

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/01116/FUL	Nick Brookman	31 January 2025

DETERMINATION DATE

11 February 2025

Address: Newhey Road Playground, Newhey, Rochdale, OL16 4JF**Proposal:** Installation of a playzone facility on an existing MUGA pitch together with associated fencing, ball stop and flood lighting.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA DATE: 11.02.25

SITE

The application site relates to Newhey Road Playground which is located within Milnrow Memorial Park to the east of Newhey Road immediately adjacent to the Free Trade Tavern and south of the M62.

The surrounding area comprises of the new Milnrow Health Centre to the south of the application site, along with the Free Trade Tavern, Premier Inn Hotel and Table Table Pub Restaurant to the west. A row of terraced dwellings are located to the west of the application site on the western side of Newhey Road. The M62 motorway borders the north of the site.

As shown by the photograph below, the application site is an existing macadam surface multi use games area (MUGA).



The existing site is surrounded by ball stop fencing around its entire perimeter and the application site is located within the Green Belt.

PROPOSAL

The application seeks full planning permission for the construction of a football play zone including the provision of a synthetic turf surface, an upgrade of fencing to twin bar panel fencing, the upgrading of external lighting to LED floodlighting and ancillary equipment.

The fencing would be 3m high and the floodlighting would be 6m high and fixed to the boundary fencing. The lighting will come on when the facility is in use after dusk and would have an automatic cut off switch at 10pm every night.

The proposed caged area would be significantly reduced in size to the existing area as shown by the proposed site in drawing no 24-0570-03P Rev 01.

RELEVANT PLANNING POLICY

National Policy and Guidance

National Planning Policy Framework (NPPF) – December 2023
National Planning Practice Guidance (NPPG)

Local

Adopted Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
DM1	General development requirements
SO2	Creating successful and healthy communities
C8	Improving community, sport, leisure and cultural facilities
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Saved Policies of the Rochdale Unitary Development Plan (UDP):

G/D/2 Green Belt

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-S1	Sustainable Development
JP-P7	Sport and Recreation

RELEVANT SITE HISTORY

None relevant.

CONSULTATION RESPONSES

Highways and Engineering

Highways have no objection to the proposed development.

Environmental Health (Noise)

Environmental Health have no objection to the proposed development subject to condition.

Environmental Management

Environmental Management have no objection to the proposed development.

Sport England

The proposed development does not fall within the remit of Sport England.

Conservation

The application is accompanied by a detailed Heritage Assessment. This correctly identifies the Grade II listed Milnrow War Memorial as the only designated heritage asset in the wider area that meets the threshold for consideration.

The Heritage Statement notes that the setting of the war memorial makes a significant positive contribution to the designated heritage asset's significance, but also notes that the current site of the war memorial was not its original position, after having been translocated from Dale Street in Milnrow in 1952. The Heritage Statement goes on to state *that 'since the relocation of the war memorial, the park has undergone considerable development including the hard-surfaced sports area, public toilets, bowling green, car park and children's play area and skatepark, during the later 20th century and early 21st century.'*

The proposed PlayZone represents an upgrade to an existing fenced and floodlit facility. Whilst there would be a change to the visual appearance of the existing macadam surfaced facility through the provision of artificial turf and an replaced fencing, there would be no notable additional impact on the setting of the Grade II listed Milnrow War Memorial which stands some 50m to the north of the proposed facility behind a dense tree belt, albeit noting the increased visibility that would result in the winter months.

Given the slight reduction in the footprint of the fenced area, it is considered in concurrence with the submitted Heritage Statement that the proposed redevelopment of the site would result in a modest enhancement to the setting of the war memorial, whilst somewhat offering greater potential for further views towards it, notably from the car park entrance where many people arrive into the park.

The proposed floodlight replacement would have a de-minimis impact on the wider setting of the war memorial by being replaced to a similar height and position. The proposed LED lighting may be somewhat brighter than the existing, but the environmental benefits of increased energy efficiency and provision of a safe and effective public sports facility would outweigh any potential harm within the context of a public park.

No heritage harm has therefore been identified in respect of the proposed development.

It is noted that Milnrow Memorial Park is not a registered park & garden.

No objection is therefore raised to the proposals on heritage conservation grounds.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours on the 19th December 2024 and a site notice was posted immediately adjacent to the existing play area on 10th January 2025. A notice was also displayed in the local press.

Two comments have been received which raised the following concerns:

- ❑ Concerns over the public park becoming a pre-book system as this isn't what public parks were built for.
- ❑ Friends of Milnrow Park worked extremely hard over the years to secure funding for the park, including the MUGA pitch, it's fencing and skate park which are free to use.
- ❑ Traffic will increase and there will be less parking for existing nearby residents.

- ☐ Concerns for the safety of children and elderly crossing the extremely busy road.
- ☐ Traffic calming measures are needed.

ANALYSIS

Principle of Development

The principle of the proposed development subject to this application has already been established through the existing MUGA. The application site is however located within the Green Belt and a Green Belt Assessment is carried out below.

Green Belt Principle

Paragraph 142 of the Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Given that the development has been identified as being inappropriate, the next test is to assess the impact of the development upon the openness of the Green Belt.

Planning Practice Guidance provides further advice on what factors can be taken into account when considering the potential impact of development on openness. This guidance clarifies that assessing this impact requires a judgment based on the circumstances of the case in question. Furthermore, the guidance gives a number of examples where the courts have identified a number of matters which might need to be taken into account in making the assessment. In summary these include, but are not limited to:

- ☐ Openness is capable of having both spatial and visual aspects;
- ☐ The duration of the development, and its irremediability;
- ☐ The degree of activity likely to be generated, such as traffic generation or use of the land by future occupiers.

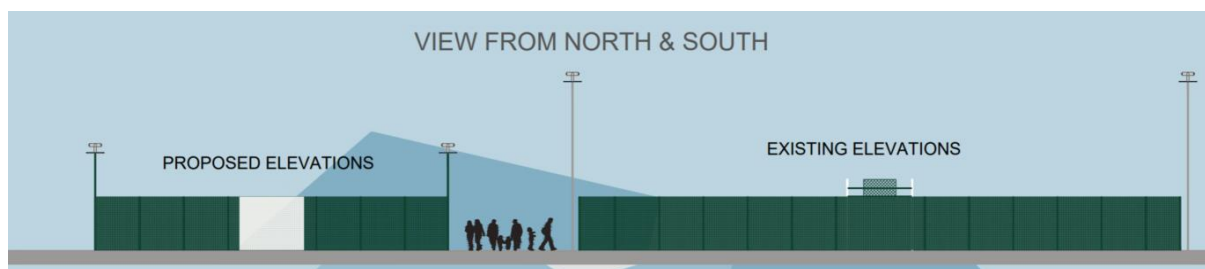
Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt. Paragraph 153 also states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt.

Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the listed exceptions applies and in this instance, it is considered that exception B would be applicable to this application. Exception B relates to the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

In terms of preserving the openness of the Green Belt in this location, the proposed development involves the relaying of a ground surface material, the replacement of existing ball stop fencing and the replacement of existing flood lights. The overall floorspace / caged fencing surrounding the proposed development is actually reducing in floor area.

Officers therefore consider that the proposed development is actually a betterment on the existing circumstances on site as the proposed development would enhance the openness of the existing site by introducing a smaller caged floor area by

reducing the amount of existing fencing as well as reducing the height of the existing flood lights as shown by the cross section drawing below:



Accordingly, the proposed development does not constitute inappropriate development by definition in accordance with paragraph 153 and the proposed development is therefore acceptable in Green Belt terms.

Principle of the Recreational Use

Core Strategy Policy C8 (Improving community, sport, leisure and cultural facilities) confirms that improving such facilities will help improve residents health and quality of life and make the borough a more desirable place to live, work and visit.

PfE Policy JP-P7 (Sport and Recreation) confirms that a network of high quality and accessible sports and recreation facilities will be protected and enhanced, supporting greater levels of activity for all ages including by *creating public realm that provides frequent opportunities for play and that all ages can enjoy together.*

From a National Policy perspective, NPPF Paragraph 96 sets out that:

'Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.*

Paragraph 97 also sets out that *'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other*

local services to enhance the sustainability of communities and residential environments;

- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

NPPF Paragraph 102 states that 'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate'.

NPPF Paragraph 103 sets out that 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use'.*

In this instance the proposed development has been subject to a thorough consultation exercise and the application site was chosen as a site that would benefit from the construction of a PlayZone facility.

The PlayZone Programme has been developed to tackle inequalities in physical activity and access to high quality facilities in targeted areas by the Football Foundation providing funding towards community led spaces. The purpose of the PlayZone scheme is to invest in areas with the greatest need, with the aim of encouraging specific priority groups to be more active.

The proposed development is entirely aligned with the NPPF with particular reference to the provision of a better and more modern facility and playing surface which would promote social interaction, boost community participation in sport and ensure the existing recreational space is retained and protected for the benefit of the wider community.

The proposed development would provide a high quality space for sport and physical activity in the area and the project is driven by the Football Foundation under the Government's Department for Digital, Culture, Media and Sport.

In summation, the proposed PlayZone is a safe, inclusive and accessible outdoor facility that would bring the community together through recreational forms of football and other sports and physical activities which is aligned with the purpose of sustainable development.

Accordingly, proposed development would comply with PfE, Policy the relevant Policies of the Rochdale Core Strategy, Saved Policy G/3 of the UDP, and the NPPF.

Heritage

Paragraphs 207 and 208 of the NPPF require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting; and that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance; local planning authorities should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 210 sets out three considerations which local planning authorities should consider when determining applications:

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

Paragraph 212 notes that 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. Paragraph 213 follows that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

PfE Policy JP-J2 (Heritage) sets out that particular consideration will be given to ensure that the significance of key elements of the historic environment which contribute to Greater Manchester's distinctive identity and sense of place are protected from harm. These include historic town centres, places of worship, historic transport routes including the canal network, industrial buildings and structures including textile mills, farmsteads and other sites, buildings, and areas of identified archaeological, architectural, artistic and/or historic value.

Development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy. Development proposals which will help safeguard the significance of and secure a sustainable future for Greater Manchester's heritage at risk will be supported in principle, provided they are not contrary to national policy or other policies in the development plan. Proposals should be informed, as necessary, by the findings and recommendations of the appropriate heritage assessment(s) in the development plan evidence base and/or any updated heritage assessment submitted as part of the planning application process.

Amongst other criteria, Policy P2 of the Core Strategy sets out that the Council will protect the boroughs heritage by conserving, enhancing and promoting key heritage assets both statutory and non-statutory, including consideration of their wider settings.

A Heritage Statement accompanies the application.

The Council's Conservation Officer comments are set out in the representations section of this report, and on the basis that no objection is raised, the proposed development is found to be acceptable and in accordance with Policy P2 of the Rochdale Core Strategy, PfE Policy JP-J2 and the NPPF.

Design

Policies DM1 and P3 of the Council's adopted Core Strategy requires development to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. Paragraph 131 of the NPPF states that "*the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve*". Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The proposed development would effectively sit on top of the existing tarmacadam surface and the development would be in keeping with the character of the existing MUGA. The modernisation of the existing recreational facility will produce a high quality sustainable construction that would be much more visually attractive and would be of a design that is entirely appropriate for this location.

The proposed fencing and floodlighting would sit lower than the current existing infrastructure and ball stop fencing which is considered to be a design betterment of the scheme.

Overall, subject to the condition, the proposed development accords with the requirements of Policy DM1 and P3 of the Core Strategy and the NPPF.

Drainage

Policy G8 requires that new development does not lead to any increased form of flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk and is itself well protected from flood risk and ensures prudent use of water resources.

Policy JP-S4 (Flood Risk and the Water Environment) of PfE expects developments to manage surface water runoff through sustainable drainage systems and development should achieve greenfield run-off rates unless it is demonstrates to be impracticable.

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding.

The proposed development would not disturb the existing drainage of the site and for that reason the proposed development is acceptable and would be in accordance with Policy G8 of the Core Strategy and Policies JP-S4 of PfE and the NPPF.

Highways and Access

Highways were consulted as part of this application and the proposed development scheme is not considered to have an adverse impact on highway safety, nor would it require additional car parking or generate a level of additional traffic which would have a detrimental impact on the safe and efficient operation of the immediate local highway network. Highways Services have raised no objections and the proposals comply with the requirements of CS Policies T1 and T2, Policy JP-C8 of PfE and the NPPF.

Residential and Neighbouring Amenity

Policy DM1 of the adopted Core Strategy requires that all development proposals are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents.

Development should not affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy and development should mitigate against any impacts due to noise, dust, light and odour pollution. Policy G9 also requires that sensitive new development such as housing, are not adversely affected by existing sources of pollution such as roads and certain types of industry.

The proposed development is a re-development of an existing recreational open space / sports facility which would not give rise to any existing privacy concerns owing to the distance between the proposed development and any nearby residential receptors. The development would not be being moved or re-located closer to any existing residential development.

The proposed floodlighting would be 6m tall with an average Lux of 200. The floodlighting design meets the requirements for light spillage detailed in the Institute of Lighting Professional's document Guidance Note 01/20 – Guidance note for the reduction of obtrusive Light, For the environmental zone in which the facility is located, in respect of Maximum Values of Vertical Illuminance on properties, the limits for the luminous intensity of bright luminaires, the Maximum values of upward light ratio, and maximum values of upward flux ratio of installation. The design of the floodlighting system has been undertaken with due consideration of the details contained in the Institute of Lighting Professional's document Guidance Note 08/18 – Bats and Artificial Lighting in the UK. Which include:

- ☐ Avoidance of lighting on key bat habitats or features present.
- ☐ Apply mitigation methods to reduce lighting to agreed limits in other sensitive locations (section 3 of the ILP document).
- ☐ Where particular sites are identified as having features which may be used by bats then consideration has been given to reducing the colour temperature of the luminaires to 3000 Kelvin as recommended in the ILP Guidance Note.

The floodlighting system will have the following switching features:

- ☐ The lighting will come on when the facility is in use after dusk.
- ☐ The lighting will have an automatic cut off switch at 10pm every night.

Environmental Health were consulted on the application and have not raised any objection. Subject to condition, the scheme is considered acceptable in terms of amenity in accordance with Policy G9 and DM1.

Ecology, Biodiversity and Trees

Core Strategy Policy G7 sets out that it is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications but given the urban and built environment on and around the application site, it is acknowledged that this site does not impact any biodiversity and the site has a completely sealed surface and therefore has a biodiversity value of zero.

Accordingly, it is not considered that the statutory requirement to provide 10% BNG is applicable here.

RECOMMENDATION

GRANT, with conditions as set out below:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans and documents:

- Location Plan 24-0569 01P Version 01
- Site Plan 24-0569 02P Version 01
- Development Layout 24-0569 03P Version 01
- Elevations 24-0579 04P Version 01
- Proposed Floodlighting Page 1: Pitch Levels Drawing HLS9401
- Proposed Floodlighting Page 2: Obtrusive Light Drawing HLS9401
- Design and Access Statement V1 dated 01/11/2024

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by condition below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. The proposed floodlighting shall be implemented precisely in accordance with the approved drawings and details set out within Proposed Floodlighting Page 1: Pitch Levels Drawing HLS9401 and Proposed Floodlighting Page 2: Obtrusive Light Drawing HLS9401. The floodlighting hereby approved shall be operational no later than 10pm or 22:00 hours Monday-Sunday.

Reason: To safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Report Author Nick Brookman