BE/11- Protection of locally important buildings and features of architectural and historic interest.**

The Council will permit development proposals that do not adversely affect buildings and features which are of local interest and which contribute to the character of an area and/or are important in townscape terms.

- **BE/15- New development affecting the setting of a Listed Building.**

Development will not be permitted, where through its siting, scale, design or materials, would harm the setting of a listed building.

- **BE/17- New development affecting Conservation Areas.**

Development proposals will be permitted that preserve or enhance the character or appearance of a conservation area. In assessing a proposal, the following principles – where relevant – will be taken into account:

a) Its relationship to existing buildings, the site and its surroundings;

b) Its design – including elevations, roof form, materials, finishes and detailing;

c) The retention, replacement and restoration of historic features and details of buildings, and – in the public realm – walls, paving and street furniture;

d) The retention and enhancement of landscaped areas, trees and natural features;

e) The design of new shop fronts (and replacements and/or alterations to those existing) should reflect the character or appearance of the conservation area, consistent with the provisions of Policy BE/5;

f) The design and siting of advertisements, new street furniture, paving and other highway surfaces and related structures (e.g., lighting and signs); and

g) The design and siting of car parking and servicing facilities. Development proposals should include detailed plans and drawings enabling its implication(s) for the character and appearance of the conservation area to be established.

Appendix 5: List Entries

Milnrow Carnegie Library and forecourt wall

Official list entry

Heritage Category: Listed Building

Grade: II

List Entry Number: 1410713

Date first listed: 21-Nov-2012

Statutory Address 1: Milnrow Public Library, 55 Newhey Road, Milnrow, Rochdale, OL16 3PS.

Location

Statutory Address: Milnrow Public Library, 55 Newhey Road, Milnrow, Rochdale, OL16 3PS

The building or site itself may lie within the boundary of more than one authority.

District: Rochdale (Metropolitan Authority)

Parish: Non Civil Parish

National Grid Reference: SD 9318212170

Summary

Public library and forecourt wall. 1907 by architects' practice S Butterworth and WH Duncan of Rochdale. Sandstone ashlar, red brick to secondary elevations, slate roofs.

Reasons for Designation

The Milnrow Carnegie Library and forecourt wall are listed at Grade II for the following principal reasons:

* Architectural Interest: local architects' practice of Butterworth and Duncan successfully combined an eclectic mix of Arts and Crafts and Art Nouveau with a touch of Mannerism in the attenuated entrance gable to produce a well-balanced and pleasing composition, enhanced by the use of high-quality materials and craftsmanship in the relief lettering and intricate ornamentation, and the leaded and stained Art Nouveau glass. * Layout: the library retains its original distinctive plan form with a central, top-lit borrowers' hall and lending library from where the librarian could supervise the large interconnecting reading room and the open-fronted boys' room, as well as the more enclosed ladies' room, with a lecture hall on the first floor, originally shared with the adjacent town hall offices. * Interior: the entrance hall and library rooms retain their highly-glazed, coloured dado tiles, with the staircase balustrade and the majority of original library and lecture hall fixtures and fittings remaining, including doors, framing with leaded glazed overlights to wider openings, and fixed oak bookcases in the parquet-floored, barrel-vaulted reading room, all of which combine to give a period character to the building.

History

Milnrow Library was a Carnegie library, funded by a donation of £2,500 given in 1902 by the Scottish-American steel magnate and philanthropist Andrew Carnegie (1835–1919). Carnegie's name had become synonymous with the funding of public libraries, the first grant in England being in Keighley in 1899. Carnegie initially dealt with requests personally, as at Milnrow, but in 1913 he founded the

Carnegie United Kingdom Trust. By the time he died in 1919 it was said that more than half the library authorities in Great Britain had received grants in aid. While his grants covered the building and furniture, the stocking and running of the library was the responsibility of the local authority. The Libraries Act of 1892 made it easier for urban authorities to raise funds and thenceforth libraries were built in unprecedented numbers.

The library was built in 1907 to designs by the well-regarded Rochdale architectural practice of S Butterworth & W H Duncan, who designed five other libraries in addition to Milnrow, including Littleborough, Wardle, and Clitheroe; the other two are unknown or may have been unrealised competition designs. It was formally opened on 4th July 1908. The local newspapers at the time described it as containing a central borrowers' hall and lending library, with general reading room to the right, and a ladies' room and a boys' room to the left, with a librarian's room beyond. The reading room contains original bookcases and therefore probably had a dual purpose as a reference room also. On the first floor was a lecture hall, which was shared with the adjoining Town Hall office.

Details

PLAN: an entrance and staircase hall opens into top-lit borrowers' hall and lending library, with a large reading room to the right (now used as part of the lending library), and a former ladies' room (now IT suite), boys' room (now children's room), and librarian's room (now staff room) to the left. On the first floor is a lecture hall, also originally interconnecting with the adjoining Town Hall office (doorway now blocked).

EXTERIOR: the front elevation is set back from the street to the rear of a forecourt. It is of two bays and two storeys, of sandstone ashlar.

To the left it abuts the rear of the side elevation of the former Town Hall office, and to the right it abuts the rear of the side elevation of the former police station. On the left-hand side is a large Diocletion window on the ground floor with stone mullion and transoms, a giant keystone and a hoodmould over. Above, on the first floor, is a canted oriel window with stone mullion and transom windows. To its right is a relief carving of the Milnrow coat of arms, a fleece, set in a decorative frame of thistles and roses. The moulded eaves cornice also incorporates relief carvings of roses and thistles. On the right-hand side of the elevation is a slightly-projecting attenuated gable, which has flanking piers rising to columns above the roofline and clasping a triangular pediment. On the ground floor is the main entrance. The doorway and adjacent small casement window are slightly recessed in a flat-headed opening, which is set in a moulded frame with square shoulders and a central segmental arch, beneath which are giant interlocking voussoir stones. The frame incorporates rose and thistle relief carvings, and there is also a thistle between the door and window. Above, is a plaque with Art Nouveau relief lettering spelling CARNEGIE / LIBRARY / 1907. On the first floor is a six-light mullion and transom window with similar moulded cornice with rose and thistle detailing. The pediment has relief diaper work, and the pier columns have recessed panels. The oriel has a small pyramidal slate roof with a copper finial. The main building has a hipped slate roof with red ridge tiles, and a tall copper ventilator at the left-hand end of the ridge, ventilating the lecture hall. The windows all have leaded lights, and, with the exception of the small casement window, have sinuous and geometric Art Nouveau patterning using stained glass incorporated mainly into the upper lights. The doorway has double timber doors, painted green, each with a four-light window with a continuous free-style Art Nouveau leaded pattern. Beneath each window is a projecting sill with blocky, stylised rose corbels.

INTERIOR: the entrance doorway opens into a small lobby with a red-tiled floor, moulded cornice, and inner double timber doors, each with a fielded lower panel and an upper oval window, with an Art Nouveau brass door plate and handle. The oval windows are divided into six lights by timber mullion and transoms, with a continuous free-style Art Nouveau leaded pattern with green stained-glass side panels. The entrance and staircase hall has a tiled dado of orange-brown brick tiles with narrow green tile lines and a dark brown skirting and dado rail. The staircase is on the right-hand side, with the foot of the stairs beyond a semi-circular ceiling arch with decorative corbels. The open-well staircase has concrete steps and a handrail with an iron geometric balustrade of diagonally-quartered circles with a swept timber handrail. Beneath the staircase is a wc with a tiled dado; the doorway has a wide, plain timber architrave and a door with three horizontal panels with a brass doorknob. The entrance hall originally opened directly into the borrowers hall, but is now separated by an inserted partition wall with a wide glazed door, side light, and overlights.

The borrowers' hall has a coffered ceiling with two central skylights and a single square column, which is panelled at dado level. To the left rear is a small partitioned office with timber panelled walls incorporating glazed upper lights. Immediately in front is a modern issuing counter in the location of the original issuing desk. To the front left of the borrowers' hall is the former ladies' room entered through an original timber door with rectangular leaded window and a lower panel with fielded diamond, and a plain timber architrave. The room, which is lit by the Diocletian window and a mullion and transom side window, has a coffered ceiling, similar tiled dado to the entrance and staircase hall, and picture rail. In the north corner is a small store cupboard (originally a wc) with a narrow three-panelled door and plain timber architrave. Adjacent is the boys' room, which is open into the borrowers' hall. The wide opening has a timber frame with a rectangular leaded glazed overlight. There is a leaded

glazed window between this room and the adjacent former librarian's room. The room has a tiled dado of green brick tiles with a dark brown skirting and dado rail. The former librarian's room has an original panelled door with rectangular leaded window and leaded glazed overlight. On the right-hand side of the borrowers' hall are two wide openings into the reading room, which have similar timber frames to the boy's room with rectangular leaded glazed overlights; the left-hand screen has carved brackets. The reading room has a barrel-vaulted ceiling, green-tiled dado, original oak bookshelves located against the walls and projecting out into the room, and wooden parquet flooring.

The first-floor lecture hall has a barrel-vaulted ceiling and is lit by the oriel window and a segmental arched mullion and transom window to the rear elevation. Double doors open off the stair landing with lower panels and upper cross windows with leaded glazing, and plain timber architrave. Adjacent to the doorway is a store with a three-panelled door and plain timber architrave.

SUBSIDIARY ITEMS: the forecourt is enclosed by walls of rock-faced coursed sandstone with ashlar coping. A wide central gateway is flanked by tall, square ashlar gate piers with chamfered corners, recessed panels and moulded copings. The walls are topped by reinstated iron railings incorporating a diamond motif (c2000 from photographic evidence of the original ironwork removed as part of the war effort). The gateway has a reinstated iron arch with a large central lamp springing from the gate piers, and the iron gates have also been reinstated.

Sources

Other

Rochdale MBC, Historic Building Record Sheet: Milnrow Carnegie Library, Undated.

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



End of official list entry

Planning (Listed Buildings and Conservation Areas) Act 1990
Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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