

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00732/FUL	Tom Hiles	20 November 2023

Address: Rakewood Higher Mill Rakewood Road Littleborough OL15 0AP

Proposal: Change of use of Workshop to Sports space (Use Class E) and erection of exterior staircase to new first floor external door, and external door on ground floor

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
	Neighbour comments received?	Y

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	Approve with conditions
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CHECKED AND SIGNED OFF BY: LA

DATE: 18.12.23

SITE

The site relates to a complex of buildings known as Rakewood Higher Mill, located in a rural area within the Green Belt, to the east of Rochdale, positioned between Hollingworth Lake and the M62 motorway.

The mill was originally built for textiles manufacture, and parts of the site are still in this use, as was observed on the officer's site visit in early 2023.

The site forms part of the Rakewood Conservation Area. The mill complex is a Local Interest Building, a non-designated heritage asset. A row of cottages to the west on Rakewood Road are Grade-II listed, and the site can be considered to be within their setting.

The site is accessed via Rakewood Road onto the B6225. Rakewood Road runs alongside Hollingworth Lake Country Park, and also serves Littleborough Cricket Club and Rugby Club, located to the immediate west of the site. A network of public rights of way run around Rakewood Road and the surrounding countryside, including along the road itself, part of which forms part of the Pennine Bridleway.

The site is surrounded by dwellings at the north, west and south-west, with the last of these being in the same ownership of the mill. Land to the south and east is agricultural and equestrian in use, with a large stables block and menage at the immediate east.

Permission was granted at appeal in 2012 for the partial change of use of the complex to an 'energy centre', comprising education and exhibition spaces focussing on renewable energy and heritage, together with micro business units within existing buildings, and the installation of a freestanding wind turbine, roof-mounted solar panels and a water turbine in an existing millpond. Some elements of the approved scheme are understood to not have been implemented, and this and other aspects of the approved have previously been subject of enforcement action. The approved scheme included the retention of parts of the complex in textile making.

Planning permission (ref 22/01381/FUL) was recently granted for the change of use of part of the complex to provide an indoor sports facility. However, for procedural reasons this permission was found to be invalid shortly after approval was granted.

PROPOSAL

The application relates to parts of the ground and first floor of a mill building on the site, specifically a two-storey flat-roofed extension, understood to have been added in the 1950s, at the north side of the complex.

As with the previous approval, planning permission is sought to change the use of the first floor and part of the ground floor of the two-storey extension to provide an indoor sports space. A portion of the ground floor would provide a waiting area measuring 2.5m x 3.2m. The first floor space to be used measures approximately 5m by 22.5m, an area of around 113 square metres.

The 2012 approval had this part of the complex retained in its existing use as an operational part of the mill. Access to the first floor is currently from within the building, but relevant area would be partitioned off from the rest of the mill, and an external staircase would be formed at the west elevation to provide separated access to users of the sports space. Visitor parking would be accommodated in an existing area to the immediate north of the building, accessed via an existing track which runs along the east side of the site and joins Rakewood Road to the south of the site. Visitors would therefore drive along Rakewood Road before turning onto the

track. The extent of Rakewood Road in the vicinity of the site (south of Schofield Hall Road) is unadopted.

The current application was registered with the following description:

'Change of use of Workshop to Sports space (Use Class E) and erection of exterior staircase to access first floor and 1no External door on ground floor'

However, as the proposal also includes the addition of a first floor doorway (as shown on the published plans), for the avoidance of doubt the description of development has been amended as follows:

'Change of use of Workshop to Sports space (Use Class E) and erection of exterior staircase to new first floor external door, and external door on ground floor'

The application is supported by a biodiversity statement, bat survey report and reasonable avoidance measures statement, and design and access statement, which also incorporates a heritage statement.

The previous approval was subject to a number of conditions requiring approval of details related to exterior design elements, external lighting and ecological enhancements. Details have been submitted as part of the application and during determination to respond to these requirements, and are assessed within this report. Aside from these additional and refined details, and an amended location plan, the proposal is identical to the scheme previously approved.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SP3/P - The Strategy for Pennines

E6 - Supporting and diversifying the rural economy

C6 – Improving health and well-being

C8 – Improving community, sport, leisure and cultural facilities

P1 - Improving image

P2 - Protecting and enhancing character, landscape and heritage

P3 - Improving design of new development

G4 - Protecting Green Belt

G7 - Increasing the value of biodiversity and geodiversity

T1 - Delivering sustainable transport

T2 - Improving accessibility

DM1 - General development requirements

Unitary Development Plan (UDP):

G/D/2 – Green Belt

Places for Everyone – Main Modifications Version, October 2023

At time of report preparation, Places for Everyone (the joint development plan document shared between all Greater Manchester districts excluding Stockport) is at

a very advanced stage in the plan making process and substantial weight can be attached to its policies. Emerging policies relevant to this application are:

JP-S1 – Sustainable Development
JP-J2 - Employment Sites and Premises
JP-G9 - Biodiversity and Geodiversity
JP-G10 - The Green Belt
JP-P2 – Heritage
JP-P7 – Sport and Recreation

RELEVANT SITE HISTORY

22/01381/FUL - Change of use of Workshop to Sports space (Use Class E) and erection of exterior staircase to access first floor and 1no External door on ground floor. Approved, 09-05-2023

23/00534/DOC - Submission of details to comply with conditions 6 (External Stairs), 7 (External Lighting) and 9 (Details of BNG) of planning permission 22/01381/FUL (Change of use of Workshop to Sports space (Use Class E) and erection of exterior staircase to access first floor and 1no External door on ground floor). Withdrawn.

11/D54253 - Change Of Use To Form A Renewable Energy Centre, To Include Roof Mounted Solar Panels And The Erection Of One 100KW, 30 Meter High Wind Turbine, On Land To The East Of The Mill. Appeal upheld, 2012-11-07

- **16/00555/DOC** – condition 12 – made invalid
- **14/01514/DOC** – conditions 7, 13, 20
- **13/00969/DOC** – conditions 6, 10, 12

13/00428/ANM - Non material amendment to planning permission D54253 for revisions to wind turbine to allow a blade tip height of 41.8m and a rotor diameter of 23.6m. Approved, 2013-05-21

11/T0146 - Works To Trees Within A Conservation Area - Proposal To Fell Trees At Rakewood Mill. Approved, 2013-06-07

10/D53862 - Screening Opinion In Respect Of The Proposal To Erect A 40 Metre High Wind Turbine. Issued, 2010-11-23

87/D20554 - Extension To Factory. Approved, 1988-10-13

87/D20553 - Erection Of Roof Over Yard Area. Approved, 1987-08-20

86/D19552 – Workshop Extension To Mill. Approved, 1986-10-16

79/D08123 - New Boiler House With Associated Chimney. Approved, 1979-02-02

CONSULTATION RESPONSES

Highways And Engineering

The application include an extensive car park which should meet Council standards in terms of provision for the proposed use, we would however ask that the car park itself is brought up to a usable standard prior to the development being brought into use.

The existing mill and its current use would generate vehicle movements and we would not expect that the proposed use would generate an excessive number of vehicle movements over the existing use.

We would not expect that there would be any detrimental impact on road safety if the development were to be approved.

We would not expect that the proposed use would require any additional servicing over the current use.

The Councils Public Rights of Way Officer should approve any alterations to the existing public rights of way network.

Highways raise no objection to this application, subject to car parking being brought up to an approved standard.

Greater Manchester Ecological Unit

Biodiversity Mitigation and Enhancement

Given no bats were found and there have been a series of surveys according to the report demonstrating no bats, I am satisfied that the proposed bat box scheme is an enhancement and sufficient to enable the development to comply with section 174 of the NPPF. I accept that there is no requirement to mitigate for nesting birds or loss of vegetated habitats. The biodiversity enhancement scheme can be conditioned.

Bat Reasonable Avoidance Measures Method Statement

Given as noted above the history of negative bat results, I am satisfied that this document can be conditioned.

External Lighting

As LED lighting is only proposed at the ground floor and first floor entrances, which face away from the mill pond and scrub, I am satisfied that no further information or measures are required.

Env Health - Noise/Odours

The environmental health department would not support the use of sound systems/PA systems at the applicant site. We are concerned that any amplified music or other PA systems could potentially result in noise nuisance and general disturbance to existing residential properties.

Conservation And Design

This application follows on from a previously approved scheme for a similar proposal: 22/01381/FUL refers. My previous comments apply to the scheme overall and should be referred to. However, I have the following additional comments regarding additional details, which were previously proposed to be dealt with by condition:

External doors – the proposed door looks overly modern and utilitarian. While it is understood that the new door needs to be a fire door, there are still options which would be better suited to a historic mill. One option could be a simple vertically clad timber door.

Staircase - The proposed staircase also appears overly modern and utilitarian. I would recommend that inspiration for the stairs is taken from the historic external

staircases typically found on mill buildings (there is an example on the front building at Spotland Bridge Mill)

Brick repairs – Please can the bricks proposed to be used for the repairs be shown next to the existing building, so a comparison can be made? It would be helpful if these can be reviewed on site. The applicant also needs to confirm that the coursing details and the specification of the mortar (which should be lime).

Conservation Officer's comments from previous application:

Assessment

Use as an indoor sport centre

Rakewood (Upper) Mill has a complex planning history. While parts of the site are still used for the production of textile, other areas lay vacant. The 2017 Buildings at Risk Survey into Greater Manchester's mills found Rakewood (Upper) Mill to be in a poor condition overall.

The proposed use as an indoor sports centre would provide a use for one of these vacant areas, which was formerly a drying room. It would assist in increasing footfall and activity to this historic mill building, helping to secure its long term future.

In heritage terms the principle of reusing this space for indoors sports is supported.

External works

The proposed external works include the removal of the large hood vent, the replacement of two windows with doors and the installation of an external staircase. The works are all proposed along the eastern elevation of the building, which faces away from Rakewood Road. This elevation is not readily visible in shared viewpoints with the nearby listed buildings.

The removal of the vent hood would be an enhancement. While there would be some minor harm to the non-designated heritage asset from the installation of the external staircase, this could be lessened through a high quality design. It is also noted that this is required to provide emergency access.

The removal of the ground floor window would also result in some minor harm to the significance of the non-designated heritage asset. Details of new doors should be required by condition to ensure that they are appropriate to the building

The proposed external works would result in a minor degree of harm to the significance of the non-designated heritage asset. This harm could be partially mitigated through securing appropriate detailing (doors, staircase and brick repairs by condition). The proposal would also provide a use for a currently vacant part of the mill complex, helping to secure its long term future.

Overall, the benefits of the proposal would outweigh the minor degree of harm, to the non-designated heritage asset. Taking a balanced judgement, the proposal would clearly comply with NPPF paragraph 203.

Given the position of the external works along a secondary elevation and their minor nature, it is considered that they would have a neutral impact on the significance of the designated heritage assets: 63 to 69 Rakewood Road and Rakewood Conservation Area. The proposal would comply with the requirements of the Planning (listed buildings and conservation areas) Act 1990, NPPF chapter 16 and Rochdale CS policy P2.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours, and site notices were placed on 18th July 2023. Replacement site notices were placed on 27th July after the Council was notified that some of the original notices had been removed prior to the expiration of the statutory publicity period. A press advertisement was published on 19th July 2023.

The finalised design details of external stairs, external doors and remedial brickwork were not included in the publicised details but it is not considered that these comprise a significant change to the details which were publically available, which included indicative designs for the external stairs.

60 supporting comments were received, and 24 letters of objection were received.

In summary, supporting comments noted the following matters:

- ☐ Much needed facility for local community including children
- ☐ Gives kids of Littleborough a chance at improving at cricket
- ☐ Our young people need more facilities like this
- ☐ Currently local residents have to travel by car 30 minutes for sporting facilities
- ☐ The indoor winter facility would be greater for cricket players rather than travelling to Sowerby Bridge (West Yorkshire) or Ashton to train in winter months. It would be wonderful to have facilities closer to home.
- ☐ Littleborough is home to some very successful sports clubs who currently don't have appropriate local training facilities
- ☐ We are crying out for an indoor facility such as this
- ☐ If any profit is raised it will help to keep an historic mill in good order. The mills are the reason the village was designated a Conservation Area.
- ☐ Will help ensure the old textile mills survival as a heritage asset
- ☐ As a parent with 3 kids under 10 any sports application will get my support
- ☐ This type of facility is missing in Rochdale and Littleborough
- ☐ Will support local cricket clubs
- ☐ We lose hours of cricket practice every season when weather is wet
- ☐ Will be beneficial to local community
- ☐ Will benefit many local and non-local people
- ☐ Opportunity to promote sports
- ☐ Perfect location given Rugby Club and horse riding are nearby
- ☐ Will help physical health and mental health
- ☐ Will contribute to reducing obesity, anti-social behaviour and crime
- ☐ Vital to repurpose old mills. A great use of what could end up being a derelict building.
- ☐ Will be a great use of the space and bring more people to Hollingworth Lake

Objections raised related to:

- ☐ This re-submission on a silly technicality is a massive waste of everyone's time and effort
- ☐ Road can't handle any more traffic
- ☐ A man died at the rugby club as ambulance couldn't get through due to traffic
- ☐ There are significant existing traffic problems associated with the Rugby Club
- ☐ Will disrupt quiet times between rugby club events
- ☐ Will impact wildlife – badgers, foxes and deer
- ☐ Concern about other uses under Use Class E

- ❑ Rakewood Road is in poor condition, it's a risk to ramblers, horse riders and cyclists. It's around a blind bend. Would destroy the road surface completely.

In addition, detailed queries and an objection were received in correspondence from Littleborough Civic Trust. Whilst a formal public comment from this community group has not been received at the time of report finalisation, it is noted that the following matters were raised:

- ❑ Procedural matters in relation to the validation of the application, including the date of notification of third-party landowners, and the omission of a declaration date at the end of the application form.
- ❑ The Trust's request that ward members call in the application to be determined at committee
- ❑ A request that the application should be supported by a Transport Statement
- ❑ Likely levels of traffic attracted by the development is speculative and may exceed the threshold where a Transport Statement should be required.
- ❑ A request that the premises should be surveyed for the presence of reinforced autoclaved aerated concrete (RAAC)
- ❑ Comments relating to the previous energy centre permission and its partial implementation; comments relating to the current lawful use of the building as a textile mill.
- ❑ That the building is too small to comply with Sport England Design Guidance for a number of sporting activities, and does not provide a toilet or waiting area in accordance with Sport England Accessibility Audit Checklist.
- ❑ Concern that amended plans were published late in determination
- ❑ Lack of provision of disabled access to the first floor facility
- ❑ Gross internal floorspace on the application form at 290m² is wrong
- ❑ Parking provision does not include disabled bays and any such bays should be on a level surface.
- ❑ Questions about status of the application site as a 'fully functioning mill' in reference to traffic levels associated with the historical operation or potential fallback use.

The matters raised in public objections are addressed through the following assessment.

No formal comments were received from the Council's Pennines Planning Panel.

Whilst no formal comments were received from ward members, Cllr Janet Emsley has reiterated concerns raised by the Planning Panel in relation to the previous application, which related to access arrangements comprising the single track road, limited passing places and shared pedestrian access, and concern that this will impact negatively on local residents.

ANALYSIS

Principle of development – Green Belt

The site lies within the Green Belt. Local policy G4 *Protecting Green Belt land* notes that development will be restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated.

Policy JP-G10 of the emerging Places for Everyone joint development plan document notes that:

The beneficial use of the Green Belt will be supported enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. In particular, the enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for our residents and providing the high quality green spaces that will support economic growth.

NPPF Paragraphs 147-150 note that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, with some exceptions.

These include the re-use of buildings provided that the buildings are of permanent and substantial construction and provided they preserve its openness and do not conflict with the purposes of including land within it.

The change of use would comprise the re-use of a permanent and substantial building, together with the addition of an external staircase to first-floor height. The external staircase would be a modest structure, visible from only limited vantage points, and seen in the context of the large complex of mill buildings. It is therefore considered that this relatively minimal external development would have no impact upon the visual element of openness in this location.

It is considered that the proposal would preserve the visual and spatial openness of the Green Belt. In terms of the purposes of the Green Belt, which are set out at NPPF para. 138, as follows:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

It is not considered that the proposal would conflict with the purposes of including land within the Green Belt, given that the proposal would:

- relate to an existing building
- be located well away from existing large built-up areas and towns
- not involve development of undeveloped land, and would be contained within the existing curtilage of the mill complex,
- not relate to the setting of any historic towns, and;
- comprise a relatively small facility, likely to be used mainly by local residents;

It is noted that the application is not supported by a Green Belt Assessment, however the submitted Design and Access Statement briefly addresses Green Belt considerations, and given the nature of the proposal, included the limited external works proposed, it is not considered that such an assessment is required in this case for the determination of the application.

For the above reasons, it is considered that the proposed development of a sports space would comprise an appropriate form of development in the Green Belt as set out within the NPPF, and therefore to comply with Core Strategy policy G4 and PfE policy JP-G10.

The proposal is therefore considered to be acceptable in basic principle, subject to all relevant material planning considerations, which in this case are heritage and design, highway safety, and residential and public amenity.

Public comments in general support of the proposal are noted.

It is noted that the proposed facility would fall under Use Class E(d) 'indoor sport, recreation or fitness' within the revised Use Class Order, and therefore that the converted space could potentially be used as any other use falling within Use Class E, which includes retail shops, cafes and restaurants, financial and professional services, medical and health services, creches and day nurseries, administrative offices, research and development, and light industry.

Given the constraints of the site, particularly in terms of Green Belt, town centre uses, and access arrangements, it is considered that other potential uses under Class E could potentially give rise to material planning harms which should be subject of separate assessment. The public comments on this matter are noted. As such, it is considered that permission for the proposed change of use should be subject to a condition restricting the building to uses falling within Use Class E(d) only.

Principle of development - Sports and leisure facilities

NPPF paragraph 93 notes that planning policies and decisions should plan positively for the provision and use of shared spaces and community facilities including sports venues to enhance the sustainability of communities and residential environments, and should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Places for Everyone policy JP-P7 Sports and Recreation notes 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.

Core Strategy Policies C6 *Improving health and well-being* and C8 *Improving community, sport, leisure and cultural facilities* of the Core Strategy support the provision and improvement of sports and leisure facilities. Policy C6 notes that the Council will improve people's health and wellbeing and reduce health inequalities, through objectives including creating an economic, physical and social environment which promotes and supports healthy lifestyles, and that these will be achieved through measures including ensuring good provision of education, community, sport, leisure and cultural facilities in town centres, local centres and areas of greatest health deprivation.

Policy C8 in particular notes that:

We will support and promote the provision of better community, sport, leisure and cultural facilities and will follow the sequential approach set out below, provided they are of a type and scale appropriate to the size of the settlement, are accessible and support our objectives. We will:

- a. Require facilities that serve the borough as a whole, and facilities that attract large numbers of people, to be located within or adjoining Rochdale town centre;*
- b. Require facilities serving other towns to be located in or adjacent to town centres or local centres or highly accessible locations;*
- c. Require facilities intended to serve the everyday needs of a community or neighbourhood to be in or adjacent to key local centres;*

d. Encourage the development of shared service centres which combine public services, health and community functions in modern accessible buildings;

e. Support proposals for facilities outside centres provided they are highly accessible by a choice of transport, particularly sustainable modes of transport, and do not harm the character or amenity of the area, and:

i. it is for an outdoor sports pitch to meet the needs of the community and the borough as a whole (Policy G6); or

ii. it is a community building or cultural venue based on specific local connections or demand; or

iii. it is a sports facility which supports a business use, is appropriate in an employment area, or supports an outdoor sports facility, education or related community/visitor facility; or

iv. it supports the visitor economy and is based on local cultural or existing visitor attractions; or

v. to allow for outdoor sports pitches to meet the needs of the community and the borough as a whole (Policy G6).

f. Work with agencies, services and businesses responsible for providing facilities to ensure that the needs and demands of communities are met;

g. Identify sites for new or extended facilities, or protect existing facilities from development for other uses, through the Allocations DPD; and

h. Ensure that development and wider regeneration schemes contribute, through land assembly and financial contributions, to new or improved facilities where development will increase demand and there is a recognised deficiency.

It is noted that the proposed development would comprise a community and sports facility which would be outside any of the borough's town centres and local centres, and otherwise would not comprise any of the specified types of facilities listed under paragraph e) for sites outside centres, and would therefore not follow the sequential approach set out in policy C8.

However it is also noted that the site is located close to several existing and popular leisure and sports facilities, including Hollingworth Lake Country Park and Littleborough Sports Club, which are likewise located outside the borough's centres, and it is considered that the proposal would supplement this existing provision of facilities. It is also noted that the proposal would comprise the re-use of an existing disused building, and as such would help sustain a non-designated heritage asset. Supporting public comments received on the application, suggesting that there is strong demand for such a facility in this area, are noted. It is also noted that the proposal would be of a relatively modest scale, comprising a single activity room.

Public comments about the suitability of the facility to accommodate certain sports (given its size) are noted. The proposal is for a general purpose sports space and as such it is not considered necessary for the scheme to comply with such technical standards for any specific sports.

For all of these reasons, whilst the proposal would not comply with the sequential approach set out in policy C8, it is nonetheless considered that the location would be appropriate for the type of facility proposed, and that its approval would be unlikely to undermine the locational objectives of C8, and would support the broader objective of the policy to provide better sport and leisure facilities, along with the similar objectives of the NPPF and Places for Everyone policy JP-P7.

Design and Heritage Conservation

CS policy P2 *Protecting and enhancing character, landscape and heritage* notes that the Council will protect the borough's heritage by measures including conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings.

Core Strategy policy P1 *Improving image* notes that the Council will require high quality design in all new developments, and will ensure new development improves the image of the borough by measures including requiring design which is of a high standard, demonstrating innovation and originality. Policy P3 *Improving design of new development* notes that the Council will require all new developments, regardless of location in the borough, to adhere to high standards of design. NPPF paragraph 130 notes that planning decisions should ensure that developments will add to the overall quality of the area, and are visually attractive as a result of good architecture and layout, and are sympathetic to local character and history, including the surrounding built environment.

Places for Everyone policy JP-P2 notes that:

We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct character, identity and sense of place.

The application site is a non-designated heritage asset, and falls within the Rakewood Conservation Area and within the setting of listed buildings at the west of the site.

Potential impacts on these heritage assets would only arise from the change of use and the limited external alterations, comprising the replacement of a ground floor window with a doorway, and the addition of the external staircase to provide separated access to the facility.

The heritage officer's comments from the previous application, and their initial comments on the resubmitted application, including comments on the additional design details, are noted.

Revised details have been submitted in relation to the design elements referred to in the initial comments (brick, stairs design, external door design). These comprise:

- Full plans and specifications for the external staircase, which would achieve an industrial appearance considered to be appropriate to the mid-C20th character of the host building.
- Painted hardwood panel doors to the new ground and first floor entrances
- Rebuilt/repointed walls around the entrances using Accrington brick reclaimed from elsewhere within the mill complex

These are considered to be acceptable in terms of the issues raised by the Conservation Officer's initial response.

The Conservation Officer has otherwise concluded that the proposals would have a neutral impact upon the designated heritage assets, and an acceptable impact on the non-designated heritage asset (the mill itself). The heritage officer has further noted that the proposal would in general help to sustain the heritage asset.

In light of this advice it is considered that the proposed development would support the objectives of policy P2, PfE policy JP-P2, and paragraphs 199-200 of the NPPF, and would therefore be acceptable in heritage terms. Likewise the proposed external works are considered to be acceptable in terms of building design considerations and therefore to comply with policy P1 and P3, subject to implementation of the submitted design details.

Visual and residential amenity

Core Strategy policy DM1 *General development requirements* notes that all development proposals should not adversely affect the amenity of residents or users through impacts including visual intrusion, overbearing impact, overshadowing or loss of privacy.

Paragraph 127 of the NPPF notes that:

Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

New development on the site has the potential to have impact on the residences located in close proximity located to the north and west of the mill complex. The closest neighbouring dwelling is Rakewood House, located around 30m to the north of the building, and adjacent to the area to be used for parking. All other dwellings are positioned further away from the application site, or are screened from the site by woods.

Owing to the nature of the proposal, it would not result in any harm in terms of visual intrusion or loss of light. The proposed external staircase would give some elevated views towards the neighbouring property, but these are likely to be momentary as facility users enter and leave the building, and as such are unlikely to result in a significant loss of privacy to neighbouring occupants, particularly bearing in mind the separation distances.

The proposed uses could potentially involve the use of amplified music and PA systems, which owing to the first floor height of the facility and the construction of the building, could give rise to noise nuisance to nearby residents. The comments from the Environmental Health officer are noted.

As with the previous approval, it is considered that the proposal should be subject to a condition controlling the use of such equipment, in order to manage the potential nuisance impact to nearby residents.

Subject to this, it is considered that any other noise arising from the use of the site – including sound associated with sports activities and users coming and going from the site - would be unlikely to result in significant noise nuisance to neighbouring residents, particularly bearing in mind the modest scale of the proposed facility and the distances to the neighbouring residences. It is considered that the level of noise and activity would be acceptable within the proposed operating hours of 8am to 9pm.

It is not considered that the proposal would have any material impact upon the residential amenity of the occupants of any other nearby dwellings, including Rydal Mount at the northeast and 2 Schofield Hall Road and 63-69 Rakewood Road at the west.

For the above reasons, it is considered that the development would protect neighbouring residents from significant harm in terms of amenity considerations. The application is therefore acceptable in this respect and would meet with the

expectations of Policies DM1 and G9 of the Rochdale Core Strategy, along with the relevant requirements of the National Planning Policy Framework.

Highway Safety

Policy DM1 *General development requirements* requires an assessment into highway safety with applications required to demonstrate that they provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking into account the proposed use and location. Paragraph 111 of the NPPF notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Access to the site would be from Lake Bank/Hollingworth Road via Rakewood Road, running alongside the east bank of Hollingworth Lake, to a track into the site from a junction at the south end of the site. A public right of way runs along an extent of Rakewood Road, passing the site into the countryside to the south. The road is used as a walking route by walkers, cyclists, horse riders and visitors to the facilities at Hollingworth Lake and the surrounding countryside. Vehicle traffic along the road therefore shares the road with these users on stretches where there is no segregated footpath.

To assess the impacts on highway safety, consultations have been undertaken with the Highways Officer. Their comments are noted above, raising no objection in terms of highways safety subject to the parking area being brought up to usable standard.

It is noted that this requirement was not raised in consultations on the previous application, where the parking provision was acceptable as existing, and approval was subject to the parking area being cleared of stored items. Upon further discussion the Highways Officer has advised that this approach previously agreed remains acceptable. The comments relating to the public right of way are noted, but no alterations are proposed to the nearby bridleway.

Objections from members of the public and from the ward member in relation to highways safety are noted. It is understood that Rakewood Road experiences congestion at times from visitors to the Country Park and the nearby rugby club, which creates conflict with other users of the road. However, it is not considered that the proposal would significantly worsen the existing situation, given the relatively modest scale of the facility.

It is noted that the usable sports space would be fairly modest at around 24m by 5.3m, which would significantly constrain the numbers of users that would be accommodated at any one time. With this in mind, it is considered unlikely that the development would give rise to a significant increase in traffic to the site.

In any case, it is considered that any realistic re-use of the disused parts of the mill is likely to give rise to at least an equivalent increase in traffic levels to the site.

Given the heritage significance of the complex (as a non-designated heritage asset which contributes to the character and significance of the Conservation Area, and the setting of the nearby listed buildings), weight should be given to any re-use of the buildings in the interest of sustaining the complex.

Whilst it is noted that the site is not served conveniently by public transport services, it is considered that the benefits of sustaining the use of the building would outweigh the requirement in this case for development to be sustainably located.

Public comments regarding the condition of the unadopted section of Rakewood Road are noted. As this relates to a privately maintained section of road, this is considered to be a civil matter between the owners and users of the road.

Public comments regarding the requirement for a Transport Statement to support the application are noted. Policy T2 notes that Transport Statements will be required by smaller developments in a range of circumstances, including where they propose 10 to 49 parking spaces. The development proposes to use an existing parking area at the rear of the site, and the application indicates that this will provide 40 spaces. As this is an existing parking area it is not considered that the application proposes any new parking spaces and the requirement for a Transport Statement does not arise.

In any case, the application is supported by a detailed Design and Access Statement which provides full details of access and parking arrangements and it is considered that this provides details of an appropriate nature and level of detail, as would be required for a Transport Statement for the proposal.

Public comments regarding potential likely traffic levels and the potential 'fall back' traffic levels of the resumption of the existing lawful use of this part of the building, including reference to historical operations at the site, are noted.

For the above reasons, it is considered that the proposal would be satisfactory in terms of the access and highway safety requirements of policy DM1 and NPPF paragraph 111.

Ecology

G7 Increasing the value of biodiversity and geodiversity notes that no development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in a net gain, and goes on to note that the Council will expect development proposals and improvements to protect existing biodiversity within new developments. PFE policy JP-G9 *A Net Enhancement of Biodiversity and Geodiversity* notes that through local planning and associated activities a net enhancement of biodiversity resources will be sought

The previous approval was subject to a condition requiring the approval of measures to improve biodiversity at the site. Proposed measures have been submitted with the application, set out in a Biodiversity Enhancement Strategy, recommending the installation of bat boxes on trees at Rakewood Mill. These proposals have been considered by the Ecology Unit, who recommend that the scheme be conditioned. GMEU have also assessed the proposed lighting details (which were also left to be resolved by condition on the previous permission) and recommend that no further details are required. The lighting details are therefore considered to be acceptable in terms of effects on wildlife.

On this basis, it is considered that the proposal, subject to the implementation of the biodiversity measures, would comply with local policy G7 and policy JP-G9 of Places for Everyone, and would therefore be acceptable in ecology terms. The public comments regarding the impact on wildlife are noted, but it is not considered that the proposal will be detrimental to wildlife, and that the proposed measures will mean that the scheme will be beneficial to wildlife.

Public Sector Equality Duty

Under The Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to its to the desirability of exercising decisions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage arising from protected characteristics.

The Act requires that those with protected characteristics should be protected from direct and indirect discrimination. Indirect discrimination under Chapter 2 Part 19, establishes that a practice etc is discriminatory if it puts, or would put, a person with a protected characteristic at a particular disadvantage compared to someone who does not share it.

Section 149 of the Equality Act 2010 requires public authorities to have due regard in respect of three 'needs' in the exercise of public powers and the delivery of public services. The needs are to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

By due regard, it has been held that this means a 'conscious directing of the mind to the obligations'. In a planning context, it is for the decision maker to decide what weight to give to the equalities implications of the decision.

In respect of the three needs set out above further consideration needs to be given to the requirement to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, The Equality Act 2010, explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

In the case of determining this planning application, it is noted that the proposal will not provide a suitable means of access into the building which would be accessible to individuals with particular physical disabilities, including wheelchair users, and will not provide toilet and waiting areas which have been designed to be accessible to people with disabilities. It is also noted that the proposed parking provision will not include any disabled-specific bays. However, the application does not propose to formally mark out bays, and instead the parking area will operate in a more informal basis. In this context, it is not considered that marking out disabled-specific spaces would be necessary to ensure that the parking provision is usable by people with disabilities. However, it is noted that the existing parking area is not level ground and that as such, the parking provision may be more difficult for use by some disabled visitors. It is noted that Core Strategy policy P3 *Improving the design of new development* sets out design principles, including ensuring that a development is easy to move through and get around, especially for pedestrians, cyclists, public transport, disabled people and emergency service vehicles.

It is acknowledged that the lack of disabled access to the first floor facility, and the lack of level parking provision, would result in some disadvantage to individuals with disabilities, a protected characteristic. However, particularly given the nature of the proposal as the re-use of part of an existing, modestly sized building, it is not considered that requiring provision of such measures would be proportionate in these circumstances, or that refusing the scheme as proposed on the basis of these matters would be justified in planning terms.

It is therefore considered that by approving the application, the Council would be fulfilling its duty to protect people from disadvantage arising from protected characteristics.

Other matters

Public comments, including those raised by Littleborough Civic Trust, regarding the implementation and operation of the previously approved energy centre scheme are noted.

These matters have been subject of separate enforcement action which is now closed, and in any case are not considered to be directly relevant to the assessment of the current proposals, which would operate in a different section of the building and would not appear to have any impact on the operation of the previously approved scheme.

Littleborough Civic Trust comments on miscellaneous other matters are noted. In response, it is noted that:

- No request has been received from ward members for the application to be called in to be determined by the Planning and Licencing Committee. Local ward members, including members of the Pennines Planning Panel, were notified of the application upon its submission and during determination.
- The potential use of reinforced autoclaved aerated concrete within the building is not a material planning consideration.
- The omission of an application declaration date on the application was corrected by the submission of an amended form, backdated to the date the application was submitted to the Council
- Revised plans detailing the design of the proposed external staircase were received and published to the website shortly before finalisation of this report. These details are not considered to be significantly different to the indicative designs original received with the application and as such it was not considered necessary to notify any interested parties about the receipt of these plans.
- Regarding the internal floorspace noted on the application form: the figure noted on the application form is 290m². With reference to measurements taken from correctly scaled plans of the proposal, this figure appears to be broadly correct. References in the assessment of the previous application to a smaller floorspace was due to a scaling error.

CONCLUSIONS

The proposed change of use is considered to be an appropriate form of development in the Green Belt and is therefore acceptable in principle. It is considered that a small indoor sports facility would be appropriate to this rural location, but that other potential uses within the same Use Class could potentially give rise to conflicts with strategic and other development management policies within the development plan, and therefore that the use of the building should be limited to that specified in the application to allow for other uses to be separately assessed.

It is considered that the proposed use would be acceptable in terms of impacts upon highway safety and residential amenity, and to be acceptable in terms of design and impacts upon heritage assets and nature conservation. The proposed development is not considered to give rise to any other planning considerations, and the proposal is therefore considered to comply with the policies of the development plan, and is considered to comprise sustainable development. Accordingly, the application is recommended for approval.

RECOMMENDATION

Approve subject to the following conditions:

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:

- Rakewood Higher Mill – Site Location Plan
- Rakewood Higher Mill – Site Location Plan – Parking Area
- Ground Floor Plan – Proposed Floor Plan
- First Floor Plan – Proposed Floor Plan
- New Access Stairs to Former Drying Room – Elevation as Proposed
- Biodiversity Enhancement Strategy
- Bat Reasonable Avoidance and Mitigation Measures
- Design and Access Statement (details of external lighting)

and the development shall be carried out in complete accordance with these drawings hereby approved, except as otherwise required by the conditions below.

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

3. The use of the building to which the permission relates shall be limited to the areas shown on the approved ground floor and first floor plans and those falling within Use Class E(d) 'indoor sport, recreation or fitness' and shall not be used for any other uses falling within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) without the written approval of the Local Planning Authority.

Reason: To define the permission and in order to retain control of the use of the building in the interests of protecting residential amenity and highway safety in accordance with the objectives of Core Strategy policy DM1, and in the interest of promoting the viability and vitality of the borough's town centres in accordance with Core Strategy policy E1 of the Rochdale Core Strategy.

4. The hours of operation of the development hereby approved shall be:

08:00-21:00, all days

and shall not be open to the public beyond these hours.

Reason: In the interest of protecting the amenity of neighbouring residents in accordance with policy DM1 of the Rochdale Core Strategy.

5. No loudspeakers, public address systems or music amplification, or any similar equipment, shall be used as part of the use hereby approved without the approval of the Local Planning Authority.

Reason: In the interest of protecting the amenity of neighbouring residents from excessive noise nuisance, in accordance with policy DM1 of the Rochdale Core Strategy.

6. The development shall be undertaken in accordance with the following approved design details which shall be retained as approved thereafter:
 - External doors as indicated in details received by the Local Planning Authority on 11.09.2023 (hardwood panel doors painted dark green)
 - Staircases - P23025-ARC-07-00-D-A-3001 Rev P1 Stair Scoping Drawing
 - Brick repairs in reclaimed Accrington brick, repointed with 1 lime: 3 sand mix mortar
 - External lights as described and indicated in the Design and Access Statement

Reason: In order to protect the significance of the non-designated heritage asset, in accordance with policy P2 of the Rochdale Core Strategy and Places for Everyone policy JP-P2.

7. The external lighting to be used in association with the development shall be in accordance with the details indicated in the submitted Design and Access Statement. No other external lighting shall be used in associated with the approved development.

Reason: In the interest of avoiding an adverse impact on wildlife and protected species in accordance with Core Strategy policy G7 and Places for Everyone policy GP-G9.

8. Prior to the approved facility being brought into first use, the area of visitor parking indicated on the approved parking plan shall be fully cleared of all stored materials and items and be made available for visitor parking, and permanently retained in the same condition.

Reason: In order to ensure sufficient off-street parking for users of the approved facility, in the interest of protecting highway safety in accordance with policy DM1 of the Rochdale Core Strategy.

9. The biodiversity enhancements noted in the submitted Biodiversity Enhancement Strategy shall be implemented in full prior to the first use of the development hereby approved and retained as approved thereafter.

Reason: To secure biodiversity net gain as required by policy G7 of the Rochdale Core Strategy and Places for Everyone policy GP-G9.

10. The development shall be undertaken in accordance with the recommendations set out on page 7 of the submitted Bat Reasonable Avoidance and Mitigation Measures report dated 24.11.2022.

Reason: In the interest of avoiding an adverse impact on wildlife and protected species in accordance with Core Strategy policy G7 and Places for Everyone policy GP-G9.

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 Tom Hiles